ARTICLE IV. - ACCESSIBILITY IN HOUSING CONSTRUCTED WITH PUBLIC FUNDS

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Sec. 17.5-72. - Applicability.

(a) Except as otherwise provided in this section, all new construction of buildings for residential use, consisting of one to three units, funded with any financial assistance from the City must comply with the requirements of this article.

(b) This article does not apply to existing residential structures.

(c) Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Adaptable means the inclusion of architectural design features in a residential dwelling wherein an occupant, present or future, can add elements, without the need to structurally alter the dwelling unit, to accommodate the specific needs of the occupant where those needs are related to a mobility disability.

Financial assistance from the City means partial or full funding for new residential building construction or acquisition of land where new residential buildings will be constructed where funding from or flowing through the City is committed or expended prior to the issuance of a permit for the construction of a residential structure by the City, including but not limited to:

(1) A building contract or similar contractual agreement prepared or approved through a City housing program or fund;
(2) A below market value sale or lease, or donation by the City of land or land intended to be cleared and used for residential purposes; or
(3) A full or partial release of a lien or special assessment or waiver of interest on a lien or special assessment.

The term "financial assistance from the City" shall not include:

(1) Releases of liens or special assessments from property owned by the City;
(2) Releases of liens or special assessments placed in error;
(3) Releases of code enforcement liens unless the release of the code enforcement lien has been recommended or endorsed by the City to assist or induce the development of
the property; or

(4) Bond assistance or tax or fee waivers.

Visitable means the inclusion of architectural and landscaping design features which allow basic access to and within a residential dwelling by people who use mobility devices such as wheelchairs and scooters and which minimize the cost of future modifications to achieve accessibility.

Sec. 17.5-73. - Building entrances.

(a) Dwelling units shall be designed and constructed to have at least one no-step entrance on an accessible route as defined in section 11-3.5, Florida Building Code and in compliance with section 11-4.3.8, Florida Building Code unless it is impractical to do so because of terrain or unusual characteristics of the site. The inclusion of a ramp shall not be required where grading is impractical or when a ramp is not acceptable to the applicant seeking financial assistance from the City. However, the dwelling unit must be designed in such a manner that a ramp could be constructed on an accessible route leading to the no-step entrance.

(b) The entrance may be at the front, side, or back of a dwelling as long as it is served by an accessible route as defined in section 11-3.5, Florida Building Code.

(c) Building entrance doors shall comply with section 11-4.13, Florida Building Code.

(d) (1) A waiver of these requirements for a specific property may be requested by filing an application with the Building Official. The applicant shall attach any documents necessary to demonstrate the applicant's eligibility for the waiver. Eligibility for such waiver shall be based on Fair Housing Accessibility Guidelines, section 5, and tests thereunder, promulgated under the Fair Housing Act of 1988.

(2) The Building Official may waive any of these requirements if the applicant demonstrates that the conditions of a site render compliance with that requirement an undue hardship.

(3) If the Building Official determines that the site meets the requirements for a waiver, the Building Official shall issue a waiver to the applicant, in writing, not later than 30 days after receipt of application.

Sec. 17.5-74. - Interior doors.

(a) Dwelling units shall be designed and constructed to have doors within the dwelling units intended for user passage, except those serving closets less than 15 feet square in area, that provide a minimum 32-inch clear opening (815 millimeters) with the door open 90 degrees, measured between the face of the door and the opposite stop as provided in section 11-4.13.5, Florida Building Code. A two-foot, ten-inch door or standard six-foot, zero-inch sliding patio door assembly is deemed sufficient to comply with this requirement. Compliance with section 11-4.13.6, Florida Building Code shall not be mandatory.

(b) Lever handle hardware is required on all swinging doors along the accessible route as defined in section 11-3.5, Florida Building Code.

Sec. 17.5-75. - Hallways, passageways and maneuvering space within dwelling units.

Dwelling units shall be designed and constructed so that all hallways and passageways on the first floor of the dwelling unit shall be a minimum of 44 inches in width. All hallways and passageways
shall be level with ramped or beveled changes at door thresholds, complying with sections 11-4.3.8, 11-4.5.2 and 11-4.5.3, Florida Building Code.

(Coda 1992, § 17.5-33; Ord. No. 564-G, § 3, 8-20-2004)

Sec. 17.5-76. - Bathrooms.

(a) A bathroom or powder room on the first floor of a dwelling unit shall be designed in such a manner to allow sufficient clear floor space for a rectangle measuring 30 inches wide by 48 inches long (as representing a mobility device) to be introduced and allow the door to be closed.

(b) Bathroom walls on the first floor of a dwelling unit which adjoin a bathtub, a toilet, or a shower shall be designed and constructed with reinforcement blocking of at least two-inch by eight-inch (nominal) dimensional lumber between the studs in the walls at the locations required by sections 11-4.16.4, 11-4.20 and 11-4.21, Florida Building Code.

(Coda 1992, § 17.5-34; Ord. No. 564-G, § 3, 8-20-2004)

Sec. 17.5-77. - Light switches, electrical outlets, thermostats, and other controls.

All light switches, electrical outlets, thermostats and other controls shall be placed in accessible locations which provide clear floor space and reach ranges as set forth in section 11-4.2, Florida Building Code, and mounted as set forth herein below. Where multiple controls serve the same elements (e.g., two remote switches for a light) only one needs to be accessible.

(1) Light switches, thermostats, or electrical panels shall not be higher than 48 inches above the floor.

(2) Electrical outlets shall be at least 15 inches above the floor.

(3) Any electrical panel located outside the dwelling unit shall be no higher than 42 inches above the ground, at least 18 inches above the ground and adjacent to an accessible route as defined in section 11-3.5, Florida Building Code.

(Coda 1992, § 17.5-35; Ord. No. 564-G, § 3, 8-20-2004)

Sec. 17.5-78. - Conflict with FEMA Regulations.

Whenever any requirement of this article conflicts with any requirement of the Federal Emergency Management Act (FEMA) or the City's Floodplain Management Ordinance adopted to implement those requirements (currently Flood Damage Prevention Codes (FDP)), the FEMA or FDP floodplain management requirement shall take precedence.

(Coda 1992, § 17.5-37; Ord. No. 564-G, § 3, 8-20-2004)

Secs. 17.5-79—17.5-95. - Reserved.