

FAQ: Single Occupancy Restrooms



Restrictive, anti-transgender bathrooms bills have been advanced in states across the country, shutting transgender people out of safe access to public restrooms, which in turn makes it difficult for many to participate in public life. Ohio is no stranger to this trend. Last year, the Ohio General Assembly passed SB 104, which prohibits transgender people from using restrooms aligned with their gender identity in K-12 schools and institutions of higher education.

This troublesome situation is already worsening amid the issuance of multiple federal executive orders that attempt to impose discriminatory anti-transgender bathroom bans at schools, for federal workers, and on federal property.

Municipalities can respond to these attacks on safe restroom access for transgender people by making all public single-occupancy bathrooms gender neutral. Single-occupancy bathrooms are defined as a bathroom that has no more than one toilet, one sink, a urinal, and a door that locks.

This is a low-cost policy change that would require city-owned single-occupancy restrooms and single-occupancy restrooms in privately-owned public establishments simply to change current gendered signage to gender-neutral signage. This policy would not affect multi-stall shared restroom facilities.

Single-occupancy bathroom ordinances ensure public facilities are safe and accessible for everyone – including transgender and gender nonconforming people. They also benefit people with disabilities, who may require the assistance of an aid or caretaker in the restroom; caretakers and parents, who need to accompany young children to the restroom; and anyone who has waited in line for a single-stall gendered restroom when a single-stall restroom marked for another gender was unoccupied.

Single-occupancy restroom ordinances are not a new or radical idea. Cities across the country have implemented these policies including [Austin](#) in 2014 and [Atlanta](#) in 2021. Here in Ohio, [Cincinnati City Council](#) unanimously passed a single-occupancy restroom ordinance in September of 2021.

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These ordinances are not only common sense, but they also are explicitly allowed under Ohio law. This policy specifically complies with [Ohio Building Code Section 2902.1.2](#): "Single-user toilet and bathing rooms, and family or assisted-use toilet rooms and bathing rooms shall be identified as being available for use for use by all persons regardless of their sex." SB 104 itself explicitly allows for single-occupancy restrooms to be gender-neutral as well, which illustrates how non-politicized this issue is.

At a time when attacks from the federal and state level are mounting, local elected leaders are looking for concrete ways to protect their residents from this gross overreach. While there is no panacea to stop this flood of harmful policies targeting transgender people, disabled people, and others, adopting this ordinance is at least one surefire way to make our communities more accessible for everyone.

Not only are local advocacy efforts important for protecting residents of our communities, but we also believe they are a vital part of building power at the local level to defend not just our civil rights and liberties but democracy, itself.

We at the ACLU of Ohio are eager to work with municipalities on important local policies including this one. If you're interested in working on a local policy, reach out to Sean McCann at SMcCann@acluohio.org.

