



Stick to ADA Guidelines

Being familiar with Americans with Disabilities Act guidelines is a must for any contractor.

by Mark Terry



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The Americans with Disabilities Act (ADA) is civil rights legislation assuring public buildings and structures provide reasonable accommodations and access to anyone with a disability. This can be for wheelchair users, or for the visually or hearing impaired, as well as a range of other potential disabilities. Plumbers should familiarize themselves with the ADA Standards for Accessible Design, available as a free download from the [ADA website](#).

Building Codes

Most state building codes comply with ADA guidelines. Most states have gone to the international building code and the international plumbing code, which references a document called ICC ANSI A117. This is the standard for where to put plumbing fixtures and what makes the toilet room accessible. All the information plumbers will need is found not only in ADA, but also in these building codes.

Liability

Typically, the responsibility of meeting ADA guidelines falls to the architect or designer. "It's important for plumbers to understand what their responsibility is, too," says Chip Wilson, of ADA Consultants of Northeast Florida in Jacksonville. "If a plumber installs something based on an architect's plans and the architect has it wrong, the plumber's going to have to come back and redo it if somebody brings that up for a lawsuit."

That's the best-case scenario. The worst case is that the architect, owner or general contractor will pass the buck down to the plumber. "Regardless of whether a plumber can be directly liable, the most common situation is they're going to have the general contractor, prime contractor or owner going after them," says Aaron P. Silberman, an attorney with San Francisco-based Rogers Joseph O'Donnell & Phillips.

There generally are two components to ADA litigation; one is fixing the problem and the other is litigation costs, which mostly are attorney fees. "If you just have a general indemnity obligation and the entire violation is your work, you're going to have to pay him back for the attorney fees as well, and that's often where the big money is in these cases," Silberman says. "As a plumber,

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your goal is to eliminate the indemnification obligation, or if that's not possible, to couch it in a way that would just require you to come in and fix your work, not require you to pay all the damages arising out of the violation."

Nuts and Bolts

Although the Standards for Accessible Design are lengthy, there are basics. Wilson lists common concerns:

- The shower heads
- The height of toilets from the floor; where the toilets should be located as far as the center line being 18 inches from the nearest wall.
- The location of the flush handle should be on the wide side of the room or the toilet stall.
- The sink height and the types of controls should be lever-type controls rather than knobs.

"Even the poundage," Wilson says. "The amount of pressure it takes to work the controls, whether on a toilet or in the shower or on the sink is supposed to be no greater than 5 pounds of effort."

Also note guidelines for lavatory heights and knee clearances, says Thomas J. Schmokel, professional accessibility consultant in Tallahassee, Fla. The maximum height generally is 34 inches to the rim of the lavatory, and remember to provide the 29 inches of knee clearance beneath the apron of the lavatory.

Products

"There are companies that make available ADA products," says Mark Derry, president of Eastlake, Derry and Associates, an ADA and Accessibility consulting firm in Morgantown, W.V. "There's a good line of accessibility-designed cabinetry that Lowe's makes available in their kitchen cabinet sections. It has a higher toe-kick to it, so if somebody's using a wheelchair there's room for their feet when they pull up to the cabinets, for instance."

Companies like American Standard also offer a line of toilets that are available at a higher height—17 to 19 inches instead of the usual 16 or 17 inches. Some companies also specialize in accessibility equipment, such as grab bars. But knowing the guidelines is more important. "If it's labeled ADA Special or ADA Certified, that's a start," Derry says. "But make sure you're doing the right thing by actually placing a fixture where it is most accessible."