



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118, Honolulu, HI 96813 V: (808) 586-8121 Fax: (808) 586-8129

INTERPRETIVE OPINION

Pursuant to §103-50, Hawaii Revised Statutes (HRS), all public buildings, facilities and sites constructed by, or on behalf of the State or any county, shall conform to the 2004 Americans with Disabilities Act Accessibility Guidelines (2004 ADAAG) and amendments. In accordance to HRS §103-50 and Chapter 11-216, Hawaii Administrative Rules, the Disability and Communication Access Board has authority to issue interpretive opinions to HRS §103-50 design standards.

Docket: **DCAB 2021-01 The ADAAG permits a parallel approach to a sink at a wet bar, however the ADAAG does not have a definition for a wet bar. What is a wet bar?**

Summary: Typically, the 2004 ADAAG applies to fixed or built-in elements of buildings, structures, site improvements, and pedestrian routes or vehicular ways located on a site. The typical layout for a breakroom/lunchroom should not be classified as a kitchen or kitchenette as there typically is no built-in cooking element. ADAAG 606.2 exception 1 permits a parallel approach at a wet bar, however the ADAAG does not have a definition for a wet bar.

The typical layout for breakrooms and/or lunchrooms has a refrigerator, base and wall cabinets, countertop, sink and non-fixed countertop microwave. Although breakrooms and/or lunchrooms may be used for food preparation (may include cooking) and dishwashing, since there is no fixed or built-in cooking element breakroom and/or lunchroom may not be classified as a kitchen or kitchenette.

ADAAG 606.2 requires a forward approach at all sinks unless one of the exceptions can be applied. The exception that is commonly used is exception 1, which permits a parallel approach to a sink at two possible conditions:

- 1) at a kitchen sink where a cooktop or conventional range is not provided, or
- 2) at wet bars.

The ADAAG does not contain a definition for a “kitchen sink” or “wet bar”. Based on the collegiate dictionary definition for

- Kitchen sink, one could interpret a “kitchen sink” to be a sink that is used for food preparation (washing/rinsing of food) and dishwashing.
- Wet bar (including the definition for “bar”), one could interpret a “wet bar” to be a countertop with a sink where food or drinks are be served.

Ruling: For buildings or facilities subject to HRS §103-50,

ADAAG Section 606.2 Clear Floor Space

Where a space is not a kitchen or kitchenette because the space does not contain any fixed or built-in cooking elements, but the space contains at least one refrigerator, countertop with base cabinet(s) and sink, and the intended use for the sink is solely for food preparation and dish/utensil washing, the sink may be considered a kitchen sink and the parallel approach to the sink may be provided per exception 1 in ADAAG 606.2.

Where a space contains a countertop with base cabinet(s) and sink, and the intended use of the space is for solely for serving food or drinks, the countertop and sink may be considered a wet bar and a parallel approach to the wet bar sink may be used per exception 1 in ADAAG 606.2.

[Rul: 09/09/2021] (Auth and Imp: HRS §103-50)

If you have any questions or comments regarding this ruling, please call us at 586-8121.

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