



## Legislation Text

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By Council Members Nurse, Fariás, Joseph, Won, Hanif, Gutiérrez, Louis, Ung, Restler, Hudson and Brooks-Powers

A Local Law to amend the New York city charter, in relation to a long-term citywide bathroom strategy

Be it enacted by the Council as follows:

Section 1. Chapter 8 of the New York city charter is amended by adding a new section 207 to read as follows:

§ 207. Citywide bathroom strategy. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Accessible. The term “accessible” means a facility that complies with the Americans with Disabilities Act, chapter 126 of title 42 of the United States code, and any standards or regulations promulgated thereunder, and any additional applicable federal, state, and local laws relating to accessibility for persons with disabilities.

Departments. The term “departments” means the department of city planning, the office of operations established pursuant to section 15, the department of parks and recreation, the department of transportation, the department of citywide administrative services, the department of small business services, the department of design and construction, the department of environmental protection, and the office of management and budget.

Public bathroom. The term “public bathroom” means a bathroom facility open to the public as a matter of law or policy, containing one or more toilets and one or more washbasins, including those located on land owned by the city, those operated or maintained by an agency, and those owned, operated, or maintained by a private entity for public use.

Target ratio. The term “target ratio” means 1 toilet per 2,000 city residents, where such toilet is located

in a public bathroom.

Underserved area. The term “underserved area” means an area of the city that has insufficient access to public bathrooms, whether because of a lack of public bathrooms or limited opening hours of existing public bathrooms, relative to localized needs, as determined by population density, estimated daily foot traffic, public transportation routes, equity concerns in relation to gender, ethnicity and race, physical and mental health, age, disability, socioeconomic status, and other relevant factors as determined by the departments.

b. Not later than the September 1, 2024 and every fourth year thereafter, the chief public realm officer as established pursuant to executive order number 27 of 2023, as amended, or any successor office or officer, the department of city planning, and the office of operations established pursuant to section 15 shall coordinate with the department of parks and recreation, the department of transportation, the department of citywide administrative services, the department of small business services, the department of design and construction, the department of environmental protection, the office of management and budget, and the department of sanitation to file with the mayor, the speaker of the council, the public advocate, the borough presidents, and the community boards a joint strategic planning report for establishing and maintaining a citywide public bathroom network. In developing the strategic planning report, the departments shall also consult with a contracted entity as defined in section 22-821 of the administrative code. The report shall include, but need not be limited to, the following components:

1. A statement of a joint strategic planning policy for the departments with respect to the expansion and maintenance of the public bathroom network to reach the city’s target ratio, which shall take into consideration, among other things:

(a) Relevant city strategies and plans including the 10-year capital strategy, the 4-year capital plan, the strategic policy statements provided for in section 17, and plans approved pursuant to section 197-a;

(b) The distribution of existing and planned public bathrooms, including in relation to underserved areas; and

(c) The opening hours, accessibility, conditions, design features, and public awareness of existing public bathrooms, including in relation to underserved areas;

2. A proposed 10-year capital strategy that would enable the city to meet the target ratio by January 1, 2035, and to maintain the target ratio after that date, taking into account the city's projected population growth;

3. Recommendations for legislative or policy changes that would enable the city to meet and maintain the target ratio, taking into account cost and time efficiencies, equity considerations, and interagency coordination needs;

4. Recommendations for types of sites or facilities, whether publicly or privately owned, that could be adapted, acquired, or leased by the city, or regulations or policies that could be amended, consistent with the considerations enumerated in paragraph 1 of this subdivision, to allow for the building, retrofitting, or opening of bathroom facilities to the public in sufficient quantity to meet the target ratio by January 1, 2035, including an estimate of the number of public bathrooms that each type of site or facility could be expected to yield citywide. The recommendations need not include specific site proposals, but must take into consideration, at a minimum, the following types of sites or facilities and any anticipated implementation challenges with respect to each type:

(a) Existing and planned bathrooms in city-owned or operated buildings that could be converted to public use, or the potential to acquire new city facilities that have publicly accessible bathroom facilities;

(b) Existing and planned bathroom facilities located on privately owned properties that could be converted to public use through public-private partnerships or programs;

(c) Potential sites for bathroom construction identified pursuant to local law number 114 for the year 2022, as may be amended from time to time, taking into account any challenges identified pursuant to paragraphs 4 and 5 of subdivision b of section 1 of that local law, and other potential sites for bathroom construction on publicly owned or funded properties or facilities that are or could be made accessible to the public, such as parking structures, storage facilities, or other public infrastructure that the departments deem

suitable;

(d) Existing and planned bathrooms, or potential bathroom sites, in or near commercial or other privately owned or managed spaces, where such spaces are open to public use, including but not limited to privately owned public spaces as defined in section 25-114 of the administrative code, business improvement districts as defined in chapter 4 of the administrative code, public plazas as defined in section 19-157 of the administrative code, and other such spaces that the departments deem suitable;

(e) Existing, planned, or potential developments managed by a contracted entity, as defined in section 22-821 of the administrative code, that could accommodate public bathrooms;

(f) Any other types of sites or facilities that the departments deem suitable pursuant to current law and policy or any recommended changes thereto;

5. One or more design models for a modular bathroom facility that complies with city zoning and construction requirements across a variety of site-specific needs, including for accessibility and cost feasibility, as well as recommendations for when and how the approval and installation of such facilities may be streamlined;

6. A map of existing and planned public bathroom facilities, to be posted on the websites of the departments of city planning, transportation, citywide administrative services, and small business services, and to include the following information for each facility:

(a) Current, seasonal, or planned hours of operation;

(b) The extent to which the facility and toilet stalls are accessible;

(c) The agency or other entity responsible or to be responsible for maintenance;

(d) Where relevant, the date by which each planned bathroom facility is to be opened to the public; and

(e) For city-run facilities, and to the extent such information may be reasonably obtained, for privately run facilities, other features of the facility, such as changing tables, lockers, showers, access to gender neutral facilities, and proximity to bicycle parking; and

7. Proposals for implementing the coordinated planning policy, including but not limited to, amendment of the zoning resolution, development of plans, and coordination with private entities or additional agencies.

§ 2. This local law takes effect immediately.

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