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Perez to Head Civil Rights Division

Movement on ADA Rulemaking Expected

Thomas E. Perez was confirmed on Oct. 6 by the US Senate, with a vote of 72-22, as the Assistant Attorney General for the Civil Rights Division of the US Department of Justice (DOJ), the enforcement agency for the Americans with Disabilities Act (ADA). It took more than four months for the Senate to act on the nomination, which was approved by the Judiciary Committee in June.

The confirmation of Perez is talked about as the latest “last hurdle” before revised Americans with Disabilities Act Guidelines (2004 ADAAG) are adopted by the DOJ. Other recent “last hurdles” have included the Presidential Election, and the Presidential Inauguration.

According to Teresa L. Jakubowski, a partner of Barnes & Thornburg, the confirmation of Perez will spur action on the rulemaking front. “We anticipate that [DOJ] will soon proceed with several rulemakings impacting Title II and Title III of the ADA,” she says. In January 2009, DOJ withdrew from Office of Management and Budget its draft final regulations to revise its Title

See **Perez**, page 7



In the last 19 years, the Fair Housing Act has added many accessible housing units across the country.

Fair Housing Act: Good, But Good Enough?

By Denise Hofstedt

While the Fair Housing Act has been responsible for adding more than 1.6 million accessible housing units across the country over the last 19 years, it is often blasted for its shortcomings.

Disability advocates claim Fair Housing units are difficult to find and once found are access-ready, but not very accessible. Accessibility consultants agree that often the accessibility provided in the units is inadequate to meet the needs of many users. Developers, architects and builders say that the overlapping requirements are confusing and definitive answers to conflicting criteria questions are hard to secure. It seems that everyone has a complaint when it comes to the FHA design standards.

FHA Background

Originally passed in 1968 and administered by the US Department

See **Fair Housing Act**, page 6

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by John P. S. Salmen

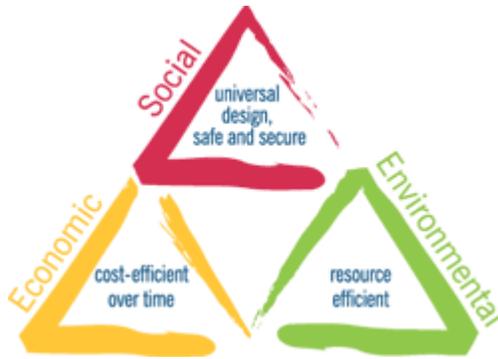
Is UD Green?

Inevitably, this question must be raised. As public awareness of green design swells to a tidal wave, many Students of UD think we see the next wave approaching – and its name is Universal Design.

But how do these waves relate to each other? Are they random swells? Or caused by undersea movement of the earth's crust?

Valerie Fletcher, Executive Director of the Institute for Human Centered Design, and Elaine Ostroff, Founding Director along with Eric Mikiten, AIA of the Bay Area COTE, believe that they are both connected to the earth shaking movement of Sustainability. Eric presented his overview in detail at the AIA 2009 convention.

The trefoil logo, Sustainability graphic developed by the Department of Public Works of Queensland, Australia for its Smart House program (www.build.qld.gov.au/smart_housing/elements/index.asp), communicated how these three universal design leaders visualize the “three-legged stool of sustainable design.” The graphic above illustrates how universal design is a basic element of sustainable design, as it relates to resource efficiency and economic empowerment under the umbrella of environmental, economic and social



sustainability.

Environmental sustainability relates to the green movement and natural resource conservation and efficiency. Economic sustainability relates to concepts of life cycle costing, equity and fair trade value of products and services.

Social sustainability relates to systems that support people by creating safe, secure and independent communities.

When compared to financial and natural resources, human ability is arguably the most precious resource of all. Human ability is enabled, supported and encouraged by a universally designed environment that gives everyone the opportunity to participate with a minimum of outside support. Just as we must conserve our natural resources, we must also conserve our human resources. It is a waste of human potential to create environments that demand dependence when a

simple change in the design of the path, space or element could allow un-assisted use. Like “green design” universal design must be an integral part of design programming and the imaginative design process. It cannot be left as an add-on in a minimal compliance mode.

The relationship between two people who are locked in the care giver/receiver dance, while frequently a loving and enriching experience, is difficult, uncomfortable, and too often destructive of human dignity. Independence is best and can be extended with universal design. The obvious example is aging in place, which is facilitated by universally designed homes and communities.

As we struggle to make the most of limited resources, the value of universal design as a tool to conserve human resources will become increasingly apparent, and its relationship to the broader goal of sustainability will become clear.

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Correction

In some copies of the July 2009 issue of *Universal Design Newsletter* (Vol. 9, No. 7), the contributor of the Aha! Moment (page 10) regarding the requirement that the curtain rod in a roll in shower comply with the 80” high minimum was misidentified. The contributor was **Mark Derry of Eastlake Derry & Associates** in Morgantown, WV. Our apologies. 

jsalmen@UniversalDesign.com

Which Is It?

In 2008, Department of Justice-driven mediation resulted in a golf course in Michigan creating a policy allowing golfers with disabilities access to all areas of the course, this included allowing golf carts on the greens, according to “*Enforcing the ADA: A Status Report from the Department of Justice*, January-March 2008.” The current Americans with Disabilities Act Standards of Accessible Design do not require such comprehensive access, while the 2004 Americans with Disabilities Act Guidelines, which have not yet been adopted by DOJ, do require that level of access. It appears that the DOJ is condoning “cherry picking” i.e., selecting portions of rules that fit its specific needs from proposed, un-adopted regulations, rather than applying the rules that are currently in effect.

NCD Report on Emergency Management Reforms

There is a major gap in the government’s preparedness when it comes to responding to the needs of people with disabilities in all types of disasters, according to the National Council on Disability (NCD). In a report released in August, the NCD made recommendations to federal, state and local governments on policies, programs and practices related to dealing with disasters from beginning to end.

The report is based on a review of “best/promising practices” for emergency management and is intended to provide a scientific basis for policy development. Among the recommendations to the federal government are:

- Continue strengthening efforts to enforce compliance with Federal Communications Commission (FCC) policies regarding emergency broadcasting to reach people with disabilities.
 - Revise FEMA guidance materials for safe room construction to include disability access; fund mitigation projects that target people with disabilities.
 - Enhance accessibility features in federal buildings to strengthen evacuation planning, evacuation devices, and warning systems.
- Recommended state-level interventions include:
- Strengthen code requirements for public places, including alternative warning systems and signage.

Man Can’t Sue for Unencountered Barriers

Byron Chapman, who uses a wheelchair, can not sue Pier 1 Imports for barriers that he did not actually encounter, according to the US Court of Appeals for the 9th Circuit in California. The court, acting on an appeal from Pier 1 reversed a lower court decision noting that despite encountering some alleged barriers, Chapman was not deterred from shopping at the Pier 1 Imports Store or from visiting its restroom facilities. Chapman admitted that the encountered alleged barriers did not deter him from visiting the Store or restrooms; that he intended to return to the store in the future; “and that he may in fact already have done so.”

The 9th Circuit has allowed for an injury under the “deterrent effect” doctrine. The doctrine states that when a person with a disability encounters accessibility barriers in a facility and would return to that facility if it were accessible, he or she has been injured by the deterrent effect of the barriers actually encountered and additional barriers he or she might expect to encounter on future visits. In its opinion, the court noted that this was not applicable in this case thus forming the basis for its reversal of the lower court’s decision.

Court Rules ADA Amendments Act Not Retroactive

The Americans with Disabilities Amendments Act (ADAA) can not be applied retroactively, according to the US Court of Appeals for the District of Columbia Circuit.

The ADAA signed into law in September 2008, spelled out the definition of “disabilities” covered under the Americans with Disabilities Act (ADA). Bill sponsor Tom Harkin (D-IA) noted at the time that the bill was in response to the Supreme Court decisions that have narrowed the definition of disability (*Universal Design Newsletter*, Vol. 9, No. 4).

Floyd Lytes sued his employer under the ADA, before the passage of the ADAA, claiming he was fired because of a disability.

In its July 2009 decision, the court noted that “Because the Congress delayed the effective date of the ADAA, we presume, in the absence of any legislative indication to the contrary, that it does not apply retrospectively to Lytes’s case.” 



The court, acting on an appeal from Pier 1 reversed a lower court decision noting that despite encountering some alleged barriers, Chapman was not deterred from shopping at the Pier 1 Imports Store or from visiting its restroom facilities.

Larry Schneider: Keeping It Simple

In the highly technical and complex environment of code development and compliance, Larry Schneider, AIA continues his pursuit of certainty and clarity.

A one man accessibility dynamo based in Florida, architect Schneider has been a champion of accessibility for more than 25 years. In his work on state, national and international code committees his focus has been on advancing accessibility by keeping building codes simple.

According to Schneider, who is a member of the ICC/ANSI A117 Committee that crafts the model building code for commercial facilities, if the code is not simple, it can be misinterpreted. "Even among the experts [on the A117 Committee] there are different interpretations of the same word. My goal is to make it clean and simple so that everyone can understand it."

Larry's Queries

In the last several years, Schneider has taken the bold step of publicly soliciting opinions about tricky compliance issues from other accessibility consultants and interested parties. He regularly sends email blasts to a list of accessibility experts posing an accessibility-related design dilemma. Recipients share their thoughts and opinions with the group. It is a collaborative process that enriches accessibility insight for all involved.

"I want to provide simple guidance to my cli-

ents," he says. "I like to send a test balloon to peers around the country... other people see the same issue in different venues and from different perspectives." For example, he says, Florida is flat, some solutions that work there can't be done on a site that is on the side of a mountain. "Getting that kind of feedback is important," he says.



Larry Schneider

He also frequently gives out his opinions to help frustrated architects and designers in Florida who now, due to a change in the law, have to wait nearly half a year to get a "non binding interpretation" on accessibility issues from the State. "In every other part of the code you can get an interpretation quickly, but not on the accessibility code," he says.

According to attorney John Potanovic of Ft. Meyers, FL, who has worked with Schneider for nearly a decade, "Larry has been instrumental in resolving many hundreds of ADA accessibility lawsuits throughout Florida over the years. His knowledge and instincts have been key in just about every Title III case I have handled. He often is called upon to devise the 'game plan' on what accessibility corrections should be made to the property. His expertise assists in getting the cases resolved quickly and amicably, and this serves to benefit both the property owner and the disabled patrons that visit the property."

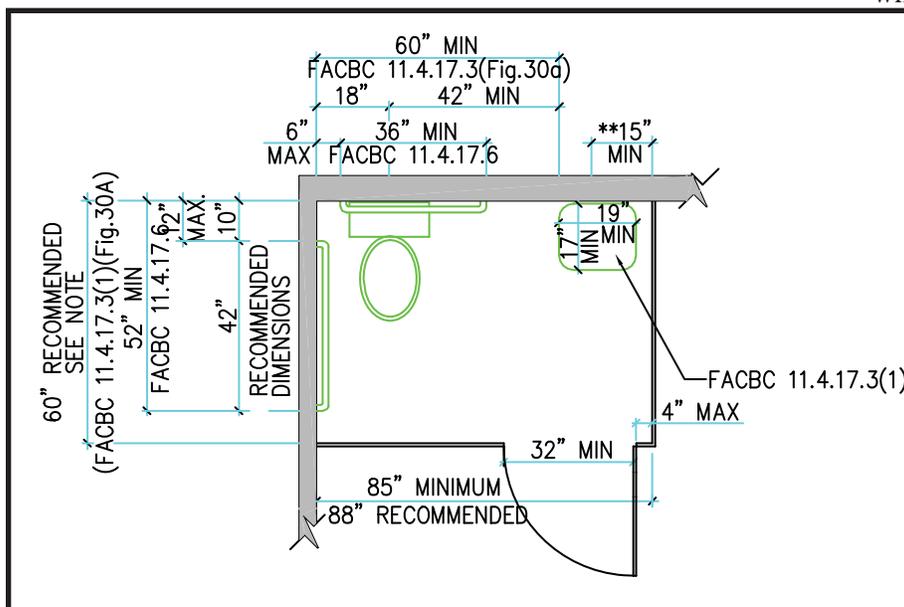
Potanovic commends Schneider for his ability to take "complicated issues and concepts and reduce them to understandable issues and concepts for those without a degree in architecture."

Getting Started

Schneider began his work in accessibility when he was appointed by the Governor in 1985 to a commission charged with rewriting the state accessibility code. He didn't have an agenda, he was just a person who really knew codes. "I was the nuts and bolts guy of our practice," he says. It didn't

"My goal is to make it clean and simple so that everyone can understand it."

Larry Schneider, AIA



Schneider's drawing of a typical accessible toilet stall for new construction is used by the State of Florida.

See **Schneider**, page 8

NORWAY

Universal Design in Norway

A pilot program aimed at incorporating universal design into the municipal planning process has brought fundamental and long term change to localities in Norway. The “Planning for All” program, launched more than 10 years ago, began with 20 municipalities agreeing to apply universal design principles into their planning activities.

The program has grown into a structured effort in which representatives from participating municipalities gather twice a year with national and regional administrators to discuss issues and gain from the experience of others.

“The efforts of the pilot municipalities have paved the way for the wider incorporation of universal design principles in Norway,” according to a report on the program. Universal design has gone from nonessential to a key objective in municipal planning activities in just 10 years.

This year the national Planning and Building Act has been amended to include universal design as well as accessibility and anti-discrimination legislation that stipulates the application of universal design strategies.

To read the first chapter, translated into English, visit: www.universell-utforming.miljo.no/file_upload/md_uu_nasjonal%20bautas%207-10_engcbe.doc

UNITED KINGDOM

Inclusive Design to Pervade London Olympics

The 2012 London Olympic Delivery Authority has developed and is using an Inclusive Design Strategy in the design and construction of the venues for the next summer Olympics.

The Inclusive Design Strategy sets out how the Olympic Park will be designed and constructed to be inclusive for people of all cultures, faiths and ages, and accessible to people with disabilities. Diverse groups from within the local community were consulted and the strategy was influenced by the experiences of

multi-faith groups, parents, people with disabilities and Paralympians.

“We want London 2012 to be everyone’s Games and this will only be possible by ensuring that inclusive design is at the forefront of our plans,” according to the London Olympic organizers. “Inclusive and accessible design principles have been at the heart of our planning from the start. A site-wide, holistic approach across all buildings, open spaces, park lands, infrastructure and public transport means that we will be able to go further than any previous Olympic Games and Paralympic Games.”



London Olympics logo

The commitment to incorporating inclusive design in hosting the “most accessible games ever” underpinned London’s bid, according to the Olympic Delivery Authority Inclusive Design Strategy. “London 2012 will be the first Olympic Games and Paralympic Games to be planned together from the start. This will give the 2012 Games a distinctive feel as the approach to the planning and delivery of the two events will be streamlined.”

According to Prime Minister Gordon Brown, “I have no doubt that the construction of the new permanent venues, infrastructure and transport links within the largest new urban park to be created in Europe for 150 years will be a catalyst for lasting social and economic change in east London.”

Read the strategy document (.pdf format) at: www.london2012.com/documents/oda-equality-and-diversity/inclusive-design-strategy-september-2008.pdf 

“World Update” is compiled by Elaine Ostroff, Hon. AIA, founding director of the Adaptive Environments Center, and Denise Hofstedt, Editor of UDN. If you have information about international universal design efforts that you would like to have published in Universal Design Newsletter, write to us at: 6 Grant Ave., Takoma Park, MD 20912; or contact publisher@universaldesign.com

Universal design has gone from nonessential to key objective in municipal planning activities in just 10 years.

Norway’s Planning for All program

Fair Housing Act, from page 1

of Housing and Urban Development (HUD), the FHA prohibits housing related discrimination against people based on race, color, religion and national origin. When amended in 1988, the law was changed to prohibit discrimination against people because of disabilities.

The FHA requires that “covered multi-family dwellings” built for first occupancy after March 13, 1991, be designed and constructed to include certain features of accessible design. The act’s requirements apply to multi-family units that have elevators, and ground floor units in other buildings consisting of four or more units. The FHA’s design and construction requirements apply to privately owned housing as well as federally or publicly assisted housing. This includes, for example, apartments, condominiums, dormitories, assisted living developments, time-sharing properties, and homeless shelters when used as a residence.

The FHA’s seven basic design and construction requirements are written in straightforward performance language but lack specifics:

1. An accessible building entrance on an accessible route.
2. Accessible common and public use areas.
3. Usable doors (usable by a person in a wheelchair).
4. Accessible route into and through the dwelling unit.
5. Light switches, electrical outlets, thermostats and other environmental controls in accessible locations.
6. Reinforced walls in bathrooms for later installation of grab bars.
7. Usable kitchens and bathrooms.

Perhaps intended to make compliance easier but actually creating further confusion, HUD recognizes 10 “safe harbors” – other codes and guidelines that HUD considers to be equal to the FHA.

Among the safe harbors are the HUD Fair Housing Accessibility Guidelines, ICC/ANSI A117.1 (1992, 1998 and 2003) and the International Building Code (2000 and 2003). But picking and choosing among the code criteria creates a compliance conundrum. In order for a unit to be protected under a safe harbor, the particular code must be applied in its entirety.

Problems arise if the safe harbor being used is silent on an issue or conflicts with another code – neither HUD nor any other enforcement entity will say definitively that a particular solution is compliant.

To try to educate the public, HUD has established Fair Housing First, an initiative that offers instructional programs, online web resources, and a toll-free information line for technical guidance and support. However, the advice provided by the program won’t give the user legal cover. According to the Fair Housing First website, www.fairhousingfirst.org, “The information, materials, and technical assistance are intended solely as informal guidance and are neither a determination of legal responsibilities under the Fair Housing Act nor binding on any agency with enforcement responsibility under the Fair Housing Act.”

Consumers/Consultants

According to housing consultant Louis Tenenbaum, Potomac, MD, newly built Fair Housing Act units are easy to identify, but once the units are in the marketplace they “disappear.”

“If you’re lucky enough to find a Fair Housing unit, you can get in the door,” he says. But most people with disabilities find that the units actually need further modifications. Depending on a resident’s needs, the adjustments can range from minor to significant.

According to accessibility consultant John P. S. Salmen, AIA, the criteria included in the HUD Fair Housing Act Accessibility Guidelines do not provide accessibility for everyone. For example, the guidelines call for 40 inches between opposing counters in certain kitchens. This does not

“If you’re lucky enough to find a Fair Housing unit, you can get in the door.”

Louis Tenenbaum,
Aging in Place
Consultant



Fair Housing Act, from page 6

allow space for someone using a wheelchair to turn around. The guidelines also don't require wheelchair turn around space in the bathroom.

"The Fair Housing Act is a great idea," says Salmen. "But the access provided is not that great, the requirements are convoluted and a lot of people are running into problems."

Design and Construction Industry

With several recent high profile FHA lawsuits and big settlements involving builders, architects and developers, it is clear that there is a lack of understanding of the law even after nearly two decades.

Often builders who have violated the law claim they didn't know the project was covered under the FHA, or say that they thought if the local building inspector signed off on their project they were in compliance with all applicable requirements.

Those excuses seem implausible to HUD Assistant Secretary for Fair Housing and Equal Opportunity John Trasvina. "The law has been in place 19 years, we hold training and have resources available," by phone and on the Fair Housing First website, www.fairhousingfirst.com "I didn't know' rings hollow," he says

In a HUD study on FHA compliance released in 2004, architects blamed contractors for non compliance and contractors blamed architects. The architects said that contractors are used to doing things in a "conventional way" and that contractors often do not pay attention to what is indicated on the plans. Contractors countered that non compliance is a result of architectural plans that do not correctly incorporate the design and construction requirements of the act.

"The National Association of Home Builders (NAHB) and our members support the Fair Housing Act and efforts to make housing accessible," says Ed Sutton, NAHB Senior Vice President, Construction, Codes & Standards. "Historically, a major problem faced by builders in FHA compliance has been the lack of clear guidance with regard to the construction requirements and a reliable means for enforcement. That is why NAHB worked with HUD, the International Code Council, and other stakeholders to incorporate the accessibility requirements of the FHA into the 2001 Supplement to the International Building

Code and subsequent editions. As a result, FHA accessibility requirements are addressed during the design and construction of housing, thereby greatly reducing compliance issues."

Contractors and architects involved in the HUD study on how to address non compliance did agree that there should be FHA inspections and that building codes and federal requirements for accessibility should be consolidated into one source document.

What's Next?

According to Assistant Secretary Trasvina, the demand for Fair Housing units is expected to increase because of aging demographics and more disabled veterans who will need accessible housing.

"We want to make this work," said Trasvina. □

Perez, from page 1

II and Title III regulations and adopt the 2004 ADA/ABA Accessibility Guidelines so that these regulations could be reviewed by the Obama administration. "Mr. Perez's confirmation clears the way for these rulemakings to be completed. Additionally, [DOJ] announced in May 2009 that it intends to initiate a rulemaking to implement the ADA Amendments Act, as it pertains to the department's Title II and Title III regulations. Mr.



Thomas E. Perez

Perez's confirmation will enable the department to proceed with issuing a Notice of Proposed Rulemaking for this purpose as well."

Minh Vu, ADA counsel for the American Hotel & Lodging Association and other businesses, says that Assistant Attorney General Perez will be making regulatory and enforcement decisions that will have a significant impact on all public accommodations for many years to come. "I look forward to having a constructive dialogue with Assistant Attorney General Perez and his team on a number of issues, including the proposed ADA Title III regulations." □

Contractors countered that non compliance is a result of architectural plans that do not correctly incorporate the design and construction requirements of the act.

Schneider, from page 6

take him long to realize the profound impact the accessibility code could have on the quality of people's lives.

"Because of the [Americans with Disabilities Act] a lot of people are out in public places ... if you build it, with accessibility, they will come," he says. "If you have ever watched the front of a building with a ramp and stairs -- 95 % of the people will use the ramp. They will use it without realizing it. There's a lot we can do to provide access without stainless steel grab bars. There's a lot of the little things we can do to help us all."

Keeping It Real

Through the years, Schneider has also become an advocate for code writing and designing that accounts for human nature and the reality of a construction site.

He encourages the use of construction tolerances in the code and in construction plans. For example, he thinks designers should put the rim of a urinal 15 inches from the floor "The code says 17 inches. Put it in at 15 -- give the contractor a chance to make a mistake. Build in construction tolerances."

"The code says 17 inches. Put it in at 15 -- give the contractor a chance to make a mistake."

Larry Schneider, AIA

Unique to the Florida Accessibility Code

Florida has been one of the states to watch for innovations in its accessibility code.

Its requirement that accessible parking spaces be 12-foot wide with 5 foot access aisles creates a simple rule that's easy to remember and accommodates both Vans and standard vehicles.

The requirement for an accessible lavatory in the accessible toilet stall was welcomed by all as it enhances privacy for a variety of users.

Because Florida's accessibility requirements are located in the state statutes, updating accessibility codes are a challenge that requires the Legislature to amend the law.

Despite the challenges, according to accessibility consultant Larry M. Schneider, AIA, efforts to update the code are underway, using the 2004 Americans with Disabilities Act Accessibility Guidelines (2004 ADAAG) as its basis for changes. However, another part of Florida law also prohibits updating the code until the federal government adopts a new ADAAG. The Department of Justice has not yet adopted the 2004 ADAAG. (See related story on page 1.) So the code remains the same.

Schneider thinks if someone is designing a 5-foot wide toilet stall, he or she should make it wider. Seldom do the designers account for the finish on the walls, the tile or the trim. "Now it's 4 feet 9 inches. Many times we end up arguing about one or two inches," he says.

He tells architects to design slopes at 1:16 even though they can be as steep as 1:12. "Less slope is better and on top of that, the construction tolerance is built in," he says.

City of Miami Safety Manager/ADA Coordinator Patrice Rey lauds Schneider. "Larry's approach to his work could be characterized as nothing short of utmost professionalism combined with an obvious love for his work. As a consultant to the City of Miami, he has provided us with invaluable guidance and direction to improve conditions for people with disabilities who live in and visit our community. ...he works with you as well as for you; he is never afraid to tell you when you are 'dead wrong' about a code interpretation."

He ought to know. 

Editor's Note: To see Larry Schneider's accessible toilet stall and parking spaces drawings for the Florida accessibility code, visit *Newsletter Extras* our website: www.UniversalDesign.com

US signs international treaty

The US has signed a United Nations treaty to protect and promote the rights of people with disabilities more than three years after the landmark disabilities treaty's introduction.

When US Ambassador to the UN Susan Rice signed the treaty on July 31, the US became the 142nd country to sign on to the human rights treaty. The treaty, also called a convention, commits governments to promote, protect and ensure the full and equal enjoyment of all human rights and basic freedoms by people with disabilities worldwide. The treaty must still be submitted by the President to the Senate for ratification.

"We are glad the United States has shown its commitment to be part of the common effort to ensure the full recognition of the rights of people with disabilities in our societies," said Akiko Ito, the Chief of the Secretariat of the Convention. For countries that sign and ratify them, conventions become legally binding international law. 

Dual Drawer Dishwasher

Kenmore has introduced Elite 24-inch Double Drawer Dishwasher w/ Sliding & Variable Position Tines. The appliance fits into the space of conventional dishwasher, but each dish drawer can be operated independently. The unit promotes efficiency and access by allowing for small single or double loads to run and can be filled from a seated position.



Dishwasher

Bedside Fire Alarm and Clock

The Bedside Fire Alarm and Clock, by Lifetone, works in conjunction with an existing smoke alarm. When the device detects the sound of the smoke alarm, it initiates three signals to wake a person.

The first is a 90 dBA alarm sound, which is like having someone start a lawn



Bedside Fire Alarm and Clock

mover next to the bed. The second is back-lit display that flashes the word "FIRE." The third is an optional bed shaking device that is about

the size of the palm of a hand that plugs into the back of the unit. When the alarm goes off, the bed shaker, usually placed between the top mattress and mattress pad, vibrates. Installation requires only plugging it into a power outlet. The unit, which has a battery back up that lasts for seven or more days, can be used as a daily alarm clock.

Wine Cabinet

A Wine Cabinet, from Perlick, is 24 inches wide and 32 inches high and fits easily under a 34 inch counter. Its vinyl coated shelving extends completely out of the refrigerator or wine cabinet and can hold up to 75 pounds. Users, standing or seated, can easily reach products stored in the back of the compartment by pulling out the adjustable upper shelves. The unit features guard rails that prevent products from dropping off of the back or off of the sides of the shelves.



Wine Cabinet

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Sidewalk Joint System

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UNIVERSAL
Accessibility and the Americans with Disabilities Act

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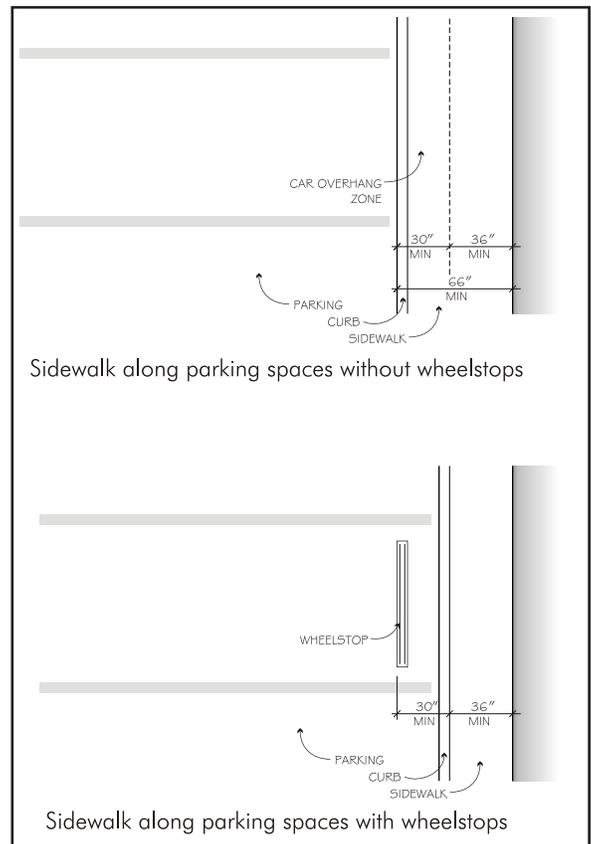
Where to Put the Wheel Stops...?

Welcome to *Universal Design Newsletter Aha! Moments*. Students of Universal Design know that “no one knows it all.” Those in the field occasionally come across technical accessibility criteria anomalies that evoke an **Aha! Moment**. This column seeks to identify those surprising criteria and present opinions as to their intent. We welcome your discoveries as well. If you have comments or other examples of strange things you have found in the technical standards that made you scratch your head or otherwise change your mind -- send them to us at publisher@universaldesign.com.

A UD&C client was recently trying to ensure that the sidewalk along a row of parking spaces was not narrowed by parked cars to less than the required width of an accessible route (36” minimum). The question was where to place wheel stops to ensure that the accessible route wasn’t blocked...?

In researching national accessibility codes we found no definitive answer, but we did find differing criteria in standards for California and a Washington State municipality. Based upon this information, we recommended that the face of the wheel stop against which the vehicle tire rests be at least 30” away from the accessible route. This potential 30” overhang implies that curbed sidewalks, adjacent to parking that lacks

tire stops, should be at least 66” wide (30” + 36”) to prevent parked cars from encroaching upon the accessible route. 



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DESIGN TIP

PROBLEM: How can a business know that it is meeting the needs of customers with disabilities?

TIP: Putting out a suggestion box so customers can alert you to problem areas can be a simple first step.

According to the U.S. Department of Labor, people with disabilities have about \$175 billion in discretionary funds and they



spend about \$13.6 billion on travel, according to a New York Times study. But people with disabilities can’t spend money if they can’t get in the door and they won’t be a repeat customer if they can’t use the restroom.

Insights gained from customer suggestions can include replacing things like round lavatory faucets or door knobs that most of us take for granted but are impossible for some people to use. 

Universal Design at Home

Renowned kitchen designer Mary Jo Peterson has teamed up with a residential marketing professional and developed a video on creating universally designed spaces in a home.

The DVD, available from Trace Consulting Inc., www.easyuniversaldesign.com, documents the remodeling of a home to allow the resident to age in place. Also included is a PowerPoint presentation that Mary Jo Peterson and Tracey Lux have given at National Association of Home Builders conferences and Kitchen and Bath Design seminars to homeowners, designers and builders through the process. Included are Peterson's design ideas and resources as well as Lux's marketing ideas and specific scripts for assisting sales people in talking to clients.



Universally design kitchen

Disability Law Handbook

The DBTAC Southwest ADA Center announces the publication of The Disability Law Handbook, a 50-page guide to the basics of the Americans with Disabilities Act and other disability related laws.

Written in a frequently asked questions (FAQ) format, The Disability Law Handbook answers questions about the Americans with Disabilities Act, the ADA Amendments Act, the Rehabilitation Act, Social Security, the Air Carrier Access Act, the Individuals with Disabilities Education Act, the Civil Rights of Institutionalized Persons Act, and the Fair Housing Act Amendments. Currently, all printed copies have been given away and the handbook is now only available in electronic format. Contact: www.southwestada.org

Universal Design and Aging in Place Webinar

Louis Tenenbaum's webinar presented in the National Coalition on Aging/IlluminAge

Healthy Aging Briefing Series is now available for download.

Universal Design and Aging in Place, presented on Sept. 24, featured Tenenbaum, a carpenter and contractor, who has been at the forefront of this field for two decades. He is a frequent speaker to groups representing various disciplines and points of view on all aspects of aging in place and universal design. As a consultant, collaborator, and facilitator, he works with builders, developers, designers and planners, health and senior care professionals, and aging services organizations. The NCOA/IlluminAge Healthy Aging Briefing Series webinars are FREE to NCOA members and friends. To view the presentation, visit <https://cc.readytalk.com/cc/playback/Playback.do?id=8bgak>

These webinars combine a teleconference with an interactive Web presentation. To participate in future webinars, you will need to dial in using your telephone and log in using an Internet-ready computer.

The Inclusive City

The Inclusive City website invites all to use www.inclusivecity.com to share their successful inclusive city planning projects. The site promotes inclusive city planning, based on economic, social, environmental and culturally sensitive policies that allow everyone to improve economically as the physical area improves.

Sponsored by Susan Goltsman and Daniel Iacofano of Moore, Iacofano, Goltsman (MIG), the website includes a forum and resources for urban planning. A companion book is also available. "The Inclusive City" has more than 500 full-color photographs and includes 14 case studies, design guidelines for schools, cityscapes, play areas, trail systems plazas.

The Inclusive City publication was supported in part by a grant from the National Endowment for the Arts. Full details at: www.inclusivecity.com 

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Events to be placed in the UDN Calendar must be submitted to the editor one month before the publication date.

Oct. 13, 2009: *Universal Design at All Scales: Home for the Next 50 Years*, Louisville, KY. Presented by the Metro Louisville Aging in Place Council, **John P. S. Salmen** will be speaking on considering universal design in a variety of aspects of design. Contact: www.mlaipc.org/news.html

Oct. 28-30, 2009: *MX Design Conference, 2009*, Mexico City, Mexico. Key concepts that are the focus of the conference include: Cultural Diversity, Social Activism, Professional Ethics, Social Responsibility, Sustainable Design, Ecodesign, Universal design, Slow Design, Social Design, Design for All, and Accessibility. Contact: www.dis.uia.mx/conference/2009/indexE.html

Nov. 5, 2009: *The ADA: What You Need to Know, Architecture Exchange East*, Richmond, VA . **John P. S. Salmen** and **Andrew Yarrish** will be presenting this session during a three-day conference sponsored by the Virginia AIA. Contact: www.ArchEx.com

Nov. 9-12, 2009: *Rehabilitation International Regional Conference: "Strategies for Implementation: Good Practices for Accessibility and Inclusion,"* Dubai, UAR. Contact: www.riglobal.org/

Nov. 18-20, 2009: *Build Boston, Seaport World Trade Center*, Boston, MA. Sponsored by the Boston Society of Architects. The convention will include an Institute for Human Centered

Design Symposium - Socially Sustainable Design. Contact: www.buildboston.com

Nov. 18-20, 2009: *US Architectural & Transportation Barriers Compliance Board Meeting*, Washington, DC. Contact: www.access-board.gov/about/meetings.htm

Dec. 8-9, 2009: *Universal Design/Build Remodel Show*, Atlanta, GA. UDBR 2009 is a two-day conference focused on universal design, build and remodel in residential housing. Internationally renowned speakers, including **John P. S. Salmen**, will share their expertise on a multitude of subjects. Contact: www.udbexpo.com

Jan. 19-22, 2010: *International Builders Show*, Las Vegas, NV. This mega trade show is expected to feature universal design sessions for home builders, developers, dealers, and distributors. **John P. S. Salmen** will be speaking on a panel discussing universal and green design. Contact: www.BuildersShow.com.

June 2010: *The 12th International Conference on Mobility and Transport for Elderly and Disabled Persons (TRANSED 2010)*, Hong Kong. The theme will be "Sustainable Transport and Travel for All." The conference is hosted by the Hong Kong Society for Rehabilitation. Contact: www.globalride-sf.org/newsletters/0806.pdf.

Universal Design Newsletter

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