# CITY OF NORMAN, OKLAHOMA

# CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE AGENDA

## Municipal Building Conference Room
## 201 West Gray

## Thursday, September 27, 2018

## 4:00 P.M.

1. **CLEVELAND AREA RAPID TRANSIT (CART) RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE FOR THE MONTH OF AUGUST, 2018.**

2. **PRESENTATION FROM DR. GABRIEL BIRD REGARDING THE NORMAN FLAG PROJECT.**

3. **DISCUSSION REGARDING THE TRANSPORTATION BOND PROGRAM.**

4. **DISCUSSION REGARDING DIAPER CHANGING TABLES REQUIREMENTS IN COMMERCIAL APPLICATIONS.**

5. **MISCELLANEOUS COMMENTS.**

# ITEM 1

# CART REPORTS

**Community Planning & Transportation Committee Meeting, September 27th, 2018**
**CART Monthly Report for August 2018**

## CART – Ridership Report Summary

- CART transported 95,358 passengers in August – a 3% increase over August 2017. The daily average ridership was 6,505, a decrease of 4% or 265.
- Fiscal year 19 to date ridership (July – August) is 131,291– an increase of 6% over the same period last year.
- For August 2018, there were 627 riders who traveled with bicycles (0.7%) and 319 with wheelchairs (0.3%). Route 11-Lindsey East carried the most passengers with bicycles (273) and wheelchairs (135).

## CARTaccess – Ridership Report Summary

- CARTaccess transported 3,239 passengers in August – an increase of 8% or 228. Average daily ridership was 120, an increase of 8% or 8. Primary zone ridership increased by 10% or 252 in August; Secondary Zone ridership decreased by 5% or 24.
- For FY19 year to date (July to August), CARTaccess ridership is 6,019 – an increase of 5%. Primary Zone ridership has increased by 6% or 274 FYTD; Secondary Zone ridership has increased by 2% or 20 FYTD. Secondary Zone ridership comprises 14% of all CARTaccess trips FYTD.

## CART Activities

- CART held its annual training breakfast with all operators on August 18. Training was presented by OUPD and OU Emergency Preparedness on potential safety and risks involving transit operations.
- CART resumed Regular Schedule service August 20.
- CART staff participated in an ODOT workshop covering the state's Transit Asset Management (TAM) Plan. This plan assists transit agencies with decision making regarding vehicle replacement and also helps inform FTA of the transit system capital needs throughout the country.
- CART staff participated in a Safety Training on August 28 in preparation for a new FTA regulation requiring a Safety Plan to be in place.
- The Oklahoma Transit Association (OTA) has chosen Norman to be the host of the 2018 Oklahoma State Driving Championships and Training Conference this fall. The conference will be October 16-18 and will consist of a driving competition, driver and administrative staff training, notable speakers, and an evening out in Norman. The champions of each driving category (minivan, shuttle bus, and city bus) will be sent the national competition to compete.

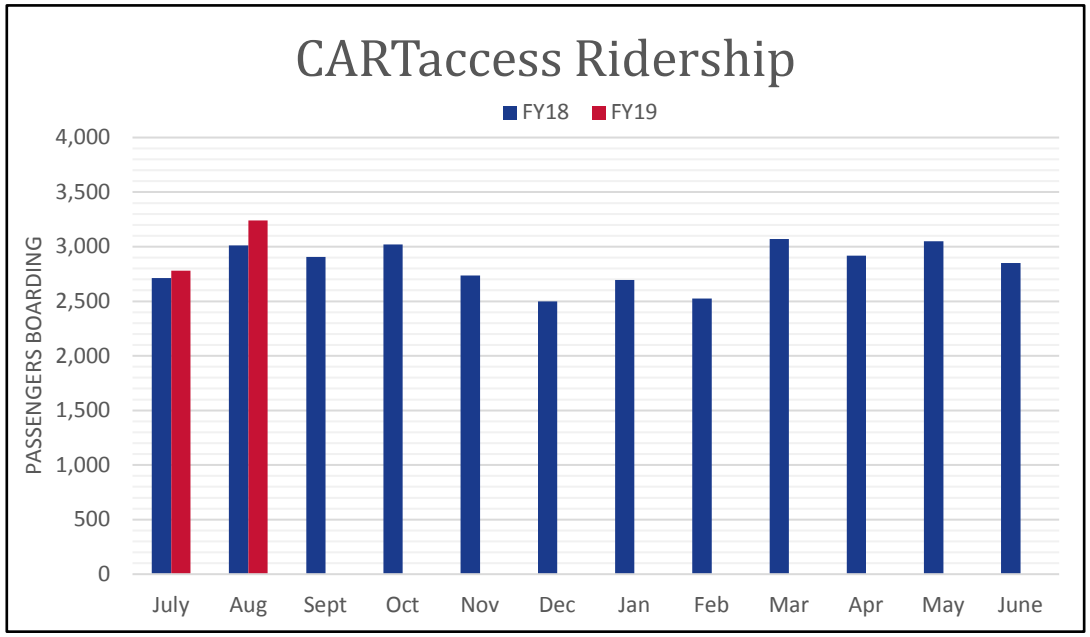
## CART Detours/Construction

- Route 52-Campus Loop is missing its stop at the Oklahoma Memorial Student Union due to construction of a new engineering building on Felgar Street. Riders are encouraged to use stop 181 at Jenkins Avenue and Felgar Street.
- Due to the construction for the OKC Streetcar, the route 24-Sooner Express is taking a few detours from its regular route. To view the latest detours, please visit www.ridecart.com/detours-and-alerts.

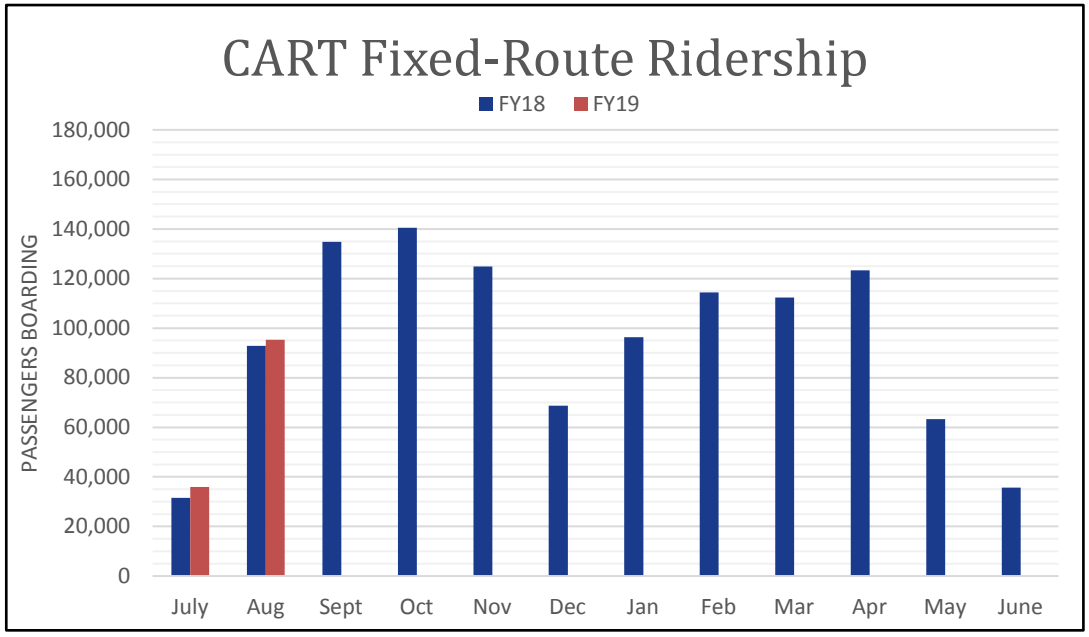
## Attachments

- CART Fixed-route and CARTaccess Ridership Graphs for FY18 and FY19

# CART Ridership Summary
## City of Norman Community Planning & Transportation Committee




| CARTaccess Ridership by Month | | | |
|---|---|---|---|
| | FY18 | FY19 | Change |
| July | 2,714 | 2,780 | 2% |
| Aug | 3,011 | 3,239 | 8% |
| Sept | 2,905 | | |
| Oct | 3,022 | | |
| Nov | 2,736 | | |
| Dec | 2,498 | | |
| Jan | 2,695 | | |
| Feb | 2,524 | | |
| Mar | 3,070 | | |
| Apr | 2,918 | | |
| May | 3,049 | | |
| June | 2,851 | | |
| ***July - Aug*** | ***5,725*** | ***6,019*** | ***5%*** |
| **FY18 Total** | **33,993** | | |




| Fixed-Route Ridership by Month | | | |
|---|---|---|---|
| | FY18 | FY19 | Change |
| July | 31,500 | 35,933 | 14% |
| Aug | 92,808 | 95,358 | 3% |
| Sept | 134,812 | | |
| Oct | 140,553 | | |
| Nov | 124,836 | | |
| Dec | 68,733 | | |
| Jan | 96,358 | | |
| Feb | 114,482 | | |
| Mar | 112,378 | | |
| Apr | 123,378 | | |
| May | 63,299 | | |
| June | 35,644 | | |
| ***July - Aug*** | ***124,308*** | ***131,291*** | ***6%*** |
| **FY18 Total** | **1,138,781** | | |

FY19: July 1, 2018 - June 30, 2019

FY18: July 1, 2017 - June 30, 2018

# ITEM 2

# NORMAN FLAG

# ITEM 3

# TRANSPORTATION BOND PROGRAM

# Future Transportation Bond Issue Program Options

## City Council Community Planning and Transportation Committee

## September 27, 2018

# Three Options for Bond Proposal

| Option | Description | Federal Funds | Bond Funds | Total Cost |
|---|---|---|---|---|
| 1 | Transportation Projects Only with federal match | $96 Million | $75 Million | $167 Million |
| 2 | Transportation Projects Only with a blend of federally funded and locally funded projects | $55 Million | $70 Million | $125 Million |
| 3 | Transportation Projects with federal match and Stormwater Projects with Bond funds * | $86 Million | $72 Million | $158 Million |

* Bond Funds - $42 Million for Transportation and $30 Million for Stormwater Projects

# Option No. 1 - Project List

## Transportation Projects Only with Federal Match

| Resolution No. | Project Location | Description |
|---|---|---|
| TBD | Jenkins Avenue - Imhoff Road to Lindsey Street | Reconstruction and widening from two to four lanes with a landscaped median, multimodal paths and new traffic signal at the Timberdell Road intersection |
| R-1415-44 | Porter Avenue and Acres Street (Porter Corridor) | Intersection reconstruction and widening to add dedicated left turn lane on Porter Avenue, closure of Daws Street and new traffic signal |
| R-1516-42 | 36th Avenue NW - North of Indian Hills Road to Moore City Limit | Reconstruction and widening from two to four lanes with bike lanes and bridge replacement |
| R-1516-49 | Indian Hills Road - 48th Avenue NW to Interstate 35 | Reconstruction and widening from two to four lanes with landscaped median, bike lanes and new traffic signal at 48th Avenue NW |
| R-1516-50 | 12th Avenue NW - Rock Creek Road to Tecumseh Road | Reconstruction and widening from two to four / five lanes with bike lanes and multi-modal path |
| R-1516-35 | Tecumseh Road - 12th NE to Hollister | Reconstruction and widening from two to four lanes with bike lanes |
| R-1415-40 | Cedar Lane Road - East of 24th Avenue SE to 36th Avenue SE | Reconstruction and widening from two to four / five lanes with bike lanes and new traffic signal at the 36th Avenue SE intersection |
| R-1516-41 | 36th Avenue SE - Cedar Lane Road to State Highway 9 | Reconstruction and widening from two to four / five lanes with bike lanes |
| TBD | 24th Avenue NE - Rock Creek Road to Tecumseh Road | Reconstruction and widening from two to four / five lanes with bike lanes with bike lanes and new traffic signal at Rock Creek Road |
| TBD | Tecumseh Road - Hollister to 24th Avenue NE | Reconstruction and widening from two to four lanes with bike lanes |
| R-1519-44 | 48th Avenue NW - Phase 2 - Rock Creek Road to Tecumseh Road | Reconstruction and widening from two to three lanes with bike lanes |
| R-1519-46 | 48th Avenue NW - Phase 4 - Franklin Road to Indian Hills Road | Reconstruction and widening from two to three lanes with bike lanes and new traffic signal at Franklin Road |
| TBD | Tecumseh Road Railroad Grade Separation | New underpass and acquisition of right-of-way for future commuter rail station |
| TBD | James Garner Avenue Special Corridor - Phase 3 - Acres Street to Duffy Street | Reconstruction and widening from two to three lanes with multi-modal path |
| TBD | Lindsey Street Special Corridor (Pickard Avenue to Jenkins Avenue) | Curb and gutter, drainage improvements, sidewalks, and roadway widening to add Bike lanes |
| TBD | Constitution Street - Jenkins Avenue to Classen Boulevard | Curb and gutter, storm sewer, widening and sidewalks |
| TBD | Traffic Management Center (TMC) | Control Center for monitoring of the transportation network (e.g., computers, software, furniture, etc.) |
| TBD | Rock Creek Road – Queenston Avenue / Bruckner Drive to 24th Avenue NE | Reconstruction and widening from two to four / five lanes with bike lanes and multi-modal path |
| TBD | Porter Avenue Streetscape -Alameda Street to Robinson Street | New curbs, sidewalks, decorative lighting, landscape, street furniture, etc. |

# Option No. 1 - Project Costs

## Transportation Project Only with Federal Match

**19 Projects**

**Bond Funds - $70,586,404**

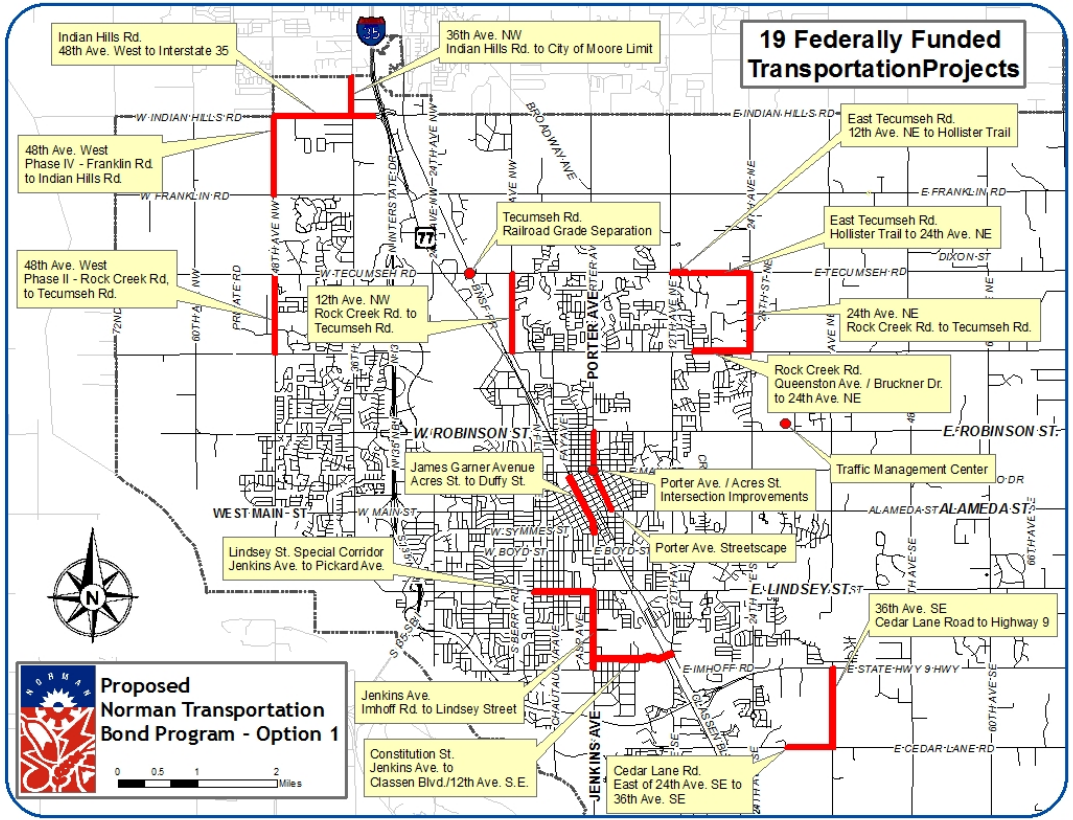
**Federal Funds - $96,229,616**

**Total Cost - $166,816,020**

**Implementation Time - 15 Years**

| Resolution No. | Project Location | Construction Cost (Federal Share) | Total Cost | Bond Cost |
|---|---|---|---|---|
| TBD | Jenkins Avenue - Imhoff Road to Lindsey Street | $6,272,000 | $9,140,000 | $2,868,000 |
| R-1415-44 | Porter Avenue and Acres Street (Porter Corridor) | $2,060,800 | $3,536,000 | $1,475,200 |
| R-1516-42 | 36th Avenue NW - North of Indian Hills Road to Moore City Limit | $5,835,200 | $8,444,000 | $2,608,800 |
| R-1516-49 | Indian Hills Road - 48th Avenue NW to Interstate 35 | $7,974,803 | $12,458,504 | $4,483,701 |
| R-1516-50 | 12th Avenue NW - Rock Creek Road to Tecumseh Road | $5,673,741 | $8,622,176 | $2,948,435 |
| R-1516-35 | Tecumseh Road - 12th NE to Hollister | $1,419,891 | $2,374,864 | $954,973 |
| R-1415-40 | Cedar Lane Road - East of 24th Avenue SE to 36th Avenue SE | $8,139,914 | $11,704,892 | $3,564,978 |
| R-1516-41 | 36th Avenue SE - Cedar Lane Road to State Highway 9 | $6,038,906 | $8,722,632 | $2,683,726 |
| TBD | 24th Avenue NE - Rock Creek Road to Tecumseh Road | $6,272,000 | $9,240,000 | $2,968,000 |
| TBD | Tecumseh Road - Hollister to 24th Avenue NE | $5,376,000 | $7,920,000 | $2,544,000 |
| R-1519-44 | 48th Avenue NW - Phase 2 - Rock Creek Road to Tecumseh Road | $6,291,667 | $9,164,584 | $2,872,917 |
| R-1519-46 | 48th Avenue NW - Phase 4 - Franklin Road to Indian Hills Road | $6,482,694 | $9,428,368 | $2,945,674 |
| TBD | Tecumseh Road Railroad Grade Separation | $10,000,000 | $38,200,000 | $28,200,000 |
| TBD | James Garner Avenue Special Corridor - Phase 3 - Acres Street to Duffy Street | $4,800,000 | $6,300,000 | $1,500,000 |
| TBD | Lindsey Street Special Corridor (Pickard Avenue to Jenkins Avenue) | $1,792,000 | $2,490,000 | $698,000 |
| TBD | Constitution Street - Jenkins Avenue to Classen Boulevard | $1,600,000 | $2,200,000 | $600,000 |
| TBD | Traffic Management Center (TMC) | $3,000,000 | $3,300,000 | $300,000 |
| TBD | Rock Creek Road – Queenston Avenue / Bruckner Drive to 24th Avenue NE | $3,200,000 | $4,800,000 | $1,600,000 |
| TBD | Porter Avenue Streetscape | $4,000,000 | $5,500,000 | $1,500,000 |
| N/A | Program Management (~2% of Total) | | $3,270,000 | $3,270,000 |
| | **Totals** | **$96,229,616** | **$166,816,020** | **$70,586,404** |

# Option No. 1 - Projects Map



# Option No. 2 - Project List

## Transportation Projects Only with a Blend of Federally and Bond Funded Projects

| Resolution No. | Project Location | Description |
|---|---|---|
| TBD | Jenkins Avenue - Imhoff Road to Lindsey Street | Reconstruction and widening from two to four lanes with a landscaped median, multimodal paths and new traffic signal at the Timberdell Road intersection |
| R-1415-44 | Porter Avenue and Acres Street (Porter Corridor) | Intersection reconstruction and widening to add dedicated left turn lane on Porter Avenue, closure of Daws Street and new traffic signal |
| R-1516-42 | Main Street / Gray Street Two-Way Conversion | Traffic Signal Modifications, intersection widening, signage, striping and railroad crossing modifications |
| R-1516-49 | James Garner Avenue Special Corridor - Phase 3 - Acres Street to Duffy Street | Reconstruction and widening from two to three lanes with multi-modal path |
| R-1516-50 | Porter Avenue Streetscape | New curbs, sidewalks, decorative lighting, landscape, street furniture, etc. |
| R-1516-35 | Cedar Lane Road - East of 24th Avenue SE to 36th Avenue SE | Reconstruction and widening from two to four / five lanes with bike lanes and new traffic signal at the 36th Avenue SE intersection |
| R-1415-40 | Lindsey Street Special Corridor (Pickard Avenue to Jenkins Avenue) | Curb and gutter, drainage improvements, sidewalks, and roadway widening to add Bike lanes |
| R-1516-41 | Constitution Street - Jenkins Avenue to Classen Boulevard | Curb and gutter, storm sewer, widening and sidewalks |
| TBD | 36th Avenue NW - North of Indian Hills Road to Moore City Limit | Reconstruction and widening from two to four lanes with bike lanes and bridge replacement |
| TBD | Tecumseh Road - 12th NE to Hollister | Reconstruction and widening from two to four lanes with bike lanes |
| R-1519-44 | 36th Avenue SE - Cedar Lane Road to State Highway 9 | Reconstruction and widening from two to four / five lanes with bike lanes |
| R-1519-46 | 24th Avenue NE - Rock Creek Road to Tecumseh Road | Reconstruction and widening from two to four / five lanes with bike lanes with bike lanes and new traffic signal at Rock Creek Road |
| TBD | Tecumseh Road - Hollister to 24th Avenue NE | New underpass and acquisition of right-of-way for future commuter rail station |
| TBD | 48th Avenue NW - Phase 2 - Rock Creek Road to Tecumseh Road | Reconstruction and widening from two to three lanes with bike lanes |
| TBD | 48th Avenue NW - Phase 4 - Franklin Road to Indian Hills Road | Reconstruction and widening from two to three lanes with bike lanes and new traffic signal at Franklin Road |
| TBD | Indian Hills Road - 48th Avenue NW to Interstate 35 | Reconstruction and widening from two to four lanes with landscaped median, bike lanes and new traffic signal at 48th Avenue NW |
| TBD | Traffic Management Center (TMC) | Control Center for monitoring of the transportation network (e.g., computers, software, furniture, etc.) |
| TBD | Rock Creek Road – Queenston Avenue / Bruckner Drive to 24th Avenue NE | Reconstruction and widening from two to four / five lanes with bike lanes and multi-modal path |

# Option No. 2 - Project Costs

## Transportation Projects Only with a Blend of Bond-Funded and Federally Funded Projects

**18 Projects**
**(Blend of 6 City-funded and 12 Federally-funded projects)**
**Bond Funds - $69,609,560**
**Federal Funds - $55,283,151**
**Total Cost - $124,892,877**
**Implementation Time - 10 Years**

**Selection Criteria for Bond Funded Projects**

- **Higher Priority (e.g. Jenkins Avenue)**
- **Ready to Go (e.g., Porter / Acres Intersection, Cedar Lane Road)**
- **Federal funds difficult to secure (e.g., Main/Gray Two-Way Conversion)**

| Resolution No. | Project Location | Construction Cost (Federal Share) | Total Cost | Bond Cost |
|---|---|---|---|---|
| TBD | Jenkins Avenue - Imhoff Road to Lindsey Street | | $9,140,000 | $9,140,000 |
| R-1415-44 | Porter Avenue and Acres Street (Porter Corridor) | | $3,536,000 | $3,536,000 |
| TBD | Main Street / Gray Street Two-Way Conversion | | $7,320,000 | $7,320,000 |
| TBD | James Garner Avenue Special Corridor - Phase 3 - Acres Street to Duffy Street | | $6,000,000 | $6,000,000 |
| TBD | Porter Avenue Streetscape | | $5,000,000 | $5,000,000 |
| R-1415-40 | Cedar Lane Road - East of 24th Avenue SE to 36th Avenue SE | | $11,704,892 | 11,704,892 |
| TBD | Lindsey Street Special Corridor (Pickard Avenue to Jenkins Avenue) | $1,792,000 | $2,490,000 | $698,000 |
| TBD | Constitution Street - Jenkins Avenue to Classen Boulevard | $1,600,000 | $2,200,000 | $600,000 |
| R-1516-42 | 36th Avenue NW - North of Indian Hills Road to Moore City Limit | $5,835,200 | $8,444,000 | $2,608,800 |
| R-1516-35 | Tecumseh Road - 12th NE to Hollister | $1,419,891 | $2,374,864 | $954,973 |
| R-1516-41 | 36th Avenue SE - Cedar Lane Road to State Highway 9 | $6,038,906 | $8,722,632 | $2,683,726 |
| TBD | 24th Avenue NE - Rock Creek Road to Tecumseh Road | $6,272,000 | $9,240,000 | $2,968,000 |
| TBD | Tecumseh Road - Hollister to 24th Avenue NE | $5,376,000 | $7,920,000 | $2,544,000 |
| R-1519-44 | 48th Avenue NW - Phase 2 - Rock Creek Road to Tecumseh Road | $6,291,667 | $9,164,584 | $2,872,917 |
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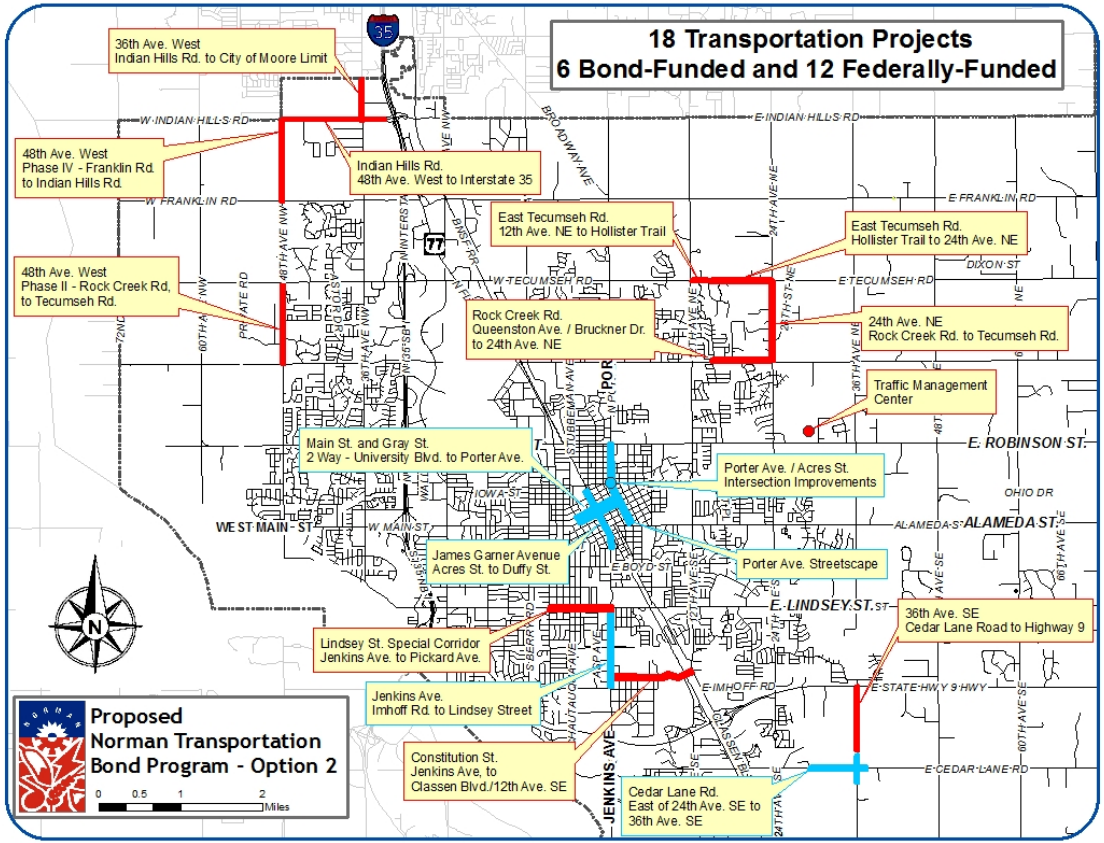
| R-1516-49 | Indian Hills Road - 48th Avenue NW to Interstate 35 | $7,974,803 | $12,458,504 | $4,483,701 |
| TBD | Traffic Management Center (TMC) | $3,000,000 | $3,300,000 | $300,000 |
| TBD | Rock Creek Road – Queenston Avenue / Bruckner Drive to 24th Avenue NE | $3,200,000 | $4,000,000 | $800,000 |
| N/A | Program Management (~2% of Total) | | $2,448,877 | $2,448,877 |
| | **Totals** | **$55,283,161** | **$124,892,877** | **$69,609,560** |

# Option No. 2 - Projects Map



# Option No. 3 - Project List

## Transportation Projects with Federal Match and Stormwater Projects with Bond Funds

| Resolution No. | Project Location | Description |
|---|---|---|
| TBD | Jenkins Avenue - Imhoff Road to Lindsey Street | Reconstruction and widening from two to four lanes with a landscaped median, multimodal paths and new traffic signal at the Timberdell Road intersection |
| R-1415-44 | Porter Avenue and Acres Street (Porter Corridor) | Intersection reconstruction and widening to add dedicated left turn lane on Porter Avenue, closure of Daws Street and new traffic signal |
| R-1516-42 | 36th Avenue NW - North of Indian Hills Road to Moore City Limit | Reconstruction and widening from two to four lanes with bike lanes and bridge replacement |
| R-1516-49 | Indian Hills Road - 48th Avenue NW to Interstate 35 | Reconstruction and widening from two to four lanes with landscaped median, bike lanes and new traffic signal at 48th Avenue NW |
| R-1516-50 | 12th Avenue NW - Rock Creek Road to Tecumseh Road | Reconstruction and widening from two to four / five lanes with bike lanes and multi-modal path |
| R-1516-35 | Tecumseh Road - 12th NE to Hollister | Reconstruction and widening from two to four lanes with bike lanes |
| R-1415-40 | Cedar Lane Road - East of 24th Avenue SE to 36th Avenue SE | Reconstruction and widening from two to four / five lanes with bike lanes and new traffic signal at the 36th Avenue SE intersection |
| R-1516-41 | 36th Avenue SE - Cedar Lane Road to State Highway 9 | Reconstruction and widening from two to four / five lanes with bike lanes |
| TBD | 24th Avenue NE - Rock Creek Road to Tecumseh Road | Reconstruction and widening from two to four / five lanes with bike lanes with bike lanes and new traffic signal at Rock Creek Road |
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| TBD | Lindsey Street Special Corridor (Pickard Avenue to Jenkins Avenue) | Curb and gutter, drainage improvements, sidewalks, and roadway widening to add Bike lanes |
| TBD | Constitution Street - Jenkins Avenue to Classen Boulevard | Curb and gutter, storm sewer, widening and sidewalks |
| TBD | Traffic Management Center (TMC) | Control Center for monitoring of the transportation network (e.g., computers, software, furniture, etc.) |
| TBD | Rock Creek Road – Queenston Avenue / Bruckner Drive to 24th Avenue NE | Reconstruction and widening from two to four / five lanes with bike lanes and multi-modal path |
| TBD | Porter Avenue Streetscape -Alameda Street to Robinson Street | New curbs, sidewalks, decorative lighting, landscape, street furniture, etc. |

# Option No. 3 - Project Costs

## Blend of Transportation Projects with Federal Funds and Storm Water Projects with Bond Funds

**18 Federally-Funded Transportation Projects**

**Bond Funds - $41,366,404**

**Federal Funds - $86,229,616**

**Total Cost - $127,596,020**

**Implementation Time - 10 Years**

| Resolution No. | Project Location | Construction Cost (Federal Share) | Total Cost | Bond Cost |
|---|---|---|---|---|
| TBD | Jenkins Avenue - Imhoff Road to Lindsey Street | $6,272,000 | $9,140,000 | $2,868,000 |
| R-1415-44 | Porter Avenue and Acres Street (Porter Corridor) | $2,060,800 | $3,536,000 | $1,475,200 |
| R-1516-42 | 36th Avenue NW - North of Indian Hills Road to Moore City Limit | $5,835,200 | $8,444,000 | $2,608,800 |
| R-1516-49 | Indian Hills Road - 48th Avenue NW to Interstate 35 | $7,974,803 | $12,458,504 | $4,483,701 |
| R-1516-50 | 12th Avenue NW - Rock Creek Road to Tecumseh Road | $5,673,741 | $8,622,176 | $2,948,435 |
| R-1516-35 | Tecumseh Road - 12th NE to Hollister | $1,419,891 | $2,374,864 | $954,973 |
| R-1415-40 | Cedar Lane Road - East of 24th Avenue SE to 36th Avenue SE | $8,139,914 | $11,704,892 | $3,564,978 |
| R-1516-41 | 36th Avenue SE - Cedar Lane Road to State Highway 9 | $6,038,906 | $8,722,632 | $2,683,726 |
| TBD | 24th Avenue NE - Rock Creek Road to Tecumseh Road | $6,272,000 | $9,240,000 | $2,968,000 |
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| R-1519-44 | 48th Avenue NW - Phase 2 - Rock Creek Road to Tecumseh Road | $6,291,667 | $9,164,584 | $2,872,917 |
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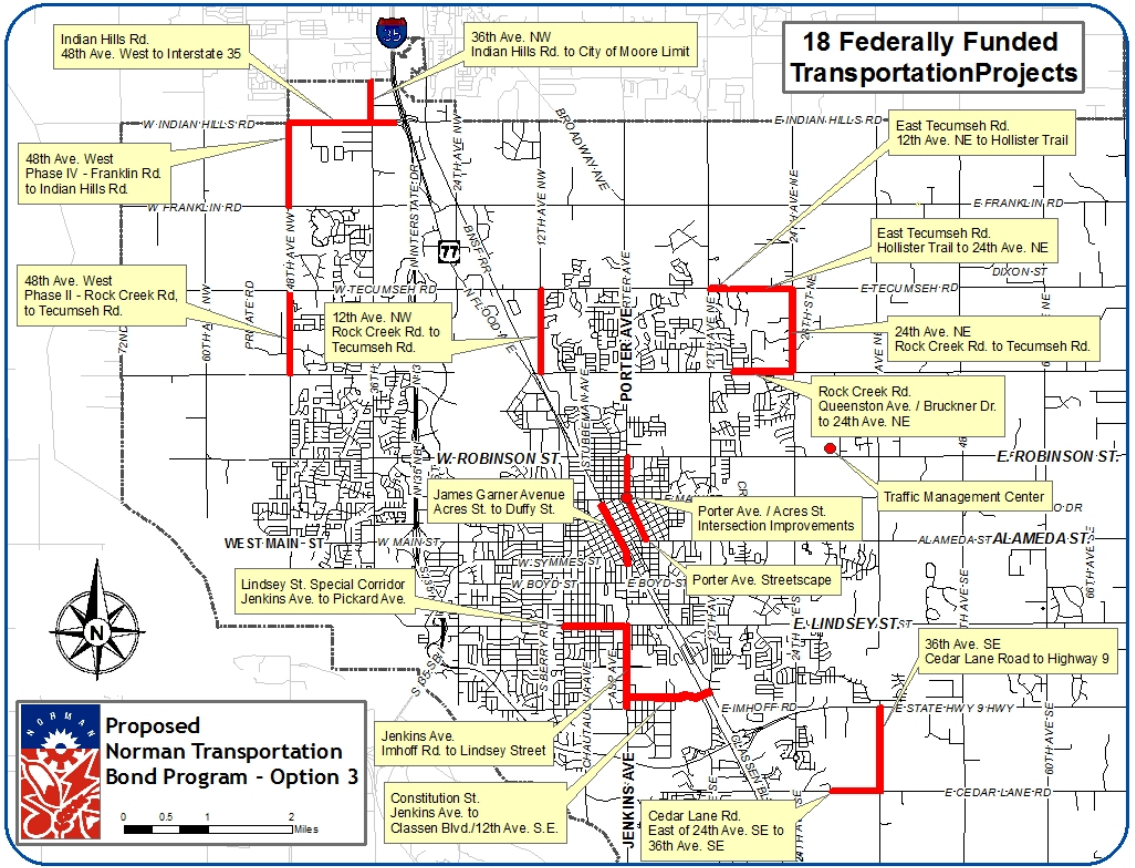
| TBD | James Garner Avenue Special Corridor - Phase 2 - Acres Street to Duffy Street | $4,800,000 | $6,300,000 | $1,500,000 |
| TBD | Lindsey Street Special Corridor (Pickard Avenue to Jenkins Avenue) | $1,792,000 | $2,490,000 | $698,000 |
| TBD | Constitution Street - Jenkins Avenue to Classen Boulevard | $1,600,000 | $2,200,000 | $600,000 |
| TBD | Traffic Management Center (TMC) | $3,000,000 | $3,300,000 | $300,000 |
| TBD | Rock Creek Road – Queenston Avenue / Bruckner Drive to 24th Avenue NE | $3,200,000 | $4,800,000 | $1,600,000 |
| TBD | Porter Avenue Streetscape | $4,000,000 | $5,500,000 | $1,500,000 |
| N/A | Program Management (~2% of Total) | | $2,506,920 | $2,506,920 |
| | **Totals** | **$86,229,616** | **$127,852,940** | **$41,623,324** |

# Option No. 3 – Transportation Projects Map



# Option No. 3

## Potential Stormwater Projects

**Total Projects: 16**

**Bond Funds: $30,159,701**

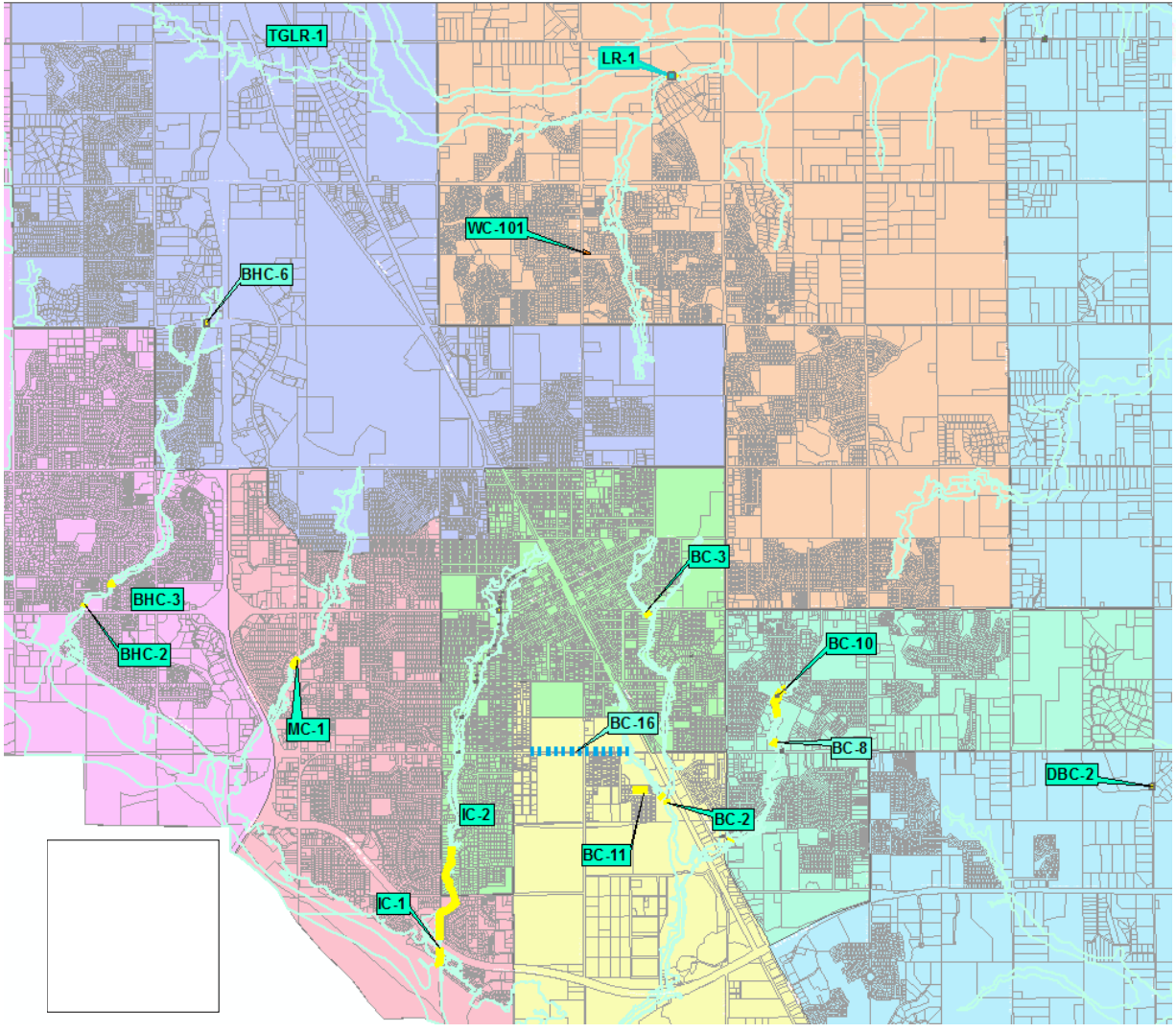
**Implementation Time: 10 Years**

**Selection Criteria for Projects:**

- **City Rank**
  - **As specified in Storm Water Master Plan**
  - **Top 11 projects selected**
  - **Projects ranked #1 & 2 have been completed**
- **At least 1 project in each Ward**
  - **Stormwater Citizen Committee Recommendation**

| SWMP Project ID | Watershed | Ward | Project Location | Project Description | City Rank | Estimated Project Cost |
|---|---|---|---|---|---|---|
| IC-1 | Imhoff Creek | 2 | South of State Highway 9 and east of S. Berry Rd | Make improvements to streambanks downstream of State Highway 9 to prevent and repair erosion of the sides of the channel | 3 | $387,755 |
| BC-10 | Bishop Creek | 1 | Sinclair Dr and Beaumont Dr south of Boyd St and east of 12th Ave SE | Replace existing pipes with larger pipes at Sinclair Drive and Beaumont Drive, respectively, and make improvements to the creek channel to allow more water to be carried by the stormwater system downstream of Beaumont Drive | 4 | $2,606,948 |
| IC-2 | Imhoff Creek | 2&4 | South of Imhoff Rd between S. Berry Rd and Walnut Rd | Make improvements to streambanks upstream of SH 9 to prevent and repair erosion of the sides of the channel | 5 | $10,042,186 |
| BC-16 | Bishop Creek | 7 | On Lindsey St between College St and the OU Duck Pond | Install additional stormwater pipes between College Street and the tributary to Bishop Creek along Lindsey Street | 8 | $8,332,037 |
| BC-8 | Bishop Creek | 1 | Behind Harbor Freight, south of Alameda on Triad Village Dr | Upsize the existing detention pond to northeast along Triad Village Drive and acquire additional property for a new pond | 11 | $844,794 |
| BC-3 | Bishop Creek | 4 | South of Alameda St and S. Carter Ave | Make improvements to streambanks and widen channel bottom | 12 | $685,223 |
| LR-1 | Little River | 6 | North of Little River Rd west of 12th Ave NE | Make improvements to streambanks upstream of 12th NE Avenue to prevent and repair erosion of the sides of the channel | 12 | $189,246 |
| BC-11 | Bishop Creek | 7 | South of Lindsey St north of The Reserve | Make improvements to streambanks upstream of confluence between Tributary C and mainstem to prevent and repair erosion of the sides of the channel | 19 | $996,273 |
| MC-1 | Merkle Creek | 2 | At 24th Ave SW south of George Lynn Cross Dr | Add a new concrete box and make improvements to the creek channel to allow more water to be carried by the stormwater system | 19 | $1,218,139 |
| TGLR-1 | Trib G to Little River | 8 | On Franklin Rd near 24th Ave NW | Replace existing culverts with a larger concrete box structure at Franklin Street and raise railway crossing | 22 | $1,859,784 |
| BC-2 | Bishop Creek | 7 | South of Lindsey St north of The Reserve | Make improvements to streambanks downstream of Tributary C and mainstem to prevent and repair erosion of the sides of the channel | 25 | $540,771 |
| WC-101 | Woodcrest Creek | 6 | East of the intersection Porter Ave and Highland Village Dr | Expand detention pond in the Vineyard Addition | 28 | $458,779 |
| BHC-6 | Brookhaven Creek | 8 | On Rock Creek Rd between Pendleton Dr and Interstate Dr | Install additional stormwater pipes to the existing culvert system at Rock Creek Road | 32 | $584,784 |
| BHC-2 | Brookhaven Creek | 3 | At Main St between Lamp Post Rd and Willoway Dr | Make improvements to streambanks upstream of Main Street to prevent and repair erosion of the sides of the channel | 35 | $155,489 |
| BHC-3 | Brookhaven Creek | 3 | North of Main Street on the east side of Willow Branch Road | Make improvements to streambanks upstream of Willow Branch Road to prevent and repair erosion of the sides of the channel | 36 | $292,634 |
| DBC-2 | Dave Blue Creek | 5 | On 48th Ave SE north of Stonehenge Lane | Replace existing culvert with a larger concrete box structure at 48th Ave SE | 39 | $373,494 |
| N/A | All | All | | Program Management (2% of Total) | | $591,367 |
| | | | | **Totals** | | **$30,159,701** |

# Option No. 3 Potential Stormwater Project Locations



# Option No. 3 - Summary

Blend of Transportation Projects with Federal Funds and Stormwater Projects with Bond Funds

| Project Category | Construction Cost (Federal Share) | Total Cost | Bond Cost |
|---|---|---|---|
| Transportation | $86,229,616 | $127,852,940 | $41,623,324 |
| Stormwater | | $30,159,701 | $30,159,701 |
| **Totals** | **$86,229,616** | **$158,012,641** | **$71,783,025** |

# Future Transportation Bond Issue Program Options - Summary

| Option | Construction Cost (Federal Share) | Total Cost | Bond Cost |
|---|---|---|---|
| 1 | $96,229,616 | $166,816,020 | $70,586,404 |
| 2 | $55,283,161 | $124,892,877 | $69,609,560 |
| 3 | $86,229,616 | $157,755,721 | $71,526,105 |

# ITEM 4

# DIAPER CHANGING TABLES

office memorandum

**TO:** Community Planning and Transportation Committee

**FROM:** Jane Hudson, Planning and Community Development

**THROUGH:** Steve Lewis, City Manager

**DATE:** September 27, 2018

**RE:** Diaper Changing Table Requirements

## BACKGROUND:

At the "City Council Retreat (Annual Planning Session)" in August, City Council designated, as one of their priorities: requiring installation of diaper changing tables in both male and female public restrooms in new commercial developments and those commercial developments undergoing renovations of a designated dollar value/square feet. The Community Planning and Transportation Committee is taking on this task for review and asked staff to provide information on how the City of Norman might move forward with this proposal.

In October of 2016, then President Barack Obama signed into law a bill requiring diaper changing stations in both male and female restrooms in publicly accessible federal buildings. The law is titled "Bathrooms Accessible in Every Situation Act or BABIES Act". Although, even before the BABIES Act was enacted many municipalities/states had already started requiring businesses to install diaper changing tables and many retailers have been installing diaper changing tables for years without question. However, the issue is the location of the changing table.

Starting in the late 80's and early 90's there was a noticeable increase in the number of parents, both mothers and fathers, that began taking their children with them for their daily errands, family outings, dinners and a multitude of other outings. The increase in the number of children accompanying their parents pushed many businesses to look at how they could better serve their patrons, at that time the majority of parents toting the children along were the mothers. Today, there is an increase in the number of fathers caring for the children. An issue now at the forefront of this discussion of diaper changing tables is the location of the changing table; currently, the greater majority of changing tables are only installed in the women's restroom and only in the handicapped accessible stall of the women's restroom. This is not to take away from the businesses that already provide the space to their patrons but additional effort should be directed at locating a changing table in areas accessible to both men and women and outside of the only handicapped accessible bathroom facility when possible. When the changing table is located in the accessible stall of the bathroom the use of the stall can be limited to those individuals that cannot utilize a standard bathroom stall. Those individuals needing the accessible stall are required to wait for the parent/caregiver to finish changing the infant before they can utilize the bathroom facilities. In many cases it is

possible to install an accessible changing table in a bathroom but not in the accessible bathroom stall.

## FINANCIAL IMPACT:

The average cost of a diaper changing table from an internet search is between $150 and $300. This does not include contractor's labor cost or any retrofitting of a facility to accommodate installation. Staff is continuing to research this factor for discussion at the CPTC meeting.

## CURRENT CODE REQUIREMENTS:

In the City of Norman there are currently no requirements for businesses to provide adequate changing areas for both men and women with small children. As outlined above it is typical for diaper changing tables to be located in the accessible stall of the women's restroom, leaving no adequate facilities for a father to change diapers or making those required by physical limitations to wait unnecessarily for access to the stall. Staff researched several municipalities in Oklahoma and found no requirements of diaper changing tables. However, if a business does install a diaper changing table the requirements outlined in the ICC A117.1-2009 establish how a table shall be installed. (Refer to Exhibit A)

In recent years several other states have adopted code to require adequate areas for diaper changing for both men and women as shown on Exhibit B.

## ESTABLISHING STANDARDS:

This memo focuses on both new construction and addition/alterations under the following summaries for possible requirements of diaper changing tables. First, a definition of a diaper changing table needs to be established.

To define diaper changing table staff reviewed several cities/federal documents and came up with the following definition for Council's consideration:

DIAPER CHANGING TABLE. A safe, sanitary and permanently affixed station, deck table, surface or similar amenity specifically set aside for changing a diaper. The diaper changing table shall have safety straps or other appropriate restraint to secure a baby or young child age 3 1/2 or under. The diaper changing table shall meet ASTM F2285-04(2016) (Standard Consumer Safety Performance Specification for Diaper Changing Tables for Commercial Use) or shall be a permanently installed counter.

## CODE AMENDMENTS:

The International Building Code (IBC) is for new construction, the International Existing Building Code (IEBC) is as it sounds, for modification to existing buildings. Both the IBC and the IEBC will have to be amended in the specific occupancy types

Council deems appropriate. Attached is a breakdown of the types of occupancy Council may consider for requiring diaper changing tables, see Exhibit C.

Unlike the IBC for new construction, the IEBC distributes requirements through several chapters based on the scope of construction for the addition/remodel of the existing facility. Modification of the IEBC will require insertion of multiple sections throughout the entire book. Attached as Exhibit D are possible modifications to the IBC and the IEBC.

The various chapters of the IEBC include Level 1, 2 or 3 alterations, change of occupancy and additions. The following are definitions of the scope of work for each chapter:

Level 1 alteration includes minor modifications to existing materials, equipment or fixture and the installation of new materials, equipment or fixtures.

Level 2 alterations include reconfiguration of space less than 50% of the building area, addition or elimination of doors and windows, or the extension or installation of any system or equipment.

Level 3 alterations occur when more than 50% of the building area is reconfigured.

Change of occupancy applies when the occupancy is changed to a different group or a different classification within the same group.

Addition includes increase in existing floor area, number of stories, or height of the building.

If determined appropriate, for existing buildings which undergo a level 1 alteration, no diaper changing tables will be required. Provisions have been included for someone who chooses to install such facility when it is not required, possibly a family bathroom/facility. In a level 2 alteration, diaper changing tables will only be required in Assembly and Mercantile occupancies with an occupant load in excess of 100 or where more than 50% of the area of any floor is remodeled. Diaper changing tables will be required in any level 3 alteration the same as is required if the building were being built as new construction. When a building or tenant space undergoes a change of occupancy as defined in the IEBC, diaper changing tables will be required the same as is required for new construction. Lastly, diaper changing tables will only be required in buildings or tenant spaces that increase their size greater than 50% of the existing building or space. If the addition is less than 50%, then no diaper changing table is required to be installed.

## CONCLUSION:

Staff is presenting this information for your review and discussion as to further direction. There are several options to discuss: limiting or expanding the occupancy types required to install diaper changing tables, discussion on the square footage or dollar values of construction for requiring diaper changing tables to be installed, limiting or expanding locations for required installation of baby changing tables and any possible exemptions Council may deem necessary to not place an undue financial strain

on smaller businesses if they don't have the floor area to accommodate a diaper changing table. Or possibly make accommodations for a single-user accessible family room with a diaper changing table but no toilet facilities within the room.

Staff reviewed the attached documents to determine other regulations and suggestions regarding diaper changing tables see Exhibits E, F, G and H.

The following attachments are included in this packet:

- Exhibit A – ICC – Code Requirements
- Exhibit B – Code amendment in other states
- Exhibit C – Type of Occupancy
- Exhibit D – IBC and IEBC Code Language
- Exhibit E – City of Reno – Requiring Changing Tables
- Exhibit F – Champaign Ordinance – Requiring Changing Tables
- Exhibit G – Mayo De Blaiso Signs Law Requiring Diaper Changing Stations be Available to All New Yorkers
- Exhibit H – How Wall-Mounted Changing Tables Enabled Moms to Leave the House

# Baby Changing Stations and Accessibility

By Kimberly Paarlberg, RA, Senior Staff Architect, ICC

There are a lot of accessibility issues in public restrooms, but do you ever think about the baby changing stations? There are two things to look at regarding accessibility:

1. If a mother or father who uses a wheelchair needs access to a baby changing station, what are the necessary technical criteria?
2. Can that baby changing station be located within an accessible stall, a family assisted-use bathroom or a single-occupant bathroom without causing a problem for access to the plumbing fixtures?

## Requirements

Where changing tables are installed, the code regulates them as it would any other element in a toilet or bathing room. Section 1109.2 of the *International Building Code®* (IBC) requires that "at least one of each type of fixture, element, control or dispenser in each accessible toilet room and bathing room shall be accessible." It is not the intent of these provisions to require diaper changing tables.

The 2009 ICC A117.1 Accessible and Usable Buildings and Facilities (ICC A117.1) has a new section, Section 603.5, specifically dealing with the technical criteria for diaper changing stations. Diaper changing tables, when provided, must meet the criteria for reach range and work surfaces. Diaper changing tables can be fixed or the fold up

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Exhibit A (12 pgs.)

type (see Figures 1 and 2). This means the handle or strap to open the folded types must be within reach ranges. When the table is folded down, or if the table is fixed, the changing surface must have knee and toe clearances and must be no higher than 34 inches above the floor.

A folding diaper changing table installed in an accessible single-occupant bathroom or the accessible stall should not, when folded up, overlap the clear floor space for any fixture (see Section 604.3.3). However, the diaper changing table can overlap the clearances when in the folded down position (see Figure 3).

## Best Design Practices

Should the diaper changing station be located in the accessible stall? There is nothing in the *International Plumbing Code*® (IPC), IBC or ICC A117.1 that says the diaper changing station cannot be within the accessible stall, as long as it meets the clearance provisions. However, in multi-stall bathrooms, this is the only stall a person with mobility impairment may be able to use. While the accessible stall is not reserved for persons with disabilities, it may be considered good design practice to place the diaper changing station somewhere else in the room. On the other side of the coin, a parent might appreciate the stall as a way to contain their other children and stroller while they are changing a baby. Some designers include a wall-mounted "toddler" seat in the same area as the diaper changing station.

Should the diaper changing station be located in the family-assisted use bathroom? While not required in a family assisted-use bathroom, the intent of this type of facility is to offer everyone who needs assistance to

Figure 1 – Diaper changing table—folded.

Figure 2 – Diaper changing table—unfolded.

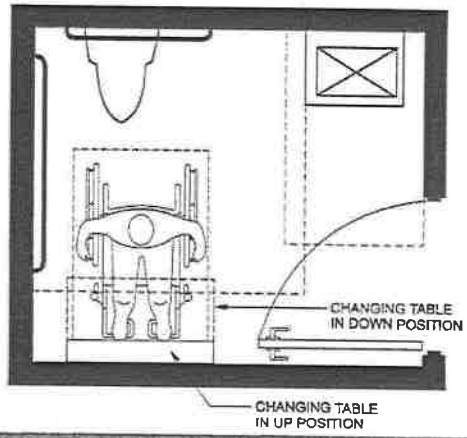


Figure 3 – Example of toilet room plan with diaper changing table.

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be able to use this bathroom. This includes families with children that may be of the opposite sex of the parent they are with at the time. If diaper changing stations were provided in the women's and men's bathrooms, that same amenity also should be provided in the family-assisted use bathroom.

## Conclusion

The 2003 ICC A117.1 added provisions to design for accessible toilet facilities for children who are toddlers up to the 12th grade. Adding provisions for diaper changing stations is an extension that includes the care for the youngest members of the population. **bsj**

Coat hooks must be located within reach ranges. Measurements are to be taken to the top of the shelf or coat hook. If a shelf is provided, it should be located within reach ranges and also so that it won't interfere with maneuvering within the space. The shelf considered for this requirement of 40 inches (1015 mm) minimum and 48 inches (1220 mm) maximum was a purse shelf that was intended for users in the stall (see Commentary Figure C603.4). A supply storage shelf within the room was not considered. Some facilities provide a shelf on the wall on top of the toilet paper dispenser for someone to be able to set small items adjacent for when they are needed close to hand. There are no specific provisions for child sizes because the expected reach ranges (see Table C308.1) are lower than that permitted for adults.

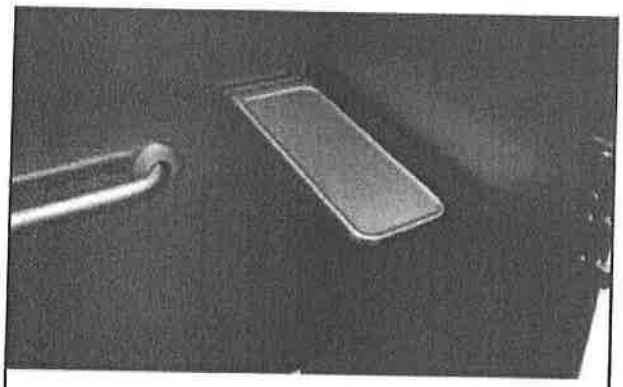


**FIGURE C603.4**
**EXAMPLE OF PURSE SHELF**

***603.5 Diaper Changing Tables.** Diaper changing tables shall comply with Sections 309 and 902

❖ Diaper changing tables, when provided, must meet the criteria for reach range and work surfaces. Diaper changing tables can be fixed or the fold-up type [see Commentary Figure C603.5(b) and (c)]. The handle or strap to open the folded types must be within reach ranges. When the table is folded down or if the table is fixed, it must have knee and toe clearances and have the surface for changing the baby at 34 inches (865 mm) maximum above the floor.

When a folding diaper changing table is within an accessible single occupant bathroom or the accessible stall,

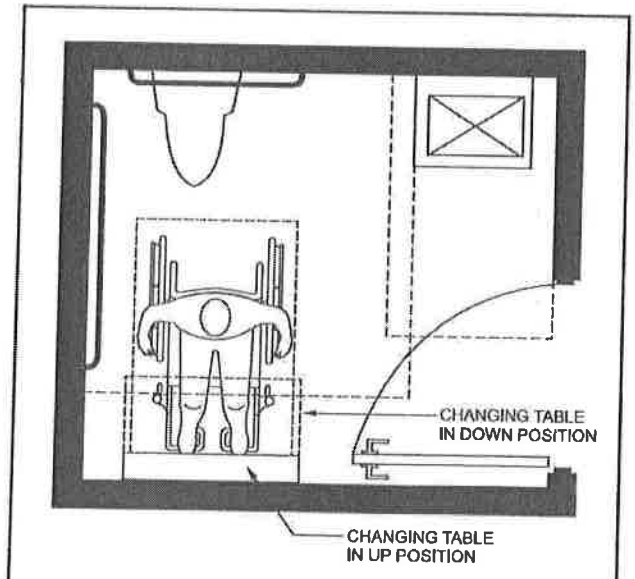
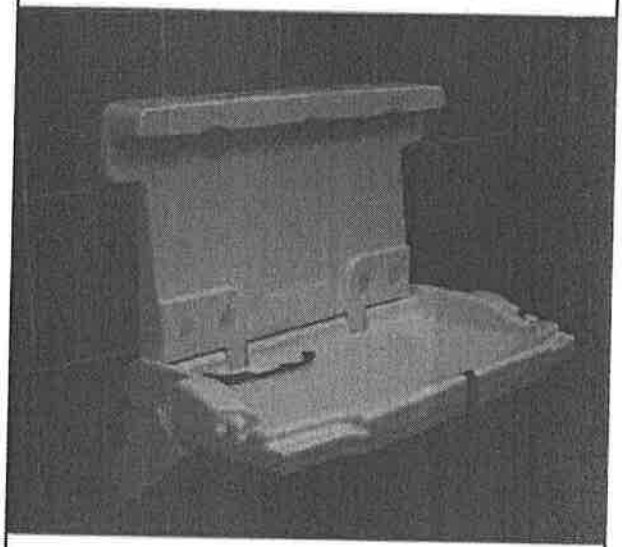



**FIGURE C603.5(a)**
**EXAMPLE OF TOILET ROOM PLAN**
**WITH DIAPER CHANGING TABLE**

**(b)**



**(c)**

**FIGURE C603.5(b) and (c)**
**DIAPER CHANGING STATION—**
**FOLDED AND UNFOLDED**

when folded up, it should not overlap the clear floor space for any fixture (see Section 604.3.3). However, the diaper changing table can overlap the clearances when in the folded down position [see Commentary Figure C603.5(a)].

**603.6 Operable Parts.** Operable parts on towel dispensers and hand dryers serving accessible lavatories shall comply with Table 603.6.

❖ Towel dispensers or hand dryers associated with the accessible lavatory have requirements that are more restrictive than the typical obstructed reach range requirements in Sections 308.2.2 and 308.3.2. With the lavatory at 34 inches (865 mm) in height, the towel dispenser or hand dryer must be on a side wall where the maximum reach depth is 11 inches (280 mm). Towel dispensers or hand dryers in the room cannot be located on the back wall over the lavatory or counter unless there are others in the same room that are within reach, in accordance with Table 603.6. If the towel dispenser or hand dryer is located somewhere else in the room, the height can be higher, but the reach over an obstruction underneath is less. For example, a wall mounted towel dispenser can have the outlet at 48 inches (1220 mm), but the waste receptacle underneath cannot stick out more than $^1/_2$ inch (13 mm) [see Commentary Figure C603.6(a)]. This is an aid to persons who are short of stature as well as children.

**TABLE 603.6.** See below.

❖ See Commentary Figure C603.6(b) for a graphic example of how to measure using the table requirements.

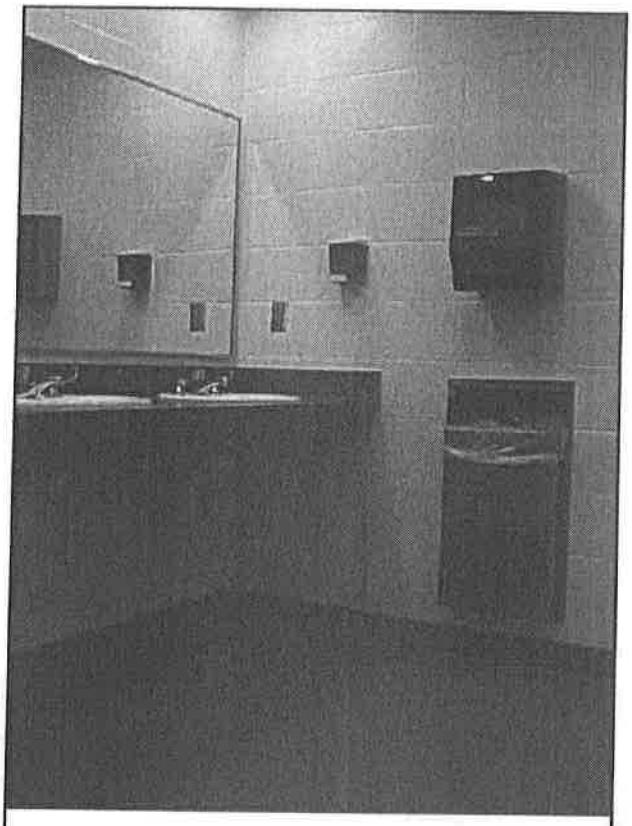


**FIGURE C603.6(a)**
**TOWEL DISPENSER**

## 604 Water Closets and Toilet Compartments

❖ This section addresses water closets and toilet compartments.

- Sections 604.2 through 604.4 are the water closet requirements.
- Section 604.5 deals with grab bar orientation and length.
- Section 604.6 addresses flush controls.
- Section 604.7 contains technical criteria for toilet paper dispensers.
- The criteria for the coat hooks and shelves provided within stalls addressed in Section 604.8 are the same as required for within the toilet room specified in Section 603.4.
- Sections 604.9 and 604.10 have the technical criteria for accessible and ambulatory stalls. The criteria for these two types of stalls are different because they are intended for two different groups of mobility impairments.

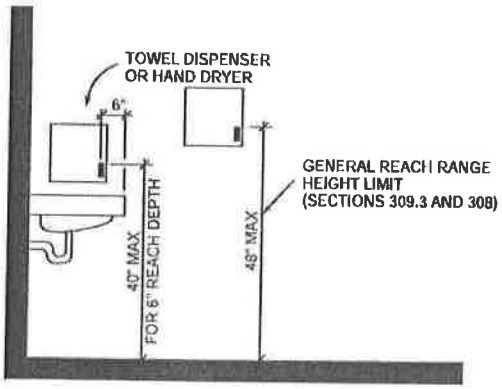



**FIGURE C603.6(b)**
**MEASURING REACH DEPTH AND HEIGHT**

**TABLE 603.6**
**MAXIMUM REACH DEPTH AND HEIGHT**

| | | | | | | |
|---|---|---|---|---|---|---|
| **Maximum Reach Depth** | 0.5 inch (13 mm) | 2 inches (51 mm) | 5 inches (125 mm) | 6 inches (150 mm) | 9 inches (230 mm) | 11 inches (280 mm) |
| **Maximum Reach Height** | 48 inches (1220 mm) | 46 inches (1170 mm) | 42 inches (1065 mm) | 40 inches (1015 mm) | 36 inches (915 mm) | 34 inches (865 mm) |

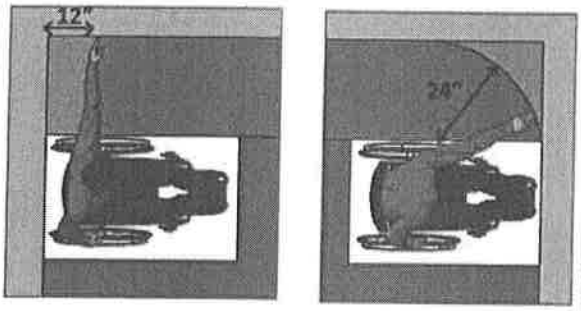



FIGURE C308.3.1
RECOMMENDED SIDE REACH

**308.3.2 Obstructed High Reach.** Where a clear floor space complying with Section 305 allows a parallel approach to an element and the high side reach is over an obstruction, the height of the obstruction shall be 34 inches (865 mm) maximum above the floor and the depth of the obstruction shall be 24 inches (610 mm) maximum. The high side reach shall be 48 inches (1220 mm) maximum above the floor for a reach depth of 10 inches (255 mm) maximum. Where the reach depth exceeds 10 inches (255 mm), the high side reach shall be 46 inches (1170 mm) maximum above the floor for a reach depth of 24 inches (610 mm) maximum.

**EXCEPTION:** At washing machines and clothes dryers, the height of the obstruction shall be permitted to be 36 inches (915 mm) maximum above the floor.

❖ The maximum reach range is reduced when an obstruction prevents the person using a wheelchair from moving within 10 inches (255 mm) of the element. Note that the maximum projection of the obstruction is indicated as 24 inches (610 mm). This means that if the wheelchair cannot move to within at least 24 inches (610 mm) of the element, the element would not be considered reachable, and therefore, not accessible. See Figure 308.3.2 of the standard for details of this requirement.

The height of the obstruction is also limited. An obstruction that is higher would not permit the user to reach beyond that obstruction with his or her arm fully extended to the side. Because of this height limitation, most electrical receptacles and switches located on the wall behind and above kitchen counters [which are typically higher than 34 inches (865 mm)] would not be accessible. Options would be to locate the outlets or switches on the front surface of the cabinets, locate the outlets and switches over the accessible work surface or accessible sink location, or locate the switches on a side wall so that the reach over the counter is less than 10 inches (see Section 309 for additional discussions).

Washing machines and clothes dryers with rear panel controls typically have a deck height of 36 inches (915 mm). These standard machine heights are acknowledged and given an exception.

## 309 Operable Parts

❖ For buildings and spaces to be usable by all people, all of the components possible are required to be accessible. This includes the controls and operable parts of equipment and appliances intended for operation by the occupants in a space. If a standard control would be out of the reach range (e.g., exhaust hood over a cooktop, ceiling fan), a solution would be redundant controls at an accessible location.

**309.1 General.** Operable parts required to be accessible shall comply with Section 309.

❖ To make sure that the elements truly are accessible, other sections of the standard such as those for drinking fountains (Section 602.3), water closet flush controls (Section 604.6), lavatories and sinks (Section 606.4), and kitchen appliances (Section 804.6.2) will direct the user back to and required compliance with this section. Other examples of operable parts that are within the scope of this provision include light switches, dispenser controls, electrical appliance controls, electrical receptacles and communications system receptacles. While door hardware is considered an operable part, Section 404.2.6 does not reference Section 309. Door hardware requirements use a lot of the same lan-

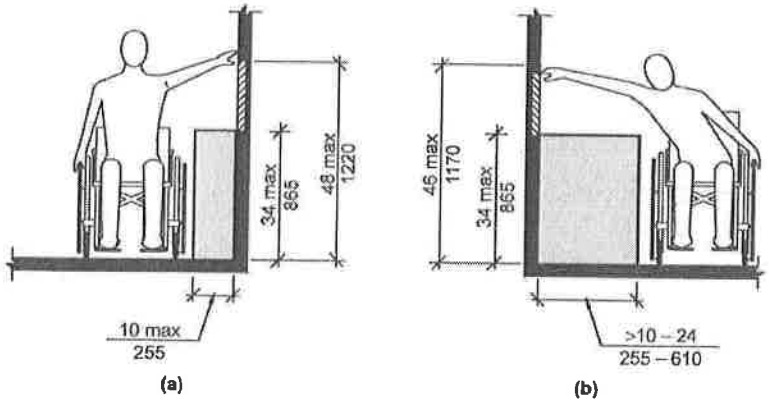



FIGURE 308.3.2
OBSTRUCTED HIGH SIDE REACH

guage for clear floor space, height and manipulation (i.e., not tight pinching, grasping, twisting of the wrist), but do not require 5 pounds (2.22 N) for hardware operation. Hardware force requirements are set in the IBC for some types of hardware (i.e., panic hardware) (see Section 404.2.8 for door opening force).

**309.2 Clear Floor Space.** A clear floor space complying with Section 305 shall be provided.

❖ Providing a place for persons using a wheelchair to position their chair in close proximity to controls is especially important for operable parts of equipment and appliances. Wall fixtures or equipment located in an alcove situation must also be considered.

**309.3 Height.** Operable parts shall be placed within one or more of the reach ranges specified in Section 308.

❖ All of a control, receptacle or other operable parts are to be within the specified reach ranges. Electrical and communications receptacles on walls are required by Sections 308.2 and 308.3 to be at least 15 inches (380 mm) above the floor.

Specific requirements and/or exceptions in other parts of the standard, or scoping requirements from the model codes, may limit this requirement. For example, model codes exempt spaces that are accessed only by maintenance and service personnel; therefore, special equipment with operational needs that preclude installation within reach ranges may be exempted. One example is the controls on a furnace or boiler located in a basement furnace room for an office building.

A second example would be applicable to a dedicated outlet, such as the one for a refrigerator, that is located behind the appliance. Requirements in kitchens are for access to appliance controls. The refrigerator would have to be moved to have access to that outlet; therefore, the outlet for the refrigerator would not need to be within the normal reach ranges.

**309.4 Operation.** Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5.0 pounds (22.2 N) maximum.

**EXCEPTION:** Gas pump nozzles shall not be required to provide operable parts that have an activating force of 5.0 pounds (22.2 N) maximum.

❖ As with all types of hardware and other operating controls, limited hand dexterity must be considered in making spaces, facilities, equipment, appliances and other features accessible and usable. Controls and hardware that require grasping, pinching or twisting of the wrist, or excessive force, can make a feature of the building unusable.

One way to determine that no tight pinching or twisting would be needed is if something was useable with a closed fist, but this should not be the only determination. For example, a U-shaped handle where you can slip in curved fingers is considered accessible, but would not be openable with a closed fist. If there are buttons, they are raised or flush, and not recessed. Turning a control of handle less than 90 degrees (1.6 rad) is not typically considered "twisting of the wrist." Any shape of controls that turns that allow for limited hand or finger dexterity provides better access, such as an x-shaped control rather than a smooth round control. Nonfixed portions, such as keys or access cards, are not required to comply with this section.

The exception for gas pump nozzles results from the concern that safety requirements to prevent the gas nozzles from spilling would not allow the nozzles to meet the 5-pounds-force requirements. The gas nozzle could still need to comply with the requirements for no tight grasping, pinching or twisting of the wrist to operate. The other operable parts for a gas pump must still comply with all requirements, including reach range (see Commentary Figure C309.4).

**FIGURE C309.4**
**GAS PUMPS**

# Chapter 9. Built-in Furnishings and Equipment

❖ Chapter 9 contains the technical requirements for built-in furnishings and equipment that were not addressed in other chapters. Parts of this chapter are referenced from other chapters, similar to the building blocks in Chapter 3. For example, the work surface section is referenced for the work surfaces in kitchens.

- Section 901 is a general statement about the Chapter 9 criteria being applicable for the special types of elements addressed in this chapter where required by the authority having jurisdiction.
- Section 902 states criteria for fixed dining surfaces, such as bars, booths or banquette tables, or work surfaces, such as study carrels in libraries or check writing stations in banks.
- Section 903 contains technical criteria for benches required in spaces where persons may need to change their clothes, such as dressing rooms, fitting rooms or locker rooms.
- Section 904 addresses requirements for sales and service counters that are commonly found in grocery stores, banks or mercantile establishments.
- Section 905 provides technical criteria for storage facilities, such as pantries, supply closets or coat closets.

## 901 General

**901.1 Scope.** Built-in furnishings and equipment required to be accessible by the scoping provisions adopted by the administrative authority shall comply with the applicable provisions of Chapter 9.

❖ Sections 902 through 905 contain the provisions necessary for accessibility to furnishings and equipment that are built into a building or structure as permanent elements. The elements included in this section are not intended to be a comprehensive list of everything that can be built into a building, but rather a listing of elements typically found in most building types. Elements that are not specifically described in this section, but are similar in nature and similar in use to the elements that are described in this section, must be made accessible to the extent possible for similar elements where specific detailed provisions are stated. Note that these provisions apply to these built-in furnishings and equipment when required by the scoping provisions (see Section 201).

## 902 Dining Surfaces and Work Surfaces

❖ The requirements in this section establish the necessary dimensions and clearances that must be maintained to provide access to built-in tables or counters that are used for dining surfaces and work surfaces.

Dining surfaces are tables or counters where people consume food or drink, such as fixed tables in restaurants, picnic tables in park shelters, or bars in nightclubs or ice cream parlors. Dining surfaces are typically provided with loose seats, booth seating or fixed stools, but they can also have adjacent standing space.

Work surfaces include tables and counters intended to be accessible surfaces where work can be performed, such as writing, filling out forms, operating a computer, preparing food, reading, personal grooming, etc. Examples include writing counters in banks, admission counters in hospitals, reading and writing surfaces in libraries and classrooms, student laboratory stations and baby changing stations. Counters at visitor areas in courthouses and correctional and detention facilities would be considered a work surface [see Commentary Figure C902(a) through (f)].

Seating, counters and work surfaces that must be accessible must be located on an accessible route.

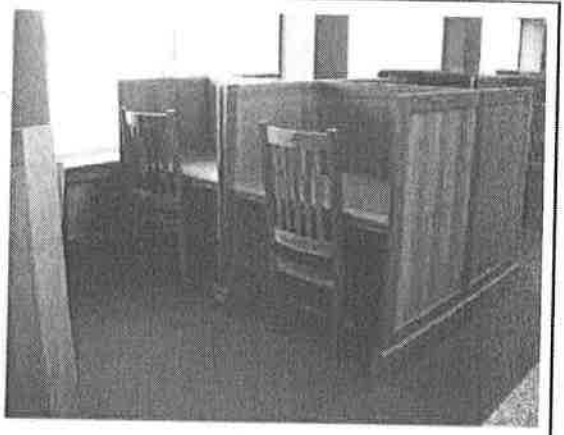
**902.1 General.** Accessible dining surfaces and work surfaces shall comply with Section 902.

**EXCEPTION:** Dining surfaces and work surfaces primarily for children's use shall be permitted to comply with Section 902.5.

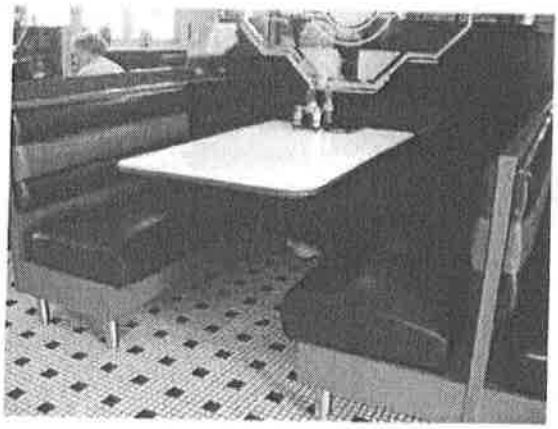
❖ Built-in work counters and surfaces are designed for a vast number of reasons, built to a wide variety of sizes and shapes, and use many of the available building materials. It is not always necessary for an entire counter or work surface to be accessible, but people with physical disabilities must have access to a portion of these building elements. This is also true for fixed tables with seating. Not only must a percentage of the tables be accessible, but if fixed seating is provided, a loose seat or open space for a wheelchair location must be available at those accessible tables.

The heights for adults are different than for children; therefore, an option that allows for accessible location when tables or work surfaces are designed for children is given in Section 902.4. Examples would be a reading counter in the children's section of a library or work counters or tables in a preschool or elementary classroom.

(a) FORM COUNTER



(b) LIBRARY CARRELS



(c) BOOTH SEATING

(d) PICNIC TABLE

(e) VISITOR WINDOW

(f) RESOURCE CENTER

FIGURE C902
EXAMPLES OF DINING AND WORK SURFACES

**902.2 Clear Floor Space.** A clear floor space complying with Section 305, positioned for a forward approach, shall be provided. Knee and toe clearance complying with Section 306 shall be provided.

**EXCEPTIONS:**

1. At drink surfaces 12 inches (305 mm) or less in depth, knee and toe space shall not be required to extend beneath the surface beyond the depth of the drink surface provided.
2. Dining surfaces that are 15 inches (380 mm) minimum and 24 inches (610 mm) maximum in height are permitted to have a clear floor space complying with Section 305 positioned for a parallel approach.

❖ In addition to providing counters or work surfaces at an accessible height (Section 902.3), a work surface or dining surface must be on an accessible route and have adequate clearances under that surface. Although some items in this standard have an option of a front approach or a parallel approach, a front approach is required at dining and work surfaces.

The 30-inch by 48-inch (760 by 1220 mm) clear floor or ground space (Section 305) is required at all accessible built-in furnishings to provide maneuvering space that will allow access to the seating spaces at counters and work surfaces. If the area under the work surface is confined in some way by items such as walls, a privacy shield, table legs, etc., the provisions for alcoves are applicable. This could result in a minimum required width of 36 inches (915 mm).

The space for a person using a wheelchair is permitted to project under tables, counters and work surfaces to the extent described in Section 306. Clearances for a person's knees and toes are required. The arms on a wheelchair or the chest of the person using the wheelchair will limit the amount someone can move forward under a counter or table. If objects are located under the surface adjacent to the knee and toe space (e.g., cable tray, support), it is advisable to protect the person using the surface from injury by padding or rounding any sharp edges or locate these items as far past the knee and toe clearances as practical.

Although not required, design is improved if the clear floor space at accessible furnishings does not interfere with the path of travel for other people using aisles adjacent to accessible features so persons sitting in the wheelchair locations will not be continually jostled. For example, locate the wheelchair seating in a restaurant so that when a person is using that space, people moving to and from other tables or waiters and waitresses serving the tables can have a clear path past the person without bumping them, squeezing past or having to ask them to move.

The exceptions address types of dining and drinking surfaces where people use the surface just to set drinks or food down for convenience, not necessarily to eat at the surface as at a dining table. Examples of drink rails and side tables are illustrated in Commentary Figures C902.2(a) and (b).

**902.3 Exposed Surfaces.** There shall be no sharp or abrasive surfaces under the exposed portions of dining surfaces and work surfaces.

❖ Limitations to exposed surfaces are an issue of safety. When a person using a wheelchair moves under a surface, there should be no sharp objects that could cause bruises or cuts. This is especially important for persons using wheel-

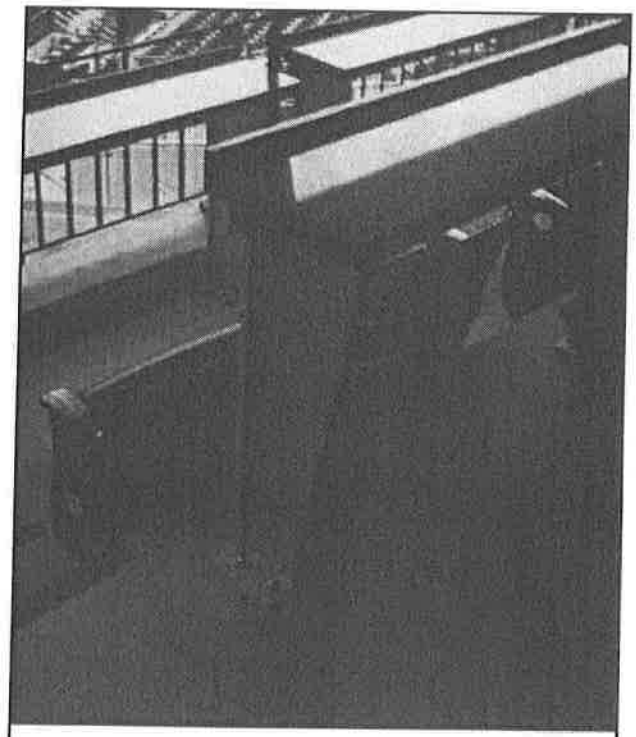


**FIGURE C902.2(a)**
**DRINK SURFACE**
**(Photo courtesy of Populous)**

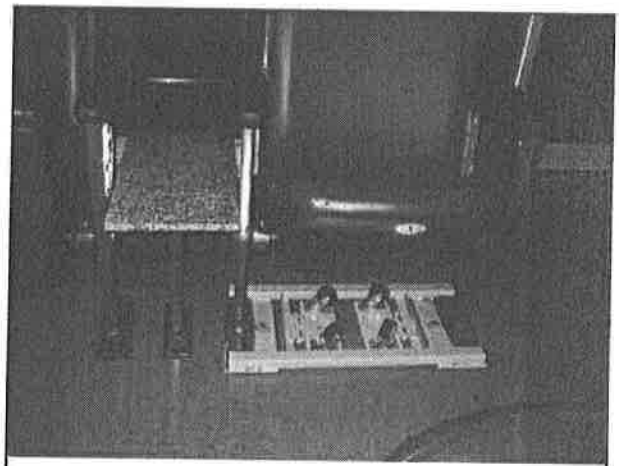


**FIGURE C902.2(b)**
**LOW DINING SURFACE**
**(Photo courtesy of Populous)**

chairs who have no pain sensation in their legs and do not realize when an injury has occurred.

**902.4 Height.** The tops of dining surfaces and work surfaces shall be 28 inches (710 mm) minimum and 34 inches (865 mm) maximum in height above the floor.

❖ The height of any type of table top, counter, work surface or similar furnishing is determined by the intended use, as well as by the needs of the person using the wheelchair. These provisions apply to the specific furnishing and do not change because of the particular occupancy of the building.

Dining surfaces can be of a variety of configurations. When booths are installed for accessible seating, the accessible space can be either at the side or end of the table. Tables with booth seating on one side and loose chairs on the other side are called banquettes. If accessible seating is provided at a bar, the length of the accessible section should be a minimum of 60 inches (1525 mm) to better accommodate a companion at the same level.

Different types of work require different work surface heights for comfort and ease of use. Light detailed work, such as writing, requires a work surface close to elbow height for a standing person. Heavy manual work such as rolling dough requires a work surface height about 10 inches (255 mm) below elbow height for a standing person. The principle of a high work surface for light detailed work and a low work surface for heavy manual work also applies for seated persons; however, the limiting condition for seated manual work is knee clearance under the work surface.

Commentary Table C902.4 lists convenient work surface heights for seated persons. The great variety of heights for comfort and optimal performance indicates a need for alternatives or a compromise in height if both people who stand and people who sit are using the same counter area. Service counters serve as duty stations for employees who require knee clearances and may double as temporary work surfaces for persons using wheelchairs having a need to complete forms or work directly with personnel.

**902.5 Dining Surfaces and Work Surfaces for Children's Use.** Accessible dining surfaces and work surfaces primarily for children's use shall comply with Section 902.5.

**EXCEPTION:** Dining surfaces and work surfaces used primarily by children ages 5 and younger shall not be required to comply with Section 902.5 where a clear floor space complying with Section 305 is provided and is positioned for a parallel approach.

❖ When designing spaces where a high percentage of the users are children, such as schools, libraries, museums or community centers, a designer/owner may want to provide areas specifically sized for the comfort of children. If a designer/owner wants to provide an accessible dining or work surface specifically designed for the use of children from age 6 to 12 years, they must follow the provisions in the following sections. If the children using the surface are 5 years or younger, a counter of any height may be provided as long as a 30-inch by 48-inch (760 by 1220 mm) clear floor space is provided that allows for a side approach. Typically, with children of that age, the table height is lower than 26 inches (660 mm), which would not allow for normal knee and toe clearances.

**902.5.1 Clear Floor Space.** A clear floor space complying with Section 305, positioned for forward approach, shall be provided. Knee and toe clearance complying with Section 306 shall be provided.

**EXCEPTION:** A knee clearance of 24 inches (610 mm) minimum above the floor shall be permitted.

❖ This child provision allows for consideration of child appropriate sizes. The basic requirement is that a typical adult-sized clear floor space along with knee and toe clearances is provided at the accessible dining or work surface

**TABLE C902.4—CONVENIENT HEIGHTS OF WORK SURFACES FOR SEATED PEOPLE[a]**

| CONDITIONS OF USE | SHORT WOMEN | | TALL MEN | |
|---|---|---|---|---|
| | inches | mm | inches | mm |
| **Seated in a wheelchair** | | | | |
| **Manual work** | | | | |
| Desk or removable armrests | 26 | 660 | 30 | 760 |
| Fixed, full-size armrests[b] | 32[c] | 815 | 32[c] | 815 |
| **Light, detailed work** | | | | |
| Desk or removable armrests | 29 | 735 | 34 | 865 |
| Fixed, full-size armrests[b] | 32[c] | 815 | 34 | 865 |
| **Seated in a 16-inch (405 mm) high chair** | | | | |
| Manual work | 26 | 660 | 27 | 685 |
| Light, detailed work | 28 | 710 | 31 | 785 |

a. All dimensions are based on a work-surface thickness of $1^1/_2$ inches (38 mm) and a clearance of $1^1/_2$ inches (38 mm) between legs and the underside of a work surface.

b. This type of wheelchair does not interfere with the positioning of a wheelchair under a work surface.

c. This dimension is limited by the height of the armrests; a lower height would be prefereable. Some people in this group perfer lower work surfaces, which required positioning the wheelchair back from the edge of the counter.

(see Sections 902.2 and 902.4). The exception allows for the height required for the knee space to be reduced to 24 inches (610 mm) instead of the standard 27 inches (685 mm) minimum. This will in turn allow for the lower table/counter service height permitted in Section 902.5.2.

**902.5.2 Height.** The tops of tables and counters shall be 26 inches (660 mm) minimum and 30 inches (760 mm) maximum above the floor.

❖ This child provision allows for consideration of child appropriate sizes. The lower knee clearances permitted with the exception in Section 902.5.1 will allow for the lower table/counter surface height. The allowances for adult table/counter surface heights are addressed in Section 902.4.

## 903 Benches

❖ The section on benches is referenced in the requirements for saunas (Section 612.2), dressing, fitting and locker rooms (Section 803.4) and holding and housing cells (Section 806.2.2).

The scoping provisions in the applicable building code may require accessible benches at other locations.

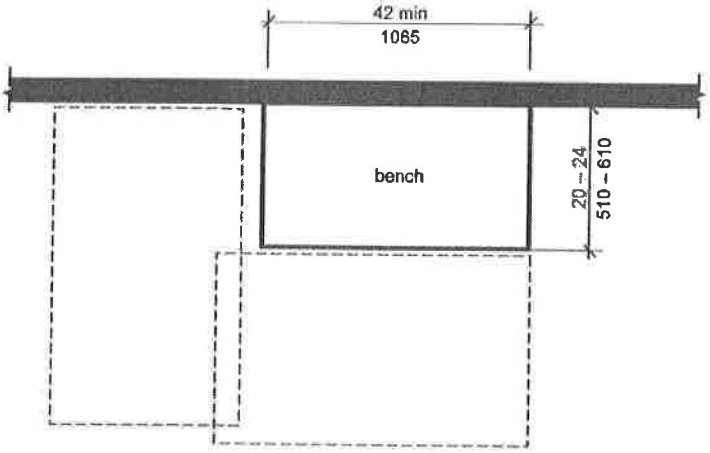
**903.1 General.** Accessible benches shall comply with Section 903.

❖ For dressing, fitting and locker rooms, the intent is that if a person using a wheelchair needs to transfer, or a person with mobility impairments or balance problems needs to sit down to change any item of clothing, that a seat is available. In a locker room, the bench must be located so that it does not require transfer to the bench to access the accessible lockers. At the same time, the bench is not required to have reach range to the lockers, but it is more user friendly if they are in proximity. Storage lockers for bags or purses provided for the public in a museum are not intended to allow for changing; therefore a bench is not required.

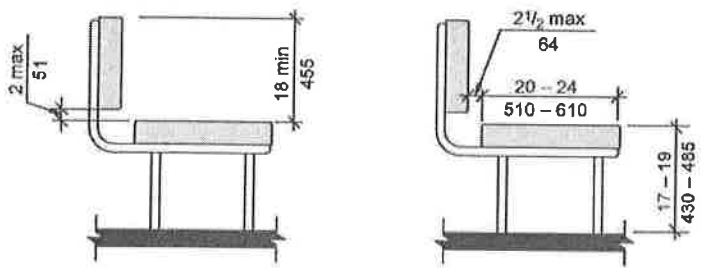
For security reasons in housing and holding cells sometimes the only seat provided is a bench seat. In an Accessible housing cell, a person may need to transfer to a bench for grooming activities.

**903.2 Clear Floor Space.** A clear floor space complying with Section 305, positioned for parallel approach to the bench seat, shall be provided.

❖ When considering the relationship of clear floor space to the bench, a primary consideration is transfer between a wheelchair and the bench. This can be accomplished by placing the wheelchair at the end of the bench, allowing




(a) Bench Size and Options for Clear Floor Space




(b) Bench Back Support and Seat Height

FIGURE 903
BENCHES

Exhibit B
(1 pg)

**Code amendments in other states – Diaper changing table**

**California** - AB 1127 requires changing tables in both women's and men's bathroom facilities in buildings owned by a state or local agency as well as publicly available restrooms in private businesses like movie theaters, grocery stores, restaurants, or retail stores, for new construction and any renovation of an existing bathroom with a cost exceeding $10,000.

**New York City** - Intro 1241-A requires that changing tables be accessible to all persons on a floor in which public restrooms are available in all new construction and substantial renovation that also changes the egress, use, or occupancy of a space.

**Nevada** - AB241 dictated that every municipal government amend their city code to require that any building with a publicly accessible restroom must include a changing table available to both men and women or at least one available to men and at least one available to women. Exceptions made for buildings that restrict access due to age (such as 21+ bars).

**Miami Dade County** - Requires that changing table stations be available in both the men's and women's bathroom facilities for new construction and renovation of existing bathroom facilities where more than 50% of the square footage of the bathroom is being renovated. Exemptions for restaurants seating less than 50 people or where accessible changing table accommodations are located less than 300 ft from the entrance and for retail stores of less than 5,000 square feet.

**Governments that have or are considering changing table requirements**

Baltimore, MD

State of Washington

State of New Jersey

State of Massachusetts

**Additional considerations**

ADA compliance – Not only does consideration need to be made for the impact of changing tables most often being located in the handicapped stall of a women's room, but consideration needs to be made for the height and clearance of changing tables for use by those in wheelchairs.

Exhibit C
(4 pgs)

# TYPE OF OCCUPANCY

## ASSEMBLY

**A-1** Buildings or portions thereof, usually with fixed seating intended for viewing or production of performing arts or motion picture including, but not limited to:

Motion picture theaters, Television and radio stations (admitting an audience), Theaters

**A-2** Buildings or portions thereof, intended for consumption of food and/or drink including, but not limited to:

Banquet halls, Casinos (gaming areas), Nightclubs, Restaurants, Taverns and Bars

**A-3** Buildings or portions thereof, intended for worship, recreation or amusement OR assembly uses not classified elsewhere including, but not limited to:

Amusement arcades, Art galleries, Community halls, Funeral parlors, Indoor sports facilities (without spectator seating), Libraries, Museums, Places of religious worship

**A-4** Buildings or portions thereof, intended for viewing indoor sporting events and activities with spectator seating including, but not limited to:

Arenas, Skating rinks, Swimming pools, Tennis courts

**A-5** Buildings or portions thereof, intended for participation in or viewing outdoor activities including, but not limited to:

Amusement park structures, Bleachers, Grandstands, Stadiums

## BUSINESS

**B** Building or portion thereof, intended for office, professional or service–type transactions, including storage of records and accounts including, but not limited to:

Ambulatory care facilities, Animal hospitals and kennels, Banks, Barber and beauty shops, Clinic (outpatient), Educational occupancies (above 12th grade), Food processing and commercial kitchens (not associated with restaurants or similar dining facilities and not more than 2,500 sq ft), Professional services, Training and skill development (not in a school or academic program) <examples: tutoring centers, martial arts studios, gymnastics and similar uses regardless of ages served where the occupant load is less than 50>

## EDUCATIONAL

**E** Buildings or portion thereof, used for educational purposes through the 12th grade for 6 or more occupants. Also includes, Day care facility for more than five children which are over the age of 2 ½ years who receive educational, supervision or personal care services for fewer than 24 hours a day.

## FACTORY

**F-1** Buildings or portions thereof, used for the assembling, disassembling, fabricating, finishing, manufacturing, packaging, repair or processing operations of moderate-hazard products including, but not limited to:

Automobiles and other motor vehicles, Bakeries, Beverages (over 16% alcohol content), Dry cleaning and dyeing, Engines (including re-building), Food processing and commercial kitchens (not associated with restaurants or similar dining facilities more than 2,500 sq ft), Furniture, Hemp products, Laundries, Leather products, Machinery, Metals, Millwork (sash and door), Plastic products, Printing or publishing, Recreational vehicles, Textiles, Tobacco, Upholstering, Woodworking (cabinet)

**F-2** Buildings or portions thereof, used for the fabrication and manufacturing of noncombustible materials that during finishing, packing or processing do not involve a significant fire hazard including, but not limited to:

Beverage (up to and including 16% alcohol content), Brick and masonry, Ceramic products, Foundries, Glass products, Gypsum, Ice, Metal products

## HIGH-HAZARD

**H-1** Buildings or portions thereof, that contains materials that pose a detonation hazard including, but not limited to:

Detonable pyrophoric materials, Explosives, Organic peroxides, Oxidizers (Class 4), Unstable (reactive) materials

**H-2** Buildings or portions thereof, that contains materials that pose a deflagration hazard or hazard from accelerated burning including, but not limited to:

Class I, II or IIIA flammable or combustible liquids (stored in normally open containers or systems, or closed containers or systems pressurized at more than 15-PSI gauge); Combustible dusts, Cryogenic liquids (flammable), Flammable gases, Organic peroxides (Class 1), Oxidizers (Class 3), Pyrophoric liquids, solids and gases (nondetonable), Unstable (reactive) materials (Class 3-nondetonable), Water-reactive materials (Class 3)

**H-3** Buildings or portions thereof, that contains materials that readily support combustion, or pose a physical hazard including, but not limited to:

Class I, II or IIIA flammable or combustible liquids (used or stored in normally closed containers or systems pressurized at less than 15 PSI gauge); Combustible fibers, Consumer fireworks (1.4G, Class C, common), Cryogenic liquids (oxidizing), Flammable solids, Organic peroxides (Class II and III), Oxidizers (Class 2), Oxidizers (Class 3), Oxidizing gases, Unstable (reactive) material (Class 2), Water-reactive materials (Class 2)

**H-4** Buildings or portions thereof, that contain materials that are a health hazard including, but not limited to:

Corrosives, Highly toxic materials, Toxic materials

**H-5** Semiconductor fabrication facilities and comparable research and development areas in which hazardous production materials are used.

## INSTITUTIONAL

**I-1** Buildings or portions thereof, that houses more than 16 people on a 24-hour basis in a supervised environment and receive custodial care including, but not limited to:

Alcohol and drug centers, Assisted living facilities, Congregate care facilities, Residential board and care facilities, Social rehabilitation facilities

**I-2** Buildings or portions thereof, used for medical care on a 24-hour basis for more than five persons who are not capable of self-preservation including, but not limited to:

Detoxification facility, Foster care facility, Hospitals, Nursing homes, Psychiatric hospitals

**I-3** Buildings or portions thereof, inhabited by more than five persons who are under restraint or security including, but not limited to:

Correctional centers, Detention centers, Jails, Pre-release centers, Prisons, Reformatories

**I-4** Day care facilities. Buildings or portions thereof, occupied by more than five persons of any age who receive custodial care for less than 24-hours by individuals other than relatives in other than the individuals home including, but not limited to:

Adult day care, Child day care

## MERCANTILE

**M** Buildings or portions thereof, used for the display and sale of merchandise and involves stocks of goods, wares or merchandise incidental to such purposes and accessible to the public including, but not limited to:

Department stores, Drug stores, Markets, Motor fuel-dispensing facility, Retail or wholesale stores, Sales rooms

## RESIDENTIAL

**R-1** Residential occupancies containing sleeping units where the occupants are primarily transient in nature (less than 30 days) including, but not limited to:

Boarding homes (more than 10 occupants), Congregate living facilities (more than 10 occupants), Hotels, Motels

**R-2** Residential occupancies containing sleeping units or more than two dwelling units, where the occupants are primarily permanent in nature including, but not limited to:

Apartment houses, Boarding houses (more than 10 occupants), Congregate living facilities (more than 16 occupants) Dormitories, Fraternities and Sororities, Hotels (more than 30 days), Live/Work units, Motels (more than 30 days)

**R-3** Residential occupancies where the occupants are primarily permanent in nature and not classified as R-1, R-2 or I including, but not limited to:

Buildings that do not contain more than two dwelling units, Boarding houses (nontransient - 16 or fewer occupants), Boarding houses (transient – 10 or fewer occupants), Care facilities (five or fewer persons), Congregate living facilities (nontransient - 16 or fewer occupants), Congregate living facilities (transient – 10 or fewer occupants), Lodging houses (five or fewer guest rooms)

**R-4** Residential occupancies used as residential care/assisted living facilities for more than five, but not more than 16 occupants, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care including, but not limited to:

Alcohol and drug centers, Assisted living facilities, Congregate care facilities, Residential board and care facilities, Social rehabilitation facilities

## STORAGE

**S-1** Moderate-hazard storage. Buildings or portions thereof, used primarily for storage of items not classified as low-hazard materials including, but not limited to:

Aerosols (level 2 and 3), Baskets, Books and paper in rolls or packs, Boots and shoes, Buttons (cloth covered, pearl or bone), Cardboard (sheets and boxes), Clothing (woolen wearing apparel), Dry boat storage, Furniture, Glues (mucilage, pastes and size), Grains, Leather, Linoleum, Lumber, Motor vehicle repair garages complying with table 307.1, Tires (bulk), Tobacco (cigars, cigarettes and snuff), Upholstery and mattresses, Wax candles

**S-2** Low-hazard storage. Buildings or portions thereof, used for storage of non-combustible materials including, but not limited to:

Beer or wine (up to 16% alcohol in metal, glass or ceramic containers), Cement in bags, Dairy products (in nonwaxed coated paper containers), Dry cell batteries, Electrical motors, Foods in noncombustible containers, Fresh fruits and vegetable in nonplastic trays or containers, Frozen foods, Glass bottles (empty or filled with noncombustible liquids), Gypsum board, Metals, Oil-filled and other types of distribution transformers, Parking garages (open or closed), Porcelain and pottery, Stoves, Talc and soapstones, Washers and dryers

## UTILITY

**U** Buildings or structures of an accessory character and miscellaneous structures not classified in any special occupancy including, but not limited to:

Agricultural buildings, Aircraft hangars (accessory to one- or two-family residences), Barns, Carports, Fences (more than 8 feet high), Grain silos (accessory to residential occupancy), Greenhouses, Livestock shelters, Private garages, Retaining walls, Sheds, Stables, Tanks, Towers

Exhibit D
(5pg)

# INTERNATIONAL BUILDING CODE (IBC)

**(ALL BUILDINGS)**

## SECTION 202
## DEFINITIONS

**DIAPER CHANGING TABLE.** A safe, sanitary and permanent affixed station, deck table, surface or similar amenity specifically set aside for changing a diaper. The diaper changing table shall have safety straps or other appropriate restraint to secure a baby or young child age 3 1/2 or under. The diaper changing table shall meet ASTM F2285-04(2016) (Standard Consumer Safety Performance Specification for Diaper Changing Tables for Commercial Use) or shall be a permanent installed counter.

## SECTION 1211
## DIAPER CHANGING TABLE

**1211.1 Required.** Customers, patrons and visitors shall be provided with diaper changing tables in buildings and tenant spaces intended for public utilization. Both male and female occupants shall have access to at least one diaper changing table. Installation of the diaper changing table shall comply with this section.

**Exceptions:**

1. Group F, H, I-3, and S occupancies that are not accessed by the public.
2. Group B occupancies less than 10,000 sq ft (928 $m^2$).
3. Dwelling units or sleeping units in Group R-1, R-2, R-3, I-1 or I-2.
4. Group E and U occupancies.
5. A building or tenant space that restricts entrance due to age such as a nightclub, bar or liquor store.

**1211.2 Access.** The required diaper changing table shall be located on an accessible route and the path to such facility shall not exceed a distance of 500 feet (152 m) or require access through an adjacent tenant space.

**1211.3 Location.** The required diaper changing table shall be installed in accordance with ICC A117.1 Section 603.5 and be located per Section 1211.3.1 or 1211.3.2.

**1211.3.1 Diaper changing table located in toilet rooms.** A diaper changing table shall not be located in the accessible toilet compartment. Where multiple single-user toilet rooms are clustered together, a diaper changing table shall be located in at least two single-user toilet rooms, one of which is accessible.

**Exception:** A diaper changing table installed in a single-user toilet room that is not required to be accessible shall not be required to comply with clear floor space or knee and toe clearance provisions of ICC A117.1.

**1211.3.2 Diaper changing table located in other than toilet rooms.** A diaper changing table shall not be located in kitchens, storage rooms, closets or spaces used for similar purposes. A lavatory or a permanent hand sanitizer dispenser shall be located in the same room as the diaper changing table.

**1211.4 Signage.** Rooms containing diaper changing tables shall be provided with signs readily visible and located near the entrance to the room. Signs shall comply with ICC A117.1 Section 703.

# INTERNATIONAL BUILDING CODE (IBC)

**(Alternate)**

**(ASSEMBLY AND MERCANTILE)**

## SECTION 202
## DEFINITIONS

**DIAPER CHANGING TABLE.** A safe, sanitary and permanent affixed station, deck table, surface or similar amenity specifically set aside for changing a diaper. The diaper changing table shall have safety straps or other appropriate restraint to secure a baby or young child age 3 1/2 or under. The diaper changing table shall meet ASTM F2285-04(2016) (Standard Consumer Safety Performance Specification for Diaper Changing Tables for Commercial Use) or shall be a permanent installed counter.

## SECTION 1211
## DIAPER CHANGING TABLE

**1211.1 Required.** Customers, patrons and visitors shall be provided with diaper changing tables in buildings and tenant spaces with Group A or M occupancies. Both male and female occupants shall have access to at least one diaper changing table. Installation of the diaper changing table shall comply with this section.

**Exceptions:** A building or tenant space that restricts entrance due to age such as a nightclub, bar or liquor store.

**1211.2 Access.** The required diaper changing table shall be located on an accessible route and the path to such facility shall not exceed a distance of 500 feet (152 m) or require access through an adjacent tenant space.

**1211.3 Location.** The required diaper changing table shall be installed in accordance with ICC A117.1 Section 603.5 and be located per Section 1211.3.1 or 1211.3.2.

**1211.3.1 Diaper changing table located in toilet rooms.** A diaper changing table shall not be located in the accessible toilet compartment. Where multiple single-user toilet rooms are clustered together, a diaper changing table shall be located in at least two single-user toilet rooms, one of which is accessible.

**Exception:** A diaper changing table installed in a single-user toilet room that is not required to be accessible shall not be required to comply with clear floor space or knee and toe clearance provisions of ICC A117.1.

**1211.3.2 Diaper changing table located in other than toilet rooms.** A diaper changing table shall not be located in kitchens, storage rooms, closets or spaces used for similar purposes. A lavatory or a permanent hand sanitizer dispenser shall be located in the same room as the diaper changing table.

**1211.4 Signage.** Rooms containing diaper changing tables shall be provided with signs readily visible and located near the entrance to the room. Signs shall comply with ICC A117.1 Section 703.

# INTERNATIONAL EXISTING BUILDING CODE (IEBC)

## SECTION 202
## DEFINITIONS

**DIAPER CHANGING TABLE.** A safe, sanitary and permanent affixed station, deck table, surface or similar amenity specifically set aside for changing a diaper. The diaper changing table shall have safety straps or other appropriate restraint to secure a baby or young child age 3 1/2 or under. The diaper changing table shall meet ASTM F2285-04(2016) (Standard Consumer Safety Performance Specification for Diaper Changing Tables for Commercial Use) or shall be a permanent installed counter.

**TECHNICALLY INFEASIBLE.** An *alteration* of a facility that has little likelihood of being accomplished because the existing structural conditions require the removal or *alteration* of a load-bearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

**PRIMARY FUNCTION.** A *primary function* is a major activity for which the facility is intended. Areas that contain a *primary function* include, but are not limited to, the customer services lobby of a bank, the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the public accommodation or other private entity using the facility are carried out. Mechanical rooms, boiler rooms, supply storage rooms, employee lounges or locker rooms, janitorial closets, entrances, corridors and restrooms are not areas containing a *primary function.*

## CHAPTER 7
## ALTERATIONS – LEVEL 1

Level 1 alterations include the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment, or fixtures that serve the same purpose.

**705.1.15 Diaper changing table.** Where it is technically infeasible to alter existing toilet rooms to install an accessible diaper changing table in accordance with Section 1211 of the International Building Code, a single room, available to male and female occupants, containing an accessible diaper changing table shall be provided and located on the same level as the existing toilet rooms. This room may be an accessible family or assisted-use toilet room constructed in accordance with Section 1109.2.1 of the International Building Code, or any other room as allowed in Section 1211.3.2 of the International Building Code.

*This section is added in the chapter for level 1 alteration where the amount of construction being performed is very limited. The cost of alterations to an existing building to install a diaper changing table, as is required for new construction, is very expensive and is likely to prevent any construction at the facility. This language does not require installation of a diaper changing table, but provides direction should an individual decide to install the device anyway.*

*In other chapters of the existing building code, the scope of work is such that we require installation of a diaper changing table, however, we recognize there is increased cost of construction to modify existing buildings for this new requirement. New language is added in those chapters which sets thresholds for when installation is required and also points to this section for the requirements.*

**705.2 Alterations affecting an area containing a primary function.** Where an *alteration* affects the accessibility to a, or contains an area of, *primary function*, the route to the primary function area shall be accessible. The accessible route to the *primary function* area shall include toilet facilities, ~~and~~ drinking fountains and diaper changing tables serving the area of *primary function*.

**Exceptions:**

1. The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of *primary function*.
2. This provision does not apply to *alterations* limited solely to windows, hardware, operating controls, electrical outlets and signs.
3. This provision does not apply to *alterations* limited solely to mechanical systems, electrical systems, installation or *alteration* of fire protection systems and abatement of hazardous materials.
4. This provision does not apply to *alterations* undertaken for the primary purpose of increasing the accessibility of a *facility*.
5. This provision does not apply to altered areas limited to Type B dwelling and sleeping units.

*This existing section provides for an accessible route to the primary function of the building where one may not exist. This section also sets requirements for certain amenities such as toilet rooms and drinking fountains be altered for handicap accessibility when other parts of the building are being altered. The language is modified to include installation of diaper changing tables on the list of items to be included or altered on the accessible route.*

## CHAPTER 8
## ALTERATIONS – LEVEL 2

Level 2 alterations include the reconfiguration of space less than 50% of the building area, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment. Level 2 alterations shall comply with the provisions for Level 1 alterations as well as the provisions for Level 2.

**803.7 Diaper changing table.** In Group A and M occupancies where the occupant load exceeds 100 or the work area on any floor exceeds 50 percent of the floor area, the requirements of Section 705.1.15 shall be applicable to the work area.

*This section is added in the chapter for level 2 alteration where the amount of construction being performed is more significant than level 1 but less than 50 % of the total floor area of the building or tenant space. This language requires installation of diaper changing tables only in Assembly and Mercantile buildings where the occupant load exceeds 100 people or where more than 50% of the floor area on any story is altered.*

## CHAPTER 9
## ALTERATIONS – LEVEL 3

Level 3 alterations apply where the work area exceeds 50 percent of the building area. Level 3 alterations shall comply with the provisions for Level 1 and 2 alterations, as well as the provisions for Level 3.

**903.4 Diaper changing table.** Diaper changing tables shall be provided in accordance with Section 1211 of the International Building Code as required for new construction.

*This section is added in the chapter for level 3 alteration where the amount of construction exceeds 50 % of the total floor area of the building or tenant space. This language requires installation of diaper changing tables in existing buildings the same as is required for new construction.*

## CHAPTER 10
## CHANGE OF OCCUPANCY

This chapter applies when a change in the use of the building or a portion of a building occurs. A change of occupancy shall include any change of occupancy classification, any change from one group to another group within an occupancy classification or any change in use within a group for a specific occupancy classification.

**1012.1.5 Diaper changing table.** Diaper changing tables shall be provided in accordance with Section 1211 of the International Building Code in existing buildings or tenant spaces that undergo a change of group or occupancy classification.

*This section is added in the chapter for change of occupancy where the use of a building is changing from one group to another. For example, a building which was used for an insurance office is remodeled and will now be used for a restaurant. That building is changing from a Group B to a Group A occupancy. This language requires installation of diaper changing tables in existing buildings the same as is required for new construction.*

## CHAPTER 11
## ALTERATIONS – LEVEL 1

This chapter applies when an extension or increase in floor area, number of stories, or height of a building or structure occurs.

### SECTION 1107
### OTHER REQUIREMENTS

**1107.1 Diaper changing table.** Diaper changing tables shall be provided in accordance with Section 1211 of the International Building Code in any building where an addition to the building or tenant space exceeds 50 % of the existing area.

*This section is added in the chapter for additions where the building or tenant space area is being increased. This language requires installation of diaper changing tables as is required for new construction when the building area increases more than 50% of the existing area.*

Exhibit E
(6 pgs)

| COMMUNITY DEVELOPMENT MANAGEMENT POLICY AND PROCEDURES | |
|---|---|
| **Baby Diaper Changing Tables Policy** | **Policy #5015** |
| **Approved by:** | **Effective Date:** October 1, 2017 |
| **Aric Jensen, AICP**<br>**Community Development Director** | **Pages 3 (including checklist)** |

## I. PURPOSE

The purpose of this policy is to implement new provisions in NRS 278 (2017 Legislative Session; Assembly Bill 241) requiring each city to include in its respective building code a regulation that every permanent building and facility used by the public that contains a public restroom and is constructed on or after October 1, 2017, be equipped with one or more baby changing tables accessible to men and women.

## II. REVISION HISTORY

Date Adopted – September 2017

## III. EMPLOYEES AFFECTED

Building and Safety Division, specifically Plans Examiners, Building & Safety Assistant Manager and Building & Safety Manager will ensure this policy is implemented.

## IV. DEFINITIONS

All words and terms defined in this requirement shall be those set forth in NRS 278.0103 to 278.0195 inclusive, having the meanings ascribed to them.

*Baby Diaper Changing Table* – The type of diaper changing table required must be listed as approved by a nationally recognized testing agency and must meet the guidelines of section 603.5, section 309 and section 902 of ANSI/ICC A117.1-2009.

## V. POLICY

Until such time as the Northern Nevada Regional Building Code Ordinance can be updated and adopted, the City of Reno will enforce and educate the commercial building community on the provisions of the baby changing table requirements, which are that every permanent building and facility used by the public that contains a public restroom and is constructed on or after October 1, 2017, has a changing table accessible to the public, with the exception of buildings or facilities which have been issued a permit or license which restricts admission of children on the basis of age (i.e. bars, etc.), or does not have a public restroom.

Employees within the Planning Division, Building & Safety Division, and Code Enforcement Division will ensure that at each step of the process, applicants/owner-builders/contractors will be informed of this requirement, and the requirement enforced.

**Assembly Bill 241 from the 2017 Legislative Session**
(https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB241_EN.pdf) changes NRS 278 to require baby changing tables in each public bathroom (male and female, and if other exist) in each permanent building used by the public.

The attached Baby Changing Tables checklist on page 3 clearly includes what type of changing tables are required, when they are required, what documentation for support is required with permit submittal, and which restrooms (both male and female, and if applicable, gender-neutral or family restrooms) as well as the hyperlink to the referenced AB241. Building and Safety Divisions Plan Reviewers are the leads for implementation and answering questions on a case-by-case basis.

# Baby/Diaper Changing Table Checklist

**Current adopted City of Reno Building & Safety Policy– Effective Date 10/1/17**

BABY CHANGING TABLES

Per this City Policy, Baby/Diaper changing tables are required to be installed in both male and female and other restrooms, in permanent buildings that contain public restrooms as defined in chapter 29 of the 2012 IBC, in compliance with the recently approved Assembly Bill 241 from the 2017 Legislative Session/to be codified in NRS 278.

## When Required (any of the following):

- ☐ New Buildings
- ☐ Tenant Improvements – New Restrooms, Alteration of Existing Restrooms
- ☐ New Additions
- ☐ Change of Uses – activates updating Existing Restrooms
- ☐ Adding New Restrooms

  **Exception**: Buildings where children are not permitted.

## What standards are Required for the changing tables:

- ☐ Approved by a Nationally recognized testing agency, and
- ☐ Meeting the guidelines of Sections 603.5, 309, and 902 of ANSI/ICC A117.1–2009

## What documentation required for permit submittal (all the following):

- ☐ Commercial Permit Application,
- ☐ Site plan,
- ☐ Plan of building or tenant space illustrating the location of men's and women's restrooms. For existing construction provide As-Built & Proposed Plans,
- ☐ Plan illustrating layout, dimensions of the restroom including where the changing table will be installed,
- ☐ Details indicating new or existing wall construction type, method of wall anchorage, clearances and heights for proposed changing tables installation, and
- ☐ Manufacturer's Specifications of the proposed listed tables to be installed.

Assembly Bill No. 241–Assemblymen Frierson, Watkins; Araujo and Bilbray-Axelrod

CHAPTER.....

AN ACT relating to public accommodations; providing that counties and cities must include in building codes or adopt by ordinance a requirement that certain buildings and facilities used by the public be equipped with one or more baby changing tables; requiring the board of trustees of any school district that adopts a building code to include such a provision in the code; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, the governing body of any county or incorporated city is authorized to: (1) regulate matters relating to the construction of buildings; and (2) adopt building codes. (NRS 244.3675, 268.413) In any county whose population is 700,000 or more, the board of trustees of the school district generally regulates the construction of buildings and facilities of the district and is required to adopt any building code necessary to perform that function. (NRS 393.110) **Section 1** of this bill requires each county and city to include in its respective building code a requirement that every permanent building and facility used by the public that contains a public restroom and is constructed on or after October 1, 2017, be equipped with one or more baby changing tables accessible to men and women. If a county or city has no building code, **section 1** requires the county or city to adopt this requirement by ordinance. **Section 1** further provides that the building code or ordinance, as applicable, must provide an exception for any building or facility that: (1) does not have a public restroom; or (2) has been issued a permit or license that restricts admission of children to the building or facility on the basis of age. Finally, **section 1** provides that the provisions of **section 1** apply to any school district for which a building code is adopted as described above. **Sections 2-4** of this bill make conforming changes.

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets [~~omitted material~~] is material to be omitted.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 278 of NRS is hereby amended by adding thereto a new section to read as follows:

***1. Except as otherwise provided in subsection 3, each county, city and any other governmental entity that adopts a building code shall include in its respective building code a requirement that any permanent building or facility used by the public that contains a public restroom and is constructed on or after October 1, 2017, be equipped with at least one baby changing table. If a baby changing table is not accessible in such a building or facility to***

***both men and women, the building code must require that the building or facility be equipped with at least one such table accessible to men and at least one such table accessible to women.***

***2. Except as otherwise provided in subsection 3, if a county or a city has no building code, it shall adopt by ordinance a requirement that any permanent building or facility used by the public that contains a public restroom and is constructed on or after October 1, 2017, be equipped with one or more baby changing tables as provided in subsection 1.***

***3. A building code or ordinance adopted pursuant to this section must provide an exception to the requirements described in subsection 1 or 2, as applicable, for any building or facility that:***

***(a) Does not have a public restroom; or***

***(b) Has been issued a permit or license which restricts admission of children to the building or facility on the basis of age.***

***4. The provisions of this section apply, without limitation, to any school district for which a building code is adopted pursuant to subsection 2 of NRS 393.110.***

**Sec. 2.** NRS 278.010 is hereby amended to read as follows:

278.010 As used in NRS 278.010 to 278.630, inclusive, ***and section 1 of this act,*** unless the context otherwise requires, the words and terms defined in NRS 278.0103 to 278.0195, inclusive, have the meanings ascribed to them in those sections.

**Sec. 3.** NRS 244.3675 is hereby amended to read as follows:

244.3675 Subject to the limitations set forth in NRS 244.368, 278.02315, 278.580, 278.582, 278.586, 444.340 to 444.430, inclusive, and 477.030, ***and section 1 of this act,*** the boards of county commissioners within their respective counties may:

1. Regulate all matters relating to the construction, maintenance and safety of buildings, structures and property within the county.

2. Adopt any building, electrical, housing, plumbing or safety code necessary to carry out the provisions of this section and establish such fees as may be necessary. Except as otherwise provided in NRS 278.580, these fees do not apply to the State of Nevada or the Nevada System of Higher Education.

**Sec. 4.** NRS 268.413 is hereby amended to read as follows:

268.413 Subject to the limitations contained in NRS 244.368, 278.02315, 278.580, 278.582, 278.586, 444.340 to 444.430, inclusive, and 477.030, ***and section 1 of this act,*** the city council or other governing body of an incorporated city may:

1. Regulate all matters relating to the construction, maintenance and safety of buildings, structures and property within the city.

2. Adopt any building, electrical, plumbing or safety code necessary to carry out the provisions of this section and establish such fees as may be necessary. Except as otherwise provided in NRS 278.580, those fees do not apply to the State of Nevada or the Nevada System of Higher Education.

**Sec. 5.** This act becomes effective upon passage and approval for the purpose of adopting regulations and performing any other administrative tasks that are necessary to carry out the provisions of this act and on October 1, 2017, for all other purposes.

Exhibit F
(5 pgs.)





# City of Champaign Approves Ordinance Requiring Changing Tables in Public Restrooms

JUNE 20, 2017 BY KELLY YOUNGBLOOD

An uncomfortable diaper changing experience for a local mom and her baby has led to a new city ordinance that will make Champaign a more family-friendly place.

The Champaign City Council approved an ordinance on May 16 requiring certain new construction occupancies to include baby-changing tables in both men's and women's restrooms.

The ordinance is an addition to Champaign municipal building safety codes and states, "public toilet rooms shall provide diaper changing stations in the men's and women's restrooms or in a unisex/family restroom."

The ordinance applies to any new construction of 10 different types of occupancies including restaurants with a seating capacity of 50 or more seats, mercantile stores 5,000 square feet or more, theaters, and sports arenas.

**Diaper Changes just got a little easier for Champaign families. Photo credit: Graphicstock**

The approval of the building code came nearly a year after Cynthia Bruno, a Champaign mother, had a troubling experience during a visit to a downtown restaurant that didn't offer baby-changing facilities.

Bruno said she had to go outside and change her six-month old son's diaper on the sidewalk as cars whizzed past.

"I remember thinking in that moment, 'This is not good for anyone. It's not good for the parents who are trying to keep their baby healthy and happy. It's not good for the restaurant,'" Bruno said.

"Our children deserve as much safety and sanitation as the rest of us who go out to eat do. And I'm glad that with this passing they will have that level of comfort and sanitation that they don't have everywhere," she added.

Shortly after the incident occurred, Bruno, a former news anchor with WCIA, shared her experience with Champaign Mayor Deborah Frank Feinen, who agreed with the need for improvements.

to change a diaper can be a necessity," Mayor Feinen said.

"Champaign residents should more easily be able to take care of infant's diaper needs in a safe manner no matter where they are in our community," she added.

City officials worked with the Champaign Urbana Public Health District in researching similar practices in other areas and came up with a proposed building code that was brought before the city council last month.

The new ordinance unanimously passed 9-0 and went into effect June 1.

"I do think it's a big change for the city and I think its good for young families who are either here or looking to be here. I think it sends a positive message," Bruno said.

Bruno said when she initially shared her experience, she wasn't really thinking about implementing a widespread change across the city.

"When your kid has a poopy diaper all you can think is, I need to get this kids diaper changed, not I'm going to effect this entire change throughout the city," she said.

But she's grateful for the outcome and hopes it empowers parents to think about the ways they can challenge city leaders and others to be more family-friendly and more inclusive of parents and families.

"When places are able to provide for families it's good for business and I'm excited that hopefully more families will be able to enjoy things and evenings out without having to worry about where they're going to change their kid," she said.

To read more about the new ordinance, you can go here.

Filed Under: Babies, Blog, Business, News, Parenting
Tagged With: baby, baby changing table, champaign, diaper, men, ordinance, restroom, stall, urbana, women

A. The common walls between the parking area and the dwelling units shall have a sound transmission rating of not less than 55 for airborne noise when tested in accordance with ASTM E90.

B. The accessible route to the adaptable dwelling units shall provide the same weather protection characteristics of the route to other dwelling units.

C. All design elements provided to the non-adaptable dwelling units shall also be provided to the adaptable dwelling units.

D. Adaptable dwelling units shall be placed in a manner that will locate a minimum of two (2) units together.

E. Doors from the parking are shall not be permitted to open directly into a dwelling unit.

**ADD:** **1102.3 Common use areas.** All public and common use rooms and facilities shall be fully accessible.

**ADD:** **1103.0 Accessible buildings and facilities.** Buildings, facilities and dwelling units required to be accessible or adaptable by this section shall comply with the Illinois Accessibility Code.

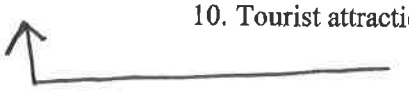
## CHAPTER 12
## INTERIOR ENVIROMENT

**ADD:** 1210.4 Toilet rooms. Public toilet rooms shall not open directly into a room used for the preparation of food or drink for service to the public.
**Exception:** Toilet rooms provided exclusively for employees.

**ADD:** **1210.5 Changing stations**. Public toilet rooms shall provide diaper changing stations in the men's and women's restrooms or in a unisex/family restroom in the following locations. The changing station shall meet ASTM F2285 (Standard Consumer Safety Performance Specification for Diaper Changing Tables for Commercial Use) and be within accessible reach ranges. The changing station fasteners shall be installed directly into timber or steel wall studs with solid blocking or fully grouted masonry and in strict accordance with the manufacturer's specifications. Fasteners not supplied by the manufacturer are limited to full depth lag screws for timber walls, toggle bolts for steel studs, full depth masonry sleeve anchors for fully grouted masonry or through bolts with washers for all wall types.

1. Theaters and movie-houses;
2. Sports arenas, complexes and stadiums;
3. Convention centers, auditoriums and exhibition halls;
4. Public libraries;
5. Passenger terminals;

6. Permanent amusement park structures;
7. Mercantile stores of 5,000 or more square feet in area;
8. Shopping malls;
9. Restaurants with a seating capacity of fifty (50) or more seats primarily serving food for consumption on premises, except where there is a centrally located restroom facility with diaper-changing accommodations within 300 feet of the entrance of the restaurant;
10. Tourist attractions.



## CHAPTER 13
## ENERGY EFFICIENCY

**AMEND:** **1301.1 Scope.** All buildings and structures shall be designed and constructed to meet the Illinois Energy Conservation Code.

## CHAPTER 14
## EXTERIOR WALLS

**AMEND:** **1405.3 Vapor retarders.** Class I or Class II vapor retarders are required on the interior side of frame walls in Zones 5, 6, 7, 8, and Marine 4. Class I and/or Class II vapor retarders are not permitted on both the interior and the exterior sides of frame walls.

**Exceptions:**

1. Basement walls.
2. Below grade portion of any wall.
3. Construction where moisture or its freezing will not damage the materials.

**Table 1405.3.2**

**ZONE 5**

Vented cladding over OSB
Vented cladding over plywood
Vented cladding over fiberboard
Vented cladding over gypsum

## CHAPTER 15
## ROOF ASSEMBLIES AND ROOFTOP STRUCTURES

**AMEND:** **1503.4 Roof drainage.** Design and installation of roof drainage systems shall comply with Section 1503 and Section 2902 of this code.

**AMEND:** **1503.4.1 Secondary (emergency overflow) drains or scuppers.** Where roof drains are required, secondary (emergency overflow) roof drains or scuppers shall

Exhibit G
(3 pg.)

NYC

MayorFirst LadyNewsOfficials

# Mayor de Blasio Signs Law Requiring Diaper Changing Stations be Available to All New Yorkers

January 9, 2018

*Starting in July, new or recently renovated public buildings will have to provide diaper changing stations*

NEW YORK—Mayor Bill de Blasio today signed Intro. 1241-A, which requires that public buildings provide diaper changing stations to all New York City parents. Sponsored by Council Member Rafael Espinal, the bill will ensure that all parents have access to these stations regardless of their gender identity. New York City is one of the first cities in the nation to make this enforcement in new or recently renovated buildings, further solidifying the City as a national leader in improving gender equity.

"As a Dad, I know first-hand how frustrating it can be to handle diaper emergencies in public without a changing station," said **Mayor Bill de Blasio.** "This new law will ensure that all parents will have access to these stations in public buildings regardless of their gender, and help make New York City fairer place to live."

"Intro. 1241-A is an important step toward making New York City more family-friendly for all parents, regardless of their gender. Too often, fathers and gender non-conforming parents are excluded from the resources aimed at supporting families. That has to change. I am proud that this Administration has emphasized equity, and put the experiences and needs of all families front and center from the very beginning. With the leadership of City Councilmember Rafael Espinal and this important bill, we add to the list of milestone achievements for families in New York City that includes: Pre-K and 3-K for All, Paid Family Leave, Increased Access to Mental Health Support through ThriveNYC, and the Children's Cabinet Baby Shower Series," said **First Lady Chirlane McCray, Co-Chair of the Commission on Gender Equity.**

"Requiring diaper changing stations in all public restrooms, regardless of gender, will go a long way to promote gender equity and encourage dads to also be on diaper duty," said **Council Member Rafael Espinal, prime sponsor of Intro. 1241-A.** "After witnessing a father changing his daughter's diaper on an unsanitary sink in a public space, I realized diaper changing stations must be a requirement in all public bathrooms, because moms *and* dads should have equal access to sanitary and safe spaces when changing their baby's diapers. Our city is now leading the nation on this issue, and I am proud that we are building upon the work of President Obama when he required federal buildings to have this service. For too long most public restrooms have not had dedicated spaces for families to care for their children, but after today's signing, every public building in NYC will be required to create a space to allow parents to change their child's diaper with dignity."

"Finding somewhere to change a diaper while out and about in New York can be as challenging as the Hunger Games," said **Council Member Dan Garodnick, co-prime sponsor of Intro. 1241-A.** "As the parent of two young boys, I have experienced this challenge firsthand and I know this legislation will be a major relief for families. Safe and sanitary spaces to care for children must be the norm for all parents."

Intro. 1241-A, which goes into effect in 180 days, requires that diaper changing stations be available to all persons regardless of gender identity on any floor where public restrooms are available in gathering spaces or spaces where merchandise is sold. Gathering spaces, classified as Assembly Group A occupancies, include places like theaters, bowling alleys and museums and spaces where merchandise is sold, classified as Mercantile Group M occupancies, include places like shopping malls. This requirement will only apply to new construction and substantial renovations that also change the use, egress or occupancy of a space. Enforcement of this law will be complaint based, and the civil penalties for failing to comply with this requirement range from $300 to $1,600.

"This common-sense bill creates family friendly public spaces and breaks gender role stereotypes. It is an important step in fostering gender equity in the daily lives of all New Yorkers," said **Jacqueline Ebanks, Executive Director of the NYC Commission on Gender Equity.**

"The challenges of parenting are so often seen from a mother's perspective that we tend to overlook the obstacles that fathers face daily. As chair of the Committee on Women's Issues and co-chair of the Women's Caucus, I am proud that today's enactment of Intro 1241 will help advance gender equity by expanding access to diaper changing stations for all. Every parent, regardless of gender, should have the same resources to ensure that they can provide the best level of care to their child(ren)," said **Council Member Laurie A. Cumbo.**

"We look forward to implementing this change for the better -- helping all New Yorkers have greater access to diaper-changing stations," said **Buildings Commissioner Rick D. Chandler, PE.**

The de Blasio Administration is committed to fighting inequality across the five boroughs, and has placed gender at the center of this mission. The Commission on Gender Equity is charged with supporting agency initiatives by utilizing a gender lens to review policies and their impact on women, transgender and intersex individuals, and men in order to achieve greater gender fairness in the City.

New York City has made significant strides towards gender parity over the last three years, including:

- Creating lactation rooms for new mothers at social service agencies across the city.
- Creating first-ever maternal mental health services through ThriveNYC, a mental health initiative led by First Lady Chirlane McCray.
- Signing Intro. 1253 which prohibits all NYC employers from inquiring about a prospective employee's salary history.
- Establishing a historic partnership with UN Women and becoming the first American city to join the United Nation's Safe Cities Initiative.
- Providing Universal Pre-K and 3-K for All.
- Expanding paid sick leave to many of the lowest paid industries that employ disproportionate amounts of women.
- Making unprecedented investments in domestic violence response and education through the Mayor's Office to Combat Domestic Violence.
- Signing legislation to provide six weeks of fully paid parental leave to City employees
- Appointing and promoting more women to leadership positions in agencies and City Hall than ever before -- with women serving in more than 50 percent of the Administration's senior leadership

positions.

"Planned Parenthood of New York City applauds Council Member Rafael Espinal and Mayor Bill de Blasio for introducing and signing legislation to improve access to diaper changing tables for *all* parents and caregivers. PPNYC recognizes that families come in all forms. No one should have to struggle to find a place to change their child's diaper when they're not at home because of their gender," said **Laura McQuade, President and CEO, Planned Parenthood of New York City.** "Parenting isn't the responsibility of just one gender--and it's time our laws caught up with people's daily lives. This is another step toward ensuring that New Yorkers have access to the resources they need to care for their families."

"The Center applauds Mayor de Blasio for introducing this bill to require all new or renovated buildings that contain places of public accommodation to include diaper changing tables that are accessible to people of all genders," said **Glennda Testone, Executive Director of The Lesbian, Gay, Bisexual & Transgender Community Center.** "This legislation serves to acknowledge that being a caretaker is not specific to a particular gender identity or expression and works to ensure the safety of caretakers and the well-being of children."

"As any parent knows, the lack of changing facilities for babies and toddlers makes being out and about in this city a challenge. A Better Balance is grateful to the City Council and the Mayor for passing this law that will make those facilities more accessible and will insure that dads who want to be equal partners in caring for their child will have that opportunity," said **Sherry Leiwant, Co-President, A Better Balance.**

"Citizens' Committee for Children of New York, Inc., thanks the New York City Council and the Mayor for enacting this commonsense piece of legislation, which will ensure that all parents, regardless of gender identity, have access to diaper changing stations," said **Jennifer March, Executive Director, Citizens' Committee for Children.**

"This Bill will empower many men that have felt left out of the equation as primary and secondary caregivers. A special Thank you to the Mayor and Councilmember Espinal for the signing of this bill," said **Wayne Devonish, 500 Men Making A Difference.**

*pressoffice@cityhall.nyc.gov*

*(212) 788-2958*

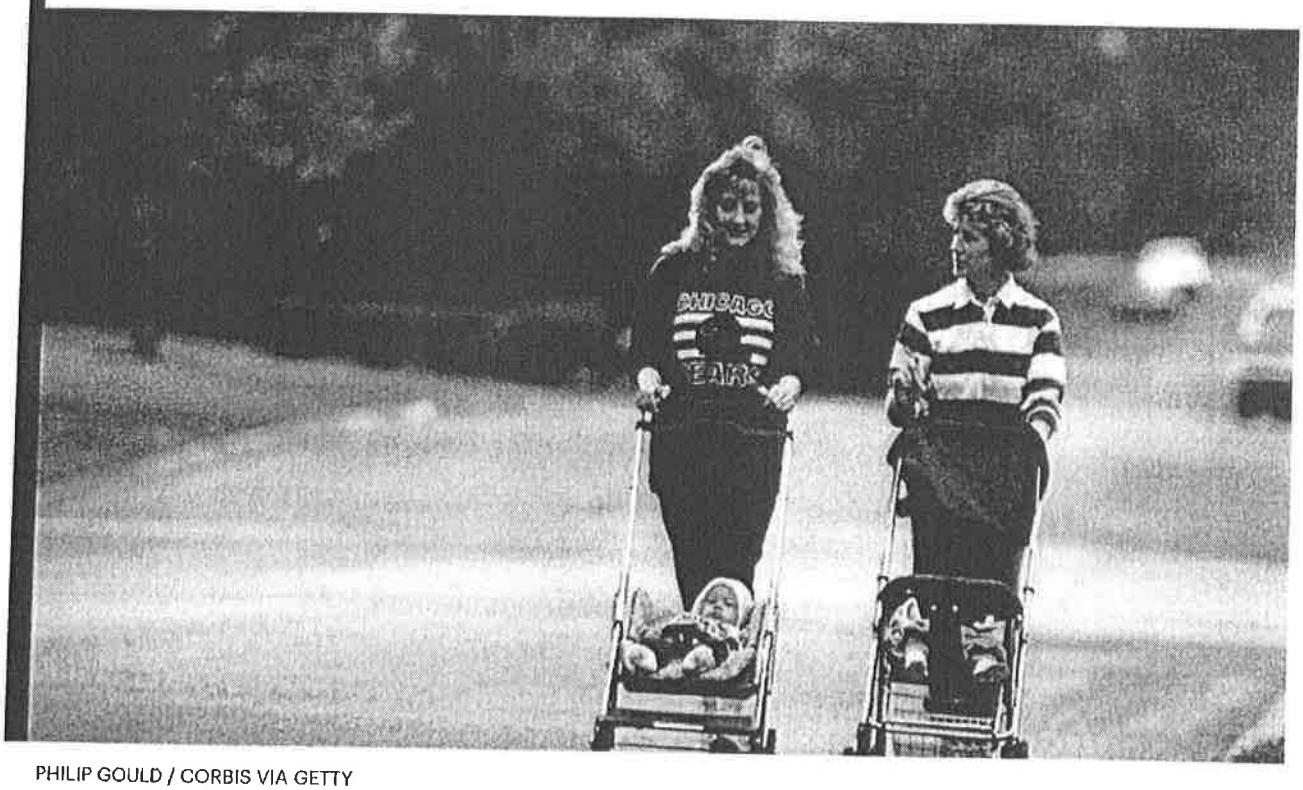
Exhibit H (4pg.)

BUSINESS

# How Wall-Mounted Changing Tables Enabled Moms to Leave the House

Where parenting norms have gone, the availability of infant-friendly facilities has followed.

RHAINA COHEN JAN 7, 2017



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The baby bottoms of Americans born before the 1980s likely never touched a diaper-changing station in a public restroom. Prior to the '80s, when parents, and mothers in particular, went to shop or go out to eat, they usually had to fold themselves into the back of a car, balance their wriggling infant on a toilet seat, or crouch on a dirty bathroom floor to change their child's diaper.

In the decades since, changing tables have grown more common, but they still can be hard to find, especially for dads. That is slowly changing: Last fall, President Obama signed a bill that will require all bathrooms in buildings controlled by the federal government to provide baby-changing stations, including in men's rooms.

The placement of changing tables may seem like a minor design decision, but their availability relates to shifts in the larger patterns of care and work. Over the last

100 years, the availability of changing tables has tracked remarkably closely with trends in American parenting. The history of the device—as well as its future, as hinted at by that new law—is intertwined with the increasing number of dual-income households and the popularity of products designed with parents' convenience in mind, as well as some of the most important recent changes in how Americans spend their days.

Well before parents came to expect publicly-available changing tables, many mothers simply limited their activities away from the home, in part to avoid uncomfortable diaper changes. It was this response that inspired an early and surprising champion of changing stations: the power-hungry, domineering New York urban planner Robert Moses. Before Moses—the man who would be immortalized in Robert Caro's 1974 book *The Power Broker*—oversaw the creation of a network of highways, the United Nations building, and numerous public-housing complexes, he made mothers' lives easier. On a weekend stroll in 1914, the labor advocate and sociologist Frances Perkins told Moses that mothers have to trudge home from Central Park every time their baby's diaper needs changing—their time in a splendid public space was being cut short. A young and visionary civil servant, Moses imagined diaper-changing stations dotting New York's parks, enabling mothers to enjoy more uninterrupted time outdoors.

Moses's diaper-changing rooms—the first of their kind—became available on New York's Jones Beach starting in 1929. But it would take decades for these changing stations to become common features of public restrooms, and what eventually made the need for them more pressing was a number of shifts in family norms. A half century after the new rooms appeared on Jones Beach, more mothers held jobs and the number of single parents and dual-income couples had risen. Working mothers, short on time as they were, needed to be able to take their kids with them when they ran errands. In 1999, Nate Klatt, the marketing coordinator for Koala Corporation, which produces changing tables, summarized what was happening for the automotive trade magazine *Ward's Dealer Business*: "High divorce rates, working parents' guilt over not spending enough time with their kids and high-priced child care have conspired to make children active sidekicks in the parents' social lives."

These sidekicks started joining their parents at malls, restaurants, and airports, but such spaces weren't equipped for them. As parents—particularly mothers—spent

more time outside the home, they needed a place to change their baby, who was more likely to be perched in a small stroller than stretched out in a pram that was large enough to allow for discreet diaper-changing.

This was the very problem Jeff Hilger, a medical-device salesman and father living near Minneapolis in the mid-'80s, found himself facing. He and some friends came up with the idea of a fold-out device that could be mounted to a wall, letting parents take care of messy business while on the go. They called it the Koala Bear Kare Baby Changing Station, and sales took off as businesses came to recognize the value in accommodating children. As an *L.A. Times* reporter noted in 1990, "This is the new world of retailing, where the diaper bag meets the shopping bag." Realizing that convenience for parents would let them spend more time, and thus money, businesses like McDonald's and Target soon snapped up wall-mounted changing stations.

These changes spawned a number of other products that catered to on-the-move parents who had kids in tow. The breast pump came onto the market at around the same time, as did more-advanced car seats. Gone were the stately and spacious prams that once transported babies around the neighborhood; instead, parents started wheeling their kids around in compact strollers or strapped their babies into a Snugli, a carrier that sits on parents' chests and lets them carry their kids around as if in a kangaroo pouch. With a Snugli, parents could keep their infant physically close, even while walking around or running errands.

These innovations reflect a change in how parents spent time with their children, according to Paula Fass, a professor of history at the University of California, Berkeley and the author of *The End of American Childhood.* In the 1980s, parents were moving in two directions at once: They spent more time on leisure activities, but they also sought to maximize the time they spent with their kids. Parents, Fass says, wanted "the child to be able to fit comfortably into their new lifestyle. Instead of adapting to the child by staying at home, you have the child become part of the pattern." Devices like the wall-mounted changing table and chest-strap infant carriers made on-the-go caregiving convenient.

This represented a departure from the way mothers used to plan their days. Fass says that mothers used to "literally [stay] at home with their children." While they cooked or cleaned, mothers would put their kids in the playpen or let them play

outdoors. In the 1980s, "Women not only went out to work, but they engaged in a whole lot of other activities that took them outside of the home, to which they felt comfortable—increasingly comfortable—bringing their children. And that's true with fathers too." In other words, there came to be more and more spaces where parents spent time with their children.

But even as diaper-changing stations have done a lot to help mothers operate more flexibly outside the home, they haven't done much to alter the traditional division of child-rearing labor. A changing table is much likelier to be found in a women's restroom than a men's restroom. This imbalance keeps fathers from taking care of their children while out and about, and poses an everyday challenge to men in same-sex partnerships.

Changing tables' absence from men's rooms harkens to an earlier time, when fathers were usually responsible for fewer of the everyday tasks of parenting. Yet mothers and fathers have slowly moved toward parity in housework and childcare, and some surveys have suggested that young Americans increasingly expect parenthood to be an equally-divided endeavor. As one New York state senator who has advocated for equal access to changing tables wrote in 2015, "If we expect fathers to bear more of the burden of child-care, we must ensure that public accommodations reflect this new normal."

This gender disparity has led local and state politicians to propose legislation around changing tables, in places like New York state, Honolulu, and California. In 2015, the Californian actor and investor Ashton Kutcher drew attention to the absence of changing tables, lamenting in a Facebook post, "There are NEVER diaper changing stations in mens [sic] public restrooms." He drafted a Change.org petition calling for Target and Costco to install changing tables in men's restrooms. It garnered over 100,000 signatures.

The new federal law that Obama signed, the Bathrooms Accessible in Every Situation Act, follows this momentum, requiring changing tables in men's restrooms. But the law only applies to federal buildings, like post offices and courthouses, which comprise just a tiny fraction of public restrooms. As the social landscape continues to shift, the physical landscape still has catching up to do.