

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2016**

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**No. 79**

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Introduced by Council Members Dromm, Johnson, Mendez, Menchaca, Constantinides, Richards, Rose, Cohen, Rosenthal, Lander, Levine, Rodriguez, Torres, Cornegy, Koslowitz, Van Bramer, Chin, Ferreras-Copeland, Palma, Levin, Crowley, Cumbo, Gentile, Barron, Grodenchik, Reynoso, Williams, Lancman, Vacca, Garodnick and Kallos.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, the New York city plumbing code and the New York city building code, in relation to gender-neutral single-occupant bathrooms.**

*Be it enacted by the Council as follows:*

Section 1. Article 315 of title 28 of the administrative code of the city of New York is amended to add new section 28-315.9 to read as follows:

**§ 28-315.9 Single-occupant toilet rooms.** *Notwithstanding any other provision of law or rule requiring separate facilities for each sex, on and after January 1, 2017, all single-occupant toilet rooms shall be made available for use by persons of any sex in accordance with section 403.2.1 of the New York city plumbing code. Nothing in this section shall be construed to require physical alteration of a single-occupant toilet room except for the posting and maintenance of appropriate signage in accordance with section 403.4 of the New York city plumbing code.*

§ 2. Section PC 202 of the New York city plumbing code is amended by adding a definition of “SINGLE-OCCUPANT TOILET ROOM” in alphabetical order to read as follows:

**SINGLE-OCCUPANT TOILET ROOM.** *A toilet room with no more than one water closet and no more than one urinal.*

**Exception:** *A toilet room with one urinal and a door to such room that is not securable from within.*

§ 3. Note j of table 403.1 of the New York city plumbing code, as added by local law number 41 for the year 2012, is amended to read as follows:

j. The requirements for the number of water closets for a total occupancy of 150 persons or fewer shall not apply to bars except that, *subject to the requirements of Section 403.2.1*, there shall be at least one water closet for men and at least one water closet for women or at least two [unisex] *single-occupant* toilet rooms.

§ 4. Section 403.1 of the New York city plumbing code, as added by local law number 41 for the year 2012, is amended to add a new section 403.1.3 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. 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.*

§ 5. Section 403 of the New York city plumbing code is amended by adding a new section 403.2.1 to read as follows:

**§ 403.2.1 *Single-occupant toilet rooms.*** *All single-occupant toilet rooms shall be made available for use by persons of any sex. Existing toilet rooms shall comply with this section by no later than January 1, 2017. Nothing in this section shall be construed to affect or alter the number of toilet rooms in a building otherwise required pursuant to this code or where applicable the 1968 Building Code.*

***Exception:*** *Where egress from a single-occupant toilet room is through a room permissibly restricted by sex.*

§ 6. Section 403.4 of the New York city plumbing code, as added by local law number 41 for the year 2012, is amended to read as follows:

**§ 403.4 *Signage.*** *Required public facilities shall be designated by a legible sign for each sex or, for a single-occupant toilet room, for all sexes. Signs shall be readily visible and located near the entrance to each toilet facility. Existing single-occupant toilet rooms shall comply with this requirement by January 1, 2017.*

§ 7. Item 4 of section 1110.2 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

4. At each separate-sex toilet and bathing room *and inaccessible single-occupant toilet room* indicating the location of the nearest accessible family or assisted-use toilet or bathing room where provided in accordance with Section 1109.2.1.

§ 8. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings, commissioner of health and mental hygiene and commissioner of consumer affairs may take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on June 21, 2016 and approved by the Mayor on June 28, 2016.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 79 of 2016, Council Int. No. 871-A of 2015) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

STEPHEN LOUIS, Acting Corporation Counsel