2011 GCSAA EDUCATION CONFERENCE AND INDUSTRY SHOW
Orlando, Florida

2010 ADA ACCESSIBILITY STANDARDS FOR GOLF COURSES
Session Agenda

- Changes to the Americans with Disabilities Act (ADA)
- Impact on newly constructed, altered, and existing golf courses
- Other related provisions
- Review of provisions for golf courses
- Accessible golf cars and perational issues
- Questions
U.S. Access Board

Providing leadership in accessible design

- Guidelines and Standards
- Technical Assistance
- Training and Outreach
- Research
- ABA Enforcement
DOJ Adopts Revised ADAAG

- Amusement rides
- Boating facilities
- Fishing piers and platforms
- Sports facilities
- Play areas
- Golf courses
- Miniature golf courses
- Swimming pools, wading pools, and spas

"For the very first time, these rules will cover recreational facilities like amusement parks and marinas and gyms and golf facilities and swimming pools, and municipal facilities like courtrooms and prisons," Obama stated.
Background and History

- Early 90’s – Recreation Access Federal Advisory Committee – GCSAA represented
- Developed recommended accessibility guidelines for golf courses
- Board issues final rule – 2002 (later incorporated into revised ADAAG - 2004)
- Discussions followed on “accessible” golf cars

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How is the ADA Enforced?

- Complaint-driven statute
- Lawsuits and settlement agreements
- Title III – civil penalties up to $50,000 and $100,000 for any subsequent violation

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no ADA police

complaints can take the form of private suite or handled through DOJ

DOJ - take large businesses showing "pattern or practice of discrimination"

in suits brought by DOJ - they may access a civil penalty against a covered entity in the amounts listed
greenwell, 1/29/2004
Changes to the ADA
DOJ’s Revised ADA Rule (Regulations)

• Nondiscrimination policies
• 2010 Standards
  – New construction and alterations
  – Additional design requirements
• Application of 2010 standards to existing facilities
Accessible Golf Cars

DOJ Advance Notice of Proposed Rulemaking on Equipment and Furniture (ANPRM)

Comment period closed January 24, 2011
Available for public review at www.regulations.gov
New construction
Current ADA Standards

Option:

DOJ’s 2010 standards
(mandatory March 15, 2012)

OR

DOJ’s 1991 standards
(until March 15, 2012)
DOJ’s ADA Standards (2010)

Excluding ABA Chapters 1 & 2 (pp. 72 – 140)
Locating provisions

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ABA Application and Scoping
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  ABA Chapter 2: Scoping Requirements

Technical Chapters
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  Chapter 4: Accessible Routes
  Chapter 5: General Site and Building Elements
  Chapter 6: Plumbing Elements and Facilities
  Chapter 7: Communication Elements and Features
  Chapter 8: Special Rooms, Spaces and Elements
  Chapter 9: Built-In Elements
  Chapter 10: Recreation Facilities
Existing facilities

A facility in existence on any given date...
What Standards Apply to Existing Facilities?

- Title II — Program accessibility
- Title III — Readily achievable barrier removal

For more information, contact DOJ @ 800 514-0301
Existing Facilities

PLACES OF PUBLIC ACCOMMODATION
PRIVATE ENTITIES – TITLE III

• Remove physical and communication barriers to existing facilities by persons with disabilities
• “Readily achievable”
• Easy to accomplish without much difficulty or expense

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Tax Incentives for Improving Accessibility

- Section 44 of IRS Code
- Tax credit – maximum credit $5,000
- Tax deduction – maximum $15,000

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Safe Harbor – Existing Facilities

• Elements that comply with 1991 Standards do not need to be modified to meet the 2010 Standards unless those elements are altered on or after March 15, 2012.

Safe Harbor does not apply to elements in existing facilities that were not subject to specific requirements in the 1991 Standards.

For more information, contact DOJ @ 800 514-0301
Elements in 2010 Standards Not Subject to Safe Harbor

(A) Residential facilities and dwelling units
(B) Amusement rides
(C) Recreational boating facilities
(D) Exercise machines and equipment
(E) Fishing piers and platforms
(F) Golf facilities
(G) Miniature golf facilities
(H) Play areas
(I) Saunas and steam rooms
(J) Swimming pools, wading pools, and spas
(K) Shooting facilities with firing positions,
(L) Miscellaneous.
   (1) Team or player seating
   (2) Accessible route to bowling lanes
   (3) Accessible route in court sports facilities

For more information, contact DOJ @ 800 514-0301
Covered by Safe Harbor

1991 Standard

2010 Standard
Allows space for side transfers
Not covered by Safe Harbor
Other facility provisions

PARKING, TOILET AND BATHING ROOMS, RETAIL SPACES, LOCKER ROOMS, COURSE OFFICE, RESTAURANTS, BARS, AND OTHER SPACES AND ELEMENTS
Non-complying new construction and alterations

- Constructed or altered before March 15, 2012 and do not comply with the 1991 Standards = meet the 1991 Standards or the 2010 Standards before March 15, 2012.

- Constructed or altered on or after March 15, 2012 and do not comply with the 1991 Standards = meet the 2010 Standards on or after March 15, 2012.
Golf facility elements

INCLUDED IN THE 1991 STANDARD
- Parking
- Exterior accessible routes
- Facility entrances
- Toilet and bathing facilities
- Locker rooms
- Restaurants and bars
- Retail spaces
- Club house

NOT INCLUDED IN THE 1991 STANDARD
- Teeing ground
- Putting green
- Weather shelters
- Golf car passage on course
- Practice facilities
- Other recreation amenities (swimming pools, etc.)
### Accessible Vehicle Parking

<table>
<thead>
<tr>
<th>Total Parking in Lot</th>
<th>Required Minimum Number of Accessible Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 25</td>
<td>1</td>
</tr>
<tr>
<td>26 to 50</td>
<td>2</td>
</tr>
<tr>
<td>51 to 75</td>
<td>3</td>
</tr>
<tr>
<td>76 to 100</td>
<td>4</td>
</tr>
<tr>
<td>101 to 150</td>
<td>5</td>
</tr>
<tr>
<td>151 to 200</td>
<td>6</td>
</tr>
<tr>
<td>201 to 300</td>
<td>7</td>
</tr>
<tr>
<td>301 to 400</td>
<td>8</td>
</tr>
<tr>
<td>401 to 500</td>
<td>9</td>
</tr>
<tr>
<td>501 to 1000</td>
<td>2 percent of total</td>
</tr>
<tr>
<td>1001 and over</td>
<td>20 plus 1 for each 100 over 1000</td>
</tr>
</tbody>
</table>

1 of every 6 = VAN SPACE

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Exterior Accessible Routes

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Accessible Door Clearances

(a) front approach, pull side

(b) front approach, push side

(c) front approach, push side, door provided with both closer and latch

(d) hinge approach, pull side

(e) hinge approach, pull side

(f) hinge approach, push side
Toilet and Bathing Facilities

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Transfer Stall

Clear floor space positioned for alignment with seat

48 min

36 min
Golf course facility provisions

Accessible routes, golf car passage, teeing grounds, putting greens, weather shelters, and practice facilities
Golf facility provisions

SCOPING PROVISIONS
Section 206.2.15 & 238

- Required accessible routes/golf car passages
- Number of teeing grounds, putting greens, and weather shelters required to be accessible
- Practice putting greens, practice teeing grounds, and teeing stations

TECHNICAL PROVISIONS
Section 1006

- Golf car passage
- Teeing grounds
- Putting greens
- Weather shelters
- Practice facilities
Golf car passage

- In lieu of a compliant accessible route
- Golf car passage – “Continuous passage on which a motorized golf car can operate”
Golf car passage

- 48 inch min width
- 60 inches min width if handrails are provided
Connecting Elements

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Weather shelters

- Clear space of 60 inches minimum by 96 inches minimum
Teeing grounds

- Where one or two is provided for a hole, at least one
- Designed and constructed so that a golf car can enter and exit
Multiple teeing grounds

- Forward tee
- 2 or more – forward tee
- 3 or more – at least two
Putting greens

• Each putting green designed and constructed so that a golf car can enter and exit.
Driving ranges and practice facilities

• Where teeing stations or practice teeing grounds are provided, at least 5%, not less than 1
Temporary facilities

- Bleachers for tournaments, assembly seating areas, portable toilet facilities, concessions and all other available amenities.
- Access to temporary facilities on a golf course may be achieved through either an accessible route or golf car passage.
Alterations to existing golf courses
What’s Considered an Alteration?

- Examples of alterations
  - Redesigning teeing grounds
  - Re-surfacing parking lot
- Mowing and other general maintenance activities are not considered an alteration
Requirements for Alterations

• Follow accessibility standards new construction
• “Technically infeasible”
• “What you touch - you fix”

• Alterations to “primary function areas” carry additional obligation

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Teeing grounds – Alterations

• Not required to make the forward tee accessible where compliance is not feasible due to terrain
Let’s review

- Golf course accessibility guidelines adopted as a part of the 2010 ADA Standard
- Existing courses must remove barriers when it is “readily achievable” over time
- Newly constructed or altered courses may use the golf course accessibility guidelines (mandatory after March 15, 2012)
- Non-complying elements covered by the previous standard 1991 must be made accessible by March 15, 2012 (i.e. toilet rooms, parking, showers, locker rooms, etc.)
- Future guidance from to follow on “accessible golf cars”

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Technical Assistance Material

http://www.access-board.gov/indexes/pubsindex.htm
Where to direct questions

U.S. Department of Justice

- Implementing regulation and additional requirements
- Requirements for existing facilities – title II & III

(800) 514-0301 (voice)
(800) 514-0383 (TTY)
www.ada.gov

U.S. Access Board

- 2010 Accessibility Standards for new construction and alterations

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