



Building Standards and Codes

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TB-2009-BCNYS

TECHNICAL BULLETIN

Code Effective Date: October 31, 2017¹

Source Document: 19NYCRR 1221—Building Construction
19NYCRR 1222—Plumbing Systems
19NYCRR 1226—Property Maintenance²

Topic: Required Toilet Facilities

This document provides clarification of the requirements for public and employee toilet facilities in buildings regulated by the 2015 International Building Code (2015 IBC).

Section 2902.3 of the 2015 IBC and section 403.3 of the 2015 IPC stipulate that “customers, patrons and visitors shall be provided with public toilet facilities *in structures and tenant spaces intended for public utilization...*” (Emphasis added). The section includes exceptions, according to which, toilet facilities are neither required in parking garages without attendants nor in spaces having a public access area of 300 square feet or less “intended for quick transactions.” However, facilities for employees must be provided “*in all occupancies*,” including facilities for construction workers in accordance with Section 311.1 of the 2015 IPC. Where patron facilities are required, they may be shared with employees.

According to Section 2902.3.1 of the 2015 IBC and Section 403.3.1 of the 2015 IPC, “access to the required facilities shall be from within the building or from the exterior of the building.” Providing access from the building’s exterior is most common in fuel stations, service stations, and other facilities with limited indoor public areas.

According to Section 2902.3.2 of the 2015 IBC and Section 403.3.3 of the 2015 IPC,
In occupancies other than covered and open mall buildings, the required public and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m).

The allowable distance is reduced to 300-feet in malls, but can exceed 500-feet in factories and industrial occupancies, if approved by the authority having jurisdiction.

Section 503.3 of the 2015 IPMC provides an exception for certain uses in legally existing buildings which do not provide a direct indoor route to the toilet facilities “*from within the employee’s work area.*” According to this exception, a toilet facility may be located in an adjacent building, when all the following conditions are met:

1. The facilities serve employees working in storage structures or kiosks.
2. The adjacent building is under the same ownership, lease, or control as the building in which the work area is located.

¹ The “Code Effective Date” for this Technical Bulletin is October 31, 2017, which is the effective date of the current version of the New York State Uniform Fire Prevention and Building Code (the Uniform Code).

² The 2015 International Building Code (2015 IBC) is a publication incorporated by reference in 19 NYCRR Part 1221, the 2015 International Plumbing Code (2015 IPC) is a publication incorporated by reference in 19 NYCRR Part 1222, and the 2015 International Property Maintenance Code (2015 IPMC) is a publication incorporated by reference in 19 NYCRR Part 1226.

The 2017 Uniform Code Supplement is a publication incorporated by reference in 19 NYCRR Parts 1219 through 1228. The 2015 IBC, IPC and IPMC, as amended by the 2017 Uniform Code Supplement are all part of the Uniform Code.

3. The vertical and horizontal travel distance between the employee regular work area and the facilities does not exceed 500 feet.
4. Where either the facilities or the work area are required to be accessible, an accessible route to the facilities shall be provided per Sections 1104.2 and 1104.3 of the 2015 IBC.

In summary:

- employee toilet facilities must be provided in all occupancies.
- patron toilet facilities are required in most uses with some exceptions for small spaces intended for quick transactions.
- where required, facilities for the shared use of employees and patrons are permitted.
- access to the facilities can be either "*from within the building or from the exterior of the [same] building.*"
- the location of employee facilities in an adjacent building may be permitted, but only in legally existing buildings meeting the criteria outlined in the numbered list above.

Where these requirements cannot be met, the applicant may submit a [variance application](#) to the appropriate [Regional Office](#) of the Department of State, Division of Building Standards and Codes.

The information contained in this bulletin is not intended as a comprehensive listing of all requirements for toilet facilities. Other provisions of the Uniform Code apply including, but not limited to, minimum number of required fixtures per occupant load.

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