

**STATEMENT OF
ACTING COMMISSIONER JASON MISCHEL
NYC MAYOR'S OFFICE FOR PEOPLE WITH DISABILITIES (MOPD)
BEFORE THE NEW YORK CITY COUNCIL
COMMITTEES ON CIVIL RIGHTS AND
MENTAL HEALTH, MENTAL RETARDATION, ALCOHOLISM,
DRUG ABUSE AND DISABILITY
FEBRUARY 27, 2012**

Good afternoon Council Members. My name is Jason Mischel, and I am the Acting Commissioner and General Counsel of the New York City Mayor's Office for People With Disabilities ("MOPD" for short). I am joined by my Deputy Commissioner and Architect, Robert Piccolo.

While MOPD generally supports the spirit of the bill, we believe directional signage for accessible entrances should be addressed through the Building Code, rather than Title 8 as the bill is currently drafted, to ensure adequate enforcement. In 2008, the City began using a new building code pertaining to new construction. Chapter 11 of the 2008 Building Code relates to accessibility, and the creation of this chapter was a result of a consensus-building process among advocates and real estate interests under the chair-ship of the previous MOPD Commissioner, Matthew Sapolin. One of our stated goals was to address shortcomings in the area of accessibility in the 1968 Building Code, (also known as "Local Law 58"), which continues

to be the law as it applies to existing buildings. One of the shortcomings we addressed was the deficient detail regarding directional signage to an accessible entrance, which was corrected in Section 1110.2 of the 2008 Building Code (see attached). Not only did we require that directional signage must be provided to point to the location of accessible entrances, but we required that signage was also obligatory to point to the location of accessible public and unisex toilets and bathing facilities, accessible elevators and emergency egress. Please note that the Building Code Revisions – required every three years – and which will come before the Council later this year, will correct a typo in this section of the 2008 Building Code. The words “in accessible” should read as a single word “inaccessible” (meaning that directional signage is required to be provided at entrances that are not accessible). Please note that because Local Law 58, which remains in force as an alternate choice to the 2008 NYCBC regarding existing building construction, does not contain a detailed directional signage provision, we support amending that Law to ensure that this omission is corrected.

As far as the provision regarding the “size, height, width, spacing and color” of the signage, please note that Section 1110.2 Directional signage of the 2008 Building Code must also comply with the Chapter 35 reference standard at ICC A117.1-2003, Section 703 Signs, that defines size, height, width and

character spacing of such directional signage. As for the color of said signage, please note that there are instances that the typical blue color may differ among certain buildings, as in the case of landmarked buildings. In those instances, color is determined by the historic fabric of the building, but the appropriate dark on light or light on dark contrast must be provided.

We look forward to working with the Council on this legislation to ensure that all buildings will provide this significant and necessary tool for people with disabilities so that every resident of, or visitor to, our great city can have full enjoyment of everything New York has to offer.

I would be happy to answer any questions you may have.

1101.2 Design. Buildings and facilities shall be designed and constructed to be *accessible* in accordance with this code and ICC A117.1.

1110.2 Directional signage. Directional signage indicating the route to the nearest like *accessible* element shall be provided at the following locations. These directional signs shall include the International Symbol of Accessibility:

1. Inaccessible building entrances.
2. Inaccessible public toilets and bathing facilities.
3. Elevators not serving an *accessible route*.
4. At each separate-sex toilet and bathing room indicating the location of the nearest family or assisted-use toilet or bathing room where provided in accordance with Section 1109.2.1.
5. At *exits* and *exit stairways* serving a required *accessible* space, but not providing an *approved accessible means of egress*, signage shall be provided in accordance with Section 1007.10

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in favor in opposition

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Name: Cassy Stamm

Address: 333 E 14 ST

I represent: NYAAD

Address: 333 E 14 ST

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^{Heard Signage}
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Name: JOEL SCHWARTZMAN

Address: 217 Thompson St. New York, NY 10012

I represent: self and wife of signage

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Name: Jason Mischel

Address: 100 Gold St 2nd Flr NYC 10038

I represent: Mayor's Office for People with Disabilities

Address: _____

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Name: Robert Piccola

Address: 100 Gold St 2nd Flr NYC 10038

I represent: Mayor's Office for People with Disabilities

Address: _____

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