



May 16, 2016

To: Mayor and Members of City Council
From: Columbia Disabilities Commission

Re: B 103-16, BCCC's Proposed Accessibility Amendments to 2015 IBC

Dear Mayor and Members of City Council:

The Columbia Disabilities Commission has reviewed and discussed the Building Construction Code Commission's (BCCC) proposal to amend accessibility requirements of the 2015 International Building Code (IBC). At the Commission's regular meeting on May 12, 2016, the Commission voted unanimously to oppose both proposed amendments and to send a report to City Council requesting adoption of the original requirements of the IBC.

The proposed amendments are to (1) amend accessible route requirements to multi-story facilities, and (2) reduce the minimum number of drinking fountains. These amendments, if adopted, would reduce the accessibility of business facilities and services. At least one of the amendments would also subject well-meaning businesses to liability under the Americans with Disabilities Act.

There are several older, multi-story businesses in the City that have no accessible route to a second story. The businesses in these buildings are not open to people who are unable to traverse stairs, including elderly and people with temporary or permanent disabilities. Unfortunately, the cost to retrofit such existing buildings with an elevator or other accessible route is often a financial burden and not a realistic option. This issue with older multi-story buildings is not uncommon in communities across the nation.

However, the Commission believes there is no justifiable reason for this issue to continue to exist in brand new development.



CITY OF COLUMBIA, MISSOURI

Disabilities Commission

Also, the BCCC's proposal to reduce the minimum number of water fountains directly conflicts with the federal Americans with Disabilities Act's (ADA) facility requirements. The ADA requires a minimum of two water fountains at varying heights (as is required in the IBC). By amending this language, the City ordinance would put well-meaning businesses in a position of liability for violating the federal ADA requirements. A violation of the ADA's facility requirements can result in the business being fined up to \$50,000 for a civil penalty, as well as any other relief that a court believes is appropriate. 42 USC § 12188.

Sincerely,

Chuck Graham, Chair
Columbia Disabilities Commission