

STATE OF MICHIGAN



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Barrier Free Design
517/322-1191
Voice or TDD

Approved
07/07/93

June 28, 1993

TO: The Construction Code Commission
FROM: Irvin J. Pöke, AIA, Chief, Plan Review Division
SUBJECT: Interpretation Request

Question: Is it the intent of section 512.13.1.2 to allow all the required wheelchair seating in a 600 seat auditorium to be located on a center cross aisle?

Answer: No.

Commentary: The code section states in part:

"...shall be dispersed throughout the seating area and range of seating options available..."

In an earlier edition of the barrier free rules commentary the following language is noted:

"A range of seating options is required so that handicappers have a range of options (and prices depending upon the facility and its function) just as non-handicappers have..."

In addition, a diagram accompanying the commentary language illustrates a front to rear and side to side dispersal, copy attached.

It is recognized that dispersal is going to be impacted by the number of seats and seating positions, the more wheelchair positions required, a greater number of viewing options must be provided. However, in the case of a 600 seat auditorium with a depth of 21 rows, providing all the wheelchair seating in row 13, the cross aisle, does not meet the intent of dispersal.

Question: Does the requirement for wheelchair seats being "...provided as an integral part of any fixed seating arrangement..." allow for the use of removable seats?

Answer: Yes.

Commentary: Removable seating may be used adjacent to wheelchair seating positions if, when in place, they are securely fixed to the floor. This type of removable seating is not allowed in the required wheelchair seating positions.

512.13.2. Unobstructed barrier free seating shall be provided as an integral part of any fixed seating arrangement and shall be dispersed throughout the seating area by providing a level clear space devoid of any fixed seating arrangements.

[A range of seating options is required so that handicappers have a range of options (and prices depending upon the facility and its function) just as non-handicappers have; further, the dispersment and integration of seats allows for handicappers to enjoy the activities taking place in the facility and to be seated with their non-handicapper friends and/or family (spouse and children) during the events. The space must be level, so that the mobility aid is not at an angle and so that the person using the aid does not have a problem sliding off the seat of the device.]

These positions shall be located so as not to interfere with egress from any row of seats and shall not infringe upon aisle requirements. There shall be no steps in the aisle or in the access route to reach the barrier free seating positions, but the aisle may incline if the incline does not exceed the gradient required for ramps in section 815.0. [The maximum slope is 1:12.]

512.13.3. Access to raised performing areas. If direct access is provided between the seating and stage, direct barrier free access shall also be provided.

[This requirement assures that if the stage is used for award ceremonies, graduations, etc. that handicappers will be able to participate with the same level of dignity as other participants and will not have to leave the room and festivities to find an accessible obscure route to the raised area.]

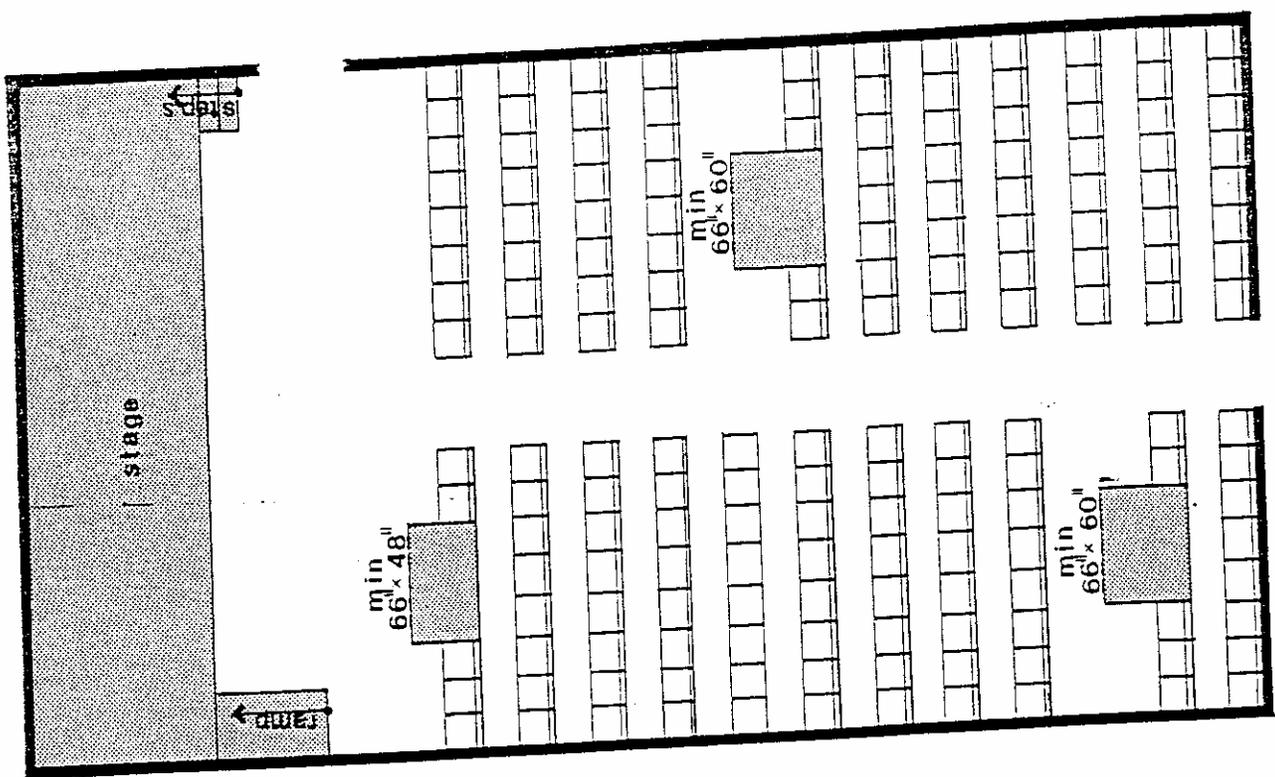
512.13.4. Placement of barrier free seating positions. Barrier free seating positions shall be an integral part of any fixed seating plan and shall be dispersed throughout the seating area and the range of seating options available. The seating positions shall adjoin a barrier free route that also serves as a means of egress and shall be located to provide lines of sight comparable to those for all areas.

[This section applies to fixed seating in restaurants and other assembly facilities and is intended to assure that handicappers will be accommodated at these facilities.]

512.13.5. Wheelchair seating areas. Each wheelchair seating accommodation shall accommodate, at a minimum, 2 adjacent wheelchair seating positions. The surface of each wheelchair seating position shall be level. Wheelchair seating areas containing a minimum of 2 seating positions and accessed from a forward or rear entry shall be a minimum of 48 inches deep by 66 inches wide. Wheelchair seating positions containing a minimum of 2 seating positions and accessed from a side entry shall be a minimum of 60 inches deep by 66 inches wide.

[This subsection assures that persons using

mobility aids can get to the area where the seating accommodation is being provided and that there is sufficient space for minimum maneuvering without getting one's hands caught between the wheels of other wheelchairs in the seating area.]



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May 20, 1993

Department of Labor
Bureau of Construction Codes
State Secondary Complex
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Lansing, Mich. 48909

Re: Perry High School
BFD 93-052-340

Dear Construction Code Commissioners:

As architects for the new Perry High School, we request that you interpret Rule 512.13, which states:

Unobstructed barrier free seating shall be provided as an integral part of any fixed seating arrangement and shall be dispersed throughout the seating area and range of seating options available by providing a level clear space that does not have fixed seating. These positions shall be located so as to not interfere with egress from any seats and shall not infringe upon aisle requirements. There shall not be any steps in the aisle or in the access route to reach the barrier free seating positions, but the aisle may incline if the incline does not exceed the gradient required for ramps in section 816.0 (1:12). The floor of each barrier free seating position shall be level.

We have designed the Perry High School Auditorium (600 seats) so that all 13 barrier free positions are located at the center cross aisle. We provided 5 spaces at the center section and 4 spaces in both right and left seating sections. We believe that this side to side dispersal does meet the letter of the law and provides the handicapped people attending functions with easily accessible seats and excellent sightlines for viewing the performers on stage.

The rule does not specify front to rear dispersal of barrier free spaces within the Auditorium. When the final construction documents were reviewed by James Hoffman, he cited the seating arrangement as unacceptable and cited 512.13:

The barrier free seating positions do not offer any front to rear dispersal within the auditorium, nor are they integral with the seats. Resubmit revised auditorium plans with seating positions per Section 512.13.

Mr. Hoffman's reference to the barrier free seating not being integral with the seats is not true, due to the fact that they are surrounded on both sides by "removable" seats, which look the same as fixed seats used throughout the rest of the Auditorium. These "removable" seats have sled bases that can be unbolted to make room for additional barrier free spaces if necessary. Please see the enclosed floor plan of this area.

Construction Code Commission

May 20, 1993

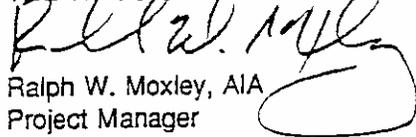
Page 2

The key issue, as we see it, is that the language of Rule 512.13 does not specifically require "front to rear" dispersal of the barrier free seating spaces. We feel that we have met the letter of the law by dispersing the seats in the three different seating sections. We also feel that Mr. Hoffman's requirement for front to back dispersal is not a fair interpretation of the law. We ask that the Construction Code Commission review this issue and render an opinion clarifying Rule 512.13.

Since this project is now under construction, we will appreciate a timely response to this issue. Please call me at 616-235-6105 if you need additional information or require my presence at the Commission meeting.

Sincerely,

THE WBDC GROUP



Ralph W. Moxley, AIA
Project Manager

cc: Jacklyn Hurd, Perry Public Schools

PerryP\BFDCCC.ltr

