§4582-B. Standards and certification

1. Definition. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Builder" means the applicant for a building permit in a municipality that requires these permits or the owner of the property in a municipality that does not require building permits. [PL 1989, c. 779 (NEW).]

B. "Design professional" means an architect or professional engineer registered to practice under Title 32. [PL 1989, c. 779 (NEW).]

C. "Standards of construction" means the 1986 standards set forth by the American National Standards Institute in the publication "Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People," ANSI A 117.1-1986. [PL 1989, c. 779 (NEW).]

D. "Multifamily housing accommodation" means "covered multifamily dwelling" as defined in 42 United States Code, Section 3604. [PL 1989, c. 779 (NEW).]

[PL 1989, c. 779 (NEW).]

2. Applicability. This section applies to multifamily housing accommodations constructed for first occupancy after March 13, 1991.

[PL 1989, c. 779 (NEW).]

3. Standards. Facilities subject to this section must meet the following standards.

A. Doors designed to allow passage into and within all premises within those accommodations must be sufficiently wide to allow passage by a person in a wheelchair. [PL 1989, c. 779 (NEW).]

B. A route accessible to a person in a wheelchair into and through the dwelling unit must exist. [PL 1989, c. 779 (NEW).]

C. Light switches, electrical outlets, thermostats and other environmental controls must be in locations accessible to a person in a wheelchair. [PL 1989, c. 779 (NEW).]

D. Bathroom walls must have reinforcements to accommodate the installation of grab bars. [PL 1989, c. 779 (NEW).]

E. Kitchens and bathrooms must be accessible to and usable by a person in a wheelchair. [PL 1989, c. 779 (NEW).]

[PL 1989, c. 779 (NEW).]

4. Compliance with standards. Compliance with the standards of construction satisfies the requirements of this section.

[PL 1989, c. 779 (NEW).]

5. Certification; inspection. The builder of a facility to which this section applies shall obtain a certification from a design professional that the plans of the facility meet the standards of construction required by this section. Prior to commencing construction of the facility, the builder shall submit the certification to:

A. The municipal authority that reviews plans in the municipality where the facility is to be constructed; or [PL 1989, c. 779 (NEW).]

B. If the municipality where the facility is to be constructed has no authority who reviews plans, the municipal officers of the municipality. [PL 1989, c. 779 (NEW).]

If municipal officials of the municipality where the facility is to be constructed inspect buildings for compliance with construction standards, that inspection must include an inspection for compliance with the standards required by this section. The municipal officials shall require the facility inspected to

meet the construction standards of this section before the municipal officials permit the facility to be occupied.

[PL 1989, c. 779 (NEW).]

SECTION HISTORY

PL 1989, c. 779 (NEW).

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