

**St. Johns County  
Fire Rescue Department**



**Child Care Center  
Fire Code Information  
Booklet**

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## INTRODUCTION

The St. Johns County Fire Marshal's Office and the St. Augustine Fire Marshal's Office have prepared this notebook to assist child care center owners/operators in understanding the Uniform Fire Safety Rules and Standards adopted by the Florida State Fire Marshals Office.

This pamphlet addresses the major code requirements that effect childcare centers. They are approved smoke detection systems, approved manual fire alarm systems, extinguishing hood systems for cooking appliances, and fire extinguishers. This packet will also address those items most noted during fire safety inspections.

We strongly recommend that before you purchase or install any device or fire safety equipment, you contact the Fire Prevention Bureau to review the product. In addition, if you are interested in expanding your center, remodeling the interior (i.e. adding or deleting walls or doors), or adding another that you contact the Fire Prevention Bureau to conduct a preliminary fire safety inspection. This could save you great expense and inconvenience.

At the end of this notebook, there are standard forms that have been designed by our offices to help you. Please feel free to copy these forms as often as you need. If you have any questions, please feel free to call. We hope this notebook assists in providing fire safe child cares in St. Johns County, the City of St. Augustine, as well as the City of St. Augustine Beach, and the township of Hastings.

St. Johns County Fire Marshals Office 209-1740  
City of St. Augustine Fire Marshals Office 825-1098

### **CODES ADOPTED FOR CHILD CARE CENTERS**

The codes used for childcare centers are adopted by the Florida State Fire Marshal in Chapter 4A-36 of the Uniform Fire Safety Rules and Standards. In 1988, in response to child care center owners/operators request, the Florida Legislature and State Fire Marshal's Office made chapter 4A-36, Child Care Facilities, a uniform fire safety standard.

The uniform standard applies to all child care centers throughout the state and requires that all regulating agencies use chapter 4A-36. Chapter 4A-36 also states that NFPA 101, the Life Safety Code, shall be used.

Enclosed in this notebook is a copy of 4A-36 and excerpts of NFPA 101, Life Safety Code, 2000 edition pertaining to childcare centers.

## **REQUIRED FIRE SAFETY ITEMS**

### **Manual Fire Alarm Systems**

A manual fire alarm system is a combination of devices including a supervised signal (in case there is a loss of power or other trouble), control panel, annunciator panel (to indicate the location of devices), audible and visual warning devices (horns with flashing lights to assist hearing impaired occupants) and an activating device (manual pull station or detection device) that when activated warns the occupants of a possible unsafe fire condition. A manual fire alarm system is usually interconnected with the automatic smoke detection system.

All childcare centers are required to have an approved manual fire alarm system. Except those centers with fewer than 12 clients with the required staff based on NFPA 101, 16-6.1.1.2, 2000 edition.

Florida Statutes require that a Fire Alarm System contractor, licensed by the State of Florida, install all fire alarm systems. If you have any questions about a specific contractor, please call the building department in your area.

St. Johns County, City of St. Augustine, and the City of St. Augustine Beach require that three sets of plans and systems component specifications be submitted to the Fire Marshal's Office via the building department for review prior to installation. After the plans are reviewed and approved a permit will be issued for the contractor to install the system.

The child care center owner/operator must have the system tested, inspected and maintained at least annually by a licensed fire alarm contractor. Records must be kept on file at the center for fire department review.

### **Automatic Smoke Detection Systems**

An automatic smoke detection system is an interconnected system of automatic fire detection devices (may include heat detectors or smoke detectors) which include a supervised signal (in case there is a loss of power or other trouble), control panel, annunciator panel (to indicate the location of the device) and audible and visual warning devices (horns with flashing lights to assist hearing impaired occupants) that when activated warns the occupants of a possible unsafe fire condition. This system is usually interconnected with the manual fire alarm system.

All Child Care Centers are required to have an approved automatic smoke detection system. Except those centers with fewer than 12 clients with the required staff based on NFPA 101, 16-6.3.4, 2000 edition.

Florida Statutes require that a Fire Alarm System contractor, licensed by the State of Florida install all fire alarm systems. If you have any questions about a specific contractor, please call the building department in your area.

St. Johns County, City of St. Augustine, and the City of St. Augustine Beach require that three sets of plans and systems component specifications be submitted to the Fire Marshal's Office via the building department for review prior to installation. After the plans are reviewed and approved a permit will be issued for the contractor to install the system.

The child care center owner/operator must have the system tested, inspected and maintained at least annually by a licensed fire alarm contractor. Records must be kept on file at the center for fire department review.

### **Cooking Appliance Automatic Fire Suppression Systems and Exhaust Systems**

A cooking appliance automatic fire suppression system and exhaust system is installed when cooking appliances produce grease laden vapors in non-residential buildings (NFPA 96, 1-1, 1998 edition). According to NFPA 101, 2000 edition, a fire extinguishing hood system is not necessarily required for all residential type stoves in commercial buildings. A determination is to be made on a case by case basis with consideration to be given on the quantities of smoke and grease laden vapors that will be produced by operation of the equipment in question.

The automatic suppression system is activated by either manual (pull station) or automatic (fusible link) means. The suppression system discharges an extinguishing agent (either wet or dry chemical) that mixes with the grease vapors and smother the fire.

The exhaust system is made up of a hood, plenum, and duct, which removes the vapors from the building. In the event the suppression system is discharged the exhaust system draws the extinguishing agent up the duct and plenum to protect from fire or further damage.

In addition, the system will automatically cut off the fuel to the appliance (either gas or electricity). The fire suppression system and the exhaust system must be interconnected to the fire alarm system.

Florida Statutes requires that a Fire Suppression Contractor, licensed by the State of Florida install all fire suppression systems. If you have any questions about a specific contractor, please call the building department in your area.

St. Johns County, City of St. Augustine, and the City of St. Augustine Beach requires that three sets of plans and systems component specifications be submitted to the Fire Marshals Office via the building department for review prior to installation. After the plans are reviewed and approved a permit will be issued for the contractor to install the system.

It is then up to the child care center owner/operator to have the fire suppression system tested and serviced at least semi-annually (every six months). Records must be kept on file at the center for fire department review.

Hoods, grease removal devices, fans, ducts, and other components must be cleaned to bare metal at frequent intervals, before surfaces become heavily contaminated with grease or oily sludge. At least once each year the hood, exhaust duct, fans and other components of the system must be cleaned and inspected. A written record must be maintained indicating the results of the inspection, and documenting who performed the inspection. (NFPA 96, section 8-3)

### **Emergency Lighting**

Emergency lighting is an interconnected system of lights arranged throughout a building to illuminate the pathway to an exit. It is connected to a back up battery supply (or an emergency generator) in the event of a power loss caused by a fire or other situation.

All child care center interior corridors and stairs and all normally occupied spaces are required to have emergency lighting (16-2.9 and 17-2.9, NFPA 101, 2000 edition). Child care centers with general classrooms (rooms used for class only; does not include napping, eating or other non-classroom related activities); centers that have sufficient windows and/or skylights and are open only during the hours of 7:00am to 6:00pm are exempt from this requirement.

Florida Statutes require that a licensed electrical contractor install all types of electrically powered systems. If you have any questions about a specific contractor, please call the building department in you area.

St. Johns County, City of St. Augustine, and the City of St. Augustine Beach requires that three sets of plans and systems component specifications be submitted to the Fire Marshals Office via the building department for review prior to installation. After the plans are reviewed and approved a permit will be issued for the contractor to install the system.

A functional test shall be conducted on all emergency lighting systems at 30 child intervals for a minimum of 30 seconds. An annual test (yearly) shall be conducted for 1-½ hours. This equipment shall be fully operational for the duration of the test. Written records of the tests must be kept at the centers.

### **Exit Signs**

Exit signs are required when an exit is not obvious (16-2.10 and 17-2.10, NFPA 101, 2000 edition). Exit signs must be visible at all times when the building is occupied; including emergency conditions. Signs are required to be internally illuminated unless there is sufficient lighting provided for the signs to be visible in both normal and emergency conditions.

The letters must be at least six inches in height with principal strokes of letters not less than three quarters inch wide and each letter, except the “I” a width of not less than two inches. The two commonly acceptable colors are red and white and green and white. Glossy backgrounds and letter colors should be avoided.

A functional test shall be conducted on all emergency lighting systems at 30 child intervals for a minimum of 30 seconds. An annual test (yearly) shall be conducted for 1-½ hours. This equipment shall be fully operational for the duration of the test. Written records of the tests must be kept at the centers.

### **Portable Fire Extinguishers**

The selection, placement, distribution, maintenance and servicing of portable fire extinguishers shall comply with NFPA 10 as adopted by Chapter 4A-3. Each portable extinguisher shall have an approved standard record tag securely attached thereto, before being placed in service. The minimum rating of any extinguisher installed in a child care facility shall not be less than 2A-10B:C. It is recommended a licensed fire extinguisher contractor be consulted for assistance on this matter.

Monthly inspection – in addition to the annual inspection by a dealer, each fire extinguisher must be inspected monthly to verify that it is in place, has not been tampered with or discharged, and appears to be functional (pressure gauge needle in the green zone, dealer tag in place and less than twelve months old, seal and pin intact). Most dealer tags have space to check and initial the tag for each monthly inspection. This inspection can be performed by any member of your staff who has been trained to do so. Your fire extinguisher dealer, or our staff, can provide this training in just a couple of minutes.

Important Note: In Florida portable fire extinguishers used in a non-residential or multi-family residential building must be inspected and tagged before installation, and each year thereafter, by a licensed fire extinguisher dealer. While you may purchase a fire extinguisher from a discount store, you will still have to take it to a fire extinguisher dealer to have them inspect and tag it. In many cases business owners have found that it cost them much more to but the extinguisher from one place, and then have to take it somewhere else to be inspected and tagged. (Extinguishers in one and two-family dwellings, that are not used for other purposes, do not require this inspection and tagging.)

## **COMMON FIRE CODE ITEMS**

### **Locking Devices**

All locks that are on an exit door must be operational from the inside without the use of a key or special knowledge (7-2.1.5.1, NFPA 101, 2000 edition). This means that double cylinder dead bolts are not permitted, only single cylinder dead bolts with a thumb turn on the inside of the door are permitted. All slide latches, door chains, hook and eye latches are not permitted. The lock or latch must be within reach of small children.

Doors shall be operable with not more than 1 releasing operation. Panic hardware is only required when the center holds 100 or more children. If panic hardware is used, only the panic hardware is permitted to be on the door.

Every closet door latch must be such that a child can open the door from inside the closet. Every bathroom door lock is required to be operable from the outside in case of an emergency. The opening device must be accessible to the center staff (16-2.2.2.4 and 17- 2.2.2.4, NFPA 101, 2000 edition).

### **Utilities**

Special protective covers which prevent children from putting objects in electrical outlets must be installed in all areas occupied by children (16-5.1.2 and 17-5-1-2, NFPA 101, 2000 edition).

### **Flammable Liquids**

Flammable and combustible liquids shall be stored in areas accessible only to designated individuals. To ensure that only designated individuals have access to flammable and combustible liquids, such materials shall be kept in locked areas. These areas shall not jeopardize egress from the structure.

### **Interior Finish**

Interior finish for walls and ceilings shall be Class A or Class B in accordance with NFPA 101, 2000 edition, 10-2.3. Interior finish in stairways, lobbies, and corridors shall be Class A.

Floor coverings within in exits and corridors shall be Class I or Class II in accordance with NFPA 101, 2000 edition, 10-2.7.

### **Evacuation Plan**

An approved fire evacuation plan shall be executed not less than once per month.

### **Emergency Egress and Relocation Drills**

Emergency drills shall be conducted every month while the facility is in session.

### **Inspections**

Fire prevention inspections shall be conducted monthly by a trained senior member of the staff. A copy of the latest inspection for m shall be posted in a conspicuous place in the child care facility.

### **Fire Safety Education**

It is recommended that each childcare center make fire safety part of their educational program.



## Telephone Numbers

### **St. Johns County**

Fire Marshals Office 209-1740

Building Department 827-6800

### **City of St. Augustine**

Fire Marshals Office 825-1098

Building Department 825-1065

### **City of St. Augustine Beach**

Building Department 471-8758

**CHAPTER 4A-36 UNIFORM FIRE SAFETY STANDARDS FOR NONRESIDENTIAL  
CHILD CARE FACILITIES**

- 4A-36.001 Title. (Repealed)
- 4A-36.002 Purpose. (Repealed)
- 4A-36.004 Scope. (Repealed)
- 4A-36.005 Compliance. (Repealed)
- 4A-36.006 Application. (Repealed)
- 4A-36.007 Limitations. (Repealed)
- 4A-36.008 Discretionary Powers of the Authority Having Jurisdiction. (Repealed)
- 4A-36.009 Definitions. (Repealed)
- 4A-36.010 Existing Structures. (Repealed)
- 4A-36.011 Construction, Alterations, Conversions and Repairs. (Repealed)
- 4A-36.012 Construction Standards, Age Groups, and Number of Stories. (Repealed)
- 4A-36.013 Incorporation of Publications by Reference. (Repealed)
- 4A-36.014 Separation Requirements. (Repealed)
- 4A-36.015 Means of Egress. (Repealed)
- 4A-36.016 Doors. (Repealed)
- 4A-36.017 Interior Stairs and Smokeproof Towers. (Repealed)
- 4A-36.018 Outside Stairs. (Repealed)
- 4A-36.019 Fire Escape Stairs. (Repealed)
- 4A-36.020 Ramps. (Repealed)
- 4A-36.021 Horizontal Exits. (Repealed)
- 4A-36.022 Exit Passageways. (Repealed)
- 4A-36.023 Escalators and Moving Walks. (Repealed)
- 4A-36.024 Exit Marking. (Repealed)
- 4A-36.025 Illumination of Means of Egress. (Repealed)
- 4A-36.026 Emergency Lighting. (Repealed)
- 4A-36.027 Protection of Vertical Openings and Combustible Concealed Spaces. (Repealed)
- 4A-36.028 Segregation and Protection of Hazards. (Repealed)
- 4A-36.029 Areas of Refuge. (Repealed)
- 4A-36.030 Smoke Partitions. (Repealed)
- 4A-36.031 Basements. (Repealed)
- 4A-36.032 Interior Finish. (Repealed)
- 4A-36.033 Furnishings and Decorations. (Repealed)
- 4A-36.034 Portable Fire Extinguishers. (Repealed)
- 4A-36.035 Automatic Sprinklers and Other Extinguishing Equipment. (Repealed)
- 4A-36.036 Alarm and Detection Requirements. (Repealed)
- 4A-36.037 Heating, Cooling, Ventilation, and Other Building Service Equipment. (Repealed)
- 4A-36.038 Electrical Services. (Repealed)
- 4A-36.039 Maintenance of Equipment. (Repealed)
- 4A-36.040 Storage, Trash, or Debris underneath Structures. (Repealed)
- 4A-36.041 Tents. (Repealed)
- 4A-36.042 Fire Exit Drills. (Repealed)
- 4A-36.043 Classification of Hazards of Contents. (Repealed)

## PART I GENERAL

4A-36.100 Purpose of Rules.

4A-36.101 Application of Rules.

4A-36.102 Staffing Ratios.

4A-36.103 Occupancy Load.

4A-36.104 Special Definitions. (Repealed)

4A-36.105 Standards of the National Fire Protection Association Adopted.

4A-36.106 Emergency Forces Notification.

4A-36.107 Standpipe Systems.

4A-36.108 Family Child Care Homes and Group Child Care Homes.

## PART II NEW CHILD CARE FACILITIES

4A-36.200 General Requirements - New Facilities. (Repealed)

4A-36.201 Special Requirements - New Facilities. (Repealed)

## PART III EXISTING CHILD CARE FACILITIES

4A-36.300 Title. (Repealed)

4A-36.301 General Requirements - Existing Facilities. (Repealed)

4A-36.302 Special Requirements - Existing Facilities. (Repealed)

## PART I GENERAL

### **4A-36.100 Purpose of Rules.**

The purpose of this rule chapter is to specify, as required by the Florida Statutes, uniform fire safety standards for both new and existing Nonresidential Child Care Facilities designed to care for infants and children, ages 0 through 17 years, for a period of less than 24 hours per child. "Nonresidential Child Care Facilities" means and includes Child Care Homes, Large Family Child Care Homes, and ChildCare Centers, as used in Chapter 402, Florida Statutes.

*Specific Authority 633.01, 633.022 FS. Law Implemented 633.01(1), 633.022(1)(b), 402.305 FS. History—New 3-23-88, Amended 7-11-01.*

### **4A-36.101 Application of Rules.**

This rule chapter shall apply to both new and existing buildings used as Nonresidential ChildCare Facilities.

*Specific Authority 633.01, 633.022 FS. Law Implemented 633.01(1), 633.022(1)(b), 402.305 FS. History—New 3-23-88, Amended 10-10-91,7-11-01.*

### **4A-36.102 Staffing Ratios.**

Ratios of staff personnel to children for both new and existing facilities shall be those ratios established by the Florida Department of Children and Family Services as required by Section 402.305(4), Florida Statutes, and as adopted pursuant thereto by the rules of the Florida Department of Children and Family Services in subsection 65C-22.001(4), Florida Administrative Code.

*Specific Authority 633.01, 633.022 FS. Law Implemented 633.01(1), 633.022(1)(b), 402.305 FS. History—New 3-23-88, Amended 6-15-98,7-11-01.*

### **4A-36.103 Occupancy Load.**

For both new and existing facilities, the occupant load for which means of egress shall be provided for any floor shall be those established in Section 402.305(6), Florida Statutes. The occupancy load referenced in NFPA 101 does not apply.

*Specific Authority 633.01, 633.022 FS. Law Implemented 633.01(1), 633.022(1)(b), 402.305 FS. History—New 3-23-88, Amended 10-10-91,7-11-01.*

### **4A-36.105 Standards of the National Fire Protection Association Adopted.**

(1) The standards of the National Fire Protection Association for life safety from fire, as provided in NFPA 101, Life Safety Code, as adopted in Rule 4A-3.012, Florida Administrative Code, and incorporated herein by reference shall be the Uniform Fire Safety Standards for Nonresidential ChildCare Facilities, except as modified herein.

(a) New childcare facilities caring for not more than 12 children, inclusively, shall meet the requirements of Sections 16.1, (excluding 16.1.6, which shall not apply), 16.4, 16.5, 16.6, and 16.7 of NFPA 101.

(b) New child care facilities caring for more than 12 children shall meet the requirements of Sections 16-1 through 16-5 and 16-7 of NFPA 101.

(c) Existing child care facilities caring for 6 to 12 children, inclusively, shall meet the requirements Sections 17-1 (excluding 17-1.6), 17-4, 17-5, 17-6, and 17-7 of NFPA 101.

(d) Existing childcare facilities caring for more than 12 children shall meet the requirements of 17-1 through 17-5 and 17 7 of NFPA 101.

(2) Portable fire extinguishers. The selection, placement, distribution, maintenance and servicing of portable fire extinguishers shall comply with NFPA 10 as adopted by Chapter 4A-3, Florida Administrative Code, and with the provisions of Chapter 4A-21, Florida Administrative Code, except that the minimum rating of any extinguisher installed in a child care facility shall not be less than 2A-10B:C.

*Specific Authority 633.01(1), 633.022 FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History–New 10-10-91, Amended 3-1-92, 7-11-01.*

#### **4A-36.106 Emergency Forces Notification.**

(1) New Child Childcare Facilities shall be arranged to transmit the alarm automatically via any of the following means acceptable to the authority having jurisdiction and shall be in accordance with NFPA 72, National Fire Alarm Code, the edition as adopted in Rule 4A-3.012, Florida Administrative Code.

(a) An auxiliary alarm system.

(b) A central station connection.

(c) A proprietary system.

(d) A remote station connection.

Where the facility is not served by a fire department, notification of appropriate emergency forces shall be transmitted by the most expedient means available immediately following emergency evacuation of the facility.

(2) Existing child childcare facilities may use the notification system now in place providing it conforms to one of the following requirements:

(a) Direct Alarm transmission to the fire department; or

(b) Notification by remote or central station systems; or

(c) Where staff beyond the requirements of the Department of Children and Family Services is present at all times during which the facility is in operation, notification may be achieved by telephone, provided the facility has at least one private one-party telephone line serving that facility only, thereby allowing for immediate, unimpeded notification of emergency forces. If this method of notification is selected, a staff member who is present at all times that the facility is in operation shall be appointed to be responsible for the immediate notification of emergency forces upon the activation or initiation of any detection or alarm device or system installed in the facility; or

(d) Where the facility is not served by a fire department, notification of appropriate emergency forces shall be transmitted by the most expedient means available immediately following emergency evacuation of the facility.

*Specific Authority 633.01, 633.022 FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History–New 10-10-91, Amended 7-11-01.*

#### **4A-36.107 Standpipe Systems.**

Standpipe systems shall be provided for all buildings over 50 feet in height, except buildings not over 6 stories high, which are equipped with a complete automatic sprinkler system, in accordance with NFPA 13, as adopted in Rule 4A-3.012, Florida Administrative Code.

*Specific Authority 633.01, 633.022 FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History–New 10-10-91, Amended 7-11-01.*

#### **4A-36.108 Family Child Care Homes and Group Child Care Homes.**

The sub-classifications and definitions of “Child Care Homes” as set forth in Section 16.6.1.4.1 and 17.6.1.4.1 of NFPA 101 2000 Edition, to wit, “Family Child Care Homes” and “Group Child Care Homes,” shall not apply to any facility licensed as a family child care home pursuant to Section 402.305, Florida Statutes. Any facility licensed as a Family Child Care Home pursuant to Section 402.305, Florida Statutes, shall be classified as a “Family childcare Home” and defined in accordance with the definition of “Family Child Care home” located in Section 402.302(7), Florida Statutes.

*Specific Authority 633.022(1)(b) FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History–New 7-11-01.*

**CHAPTER 4A-41 UNIFORM FIRE SAFETY STANDARDS FOR RESIDENTIAL  
CHILD CARE FACILITIES**

- 4A-41.001 Title
- 4A-41.002 Purpose
- 4A-41.003 Scope
- 4A-41.004 Definitions. (Repealed)
- 4A-41.005 Discretionary Powers of the Authority Having Jurisdiction. (Repealed)
- 4A-41.006 Interpretations of This Rule Chapter.
- 4A-41.007 Standards of the National Fire Protection Association Adopted.
- 4A-41.008 Existing Structures. (Repealed)
- 4A-41.009 Construction, Alterations, Conversions and Repairs. (Repealed)
- 4A-41.010 Construction Standards and Number of Stories. (Repealed)
- 4A-41.011 Separation Requirements
- 4A-41.012 Exits.
- 4A-41.013 Emergency Lighting.
- 4A-41.014 Segregation and Protection from Hazards.
- 4A-41.015 Basements. (Repealed)
- 4A-41.016 Furnishings and Decorations.
- 4A-41.017 Portable Fire Extinguishers
- 4A-41.018 Extinguishing Equipment. (Repealed)
- 4A-41.019 Alarm and Detection Requirements.
- 4A-41.020 Building Services and Equipment.
- 4A-41.021 Electrical Services. (Repealed)
- 4A-41.022 Storage, Trash, or Debris Underneath Structures.
- 4A-41.023 Tents
- 4A-41.024 Fire Exit Drills.
- 4A-41.025 Fire and Emergency Plan
- 4A-41.026 Wilderness Program.
- 4A-41.027 Places of Assembly. (Repealed)
- 4A-41.028 Fire Safety Standards for Other Buildings. (Repealed)
- 4A-41.029 Liquefied Petroleum Gas. (Repealed)

**4A-41.001 Title.**

These rules, comprising Rule Chapter 4A-41, Florida Administrative Code, shall be known as “The Uniform Fire Safety Standards for Residential Childcare Facilities.”

*Specific Authority 633.01 FS. Law Implemented 633.01(1) , 633.022(1)(b) FS. History-New 7-2-84, Formerly 4A-41.01. Amended 9-24-90, 7-11-01.*

**4A-41.002 Purpose**

The purpose of this rule chapter is to establish uniform standards to provide a reasonable degree of safety from fire in residential child care facilities. These rules try to avoid requirements which might result in unreasonable hardships, or unnecessary inconvenience, or interference with the normal use and occupancy of a building, but at the same time insist upon compliance with a uniform standard for fire safety consistent with the public interest.

*Specific Authority 633.01 FS. Law Implemented 409.175(5)(f) , 633.01(1), 633.022(1)(b) FS. History-New 7-2-84, Formerly 4A-41.02. Amended 9-24-90, 7-11-01.*

**4A-41.003 Scope.**

(1) These rules apply to any residential child care facility required to be licensed by the Florida Department of Children and Family Services, pursuant to Section 409.175, Florida Statutes, in which full-time residencies provided to six or more children who are unrelated to the proprietor and who are under age 18. Programs which use such a facility include, but are not limited to, group homes which are administered by an agency, wilderness camps, maternity homes, (emergency shelters), and runaway shelters.

(2) These rules are concerned with life safety during fires and similar emergencies. They address particular matters of construction, protection, and occupancy of buildings to try to minimize danger to life from fire, smoke, fumes, or panic before buildings are vacated.

*Specific Authority 633.01 FS. Law Implemented 633.01(1) , 633.022(1)(b) FS. History-New 7-2-84, Formerly 4A-41.03, Amended 9-24-90, 7-11-01.*

**4A-41.006 Interpretation of this Rule Chapter.**

The State Fire Marshal shall be the final administrative interpreting authority regarding the rules in this rule chapter.

*Specific Authority 633.01 FS. Law Implemented 633.01, 633.02 FS. History-New 7-2-84, Formerly 4A-41.06, Repromulgated 9-24-90*

**4A-41.007 Standards of the National Fire Protection Association Adopted.**

The standards of the National Fire Protection Association for life safety from fire, as provided in NFPA 101, Life Safety Code, as it relates to residential board and care, the edition as adopted in Rule 4A-3.012, Florida Administrative Code, shall be the uniform fire safety standards for this state with respect to residential child care facilities, including other buildings or structures located on the premises of said facilities.

*Specific Authority 633.01 FS. Law Implemented 633.01(1), 633.022(1)(b), FS. History-New 7-2-84, Formerly 4A-41.07, Amended 9-24-90, 7-11-01*

**4A-41.011 Separation Requirements.**

If a residential child care facility is located in a building which has occupants other than the residential child care facility, the building shall satisfy the provisions of the Florida Building Code required by Section 553.73, Florida Statutes.

*Specific Authority 633.01 FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History-New 7-2-84, Formerly 4A-41.11, Amended 9-24-90, 7-11-01.*

**4A-41.012 Exits**

(1) Means of Egress. Doors leading from rooms used by 100 or more persons in a residential child care facility, the building shall be equipped with approved panic hardware.

(2) Marking Means of Egress. Exit signs shall not be required in residential childcare facility in which the total number of resident children is 16 or fewer.

*Specific Authority 633.01 FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History-New 7-2-84 Formerly 4A-41.12, Amended 9-24-90, 7-11-01.*

**4A-41.013 Emergency Lighting.**

(1) Emergency lighting shall be provided in all residential childcare facilities, except wilderness programs campsites. Residential child care facilities in which the total number of resident children is fewer than 9 need not comply with subsection (1). However, this exception does not apply to emergency shelter care, or to runaway and transient youth shelters.

(2) Residential child care facilities in which the total number of resident children is fewer than 9 need not comply with subsection (1).

However, this exception does not apply to emergency shelter care, or to runaway and transient youth shelters.

*Specific Authority 633.01 FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History-New 7-2-84, Formerly 4A-41.13, Amended 9-24-90, 7-11-01.*

**4A-41.014 Segregation and Protection from Hazards.**

(1) Commercial cooking equipment shall have hood systems installed in accordance with NFPA 96, Standard for Ventilation Control and Fire Protection of Commercial Cooking Equipment as adopted in Rule 4A-3.012, Florida Administrative Code.

(2) Flammable/combustible liquids.

(a) Flammable and/or combustible liquids shall be limited to that required for maintenance and for any equipment necessary to the operation of the facility and shall be stored in approved, closed and appropriately marked containers.

(b) If either flammable or combustible liquids in excess of 10 gallons in the aggregate area are stored or dispensed on the premises of the facility, the facility shall comply with Chapter 4 of NFPA 30 Flammable and Combustible Liquids Code, the edition as adopted in Rule 4A-3.012, Florida Administrative Code.

(c) Notwithstanding the foregoing provisions, any hazardous operation or process may be conducted without protection in a detached structure sufficiently remote from the main building to avoid any danger to the occupants of the main building except that any protection necessary for the safety of the occupants of the detached structure must be provided. The detached structure shall be a minimum of 10 feet from any other occupied structures.

*Specific Authority 633.01 FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History-New 7-2-84, Formerly 4A-41.14, Amended 9-24-90, 7-11-01.*

#### **4A-41.016 Furnishing and Decorations.**

(1) All residential childcare facilities in which security is required shall use only mattresses having a fire retardant cotton core with a retardant outer cover.

(2) Polyurethane mattresses are prohibited in all residential child care facilities.

*Specific Authority 633.01 FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History-New 7-2-84, Formerly 4A-41.16, Amended 9-24-90, 7-11-01.*

#### **4A-41.017 Portable Fire Extinguishers**

Residential childcare facilities shall have at least one general purpose Class A,B, and C portable fire extinguisher for each floor. All required extinguishers shall have a minimum rating of 2A-10B:C and shall be placed so that the nearest extinguisher is not more than 75 feet from any other point in the facility.

*Specific Authority 633.01 FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History-New 7-2-84, Formerly 4A-41.17, Amended 9-24-90, 7-11-01.*

#### **4A-41.019 Alarm and Detection Requirements.**

(1) Smoke Detectors installed in existing residential child care facilities having 16 or fewer residents may continue to be battery powered, single station, UL217 detectors.

(2) Fire Alarms installed in existing residential child care facilities with 16 or fewer residents may continue to be manually operated, powered by the building electrical service, but is not required to be electrically supervised.

*Specific Authority 633.01 FS. Law Implemented 633.01(1), 633.022(1)(b) FS> History-New 7-2-84, Formerly 4A-41.19, Amended 9-24-90, 7-11-01.*

#### **4A-41.020 Building Services and Equipment.**

(1) Unvented fuel-fired room heaters shall not be used in residential childcare facilities.

(2) Other heating equipment shall be of an approved type and shall be installed in accordance with the terms of its approval and with the manufacturer's instructions, and meet the requirements of NFPA 101, 2000 edition, Section 9-2, as adopted in Rule Chapter 4A-60, Florida Administrative Code.

(3) No stove or combustion heater shall be so located as to block escape in case of malfunctioning of the stove or heater.

*Specific Authority 633.01 FS> Law Implemented 633.01(1), 633.022(a)(b) FS. History-New 7-2-84, Formerly 4A-41.20. Amended 9-24-90, 7-11-01.*

#### **4A-41.022 Storage, Trash, or Debris Underneath Structures.**

Any structure situated above the ground level shall not have an accumulation of combustible storage, trash, or debris underneath the structure. Any area between the ground and the bottom of the structure shall be covered, shielded, skirted, or otherwise protected to preclude this occurrence.

*Specific Authority 633.01 FS. Law Implemented 633.01 , 633.022 FS. History-New 7-2-84, Formerly 4A-41.22, Amended 9-24-90, 7-11-01.*

#### **4A-41.023 Tents.**

Tent shall be erected only outside of buildings or structures. All tents shall be fire retardant whether used for living, shade, recreation, education or any other purpose. It is the proprietor's responsibility to produce proof of the fire retardant properties of the tent material upon request.

*Specific Authority 633.01 FS. Law Implemented 633.01, 633.022 FS. History-New 7-2-84, Formerly 4A-41.23. Amended 9-24-90.*

#### **4A-41.024 Fire Exit Drills.**

Unless otherwise authorized by the authority having jurisdiction, as defined in Section 633.121, Florida Statutes, fire exit drills shall be held with sufficient frequency to familiarize all occupants with the drill procedure and to have the conduct of the drill a matter of established routine. They shall be conducted no less frequently than once per month and shall be properly documented.

*Specific Authority 633.01 FS. Law Implemented 633.01(1) , 633.022(1)(b) FS. History-New 7-2-84, Formerly 4A-41.24, Amended 9-24-90, 7-11-01.*

**4A-41.025 Fire and Emergency Plan.**

Each residential child care facility shall develop a written fire and emergency evacuation plan which may include input from the authority having jurisdiction as described in Section 633.121, Florida Statutes.

*Specific Authority 633.01 FS. Law Implemented 633.01(1) , 633.022(1)(b) FS. History-New 7-2-84, Formerly 4A-41.25, Amended 9-24-90, 7-11-01.*

**4A-41.026 Wilderness Program.**

In addition to other applicable provisions of this rule chapter, the following provisions shall apply to wilderness programs licensed pursuant to Section 409.175, Florida Statutes:

**(1) Group Campsites.**

(a) Spacing between tents or semi-permanent structures. A minimum of 5 feet of clear ground shall be required between tents or semi-permanent structures.

(b) All tent coverings shall be made of fire retardant material or treated material.

(c) All temporary structures built out of natural materials (such as lean-tos) shall observe safe practices.

(d) Trash, leaves, ground litter or debris shall be kept well clear of all tents, and shall not be allowed to gather under the floor of semi-permanent structures.

(e) All campfire areas shall have all ground fuel removed for a distance of five feet around the site and shall be a minimum of 25 feet from tents or any other structure.

(f) All fires in open areas shall be extinguished before leaving.

(g) Any space heater used in a tent or in any other structure shall be of an approved type and shall be located at least 36 inches away from any combustible materials and shall be insulated from the floor area.

(h) Each site shall have a manual fire alarm such as a triangle bell or other device capable of being heard throughout the site.

(i) For primitive camping, backgrading and entrenching tools (for example, a shovel) must be readily available for fire suppression.

(j) In each organized group campsite, there shall be a minimum 55-gallon water supply and means of transporting it to a fire. Water hydrants, with hose, where available, shall be located to cover the campsite and any structures thereon. The fire rack shall include at least the following items which are not used for other purposes: 2 shovels, 2 fire rakes, 2 fire flaps, 3 buckets and 1-55 gallon drum. This paragraph shall not apply to primitive camping.

**(k) Storage.**

1.) Each campsite shall have a separate storage area for combustible and/or flammable liquids and for combustible materials in excess of quantities needed for immediate use in the occupied areas.

2.) Flammable and/or combustible liquids shall be stored at least 50 feet from fires or any structure, shall be stored in approved, closed and appropriately marked containers, and shall be limited to that required for maintenance and equipment necessary to the operation of the campsite. The total amount of such storage shall not exceed 10 gallons.

3.) If flammable or combustible liquids in excess of 10 gallons in the aggregate area stored or dispensed at the campsite, the storage shall comply with the provisions of NFPA 30, the edition as adopted in Rule 4A-3.012, Florida Administrative Code.

4.) If a vehicle service station is located on the campsite e, the storage shall comply with NFPA 30A, the edition as adopted in Rule 4A-3.012, Florida Administrative Code.

**(2) Fire Plan.** Each wilderness camp administrator shall establish a written fire prevention, evacuation and suppression plan, and all staff and children shall be periodically instructed with respect to required procedures. The authority having jurisdiction may provide input to the plan to accomplish its intended purpose.

*Specific Authority 633.01 FS. Law Implemented 633.01(1), 633.022(1)(b) FS. History-New 7-2-84, Formerly 4A-41.26, Amended 9-24-90.*



## Chapter 16 NEW DAY-CARE OCCUPANCIES

### 16.1 GENERAL REQUIREMENTS

#### **16.1.1\* Application.**

##### **16.1.1.1**

The requirements of this chapter apply to the following:

- (1) New buildings or portions thereof used as day-care occupancies (see 1.4.1)
- (2) Additions made to, or used as, a day-care occupancy (see 4.6.6)
- (3) Alterations, modernizations, or renovations of existing day-care occupancies (see 4.6.7)
- (4) Existing buildings or portions thereof upon change of occupancy to a day-care occupancy (see 4.6.11)

##### **16.1.1.2**

Sections 16.1 through 16.5 and 16.7 establish life safety requirements for day-care occupancies in which more than 12 clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per child.

##### **16.1.1.3**

Sections 16.1 (other than 16.1.6), 16.4, 16.5, 16.6, and 16.7 establish life safety requirements for day-care homes as defined in 16.1.3.

##### **16.1.1.4**

Where a facility houses more than one age group or self-preservation capability, the strictest requirements applicable to any group present shall apply throughout the day-care occupancy or building, as appropriate to a given area, unless the area housing such a group is maintained as a separate fire area.

##### **16.1.1.5**

Places of religious worship shall not be required to meet the provisions of this chapter where providing day-care while services are being held in the building.

#### **16.1.2 Mixed Occupancies.**

Mixed occupancies shall meet the following criteria.

(a) **General.** Where day-care occupancies are located in a building containing mixed occupancies, the occupancies, other than day-care occupancies in assembly occupancies used primarily for worship, shall be separated by not less than 1-hour fire resistance-rated barriers constructed in accordance with 8.2.3.

(b) **Day-Care Occupancies in Apartment Buildings.** If the two exit accesses from a day-care occupancy enter the same corridor as an apartment occupancy, the exit accesses shall be separated in the corridor by a smoke barrier having not less than a 1-hour fire resistance rating constructed in accordance with Section 8.3. The smoke barrier shall be located so that it has an exit on each side.

#### **16.1.3 Special Definitions.**

Day-Care Home. See 3.3.39.

Flexible Plan and Open Plan Educational or Day-Care Building. See 3.3.80.

Self-Preservation (Day-Care Occupancy). See 3.3.176.

Separate Atmosphere. See 3.3.178.

#### **16.1.4 Classification of Occupancy.**

(See 6.1.4.)

##### **16.1.4.1**

Occupancies that include part-child preschools, kindergartens, and other schools whose purpose is primarily educational, even though the children who attend such schools are of preschool age, shall comply with the provisions of Chapter 14.

##### **16.1.4.2**

Adult day-care occupancies shall include any building or portion thereof used for less than 24 hours per child to house more than three adults requiring care, maintenance, and supervision by other than their relative(s). Clients shall be ambulatory or semi-ambulatory and shall not be bedridden. Clients shall not exhibit behavior that is harmful to themselves or others.

**16.1.4.3\* Conversions.**

A conversion from a day-care home to a day-care occupancy with more than 12 clients shall be permitted only if the day-care occupancy conforms to the requirements of this chapter for new day-care occupancies with more than 12 clients.

**16.1.5 Classification of Hazard of Contents.**

The contents of day-care occupancies shall be classified as ordinary hazard in accordance with Section 6.2.

**16.1.6 Location and Construction.**

**16.1.6.1**

Day-care occupancies, other than day-care homes, shall be limited to the locations, construction types, and sprinkler protection features specified in Table 16.1.6.1.

Table 16.1.6.1 Location and Construction Type Limitations

<b>Location of Day-Care Occupancy</b>	<b>Sprinklered Building</b>	<b>Construction Type</b>
1 story below LED	Yes	I(443), I(332), II(222), II(111), II(000), III(211), IV(2HH), or V(111)
Level of exit discharge	No	Any type
1 story above LED	Yes	Any type
	No	I(443), I(332), II(222)
2 or 3 stories above LED	Yes	I(443), I(332), II(222), II(111), II(000), III(211), or V(111)
>3 stories above LED but not high-rise	Yes	I(443), I(332), II(222,) or II(111)
High-rise	Yes	I(443), I(332), or II(222)

LED: Level of exit discharge.

**16.1.6.2**

Where day-care occupancies, other than day-care homes, with clients who are 24 months or less in age or who are incapable of self-preservation are located one or more stories above the level of exit discharge, or where day-care occupancies are located two or more stories above the level of exit discharge, smoke barriers shall be provided to divide such stories into not less than two smoke compartments. The smoke barriers shall be constructed in accordance with Section 8.3 but shall not be required to have a fire resistance rating.

**16.1.7 Occupant Load.**

**16.1.7.1**

The occupant load, in number of persons for whom means of egress and other provisions are required, shall be determined on the basis of the occupant load factors of Table 7.3.1.2 that are characteristic of the use of the space or shall be determined as the maximum probable population of the space under consideration, whichever is greater.

**16.1.7.2**

Where the occupant load is determined as the maximum probable population of the space in accordance with 16.1.7.1, an approved aisle, seating, and exiting diagram shall be required by the authority having jurisdiction to substantiate such a modification.

**16.2 MEANS OF EGRESS REQUIREMENTS**

**16.2.1 General.**

Means of egress shall be in accordance with Chapter 7 and Section 16.2.

**16.2.2 Means of Egress Components.**

**16.2.2.1**

Components of means of egress shall be limited to the types described in 16.2.2.2 through 16.2.2.10.

**16.2.2.2 Doors.**

**16.2.2.2.1 General.**

Doors complying with 7.2.1 shall be permitted.

**16.2.2.2.2 Panic Hardware or Fire Exit Hardware.**

Any door in a required means of egress from an area having an occupant load of 100 or more persons shall be permitted to be provided with a latch or lock only if the latch or lock is panic hardware or fire exit hardware complying with 7.2.1.7.

**16.2.2.2.3 Special Locking Arrangements.**

Special locking arrangements complying with 7.2.1.6 shall be permitted

**16.2.2.2.4\* Closet Doors.**

Every closet door latch shall be such that clients can open the door from inside the closet.

**16.2.2.2.5 Bathroom Doors.**

Every bathroom door lock shall be designed to allow opening of the locked door from the outside in an emergency. The opening device shall be readily accessible to the staff.

**16.2.2.3\* Stairs.**

Stairs complying with 7.2.2 shall be permitted.

**16.2.2.4 Smokeproof Enclosures.**

Smokeproof enclosures complying with 7.2.3 shall be permitted.

**16.2.2.5 Horizontal Exits.**

Horizontal exits complying with 7.2.4 shall be permitted.

**16.2.2.6 Ramps.**

Ramps complying with 7.2.5 shall be permitted.

**16.2.2.7 Exit Passageways.**

Exit passageways complying with 7.2.6 shall be permitted.

**16.2.2.8 Fire Escape Ladders.**

Fire escape ladders complying with 7.2.9 shall be permitted.

**16.2.2.9 Alternating Tread Devices.**

Alternating tread devices complying with 7.2.11 shall be permitted.

**16.2.2.10 Areas of Refuge.**

Areas of refuge complying with 7.2.12 shall be permitted.

**16.2.3 Capacity of Means of Egress.**

Capacity of means of egress shall be in accordance with Section 7.3.

**16.2.4 Number of Exits.**

Each floor occupied by clients shall have not less than two exits in accordance with Chapter 7.

**16.2.5 Arrangement of Means of Egress.**

(See also 16.1.6.2.)

**16.2.5.1**

Means of egress shall be arranged in accordance with Section 7.5.

**16.2.5.2**

No dead-end corridor shall exceed 20 ft (6.1 m), other than in buildings protected throughout by an approved, supervised automatic

sprinkler system in accordance with Section 9.7, in which case dead-end corridors shall not exceed 50 ft (15 m).

**16.2.5.3**

No common path of travel shall exceed 75 feet (23 m), other than for the first 100 feet (30 m) in a building protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7.

**16.2.6 Travel Distance to Exits.**

**16.2.6.1**

Travel distance shall be measured in accordance with Section 7.6.

**16.2.6.2**

Travel distance shall meet the following criteria:

- (1) The travel distance between any room door intended as an exit access and an exit shall not exceed 100 feet (30 m).
- (2) The travel distance between any point in a room and an exit shall not exceed 150 feet (45 m).

(3) The travel distance between any point in a sleeping room and an exit access door in that room shall not exceed 50 feet (15 m).

*Exception:* The travel distance in 16.2.6.2(1) and (2) shall be permitted to be increased by 50 ft (15 m) in buildings protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7.

#### **16.2.7 Discharge from Exits.**

Discharge from exits shall be arranged in accordance with Section 7.7.

#### **16.2.8 Illumination of Means of Egress.**

Means of egress shall be illuminated in accordance with Section 7.8.

#### **16.2.9 Emergency Lighting.**

Emergency lighting shall be provided in accordance with Section 7.9 in the following areas:

- (1) Interior stairs and corridors
- (2) Assembly use spaces
- (3) Flexible and open plan buildings
- (4) Interior or windowless portions of buildings
- (5) Shops and laboratories

#### **16.2.10 Marking of Means of Egress.**

Means of egress shall have signs in accordance with Section 7.10.

#### **16.2.11 Special Means of Egress Features.**

##### **16.2.11.1 Windows for Rescue.**

Every room or space normally subject to client occupancy, other than bathrooms, shall have not less than one outside window for emergency rescue that complies with the following:

- (1) Such windows shall be operable from the inside without the use of tools and shall provide a clear opening of not less than 20 in. (51 cm) in width, 24 in. (61 cm) in height, and 5.7 ft<sup>2</sup> (0.53 m<sup>2</sup>) in area.
- (2) The bottom of the opening shall be not more than 44 in. (112 cm) above the floor.
- (3) The clear opening shall allow a rectangular solid, with a width and height that provides not less than the required

5.7-ft<sup>2</sup> (0.53-m<sup>2</sup>) opening and a depth of not less than 20 in. (51 cm), to pass fully through the opening.

*Exception No. 1:* This requirement shall not apply to buildings protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7.

*Exception No. 2:* This requirement shall not apply where the room or space has a door leading directly to the outside of the building.

### **16.3 PROTECTION**

#### **16.3.1 Protection of Vertical Openings.**

Any vertical opening, other than unprotected vertical openings in accordance with 8.2.5.8, shall be enclosed or protected in accordance with 8.2.5.

#### **16.3.2 Protection from Hazards.**

##### **16.3.2.1**

Rooms or spaces for the storage, processing, or use of materials specified in 16.3.2.1(1) through (3) shall be protected in accordance with the following:

- (1) Separation from the remainder of the building by fire barriers having a fire resistance rating of not less than 1 hour or protection of such rooms by automatic extinguishing systems as specified in Section 8.4 in the following areas:

- a. Boiler and furnace rooms

*Exception:* Boiler and furnace rooms shall be exempt from the requirement of 16.3.2.1(1) a where they enclose only air-handling equipment.

- b. Rooms or spaces used for the storage of combustible supplies in quantities deemed hazardous by the authority having jurisdiction

- c. Rooms or spaces used for the storage of hazardous materials or flammable or combustible liquids in quantities deemed hazardous by recognized standards

- d. Janitor closets

*Exception:* Doors to janitor closets shall be permitted to have ventilating louvers where the space is protected by automatic sprinklers.

(2) Separation from the remainder of the building by fire barriers having a fire resistance rating of not less than 1 hour and protection of such rooms by automatic extinguishing systems as specified in Section 8.4 in the following areas:

- a. \* Laundries
- b. Maintenance shops, including woodworking and painting areas
- c. Rooms or spaces used for processing or use of combustible supplies deemed hazardous by the authority having jurisdiction
- d. Rooms or spaces used for processing or use of hazardous materials or flammable or combustible liquids in quantities deemed hazardous by recognized standards

(3) Where automatic extinguishing is used to meet the requirements of 16.3.2.1(1) and (2), the protection shall be permitted in accordance with 9.7.1.2.

### **16.3.2.2**

Food preparation facilities protected in accordance with 9.2.3 shall not be required to have openings protected between food preparation areas and dining areas. Where domestic cooking equipment is used for food warming or limited cooking, protection or segregation of food preparation facilities shall not be required if approved by the authority having jurisdiction.

## **16.3.3 Interior Finish.**

### **16.3.3.1**

Interior finish shall be in accordance with Section 10.2.

### **16.3.3.2 Interior Wall and Ceiling Finish.**

Interior wall and ceiling finish materials in accordance with 10.2.3 shall be Class A in stairways, corridors, and lobbies; in all other occupied areas, interior wall and ceiling finish shall be Class A or Class B.

### **16.3.3.3 Interior Floor Finish.**

Interior floor finish materials in accordance with 10.2.7 shall be Class I or Class II within corridors and exits.

## **16.3.4 Detection, Alarm, and Communications Systems.**

### **16.3.4.1 General.**

Day-care occupancies, other than day-care occupancies housed in one room, shall be provided with a fire alarm system in accordance with Section 9.6.

### **16.3.4.2 Initiation.**

Initiation of the required fire alarm system shall be by manual means and by operation of any required smoke detectors and required sprinkler systems. (See 16.3.4.5.)

### **16.3.4.3 Occupant Notification.**

#### **16.3.4.3.1**

Occupant notification shall be in accordance with 9.6.3.

#### **16.3.4.3.2**

Positive alarm sequence shall be permitted in accordance with 9.6.3.4.

### **16.3.4.4 Emergency Forces Notification.**

Fire department notification shall be accomplished in accordance with 9.6.4.

### **16.3.4.5 Detection.**

A smoke detection system in accordance with Section 9.6 shall be installed in day-care occupancies, other than those housed in one room. Detectors shall be installed on each story in front of the doors to the stairways and in the corridors of all floors occupied by the day-care occupancy. Detectors also shall be installed in lounges, recreation areas, and sleeping rooms in the day-care occupancy.

## **16.3.5 Extinguishment Requirements.**

Any required sprinkler systems shall be in accordance with Section 9.7.

## **16.3.6 Corridors.**

Every interior corridor shall be constructed of walls having not less than a 1-hour fire resistance rating in accordance with 8.2.3.

**Exception No. 1:** Corridor protection shall not be required where all spaces normally subject to client occupancy have not less than one door opening directly to the outside or to an exterior exit access balcony or corridor in accordance with 7.5.3.

**Exception No. 2:** In buildings protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7, corridor walls shall not be required to be rated, provided that such walls form smoke partitions in accordance with 8.2.4.

**Exception No. 3:** Where the corridor ceiling is an assembly having a 1-hour fire resistance rating where tested as a wall, the corridor walls shall be permitted to terminate at the corridor ceiling.

**Exception No. 4:** Lavatories shall not be required to be separated from corridors, provided that they are separated from all other spaces by walls having not less than a 1-hour fire resistance rating in accordance with 8.2.3.

## **16.4 SPECIAL PROVISIONS**

### **16.4.1 Windowless Buildings and Underground Buildings.**

Windowless buildings and underground buildings shall comply with Section 11.7.

### **16.4.2 High-Rise Buildings.**

High-rise buildings that house day-care occupancies on floors more than 75 ft (23 m) above the lowest level of fire department vehicle access shall comply with Section 11.8.

### **16.4.3 Flexible Plan and Open Plan Buildings.**

#### **16.4.3.1**

Flexible plan and open plan buildings shall comply with the requirements of this chapter as modified by **16.4.3.2 through**

#### **16.4.3.4.**

#### **16.4.3.2**

Flexible plan buildings shall be permitted to have walls and partitions rearranged periodically only if revised plans or diagrams have been approved by the authority having jurisdiction.

#### **16.4.3.3**

Flexible plan buildings shall be evaluated while all folding walls are extended and in use as well as when they are in the retracted position.

#### **16.4.3.4**

Each room occupied by more than 300 persons shall have two or more means of egress entering into separate atmospheres. Where three or more means of egress are required, the number of means of egress permitted to enter into a common atmosphere shall not exceed two.

## **16.5 BUILDING SERVICES**

### **16.5.1 Utilities.**

#### **16.5.1.1**

Utilities shall comply with the provisions of Section 9.1.

#### **16.5.1.2**

Special protective covers for all electrical receptacles shall be installed in all areas occupied by clients.

### **16.5.2 Heating, Ventilating, and Air Conditioning Equipment.**

#### **16.5.2.1**

Heating, ventilating, and air conditioning equipment shall be in accordance with Section 9.2.

#### **16.5.2.2**

Unvented fuel-fired room heaters, other than gas space heaters in compliance with NFPA 54, National Fuel Gas Code, shall not be permitted.

#### **16.5.2.3**

Any heating equipment in spaces occupied by clients shall be provided with partitions, screens, or other means to protect clients from hot surfaces and open flames. If solid partitions are used to provide such protection, provisions shall be made to ensure adequate air for combustion and ventilation for the heating equipment.

### **16.5.3 Elevators, Escalators, and Conveyors.**

Elevators, escalators, and conveyors, other than those in day-care homes, shall comply with the provisions of Section 9.4.

### **16.5.4 Rubbish Chutes, Incinerators, and Laundry Chutes.**

Rubbish chutes, incinerators, and laundry chutes, other than those in day-care homes, shall comply with the provisions of Section 9.5.

## **16.6 DAY-CARE HOMES**

### **16.6.1 General Requirements.**

#### **16.6.1.1 Application.**

##### **16.6.1.1.1**

The requirements of Section 16.6 apply to the following:

- (1) New buildings or portions thereof used as day-care homes (see 1.4.1)
- (2) Additions made to, or used as, a day-care home (see 4.6.6)
- (3) Alterations, modernization, or renovations of existing day-care homes (see 4.6.7)
- (4) Existing buildings or portions thereof upon change of occupancy to a day-care home (see 4.6.11)

##### **16.6.1.1.2**

Section 16.6 establishes life safety requirements for day-care homes in which more than three, but not more than 12, clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per child, generally within a dwelling unit. (See also 16.6.1.4.)

##### **16.6.1.1.3**

Where a facility houses more than one age group or self-preservation capability, the strictest requirements applicable to any group present shall apply throughout the day-care home or building, as appropriate to a given area, unless the area housing such a group is maintained as a separate fire area.

##### **16.6.1.1.4**

Facilities that supervise clients on a temporary basis with a parent or guardian in close proximity shall not be required to meet the provisions of Section 16.6.

##### **16.6.1.1.5**

Places of religious worship shall not be required to meet the provisions of Section 16.6 where operating a nursery while services are being held in the building.

#### **16.6.1.2 Mixed Occupancies.**

(See 16.1.2.)

#### **16.6.1.3 Special Definitions.**

(See 16.1.3.)

#### **16.6.1.4 Classification of Occupancy.**

##### **16.6.1.4.1 Subclassification of Day-Care Homes.**

Subclassification of day-care homes shall be as follows.

- (a) Family Day-care Home. A family day-care home is a day-care home in which more than three, but fewer than seven, clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per child, generally within a dwelling unit.

Requirements for family day-care homes are based on a minimum staff-to-client ratio of one

Staff member for up to six clients, including the caretaker's own children under age six, with the number of clients incapable of self-preservation not to exceed two.

- (b) Group Day-Care Home. A group day-care home is a day-care home in which not less than seven, but not more than 12, clients receive care, maintenance, and supervision by other than their relative(s) or legal guardian(s) for less than 24 hours per child, generally within a dwelling unit. Requirements for group day-care homes are based on a minimum staff-to-client ratio of two staff members for up to 12 clients, with the number of clients incapable of self-preservation not to exceed three. This staff-to-client ratio shall be permitted to be modified by the authority having jurisdiction where safeguards in addition to those specified by Section 16.6 are provided.

##### **16.6.1.4.2\* Conversions.**

A conversion from a day-care home to a day-care occupancy with more than 12 clients shall be permitted only if the day-care occupancy conforms to the requirements of Chapter 16 for new day-care occupancies with more than 12 clients.

#### **16.6.1.5 Classification of Hazard of Contents.**

(See 16.1.5.)

#### **16.6.1.6 Location and Construction.**

No day-care home shall be located more than one story below the level of exit discharge.

#### **16.6.1.7 Occupant Load.**

(No special requirements.)

## **16.6.2 Means of Escape Requirements.**

### **16.6.2.1 General.**

Means of escape shall comply with Section 24.2.

### **16.6.2.2**

(Reserved.)

### **16.6.2.3**

(Reserved.)

### **16.6.2.4 Number of Means of Escape.**

The number of means of escape shall comply with Section 24.2 and 16.6.2.4.1 through 16.6.2.4.4.

#### **16.6.2.4.1**

In group day-care homes, every story occupied by clients shall have not less than two remotely located means of escape.

#### **16.6.2.4.2**

Every room used for sleeping, living, or dining purposes shall have not less than two means of escape, not less than one of which shall be a door or stairway providing a means of unobstructed travel to the outside of the building at street or ground level. The second means of escape shall be permitted to be a window in accordance with 16.2.11.1. No room or space that is accessible only by a ladder or folding stairs or through a trap door shall be occupied for living or sleeping purposes.

#### **16.6.2.4.3**

In group day-care homes where spaces on the story above the level of exit discharge are used by clients, not less than one means of escape shall be an exit discharging directly to the outside. The second means of escape shall be permitted to be a window in accordance with 16.2.11.1.

#### **16.6.2.4.4**

Where clients occupy a story below the level of exit discharge, not less than one means of escape shall be an exit discharging directly to the outside, and the vertical travel to ground level shall not exceed 8 ft (2.4 m). The second means of escape shall be permitted to be a window in accordance with 16.2.11.1.

### **16.6.2.5 Arrangement of Means of Egress.**

#### **16.6.2.5.1**

A story used above or below the level of exit discharge shall be in accordance with 16.6.2.4.3 and 16.6.2.4.4.

#### **16.6.2.5.2**

For group day-care homes, means of egress shall be arranged in accordance with Section 7.5.

#### **16.6.2.5.3**

Dead-end corridors shall not exceed 20 ft (6.1 m).

### **16.6.2.6 Travel Distance.**

Travel distance shall meet the following criteria:

- (1) The travel distance between any room door intended as an exit access and an exit shall not exceed 100 feet (30 m).
- (2) The travel distance between any point in a room and an exit shall not exceed 150 ft (45 m).
- (3) The travel distance between any point in a sleeping room and an exit access to that room shall not exceed 50 feet (15 m).

**Exception:** The travel distance in 16.6.2.6(1) and (2) shall be permitted to be increased by 50 feet (15 m) in buildings protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7.

### **16.6.2.7 Discharge from Exits.**

(See 16.6.2.4.)

### **16.6.2.8 Illumination of Means of Egress.**

Means of egress shall be illuminated in accordance with Section 7.8.

### **16.6.2.9 Emergency Lighting.**

(No requirements.)

### **16.6.2.10 Marking of Means of Egress.**

(No requirements.)

## **16.6.3 Protection.**



### **16.6.3.1 Protection of Vertical Openings.**

For group day-care homes, the doorway between the level of exit discharge and any story below shall be equipped with a door assembly having a 20-minute fire protection rating. Where the story above the level of exit discharge is used for sleeping purposes, there shall be a door assembly having a 20-minute fire protection rating at the top or bottom of each stairway.

### **16.6.3.2 Protection from Hazards.**

(No requirements.)

### **16.6.3.3 Interior Finish.**

#### **16.6.3.3.1**

Interior finish shall be in accordance with Section 10.2.

#### **16.6.3.3.2**

In group day-care homes, interior wall and ceiling finish materials in accordance with 8.2.3 shall be Class A or Class B in corridors, stairways, lobbies, and exits. In the exits of family day-care homes, interior wall and ceiling finish materials in accordance with 10.2.3 shall be Class A or Class B.

#### **16.6.3.3.3**

Interior wall and ceiling finish materials in accordance with 10.2.3 shall be Class A, Class B, or Class C in occupied spaces.

#### **16.6.3.3.4 Interior Floor Finish.**

(No requirements.)

### **16.6.3.4 Detection, Alarm, and Communications Systems.**

#### **16.6.3.4.1**

Smoke alarms shall be installed within day-care homes in accordance with 9.6.2.10.

#### **16.6.3.4.2**

Where the day-care home is located within a building of another occupancy, such as in an apartment building or office building, any corridors serving the day-care home shall be provided with a smoke detection system in accordance with Section 9.6.

#### **16.6.3.4.3**

Single-station smoke alarms in accordance with 9.6.2.10 that are powered by the building electrical system, or system detectors with integral sounding devices in accordance with 9.6.1.4, shall be provided in all rooms used for sleeping.

## **16.7 OPERATING FEATURES**

### **16.7.1\* Fire Emergency Response Plans.**

The facility shall have a comprehensive written fire emergency response plan. Copies of the plan shall be made available to all employees. All employees shall be periodically instructed and kept informed with respect to the duties of their position under the plan.

### **16.7.2 Emergency Egress and Relocation Drills.**

#### **16.7.2.1\***

Emergency egress and relocation drills shall be conducted in accordance with Section 4.7 and the applicable provisions of 16.7.2.2.

#### **16.7.2.2**

Emergency egress and relocation drills shall be conducted as follows:

- (1) Not less than one emergency egress and relocation drill shall be conducted every month the facility is in session.

**Exception:** In climates where the weather is severe, the monthly emergency egress and relocation drills shall be permitted to be deferred, provided that the required number of emergency egress and relocation drills is achieved and not less than four are conducted before the drills are deferred.

- (2) All occupants of the building shall participate in the drill.

- (3) One additional emergency egress and relocation drill, other than for day-care occupancies that are open on a year-round basis, shall be required within the first 30 days of operation.

### **16.7.3 Inspections.**

#### **16.7.3.1**

Fire prevention inspections shall be conducted monthly by a trained senior member of the staff. A copy of the latest inspection report shall be posted in a conspicuous place in the day-care facility.

#### **16.7.3.2\***

It shall be the duty of site administrators and staff members to inspect all exit facilities daily to ensure that all stairways, doors, and other exits are in proper condition.

#### **16.7.3.3**

Open plan buildings shall require extra surveillance to ensure that exit paths are maintained clear of obstruction and are obvious.

### **16.7.4 Furnishings and Decorations.**

#### **16.7.4.1**

Draperies, curtains, and other similar furnishings and decorations in day-care occupancies shall be in accordance with the provisions of 10.3.1.

#### **16.7.4.2**

Clothing and personal effects shall not be stored in corridors.

**Exception No. 1:** This requirement shall not apply to corridors protected by an automatic sprinkler system in accordance with Section 9.7.

**Exception No. 2:** This requirement shall not apply to corridor areas protected by a smoke detection system in accordance with Section 9.6.

**Exception No. 3:** This requirement shall not apply to storage in metal lockers, provided that the required egress width is maintained.

#### **16.7.4.3**

Artwork and teaching materials shall be permitted to be attached directly to the walls and shall not exceed 20 percent of the wall area.

#### **16.7.5\* Day-Care Staff.**

Adequate adult staff shall be on duty, alert, awake, and in the facility at all times where clients are present.

## Monthly Day Care Inspection Check List

\_\_\_\_\_  
Business Name

\_\_\_\_\_  
Business Address

ITEM	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
<b>FIRE DRILL</b>												
<b>EXITS CLEAR</b>												
<b>EXIT SIGNS CHECKED</b>												
<b>EMERGENCY LIGHTS TESTED</b>												
<b>FIRE EXTINGUISHERS CHECKED</b>												
<b>ELECTRICAL OUTLETS NOT COVERED</b>												
<b>DOORS CLEAR OF DEBRIS</b>												
<b>DOORS UNLOCKED</b>												

**NOTE: ALL ITEMS MUST BE INITIALED MONTHLY**



