

**CITY OF BALTIMORE
COUNCIL BILL 19-0385
(First Reader)**

Introduced by: Councilmember Cohen, Ex Officio President Middleton, Councilmembers
Dorsey, Stokes, Henry, Burnett, Bullock, Sneed, Clarke, Reisinger, Scott
Introduced and read first time: April 29, 2019
Assigned to: Education and Youth Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of
General Services, Health Department, Baltimore City Public School System, Department of
Human Resources

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Gender-Inclusive Single-User Restrooms**

3 FOR the purpose of requiring that certain single-user restrooms in Baltimore City be made
4 available to all individuals regardless of gender; requiring that certain single-user restrooms
5 use gender-inclusive signage to identify the restroom; defining certain terms; establishing
6 certain penalties; and providing for a special effective date.

7 BY adding

8 Article - Health

9 Section(s) 17-101 through 17-106, to be under the new title,

10 "Title 17. Public Restrooms"

11 Baltimore City Revised Code

12 (Edition 2000)

13 BY repealing and reordaining, with amendments

14 Article 1 - Mayor, City Council, and Municipal Agencies

15 Section(s) 40-14(e)(7) and 41-14(6)

16 Baltimore City Code

17 (Edition 2000)

18 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
19 Laws of Baltimore City read as follows:

20 **Baltimore City Revised Code**

21 **Article – Health**

22 **TITLE 17. PUBLIC RESTROOMS**

23

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 **§ 17-101. DEFINITIONS.**

2 (A) *IN GENERAL.*

3 IN THIS TITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

4 (B) *GENDER-INCLUSIVE SIGNAGE.*

5 “GENDER-INCLUSIVE SIGNAGE” MEANS A SIGN IDENTIFYING A RESTROOM THAT DOES NOT
6 INDICATE A SPECIFIC GENDER, SUCH AS “RESTROOM,” “BATHROOM,” “TOILET,” OR A
7 SYMBOL INDICATING THE RESTROOM’S AVAILABILITY FOR USE BY ANY INDIVIDUAL
8 REGARDLESS OF GENDER.

9 (C) *PLACE OF PUBLIC ACCOMMODATION.*

10 “PLACE OF PUBLIC ACCOMMODATION” HAS THE MEANING STATED IN STATE GOVERNMENT
11 ARTICLE, § 20-301 {“PLACE OF PUBLIC ACCOMMODATION’ DEFINED”}.

12 (D) *PUBLIC SINGLE-USER RESTROOM.*

13 (1) “PUBLIC SINGLE-USER RESTROOM” MEANS A SINGLE-OCCUPANCY RESTROOM FOR
14 PUBLIC USE WITH AT LEAST ONE WATER CLOSET AND WITH AN OUTER DOOR THAT CAN
15 BE LOCKED BY THE OCCUPANT.

16 (2) “PUBLIC SINGLE-USER RESTROOM” DOES NOT INCLUDE:

17 (I) ANY PRIVATE RESTROOM IN A RESIDENCE, APARTMENT, HOTEL, OR HOSPITAL;
18 OR

19 (II) A RESTROOM ONLY ACCESSIBLE FROM A PRIVATE ROOM OR OFFICE.

20 **§ 17-102. {RESERVED}**

21 **§ 17-103. REQUIREMENTS FOR SINGLE-USER RESTROOMS.**

22 ANY PUBLIC SINGLE-USER RESTROOM IN A COMMERCIAL OR INDUSTRIAL ESTABLISHMENT, A
23 PLACE OF PUBLIC ACCOMMODATION, OR A CITY-OWNED OR -OCCUPIED BUILDING MUST BE:

24 (1) MADE AVAILABLE FOR USE BY INDIVIDUALS OF ANY GENDER; AND

25 (2) IDENTIFIED WITH GENDER-INCLUSIVE SIGNAGE.

26 **§ 17-104. {RESERVED}**

27 **§ 17-105. ENFORCEMENT BY CITATION.**

28 (A) *IN GENERAL.*

29 IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE,
30 THIS SUBTITLE MAY BE ENFORCED BY ISSUANCE OF:

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1 (1) AN ENVIRONMENTAL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 40
2 {"ENVIRONMENTAL CONTROL BOARD"}; OR

3 (2) A CIVIL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 41 {"CIVIL
4 CITATIONS"}.

5 (B) *PROCESS NOT EXCLUSIVE.*

6 THE ISSUANCE OF A CITATION TO ENFORCE THIS SUBTITLE DOES NOT PRECLUDE PURSUING
7 ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED BY LAW.

8 (C) *EACH DAY A SEPARATE OFFENSE.*

9 EACH DAY A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

10 **§ 17-106. CRIMINAL PENALTIES.**

11 (A) *IN GENERAL.*

12 ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A
13 MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$500 FOR
14 EACH OFFENSE.

15 (B) *EACH DAY A SEPARATE OFFENSE.*

16 EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

17 **Baltimore City Code**

18 **Article 1. Mayor, City Council, and Municipal Agencies**

19 **Subtitle 40. Environmental Control Board**

20 **§ 40-14. Violations to which subtitle applies.**

21 (e) *Provisions and penalties enumerated.*

22 (7) *Health Code*

23 TITLE 17: PUBLIC RESTROOMS \$100

24 **Subtitle 41. Civil Citations**

25 **§ 41-14. Offenses to which subtitle applies – Listing.**

26 (6) *Health Code*

27 TITLE 17: PUBLIC RESTROOMS \$100

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1 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
2 are not law and may not be considered to have been enacted as a part of this or any prior
3 Ordinance.

4 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 90th day
5 after the date it is enacted.