**Chapter 1 Application and Administration**

Section 101 Title

This document shall be known as the standard for Accessible and Usable Buildings and Facilities, hereinafter referred to as "this standard."

Section 102 Purpose

102.1 General

The technical criteria in Chapters 3 through 10, Sections 1102, 1103 and 1106 of this standard make sites, facilities, buildings and elements accessible to and usable by people with such physical disabilities as the inability to walk, difficulty walking, reliance on walking aids, blindness and visual impairment, deafness and hearing impairment, incoordination, reaching and manipulation disabilities, lack of stamina, difficulty interpreting and reacting to sensory information, and extremes of physical size. The intent of these sections is to allow a person with a physical disability to independently get to, enter, and use a site, facility, building or element.

Section 1104 of this standard provides criteria for Type B units. These criteria are intended to be consistent with the intent of the criteria of the U.S. Department of Housing and Urban Development (HUD) Fair Housing Accessibility Guidelines. The Type B units are intended to supplement, not replace, Accessible units or Type A units as specified in this standard.

Section 1105 of this standard provides criteria for minimal accessibility features for one and two family dwelling units and townhouses which are not covered by the U.S. Department of Housing and Urban Development (HUD) Fair Housing Accessibility Guidelines.

This standard is intended for adoption by government agencies and by organizations setting model codes to achieve uniformity in the technical design criteria in building codes and other regulations.

102.2 Applicability

Sites, facilities, buildings, and elements required to be accessible by the scoping provisions adopted by the administrative authority shall comply with the applicable provisions of Chapters 3 through 10. Dwelling units and sleeping units shall comply with the applicable provisions of Chapter 11.

Section 103 Human Factor Provisions

The technical criteria in this standard are based on body sizes and functional abilities of adults and, in those sections where specifically noted, children.

Section 104 Compliance Alternatives

Nothing in this standard is intended to prevent the use of designs, products or technologies as alternatives to those prescribed by this standard, provided they result in equivalent or greater accessibility and such equivalency is approved by the administrative authority adopting this standard.

Section 105 Conventions

105.1 General

Where specific criteria of this standard differ from the general criteria of this standard, the specific criteria shall apply.

105.2 Calculation of Percentages

Where the determination of the required size or dimension of an element or facility involves ratios or percentages, rounding down for values less than one half shall be permitted.

105.3 Dimension Tolerances

All dimensions are subject to conventional industry tolerances except where the requirement is a range with stated minimum and maximum end points.

105.4 Figures

Unless specifically stated, figures included herein are provided for informational purposes only and are not considered part of the standard.

FIGURE 105.4

GRAPHIC CONVENTION FOR FIGURES

105.5 Floor or Floor Surface

The terms floor or floor surface refer to the finish floor surface or ground surface, as applicable.

105.6 Referenced Sections

Unless specifically stated otherwise, a reference to another section or subsection within this standard includes all subsections of the referenced section or subsection.

Section 106 Referenced Documents

106.1 General

The documents listed in Section 106.2 shall be considered part of this standard to the prescribed extent of each such reference. Where criteria in this standard differ from those of these referenced documents, the criteria of this standard shall apply.

106.2 Documents

106.2.1 Americans With Disabilities Act (ADA) Accessibility Guidelines for Transportation Vehicles

36 CFR 1192 published in 56 Federal Register 45558, September 6, 1991 (United States Access Board, 1331 F Street, NW, Suite 1000, Washington, DC 20004-1111).

106.2.2 Hearing Aids — Magnetic Field Strength in Audio-Frequency Induction Loops for Hearing Aids Operating With an Induction Pickup Coil

IEC 60118.4-2014 (International Electrotechnical Commission, 3 rue de Varenbe, PO Box 131, 1211 Geneva 20, Switzerland.)

106.2.3 Manual on Uniform Traffic Control Devices

MUTCD-2009 with Revisions 1 and 2 incorporated, May 2012 (The Federal Highway Administration, Office of Transportation Operations, Room 3408, 400 7th Street, S.W., Washington, DC 20590).

106.2.4 National Fire Alarm and Signaling Code

NFPA 72-2016 (National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269-9101).

106.2.5 Performance Criteria for Accessible Communications Entry Systems

DASMA 303-2006. (Door and Access Systems Manufacturers Association, 1300 Sumner Avenue, Cleveland, OH 44115-2851).

106.2.6 Power Assist and Low Energy Power Operated Doors

BHMA A156.19-2013 (Builders Hardware Manufacturers' Association, 355 Lexington Avenue, 15th Floor, New York, NY 10017).

106.2.7 Power Operated Pedestrian Doors

ANSI/BHMA A156.10-2011 (Builders Hardware Manufacturers' Association, 355 Lexington Avenue, 15th Floor, New York, NY 10017).

106.2.8 Safety Code for Elevators and Escalators

ASME A17.1-2013/CSA B44-16 (American Society of Mechanical Engineers International, Three Park Avenue, New York, NY 10016-5990).

106.2.9 Safety Standard for Platform Lifts and Stairway Chairlifts

ASME A18.1-2014 (American Society of Mechanical Engineers International, Three Park Avenue, New York, NY 10016-5990).

106.2.10 Standard Consumer Safety Performance Specification for Playground Equipment for Public Use

ASTM F 1487-01 (ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA, 19428-2959).

106.2.11 Standard Laboratory Test Method for Determination of Forces and Motions Required to Activate Operable Parts of Operable Windows and Doors in Accessible Spaces

AAMA 513-14 (AAMA, 1827 Walden Office Square, Suite 550, Schaumburg, IL 60173-4268).

106.2.12 Standard Specification for Impact Attenuation of Surfacing Materials Within the Use Zone of Playground Equipment

ASTM F 1292-13 (ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA, 19428-2959).

106.2.13 Standard Test Method for Determination of Decay Rates for Use in Sound Insulation Test Methods

ASTM E 2235-04 (2012) (ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA 19428-2959).

Section 107 Definitions

107.1 General

For the purpose of this standard, the terms listed in Section 107.5 have the indicated meaning.

107.2 Terms Defined in Referenced Documents

Terms specifically defined in a referenced document, and not defined in this section, shall have the specified meaning from the referenced document.

107.3 Undefined Terms

The meaning of terms not specifically defined in this standard or in a referenced document shall be as defined by collegiate dictionaries in the sense that the context implies.

107.4 Interchangeability

Words, terms and phrases used in the singular include the plural, and those used in the plural include the singular.

107.5 Defined Terms

AAB. Architectural Accessibility Board

accessible: Describes a site, building, facility or portion thereof that complies with this standard.

administrative authority: A jurisdictional body that adopts or enforces regulations and standards for the design, construction or operation of buildings and facilities.

Agency. A department, agency or instrumentality of the State of Delaware.

Alteration. Any change in a building or facility or its permanent fixtures or equipment. It includes, but is not limited to, remodeling, renovation, rehabilitation, and extraordinary repairs. This includes all work to an existing building that presents the opportunity to provide increased accessibility, no matter how described. It does not include normal maintenance, reroofing, interior decoration, or changes to mechanical systems.

amusement attraction: Any facility, or portion of a facility, located within an amusement park or theme park which provides amusement without the use of an amusement device. Amusement attractions include, but are not limited to, fun houses, barrels and other attractions without seats.

amusement ride: A system that moves persons through a fixed course within a defined area for the purpose of amusement.

amusement ride seat: A seat that is built-in or mechanically fastened to an amusement ride intended to be occupied by one or more passengers.

Architectural Accessibility Act. Title 29, Chapter 73, Delaware Code.

area of sport activity: That portion of a room or space where the play or practice of a sport occurs.

assembly area: A building or facility, or portion thereof, used for the purpose of entertainment, worship, educational or civic gatherings, or similar purposes. For the purposes of these requirements, assembly areas include, but are not limited to, classrooms, lecture halls, courtrooms, public meeting rooms, public hearing rooms, legislative chambers, spaces utilized for viewing motion picture projections, auditoria, theaters, playhouses, dinner theaters, concert halls, centers for the performing arts, amphitheaters, arenas, stadiums, grandstands, places of religious worship or convention centers.

assistive listening system (ALS): An amplification system utilizing transmitters, receivers and coupling devices to bypass the acoustical space between a sound source and a listener by means of induction loop, radio frequency, infrared, or direct-wired equipment.

blended transition: A raised pedestrian street crossing, depressed corner or similar connection between the pedestrian access route at the level of the sidewalk and the level of the pedestrian street crossing that has a grade of 1:20 or less.

boarding pier: A portion of a pier where a boat is temporarily secured for the purpose of embarking or disembarking.

boat launch ramp: A sloped surface designed for launching and retrieving trailered boats and other water craft to and from a body of water.

boat slip: That portion of a pier, main pier, finger pier or float where a boat is moored for the purpose of berthing, embarking, or disembarking.

catch pool: A pool or designated section of a pool used as a terminus for water slide flumes.

characters: Letters, numbers, punctuation marks and typographic symbols.

Chief Administrator. The principal staff person to the Architectural Accessibility Board.

children's use: Spaces and elements specifically designed for use primarily by people 12 years old and younger.

circulation path: An exterior or interior way of passage provided for pedestrian travel, including but not limited to, walks, hallways, courtyards, elevators, platform lifts, ramps, stairways and landings.

common use: Interior or exterior circulation paths, rooms, spaces or elements that are not for public use and are made available for the shared use of two or more people.

Construction. Any erection of a new building or facility or of an addition to an existing building or facility.

counter slope: Any slope opposing the running slope of a curb ramp.

cross slope: The slope that is perpendicular to the direction of travel (see running slope).

curb ramp: A short ramp cutting through a curb or built up to it.

destination-oriented elevator system: An elevator system that provides lobby controls for the selection of destination floors, lobby indicators designating which elevator to board and a car indicator designating the floors at which the car will stop.

detectable warning: A standardized surface feature built in or applied to floor surfaces to warn of hazards on a circulation path.

dwelling unit: A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

element: An architectural or mechanical component of a building, facility, space or site.

elevated play component: A play component that is approached above or below grade and that is part of a composite play structure consisting of two or more play components attached or functionally linked to create an integrated unit providing more than one play activity.

elevator car call sequential step scanning: A technology used to enter a car call by means of an up or down floor selection button.

employee work area: All or any portion of a space used only by employees and used only for work. Corridors, toilet rooms, kitchenettes and break rooms are not employee work areas.

Entrance. Any access point to a building or portion of a building or facility used for the purpose of entering. An entrance includes the approach walk, the vertical access leading to the entrance platform, the entrance platform itself, vestibules if provided, the entry door(s) or gate(s), and the hardware of the entry door(s) or gate(s), The principal entrance of a building or facility is the main door through which most people enter.

Equivalent Facilitation. Access or use which is, in terms of performance, dignity, convenience, and independence, at least substantially equal to or better than that required under the standard.

Essential Features. Those elements and spaces that make a building or facility usable by, or serve the needs of, its occupants or users. Essential features include, but are not limited to, entrances, toilet rooms, and accessible routes. Essential features do not include those spaces that house the major activities for which the building or facility is intended, such as classrooms and offices.

Exception. A special provision in the standard which indicates an acceptable alternative, under specified circumstances, to a requirement stated directly above the exception.

existing building: A building erected prior to the date of adoption of this standard, or one for which a legal building permit has been issued.

existing facility: A facility completed prior to the date of adoption of this standard, or one for which a legal permit has been issued.

Extraordinary Repair. The replacement or renewal of any element of an existing building or facility for purposes other than normal maintenance.

Facility. All or any portion of a building, structure, or area, including the site on which such building or facility, structure or area is located, wherein specific services are provided or activities performed.

Full and Fair Cash Value. Full and fair cash value is calculated for the estimated date on which work will commence on a project and means:

The assessed valuation of a building or facility as recorded in the assessor's office of the municipality and as equalized at one hundred percent (100%) valuation; or

The replacement cost; or

The fair market value.

gangway: A variable-sloped pedestrian walkway that links a fixed structure or land with a floating structure. Gangways that connect to vessels are not addressed by this document.

golf car passage: A continuous passage on which a motorized golf car can operate.

grade break: The line where two surface planes with different grades meet.

ground level play component: A play component that is approached and exited at the ground level.

habitable: A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

key surface: The surface or plane of any key or button that must be touched to activate or deactivate an operable part or a machine function or enter data.

marked crossing: A crosswalk or other identified path intended for pedestrian use in crossing a vehicular way.

operable part: A component of an element used to insert or withdraw objects, or to activate, deactivate or adjust the element.

pictogram: A pictorial symbol that represents activities, facilities or concepts.

play area: A portion of a site containing play components designed and constructed for children.

play component: An element intended to generate specific opportunities for play, socialization or learning. Play components are manufactured or natural; and are stand-alone or part of a composite play structure.

Primary Function. Means a major activity for which the facility is intended. Areas that contain a primary function include, but are not limited to, the customer services lobby of a bank, the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas. Mechanical rooms, boiler rooms, supply storage rooms, employee lounges or locker rooms, janitorial closets, entrances, corridors, and restrooms are not areas containing a primary function.

ramp: A walking surface that has a running slope steeper than 1:20.

running slope: The slope that is parallel to the direction of travel (see cross slope).

sign: An architectural element composed of displayed textual, symbolic, tactile or pictorial information.

site: A parcel of land bounded by a property line or a designated portion of a public right-of-way.

sleeping unit: A room or space in which people sleep that can also include permanent provisions for living, sleeping, eating and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

soft contained play structure: A play structure made up of one or more play components where the user enters a fully enclosed play environment that utilizes pliable materials, such as plastic, netting or fabric.

Space. A definable area, e.g., toilet room, hall, assembly area, entrance storage room, alcove, courtyard or lobby.

Standard-Setting Agency. Delaware Architectural Accessibility Board.

Structural Impracticability. Changes having little likelihood of being accomplished without removing or altering a load-bearing structural member and/or incurring an increased cost of 50 percent or more of the value of the element of the building or facility involved.

TDD. Telecommunications device for the deaf. Sometimes referred to as a TTY.

teeing ground: In golf, the starting place for the hole to be played.

Temporary. Temporary as applied to elements means installed for less than 6 months and not required for safety reasons.

transfer device: Equipment designed to facilitate the transfer of a person from a wheelchair or other mobility aide to and from an amusement ride seat.

transition plate: A sloping pedestrian walking surface located at the ends of a gangway.

TTY: An abbreviation for teletypewriter. Equipment that employs interactive, text-based communications through the transmission of coded signals across the standard telephone network. The term TTY also refers to devices known as text telephones and TDDs.

use zone: The ground level area beneath and immediately adjacent to a play structure or play equipment that is designated by ASTM F 1487 listed in Section 106.2.10, for unrestricted circulation around the play equipment and where it is predicted that a user would land when falling from or exiting the play equipment.

variable message signs (VMS): Electronic signs that have a message with the capacity to change by means of scrolling, streaming or paging across a background.

variable message sign (VMS) characters: Characters of an electronic sign are composed of pixels in an array. High resolution VMS characters have vertical pixel counts of 16 rows or greater. Low resolution VMS characters have vertical pixel counts of 7 to 15 rows.

Variance. An official act in accordance with the provisions of the Architectural Accessibility Act to permit design, construction, alteration, or lease of a building without strict compliance with a particular provision of a standard.

vehicular way: A route provided for vehicular traffic, such as in a street, driveway or parking facility.

walk: An exterior pathway with a prepared surface for pedestrian use.

Waiver. An official act in accordance with the Architectural Accessibility Act to:

Exempt an entire building or facility from one or more requirements of a standard; or

Exempt an entire building or facility, or any portion of a building or facility, from the requirements of a standard with respect to a specific element or space; or

Exempt from the requirements of 29 Delaware Code 73 in whole or in part.

wheelchair charging area: A clear floor area where people with disabilities can recharge their wheelchair batteries.

wheelchair space: A space for a single wheelchair and its occupant.

wheelchair space locations: A space for a minimum of a single wheelchair and the associated companion seating. Wheelchair space locations can contain multiple wheelchair spaces and associated companion seating.