

AGENCY PUBLIC NOTICE

1. Agency: Commerce/Occupational and Professional Licensing
Room no.:
Building: HEBER M WELLS BLDG
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Street address 2:
City, state, zip: SALT LAKE CITY, UT 84111-2316
Mailing address 1: P0 BOX 146741
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City, state, zip: SALT LAKE CITY, UT 84114-6741
Contact person(s):
Name: Phone: Fax: E-mail:
Dan S. Jones 801-530-6720 801-530-6511 dsjones@utah.gov
2. Descriptive Title:
Public notice of intent to request certification from the US. Department of Justice

Public Notice

This is public notice of intent to request certification from the U.S. Department of Justice, Civil Rights Division, Disability Rights Section, that the Building codes adopted by the State of Utah under authority of Utah Code Annotated 58-56-4 (2004) meet or exceed the minimum requirements of Title III of the American With Disabilities Act (ADA) for accessibility and usability of facilities.

This is public notice that a public hearing on this matter will be held on January 21, 2005 at 9:00 AM in room 4112 of the State Office Building, Salt Lake City, Utah 84114. The public is invited to attend and comment on the proposed request.

This is public notice that the proposed request and supporting materials are made available for public inspection and copying at The Division of Occupational and Professional Licensing, Heber Wells Building, 160 E 300 S, Salt Lake City, Utah 84114. Copies are also available on the Division's internet site at the following internet address: http://www.dopl.utah.gov/licensing/ubc_commission.html

Copies of the Building Codes and all amendments to the building codes are made available for public inspection and copying at the office of The Division of Occupational and Professional Licensing, Heber Wells Building, 160 E 300 S, Salt Lake City, Utah 84114.

In addition, copies of the 2003 edition of the International Building Code published by the International Code Council (ICC) are available for purchase from ICC at 455 E 500 S, Salt Lake City, Utah 84111 or may be purchased on line at www.iccsafe.org

In addition, copies of amendments to the 2003 edition the International Building Code adopted by the State of Utah are also available at no charge on the Division's internet site at the following internet address: http://www.dopl.utah.gov/licensing/ubc_commission.html

Interested person may also submit written comments on or before the date of the hearing to Dan S. Jones, Bureau Manager, The Division of Occupational and Professional Licensing, Heber Wells Building, 160 E 300 S, Salt Lake City, Utah 84111.

The following document is the request for certification that is proposed to be submitted to the U.S. Department of Justice.

Proposed Request

The State of Utah hereby requests certification from the U.S. Department of Justice, Civil Rights Division, Disability Rights Section, that the Building codes adopted by the State of Utah under authority of Utah Code Annotated 58-56-4 (2004) meet or exceed the minimum requirements of Title III of the Americans With Disabilities Act (ADA) for accessibility and usability of facilities.

The State of Utah, Division of Occupational and Professional Licensing in cooperation with the Utah Uniform Building Code Commission has authority under Utah Code Annotated 58-56-4 (2004) to adopt building codes for the State of Utah. A copy of the Utah Uniform Building Standards Act is attached hereto. Pursuant to that authority, the State of Utah has adopted the 2003 edition of the International Building Code published by the International Code Council. In addition, the State of Utah has adopted amendments to the 2003 International Building Code.

This adoption of the 2003 International Building Code and amendments thereto have been adopted pursuant to the rulemaking authority authorized under the above statute and are published at Utah Administrative Code Section R156-56 et seq. The specific sections adopting the building codes start at section R156-56-701 with amendments following in the sections immediately thereafter. A copy of the Utah Uniform Building Standards Act Rules is attached hereto. Complete copies of the 2003 International Building Code and the Utah amendments are being provided with this request to the U.S. Department of Justice, Civil Rights Division, Disability Rights Section with this request.

We understand that Chapter 11 of the 2003 edition of the International Building Code published by the International Code Council is the most pertinent part of the International Building Code that addresses accessibility standards. We have made two minor Utah State amendments to chapter 11 of the 2003 edition of the International Building Code published by the International Code Council. We believe that both of these amendments exceed and enhance the ADA accessibility requirements and what is required in the 2003 International Building Code, in that they require operation of platform lifts without a key and that such lifts must have standby power to operate when the lifts serve as part of the accessible means of egress. See section R156-56-704(27) in the attached Utah Uniform Building Standard Act Rules.

The State of Utah has, pursuant to public notice, held a public hearing on this matter on the 21st day of January 2005 and has attached a copy the notice of public hearing, copies of all written public comments and a copy of the tape, transcript or minutes of the public hearing.

It is our belief that the 2003 International Building Code together with our state amendments meet or exceed the minimum requirements of Title III of the ADA Act for accessibility and usability of facilities. Therefore, we are requesting certification.