



Code Interpretation 2006 -02

Code Effective Date: January 1, 2003

Source Document: 19NYCRR 1221 - Building Code of New York State (BCNYS)

Background: A new court house has been constructed with facilities for accessibility to physically disabled persons. However, there is a portable ramp which transverses a level change of 4 to 6 inches for the jury box and the witness stand, and another level change for the judge's bench.

Question: Does the Uniform Fire Prevention and Building Code allow these platforms to be accessible by the use of the portable ramps?

Interpretation:

NO. Building Code of New York State (BCNYS) section 1101.2, Design, states:

Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and ICC/ANSI A117.1 (1998).

This reference standard, entitled "Accessible and Useable Buildings and Facilities," Chapter 1, Application and Administration, section 101, Purpose, states:

The intent of these sections of the standard is to allow a person with a physical disability to independently get to, enter, and use a site, facility, building, or element.

The term "accessible" is defined as: describes a site, building, facility, or portion thereof that complies with this standard. The term "element" is defined as: an architectural or mechanical component of a building, facility, space, or site. BCNYS section 1104.5, Location, states in part:

Where the circulation path is interior, the accessible route shall also be interior.

Neither the reference standard nor BCNYS provide for removeable accessible elements such as ramps. Therefore, the ramps to the jury box, witness stand and judge's bench are required to be constructed in place and present at all times.

Ronald E. Piester, R.A., Director
Division of Code Enforcement and Administration
October 30, 2006



New York State Department of State
Code Enforcement and Administration

41 State Street
Albany, New York 12231