

BOARD of SUPERVISORS



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MEMORANDUM

TO: Tom Hui, Director, Department of Building Inspection
Sonya Harris, Secretary, Building Inspection Commission

FROM: *Al*
for Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

DATE: December 12, 2017

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, introduced by Supervisor Ronen on December 5, 2017:

File No. 171285

Ordinance amending the Housing Code to require that single-stall bathroom facilities in hotels be made available for the use of all residents, regardless of gender or gender identity, and to require that signage be posted to indicate the same; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

The proposed ordinance is being transmitted pursuant to Charter, Section D3.750-5, for public hearing and recommendation. It is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Please forward me the Commission's recommendation and reports at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

c: William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection

1 [Housing Code - All-Gender Bathrooms in Hotels]

2
3 **Ordinance amending the Housing Code to require that single-stall bathroom facilities in**
4 **hotels be made available for the use of all residents, regardless of gender or gender**
5 **identity, and to require that signage be posted to indicate the same; and directing the**
6 **Clerk of the Board of Supervisors to forward this Ordinance to the California Building**
7 **Standards Commission upon final passage.**

8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

15 Be it ordained by the People of the City and County of San Francisco:

16 Section 1. Pursuant to Charter Section D3.750-5, the Building Inspection Commission
17 considered this ordinance at a duly noticed public hearing held on _____.

18 Section 2. California Health and Safety Code section 17958.7.

19 No finding is required under California Health and Safety Code Section 17958.7
20 because the ordinance does not amend a "building standard" as defined in Section 18909 of
21 that Code.

22
23 Section 3. The Housing Code is hereby amended by revising Section 505, to read as
24 follows:

25 * * * *

1 (b) **Hotels.** Hotel guestrooms shall be provided with a water-closet, a lavatory, and
2 a bathtub or shower, within the guest room or said facilities may be situated off the exit
3 corridor on the same floor pursuant to the table indicated below.

4 Single-user water-closets, lavatories, bathtubs, and showers that are situated off the exit
5 corridors shall be made available for the use of all residents, regardless of gender or gender identity,
6 and shall be identified as all-gender facilities by signage that complies with Title 24 of the California
7 Code of Regulations.

8 The following table will be used in determining the minimum number of public
9 sanitary facilities required per floor when guest rooms do not contain the requisite sanitary
10 facilities:

11 Total Number of Public Sanitary Facilities Required for Guest Rooms (per Floor)

| 12 *Existing Number of Guest Rooms per Floor | Public Sanitary Facilities Required |
|--|-------------------------------------|
| 13 2 - 20 | 2 |
| 14 21 - 30 | 3 |
| 15 31 - 40 | 4 |
| 16 41 - 50 | 5 |
| 17 51 - 60 | 6 |
| 18 61 - 70 | 7 |

19 Etc.

20 * * * *

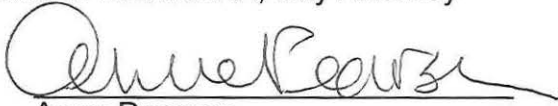
21
22 *NOTE: Existing guest rooms with private sanitation facilities are not part of the
23 guest room floor total for purposes of this requirement.

1 Section 4. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

5
6 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
10 additions, and Board amendment deletions in accordance with the "Note" that appears under
11 the official title of the ordinance.

12
13 Section 6. Directions to Clerk. The Clerk of the Board of Supervisors is hereby directed
14 to forward a copy of this ordinance to the California Building Standards Commission upon final
15 passage.

16
17 APPROVED AS TO FORM:
18 DENNIS J. HERRERA, City Attorney

19 By: 
20 Anne Pearson
21 Deputy City Attorney

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LEGISLATIVE DIGEST

[Housing Code - All-Gender Bathrooms in Hotels]

Ordinance amending the Housing Code to require that single-stall bathroom facilities in hotels be made available for the use of all residents, regardless of gender or gender identity, and to require that signage be posted to indicate the same; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

Existing Law

Section 4.1-3 of the San Francisco Administrative Code provides that City buildings that are newly constructed or subject to extensive renovations must provide all-gender toilet facilities.

Section 3305.3 of the San Francisco Police Code provides that toilet facilities in business establishments or places of public accommodation that are (1) single-user facilities and (2) open to the public or to employees of the establishment must be identified as all-gender through appropriate signage, and made available for use by persons of any gender identity.

Amendments to Current Law

The proposed ordinance would amend the Housing Code to require hotels to ensure that single-user bathrooms that are located in hotel corridors and made available to hotel guests are: 1) available for the use of all hotel residents, regardless of gender or gender identity; and 2) identified as all-gender facilities by appropriate signage.

In addition, the ordinance would direct the Clerk of the Board of Supervisors to forward the ordinance to the California Building Standards Commission upon final passage, as required by State law.

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