



Code Amendment Proposal Application **OSSC 22-03**

Department of Consumer & Business Services
Building Codes Division
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APPLICANT INFORMATION

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PROPOSAL INFORMATION

Specialty code:	Oregon Structural Specialty Code (OSSC)
Code section(s):	1102.1.2.11

Briefly explain the subject of your proposal:	The proposal adds an exemption for accessible outlets for counters between range and refrigerator if the counter is less than 18" wide.
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Code Review Committee Outcomes

Oct. 28, 2021 – Approved with proponent modifications. [Revised language.](#)

Proposed Code language change:

1102.1.2.11 Type B unit operable parts – ICC A117.1 Section 1104.9

ICC A117.1, Section 1104.9 is deleted in its entirety and replaced with the following:

Lighting controls, electrical switches and receptacle outlets, environmental controls, electrical panelboards, and user controls for security or intercom systems shall comply with Sections 309.3 and 1104.1.1.

Exceptions:

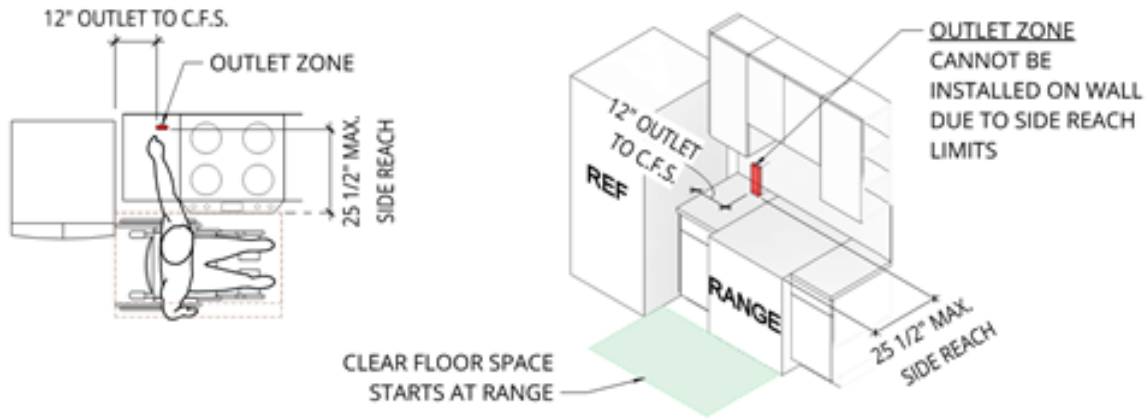
1. Receptacle outlets serving a dedicated use.
2. In a kitchen where two or more receptacle outlets are provided above a length of countertop that is uninterrupted by a sink or appliance, only one receptacle outlet shall be required to comply with this section.
3. In a kitchen where a clear floor space for a parallel approach cannot be located at a countertop in a corner between appliances, receptacle outlets over the countertop shall not be required to comply with this section provided that the countertop area does not exceed 9 square feet (0.835 m²) maximum.
4. In a kitchen where a clear floor space for a parallel approach cannot be located at a countertop between range and refrigerator, receptacle outlets over the countertop shall not be required to comply with the section provided that the countertop area does not exceed 18 inches (460 mm) in width.
- 4.5. Floor receptacle outlets.
- 5.6. HVAC diffusers.
- 6.7. Controls mounted on ceiling fans.
- 7.8. Controls or switches mounted on appliances.
- 8.9. Plumbing fixture controls.
- 9.10. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
- 10.11. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to comply for this section.
- 11.12. Within kitchens and bathrooms, lighting controls, electrical switches and receptacle outlets are permitted to be located over cabinets with countertops 36 inches (915 mm) maximum in height and 25 ½ inches (650 mm) maximum in depth.

Proposal:

1. As the code currently exists, our experience as architect of many multifamily projects is that often accessible outlets are driving kitchen design, and the result is less accessible kitchens. Either cabinets are reduced to 9" in width, drawers are removed or shortened to fit outlets in the location where drawers are, or certain kitchen layouts are avoided all together (such as kitchens with a corner). Drawers can be some of the most accessible storage in the kitchen, so it would seem less ideal to reduce them either in height or width to accommodate outlets when there are other accessible outlets in the kitchen, which is happening often.



Typical linear kitchen layout front control range and counter depth refrigerator



COUNTER WITH 2 OBSTRUCTIONS



Outlet in front of cabinet where drawer height is reduced

Outlet in front of cabinet where

Within residential units, electrical code requires an outlet for any counter that is 12" in width. There are many kitchen configurations that have a refrigerator and range near each other with a cabinet in between, such as a galley kitchen. Almost all refrigerators extend past the counter to ensure the door operates properly (counter depth refrigerators align the refrigerator box with the countertop but then extend 2-3" past the counter for the door). Only the lowest end and highest end ranges are counter-depth, and generally the lower end ranges that are counter depth are rear control ranges. From our projects, our experience is that a large proportion of ranges used in apartments are front control slide in ranges, that are about 28 1/2" deep. Therefore, we are finding that many projects either select a rear control range or are reducing the cabinet between ranges and refrigerator to 9" to avoid the outlet all together. Neither option make the kitchen more accessible. For the first option, a rear control range requires reaching over a burner to reach the controls. For the latter option, making the counter between the range and refrigerator only 9" leaves little space between the refrigerator and range for setting items down when accessing the refrigerator, freezer and range. A wider counter, such as 18", would make the counter usable for users in a wheelchair by providing a wider counter for either loading or unloading the refrigerator as well as space next to cooking. If there is an outlet there, it may be a good space to leave a small appliance plugged in, such as toaster or coffee maker.

The 2017 A117.1 Amendments approved an exemption for the corner (exception 3) when obstructed by appliances with the intent to not have outlets drive kitchen design. This exemption follows the same logic but applies to other kitchen types that do not have a corner, such as linear or galley. Standard kitchen design will not allow for use of exceptions 3 and 4, as either the range or refrigerator are the appliances that extend past the counter.

2. The existing national code states that it was written to be consistent with the intent of the criteria of the U.S. Department of Housing and Urban Development (HUD) Fair Housing Accessibility Guidelines. Per the FHA Design Manual, the intent is to place "modest accessibility requirements on covered multifamily dwellings....These modest requirements will be incorporated into the design of new buildings, resulting in features which do not look unusual and will not add significant costs". The criteria for outlets in the A117.1 is more detailed than the FHA Design Manual. However, the added detail does not address standard appliances available, and therefore has been interpreted to require outlets other than standard outlets in the kitchen backsplash.
3. This proposal is being submitted at the same time to the A117.1 and has been developed with guidance from Kim Paarlberg. However, given the time lapse between adoption of A117.1

standards by the A117.1 committee and adoption by Building Code, we request this proposal be considered for the 2022 OSSC and not wait several more years for the next code cycle.

Implementation and fiscal impact:

1. The proposed revision will more closely align with readily available construction materials and will reduce grey areas in the code, therefore simplifying inspections.
2. This proposal affects multifamily kitchens in buildings with at least four or more units. We have seen many projects adding plug mold outlets, outlets in the face of cabinets, and three-inch-thick refrigerator end panels that can house an outlet. We estimate a savings of at least \$100 per unit for projects that have been adding outlets other than standard outlets in a backsplash.

Impacted stakeholders and other specialty codes:

1. This proposal was prepared with input from Kim Paarlberg of the ICC A11.1 Committee. I have reviewed outlets with many stakeholders, including dozens of developers and contractors of multifamily housing, accessibility consultants, and at accessibility conferences including authors of many of the accessibility documents as well nationally recognized accessibility consultants. The Pacific Northwest seems to be the strictest interpretation of outlets, and most all agree the current language does not match the intent.
2. No, this proposal does not affect other specialty codes or statewide programs.

Revised language

1102.1.2.10 Type A unit operable parts – ICC A117.1 Section 1109.9

ICC A117.1, Section 1104.9 is deleted in its entirety and replaced with the following:

Lighting controls, electrical switches and receptacle outlets, environmental controls, electrical panelboards, and user controls for security or intercom systems shall comply with Sections 309.3 and 1104.1.1.

Exceptions:

1. Receptacle outlets serving a dedicated use.
2. In a kitchen where two or more receptacle outlets are provided above a length of countertop that is uninterrupted by a sink or appliance, only one receptacle outlet shall be required to comply with this section.
3. In a kitchen where a clear floor space for a parallel approach cannot be located at a countertop in a corner between appliances, receptacle outlets over the countertop shall not be required to comply with this section provided that the countertop area does not exceed 9 square feet (0.835 m²) maximum provided that there is at least one other countertop with an accessible outlet compliant with this section.
4. In a kitchen where a clear floor space for a parallel approach cannot be located at a countertop between range and refrigerator, receptacle outlets over the countertop shall not be required to comply with the section provided that the countertop area does not exceed 18 inches (460 mm) in width provided there is at least one other countertop with an accessible outlet compliant with this section.
- ~~4.5.~~ Floor receptacle outlets.
- ~~5.6.~~ HVAC diffusers.
- ~~6.7.~~ Controls mounted on ceiling fans.
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- ~~8.9.~~ Plumbing fixture controls.
- ~~9.10.~~ Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
- ~~10.11.~~ Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to comply for this section.
- ~~11.12.~~ Within kitchens and bathrooms, lighting controls, electrical switches and receptacle outlets are permitted to be located over cabinets with countertops 36 inches (915 mm) maximum in height and 25½ inches (650 mm) maximum in depth.