

## Non-gender designated toilet facilities

**Policy Number: B-1**

**Effective: January 1, 2023**

### Overview:

The State Building Code (SBC) & State Plumbing Code (SPC) define the minimum number of plumbing fixtures based on the use of the building or structure along with when separate gender specific toilet facilities shall be provided in lieu of non-gender specific toilet facilities (unisex). The following is a guideline to the minimum requirements based on the State Building Code.

### Applicable definitions:

- *Toilet Facility:* A room or space containing not less than one lavatory and one water closet. (State Plumbing Code Sec. 202)
- *Toilet Compartment:* A room or space containing only a water closet.
- *Room:* "Room" means a space or area bounded by any obstruction over 6 feet in height which at any time encloses more than 80 percent of the perimeter of the area. In computing the unobstructed perimeter, openings less than 3 feet in clear width and less than 6 feet 8 inches in height shall not be considered. Aisles and corridors shall not be construed to form rooms. (State Building Code Sec. 202)
- *Family or assisted-use toilet facility:* A toilet facility intended to be used by multiple occupants where one occupant may be assisting another occupant(s) with toileting.
- *Occupant Load:* The number of persons for which the means of egress of the building or portion thereof is designed.

### Details:

The general requirement in IBC sec. 2902.2 requires separate (toilet) facilities for each sex. There are three exceptions to allow a single-user non-gender designated toilet facility.

Exception #1 is for dwelling units and sleeping units. The second and third exception are the most commonly utilized in commercial designs.

Exception #2 is based on the total occupant load being 25 or less, including both employees and customers. Although the definition of occupant load refers to the means of egress design load, IBC Table 1004.5 does not distinguish between employees vs. customers and therefore the anticipated actual occupant load may be approved in lieu of the calculated occupant load (ref. IBC Sec.1004.5).

Exception #3 is specific to mercantile use with a maximum occupant load of 100.

When using exception #2 or #3 signage is still required (ref. IBC Sec.2902.4) for public toilet facilities. The signage is required to indicate that the toilet facility is usable by either (all) sexes.

The first three exceptions focus on allowing a *single* single-user non-designated toilet facility. IBC Sec. 2902.2.1 may also be used, which allows the use *two* family or assisted-use (non-gender specific) toilet facilities. This is permitted when, by calculation, only one water closet is required for both male and female

based on IBC Table 2902.1. As an example, if the proposed use is a restaurant with a calculated occupant load of 140 occupants, then only one water closet would be required by Table 2902.1 assuming a 50:50 male to female ratio. Therefore, the designer can either provide two gender designated toilet facilities or two family/assisted-use non-gender specific toilet facilities. Since, by definition, a family or assisted-use toilet facility is intended to be used by more than one person at a time that may be of different genders signage is not required.

The IBC is silent on whether once separate toilet facilities are required, if then all toilet facilities in the area served are required to be gender specific. At minimum, when separate toilet facilities are required, as long as the required gender specific toilet facilities are within the maximum travel distance prescribed in the IBC (typically 500 feet) for all the occupants served, then all other toilet facilities in the building are permitted to be: (1) signed non-gender specific single-user or (2) family or assisted-use, (3) a non-gender designated toilet facility with common lavatories and multiple individual private toilet compartments.

