

# ICC Code Technology Committee

## Adult/Child Day Care & Assisted Living Working Draft 2: September 06'

### Group Classification Matrix

<b>Group</b>	<b># of Residents</b>	<b>Age of Occupants</b>	<b>Length of Stay</b>	<b>Self Evacuation</b>	<b>Code Section</b>
<b>A-3 Adult</b>	>5	"Adult"	<24-hour basis	Yes	308.5.1 Exception
<b>E</b>	>5	>2-1/2	Not Stated	Not Stated, but implied, Yes	305.2
<b>E</b>	100>5	<2-1/2	Not Stated, but implied <24-hour basis	Not Stated, but implied, No	308.5.2 Exception
<b>I-1</b>	>16	Not Stated	24-hour basis	Yes	308.2
<b>I-2</b>	>5	Not Stated	24-hour basis	No	308.3
<b>I-4</b>	>5	Not Stated	<24-hour basis	Not Stated, but implied, No	308.5
<b>I-4 Adult</b>	>5	"Adult"	<24-hour basis	Not Stated, but implied No	308.5.1
<b>I-4 Child</b>	>5	<2-1/2	<24-hour basis	Not Stated, but implied, No	308.5.2
<b>R-3</b>	5 or less	"Adult/Child"	<24-hour basis	Not Stated	308.2 & 310.1
<b>R-4</b>	16<5	Not Stated	Not Stated but implied 24-hour basis	Not Stated	308.2 & 310.1

### 202.1 Definitions:

#### New Text:

**Normally awake hours:** Reasonably assumed to be between the hours of 7:00 AM and 9:00 PM, unless determined by the code official as to include other times based on the specific use and occupancy of the facility or structure.

**Normally asleep hours:** Reasonably assumed to be between the hours of 9:00 PM and 7:00 AM. Unless determined by the code official as to include other times based on the specific use and occupancy of the facility or structure.

**Evacuation Capability:** Evacuation capability is the ability of the occupants, residents, and staff as a group or individually, either to evacuate a building or to relocate from the point of occupancy to a point of safety within a specified period of time. Evacuation capability in all cases is based on the time of day or night when evacuation of the facility would be most difficult (i.e., sleeping residents or potentially fewer staff or care providers present). Evacuation capability equivalent to the capability of the general population where applying requirements for residential occupancies shall be as follows:

**Prompt Self-Evacuation:** The ability of an individual to evacuate from an area within three minutes without assistance from staff or care provider.

**Slow Evacuation:** Evacuation capability of a group or individual to move to point of safety in a timely manner, with some of the occupants requiring assistance from staff. Where evacuation times exceed more than three minutes, but less than 13 minutes, evacuation shall be considered slow.

**Impractical Evacuation:** A group that, even with staff assistance, cannot reliably move to a point of safety in a timely manner. Where evacuation time exceeds more than 13 minutes, evacuation shall be considered impractical.

### 303.1 Assembly Group A

No Changes. No additional reference needed to the “I-4” Group as proposed Committee Action will delete the reference and correct the language to reflect “R-3” not “A-3”. (G45-04/05)

### 305 Educational Group E

**305.2 Child Care Facility ~~Day Care~~.** The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than five children older than 2 ½ years of age on a less than 24-hour basis, during normally awake hours as defined in Section 202. When the rooms where less than 100 children under the age of 2 ½ years of age are cared for are located on the level of exit discharge and each of these child care rooms has an exit door directly to the exterior, shall be classified as a Group E occupancy.

### Add New Text

The facility shall be classified Group I-4 if any of the following conditions exist:

Care is provided during normally asleep hours as defined in Section 202;

The occupants are not capable of properly responding to an emergency situation;

The facility provides care for more than 100 children regardless of the length of stay or time of day that care is provided.

**308.2 Group I-1.** This occupancy shall include buildings, structures or parts thereof housing more than 16 persons, ~~excluding staff, on a 24-hour basis, who because of age, physical or mental disability or other similar reasons, live in a supervised residential environment that provides Personal Care Services on a 24-hour basis that provides personal care services.~~ The occupants are capable of prompt self evacuation and capable of responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to, the following:

Adult Care Facilities

Child Care Facilities

(Balance of Content Unchanged)

*Issue: Under 310.1 Residential Group, R-3 states...adult and child care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours... Conflict...with 308.2 above because the exception refers to “a facility such as the above”, meaning I-1, which allows 24 hour occupancy. Yet, the I-1 designation does not refer to adult and/or child care facilities. The recommendation would be to also include the terms Adult and Child Care Facilities to the I-1 list.*

*Issue: Provide a reference from Group I to the definitions of PERSONAL CARE SERVICE AND RESIDENTIAL CARE/ASSISTED LIVING FACILITIES under Group R.*

*Issue: Additionally for consistency, the term is Residential Board and Care Facility. Since, by all accounts the term is interchangeable with Assisted Living Facility, the definition should be under Assisted Living Facility and the term Residential Board and Care Facility should say “See Assisted Living Facility”.*

A facility such as the above with five or fewer ~~persons~~ occupants, excluding staff, housed less than 24 hours, shall be classified as a Group R-3 or shall comply with the *International Residential Code* in accordance with Section 101.2. OK.

(Existing Text in 310.1 R-3) Adult facilities that provide accommodations for five or fewer persons of any age for less than 24 hours.

A facility such as the above with five or fewer occupants, excluding staff, housed for a 24-hour period shall be classified as a Group R-3

*Issue: Do we want Group R-3 occupancies with five or fewer occupants to be 24-hour operations or not? I believe that that was the intent. I-1 permits 24-hour operation while R-3 clearly states less than 24 hours...It can't be both.*

*Here is the first issue where we run into the problem of “aging in place”. Today the occupant may be capable of properly responding to an emergency. Tomorrow he might not. Do we want to make provisions to require a facility, operating as business, to be mandated to provide an elevated level of fire protection?*

*Suggestion: Mandate the installation of a 13D sprinkler system.*

**Proposed Text:**

A facility such as the above designed and constructed as an R-3 or in accordance with the *International Residential Code* with five or fewer occupants, excluding staff, housed for a 24-hour period shall be permitted provided that an automatic fire suppression system is installed and maintained in accordance with (903.3.1.3 NFPA 13D)

A facility such as above, housing ~~at least six~~ more than five and not more than 16 persons, excluding staff, shall be classified as Group R-4 provided that in addition to the required sprinklers, manual fire alarm devices are installed as required in 907.2.6 and for Group I occupancies.

**308.3 Group I-2.** This occupancy shall include building and structures used for medical, surgical, psychiatric, nursing or custodial care, including Adult or Child Care, on a 24-hour basis of more than five persons who are not capable of self-preservation. This group shall include, but not be limited to....(balance unchanged)

A facility such as the above with five or fewer persons, excluding staff, housed less than 24 hours, during normally awake hours, shall be classified as a Group R-3 or shall comply with the *International Residential Code* in accordance with Section 101.2.

A facility such as the above designed and constructed as an R-3 or in accordance with the International Residential Code with five or fewer occupants, excluding staff, housed for a 24-hour period, including normally asleep hours, shall be permitted provided that an automatic fire suppression system is installed and maintained in accordance with (903.3.1.3 NFPA 13D).

*Issue: Same conflict as with Group I-1 above. Group R-3 was not intended to include 24-hour occupancies for occupants classified under the I-2 designation. So, here is the trade off. If you have five or fewer occupants, not capable of properly responding to an emergency situation, on a 24 hour basis, you must install a compliant 13 D sprinkler system. If you have five or fewer occupants for less than 24 hours, during normally awake hours you can be treated as an R-3. (Note the distinction between the I-1 and I-2 requirements, in an I-2, the occupants are typically not be able to properly respond to an emergency, but they are there for less than 24 hours, during normally awake hours which in theory will significantly reduce the potential for injury and/or death associated with fire during the typical night or sleeping hours.)*

**308.5 Group I-4, Day care facilities.** This group shall include buildings and structures occupied by more than five persons of any age who receive ~~custodial~~ or supervision and/or personal care for less than 24 hours, during normally awake hours, by individuals other than parents or guardians, relatives by blood, marriage or adoption, and in a place other than the home of the person cared for.

A facility such as above with five or fewer persons, where the occupants are capable of promptly responding to an emergency without assistance from staff, shall be classified as a Group R-3 or shall comply with the *International Residential Code* in accordance with Section 101.2. Places of worship during religious functions shall be considered Group A-3.

*Issue: The assumed intent was to mean that places of worship during religious functions are not to be considered Group I-4 occupancies but the wording is confusing.*

*Issue: Small “mom & pop” day care operations? The exemption would allow these types of facilities provided that care is not provided for a 24 hour basis. Thus eliminating one of the main objections about forcing sprinklers into the residential day care environment.*

*Suggestion: DELETE Language unnecessary as descriptions are included in I-4 charging statement.*

~~308.5.1 Adult care facility. A facility that provides accommodations for less than 24 hours for more than five unrelated adults and provides supervision and personal care services shall be classified as Group I-4.~~

**Exemption:** ~~A facility where occupants are capable of responding to an emergency situation without physical assistance from the staff shall be classified as Group A-3 (This would have been changed anyway based on the proposal from G45-04/05)~~

~~A facility that provides supervision and/or personal care on a less than 24-hour basis where evacuation is slow or impractical as defined in Section 22-1.3 of NFPA 101-00, referenced in Chapter 35, shall be classified as Group I-4. Where evacuation is prompt as defined in Section 22-1.3 of NFPA 101-00, referenced in Chapter 35 the facility shall be classified as Group A-3.~~

~~308.5.2 Child care facility. A facility that provides supervision and personal care on less than a 24-hour basis for more than five children 2 ½ years of age or less shall be classified as Group I-4~~

~~A Child Care Facility that cares for more than five children older than 2 ½ years of age on a less than 24-hour basis, during normally awake hours, who are not capable of responding to an emergency shall be classified as Group I-4.~~

~~Exception: A child day care facility that provides care for more than five but no more than 100 children 2 ½ years or less of age, when the rooms where such children are cared for are located on the level of exit discharge and each of these child care rooms has an exit door directly to the exterior, shall be classified as Group E~~

The use of a building or structure, or portion thereof, for *educational?*, supervision or personal care services for more than five and up to 100 children older than 2 ½ years of age on a less than 24-hour basis, during *normally awake hours* as defined in Section 202, when the rooms where such children are cared for are located on the level of exit discharge and each of these child care rooms has an exit door directly to the exterior, shall be classified as a Group E occupancy. (This is the same text that is in the Group E section.)

*Issue: This still doesn't answer the question...what happens if you have over 100 children 2 ½ years of age or less...does it revert to an I-4 Group? Yes, provided the length of stay is less than 24 hours and during normally awake hours. The note was included in the Group E exception as noted above. If you are providing 24-hour care you become an I-2*

*Issue: More than five but less than 100 children 2 ½ years or less of age for a 24-hour period, what then? Up to 16 becomes an R-4 over 16 it reverts back to an I-1. Answer, more than 5 or not capable of properly responding to an emergency drops you back into the I-4 category. However I-4 was not intended to be used for a 24-hour period. By default, if you intend on providing 24-hour care, you become an I-2.*

## **Section 310.2 Definitions**

**RESIDENTIAL CARE/ASSISTED LIVING FACILITY.** A building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other similar reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of prompt or ~~slow evacuation as defined in Section 22-1.3 of NFPA 101-00 referenced in Chapter 35,~~ in-respondering to an emergency situation without physical assistance from staff. This classification shall include but not be limited to, the following: residential board and care facilities, assisted living

facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug abuse centers and convalescent facilities.

**PERSONAL CARE SERVICES.** The care of residents who do not require chronic or convalescent medical or nursing care. Personal care involves responsibility for the safety of the resident while inside the building.

**Section 310**  
**RESIDENTIAL OCCUPANCIES**  
**GROUP R**

R-1 Unchanged

R-2 Unchanged

**R-3** Residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Buildings that do not contain more than two dwelling units.

~~Adult and Child care facilities that provides accommodations supervision and/or care for five or fewer persons, excluding staff, housed less than 24 hours, during normally awake hours. of any age for less than 24 hours.~~

*Issue: You can't be both an "adult" and be "any age"*

Adult and Child care facilities with five or fewer occupants, excluding staff, housed for a 24-hour period or during normally asleep hours, shall be permitted provided that an automatic fire suppression system is installed and maintained in accordance with (903.3.1.3 NFPA 13D).

*Issue: No exception or consideration was given to the ability of the residents to evacuate, thus dealing with the "aging in place" issue.*

~~Child care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours. (Combined Above)~~

Congregate living facilities with 16 or fewer person.

Adult and Child Care facilities that are within a single-family home are permitted to comply with the *International Residential Code* provided that they also comply with the conditions specified above with respect to hours of operation and fire safety requirements.

**R-4** Residential occupancies shall include building arranged for occupancy as residential board and care and/or assisted living facilities including more than five but not more than 16 occupants, excluding staff.

*Issue: The two previous definitions also need to be added to the International Residential Code.*

R322.1 ACCESSIBILITY. Where there are four or more dwelling units or sleeping units in a single structure, the provisions of Chapter 11 of the International Building Code for Group R-3 shall apply.

Since the International Residential Code applies to one and two family dwellings with five or fewer occupants (adult/child ~~daycare~~) does this mean if I provide 24-hour ~~day~~ care (adult or child) that I have to make the single family home accessible? Was that the intent? I do not believe that that was the initial intent. However, if the residential use is being utilized for all intents and purposes as a “business” then appropriate provisions should be made to make the facility as accessible as possible.

*Issue: Corollary changes that need to address as they relate to the Group I designation for Adult and Child Care facilities.*

**407.2.1 Spaces of unlimited area.** Waiting areas and similar spaces constructed as required for corridors shall be permitted to be open to a corridor, only where all of the following criteria are met:

1. The spaces are not occupied for ~~patient~~ sleeping units, treatment rooms, hazardous or incidental use areas as defined in Section 302.1.1
2. (balance unchanged)

**407.2.2 ~~Nurses’~~ Care Providers’ station.** Spaces for care providers’, supervisory or custodial staff ~~doctors’ and nurses’~~ charting, communications and related clerical areas shall be permitted to be open to the corridor, when such spaces are constructed as required for corridors

**407.3.2 Locking devices.** Locking devices that restrict access to the ~~patient~~ care recipient’s room from the corridor, and that are operable only by staff from the corridor side, shall not restrict the means of egress from the ~~patient~~ inside of the room except for patient rooms in mental health facilities

**407.4.1 Refuge area.** At least 30 net square feet per occupant, including staff, ~~patient~~ shall be provided within the aggregate area of corridors, patient or occupant rooms, treatment rooms, lounge or dining areas and other similar low-hazard areas on each side of each smoke barrier. On floors not housing patients confined to a bed or litter, at least 6 net square feet per occupant, including staff, shall be provided on each side of each smoke barrier for the total number of occupants in adjoining smoke compartments.

(See 1021.4 Exceptions 2 & 3)

2. Fifteen square feet per occupant for ambulatory occupancies in Group I-2
3. Thirty square feet per occupant for nonambulatory occupancies in Group I-2

**407.5. Automatic sprinkler systems.** Smoke compartments containing ~~patient~~ sleeping units within Group I-2 classifications shall be equipped throughout with an automatic fire sprinkler....(balance unchanged)

**407.6 Automatic fire detection.** Corridors in ~~nursing homes (both intermediate care and skilled nursing facilities), detoxification facilities~~ Group I-2 facilities and spaces permitted to be open to corridors by Section 407.2 shall be protected by an automatic fire detection system installed in accordance with Section 907

### Exceptions:

1. Corridor smoke detection is not required where Group I-2 occupant patient sleeping units are provided with smoke detectors that comply with UL 268. Such detectors shall provide a visual display on the corridor side of each ~~patient~~ sleeping unit and an audible and visual alarm at the nursing care provider's station attending each unit.
2. Corridor smoke detection is not required where Group I-2 occupant patient sleeping unit doors are equipped with automatic door-closing devices with integral smoke detectors on the unit sides installed in accordance with their listing, provided that the integral detectors perform the required alerting function.

**903.3.2 Quick-response and residential sprinklers.** Where automatic sprinkler systems are required by this code, quick-response or residential automatic sprinklers shall be installed in the following areas in accordance with Section 903.3.1 and their listings:

1. Throughout all spaces within a smoke compartment ~~containing patient sleeping units in Group I-2~~ of Group I-2 occupancies containing sleeping units in accordance with this code.
2. (balance unchanged)

**907.2.6 Group I.** A manual fire alarm system and an automatic fire detection system shall be installed in Group I occupancies. An electrically supervised, automatic smoke detection system shall be provided in waiting areas that are open to corridors.

**Exception:** Manual fire alarm boxes in ~~patient~~ sleeping areas of Group I-1 and I-2 occupancies shall not be required at exits if located at all ~~nurses'~~ care providers' control stations or other constantly attended staff locations, provided such stations are visible and continuously accessible and that travel distances required in Section 907.3.1 are not exceeded.

**907.2.6.1 Group I-2.** ~~Corridors in nursing homes (both intermediate care and skilled nursing facilities), detoxification facilities and spaces open to the corridors~~ Corridors and permitted open spaces attached to corridors as described in Section 407.2 shall be equipped with an automatic fire detection system.

**Exception:**

1. Corridor smoke detection is not required in smoke compartments that contain ~~patient~~ sleeping rooms where ~~patient~~ sleeping units are provided with smoke detectors that comply with UL 268. Such detectors shall provide a visual display on the corridor side of each ~~patient~~ sleeping unit and an audible and visual alarm at the nursing care providers' station attending each unit.

- ~~2-~~ Corridor smoke detection is not required in smoke compartments that contain ~~patient~~ sleeping rooms where ~~patient~~ sleeping unit doors are equipped with automatic door-closing devices with integral smoke detectors on the unit sides installed in accordance with their listing; ~~provided that the integral smoke detectors perform the required alerting function.~~

**1107.5.3 Group I-2 Hospitals.** General-purpose hospitals, psychiatric facilities, detoxification facilities and residential care/assisted living facilities of Group I-2 shall be provided with accessible features in accordance with Sections 1107.5.3.1 and 1107.5.3.2

Issue: *The term General-purpose hospital is undefined, psychiatric facilities is undefined, residential care/assisted living facilities is listed under Group I-1 not I-2. Section 308.3 Group I-2 includes Hospitals (no differentiation between General-purpose or specialized; Nursing Homes (covered under Section 1107.5.2 Nursing Homes); Mental hospitals and Detoxification facilities). To be quite honest, I like the term psychiatric facility instead of mental hospital anyway. But we should coordinate terms to eliminate confusion. We currently use three terms, Mental Hospital, Mental Health Facility or Psychiatric Facility. Pick one and be consistent.*