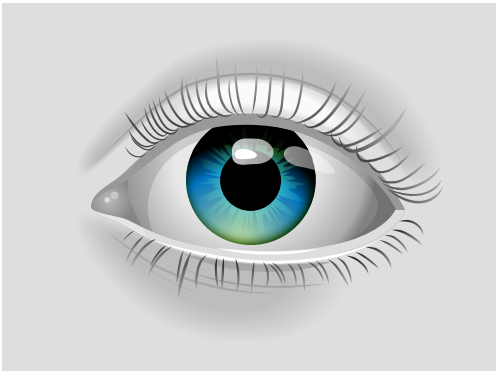




Understanding the  
Americans with Disabilities Act (ADA)

# How Does the ADA Affect the Sign Industry?

## Clarke Systems Has ADA Signage Requirements Mastered!



### WHAT IS THE AMERICANS WITH DISABILITIES ACT (ADA)?

The Americans with Disabilities Act (ADA) became law in 1990. **The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public.** The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else. The ADA gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications. The ADA is divided into five titles (or sections) that relate to different areas of public life.

THE ADA VIEWS VISUAL IMPAIRMENTS AS A DISABILITY COVERED UNDER THE ACT AND THERE ARE SPECIFIC GUIDELINES PERTAINING TO SIGNAGE PRODUCTS. THERE ARE FOUR LEVELS OF VISUAL FUNCTION:

1. Normal vision
2. Moderate visual impairment
3. Severe visual impairment
4. Blindness

According to the Centers for Disease Control and Prevention (CDC) as many as **10 million people in the United States are blind or visually impaired** with one million adults over 40 years of age being blind and 2.4 million visually impaired. The ADA considers a vision impairment a disability if:

1. It substantially limits a major life activity
2. It was substantially limiting in the past (if an individual has a "record of" a substantially limiting impairment)
3. An employer treats an individual as having a substantially limiting vision impairment

### TYPES OF BUILDINGS GOVERNED BY THE ADA

- 1. State and Local Government Facilities** State, county, and local buildings must comply with ADA Standards in new construction and remodels. This includes schools, hospitals, public housing, courthouses, and prisons. Federal buildings are covered by the ADA but must meet separate, very similar standards.
- 2. Places of Public Accommodation and Commercial Facilities** Facilities that affect commerce and that fall within 12 categories listed in the statute including stores and shops, restaurants and bars, sales or rental establishments, service establishments, theaters, places of lodging, recreation facilities, assembly areas, private museums, places of education, etc. are examples of places of public accommodation. Office buildings, factories, warehouses, manufacturing plants, and other facilities whose operations affect commerce are examples of commercial facilities.
- 3. Transportation Facilities** Bus stops and stations, rail stations, and other transportation facilities are required to be accessible by the ADA.

### BUILDINGS EXEMPT FROM THE ADA STANDARDS

- 1. Religious Entities and Private Clubs** Places of worship and facilities controlled by religious organizations such as schools or day care centers are not subject to ADA standards. Private clubs, depending on their exclusivity, operations and other factors are similarly exempt.
- 2. Apartments and Condominiums** The Fair Housing Act requires apartments and condominiums have permanent ADA-compliant raised text and suggests the inclusion of Braille, although not required.

### ADA COMPLIANT COLORS Non-Glare Modified Acrylic



RED



GRASS  
GREEN



MAUI BLUE



SAND



LIGHT GREY



CINDER



BLACK



BURGUNDY



BRIGHT  
GREEN



CHINA  
BLUE



## THE USE OF GOOGLE EARTH INCREASES ADA VIOLATIONS

The ability to explore the far reaches of the world, right in your browser is a modern, widely used tool. Unfortunately, it is not always used appropriately. CBS unveiled "What's a Drive-by Lawsuit?" during an episode of *60 Minutes* in December 2016 upon discovering that some law firms are paying disabled Americans to visit buildings governed by the ADA, to see if they are up to code. Businesses are being subjected to damages and fees in excess of \$4,000 and these law firms are cashing in.

The release of Google Earth has aided in the increase in the reporting of violations. Users can easily zoom in to see if the exterior building facilities, including parking lots and swimming pools are ADA compliant.

The penalties resulting from violation lawsuits is significant. A first offense violation can award monetary damages up to \$75,000 and up to \$150,000 in each offense thereafter.

### TOP 10 ADA VIOLATIONS

1. **SIGNS:** outdated, missing, incorrect, wrong height, hard to find, or mounted incorrectly
2. Parking: **SIGNAGE MISSING**, non-reflective, faded, wrong location, wrong language
3. Access Routes: **WRONG SIGNS**, blocked ramps, blocked passageways or uneven surfaces
4. Curb Ramps
5. Stairs: hazard striping, uneven steps, lighting, **SIGNAGE MISSING AT FLOOR LANDINGS**, barriers or incorrect railings.
6. Pedestrian Ramps
7. Restrooms
8. Seating
9. Doorways: **MISSING OR IMPROPER SIGNAGE**
10. Exits: blocked exits or missing **EXIT SIGNAGE**

In 2013, **2,722** ADA Title III lawsuits were reported.

The number rose to **4,789** in 2015.

In 2016, an astonishing **6,601** lawsuits were filed.

**A 145.5% INCREASE IN REPORTED VIOLATIONS IN THREE YEARS.**

## What on *Earth* Does **Google** Have to Do With it?

# TITLE III

## PUBLIC ACCOMMODATIONS

### NONDISCRIMINATION ON THE BASIS OF DISABILITY BY PUBLIC ACCOMMODATIONS AND IN COMMERCIAL FACILITIES

This title prohibits private places of public accommodation from discriminating against individuals with disabilities. Examples of public accommodations include privately-owned, leased or operated facilities like hotels, restaurants, retail merchants, doctor's offices, golf courses, private schools, day care centers, health clubs, sports stadiums, movie theaters, and so on. This title sets the minimum standards for accessibility for alterations and new construction of facilities. It also requires public accommodations to remove barriers in existing buildings where it is easy to do so without much difficulty or expense. This title directs businesses to make "reasonable modifications" to their usual ways of doing things when serving people with disabilities. It also requires that they take steps necessary to communicate effectively with customers with vision, hearing, and speech disabilities. This title is regulated and enforced by the U.S. Department of Justice.



ADA **Guidelines** for Permanent Room Identification are Required for Both **Public Areas** As Well As All **Employee Areas**. These Signs Identify a Room, Space, or Area in Buildings Governed by the ADA.

1. Sign **Composition**
2. Sign **Mounting**
3. Sign **Finish and Contrast**

#### ADA SIGN COMPOSITION REQUIREMENTS:

1. Tactile - text is raised from the sign face
2. 5/8" tactile character height minimum
3. 2" tactile character height maximum
4. 1/32" minimum raised text
5. Stroke thickness shall be 15% of the letter "I." Height and spacing between characters shall be 10% minimum and 35% maximum of the character height.
6. Characters should be sans serif and not in italic form
7. Grade 2 Braille
8. Pictograms shall have a field height of 6" minimum and shall not share a field with Braille or other raised elements.

#### ADA SIGN MOUNTING REQUIREMENTS:

1. Must be mounted on the latch side of the door.
2. Must be 48" minimum from the finished floor to the bottom line of text, or 60" maximum to the top line of text.

#### ADA SIGN FINISH AND CONTRAST REQUIREMENTS:

1. Characters must be eggshell, matte, or of a non-glare finish.
2. Characters must contrast with background.

Signs used for **building directories**, menus, seat and row designations in assembly areas, building names and addresses, and **company names or logos** are **not required** to comply with ADA guidelines.

MATTE FINISH

PICTOGRAM



# The ADA Requirements for the **Sign Industry** are Confusing. Clarke Systems Explains **ADA Signage Compliance Terms**.

## GRADE 2 BRAILLE:

ADA regulations require Grade 2 Braille which allows for abbreviated text. In comparison, Grade 1 Braille is letter for letter translation. There is also California Braille which differs from Federal Grade Braille only in dot spacing. Using California Braille standards satisfies both California and Federal regulations and can be used in all 50 states since it is a stricter standard.

## PICTOGRAM:

A pictorial symbol that represents activities, facilities, or concepts. Pictograms that provide information about a room or space, such as "no smoking," occupant logos, and the International Symbol of Accessibility, are not required to have text descriptors.

## SANS SERIF FONT:

A category of typefaces that do not use serifs, small lines at the ends of characters. The term comes from the French word sans, meaning "without." Popular sans serif fonts include Helvetica, Avant Garde, Arial, and Geneva. Serif fonts include Times Roman, Courier, New Century Schoolbook, and Palatino. According to most studies, sans serif fonts are more difficult to read. For this reason, they are used most often for short text components such as headlines or captions.

Example: **E** in a serif font **E** in a sans serif font

## TACTILE:

Lettering on a sign that is designed to be perceived by touch. Must be all upper case and raised at least 1/32". Must be sans serif, not italic, not oblique, script or highly decorative.

CHARACTER CONTRAST

**GRADE 2 BRAILLE**  
Contains 265 Contractions  
⠠⠠⠠⠠⠠⠠ WOMEN

**GRADE 1 BRAILLE**  
Letter For Letter  
⠠⠠⠠⠠⠠⠠ WOMEN

TACTILE TEXT

GRADE 2 BRAILLE

ANTIQUE IVORY	BRIGHT WHITE	CHARCOAL GREY	MEDIUM BROWN	GRAPHITE	PASSION PINK	*PHOTO LUMINESCENT	*NATURAL MAPLE	*SELECT CHERRY	*PRESTIGE WALNUT

\* DENOTES SPECIAL PRICING.  
COLORS MAY VARY DUE TO PRINTING PROCESS.

# Quick Reference Guide to ADA Signage Requirements



## ADA COMPLIANT FONTS

- Arial Regular
- AvantGarde
- Avenir Roman
- **Century Gothic Regular**
- Frutiger Roman
- Futura Medium
- Gill Sans Regular
- Helvetica Regular
- Interstate Regular
- Myriad Roman
- Swiss 721 BT Roman
- Trebuchet Regular
- Universe Roman 55
- Verdana Regular

## SIGN INSTALLATION HEIGHT AND LOCATION

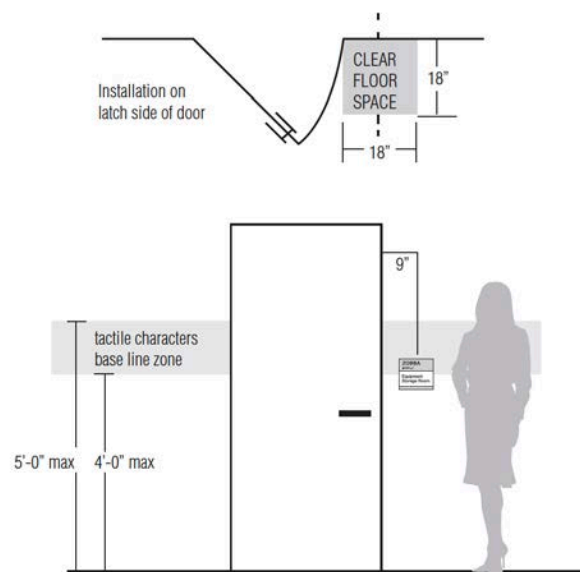
### Height Above Finish Floor or Ground

Tactile characters on signs shall be located 48 inches (1220 mm) minimum above the finish floor or ground surface, measured from the baseline of the lowest tactile character and 60 inches (1525 mm) maximum above the finish floor or ground surface, measured from the baseline of the highest tactile character.

### Location

1. Where a tactile sign is provided at a door, the sign shall be located alongside the door at the latch side.
2. Where a tactile sign is provided at double doors with one active leaf, the sign shall be located on the inactive leaf.
3. Where a tactile sign is provided at double doors with two active leaves, the sign shall be located to the right of the right hand door.
4. Where there is no wall space at the latch side of a single door or at the right side of double doors, signs shall be located on the nearest adjacent wall.
5. Signs containing tactile characters shall be located so that a clear floor space of 18 inches (455 mm) minimum by 18 inches (455 mm) minimum, centered on the tactile characters, is provided beyond the arc of any door swing between the closed position and 45 degree open position.

**Exception:** Signs with tactile characters shall be permitted on the push side of doors with closers and without hold-open devices.



ON A TACTILE SIGN,  
ALL TEXT MUST BE  
**UPPERCASE**



**PICTOGRAMS** should have a field height of 6 inches (150 mm) minimum. Characters and braille should not be located in the pictogram field.



## CHECK YOUR STATE LAWS REGARDING BRAILLE

Some states, such as **CALIFORNIA**, have their own requirements, which are more strict than these standards.

## Overhead Directional and Informational Signage Requirements

### ADA SIGN COMPOSITION REQUIREMENTS:

1. 2" character height minimum if sign is not higher than 10' above the floor. (Minimum character heights are based on viewing distance.)

### ADA SIGN MOUNTING REQUIREMENTS:

1. Must have 80" clear space from floor to the bottom of the sign.

### ADA SIGN FINISH AND CONTRAST REQUIREMENTS:

1. Characters must be eggshell, matte, or of a non-glare finish.
2. Characters must contrast with background.

### MOUNTING HEIGHTS AND HORIZONTAL VIEWING DISTANCE IMPACT COPY SIZE

- 1. Visual copy mounted between 40" and 70" above the floor**  
With a horizontal access of 72" or less copy height can be as small as 5/8". With a horizontal access greater than 72", 5/8" copy height will increase 1/8" per foot for each foot over 72".
- 2. Visual copy mounted between 70" and 120" above the floor**  
With a horizontal access of 180" or less, copy height can be as small as 2". With a horizontal access greater than 180" 2" copy height will increase 1/8" per foot for each foot over 180".
- 3. Visual copy mounted higher than 120" above the floor**  
With a horizontal access of 21' or less, copy height can be as small as 3". With a horizontal access greater than 21', 3" copy height will increase 1/8" per foot for each foot over 21'.

## BRAILLE

**GRADE 2:** Braille shall be contracted

**DIMENSIONS AND CAPITALIZATION:** Braille dots shall have a domed or rounded shape. The indication of an uppercase letter or letters shall only be used before the first word of sentences, proper nouns and names, individual letters of the alphabet, initials, and acronyms.

**POSITION:** Braille shall be positioned below the corresponding text. If text is multi-lined, braille shall be placed below the entire text. Braille shall be separated 3/8 inch (9.5 mm) minimum from any other tactile characters and 3/8 inch (9.5 mm) minimum from raised borders and decorative elements.



## California, New York, North Carolina, Florida and Texas Have Different and Stricter State Guidelines Than Other States.

NYC Local Law 26 requires **PHOTOLUMINESCENT EXIT PATH SIGNS** in all multistory buildings eight floors and higher. These markers are required in **office buildings, hotels, schools and universities** in Manhattan, Queens, Brooklyn, Bronx and Staten Island.





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