**15-008**

**1. State Building Code to be Amended:**

 [x]  International Building Code [ ]  State Energy Code

 [ ]  ICC ANSI A117.1 Accessibility Code [ ]  International Mechanical Code

 [ ]  International Existing Building Code [ ]  International Fuel Gas Code

 [ ]  International Residential Code [ ]  NFPA 54 National Fuel Gas Code

 [ ]  International Fire Code [ ]  NFPA 58 Liquefied Petroleum Gas Code

 [ ]  Uniform Plumbing Code [ ]  Wildland Urban Interface Code

 **Section(s):**

IBC Section 2902.2

 **Title:**

 Separate Restroom Facilities in Small Restaurants

**2. Proponent Name (Specific local government, organization or individual):**

**Proponent:** Bryan Hampson, Representing Washington Association of Building Officials, Technical Code Development Committee

 **Title:** City of Kenmore, Development Services Director

 **Date:** February 23, 2015

**3. Designated Contact Person:**

 **Name:** Bryan Hampson

 **Title:** City of Kenmore, Development Services Director

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**4. Proposed Code Amendment**.

 **Code(s)** IBC\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Section(s)** 2902.2\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Amend section to read as follows:

**2902.2 Separate Facilities.** Where plumbing fixtures are required, separate facilities shall be provided for each sex.

**Exceptions:**

1. Separate facilities shall not be required for dwelling units and sleeping units.
2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 15 or fewer.
3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or less.
4. Separate facilities shall not be required in spaces primarily used for drinking or dining with a total occupant load, including both employees and customers, of 30 or fewer.

1. **Briefly explain your proposed amendment, including the purpose, benefits and problems addressed.** Specifically note any impacts or benefits to business, and specify construction types, industries and services that would be affected. Finally, please note any potential impact on enforcement such as special reporting requirements or additional inspections required.

Currently smaller drinking or dining establishments, e.g. sandwich shops, coffee shops, wineries and breweries with tasting rooms, etc., would be required to provide separate men’s and women’s restroom facilities when the occupant load exceeds 15, including both employees and customers. Typically there is one existing restroom and a kitchen or service area that may have one or two employees. This means that, if the dining area is greater than 195 square feet, separate restroom facilities are required (based on an assembly, unconcentrated occupant load factor of 15 people per square foot for 13 people). If a new restroom is constructed, it is required to be accessible. A small accessible restroom needs approximately 60 square feet of space. This may require leasing or purchasing additional space to accommodate a second restroom or reducing the size of the dining area. The additional restroom is unnecessary to serve the sanitary needs of the occupants of a small establishment.

In addition to leasing or purchasing the added space is the cost of physical construction of the facility. The restaurant industry assumes a maximum rent or lease of 8% based on gross sales. The separate restroom adds 25% (approximately) in floor space but adds nothing to the gross revenues. By requiring a separate restroom at 30 persons, there could be 420 sq. ft. (with two employees) non-fixed seating. Small businesses would have a much better chance of survival by lowering the cost of lease and/or construction when they can spread that cost over a larger customer base.

1. **Specify what criteria this proposal meets.** You may select more than one.

[ ]  The amendment is needed to address a critical life/safety need.

[ ]  The amendment is needed to address a specific state policy or statute.

[ ]  The amendment is needed for consistency with state or federal regulations.

[ ]  The amendment is needed to address a unique character of the state.

[x]  The amendment corrects errors and omissions.

1. **Is there an economic impact:** [x]  Yes     [ ]  No

Explain:

The owner would benefit financially by not having to provide a separate, or two restroom facilities. There would be no additional costs to the owner, customer, or governmental jurisdiction. However, there may be a substantial cost benefit to the owner or tenant if only required to provide one restroom.

The initial construction costs for a new accessible commercial restroom may vary based on building constraints, building drain size, location and condition, and restroom size and materials. Typically, for a new restroom, without building or plumbing constraints and using standard materials and finishes the cost per is approximately $200 per square foot. Theoretically, a 60 square foot restroom could cost approximately $12,000. However, if building constraints are encountered, plumbing systems require substantial alterations or if additional floor space must be acquired then these costs could increase substantially. Ongoing operation costs include the businesses loss of gross revenue due to loss of dining space the restroom takes up and the continuing maintenance expenses.

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| --- | --- | --- | --- |
| Building Type | Construction[[1]](#footnote-1) | Enforcement[[2]](#footnote-2) | Operations & Maintenance[[3]](#footnote-3) |
| Costs | Benefits[[4]](#footnote-4) | Costs | Benefits4 | Costs | Benefits4 |
| Residential |  |  |  |  |  |  |
|  Single family |  |  |  |  |  |  |
|  Multi-family |  |  |  |  |  |  |
| Commercial/Retail |  | **Yes- substantial** |  |  |  | **Yes** |
| Industrial |  |  |  |  |  |  |
| Institutional |  |  |  |  |  |  |

Please send your completed proposal to: sbcc@ga.wa.gov

All questions must be answered to be considered complete. Incomplete proposals will not be accepted.

1. $ / square foot of floor area or other cost. Attach data. **Construction** costs are costs prior to occupancy, and include both design and direct construction costs

that impact the total cost of the construction to the owner/consumer. [↑](#footnote-ref-1)
2. Cost per project plan. Attach data. **Enforcement** costs include governmental review of plans, field inspection, and other action required for enforcement. [↑](#footnote-ref-2)
3. Cost to building owner/tenants over the life of the project. [↑](#footnote-ref-3)
4. Measurable benefit. [↑](#footnote-ref-4)