



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 010742

Introduced December 20, 2001

Councilmember Blackwell

**Referred to the
Committee on Licenses and Inspections**

AN ORDINANCE

Amending Title 4 of "The Philadelphia Building Construction and Occupancy Code," Subcode B, "The Philadelphia Building Code," Chapter 11 to amend Section B-1101 to require newly constructed single and multi-family dwellings to be constructed according to the principles of VisitAbility; all under certain terms and conditions.

WHEREAS, VisitAbility allows people who use wheelchairs and other similar devices to enter into buildings; and

WHEREAS, Persons with disabilities and their immediate families are often isolated in their homes because most homes contain barriers to persons with disabilities; and

WHEREAS, There are features in construction that can make newly constructed homes VisitAble for persons with disabilities; and

WHEREAS, The Pennsylvania Housing Finance Agency ("PFHA") has recently promulgated VisitAbility criterion for construction of housing utilizing PHFA funds; and

WHEREAS, The concept and provisions of VisitAbility has been adopted by the City of Philadelphia in its Year 27 Consolidated Plan for the U.S. Department of Housing and Urban Development; now therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section B-1101 of The Philadelphia Code is hereby amended to read as follows:

B-1101.4 VisitAbility; Legislative Findings.

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1) *The City Council of the City of Philadelphia makes the following findings:*

a) *VisitAbility is a design criterion that affords all persons basic access to residential buildings. The VisitAbility standard is lower than full accessibility. Therefore, VisitAbility is not the same as Americans with Disabilities Act (ADA) or the National Rehabilitation Act of 1973, Section 504 compliant accessibility. ADA compliant dwellings will automatically be VisitAble; however, VisitAble dwellings are not necessarily ADA compliant. Designing as many units as possible to be VisitAble allows people with disabilities the opportunity to visit as many neighbors as possible. Constructing units to be VisitAble includes the creation of a zero step entrance; wider doors and passageways within the dwelling; locating at least one bathroom or powder room on the accessible entry floor and the ability to install grab bars within such restrooms.*

b) *The methods of achieving a zero-step entrance include consideration of grade when planning the home site. Grading an accessible route flush with the entrance of a unit is typically less costly than constructing a ramp, and often less than installing steps.*

c) *Angling doorways at the end of hallways eases entry for wheelchair users. Exterior accessible routes should be considered when designing the site. Moreover, wider doorways make movement of people, furniture, baby strollers and assistive devices such as wheelchairs, walkers and crutches safer and easier. Thirty two-inch wide doors do not provide enough clearance for a typical wheelchair to pass without damaging the door and trim. For long term maintenance savings, wider doors are best. While local costs vary, the 2000 RSMeans Building Construction Cost Data list the cost for a 36" wide hardboard hollow core door as \$6.00 less than a 32" door, and \$5.00 less than a 30" door.*

B-1101.5 *VisitAbility; Application.*

1) *Application. This Section applies to new construction of single-family or multi-family dwelling unit or units on or after the effective date of this Ordinance that is funded with financial assistance from the City.*

2) *City financial assistance covered by this article includes:*

a) *a building contract or similar contractual agreement involving a City-funded program or fund, including but not limited to the Redevelopment Authority of the City of Philadelphia, the Philadelphia Housing Development Corporation, the Philadelphia Housing Authority, or a similar program;*

b) *a real estate purchase, lease, or donation by the City or its agents;*

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c) *a preferential tax treatment, bond assistance, mortgage assistance, or similar financial advantages from the City or its agents;*

d) *disbursement of federal or state construction funds, including but not limited to, funds disbursed from the Pennsylvania Housing Finance Agency; the federal Community Development Block Grant program, Home Investment Partnership program, Housing Opportunities for Persons with AIDS program, Section 108 Loan Guarantee program, Supporting Housing program or Hope VI fund program; or*

e) *a City contract to provide funding or a financial benefit for housing.*

B-1101.6 VisitAbility; Wavier of Exterior Accessibility Regulations.

1) *The City’s Office of Housing and Community Development (“OHCD”), or its designee, may waive the requirements of Section B-1101.7(1) (Zero Step Entrance) by issuing an exterior disability accessibility waiver if the applicant demonstrates that the topographical conditions of a site will create an undue hardship.*

2) *A person requesting a waiver under this Section must file an application with OHCD, or it’s designee, attaching any documents necessary to demonstrate the applicant’s eligibility for the waiver.*

3) *When OHCD, or its designee, has received the application, the office shall post a notice stating that:*

i) *OHCD has received the application;*

ii) *written comments may be filed with OHCD no later than the 10th day after the notice of the application was posted; and*

iii) *a decision on the application will be made and posted no later than the 15th day after the notice of application was posted.*

4) *If OHCD determines that the waiver is appropriate, the office shall issue a waiver to the applicant, in writing, no later than the 15th day after the notice of application is posted.*

5) *A waiver applicant or a person who submits written comments under B-1101.6(3)(ii) may appeal a decision of OHCD pursuant to Chapter 8, Section A-801.0 of The Philadelphia Code entitled “Technical Appeals.”*

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B-1101.7 *VisitAbility; Design and Construction Requirements.*

1) *Zero-Step Entrance. For a unit to be VisitAble, it must provide at least one Zero-Step Entrance with a 36" wide door. A zero-step entrance is one with no step at the exterior door and with less than 1/2" difference between the inside and outside surfaces, or with a threshold with less than a 1/2" rise. When selecting sliding doors, choose those with the lowest bottom track and providing at least 34" clear opening.*

2) *Doorways and Passageways. All doorways and passageways on the accessible entry-level floor of a unit must be 36" wide.*

3) *Convenience Facilities. There must be at least one bathroom or powder room on the accessible entry level floor of the unit. A clear 36" clear path of travel to the bathroom or powder room with a 60" turning radius inside shall be provided. The clear space under a wall-hung lavatory can be included in this measurement.*

4) *Grab Bars. Grab bars can be used as towel bars in ground floor bathrooms or powder rooms and placed so they can double as grab bars for visitors who may need them. All units must have reinforcement of at least 2" x 6" blocking between studs placed inside the walls in these bathrooms or powder rooms for easy installation of grab bars if needed. Blocking must be centered at 34" above the floor. Grab bars must be ADA compliant; that is, rated to hold more than 250 lbs. of static weight, stand away from the wall 1 1/2-in. and be 1 1/2-in. diameter.*

5) *Accessible Routes. Hallways shall at least provide for the standard 36" wide "T" Shared Turn wherever practical. This type of turn must be considered when designing hallway access to bedrooms, but not when designing kitchens.*

SECTION 2. Effective Date. This Ordinance shall take effect immediately upon final approval.

Explanation:

Italics indicate new matter added.