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Budget, Education & City Services

May 2022, Budget, Education & City Services Committee

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The Need for Public Bathrooms in NYC

WHEREAS, Public bathrooms are essential so that people can meet a basic human need and the current paucity of public toilets creates concerns for public health, human rights, quality of life and senior and gender equity in New York City (NYC); and

WHEREAS, The lack of public bathrooms contributed to over 20,000 citations for public urination in 2017; and

WHEREAS, There were 378,655 311-complaints about public urination from 2010-2018 which demonstrates the quality of life issues created by the extreme shortage of public toilets; and

WHEREAS, The Occupational, Safety and Health Administration ("OSHA") recognizes the need for access to toilets and requires employers to provide their employees with toilet facilities so that they will not suffer the adverse health effects that can result if toilets are not available; and

WHEREAS, The NYC Building Plumbing Code stipulates that customers, patrons, and visitors shall be provided with public toilets facilities in structures under public facilities, which is an acknowledgment that toilet access is a basic human need that must be provided for; and

WHEREAS, The NYC Building Plumbing code stipulates that transportation centers have a minimum of one (1) lavatory for every 750 users, which provides some guidance on determining the number of toilets that need to be made available per location; and

WHEREAS, Neither the NYC Building Code nor New York City's Zoning Resolution include any requirements for public bathrooms in our public spaces, making toilets and changing facilities unavailable where they are greatly needed; and

WHEREAS, Only 14 of the 590 privately-owned public spaces (POPS) in NYC currently provide public bathrooms, a missed opportunity; and

WHEREAS, The MTA's New York City Transit, operated by New York State, only has public bathrooms in 78 of their 472 subway stations, which equates to only 146 bathrooms for 5.7 million subway riders - or one toilet per 39,000 people - even if they were all open and operational; and

WHEREAS, There are 662 comfort stations in the 1,700 NYC public parks. However, since the NYC Parks budget does not generally fund the operational expenses for their toilet facilities, their state of repair and general safety are widely variable; and

WHEREAS, The Parks Department's reliance on public-private partnerships with Business Improvement Districts (BID's) and non-profit Friends of Parks groups to maintain their public bathrooms results in the number, distribution and quality being inadequate and inequitable as noted in the city's Discomfort Stations report; and

WHEREAS, The public bathrooms that are available often have no stalls or separate facilities that can accommodate wheelchair users, people with attendants or service animals or adults accompanying children, which discriminates against some of those with the greatest need; and

WHEREAS, There are a total of about 1,100 public bathrooms operated by government entities, which includes the comfort stations and subway bathrooms listed above as well as 125 bathrooms in NYPD stations, 216 bathrooms in public libraries and 5 automatic public toilets that are open to the public.

WHEREAS, For a city of 8.8 million people, that's roughly 1 bathroom for every 8,000 people; and

WHEREAS, There are 63 million annual tourists in NYC that also need access to public bathrooms; and

WHEREAS, There are only 2 public bathrooms opened 24/7; and

WHEREAS, The NYC Department of Homeless Services operates 5 Drop-in Centers in NYC that provide toilet access in addition to hot meals, showers, laundry facilities, and social services serving the 3,600 people who are homeless and unsheltered on the streets, which leaves a great need for 24-hour public toilets that can be used by NYC's unsheltered throughout the city; and

WHEREAS, Denying a basic human need for all residents, workers and visitors due to fear of illicit or inappropriate use of public bathrooms is unacceptable and calls for better mitigation efforts not bathroom restrictions;

WHEREAS, There are many potential options to add different types of bathrooms in communities including automated public toilets, trailer bathrooms, portland loos, community toilet scheme, zoning requirements, etc.; and

WHEREAS, Safety and cleanliness are crucial concerns of the public when discussing public bathrooms; and

WHEREAS, Public bathrooms with full-time attendants, virtual attendants, and maintenance staff nearby are preferred; therefore, be it

RESOLVED, Community Board Five urges the city

- To provide more public bathrooms in the city with at least one additional 24/7 public bathroom (with full time attendants) in our district,
- To use easily identifiable signage for public bathrooms;
- To use technology to help people locate all publicly accessible bathrooms in NYC along with information about the operational status, accessibility for wheelchair users, and changing facilities for infants and children for each.



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