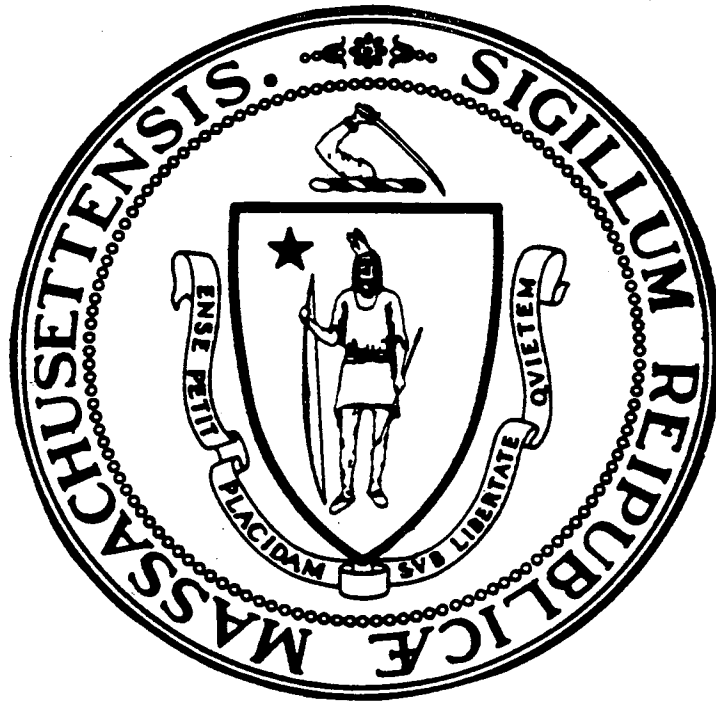

RULES AND REGULATIONS OF THE ARCHITECTURAL ACCESS BOARD



THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF PUBLIC SAFETY

ARCHITECTURAL ACCESS BOARD

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The Commonwealth of Massachusetts
SECRETARY OF STATE

REGULATION FILING AND PUBLICATION

1. REGULATION CHAPTER NUMBER AND HEADING:

521 CMR

2. NAME OF AGENCY:

ARCHITECTURAL ACCESS BOARD

3. THIS DOCUMENT IS REPRINTED FROM THE CODE OF MASSACHUSETTS REGULATIONS AND CONTAINS THE FOLLOWING:

521 CMR ALL THE REGULATIONS OF THE BOARD

UNDER THE PROVISIONS OF MASSACHUSETTS GENERAL LAWS, CHAPTER 30A, SECTION 6 AND CHAPTER 233, SECTION 75 THIS DOCUMENT MAY BE USED AS EVIDENCE OF THE ORIGINAL DOCUMENTS ON FILE WITH THE STATE SECRETARY.

*Includes 1990 and 1992 amendments as inserts
see sections 18 and 30-5.4 and 35-9*

COMPILED AS IN FULL FORCE AND EFFECT 7/10/87

A TRUE COPY, ATTEST

Michael Joseph Connolly
MICHAEL JOSEPH CONNOLLY,

SECRETARY OF STATE

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PART A
administrative

AUTHORITY

1

- 1.1 These Rules and Regulations are promulgated by the Architectural Barriers Board pursuant to authority granted by General Laws, Chapter 22, Section 13A (see Appendix).
- 1.2 Under the provisions of Chapter 528 of the Acts of 1974, Section 2, all orders, rules and regulations duly made and all licenses, permits, certificates and approvals duly granted by the Board to Facilitate the Use of Public Buildings by the Physically Handicapped, which were in force immediately prior to the effective date of said chapter, shall continue to be in force, and the provisions thereof to be enforced until superseded, revised, rescinded or cancelled in accordance with the law by the Architectural Barriers Board.
- 1.3 These Rules and Regulations supersede and revise the Rules and Regulations of the Architectural Barriers Board, Form 16-1, filed with the Secretary of the Commonwealth on March 3, 1977, designated as 521 CMR, 1.00 et. seq.

PURPOSE AND SCOPE

2

- 2.1 These Rules and Regulations are designed to make public buildings accessible to, functional for, and safe for use by physically handicapped persons.
- 2.2 It is the intent of these Rules and Regulations to provide physically handicapped persons full and free use of all buildings and facilities so that all such persons may have the educational, employment, living and recreational opportunities necessary to be as self-sufficient as possible and to assume full responsibilities as citizens.
- 2.3 These Rules and Regulations are deemed to be a specialized code under Section 19 of Chapter 23B of the General Laws (see Appendix), the violation of which shall be subject to the provisions of Section 17 of said Chapter, shall constitute gross negligence for the purposes of clause (d) of Section 60G of Chapter 112 of the General Laws, and shall be subject to the additional powers granted to the Board by Section 13A of Chapter 22 of the General Laws.

3 BUILDINGS UNDER JURISDICTION

- 3.1 All construction, reconstruction, alteration, remodeling and changes of use of public buildings or other facilities open to the public shall conform to these Regulations.
- 3.2 The performance of any work which is governed by Section 21 (Curb Cuts) of these Regulations shall be considered construction and, therefore, must fully comply with these Regulations, except that Section 3.3 shall not apply.
- 3.3 The following formula shall apply and govern all construction (except construction of curb cuts under Section 21 of these Regulations), reconstruction and changes of use as defined in these Regulations:
- A. If the work being performed amounts to less than twenty-five percent (25%) of the one-hundred percent (100%) equalized assessed value of the building, and
1. the cost of the work is less than \$50,000, only that portion of the work being performed shall comply with these Regulations;
 2. the cost of the work is \$50,000 or more, then that portion of the work being performed shall comply with these Regulations, and an accessible entrance and toilet usable by a person in a wheelchair also shall be provided.
- B. If the work being performed amounts to more than twenty-five percent (25%) of the one-hundred percent (100%) equalized assessed value of the building, the entire facility shall comply with these Regulations.
- 3.4 The formula contained in Regulation 3.3 also shall apply to all remodeling and alteration as defined in these Regulations, provided that the work being performed amounts to more than five percent (5%) of the one-hundred percent (100%) equalized assessed value of the building, or a building permit is needed, or work is determined to be an alteration by a state or local building inspector.
- 3.5 When the work performed on a building is divided into separate phases or projects or under separate building permits, the total cost of such work in any twenty-four (24) month period shall be added together in applying the formula in this Regulation.
- 3.6 When a building is occupied by two (2) or more different uses, the Regulations applicable to each use shall apply to such parts of the building within that use; and if there are conflicting provisions, the Regulations securing greater accessibility shall apply.
- 3.7 Buildings owned, controlled or operated by private clubs are exempt from these Regulations. (See Section 5.15)
- 3.8 For registered historical buildings or districts, owned or protected by the government, the Board may allow alternate accessibility.

4.1 Commencement of Proceedings:

4.1.1 Variances: an owner, or his representative, (hereinafter referred to as "applicant"), who believes that full compliance with these Regulations is impracticable, may apply to the Board for a variance from such Regulations. Application for a variance shall be made upon a form provided by the Board for this purpose, shall contain such information as is required by the Board, and shall be signed by the applicant. Upon receipt of an application for variance, the Board:

4.1.1.1 Shall investigate the matter.

4.1.1.2 May grant the application with or without whatever conditions it deems appropriate or deny the application without a hearing. Any person aggrieved by the Board's action under this Regulation may request an adjudicatory hearing within 30 days of the decision.

4.1.1.3 May schedule a conference to consider the simplification or clarification of the issues; the possibility of an agreement disposing of all or any matters as may aid in the disposition of an adjudicatory proceeding. Those matters agreed upon by the parties shall be electronically recorded and/or reduced to writing and shall be signed by the parties, and shall thereafter constitute a part of the record.

4.1.1.4 May commence an adjudicatory hearing in accordance with the provisions of M.G.L. c. 30A and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 or 1.02.

4.1.2 Complaints: Any person (hereinafter referred to as "complainant"), who has knowledge or evidence that any other person has not complied or is not complying with any of these Regulations, may complain in writing to the Board. Upon receipt of a complaint, the Board:

4.1.2.1 Shall investigate the complaint.

4.1.2.2 May schedule a conference to consider the simplification or clarification of the issues; the possibility of obtaining stipulations and agreements; the possibility of an agreement disposing of all or any issues in dispute; and any other matters as may aid in the disposition of an adjudicatory proceeding. Those matters agreed upon by the parties shall be electronically recorded and/or reduced to writing and shall be signed by the parties, and shall thereafter constitute a part of the record.

4.1.2.3 May commence an adjudicatory hearing in accordance with the provisions of M.G.L. c. 30A and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 or 1.02.

4.1.2.4 May dismiss a complaint at any time.

4.2 Hearings: All adjudicatory hearings shall be conducted in accordance with the provisions of M.G.L. c. 30A and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 or 1.02.

4.2.1 Hearings will be scheduled within 60 days of receipt of a request for an adjudicatory hearing unless the Board in its discretion extends such time for good cause shown. The Board will schedule hearings on two weeks notice unless it deems a shorter period necessary.

4.2.2 In proceedings under CMR 1.02, the Board may provide for mandatory discovery.

4.2.3 The Board will issue a decision within 21 days after the hearing unless the Board in its discretion extends such time.

4.2.4 When the Board deems it necessary and subject to appropriation, the services of an independent expert may be sought.

4.3 Reopening Hearing, Motion for Reconsideration

4.3.1 The Board on its own motion, or on motion of any applicant, complainant or aggrieved person, may reopen the hearing in order to receive additional evidence which was not reasonably

available at the time of the hearing. The request for reopening shall indicate what new evidence will be presented.

4.3.2 Notice of a decision by the Board to reopen a hearing in order to take further testimony or to receive further evidence shall be given by the Board to all persons who appeared at the hearing.

4.3.3 An applicant, complainant or aggrieved person may file a motion for reconsideration, setting forth the grounds or statutory provisions relied upon to sustain the motion, within 10 days from the date the final decision is mailed by the Board to the applicant or complainant.

4.4 Appeal: Any party aggrieved by a final decision of the Board may appeal such decision in accordance with the provisions of M.G.L. c. 30A, s. 14.

4.5 Advisory Opinions: The Board may issue advisory opinions concerning the interpretation or applicability of these Rules and Regulations upon the written request of an owner, or his representative. Advisory opinions issued by the Board may be relied upon the persons requesting them, as well as by any agency, or official of a city, town or region.

4.6 Petition for Adoption of Regulations;

4.6.1 Any interested person or his attorney may at any time petition the Board to adopt, amend or repeal any regulation. The petition shall be addressed to the Board and sent by mail or delivered in person during normal business hours. All petitions shall be signed by the petitioner or his attorney, contain his address or the address of his attorney, and set forth clearly and concisely the text of the proposed regulation. The petition may be accompanied by any supporting data, views, or arguments. A member of the Board may make a written recommendation that a regulation be adopted, amended or repealed.

4.6.2 Initial Procedure: Within sixty (60) days of the receipt of a petition or recommendation, the Board shall hold a meeting to determine whether to schedule the petition or recommendation for further proceedings in accordance with M.G.L. c. 30A. If the regulation has been presented by petition the Board shall notify the petitioner within ten (10) days after making such determination.

4.6.3 Procedure for the Adoption, Amendment or Repeal of Regulations:

4.6.3.1 The procedures for the adoption, amendment or repeal of any regulation shall comply with M.G.L. c. 30A.

4.6.3.2 Where no public hearing is required, the Board may afford any interested person or his duly authorized representative, or both, an opportunity to present data, views or arguments orally before the Board during the meeting at which the proposed action is to be considered. If the Board finds that such oral presentation is unnecessary or impracticable, it may require written presentation.

4.6.3.3 Where a public hearing is required, the Board shall afford any interested person or his duly authorized representative, or both, an opportunity to present orally, statements and arguments. In its discretion, the Board may limit the length of oral presentation.

4.6.4 Filing of Regulation: Upon the adoption of a regulation, an attested copy shall be filed with the Secretary of State together with a citation of the statutory authority under which the regulation has been promulgated. The regulation shall take effect upon filing unless a later date is required by law or is specified by the Board in the regulation.

- 5.1 As used in these Regulations, the following words shall have the meaning set forth in this Section unless the context otherwise requires.
- 5.2 **"ACCESSIBLE"**: The state of a site, building, facility, or portion thereof that complies with the section and any rules or regulations promulgated hereunder and that can be approached, entered and used by physically handicapped persons.
- 5.3 **"ACCESSIBLE ROUTE/PATH OF TRAVEL"**: A continuous, unobstructed path connecting all accessible elements and spaces within or between buildings, facilities or walks, that can be negotiated by a disabled person using a wheelchair, and which also is safe and usable by people with other disabilities.
- 5.4 **"ALTERATION"**: External or internal rehabilitation or renovation for which a building permit is needed or for which the cost of such rehabilitation or renovation equals or exceeds five percent (5%) of the full and fair cash value of the building, or any work determined to be alteration by a state or local building inspector.
- 5.5 **"BOARD"**: The "Architectural Access Board" within the Executive Office of Public Safety.
- 5.6 **"BUILDING"**: A structure enclosed within exterior walls or fire walls, built of a combination of any materials, whether portable or fixed, to form a structure for the shelter of persons, animals or property. The word "building" shall be construed where the context requires as though followed by the words "or part or parts thereof."
- 5.7 **"CHANGE OF USE"**: Varying the use of a building from a private use to one that is open to and used by the public.
- 5.8 **"CONSTRUCTION"**: Work for which a building permit is required, work determined to be construction by a state or local building inspector, or work for which a certificate of occupancy is necessary upon completion.
- 5.9 **"FINAL DECISION"**: Determination of the Board, arrived at after consideration of the facts brought to its attention in accordance with these Regulations, which determination disposes of the issues before the Board in the pending action on their merits.
- 5.10 **"FULL AND FAIR CASH VALUE OF THE BUILDING"**: The assessed valuation of the building as recorded in the Assessor's Office of the municipality as equalized at one-hundred percent (100%) valuation; or, if no assessed value exists, either the fair market value, or for buildings constructed by the Commonwealth or any political subdivision thereof, the replacement cost of the building.
- 5.10.1 The one-hundred percent (100%) equalized assessed value shall be based upon Massachusetts Department of Corporations and Taxation's most recent determination of the particular city's or town's assessment ratio.

Example: Town X has an assessment ratio of forty percent (40%), the particular building in question is assessed at \$200,000.00; to determine the equalized assessed value of this building, divide \$200,000.00 by .40. The equalized assessed value equals \$500,000.00.

5.10.2 When part of a building is subject to these Regulations, the full and fair cash value shall be based on the percentage of the full and fair cash value of the whole which equals the ratio of the square footage of the part of the building to the square footage of the whole building; provided that if the Board determines the application of this formula to cause an inequitable result, the Board may otherwise calculate the full and fair cash value of the part of a building at issue.

Example: Where the whole building is 100,000 square feet, the part in question is 10,000 square feet, and the equalized value of the whole is \$1,000,000.00, the full and fair cash value of the part is \$100,000.00.

- 5.11 "IMPRACTICABILITY: a) Compliance with the Regulations would be technologically unfeasible, or b) compliance with the Regulations would result in excessive and unreasonable costs without any substantial benefit to physically handicapped persons.
- 5.12 "MEANS OF EGRESS" : A continuous and unobstructed path of travel from any point in a building or facility to a public space. A means of egress comprises the vertical and horizontal means of travel and shall include sidewalks, walkways, sidewalk ramps, intervening room spaces, doors, hallways, corridors, passageways, balconies, ramps, stairs, enclosures, lobbies, escalators, horizontal exits, courts and yards. Such means of egress shall be in no instance less than thirty-six (36) inches wide, except as provided in these Regulations.
- 5.13 "NON-SLIP": A condition in which a rubber heel, cane tip or crutch tip will not slip when pressure is applied at an angle of seventy (70) degrees on a level wet surface.
- 5.14 "PHYSICALLY HANDICAPPED PERSONS": Any person who has a disability that substantially limits one or more major life activities, including but not limited to, such functions as performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. Physically handicapped persons shall include, but not be limited to, persons who have an inability to walk, difficulty walking, hearing disabilities, lack of coordination, reaching and manipulation disabilities, lack of stamina, difficulty interpreting and reacting to sensory information and extremes in physical size.

5.15 "PRIVATE CLUB": A voluntary association (incorporated, or unincorporated) of private individuals, as distinct from the public generally, for common purposes of a social, literary, investment, political fellowship, religious, athletic or like nature, or the promotion of such common purposes, which association is jointly supported and the membership to which is conferred and carries the privilege of use of club facilities. For the purposes of these Regulations, a club is not "private" if its membership or if any of its facilities are open to, or are made available to the public.

5.16 "PUBLIC BUILDING": The following shall be under the jurisdiction of these Rules and Regulations.

5.16.1 A BUILDING CONSTRUCTED BY THE COMMONWEALTH OR ANY OR ANY POLITICAL SUBDIVISION THEREOF WITH PUBLIC FUNDS AND OPEN TO PUBLIC USE, INCLUDING BUT NOT LIMITED TO THOSE CONSTRUCTED BY:

5.16.1.1 public housing authorities

5.16.1.2 the Massachusetts Port Authority

5.16.1.3 the Massachusetts Parking Authority

5.16.1.4 the Massachusetts Turnpike Authority

5.16.1.5 the Massachusetts Bay Transportation Authority

5.16.1.6 building authorities of any public educational institution or their successors

5.16.2 PRIVATELY AND PUBLICALLY FINANCED BUILDINGS THAT ARE OPEN TO AND USED BY THE PUBLIC. PRIVATELY AND PUBLICALLY FINANCED BUILDINGS SHALL INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING:

5.16.2.1 transportation terminals

5.16.2.2 institutional buildings

- 5.16.2.3 commercial buildings
 - 5.16.2.4 buildings having places of assembly with a capacity of more than one-hundred-fifty (150) persons
 - 5.16.2.5 hotels
 - 5.16.2.6 motels
 - 5.16.2.7 dormitories
 - 5.16.2.8 public parking areas or lots with a capacity of twenty-five (25) or more automobiles
 - 5.16.2.9 public sidewalks and ways
 - 5.16.2.10 public areas of apartment buildings and condominiums containing twelve (12) or more units
 - 5.16.2.11 public areas of funeral homes
 - 5.16.2.12 public rest rooms and public areas of shopping centers and restaurants
- 5.17 **"RECONSTRUCTION"**: The tearing down, removal, demolition, or replacement of a public building or part of a public building.
- 5.18 **"REMODELING"**: Modification beyond an interior decoration or involving any structural change, or the redecorating of a public building for which the cost of such refurbishing, updating or redecorating equals or exceeds five percent (5%) of the full and fair cash value of the building.
- 5.19 **"SIDEWALK"**: A prepared walk within a street right of way.
- 5.20 **"TACTILE WARNING"**: A surface texture applied to or built into walking surfaces or other elements to warn visually impaired persons of hazards in the path of travel.
- 5.21 **"USE"**: Purpose for which the building is designed or intended.
- 5.22 **"WALK (WALKWAY)"**: An exterior or interior pathway with a prepared surface intended for pedestrian use, including general pedestrian areas such as plazas and courts.
- 5.23 **"VARIANCE"**: Modification of or substitution for a Rule or Regulation.

PART B

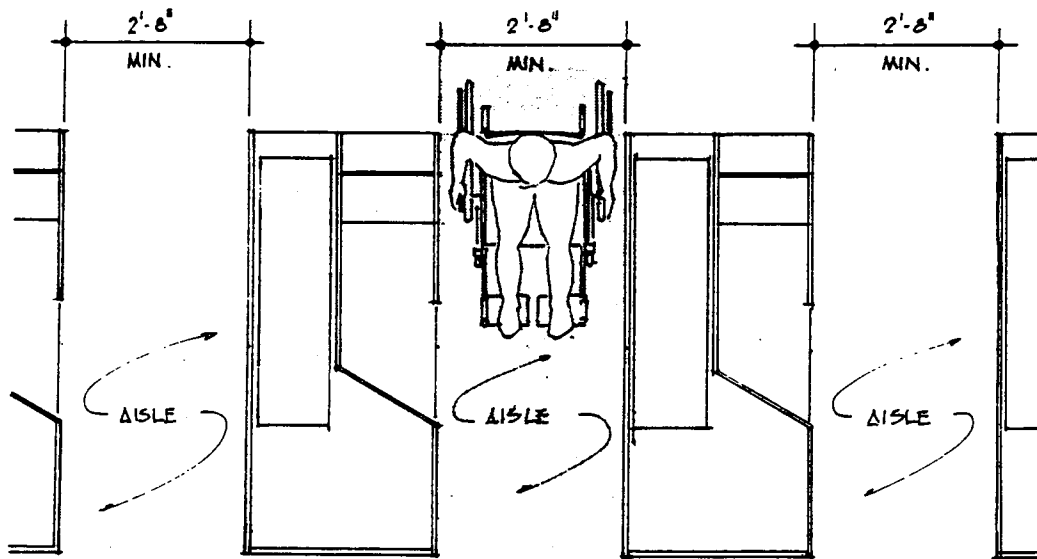
**specific buildings:
in addition to parts C and D
of these regulations, the
following rules and regulations
shall apply:**

6.1 Public areas of shopping centers shall include, but shall not be limited to, areas where the service or product of the establishment is offered to the public, public toilet rooms provided for clientele in said areas, walks, stairs, elevators, primary entrances, and parking facilities.

6.2 Stores in shopping centers shall provide the following:

6.2.1 Aisles shall have a minimum clear width of thirty-six (36) inches.

6.2.2 All check-out lanes shall have a minimum clear width of thirty-two (32) inches.



PLAN - CHECK OUT LANES

6.2.3 Wherever a turnstile is provided, an adjacent, alternate unlocked gate or door shall be provided, having a minimum width of thirty-six (36) inches.

6.2.4 Wherever dressing rooms are provided, at least one such room shall be at least five (5) feet by six (6) feet, and shall have a thirty-four (34) inch clear opening and shall contain a seat. An unobstructed path of travel shall lead to any such dressing room.

6.2.5 Public toilet rooms shall be accessible.

6.2.6 Shopping cart barriers are not allowed.

7 HOTELS, MOTELS, INNS

- 7.1 In hotels, motels or inns containing twenty (20) or more units, at least five percent (5%) of the units and the public areas shall be accessible.
- 7.2 In applying the five percent (5%) rule contained in Section 7.1 to hotels, motels and inns which consist of more than one building, all of the units in the entire complex or project shall be added together.
- 7.3 The public areas in hotels, motels and inns are the general public function areas, recreation areas, health facilities, pools, meeting areas, restaurants, public toilet rooms, walks, elevators, primary entrances as well as the stairs and corridors leading to accessible units.
- 7.4 At least one of each of the services provided in each location in said hotel, motel or inn, such as vending areas, laundry rooms, public telephones, etc., shall be accessible.
- 7.5 Units designed for the handicapped shall be proportionally distributed as to size, quality and price as all other units in the facility.

8 LODGING, RESIDENTIAL FACILITIES

- 8.1 In apartment buildings, lodging and residential facilities for rent, hire or lease, containing twenty (20) or more units, at least five percent (5%) of the units and the public areas shall be made accessible.
- 8.2 In applying the five percent (5%) rule contained in Section 8.1 to apartment buildings, lodging or residential facilities which consist of more than one building, all of the units in the entire complex or project shall be added together.
- 8.3 Units designed for handicapped persons shall be proportionally distributed as to the number of bedrooms, size, quality and price as all other units in the facility.
- 8.4 The public areas in apartment buildings, lodging and residential facilities are the general public function areas, recreation areas, health facilities, pools, meeting areas, community facilities, restaurants, public toilet rooms, laundry areas, trash areas, storage areas and mailboxes, walks, elevators, primary entrances as well as the stairs and corridors leading to accessible units.

- 8.5 The public areas of apartment buildings, lodging and residential facilities containing twelve(12) or more units shall comply with these Regulations. They shall include walks, primary entrances, vestibules, lobbies and foyers, if they are open to the public.
- 8.6 In housing for the elderly or in a building which is predominantly used to house elderly persons, Section 27.9 of these Regulations shall apply to all units.

RESIDENTIAL CONDOMINIUMS 9

- 9.1 The public areas of privately-owned condominiums containing twelve (12) or more units shall comply with these Regulations. They shall include walks, primary entrances, front vestibules, lobbies and foyers, if they are open to the public.

COMMERCIAL CONDOMINIUMS 10

- 10.1 Those spaces in commercial condominiums where the service or product is offered to the public, and those premises in which a member of the public may enter in a commercial condominium shall comply with these regulations. For further definition of commercial condominiums, see Section 11 of these Regulations.

11 COMMERCIAL BUILDINGS

- 11.1 Commercial buildings and commercial condominiums are public buildings within the means of these regulations and shall include buildings classified in Use Group B, Businesses, and Use Group M, Mercantile (as defined in Sections 204 and 208 in the Massachusetts State Building Code, 780 CMR) which are not otherwise subject to these Regulations, where the service or product is offered to the public and those premises in which a member of the public may enter. Commercial buildings and commercial condominiums shall comply with these regulations.
- 11.2 In commercial buildings and commercial condominiums classified in Use Group B, which consist of 5,000 gross square feet or less, vertical access is not required provided that the main level of the building is fully accessible to physically handicapped persons; provided further, however, that this subsection shall not apply to new construction.
- 11.3 Commercial buildings and commercial condominiums shall be subject to all applicable provisions of Section 6 of these Regulations.
- 11.4 Subsection 11.2 of these Regulations shall expire on January 1, 1989.

12 EDUCATIONAL INSTITUTIONS

- 12.1 Educational institutions are public buildings within the meaning of these Regulations, and shall include, but not be limited to, libraries, public and private schools, pre-schools, day care facilities, colleges and universities, and training facilities.
- 12.2 Dormitories and administrative offices of educational institutions shall comply with these Regulations.
- 12.3 Amphitheatres and lecture halls of educational institutions shall also comply with Section 14 with the exception of capacity.
- 12.4 Library aisles between fixed stacks shall have a minimum clear width of thirty-six (36) inches and preferably forty-two (42) inches.

13 HEALTH INSTITUTIONS/FACILITIES

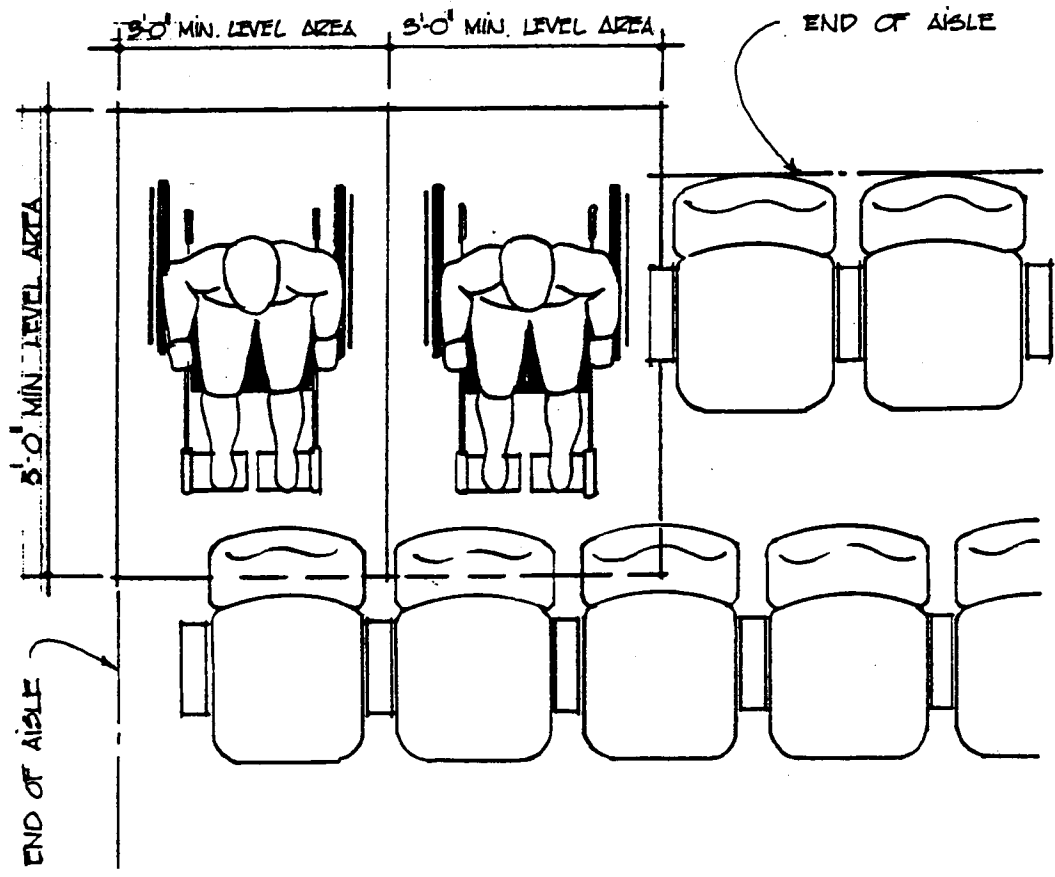
- 13.1 Health institutions or facilities are buildings in which medical service or treatment is provided, and shall include, but not be limited to, hospitals, clinics, dental offices, sanatoriums, alcohol and drug detoxification centers, and buildings in which one or more doctors provide health services similar to those provided by any of the above.

- 13.2 Where in-patient medical care is provided, all bedrooms and bathrooms shall have clear door openings of at least thirty-four (34) inches. At least five percent (5%), or a minimum of two (2) per floor, whichever is greater, of patient bedrooms with bathrooms shall have bathrooms fully accessible in accordance with Section 30 or 32.
- 13.3 Where toilet rooms are provided, at least one water closet and one lavatory must be accessible.
- 13.4 Where showers or tubs are provided, at least one per floor must be accessible.
- 13.5 All examination and treatment rooms, and waiting or visiting areas must comply with these Regulations.

PLACES OF ASSEMBLY

14

- 14.1 Places of assembly with a capacity of more than one hundred and fifty (150) persons shall include but not be limited to theaters, auditoriums, armories, lecture halls, arenas, stadiums, etc., and shall comply with these Regulations. Appurtenant areas, including but not limited to lobbies, ticket offices, seating, stages, backstage areas, dressing rooms, showers and green rooms shall also be accessible.
- 14.2 NUMBER: The minimum number of spectator spaces that shall be accessible shall be computed in accordance with the table in Section 23.4 of these Regulations.
- 14.3 SPACE: Each wheelchair space shall be level and shall be sixty (60) inches long and thirty-six (36) inches wide. In lieu of clear space, sections of fixed seating which can be readily unfastened and removed may be provided.



PLAN - ASSEMBLY SEATING

14.4 **LOCATION:** Seat locations of wheelchair spaces shall be proportionally distributed as to price ranges and locations. Such designated spaces shall in no way interfere with the required exit facilities. The location of wheelchair spaces shall also have an unobstructed path of travel leading to such spaces.

DETENTION FACILITIES

15

- 15.1 Such facilities shall include, but not be limited to, police stations, and buildings designated for the detention, incarceration, and/or treatment of juveniles and/or adults committed by court or voluntary process.
- 15.1.1 Areas for visitation and consultation shall be accessible and shall have an accessible path of travel leading to such areas from the entrance to the facility.
- 15.1.2 Public areas of such facilities, and areas for visitation and consultation shall comply with Parts C and D of these Regulations.
- 15.1.3 Most secure areas are exempt from these regulations, provided that some portion of the living, work, program and recreational areas are accessible to physically handicapped inmates, patients and detainees.

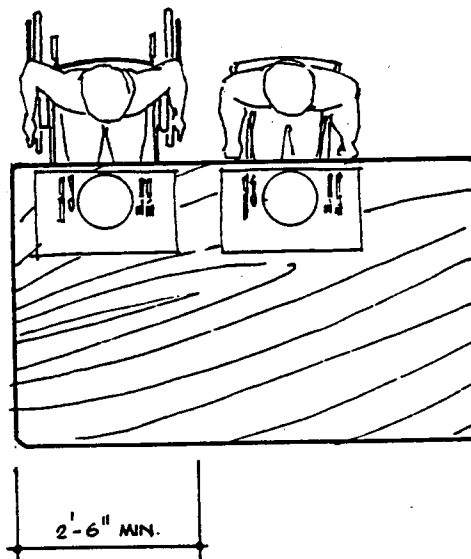
HOUSES OF WORSHIP

16

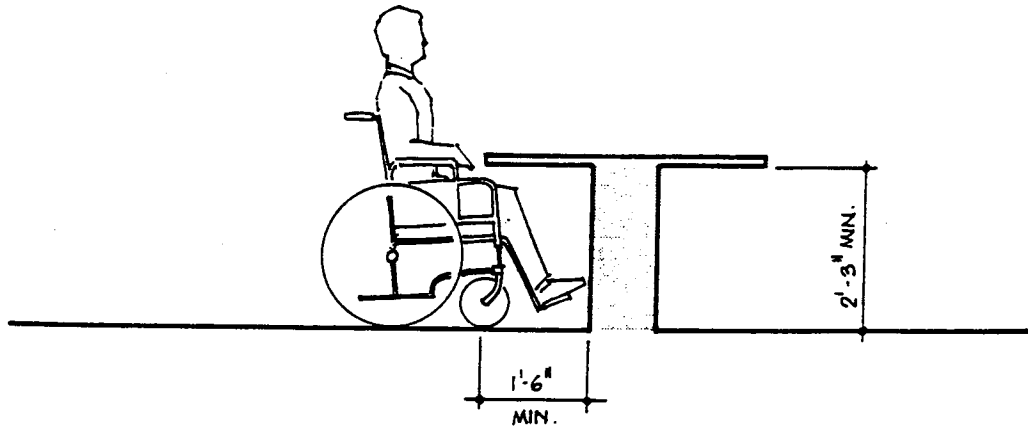
- 16.1 Houses of Worship, including but not limited to churches, chapels, synagogues, administrative offices, and religious meeting halls, shall comply with the following:
- 16.2 Section 14.2, 14.3 and 14.4 (except for provisions concerning price ranges) shall apply to Houses of Worship.
- 16.3 Where toilets are provided, an accessible toilet or private lavatory shall be provided on each accessible level.

17 RESTAURANTS

- 17.1 Restaurants shall include, but not be limited to, cafeterias, lounges, bars, and other places open to the public where food or beverages are served.
- 17.2 Each floor shall be of a common level or be connected by ramps.
- 17.3 There shall be an accessible path of travel through the dining areas at least thirty-six (36) inches wide.
- 17.4 Cafeterias:
- 17.4.1 Food selection aisles shall provide a minimum clear width of thirty-six (36) inches, including exit and entrance.
- 17.4.2 Cutlery and food display racks shall be visible and within reach of persons seated in wheelchairs.
- 17.5 Tables shall provide clear space under the table top not less than thirty (30) inches wide per seating space, and not less than twenty-seven (27) inches clear height to a depth of eighteen (18) inches from the edge of the table.



PLAN



ELEVATION - TABLE

- 17.6 Where seating is fixed, the number of accessible tables shall be computed by the formula contained in Section 23.4 and shall be proportionally distributed.

TRANSPORTATION TERMINALS 18

- 18.1 Transportation terminals shall include, but not be limited to, airports, bus and train stations, subway stops, commuter rail and rapid transit stations.
- 18.2 Overhead protection and/or snow melting provisions shall be incorporated in the immediate exterior area of the terminal entrances.
- 18.3 To facilitate access to subway cars, airplanes, buses, trains, and other means of public transportation, the following shall be provided:
- 18.3.1 The distance between platform and vehicle at boarding platforms shall not exceed four (4) inches in the horizontal plane and two (2) inches in the vertical plane
- 18.3.2 The edge of the platforms shall have a band of a different texture and color of at least eighteen (18) inches in width, warning of a danger zone.

- 18.4 Where provided, ancillary facilities such as public toilets, public telephones, etc., shall comply with these regulations, and such facilities shall be identified as accessible.
- 18.5 At least one fare transaction area and entry/exit gate shall be accessible to the handicapped and shall be a minimum of thirty-six (36) inches wide.
- 18.6 To facilitate access to commuter rail vehicles, the following shall be provided.

18.6.1 At newly constructed stations serving commuter rail coaches, access shall be provided to all passengers and to all coaches of the train by means of a raised platform. Such platforms shall be at least five feet (5') in clear width and shall have overhead shelter from rain and snow along a total of at least one hundred and fifty feet (150') of their length and at all access ramps.

For the purposes of this section, a newly constructed station is defined as any station stop where passenger service has not heretofore been provided or where no regularly scheduled passenger service has been provided for five (5) or more years.

18.6.2 Any reconstructed, altered or remodeled stations serving commuter rail coaches shall afford access to at least two coaches of a train by means of a raised access platform. Such platforms shall be at least forty-five feet (45') in length and at least five feet (5') in clear width and shall, along their full length and at all access ramps provide overhead shelter from rain and snow. For the purposes of this section, "reconstructed" shall have the definition of "reconstruction" in 521 C.M.R. Section 5.17, "altered" shall have the definition of "alteration" in 521 C.M.R. Section 5.4, and "remodeled" shall have the definition of "remodeling" in 521 C.M.R. Section 5.18.

18.6.3 The distance between the raised platforms described in 18.6.1 or the raised access platform described in 18.6.2 and the floor of the entrance to the rail coach shall not exceed four inches (4") in the horizontal plane and two inches (2") in the vertical plane. Where construction constraints result in platform to vehicle gaps that exceed these standards, a bridge plate designed to eliminate such gaps shall be made available at every door of the vehicle where passengers are boarding or disembarking.

18.6.4 The edge of all platforms at newly constructed, reconstructed, altered or remodeled stations shall have a yellow band of a different texture, distinguishable underfoot, and at least twenty-four inches (24") in width, warning of a danger zone.

18.6.5 At all newly constructed, reconstructed, altered or remodeled stations, an unobstructed continuous path of travel shall connect all terminal buildings or station houses, platforms, parking areas designated for use by handicapped persons and street entrances.

18.6.6 Within the station there shall be seating at intervals not to exceed two hundred fifty (250) feet.

19 RECREATIONAL FACILITIES

19.1 Recreational facilities shall include, but not limited to, courts, rinks, swimming pools, gymnasiums, stadiums, health and sports clubs, playgrounds, zoos, fairgrounds, beaches, piers, parks and campsites.

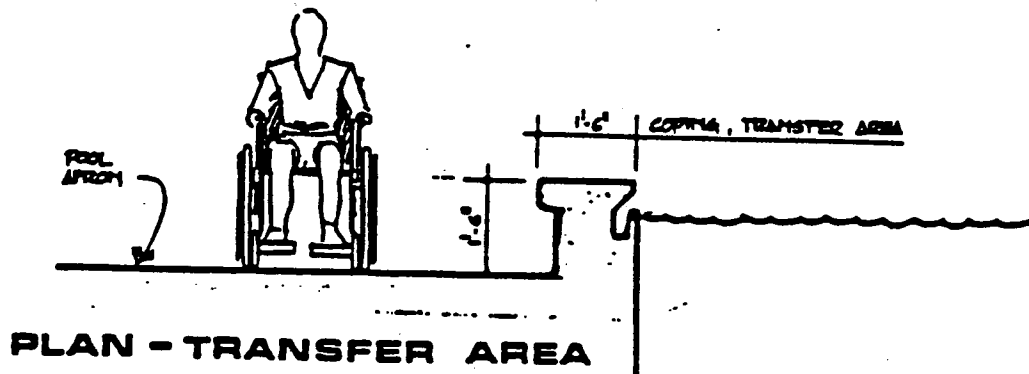
19.2 Swimming pools in all locations subject to these Regulations shall be accessible.

19.2.1 Accessibility to such pools shall be by means of any of the following:

19.2.1.1 A thirty-four (34) inch wide ramp with a non-slip surface extending into the shallow end of the pool. Such ramps shall have a slope not exceeding one-in-six (1:6), and shall have handrails on both sides, or;

19.2.1.2 A lifting device, or;

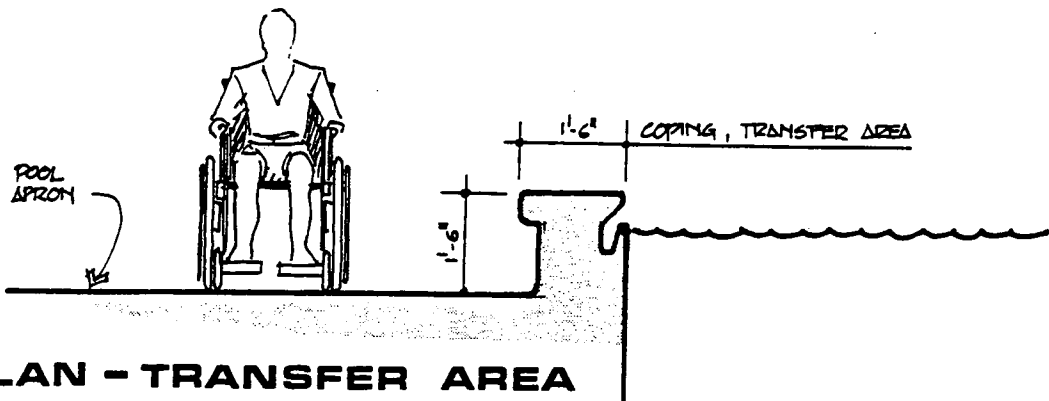
19.2.1.3 When the water level of the pool is above the level of the path of travel, which forms a raised coping, the coping may be utilized as a transfer area, if it is constructed eighteen (18) inches above the path of travel and is eighteen (18) inches wide minimum.



19.2.2 There shall be an unobstructed path of travel not less than forty-eight (48) inches wide around such pools. These paths shall have a surface that is non-slip.

19.3 Bowling alleys shall provide an accessible path of travel to at least two (2) adjacent lanes.

19.4 Locker rooms, shower facilities, and spectator areas in recreational facilities shall comply with these Regulations.



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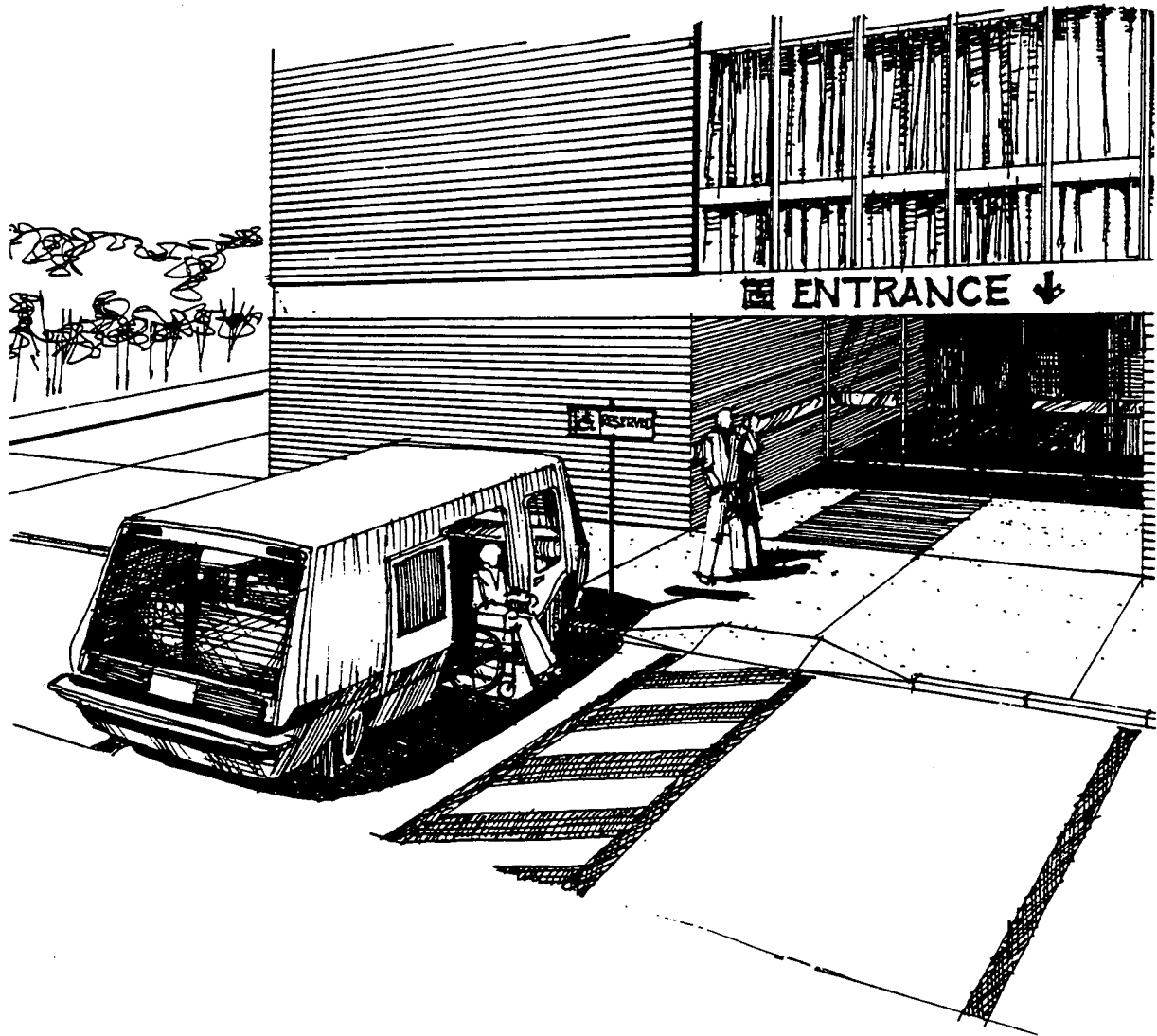
19.3 Bowling alleys shall provide an accessible path of travel to at least two (2) adjacent lanes.

19.4 Locker rooms, shower facilities, and spectator areas in recreational facilities shall comply with these Regulations.

PART C

site design requirements

- 20.1 Wherever a passenger loading zone or parking area is provided, an accessible path of travel to an accessible entrance is required.
- 20.2 Disembarking areas for vehicles shall be provided at an accessible entrance.

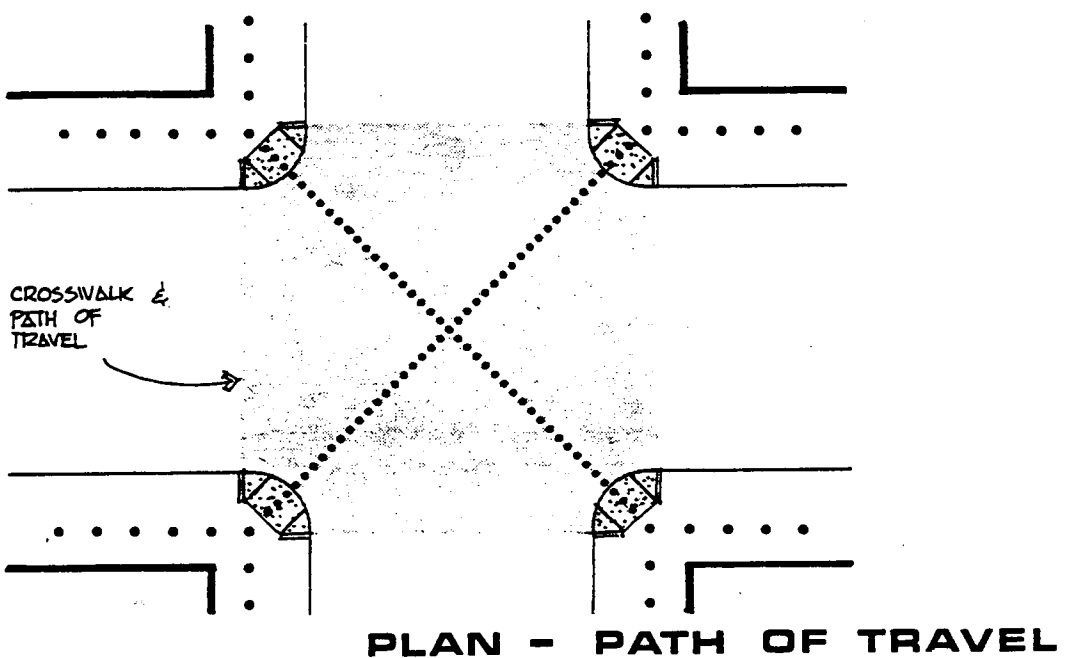
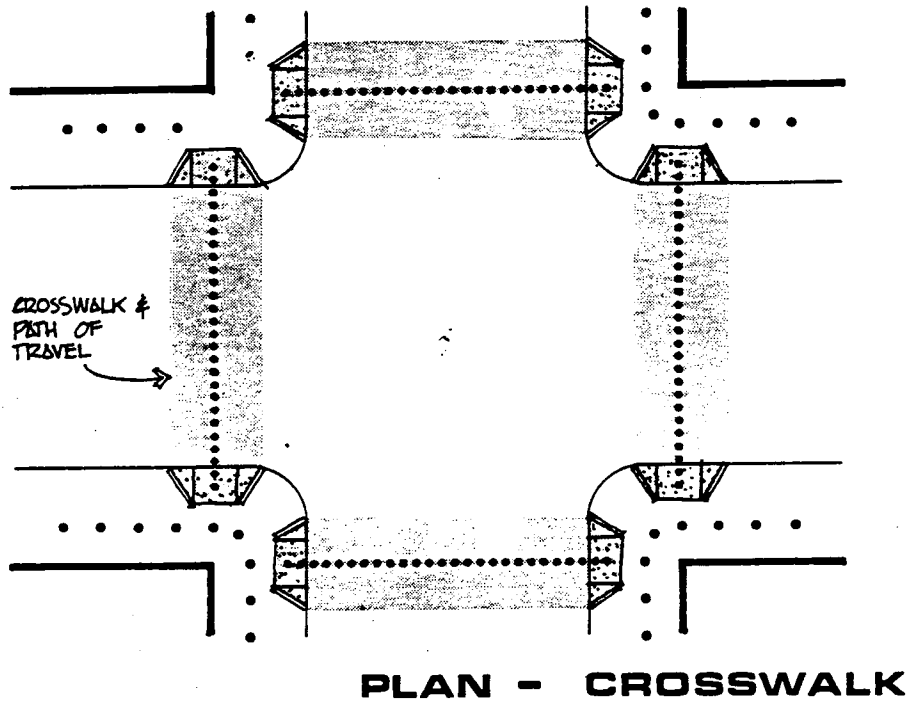


- 20.3 Topography or grounds shall be graded so as to attain a level area (pitched to drain) at each entrance, and shall be paved or hard packed.
- 20.4 Site grading and drainage of topography shall be designed so as to minimize pooling of water or accumulation of ice or flow of water across sidewalks and driveways.

21 CURB CUTS

21.1 Curb cuts (sidewalk ramps): Whenever sidewalks or curbs on streets and ways are constructed, reconstructed or repaired, curb cuts are required. Curb cuts shall comply with the following:

21.1.1 Location: There shall be curb cuts at each corner of each intersection, located within the crosswalk and/or the pedestrian path of travel.



21.1.2 When curbs or sidewalks are constructed or reconstructed on one side of the street, curb cuts shall also be installed on the opposite sides of the street, where there is a pedestrian path of travel.

