

*THIS IS A DRAFT ORDINANCE AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE
OR RESOLUTION ADOPTED BY CITY COUNCIL.*

ORDINANCE

**AMENDING CHAPTER 10, BUILDING RELATED CODES, OF THE CITY CODE
OF SAN ANTONIO, TEXAS, TO REQUIRE BABY CHANGING STATIONS IN
PUBLICLY ACCESSIBLE RESTROOMS OF CERTAIN BUILDINGS.**

* * * * *

WHEREAS, in July of 2019 a proposal for consideration of an ordinance that would require Baby Changing Stations in restrooms of new and existing buildings was submitted to the Development Services Department (DSD); and

WHEREAS, the Building-Related and Fire Codes Appeals and Advisory Board (BRFCAAB) formed a subcommittee to review the issue and a public meeting was held on August 22, 2019; and

WHEREAS, the Real Estate Council of San Antonio, Building Owners and Managers Association, and the San Antonio Restaurant Association were contacted for industry input and invited to all public meetings; and

WHEREAS, the full BRFCAAB held public meetings on August 27, 2019, and on October 31, 2019, to discuss the issue, and recommended the proposed language be forwarded to City Council for consideration; and

WHEREAS, the proposed changes were presented to the Planning and Land Development council committee on February 10, 2020, who recommended that DSD bring forward the proposal to full City Council for consideration: **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 10 of the City Code of San Antonio, Texas, is hereby amended by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as follows:

ARTICLE III.- BUILDING CODE

* * *

Sec. 10-32 Baby changing stations.

(a) **Requirement.** Each publicly available and accessible restroom serving Group A and Group M occupancy type areas, Hospitals, and City Owned Buildings shall be equipped with a minimum of one safe, sanitary, and convenient baby changing station under the following circumstances:

- (1) New building: all new buildings providing areas with the occupancy types specified, Hospitals, and City Owned Buildings;
- (2) Existing building: all existing buildings providing areas with the occupancy types specified, Hospitals, and all City Owned Buildings; and any of the following changes are made:

a. A new restroom is built;

- b. The square footage of an existing restroom is increased by 50 sq. ft. or more;
- c. The number of fixtures of an existing restroom is increased;

(b) Exceptions. The requirement to provide baby changing stations does not apply to a restroom that contains clear and visible signage indicating where an alternative restroom and/or a designated area approved by the “Building Official” with a baby changing station is located within the same building and on the same floor. The alternative restroom must be one that is available to individuals of the gender of the original restroom.

(c) Definition. Baby Changing Station: Means a baby changing station, deck, table, or similar amenity that is intended for use by the public for the purpose of changing diapers on children weighing up to 50 pounds.

(d) Appeals. Appeals to this requirement can be submitted to the Building-Related and Fire Codes Appeals and Advisory Board in accordance with section 10-14 of this chapter.

Sec. 10-323—10-35. -Reserved.

* * *

SECTION 2. All other provisions of Chapter 10 of the City Code of San Antonio, Texas, shall remain in full force and effect.

SECTION 3. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 4. The City Clerk is directed to publish notice of this ordinance amending City Code, Chapter 10. Publication shall be in a newspaper in the City in accordance with Section 17 of the City Charter.

SECTION 5. The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 6. This ordinance shall become effective immediately on passage with eight affirmative votes; otherwise it shall become effective on the 10th day after passage.

PASSED AND APPROVED this _____ day of _____, 2020.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney