

From: [Eric McSwain](#)
To: CBSC@DGS
Cc: [Clair, Ida@DGS](mailto:Clair_Ida@DGS)
Subject: RE: PUBLIC COMMENT on PROPOSED BUILDING STANDARDS - Eric McSwain
Date: Monday, April 24, 2023 10:13:40 PM

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To whom it may concern,
I would like to submit the following comments regarding proposed changes to CBC Section 11B-216.8.

Proposed Building Standard
Title 24 Part #: Part 2
Section #: (ET Item 17) 11B-216.8
Proposing State Agency: DSA-AC
This comment is intended for review during: 45-Day Comment Period

Your recommendation based on the criteria of Health and Safety Code Section 18930(a):
Approve as Amended

9 Point Criteria Info:
18930(A) 1

I have a number of concerns regarding 11B-216.8.

1. There are a few issues with 11B-216.8.2. Here is that code section.

11B-216.8.2 Identification for all-gender multi-user toilet facilities. Geometric symbols complying with Section 11B-703.7.2.6.3 shall be provided at the entrance to all-gender multi-user toilet facilities. In addition, a sign complying with Sections 11B-703.1 through 11B-703.5 shall be provided stating "ALL-GENDER MULTI-USER".

1a. 11B-216.8.2 Identification for all-gender multi-user toilet facilities calls for geometric symbols to be provided at the entrance to all-gender multi-user toilet rooms.

There are a couple issues with this:

- A. Requirements for Geometric symbols are provided in 11B-216.8.1. That section applies to toilet rooms of all types. There is no need to repeat the requirement here. If there is a perceived need to clarify that **11B-706.7.2.6.3 Unisex toilet and bathing facilities** is also applicable to all-gender (multi-user) toilet rooms, then 11B-216.8.2.1 and/or 11B-703.7.2.6.3 should be modified to say so.
- B. Time and again I have been told by folks at DSA that gender symbols do not identify toilet rooms. I continue to disagree, but this is one more reason why gender symbols should not be scoped within a section titled **Identification for...**

1b. The last half of the section calls for a raised letter and braille room identification sign for which it prescribes a very specific name: "ALL-GENDER MULTI-USER". There are a few issues with this:

- A. While I certainly think it is important to advise (even warn) folks that the multi-user toilet room is an all-gender facility, the CBC does not prescribe a specific message for any other toilet room type.
- B. The proposed language does not indicate what type of room the all-gender multi-user space is. Certainly, the sign should also indicate that the room to which it refers is a restroom. It is my understanding that many people who read tactile characters and/or braille struggle with and/or refuse to read long messages. For this reason, I suggest calling for "RESTROOM" to be stated at the beginning to the tactile message.

If a specific message is going to be prescribed at all-gender multi-user toilet rooms, please consider revising 11B-216.8.2 as follows:

11B-216.8.2 Identification for all-gender multi-user toilet facilities. *A sign complying with Sections 11B-703.1 through 11B-703.5 shall be provided stating "RESTROOM ALL-GENDER MULTI-USER".*

Otherwise, please consider eliminating 11B-216.8.2 altogether.

If it needs to be clarified that "unisex" encompasses "all-gender", please consider revising the first two sentences of 11B-703.7.2.6.3 as follows:

Current text:

"11B-703.7.2.6.3 Unisex toilet and bathing facilities. *A combined circle and triangle symbol shall be located at entrances to unisex*

toilet and bathing facilities.”

Text to consider:

11B-703.7.2.6.3 Unisex and all-gender toilet and bathing facilities. *A combined circle and triangle symbol shall be located at entrances to unisex and all-gender toilet and bathing facilities.*

2. 11B-216.8.3 calls for all toilet compartments to be identified with raised letter and braille signs in toilet rooms that provide both toilet and urinal compartments. There are a few issues with this.

Here is the proposed language:

11B-216.8.3 Signs at toilet and urinal compartments.

Where both toilet compartments and urinal compartments are provided, each individual compartment shall be identified with a sign complying with Sections 11B-703.1 through 11B-703.5. Signs shall identify the type of fixture within the compartment, either “URINAL” or “TOILET”. A pictogram identifying the fixture type within the compartment is not permitted.

Exception: *A sign with tactile characters shall be permitted on an in-swinging and self-closing door at compartments not required to comply with Section 11B-604 or Section 11B-605.5.*

2a. Section 11B-216.8 is titled ***Toilet and bathing rooms***. 11B-216.8.3 does not take into account that all-gender multi-user (restrooms) may also include bathing and/or shower compartments that are not easily distinguishable from the toilet and/or urinal compartments. Perhaps this doesn't need to be prescribed in the code, but I think including signs that identify bathing facilities deserves

consideration.

2b. 11B-216.8.3 prohibits the use of pictograms. I can understand not allowing pictograms alone, but 11B-216.2 and 11B-703.6.3 require that, where pictograms are used to identify a room or space, tactile text and braille descriptors must also be provided. Pictograms will likely inform folks much better than word will. I do not think the code should require pictograms, but I don't think they should prohibit them either. Please consider revising 11B-216.8.3 to allow for pictograms (with tactile descriptors per 11B-703.6.3) to be used to identify the various compartment types.

2c. 11B-216.8.3 allows for tactile signs to be installed on the faces of toilet and urinal compartments, but only on those that are not wheelchair or ambulatory accessible. As doors to ambulatory accessible toilet compartments must swing out of the compartment, it makes sense that signs may not be installed on their faces. But I see no reason why (except per Items 2e and 2f below), if tactile signs may be installed on in-swinging non-accessible compartments, that they may not also be installed on the faces of in-swinging wheelchair accessible toilet and/or urinal compartments.

Given the above, please consider changing 11B-216.8.3 as follows:

11B-216.8.3 Signs at toilet, urinal, and bathing compartments. *Where a variety of compartment types are provided, each individual compartment shall be identified with a sign stating "TOILET", "URINAL", and/or "BATH" or "SHOWER", as appropriate. These signs shall comply with Sections 11B-703.1 through 11B-703.5. Where pictograms are also provided, they shall comply with 11B-703.6.*

Exception: *Signs with tactile characters shall be permitted on self-closing in-swinging compartment doors.*

2e. No mention is made of using ISAs to identify the accessible compartments. Please consider further modifying 11B-216.8.3 to call for accessible compartments to be identified with an ISA.

11B-216.8.3 Signs at toilet, urinal, and bathing compartments. *Where a*

variety of compartment types are provided, each individual compartment shall be identified with a sign stating "TOILET", "URINAL", and/or "BATH" or "SHOWER", as appropriate. These signs shall comply with Sections 11B-703.1 through 11B-703.5.

Where pictograms are also provided, they shall comply with 11B-703.6. Where a variety of compartment types is provided and not all of each type are accessible, wheelchair and ambulatory accessible compartments shall be identified by an International Symbol of Accessibility complying with Section 11B-703.7.2.1.

Exception: *Signs with tactile characters shall be permitted on self-closing in-swinging compartment doors.*

2f. Because compartment doors are not (typically) self-latching, unless the door is latched, it will move away from a person trying to read tactile characters with their fingers.

2g. 2010 ADAS Section 703.4.2, Exception allows tactile signs to be mounted on the push side face of doors with closers and without hold-open devices. 2022 CBC 11B-703.4.2 allows this only in alterations when the prescribed locations are unavailable. 11B-216.8.3, Exception may trump 11B-703.4.2, Exception when it comes to toilet rooms as described in the former. However, 11B-216.8.3 does not trump 2010 ADAS 703.4.2.

Partition doors typically do not have closers, they have gravity hinges or spring-loaded hinges, which, I believe, do not qualify as closers. (Compare the title of 2010 ADAS **404.2.8.1 Door Closers and Gate Closers** with **404.8.2 Spring Hinges**.) Accordingly, unless partition doors are equipped with actual closers, I do not believe 11B-216.8.3, Exception will comply with 2010 ADAS 703.4.2.

I have consulted on projects that provide all-gender multi-user toilet and bathing facilities with full-height partitions, and I have wrestled – unsuccessfully - with trying to figure out how to identify the different compartments in a compliant fashion. Of course, partition doors seldom have space beyond the latch side of their door for tactile signs. A solution is certainly needed, and I applaud

DSA's attempts to find one, but I don't believe proposed 11B-216.8.3, Exception complies with the 2010 ADAS.

Thank you,
Eric

Eric McSwain, RA, CASp
ACCESS COMPLIANCE CONSULTANTS, INC.
811 El Capitan Way, Suite 230, SLO, CA 93401
c: (805) 550-5997 p: (805) 541-2745