AN ACT to:

(1) require gender-inclusive restrooms in certain places of public accommodation and County-owned buildings; and

(2) generally amend the law regarding discrimination in public accommodations.

By amending
Montgomery County Code
Chapter 27, Human Rights and Civil Liberties
Section 27-10

By adding
Montgomery County Code
Chapter 27, Human Rights and Civil Liberties
Section 27-11B

The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Section 27-10 is amended and Section 27-11B is added as follows:

27-10. Scope.

* * * *

(c) Except as provided in Section 27-11B, this division does not apply to accommodations that are distinctly private or personal.


(a) Definitions.

In this Section, the following terms have the meanings indicated:

Gender-inclusive signage means a sign or display identifying a restroom that does not indicate a specific gender or contains descriptive language, such as “restroom”, “bathroom”, or “toilet”, or a [symbol] picture or icon indicating the restroom’s availability for use by any individual regardless of gender or gender identity. A gender-inclusive signage may include a picture or icon of a toilet.

Place of public accommodation has the meaning stated in Section 27-10.

Public single-user restroom means a single-occupancy restroom for public use with at least one [water closet] toilet and an entry door that can be locked from the inside by the occupant. A public single-user restroom does not include a private restroom in a residence, hospital, inn, hotel, motel, or restrooms that are only accessible from a private room or office.

(b) Gender-inclusive public single-user restroom = required. A public single-user restroom, existing or newly built, in a place of public accommodation or County-owned building, must be:

(1) made available for use by individuals of any gender; and

(2) identified with gender-inclusive signage.
(c) **Enforcement and Penalties.**

(1) *Who may enforce.* The following have the authority to enforce this Section:

(A) The Department of Permitting Services;

(B) The Department of Health and Human Services; and

(C) any other agency designated by the Chief Administrative Officer.

(2) A person authorized to enforce this Section must not issue a citation unless the violation still exists 30 days after an initial notice of violation.

(3) A violation of this Section is a Class A violation.
Approved:

Gabriel Albornoz, President, County Council
7/28/2022
Date

Marc Elrich, County Executive
8/8/2022
Date

This is a correct copy of Council action.

Judy Rupp, Clerk of the Council
8/8/2022
Date