

STEVEN L. BESHEAR
GOVERNOR



ROBERT D. VANCE
SECRETARY

PUBLIC PROTECTION CABINET
DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION
DIVISION OF BUILDING CODE ENFORCEMENT
101 SEA HERO ROAD, SUITE 100
FRANKFORT, KENTUCKY 40601-5405
TELEPHONE: (502) 573-0373
FAX: (502) 573-1059
WEB SITE: WWW.DHBC.KY.GOV

FORMAL INTERPRETATION 99-08

DOCUMENT: 2007 / 2002 / 1997 Kentucky Building Code
Kentucky Plumbing Code

SUBJECT: Accessible toilet rooms in mercantile occupancies
Section 1104.5 - KBC

QUESTION: Can a retail store have restrooms located in the storage/stock room area as long as the access to that area is clearly identified with approved signage?

ANSWER: No.

COMMENTARY: When the Kentucky State Plumbing Code requires toilet rooms to be accessible to the public then public access shall be directly from the sales area without going into or through a secure area such as a stock room or other such space. These toilet rooms shall also be accessible to persons with physical disabled. Therefore, these toilets must be located directly adjacent to the public areas and / or accessed through a public corridor, vestibule or similar public space.

Access through a stock area or other area not considered for general public access is not longer considered accessible under the provisions of the 2007 Kentucky Building Code.

Buildings or tenants under 5,000 square feet that exceed a total occupant load of 100 persons as calculated under Section 1004 of the Kentucky Building Code are not required to have public toilets. However, the employee toilets must still be accessible to the physically disabled. 815 KAR 20:191, Section 13(2), (b).

A handwritten signature in blue ink, appearing to read "George E. Mann".

George E. Mann
Deputy Commissioner

May 31, 2009
Date

Originated January 1999