




CITY OF CHICAGO

DEPARTMENT OF BUILDINGS

Code Memorandum

To: Department of Buildings Plan Reviewers, Project Managers, and Inspectors; Department of Public Health; Department of Business Affairs and Consumer Protection.

From: Judith Frydland, Commissioner 

Date: October 16, 2017

RE: **Use of Single-User Unisex Restrooms to Provide Separate Facilities**

Separate male and female toilet facilities are required by several provisions of the Municipal Code of Chicago, including in premises with a liquor license (4-60-100), massage establishments (4-92-052), and manufacturing establishments (4-224-020) as well as generally by Chapter 18-29 (18-29-403.2) and the Illinois Plumbing Code (77 Ill. Admin. Code 890.810). For many years, these provisions have been interpreted to require even single-user restrooms to be designated for either men or women.

These requirements for separate toilet facilities are intended to address two primary concerns: privacy and safety. These concerns are mainly raised in the context of restrooms which accommodate multiple simultaneous users. These concerns are not presented to the same degree by single-user restrooms. Also, many believe that single-user unisex restrooms are more welcoming for parents and guardians accompanying small children, individuals who may require assistance from a caregiver, and transgender and gender nonconforming people. For small restaurants and bars, which are often required to provide at least two single-user restrooms, a unisex designation maintains availability for all users when one of the single-user restrooms is in use or being cleaned. Single-user unisex restrooms have long been the norm on commercial airplanes.

Accordingly, and effective immediately for both new and existing installations, the Department will allow any requirement for separate toilet facilities to be met by providing the required number of plumbing fixtures in at least two single-user unisex restrooms. This memorandum does not reduce or increase the number of plumbing fixtures required. This policy change is optional, and a property or business owner may continue to designate single-user restrooms for men and women if they wish to do so (except unisex facilities required by Chapter 18-11).

For purposes of this memorandum, "single-user restroom" means a fully-enclosed room, with a locking mechanism controlled by the user, containing a lavatory, a single water closet, and no more than one urinal.

NOTE: Pursuant to the Illinois Plumbing Code, multi-user unisex restrooms are not permitted in Illinois. 77 Ill. Admin. Code 890.10(b)(2)(A)(iii) (2017). The City may not modify this requirement. 225 ILCS 320/42. Any request for approval of a plumbing installation that does not comply with the minimum requirements of the Illinois Plumbing Code should be submitted in writing to the Illinois Department of Public Health (IDPH). 77 Ill. Admin. Code 890.1940. IDPH's plumbing division may be reached at 217-524-0791 or DPH.Plumbing@illinois.gov.