

**42-O-15**

**AN ORDINANCE**

**Amending City Code Section 4-2-2 to Require "Gender Neutral Restrooms"**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: Title 4, Chapter 2, Section 2 of the Evanston City Code of 2012, as amended, is hereby further amended to add the following:

**202 Definitions.** This Section is amended to include the following definition(s) in addition to the definitions in the 2012 International Building Code.

**MULTIPLE OCCUPANCY RESTROOM.** A room designed to be used as a restroom by more than one person at a time, which shall contain, at least, more than one toilet and more than one sink, which shall be suitable for use by disabled persons in compliance with applicable local, state and federal laws. Toilets, for privacy purposes, shall be separated by partitions and the stalls shall be equipped with a locking mechanism to be operated by the user of the stall.

**SINGLE OCCUPANCY RESTROOM.** A room designed to be used as a restroom by no more than one person at a time, which shall contain at least a toilet and a sink, which shall be suitable for use by disabled persons in compliance with applicable local, state and federal laws. The room shall be equipped with a locking mechanism to be operated by the user of the rest room.

**GENDER IDENTITY.** Shall have the meaning given in City Code Section 1-21-5.

**GENDER NEUTRAL RESTROOM.** A single occupancy restroom that is designated for use by any person, regardless of Gender Identity, as defined in City Code Section 1-21-5, as amended.

**2902.4 Signage.** All public restroom facilities shall be designated by legible signs, stating that the public facilities are for men, women, or are gender neutral, as applicable. For public facilities that have multiple occupancy restrooms, signs shall indicate that the multiple occupancy restrooms are either designated for men or for women. For single occupancy restrooms: (1) if the location includes only one single occupancy restroom, the single occupancy restroom shall be designated a gender neutral restroom; (2) if the location includes two single occupancy restrooms, one single occupancy restroom shall be designated a male restroom and one single occupancy restroom shall be designated a female restroom; (3) if the location includes three or more single occupancy restrooms, one single occupancy restroom shall be designated a male restroom and one single occupancy restroom shall be designated a female

restroom, while the remainder of the single occupancy restrooms will be designated gender neutral restrooms; (4) if the location includes two or more multiple occupancy restrooms and one or more single occupancy restrooms, the single occupancy restrooms will be designated gender neutral restrooms. Every restroom shall have appropriate signage indicating the designation of the restroom. Signs shall be readily visible and located near the entrance to each toilet facility. Signs for accessible toilet facilities shall comply with Section 1110.

**2902.4.1 Directional signage.** Directional signage indicating the route to the public facilities shall be posted in accordance with Section 3107. Such signage shall be located in a corridor or aisle, at the entrance to the facilities for customers and visitors.

**SECTION 2:** Existing businesses and places of public accommodation shall have sixty (60) days from the effective date of this ordinance to comply with any and all applicable provisions by replacing existing signs on the exterior of single stall restrooms depicting a single gender identity with signs indicating that they are gender neutral as required by this ordinance, and completing the necessary improvements to make each single stall restroom accessible to all gender identities as applicable. New businesses and places of public accommodation that have single stall restrooms shall provide the required signage and make each single stall restroom accessible to all gender identities immediately upon opening to the public.

**SECTION 3:** Signs consistent with this ordinance shall be compliant with the Building Code.

**SECTION 4:** If any provision of this Ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid application of this Ordinance is severable.

**SECTION 5:** The findings and recitals contained herein are declared to be

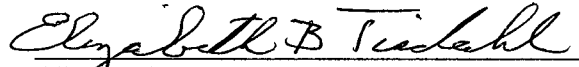
prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: October 21, 2015

Approved:

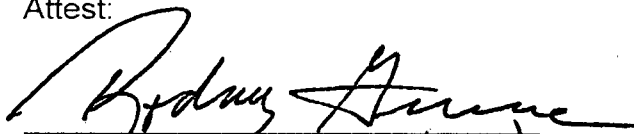
Adopted: October 21, 2015

October 30, 2015

  
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

  
Rodney Greene, City Clerk (WGS)

  
W. Grant Farrar, Corporation Counsel