DENVER AMENDMENT PROPOSAL FORM
FOR CPD INTERNAL PROPOSALS TO THE 2016 DENVER BUILDING CODE AMENDMENTS AND THE 2018 INTERNATIONAL CODES

2018 CODE DEVELOPMENT CYCLE

1) Name: David Corman Date: 3/27/19

2) Proposals should be drafted in Word with the only formatting that is needed being BOLDING, STRIKEOUT AND UNDERLINING. Please do not provide additional formatting such as tabs, columns, etc.

Please use a separate form for each proposal submitted.

Is separate graphic file provided? ☐ Yes ☒ No

<table>
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**AMENDMENT PROPOSAL**

**Proposals:**

The following Sections are proposed to be deleted without substitution: Section 2902.1, 2902.2.1, 2902.2.2, 2902.2.2.2, 2902.3.5, 2902.4.2 and 2902.4.2.1

The following Sections are proposed to carry forward without revision: 2902.7 and 2902.8

The following Sections are proposed to be revised: 2902.3.6, 2902.4 and 2902.9

The following Sections are proposed to be new: 2901.1, 2902.1.1, 2902.1.2, 2902.1.2.1, 2902.1.2.2, 2902.1.2.3, 2902.1.2.4, 2902.1.2.5, 2902.1.3, 2902.1.3.1, and 2902.2

Add new text as follows:

Section 2901.1 Scope shall remove reference to the International Property Maintenance Code.

Delete without substitution:

Section 2902.1 Minimum number of fixtures is replaced in its entirety with the following:

2902.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Table 2902.1. Type of occupancies not shown in Table 2902.1 shall be considered individually by the Code Official. The number of occupants shall be determined by the International Building Code, Table 1004.1.2. Occupancy classification shall be determined in accordance with the International Building Code.

Add new text as follows:

Section 2902.1.1 Fixture calculations is amended by adding the following exception 2:

Exceptions:

1. The total occupant load shall not be required to be divided in half where approved statistical data indicate a distribution of the sexes of other than 50 percent of each sex.
Section 2902.2.2 Gender-neutral toilet facilities and its subsections is added.

Add new text as follows:
Section 2902.1.2 Single-user toilet facility and bathing room fixtures is replaced in its entirety with the following:

[P] 2902.1.2 Single-user toilet facilities and bathing room fixtures. Where single-user toilet facilities are provided, the total number of fixtures shall be permitted to be based on the required number for separate facilities or based on the aggregate of any combination of single-user and multi-user facilities.

Add new text as follows:
Section 2902.1.2.1 Single-user toilet facility. A toilet facility containing at least one lavatory and not more than one water closet. Family or assisted-use toilet and bathing rooms that are required by Section 1109.2, shall be considered a single-user toilet facility even if that water closet is enclosed within a water closet compartment or if that toilet facility or bathing room includes a child-height water closet, a child-height lavatory, or a urinal. Not more than one water closet and one lavatory, located in a single-user toilet facility, may contribute to the required plumbing fixtures. Urinals provided in single-user toilet facilities shall not contribute to the required fixtures. Where a building or tenant space requires only two toilet fixtures, two single-user toilet facilities shall be provided.

[P] 2902.1.2.2 All-gender identification. Single-user toilet facilities including family or assisted-use toilet and bathing rooms shall be identified for use by all genders and signed as required by Section 2902.4.

Exceptions:
1. For uses in Table 2902.1 that require more water closets or more lavatories for females than for males, those water closets and lavatories that are in excess of that required for males shall be located in facilities specifically signed female.
2. Within individual sleeping units or dwelling units.

[P] 2902.1.2.3 Privacy required. Single-user toilet facilities shall have a door that is lockable from the inside of the room.

Exceptions:
1. Within individual sleeping units or dwelling units.
2. Where approved in Group I occupancies, toilet room privacy is not required where care recipients or detainees require observation for clinical or security reasons.

[P] 2902.1.2.4 Accessibility required. Where only two water-closets are required and single-user toilet facilities are provided, both single-user toilet facilities shall be fully accessible in accordance with IBC Chapter 11 and ICC A117.1-2009.

Add new text as follows:
Section 2902.1.3 Lavatory distribution is replaced in its entirety and its subsection is added with the following:

[P] 2902.1.3 Lavatory distribution. Where two or more toilet facilities are provided for each sex, the required number of lavatories shall be distributed proportionately to the required number of water closets.

[P] 2902.1.3.1 Multi-user lavatories. Where both single-user and multi-user toilet facilities are provided, the quantity of lavatories provided for the multi-user toilet facility shall not include lavatories within single-user toilet rooms.

Add new text as follows:
Section 2902.2 Separate facilities is amended by adding exception 5:

5. Separate single-user toilet facilities may be provided where allowed by Section 2902.1.2.1.

Delete without substitution:
[P] Section 2902.2.1 Family or assisted-use or gender-neutral toilet facilities serving as separate facilities is replaced in its entirety with the following:

[P] 2902.2.1 Family or assisted-use or gender-neutral toilet facilities serving as separate facilities. Where a building or tenant space requires a separate toilet facility for each sex and each toilet facility is required to have only one water closet, two family or assisted-use, or gender neutral toilet facilities are required to serve as the required separate facilities. Toilet facilities shall be provided with signage in accordance with Section 2902.4.2. Both toilet facilities shall be fully accessible in accordance with IBC Chapter 11 and ICC A117.1-2009.

Delete without substitution:
Section 2902.2.2 Gender-neutral toilet facilities and its subsections is added.
2902.2.2 Gender neutral toilet facilities. The following provision may be applied in lieu of Section 2902.2 for the purpose of separate toilet facilities for each sex. In no case shall the total number of fixtures provided be less than that as calculated in accordance with Section 2902.1.1.

Delete without substitution:

2902.2.2.2 Separate facilities when more than two water closets are required. Where a building or tenant space requires separate toilet facilities for each sex and either toilet facility is required to have more than one water closet, separate gender-neutral single occupant toilet facilities shall be permitted to serve as the code required facilities when each toilet facility is provided with one water closet and one lavatory in a separate single occupant room.

Lavatories shall be provided in each toilet room in accordance with the International Plumbing Code. Such facilities shall not be required to be identified for exclusive use by either sex as required by Section 2902.4, and shall provide signage in accordance with Section 2902.4.2. Not less than 50% of the provided toilet facilities shall be fully accessible in accordance with IBC Section 1109.

This section shall not be applied to multiple stalls within a single room and/or shared lavatories.

Exception:
For those occupancies in Table 2902.1 that require more water closets or more lavatories for females than for males (A-1, A-3, A-4, and A-5), those additional water closets and lavatories shall be located in facilities specifically designated female. At least one of the additional female water closets and lavatories shall be fully accessible in accordance with Chapter 11. Signage shall be provided in accordance with Section 2902.4, exclusive of the exception.

Revise as follows:

[EH] Sections 2902.3.62 “Prohibited toilet room location” shall be amended by adding the following to the last sentence:

Access to toilet rooms shall not be through food preparation areas, food storage, or ware washing or utensil storage areas, except for toilet room facilities provided exclusively for the use of employees who primarily work in the food preparation area.

Delete without substitution:

Section 2902.3.5 Door locking is replaced in its entirety with the following:

2902.3.5 Door locking. Where a toilet room is provided for the use of multiple occupants, the egress door for the room shall not be lockable from the inside of the room. This section does not apply to family or assisted use toilet rooms.

Single occupant toilet rooms where there is only one water closet, even if that water closet is enclosed with a water closet compartment or if that single occupant toilet room includes a separate urinal, must have the egress door be lockable from the inside of the room. This single occupant toilet room must comply with IBC Section 2902.2.1 as amended.

Revise as follows:

Section 2902.4. Signage is amended by adding the following Exception replacing the first sentence:

Required public facilities shall be provided with signs that designate the sex or gender.

Exception:
Toilet facilities that have only one water closet shall not be identified for exclusive use by either sex and shall be deemed to meet the requirements of this section. Signage shall be provided in accordance with Section 2902.4.2. Lavatories shall be provided in each toilet room in accordance with the International Plumbing Code.

Delete without substitution:

Section 2902.4.2 Gender neutral signage and its subsections are added:

2902.4.2 Gender neutral signage. Gender neutral single occupant toilet facilities provided in accordance with Section 2902.2.1, 2902.2.2, and family or assisted use toilet facilities, shall be provided with signs that clearly indicate the facility is open to use by all genders.

Delete without substitution:

2902.4.2.1 Existing facilities. After April 30, 2018, all existing single occupant toilet facilities (consisting of one water closet and one lavatory), and family or assisted use toilet facilities, shall be provided with signage in accordance with Section 2902.4.2 above, and single occupant toilet facilities must also have a door lock per IBC Section 2902.2.5 as amended.

Revise as follows:

Section 2902.9 Restaurants Drive-in facilities is added:
Restaurants

1. The number of occupants for a drive-in restaurant or drive-in theater shall be considered as equal to twice the number of parking stalls.

2. Employee toilet facilities are not to be included in the above restaurant requirements.

In addition to plumbing facilities otherwise required by Section 2902.1, public toilet facilities shall be provided to serve an occupant load equal to twice the number of parking stalls provided at drive-in restaurants and drive-in movie theaters.

Purpose: These proposed amendments are intended to bring alignment with the IBC revisions, include clarifying language from “ICC final changes to the group A 2021 I-Codes,” and restructure the current single-user toilet facility requirements to clarifying interpretation.

Reasons: Since first amended on December 19, 2016, all single-occupant restrooms within the CCD required most notably gender-neutral signage. The overwhelming consensus at that time is well represented by Mayor Michael Hancock’s statement “Denver will take every step we can to remove barriers for our people while creating more convenience. This is who we are as a city and I’m very proud of that. This code change was a commonsensical action that we know will allow people to live their lives without anxiety about something as simple as bathroom access. This is also another way in which Denver demonstrates that we are a welcoming and inclusive place to call home for all our people.”

With the 2016 amendments, the CCD provided increased inclusiveness the LGBTQ community, caregivers of the elderly and disabled, parents of small children, and customers who should not have to wait in line when there is an empty single-stall restroom available. To further advance all-inclusiveness, this amendment proposal modifies the “gender-neutral” terminology to more current “all-gender” language which is preferred because it is explicitly inclusive of everyone whereas, “gender-neutral” can imply an absence of expressed gender.

Using phrases like “both sexes” and “either sex,” the IBC and the proposed changes to the 2021 International Build Code use language that falls short of all-inclusiveness for they infer a binary masculine/feminine gender model which does not represent transgender or gender non-conforming communities. As such, these proposed amendments take CCD past the 2021 IBC providing better all-inclusive language.

The current “gender-neutral” DBC code language and structure is somewhat disjointed and potentially leads to confusion when interpreting (amongst designers, plan reviewers, contractors and inspectors). The main body of the single-user toilet facility requirements have been maintained and reorganized in Section 2902.1.2 Single-user toilet facility and its subsections (which include requirements for all-gender identification, privacy and accessibility).

Two of the ICC final changes to the group A 2021 I-Codes for IPC sections P15-18 were incorporated into these proposed amendments are:

- Calculations for the required total number of plumbing fixtures which allow it to be based on the required number for separate facilities or based on the aggregate of any combination of single-user and multi-user toilet facilities.

This proposed amendment also offers some clarifications to CCD’s current DBC that are in addition to the all-gender toilet facility items:

- DBC Section 2902.3.2 (previously 2902.3.6) Prohibited toilet room location, was clarified by revising “Access to toilet rooms shall not be through food preparation areas, food storage, or ware washing or utensil storage areas, except for toilet room facilities provided exclusively for the use of employees who primarily work in the food preparation area.” This recognizes that toilet facilities shall not be accessed through food preparation areas for those employees that may periodically work in the food preparation area but may also work in other areas that have increased public exposure (such as wait staff, hostesses, managers, etc.).

- DBC Section 2902.10 Drive-in facilities (previously 2902.09 Restaurants) was restructured for clarity but maintains the previous requirements.

- DBC Section 2902.1.3.1 Multi-user lavatory distribution was added to ensure that the ratio of lavatories to water closets remains unchanged regardless of how many single-user toilet facilities are used in combination with multi-user toilet facilities to satisfy the fixture quantity requirements.

Substantiation: There are no technical changes from the 2016 DBC, thus not further substantiation is provided.

Bibliography:

ICC final changes to the group A 2021 I-Codes for IPC sections IPC P15-18( http://media.iccsafe.org/code-development/group-a/IPC.pdf )
**Referenced Standards:**

No additional proposed standards

**Impact:**

The amendment proposed will have no impact to existing single-user toilet facilities.

**Note:** The proponent shall discuss the impact of the proposed amendment and indicate one of the following for each point below regarding the amendment proposal:

- **The effect of the amendment proposal on the cost of construction;** ☒ No Effect
- **The effect of the amendment proposal on the cost of design;** ☒ No Effect
- **Is the amendment proposal more- or less-restrictive than the I-Codes;** ☒ No Effect

**Departmental Impact:**

The amendment proposed will have no departmental impact to existing single-user toilet facilities.

**Note:** The proponent shall discuss the impact of the proposed amendment and indicate one of the following for each point below regarding the amendment proposal:

- **The effect of the amendment proposal on the cost of review;** ☒ Increase ☐ Reduce ☐ No Effect
- **The effect of the amendment proposal on the cost of enforcement/inspection;** ☒ Increase ☐ Reduce ☐ No Effect