

**Testimony of Marcia Bernbaum, Mentor & Advisor to the
People for Fairness Coalition (PFFC) Downtown DC Public Restroom Initiative
at the January 10, 2018 Hearing on Bill 22-0223 chaired by the
Committee on Transportation and Environment**

Committee Chair Cheh, members of the Committee on Transportation and Environment,

My name is Marcia Bernbaum. I am here to support Bill 22-0223 in two capacities: as mentor and advisor to the PFFC Downtown DC Public Restroom Initiative, and as a senior who is restroom challenged (as we age our bladders get smaller). When I have to go I have to find a restroom urgently. While we represent a group of homeless and formerly homeless it is important to state that from the day we launched this Initiative we have had a very clear goal: **clean, safe, available public restrooms for EVERYONE in needed areas of downtown DC.**

As I believe you are aware, Bill 22-0223 is inspired by our Public Restroom Initiative. Through our research, that you can find on our webpage (www.pffcdc.org/what-we-do-public-restrooms), we have documented that DC is woefully lacking in public restrooms and that private facilities are increasingly limiting restroom access to patrons. We have also identified guidelines for selecting sites and stand-alone public restrooms available 24/7 that are based on lessons learned and best practices in other cities in the US that have been successful in recent years in installing and maintaining clean, safe available public restrooms.

I would like to focus my testimony on two topics:

1. Current support in the District for clean, safe, available public restrooms and for Bill 22-0223.
2. Provisions in Bill 22-0223 that reflect lessons learned and best practices from other cities that have successfully installed and maintained clean, safe available public restrooms

Others, in their testimonies, will focus on other aspects – among them:

- The results of our restroom inventories which show how limited restroom access is in the District.
- Options that we have identified for stand-alone public restrooms as well as incentives to businesses for receiving an incentive to open their restrooms to the public.
- Availability of clean, safe public restrooms in European and Asian capitals.
- That access to clean, safe public restrooms is a human right.
- That clean, safe, available public restrooms are critical for personal and public health.
- Who benefits from having ready access to clean, safe available public restrooms: the restroom challenged, young children who have small bladders, tourists, joggers and bikers, Uber and Taxi drivers, the homeless

Support in DC for clean, safe public restrooms and for Bill 22-0223

As of the date of this hearing 11 ANCs have sent resolutions to the DC City Council supporting Bill 22-0223 and public restrooms. All include commercial corridors within their boundaries:

- In Ward 1: ANCs 1B and 1C which include the Columbia Rd and 18th St corridors and the 14th St and U St corridors, respectively,
- In Ward 2: ANCs 2A, 2B, 2C, and 2F which include commercial areas in Foggy Bottom, Dupont Circle, Gallery Place, and Downtown DC
- In Ward 3, ANCs 3C, 3D, 3E, and 3F which include commercial areas along Wisconsin Ave in Friendship Heights, Tenley Town, and Glover Park; along Connecticut Ave in Vanness, Cleveland Park and Woodley Park; along Massachusetts Ave in Spring Valley; and along MacArthur Blvd in Palisades.
- In Ward 5: ANC 5E which includes commercial areas along North Capital Street

While they cannot publicly support bills, the Capitol Hill BID, Downtown DC BID and Georgetown BID support *“public restrooms access for all members of the downtown DC community to support a higher quality of life for our community, workers, and guests”*.

We also have support from several churches, organizations that support the underserved, the Dupont Circle Citizen’s Association, Dupont Circle Village, and the Washington Area Bicyclist Association (WABA). This information is included on our website (www.pffcdc.org/what-we-do/public-restrooms).

Provisions in Bill 22-0223 that reflect lessons learned/best practices

The drafters of Bill 22-0223, who made use of our research along with additional information, went out of their way to incorporate lessons learned and best practices from other cities in the US and elsewhere that have been successful in installing and maintaining clean, safe available stand-alone public restrooms. They include:

- The importance of selecting sites: (1) that are in visible areas, (2) where there is a high level of pedestrian traffic, (3) where there has been input and support from the surrounding community, (4) located near water and sewer facilities, and (5) where there are provisions in place for both community and police monitoring.
- Selecting stand-alone restroom facilities that: (1) are designed with safety considerations in mind; (2) include provisions to discourage illicit use; (3) encourage users to spend a limited amount of time in the facility in order to maximize restroom use; (4) are reasonable in price, (5) clean, and (6) are easy to maintain.
- Arranging for signs so that users can identify restrooms locations

From Bill 22-0223

Section 3 (b) 2: The working group shall consider the following criteria in designating appropriate site locations for the installation of public restroom facilities:

- a) Areas with frequent human waste clean-up needs*
- b) Areas with pedestrian traffic*
- c) Cost of installation, including water and sewer lines*
- d) Ensuring access for people experiencing homelessness*
- e) Availability of existing public restroom facilities*
- f) Input from ANCs, BIDs, or other community organizations*

Section 2 (b) (3): The working group shall identify design criteria for the public restroom facilities that would:

- a) Promote usage*
- b) Discourage use of facilities for illicit or nuisance activities*
- c) Minimize costs including maintenance*
- d) Ensure acceptance by the surrounding community*
- e) Allow advertisement space*

Section 3 (b) (5): The working group shall devise and implement a strategy to disseminate information to the public regarding location of public restrooms facilities such as signage or a publically available online database

The Community Toilet Incentive section of Bill 22-0223 (Section 4) is based on an approach being successfully implemented in London and other cities in Great Britain and Germany as a supplement to stand alone public restrooms. If chosen for use in the District, this will be the first time that this option will be used in the US and should, if successful, serve as an incentive for other cities in the US.

Section 4 of Bill 22-0223:

- Requires that participating private establishments provide documentation of its maintenance and supply costs
- That they provide a sign in a prominent location in the establishment
- As with stand-alone public restrooms, prepare a data base and make it available to the public

Of particular importance are the provisions built into Bill 22-0223 for reporting on and taking action regarding illicit or nuisance activities. They include:

- Starting in January of 2020 that the Mayor and the MPD will be responsible for monitoring to see if stand-alone public restrooms are responsible for an increase in illicit or nuisance activities
- Authorization for the MPD to close any restrooms that exhibit these criteria.

Bill 22-0223 names a working group headed by the Department of Public Works to carry out its provisions. We stand ready to assist by: sharing our research; providing more detailed information on options; providing contacts in other cities in the US that have been successful in installing and maintaining clean, safe, available public restrooms; and, as requested, in helping to identify civic organizations that either already support or might support having public restrooms installed in their communities.

We also look forward to answering any questions you might have.

Thank you for giving me the opportunity to testify,