



Legislation Text

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Int. No. 1382

By Council Members Hudson, Bottcher, Cabán and Restler

A Local Law to amend the New York city plumbing code and the New York city building code, in relation to a minimum number of gender-neutral bathrooms

Be it enacted by the Council as follows:

Section 1. Section PC 202 of the New York city plumbing code is amended by adding a new definition of “GENDER” in alphabetical order to read as follows:

GENDER. See Section 8-102 of the *Administrative Code*.

§ 2. Section 403.1.2 of the New York city plumbing code, as amended by local law number 14 for the year 2020, is amended to read as follows:

§ 403.1.2 Family or assisted-use toilet and bath fixtures. Fixtures located within family or assisted-use toilet and bathing rooms required by Section 1109.2.1 of the *New York City Building Code* are permitted to be included in the number of required fixtures for [either the male or female occupants] male or female occupants, or for toilet facilities provided for anyone regardless of gender, in assembly and mercantile occupancies.

§ 3. Section 403.1.3 of the New York city plumbing code, as amended by local law number 14 for the year 2020, is amended to read as follows:

§ 403.1.3 Single-occupant toilet fixtures. Fixtures located within single-occupant toilet rooms are permitted to be included in the number of fixtures required by Section 403, or where applicable the *1968 Building Code*, for [either the male or the female occupants] male or female occupants, or for toilet facilities provided for anyone regardless of gender. Fixtures located within toilet rooms subject to the exception of Section 403.2.1 are permitted to be included in the number of fixtures required by Section 403, or where applicable the *1968 Building Code*, only for that sex.

§ 4. Section 403.2 of the New York city plumbing code, as amended by local law number 14 for the year 2020, is amended to read as follows:

§ 403.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex, and at least one separate toilet facility shall be provided for use by anyone regardless of gender.

Exceptions:

1. Separate facilities shall not be required for dwelling units and sleeping units.
2. In structures or tenant spaces where combined employee and public toilet facilities are provided in accordance with Section 403.3, separate facilities shall not be required where the total number of employees, customers, patrons and visitors is 30 or fewer.
3. In structures or tenant spaces where required toilet facilities for only employee use are provided in accordance with Section 403.3, separate facilities shall not be required where the total number of employees is 30 or fewer.
4. In structures or tenant spaces where required toilet facilities for only public use are provided in accordance with Section 403.3, separate facilities shall not be required where the total number of customers, patrons and visitors is 30 or fewer.

§ 5. Section 1109.2.1 of the New York city building code, as amended by local law number 126 for the year 2021, is amended to read as follows:

§ 1109.2.1 Family or assisted-use toilet and bathing rooms. In assembly and mercantile occupancies, an accessible family or assisted-use toilet room shall be provided where an aggregate of six or more male and female water closets is required. In buildings of mixed occupancy, only those water closets required for the assembly or mercantile occupancy shall be used to determine the family or assisted-use toilet room requirement. In recreational facilities where separate-sex bathing rooms are provided, an accessible family or assisted-use bathing room shall be provided. Fixtures located within family or assisted-use toilet and bathing rooms required by this section are permitted to be included in the number of fixtures required by the *New York City Plumbing Code* for [either the male or the female occupants] male or female occupants, or for toilet facilities provided for anyone regardless of gender.

Exception: Where each separate-sex bathing room has only one shower or bathtub fixture, a family or assisted-use bathing room is not required.

§ 6. This local law takes effect 1 year after it becomes law.

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