



INFORMATION SHEET

NO. DA-15

DATE : November 7, 2016

CATEGORY : Disabled Access

SUBJECT : **Drinking fountains, water coolers, break room sinks and bottle fillers**

SECTIONS INVOLVED

: **2013 California Building Code (CBC) Sections**

- 11B-309 Operable parts
- 11B-211 Drinking fountains
- 11B-602 Drinking fountains
- 11B-602.1 General
- 11B-602.2 Clear floor space
- 11B-602.3 Operable parts
- 11B-602.4 Spout height
- 11B-602.5 Spout location
- 11B-602.6 Water flow
- 11B-602.7 Drinking fountain for standing person
- 11B-602.8 Depth
- 11B-602.9 Pedestrian protection

San Francisco Building Code (SFBC) Amendment to the CBC

- Chapter 29, Table 2902.1 (Note)

San Francisco Environment Code Chapter 23: Drink Tap Ordinance

San Francisco Ordinance No. 120488

INTENT : To clarify misconceptions regarding the use of water coolers and break room sinks in lieu of drinking fountains and to clarify the possible usage of water bottle fillers.

DISCUSSION : The note at the end of Table 2902.1 of the SFBC requires water fountains for occupant loads over 30 at the rate of one drinking fountain for each 150 occupants, with few exceptions. Section 11B-211.2 requires a minimum of two drinking fountains; one low unit complying with Sections 11B-602.1 through 11B-602.6, 11B-602.8 and 11B-602.9 and one high unit that complies with Sections 11B-60.2 and 11B-602.9. The Section allows for a combination unit that complies with Sections 11B-602.1 through 11B-602.9.

In the past, in order to avoid the expense and loss of usable space these units would require, owners and contractors have used break room water coolers or sinks in lieu of the actual drinking fountain units. On multiple occasions, this practice has resulted in the owner or business being sued for violation of the Americans with Disabilities Act.

The main purpose of this Information Sheet is to clarify that the substitution of a break room sink or water cooler is never allowed in lieu of the low drinking fountain. Water coolers do not provide for the required knee and toe space. Although a kitchen sink may have clear floor space and knee and toe space, neither they nor the water cooler meet the operable parts requirement. Both of the appliances require some form of pinching, grasping or turning of the wrist to use; motions that are prohibited by Section 11B-309. Additionally, neither will generally meet the spout height, location and water flow requirements. Thus water coolers and sinks may never be used as a substitute for the required lower water fountain and will generally not comply with the requirements for the high water fountain.

The language of Section 11B-211.2 stipulates that this section only requires compliance with Sections 11B-602.7 and 11B-602.9 for the higher unit. Section 11B-602.7 requires that the spout outlet be at 38" to 43" in height. Section 11B-602.9 requires pedestrian protection for protruding objects in pedestrian circulation paths when the fountain is not recessed. There is no requirement for operable parts associated with the higher drinking fountain as there is with the lower. The question has been often raised asking if a water bottle filler can then be substituted for the high fountain if it meets those two requirements.

In discussions with the U.S. Access Board, it was pointed out that the language of previous AAGAG versions called for water dispensing appliances and did not stipulate a "drinking fountain" and as long as the unit meets the two requirements stipulated above, they could be allowed. There was also similar language in previous versions of the California Plumbing and Building codes.

Additionally, when considering the impact of the San Francisco ordinance prohibiting the use of bottled water in City-owned building, it is clear that bottle fillers are consistent with the ecological goals of the City and should be encouraged as long as they do not inhibit use by persons with disabilities.

There are a number of higher single units which by themselves meet these requirements. These are often listed as "ADA Compliant." These units should be allowed in lieu of the high drinking fountain provided they comply with Sections 11B-602.7 and 11B-602.9 and are installed per manufacturer's instructions. There are a number of combination high bottle filler and low drinking fountain combinations on the market. Not all of these comply with California or Federal regulations and should be reviewed closely for compliance.

The Department may allow any separate high bottle filler that is stipulated "ADA Compliant" in combination with a standard compliant low fountain. A high-low combination may be allowed if it can be shown that the lower unit is in compliance with CBC Sections 11B-211, 11-602.1 through 11B-602.6, Sections 11B-602.8 and 11B-602.9; and the upper unit is in compliance with CBC Sections 11B-211, 11-602.7 and 11B-602.9.

Drink Tap Station:

- (1) For new construction and changes in occupancy that are required by Chapter 4 of the San Francisco Plumbing Code to provide one or more drinking fountains, the project sponsor shall provide a Drink Tap Station for each drinking fountain. Per San Francisco Environment Code Chapter 23.
- (2) This requirement shall also apply to a major plumbing alteration that will affect the plumbing system that supplies any existing drinking fountain(s).
- (3) The description of work in the Plumbing Permit Application Form shall show numbers of Drink Tap Stations installed per Drink Tap Ordinance.

In summary: The low fountain must always be a fully compliant water fountain, but maybe substituted with an "ADA approved" bottle filler for the high fountain; or an "ADA approved" combination low drinking fountain/high bottle filler, provided the bottle filler meets the spout height requirements and has pedestrian protection.

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11/8/16

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Date

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