

ORDINANCE NO. VII

AN ORDINANCE ADOPTING THE MINNESOTA BUILDING CODE FOR THE HANDICAPPED; PROVIDING FOR ITS ADMINISTRATION AND ENFORCEMENT; REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, MOVING, CONVERSION, OCCUPANCY, EQUIPMENT, USE, AND MAINTENANCE OF ALL BUILDINGS AND/OR STRUCTURES SUBJECT TO THE HANDICAP REGULATIONS IN THE COUNTY OF BECKER; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; PROVIDING PENALTIES FOR THE VIOLATION THERE OF.

The County Board of Becker County does ordain:

Section 1. Building Code. That the sections of the Minnesota State Building Code, Minnesota Rules Chapter 1340 - Facilities for the Handicapped, and Uniform Building Code Sections 511 (c) and 511 (d) one copy of each which is on file in the office of the Becker County Auditor, is hereby confirmed as the building code for handicapped persons in the County of Becker and incorporated in this Ordinance as completely as if set out in full. Minnesota Stats. 471.465 through 471.469 are also applicable.

Section 2. Organization and Enforcement. That the Zoning Department shall be the Building Code Department of the County of Becker and that enforcement of the Code shall be conducted within the guidelines established by Chapters 1,2 and 3 and amendments thereto listed in Minnesota Rules 1305.0100 and Section 502 of the Uniform Building Code, 1982 Edition, one copy of which is on file in the office of the Becker County Auditor.

The Administrative Authority shall be a State Certified "Building Official" so designated by the County Board of Becker County.

- A. Building Permit Fees and Plan-checking Fees. The Building Permit Fees and the Plan-Checking Fees as established by resolution of the County Board of Becker County shall be collected to finance the Building Code Department for deposit with the County and credited to the general revenue fund.
- B. Surcharge. In addition to the fees required by Item A above, the applicant shall pay a surcharge in the amount fixed by law (MS 16B.70) and so stated in the resolution adopted by the County Board of Becker County establishing the Building Permit Fees. This surcharge shall be remitted to the Minnesota Department of Administration.

Section 3. Violations and Penalties. That the penalty described in the Chapter 2 of the Uniform Building Code, 1982 Edition, shall be in keeping with Minnesota Statutes 609.033 - 609.034 which provides for a maximum fine of \$700.

Section 4. Effective Date of Ordinance. That this Ordinance is hereby ordered effective upon publication. Passed and adopted this 4th day of February, 1986.

Dated : February 4, 1986

Attest:

Conrad J. Ohm
Conrad J. Ohm, County Auditor

George R. King
George R. King
~~George R. King~~, Chairman
Becker County Board of Commissioners

CHAPTER 1340
STATE BUILDING CODE
FACILITIES FOR THE HANDICAPPED

SPECIAL FACILITIES

1340.0200	WHERE REQUIRED.
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1340.0600	OTHER FACILITIES.
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1340.9800	ELEVATOR CONTROLS.
1340.9900	IDENTIFICATION.

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(c) Water Fountains. Where water fountains are provided, at least one shall have a spout within 33 inches of the floor and shall have up-front, hand-operated controls. When fountains are located in an alcove, the alcove shall be not less than 32 inches in width.

(d) Telephones. Where public telephones are provided, at least one shall be installed so that the handset, dial and coin receiver are within 54 inches of the floor. Unobstructed access within 12 inches of the telephone shall be provided. Such access shall be not less than 30 inches in width.

CHAPTER 1340
DEPARTMENT OF ADMINISTRATION
STATE BUILDING CODE
FACILITIES FOR THE HANDICAPPED
SPECIAL FACILITIES

1340.0200 WHERE REQUIRED.

Subpart 1. General. In addition to other provisions in this code, facilities for the handicapped must be provided in accordance with parts 1340.0200 to 1340.0900 and 1340.9000 to 1340.9900. See UBC chapter 5 for additional requirements.

Subp. 2. Scope. Parts 1340.0200 to 1340.0900 and 1340.9000 to 1340.9900 apply to all buildings except the following:

- A. R-3, R-4, and M occupancies;
- B. temporary buildings;
- C. attached R-3 and R-4 occupancies;
- D. one-story buildings not exceeding 2,000 square feet in floor area with an occupant load of ten or less and not primarily for the use of the general public;
- E. floors of buildings not used by the general public and not normally occupied by the owner, lessee, sublessee, or employees; or
- F. R-1 occupancies in which dwelling units are individually owned and there is no public space or shared area for more than two units within the building. All portions of public space or shared areas which are located on the floor of building access must be accessible.

MS s 16B.59 to 16B.73

9 SR 1557

1340.0300 BUILDING ACCESSIBILITY.

Subpart 1. Definitions.

A. "Ramp" means a sloped walking surface not exposed to external climatic conditions connecting levels of a building or connecting buildings (pedestrian ways) and must be part of an exit in accordance with UBC Sections 3307 and 509, as amended in part 1305.1590.

B. "Slip-resistant" is any surfacing of a floor, ramp, or walk which has an antislip coefficient of not less than 0.40 as defined in Research Paper No. RP-1879 of the National Bureau of Standards.

C. "Walk" is a continuous, permanently defined pathway at grade between public ways and buildings, parking areas and buildings, or between buildings.

D. "General public" means persons other than the owner, lessee, or sublessee of a building or their employees.

Subp. 2. Site approaches. Access to building entrances shall be by walks. Such walks shall be of concrete, asphaltic paving, or similar permanent materials with slip-resistant

surface, and shall be not less than 48 inches wide with a slope not to exceed one vertical to 20 horizontal.

Subp. 3. Floor of building access. At least one required entrance or exit of a building must be accessible for use by the handicapped, and must be identified for that use. The building entrance or exit must be at the main lobby or corridor and must provide access to all levels of the floor of access. Access to these levels must be by ramp or elevator.

Subp. 4. Access to other stories. Access for the handicapped to other stories or levels of the building used by the general public or employees must be by elevator or ramp, except the following: group R-1 occupancies not exceeding three stories in height; and other buildings two stories or less in height which have an occupant load of less than 100 persons on floors and mezzanines other than the floor of building access.

A ramp must have a slip-resistant surface. It must have a slope not to exceed one foot vertical to 12 feet horizontal and a landing at top and bottom, and where the rise exceeds three feet vertically, it must have an intermediate landing located not to exceed two feet six inches vertically. The bottom landing must have a minimum dimension of six feet measured in the direction of the ramp, and top and intermediate landings must have a minimum dimension of five feet measured in the direction of the ramp. Handrails and guardrails must be provided as required for stairs.

Subp. 5. Automobile parking areas. Where automobile parking spaces are provided at least one space per 50 spaces or fraction thereof, shall be provided for the use of the handicapped, and shall be identified for such use. Such parking spaces shall be not less than 12 feet in width, and located as near as practicable to the building entrance specified in part 1340.0300, subpart 3.

Subp. 6. Doors and doorways. Doors and doorways serving buildings or portions thereof regulated by this chapter shall comply with the following:

A. Doorways or doors in an open position shall have a clear opening width of not less than 31 inches.

B. Doors shall be operable by a single effort with one hand.

C. In doorways consisting of two door leaves, at least one door leaf shall comply with the provisions of this section. See UBC Section 3304(e) for minimum exit door width.

D. Where access regulated by this chapter is through two or more sets of doors, as in a foyer, vestibule, or lobby, the space separating the doorways shall be not less than seven feet.

E. The floor or landing at doorways shall be level with or not more than one-half inch lower than the threshold. Where the door swings over floor or landing such floor or landing shall extend not less than one foot beyond the door on the latch side.

F. In dwelling units specified in part 1340.0400, subpart 2, entrances specified in subpart 3 of this part, and toilet rooms or compartments specified in part 1340.0500, subpart 1, door opening latch hardware shall have lever handles, and shall be not more than three feet six inches above the floor.

G. Doors serving toilet rooms or stalls shall be capable of being unlocked from either side.

Subp. 7. Stair tread nosing. Riser shall be slanted to

meet the tread nosing edge, or where the tread extends beyond vertical risers, nosing shall be rounded and not project beyond the riser more than one inch.

Subp. 8. Aisles and lanes. Where pedestrian aisles or lanes are defined with directional barriers, rails, benches, merchandise, tables, seats, or fences, at least one shall have not less than 31 inches clear width for use of the handicapped and shall be identified for such use.

MS s 16B.59 to 16B.73

9 SR 1557

1340.0400 SANITATION FACILITIES.

Subpart 1. Definitions. Sanitation facilities may include toilets (water closets), urinals, lavatories, bathtubs, showers, sinks, and similar plumbing fixtures.

Subp. 2. Requirement for multiple dwellings. In Group R-1 occupancies having eight or more dwelling units or guest rooms, sanitation facilities shall be provided in accordance with part 1340.9100. In a multiple-building development, the dwelling units or guest rooms containing sanitation facilities shall not be located solely in one building.

Subp. 3. Requirement for other buildings. In other buildings regulated by parts 1340.0200 to 1340.0900 and 1340.9000 to 1340.9900, at least one required toilet room for each sex or a separate facility usable by either sex must have not less than one toilet and lavatory complying with this part and part 1340.0500, and where urinals are provided, not less than one urinal complying with this part and part 1340.0500. In buildings having more than one toilet room for each sex, not less than two required toilet rooms for each sex or two separate facilities usable by either sex must comply with this part and part 1340.0500. Toilet rooms having plumbing fixtures required by this part and part 1340.0500 must be identified for use by the handicapped. Buildings having a posted room directory must list the location of those toilet rooms in the directory.

Subp. 4. Location other than Group R-1 apartment occupancies. In buildings with an elevator or ramp, the sanitation facilities may be located at any level served by elevator or ramp. Where sanitation facilities are required in buildings without an elevator or ramp, the sanitation facilities shall be conveniently located at the required entrance level, accessible without leaving or reentering the building.

MS s 16B.59 to 16B.73

9 SR 1557

1340.0500 SIZES AND CLEARANCES FOR SANITATION FACILITIES.

Subpart 1. Toilets. Toilet rooms or compartments shall have not less than 36 inches clear space at the front of the toilet and not less than 36 inches clear width between walls, free of door swing and other obstructions. Toilet seats shall be not less than 17 inches nor more than 20 inches above the floor. Grab bars shall be provided at both sides or one side and rear of the toilet. Such grab bars shall be securely fastened to support a load of not less than 250 pounds. They shall have an outside diameter of 1-1/2 inches and shall have 1-1/2 inches clearance from walls and partitions.

A horizontal grab bar shall be mounted so that the lowest point is ten inches above the toilet seat, and extends not less than six inches in front of the toilet bowl. Grab bar shall be

not less than 12 inches long.

A vertical grab bar shall be mounted 12 inches from the front of the toilet bowl extending from 12 inches above the height of the toilet seat to 30 inches above the toilet seat.

Subp. 2. Urinals. When provided, urinals shall have a clear access width of not less than 31 inches. The front lip of the bowl of wall-mounted urinals shall be not more than 18 inches above the floor.

Subp. 3. Lavatories. Lavatories shall have a clear access width of not less than 31 inches, clear height of not less than 29 inches to the bottom of the fixture apron, clear height of not more than 34 inches to the rim of the fixture, and a clear depth of not less than 12 inches under the fixture exclusive of bowl and waste pipe. The water control valves shall have lever handles.

Subp. 4. Bathtubs. When provided, and shower is not furnished, the bathtub shall be equipped with a flexible hose hand shower not less than six feet in length, and a vertical height adjustment bar for the shower head of not less than four feet in length. The bathtub shall have a seat, either folding, retractable, or fixed, not less than 17 inches nor more than 20 inches above the tub floor and not less than 15 inches deep, and of water-resistant material. Grab bars shall be provided at one side of the bathtub. Such grab bars shall be securely fastened to support a load of not less than 250 pounds. They shall have an outside diameter of 1-1/2 inches and shall have 1-1/2 inches clearance from walls and partitions.

A horizontal grab bar shall be mounted not less than four inches nor more than six inches above the rim of the bathtub. Grab bar shall be not less than 36 inches long.

A vertical grab bar shall be mounted 30 inches from the end of the tub extending from a height of nine inches to a height of 3-1/2 feet above the rim of the tub.

Water valves shall be single lever control, and shall be accessible from the seat.

Subp. 5. Showers. When provided, the shower stall shall be accessible for the handicapped with a lip or curb at entry no higher than one-half inch above floor of room or stall. The shower stall shall have a seat, either folding, retractable, or fixed, not less than 17 inches nor more than 20 inches above the shower floor, and not less than 15 inches deep, and of water-resistant material. Grab bars shall be provided at two sides of the shower compartment. Such grab bars shall be securely fastened to support a load of not less than 250 pounds. They shall have an outside diameter of 1-1/2 inches and shall have 1-1/2 inches clearance from walls and partitions.

A vertical grab bar shall be mounted on the wall opposite the seat extending from a height of three feet to a height of five feet above the floor of the shower.

A horizontal grab bar shall be mounted on the wall adjacent to the seat ten inches above the seat. Grab bar shall be not less than 18 inches long.

Water valves shall be single lever control and shall be accessible from the seat.

Subp. 6. Kitchen sinks. When provided, kitchen sinks shall have a clear access width of not less than 31 inches, clear height of not less than 29 inches to the bottom of the fixture apron, clear height of not more than 34 inches to the rim of the fixture, and clear depth of not less than 12 inches under the fixture exclusive of bowl and waste pipe. The water

control valves shall have lever handles.

MS s 16B.59 to 16B.73

1340.0600 OTHER FACILITIES.

Subpart 1. Kitchen facilities. In dwelling units in which sanitation facilities for the handicapped are required, kitchen facilities shall be provided as follows:

A. Clear space of not less than five feet measured between walls, cabinets, appliances, or other obstructions shall be provided. Where cabinets have a base toe space of not less than six inches deep and 8-3/4 inches high, the clear space may be measured from such toe space.

B. Range control handles shall be located at the front or side of the range.

C. Work space shall have a clear access width of not less than 31 inches, clear height of not less than 29 inches to the bottom, clear height of not more than 34 inches to the top, and clear depth of not less than 12 inches under the work space. The work space shall have not less than four square feet of area with a minimum dimension of 24 inches. It may be fixed, folding, or retractable.

Subp. 2. Toilet room accessories. Where mirrors and/or shelves are provided, at least one shall be mounted so that the bottom is no higher than 40 inches above the floor. Where wall-mounted towel racks, dispensers, waste disposal containers, or similar appliances are provided, at least one of each shall be mounted so that working height is no higher than 40 inches above the floor, and shall be free of interference by grab bars or other appliances or fixtures.

MS s 16B.59 to 16B.73

1340.0700 VIEWING POSITIONS IN ASSEMBLY OCCUPANCIES.

Viewing positions required in this part shall be accessible for the handicapped by walk, ramp, or elevator, or combination thereof, through principal entrance. Performance viewing positions in assembly occupancies with fixed seating shall be provided in accordance with part 1340.9100.

One of the following shall be provided: clear spaces free of fixed or portable seats, or with removable fixed seats; or spaces with readily removable portable seats.

Viewing positions shall be located at the main floor. Viewing positions shall have level floor surfaces.

MS s 16B.59 to 16B.73

1340.0800 CONTROLS AND ELECTRICAL SWITCHES.

The top of controls for elevator controls, thermostats, manual fire alarms, and similar equipment in all buildings regulated by this chapter and electrical switches and receptacles in dwelling units regulated by this chapter shall be no higher than five feet above the floor.

MS s 16B.59 to 16B.73

1340.0900 TACTILE IDENTIFICATION.

Subpart 1. Where required. Spaces normally used by the

general public shall have tactile identification, such as raised or recessed letters, labels, or plaques. The tactile identification shall not be less than 4-1/2 feet nor more than 5-1/2 feet above the floor, mounted on the wall adjacent to the door of the space identified, on the side nearest the door handle.

Subp. 2. Floor numbers at elevators. Floor numbers shall be tactilely identified for the visually handicapped by raised or recessed numbers attached to the elevator door jamb at each floor, not less than 3-1/2 feet nor more than 4-1/2 feet above the floor.

Subp. 3. Elevator controls. Elevator controls shall have tactile identification by raised or recessed letters, labels, or plaques.

Subp. 4. Door handles. Doors to stairs other than exit stairs, loading platforms, boiler rooms, stages, and doors serving other hazardous locations shall have knurled or similarly marked door handles.

MS s 16B.59 to 16B.73

SYMBOL OF ACCESSIBILITY

1340.1100 TITLE AND RULES.

The rules contained in parts 1340.1100 to 1340.1900 shall be part of the Minnesota State Building Code.

MS s 16B.59 to 16B.73

1340.1200 DEFINITIONS.

Subpart 1. Scope. All terms in these rules shall have the meaning as defined in this code except for the following which shall be defined as indicated.

Subp. 2. Existing buildings. "Existing buildings" means any building built prior to January 1, 1976.

Subp. 3. Symbol. "Symbol" means the symbol adopted by Rehabilitation International's Eleventh World Congress, pursuant to Minnesota Statutes, section 16B.61, subdivision 5, paragraph (e).

MS s 16B.59 to 16B.73

1340.1300 AUTHORIZATION AND PURPOSE.

Parts 1340.1100 to 1340.1900 are authorized by Minnesota Statutes 1978, section 16.8632, regarding display of the symbol of accessibility indicating access to buildings, facilities, and grounds which are accessible to and usable by handicapped persons.

MS s 16B.59 to 16B.73

1340.1400 SCOPE.

Parts 1340.1100 to 1340.1900 apply to all new and existing buildings, facilities, and grounds within the state of Minnesota on which the owner(s) or operator(s) desires to display the symbol of accessibility. The rules establishing handicapped accessibility to and within structures shall be contained in the code.

MS s 16B.59 to 16B.73

1340.1500 ENFORCEMENT.

Parts 1340.1100 to 1340.1900 shall be enforced in the same manner as other provisions of the Minnesota State Building Code.

MS s 16B.59 to 16B.73

1340.1600 DISPLAY OF SYMBOL.

The owner(s) or operator(s) of new or existing buildings, facilities, and/or grounds may display the symbol of accessibility after the following criteria have been met:

A. A certificate of occupancy is issued by the building official pursuant to the State Building Code, part 1305.1100; or

B. The owner(s) or operator(s) obtain(s) an affidavit of compliance prepared and signed by a Minnesota registered architect or engineer, Minnesota certified building official, or approved inspection agency. The affidavit shall contain the statement that the buildings, facilities, and/or grounds are in compliance with the code and the Minnesota statutes pertaining to handicapped accessibility. The affidavit shall specifically address all accessibility features required by the State Building Code on a standard form furnished for that purpose.

MS s 16B.59 to 16B.73

1340.1700 APPEALS.

All appeals regarding compliance with accessibility standards as required by part 1340.1600 shall be brought pursuant to part 1305.0600.

MS s 16B.59 to 16B.73

1340.1800 ISSUANCE.

After compliance with parts 1340.1100 to 1340.1900, and upon request of the owner(s) and operator(s), the building official shall issue the symbol.

A municipality which determines to evaluate existing buildings for accessibility under part 1340.1600, item B shall adopt a reasonable schedule of fees based on its cost of inspection. No charge or fee shall be imposed for the issuance of the symbol.

MS s 16B.59 to 16B.73

1340.1900 PLACEMENT OF SYMBOL.

The symbol when issued shall be affixed on the approved building(s), facility(ies), or grounds in the following manner:

A. Buildings: the symbol shall be affixed to the door of the accessible entrance 36 inches above the walking surface and within 12 inches of the latch, pull, or lever handle.

B. Facilities: the symbol shall be affixed to an eight-inch by 12-inch sign blank or board mounted on a post 42 inches above grade (center line of sign) within 60 inches of said facility.

C. Grounds: the symbol shall be affixed to an eight-inch by 12-inch sign blank or board mounted on a post 42 inches above grade (center line of sign) within 60 inches of a public way.

MS s 16B.59 to 16B.73

1340.9000 FIGURES.

Parts 1340.9300 to 1340.9900 of this chapter are illustrative only. See appropriate parts for specific provisions.

MS s 16B.59 to 16B.73

1340.9100 SANITATION FACILITIES FOR THE HANDICAPPED.

Number of Dwelling Units/ Guest Rooms in Building	Number of Dwelling Units/ Guest Rooms Requiring Sanitation Facilities
0- 7	0
8- 39	1
40- 59	2
60- 79	3
80- 99	4
100-119	5
120-139	6
140-159	7
160-179	8
180-199	9
200-	10 plus 1 per each 50 units exceeding 200

MS s 16B.59 to 16B.73

1340.9200 VIEWING POSITIONS.

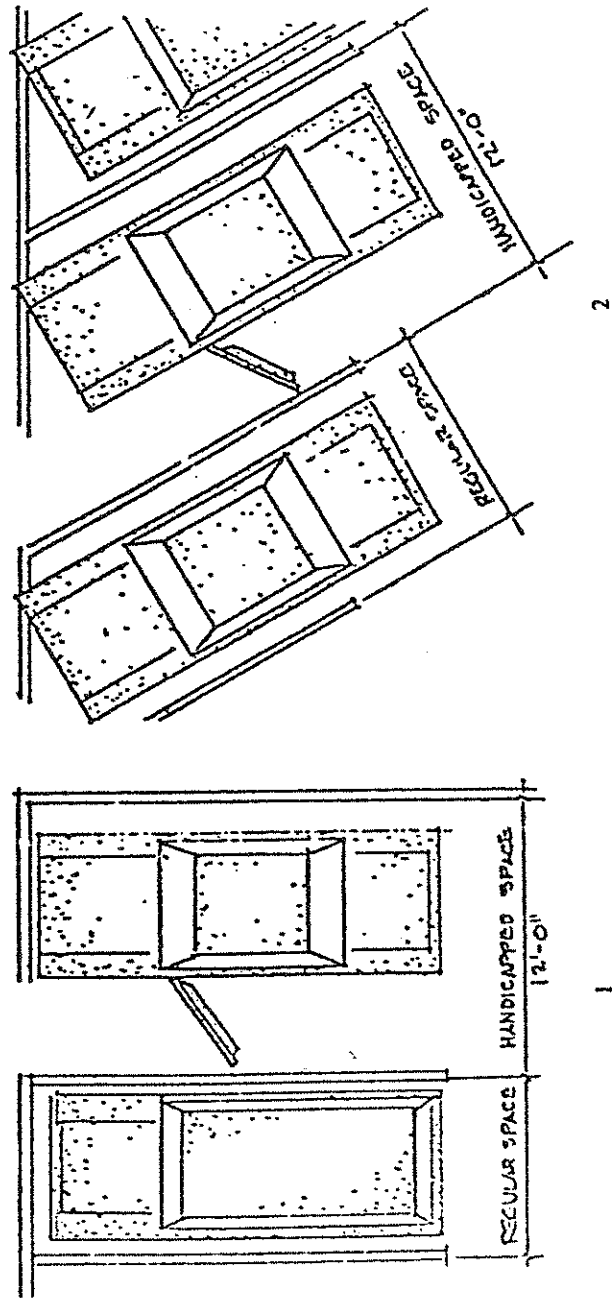
Motion Picture Auditoriums

Occupant Load	Minimum Viewing Positions
500 and Less	4
Over 500	8
Other Assembly Occupancies	

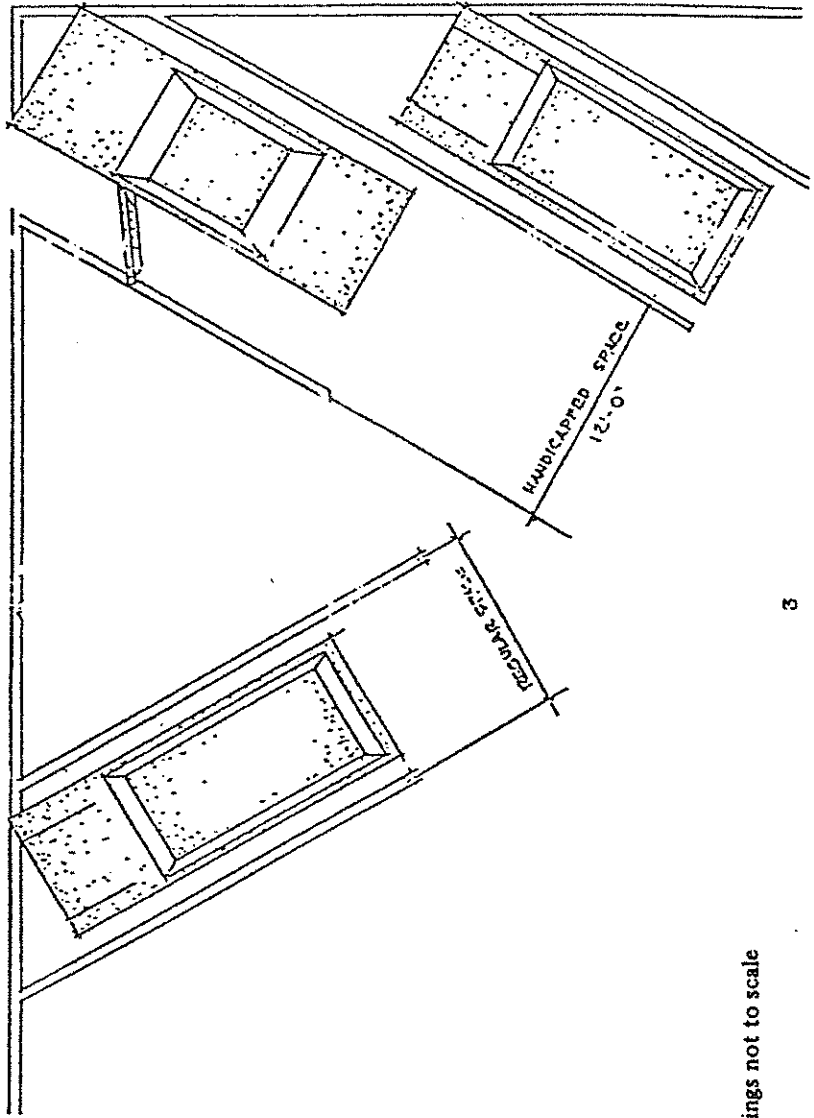
500 and Less	4
501-1000	12
1001-1500	16
Over 1500	16 plus 1 per 500 additional

MS s 16B.59 to 16B.73

1340.9300 AUTOMOBILE PARKING SPACES.
See part 1340.0300, subpart 5.



Drawings not to scale

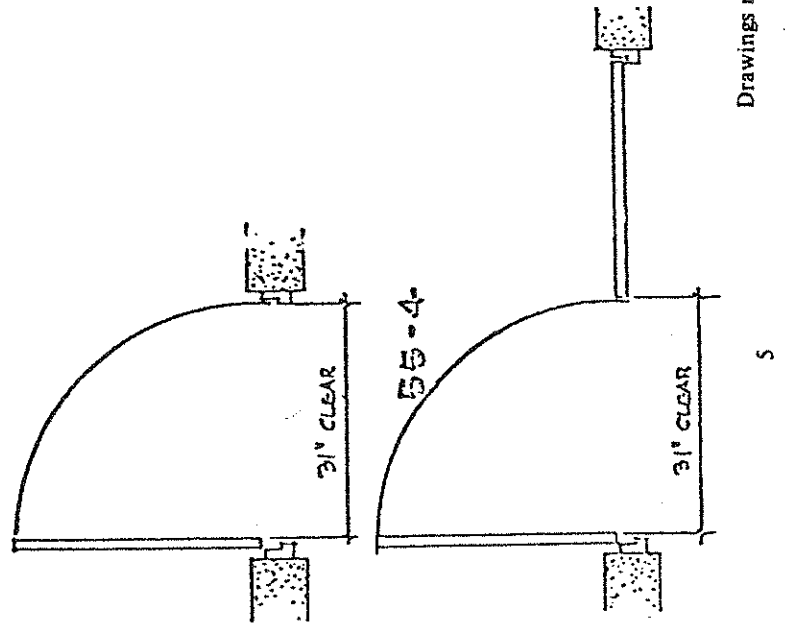
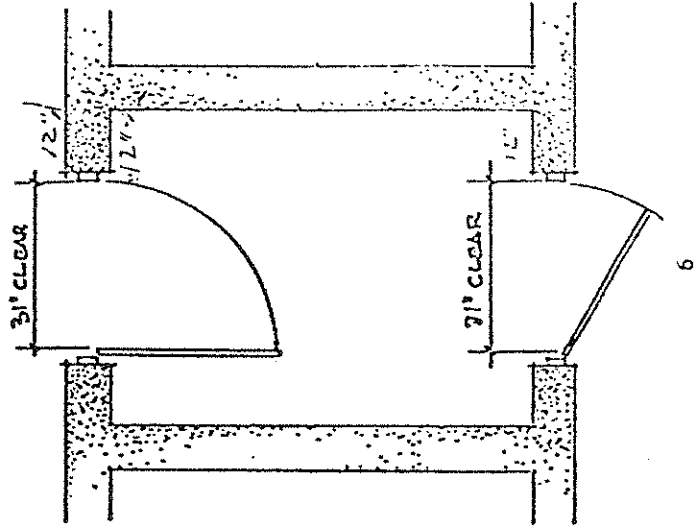


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Drawings not to scale

Statutory Authority: *MS s* 16B.59 to 16B.73

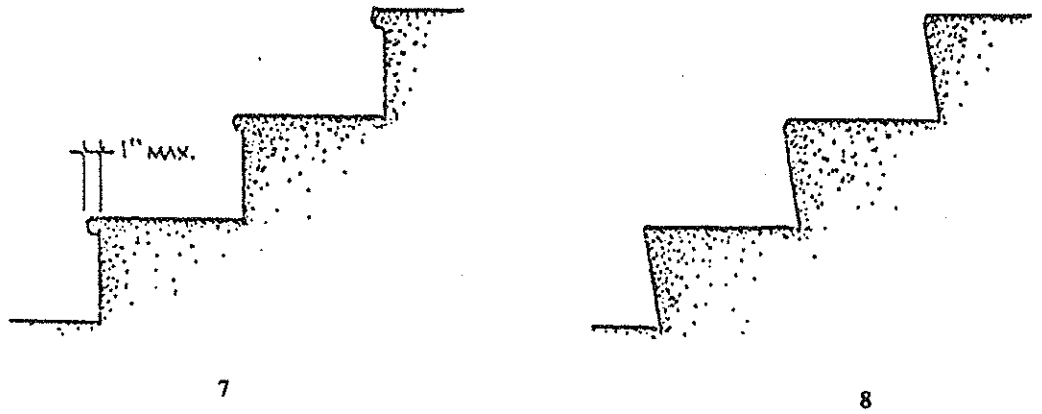
1340.9400 DOORS AND DOORWAYS.
See part 1340.0300, subpart 6.



Drawings not to scale

Statutory Authority: MS s 16B.59 to 16B.73

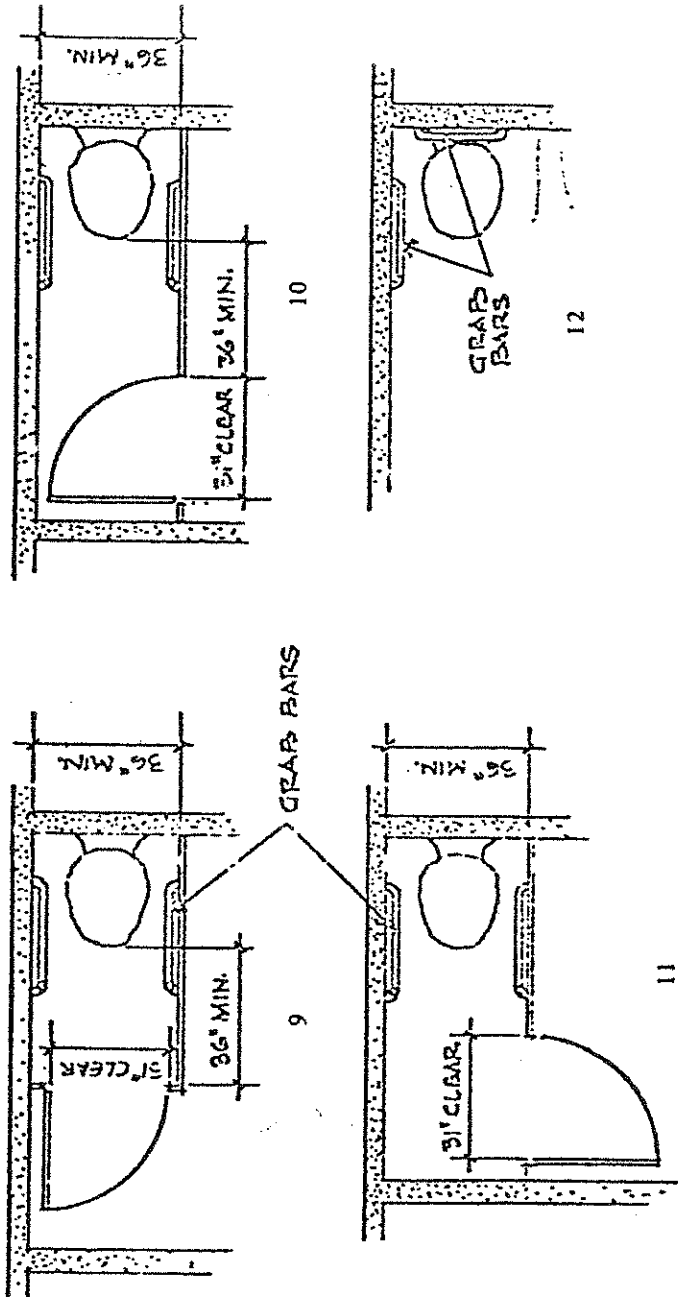
1340.9500 STAIR TREAD NOSING.
See part 1340.0300, subpart 7.



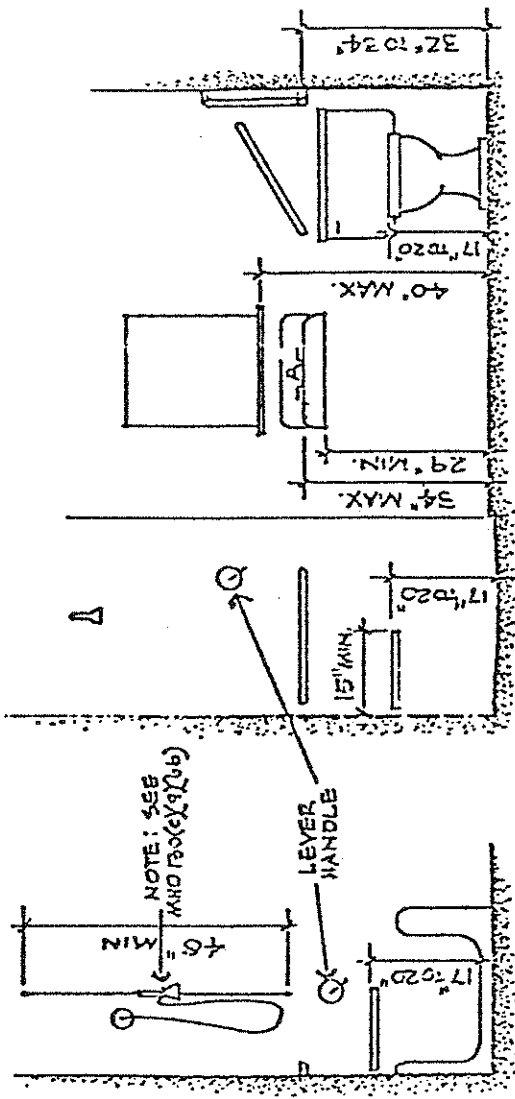
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Statutory Authority: MS s 16B.59 to 16B.73

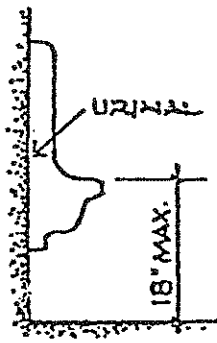
1340.9600 SIZES AND CLEARANCES FOR SANITATION FACILITIES.
See part 1340.0500.



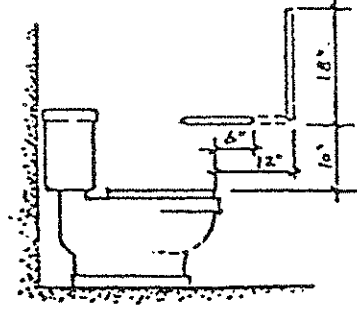
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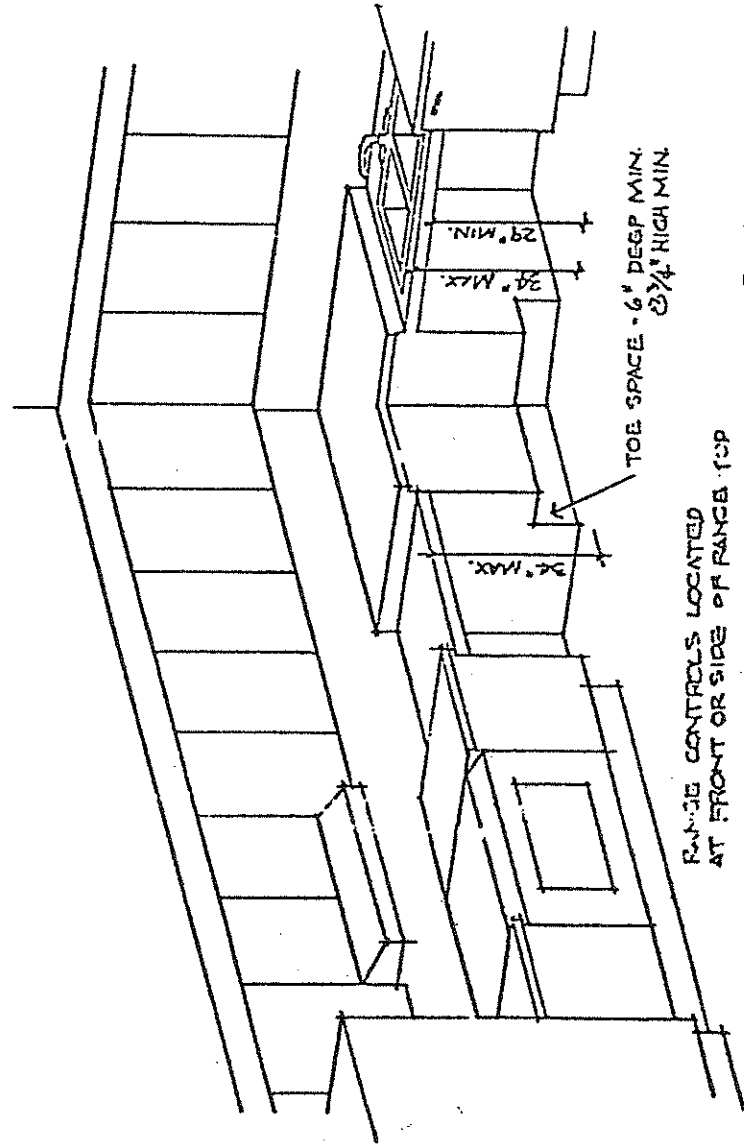


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Statutory Authority: *MS s 16B.59 to 16B.73*

1340.9700 KITCHEN FACILITIES.
See part 1340.0600, subpart 1.

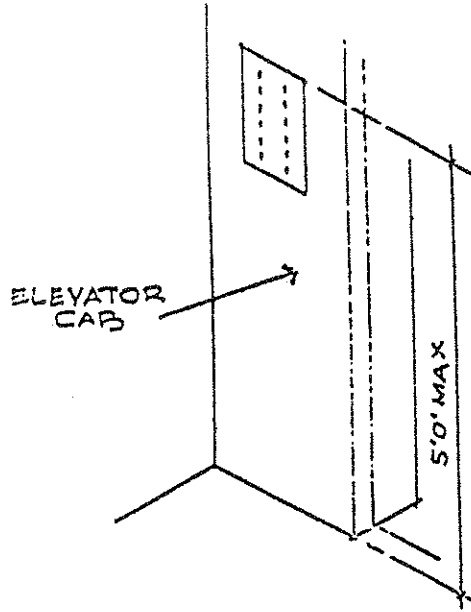


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Statutory Authority: MS s 16B.59 to 16B.73

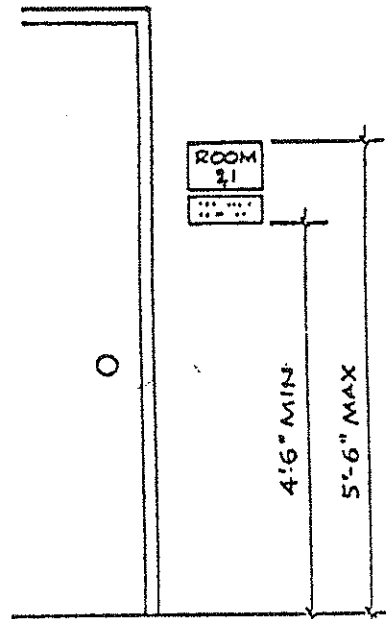
1340.9800 ELEVATOR CONTROLS.
See part 1340.0800.



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Drawings not to scale

Statutory Authority: MS s 16B.59 to 16B.73
1340.9900 IDENTIFICATION.
See part 1340.0900.



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Statutory Authority: MS s 16B.59 to 16B.73