

ORDINANCE NO. C35755

An ordinance requiring baby changing facilities in publicly accessible restrooms in all City of Spokane owned buildings; amending SMC Section 12.05.005; and adopting new section 12.05.025 to Chapter 12.05 of the Spokane Municipal Code.

NOW, THEREFORE, BE IT RESOLVED, the City of Spokane does ordain:

Section 1. That section 12.05.005 of Chapter 12.05 of the Spokane Municipal Code is amended to read as follows:

Section 12.05.005 Definitions

- A. "Agent" means any person acting within the scope of employment by or acting on behalf of the City of Spokane including City-facility property managers.
- B. "Baby changing facility" means a table or other device suitable for changing the diaper of a child.
- C. "Employee" means any person holding a regularly compensated position of employment with the City of Spokane including elected officers.
- D. "Federal civil immigration enforcement operations" means an operation than has one of its objectives the identification or apprehension of a person or persons in order to investigate them for a violation of the immigration law and subject them to one or more of the following:
 - 1. Civil immigration detention;
 - 2. Removal proceedings; and
 - 3. Removal from the United States
- E. "LEED" is a green building rating and certification system developed by the U.S. Green Building Council to evaluate environmental performance from a whole building perspective, including sites, water efficiency, energy & atmosphere, materials & resources, indoor environmental quality, locations & linkages, awareness & education, innovation in design, and regional priority.
- F. "Nonpublic" means any area of a city facility or property that is not generally open and accessible to the general public, but instead requires prior to entry express permission, such as a valid ticket for a bona fide passenger, or permission by a city employee or an employee of a tenant in a city facility on an individual

basis. Areas posted as “Restricted” in City facilities shall be considered to be non-public areas.

- G. “United States Citizenship and Immigration Services” means the agency of the United States Department of Homeland Security and any successor agency charged with overseeing United States immigration laws.
- H. “United States Customs and Border Protection” means the agency of the United States Department of Homeland Security and shall include any successor federal agency charged with border enforcement.
- I. “United States Immigration and Customs Enforcement” means the agency of the United States Department of Homeland Security including Enforcement and Removal Operations and Homeland Security Investigations and shall include any successor federal agency charged with the enforcement of immigration laws.
- J. “U.S. Green Building Council” is an organization serving as the nation’s foremost leaders from across the building industry working to promote buildings that are environmentally responsible, profitable, and healthy places to work and live.

Section 2. That a new section 12.05.025 be added to Chapter 12.05 of the Spokane Municipal Code to read as follows:

Section 12.05.025 Baby Changing Facilities in Restrooms of City Buildings

- A. All publicly accessible restrooms in buildings owned and occupied by the City of Spokane shall be equipped with baby changing facilities.
- B. The Asset Management Director, or his or her designee, shall be responsible for ensuring baby changing facilities buildings owned by the City of Spokane are safe, sanitary, and accessible.
- C. This section shall not apply to:
 - 1. a restroom in a building owned by the City of Spokane that is not accessible by the public;
 - 2. a restroom in a building owned or maintained by Spokane Parks and Recreation; or
 - 3. a restroom in a building owned by the City of Spokane that contains clear signage indicating where a publicly accessible restroom with a baby changing table is located in the same building.

D. The construction and installation of baby changing facilities shall be incorporated in the Capital Improvement Plan with a goal of installing at least two baby changing facilities in City of Spokane buildings each year until compliant with this ordinance.

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date