Welcome to the Accessibility Online Webinar Series

A collaborative program between the ADA National Network and the US Access Board

The Session is Scheduled to begin at 2:30pm Eastern Time

We will be testing sound quality periodically

Audio and Visual are provided through the on-line webinar system. This session is closed captioned. Individuals may also listen via telephone by dialing 712-432-3100 code 930098 # (This is not a Toll Free number)

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www.AccessibilityOnline.org

Webinar Features

• **Closed captioning** – click CC icon (top of screen) or control-F8 and adjust your screen
• **Questions** - type and submit questions in the Chat Area Text box or press control-M and enter text in the Chat Area
• Please do not use emoticons or hand-raising features during this session

Accessible Swimming Pools and Spas
Session Agenda

- Changes to the Americans with Disabilities Act (ADA)
- Impact on newly constructed, altered, and existing swimming pools and spas
- Other related provisions
- Review of provisions for swimming pools and spas and aquatic recreation facilities
- Questions/answers

Background and History

- Early 90’s - Recreation Access Federal Advisory Committee
- Board issues final rule – 2002 (later incorporated into revised into the ADA-ABA Accessibility Guidelines 2004)
- Served on committees developing ANSI-NSPI-1 & WWA Aquatic Recreation Facility Standard
- Numerous educational opportunities and meetings to share information
Updated ADA and ABA

ADA
Application & Scoping
Chapters (1–2)

ABA
Application & Scoping
Chapters (1–2)

Common
Technical
Chapters
(3–10)

New construction

Architectural Barriers Act (ABA)

- Covers Federal facilities (e.g. pools at military facilities)
- Architectural Barriers Act Accessibility Standard (ABAAS)
- Newly constructed and altered pools –
  - GSA – May 2006
  - DOD – Oct 2008
DOJ Adopts Revised ADAAG

- Amusement rides
- Boating facilities
- Fishing piers and platforms
- Sports facilities
- Play areas
- Golf courses
- Miniature golf courses
- Swimming pools, wading pools, and spas

“For the very first time, these rules will cover recreational facilities like amusement parks and marinas and gyms and golf facilities and swimming pools, and municipal facilities like courtrooms and prisons,” Obama stated.

Current ADA Standards

Option:
- DOJ’s 2010 standards (mandatory March 15, 2012)
  OR
- DOJ’s 1991 standards (until March 15, 2012)

DOJ’s ADA Standards (2010)

Excluding ABA Chapters 1 & 2 (pp. 72 – 140)
Locating provisions

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ADA Application and Scoping
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ABA Application and Scoping
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Chapter 4: Accessible Routes
Chapter 5: General Site and Building Elements
Chapter 6: Plumbing Elements and Facilities
Chapter 7: Communication Elements and Features
Chapter 8: Special Rooms, Spaces and Elements
Chapter 9: Built-In Elements
Chapter 10: Recreation Facilities

Existing facilities

What Standards Apply to ADA Existing Facilities?

• Title II — Program accessibility

• Title III — Readily achievable barrier removal

For more information, contact DOJ @ 800 514-0301
Existing Facilities

STATE AND LOCAL GOVERNMENTS

TITLE II

• “A public entity shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.”

• Program accessibility

• Limited where actions would result in a “fundamental alteration in the nature of the program”

PLACES OF PUBLIC ACCOMMODATION:

PRIVATE ENTITIES – TITLE III

• Remove physical and communication barriers to existing facilities by persons with disabilities

• “Readily achievable”

• Easy to accomplish without much difficulty or expense

Safe Harbor – Existing Facilities

• Elements that comply with 1991 Standards do not need to be modified to meet the 2010 Standards unless those elements are altered on or after March 15, 2012.

Safe Harbor does not apply to elements in existing facilities that were not subject to specific requirements in the 1991 Standards

For more information, contact DOJ @ 800 514-0301
Elements in 2010 Standards Not Subject to Safe Harbor

(A) Residential facilities and dwelling units
(B) Amusement rides
(C) Recreational boating facilities
(D) Exercise machines and equipment
(E) Fishing piers and platforms
(F) Golf facilities
(G) Miniature golf facilities
(H) Play areas
(I) Saunas and steam rooms
(J) Swimming pools, wading pools, and spas
(K) Shooting facilities with firing positions,
(L) Miscellaneous.
(1) Team or player seating
(2) Accessible route to bowling lanes
(3) Accessible route in court sports facilities

For more information, contact DOJ @ 800 514-0301

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Non-complying new construction and alterations

• Constructed or altered before March 15, 2012 and do not comply with the 1991 Standards = meet the 1991 Standards or the 2010 Standards before March 15, 2012.

• Constructed or altered on or after March 15, 2012 and do not comply with the 1991 Standards = meet the 2010 Standards on or after March 15, 2012.

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Tax Incentives for Improving Accessibility

• Section 44 of IRS Code
• Tax credit - maximum credit $5,000
• Tax deduction – maximum $15,000

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Other facility provisions

ACCESSIBLE ROUTES, PARKING, TOILET AND BATHING ROOMS, LOCKER ROOMS, COUNTERS, SAUNAS AND STEAM ROOMS, AND OTHER SPACES AND ELEMENTS

Accessible Vehicle Parking

<table>
<thead>
<tr>
<th>Total Parking Lot</th>
<th>Ramped Sections</th>
<th>Number of Accessible Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 29</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>30 to 59</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>60 to 79</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>80 to 99</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>100 to 199</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>200 to 299</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>300 to 499</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>500 to 999</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>1000 and over</td>
<td></td>
<td>8</td>
</tr>
</tbody>
</table>

1 OF EVERY 6 = VAN SPACE

Toilet and Bathing Facilities
Toilet Rooms
Allows space for side transfers

Bathing Facilities
Transfer Stall
Clear floor space positioned for alignment with seat

[changing] Benches (903)
Size: (42" min. long, 20" – 24" deep)
**Dressing, Fitting, & Locker Rooms (222)**

Access to at least 5% of each type of use in each cluster.

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**Saunas and Steam Rooms**

- Where provided in a cluster, at least 5%, not less than one.
- Turning space within the room—may be obstructed by readily removable seats.
- Door swing can not swing into clear floor/ground space for bench.

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**Dining Surfaces (226)**

- Access to at least 5%, not fewer than 1.
- Knee clearance required.
- Tops = 28 inches minimum – 34 inches maximum.
Sales & Service Counters (227 and 904.4)

227 Scoping
• Counters – 1 of each type

904.4 Technical
• 36 inches maximum
• Accessible part same depth
• Parallel or forward approach
• No alternatives
• Exception for alterations
• Security glazing – voice communication

Dining Surface (902) Service Counter (904)

Swimming pools, wading pools, and spas
Swimming pools

- Required means of access into the water
  - Over 300 linear ft of pool wall = 2 (one primary)
  - Less than 300 linear ft of pool wall = 1 lift or sloped entry

<table>
<thead>
<tr>
<th>PERMITTED MEANS OF POOL ACCESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRIMARY</td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td>Swimming (less than 300 linear ft of pool wall)</td>
</tr>
<tr>
<td>Swimming (300 or more linear ft of pool wall) —two means of entry required</td>
</tr>
<tr>
<td>Wave action, interactive units, etc. other pools where user entry is integral to use area</td>
</tr>
<tr>
<td>Wading pools</td>
</tr>
<tr>
<td>Spas</td>
</tr>
</tbody>
</table>

*Primary means must be by sloped entry or lift; secondary means can be any of the permitted types.

UNITED STATES ACCESS BOARD 34
Sloped Entry

Fig. 72
Sloped Entry Submerged Depth
- Extend to 24 inches to 30 inches below stationary water level
- 1:12 maximum slope
- Handrails - 33 inches min - 38 inches max clear width

Sloped entry

UNITED STATES ACCESS BOARD

Sloped entry
Pool Lift

- Located where water does not exceed 48 inches
- Footrests – must be provided and move with seat

Pool Lift Submerged Depth

Pool lift

- Armrest – if provided opposite water shall be removable or fold in raised or load position
- Capable of unassisted operation – both deck and water

Transfer Wall

- Clear deck space - 60 inches x 60 inches, slope 1:48 maximum
- Height – 16 inches to 19 inches
Transfer System

- Clear space – 60 inches x 60 inches
- Centered on 24 inch width

Pool Stairs

- Comply with stairs provisions, except as modified
- Handrail width 20 to 24 inches
- Extensions not required at bottom landing
Spas

- At least one means of entry:
  - Lift - footrests not required
  - Transfer wall
  - Transfer system
- Where provided, in a cluster, 5% but not less than one

Wading pools

- At least one sloped entry - handrails not required
- Extend to the deepest part of the wading pool

Aquatic Recreation Facilities
**Permitted Means of Pool Access**

<table>
<thead>
<tr>
<th>Pool Type</th>
<th>Sloped Entry</th>
<th>Lift</th>
<th>Transfer Wall</th>
<th>Transfer System</th>
<th>Stair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Swimming (less than 250 linear feet of pool wall)</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Swimming (250 or more linear feet of pool wall) — two means of entry required</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wave action, leisure river, and other pools, where user entry is limited to one area</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wading pools</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spas</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

*Primary means must be by slope entry or lift, secondary means can be any of the permitted types.

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**Wave action pools**

- One means of access
- Pool lift, sloped entry, or transfer system
- Clear width of handrails on slope entry does not apply

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**Leisure rivers**

- One means of access
- Pool lift, sloped entry, or transfer system
Water slides

- Access not required to the top of the water slide
- Accessible route required to edge of catch pool

Diving boards and raised platforms

Accessible route not required to serve raised diving boards or diving platforms

Water Play Components

Ground level access and transfer access to elevated play components required
Technical Assistance Material

http://www.access-board.gov/indexes/pubsindex.htm

Where to direct questions

**U.S. Department of Justice**
- Implementing regulation and additional requirements
- Requirements for existing facilities – title II & III

(800) 514-0301 (voice)
(800) 514-0383 (TTY)
www.ada.gov

**U.S. Access Board**
- 2010 Accessibility Standards for new construction and alterations

(800) 872-2253 (voice)
(800) 993-2822 (TTY)
(202) 272-0081 (FAX)
ta@access-board.gov
www.access-board.gov

Questions?

You May Type and Submit questions in the Chat Area Text Box or press Control-M and enter text in the Chat Area
Thank you for participating in today’s webinar

Next scheduled session:
“Enforcing the Architectural Barriers Act (ABA)”
April 7th, 2011

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