

Kansas Administrative Regulations

Kansas Human Rights Commission

Article 60.—Discriminatory Housing Practices

21-60-14. Prohibitions against discrimination because of disability; definitions.

(a) "Accessible," when used with respect to the public and common use areas of a building containing covered multifamily dwellings, means that the public or common use areas of the building can be approached, entered, and used by individuals with physical disabilities. The phrase "readily accessible to and usable by" is synonymous with accessible. A public or common use area that complies with the appropriate requirements of K.S.A. 1991 Supp. 44-1016(h)(4) or a comparable standard, is "accessible" within the meaning of this act.

(b) "Accessible route," when used with respect to the public and common areas of a building containing covered multifamily dwellings, means a continuous unobstructed path connecting accessible elements and spaces in a building or within a site that can be negotiated by a person with a severe disability using a wheelchair and that is also safe for and usable by people with other disabilities. Interior accessible routes may include corridors, floors, ramps, elevators and lifts. Exterior accessible routes may include parking access aisles, curb ramps, walks, ramps and lifts. A route that complies with the appropriate requirements of K.S.A. 1991 Supp. 44-1016(h)(4) is an "accessible route."

(c) "Building" means a structure, facility or the portion thereof that contains or serves one or more dwelling units.

(d) "Building entrance on an accessible route" means an accessible entrance to a building that is connected by an accessible route within the boundary of the site to public transportation stops, to accessible parking and passenger loading zones, and to public streets or sidewalks, if available. A building entrance that complies with the appropriate requirements of K.S.A. 1991 Supp. 44-1016(h)(4) or a comparable standard complies with the requirements of this act.

(e) "Common use areas" means rooms, spaces or elements inside or outside of a building that are made available for the use of residents of a building or the guests thereof. These areas include hallways, lounges, lobbies, laundry rooms, refuse rooms, mail rooms, recreational areas and passageways among and between buildings.

(f) "Controlled substance" means any drug or other substance, or immediate precursor included in the definition in section 102 of the Controlled Substances Act (21 USC 802 1970).

(g) "Dwelling unit" means a single unit of residence for a family or one or more persons, including but not limited to, a single family home and an apartment unit within an apartment building. The term dwelling unit also includes other types of dwellings in which sleeping accommodations are provided but in which toilet or cooking facilities are shared by occupants of more than one room or portion of the dwelling, including, but not limited to, dormitory rooms, sleeping rooms and sleeping accommodations in shelters intended for occupancy as a residence for homeless persons.

(h) "Entrance" means any access point to a building used by residents for the purpose of entering.

(i) "Exterior" means all areas of the premises outside of an individual dwelling unit.

(j) "First occupancy" means a building that has never before been used for any purpose.

(k) "Ground floor" means a floor of a building with a building entrance on an accessible route. A building may have more than one ground floor.

(l) "Interior" means the spaces, parts, components or elements inside of an individual dwelling unit.

(m) "Modification" means any change to the public or common use areas of a building or any change to a dwelling unit.

(n) "Premises" means the interior or exterior spaces, parts, components or elements of a building, including individual dwelling units and the public and common use areas of a building.

(o) "Public use areas" means rooms or spaces of a building that are made available to the general public. Public use areas may be provided at a building that is privately or publicly owned.

(p) "Site" means a parcel of land bounded by a property line or a designated portion of a public right of way.

(Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, as amended by 1992 H.B. 3164, §1 and 6; effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992; effective Aug. 17, 1992.)

***** Authenticated Kansas Administrative Regulation *****