



Day Care Homes and Group Day Care Homes

Policies, Procedures and
Code Requirements of the
Office of the
State Fire Marshal

Effective January 2002

INTRODUCTION

The Department of Children and Family Services (DCFS) maintains licensing jurisdiction over day care home occupancies in Illinois. For particular day care homes the licensing procedures of DCFS include a fire safety inspection conducted by the Office of the State Fire Marshal (OSFM). Even when the licensing procedures of DCFS do not require an OSFM fire safety inspection to be performed for a particular day care home, the occupancy must still comply with the statewide applicable life safety code adopted and enforced by the Office of the State Fire Marshal. Although OSFM policy may exclude regular inspections at day care homes that do not “require” such an inspection, this does not relieve the owner of a day care home occupancy from the responsibility of complying with the applicable code requirements.

This document describes several aspects of importance to day care home owners relative to the policies, procedures and code requirements of the Office of the State Fire Marshal. It includes explanations of the source of Illinois’ life safety requirements, how day care facilities are classified by the OSFM, the authority of local fire departments in day care home occupancies and detailed explanations of the specific requirements of the OSFM’s Life Safety Code. **The contents pertain to both day care homes and “group” day care homes, with differences in applicable requirements or policies so noted.**

ILLINOIS’ FIRE PREVENTION CODE - THE *LIFE SAFETY CODE*

The 2000 edition of the National Fire Protection Association’s *Life Safety Code*® (also referred to within this document as “LSC” or “the Code”) has been adopted by reference in Illinois as the statewide rules for fire prevention and safety. The exact reference for the *Code* in Illinois rules is Title 41 Illinois Administrative Code 100. The *Life Safety Code* has been published for many years by the National Fire Protection Association and is updated on an every-three-year basis. It is important to note that Illinois has adopted the **2000 edition** of the LSC.

The *Life Safety Code* is published by the National Fire Protection Association (NFPA) as one of several hundred standards which the NFPA issues in an attempt to address fire protection and safety. The NFPA is not a federal agency; it is a private organization open for membership to anyone with interest in furthering the cause of fire safety. The codes and standards issued by the NFPA are “consensus” documents in that the committees which draft and revise the publications are made up of representatives of the regulatory field, architects, engineers, product manufacturers and representatives of the regulated business community. The *Life Safety Code* has been adopted, in its entirety or partially, by over forty-three states in the United States as well as several federal agencies and foreign countries to serve as fire protection regulations.

The *LSC*, along with all other NFPA standards is copyrighted, and therefore, the Office of the Illinois State Fire Marshal cannot reproduce and distribute copies of the *Code*. The *Life Safety Code* is available for inspection and reference at any of the regional offices of the Division Fire Prevention of the OSFM (see the last page of this document), and can be found at most libraries and local fire departments. If the local library does not have a copy, ask the reference librarian to see if it can be obtained via inter-library loan. The *Life Safety Code* may also be purchased from the National Fire Protection Association which operates a toll-free order center at 1-800-344-3555.

Again, it is important to identify the correct edition of the *Code* which has been adopted into Illinois rules. The Office of the State Fire Marshal, as of January 1, 2002 adopted the **2000 edition** of the NFPA *Life Safety Code*.

“NEW” VS “EXISTING” DAY CARE HOMES

The *Life Safety Code* distinguishes between “new” and “existing” occupancies. While existing occupancies are not “grandfathered” so as to allow unsafe conditions to continue to exist, the requirements for existing facilities are often less stringent than those for newly established occupancies. The method of determining “new” versus “existing” for purposes of applying the *Life Safety Code* in Illinois is based upon the date of adoption of each edition of the *Code*.

The 2000 *Life Safety Code* was officially adopted into the state administrative code on January 1, 2002. Any occupancy that existed on that date is considered “existing” for purposes of applying the *LSC*. If however, occupancy was established after the January 1, 2002 adoption date, the occupancy would be subject to the “new” regulations of the 2000 *LSC*.

An important distinction is the fact that the *Code* recognizes the date on which a particular type of occupancy classification was established within a structure, and not the age of the structure itself. If the classification of an occupancy within a structure changes, (such as from a store-front grocery store to a day care facility), even though the building containing the occupancy may be several years old, the occupancy would be subject to the provisions of *the Life Safety Code* applicable to “new” occupancies at the time of the change.

When considering day care home occupancies, the distinction between “new” and “existing” is often difficult to determine. In strict accordance with the prescribed application of the *Life Safety Code* definitions, if an owner begins to provide home day care services in an existing residential occupancy, the day care facility should be required to meet the requirements applicable to a “new” day care home at that time because a change of occupancy use has occurred. However, it must be considered that the provision of home day care services in a residential occupancy truly does not change the previously existing residential occupancy classification which continues to be the primary function of the structure, and therefore it is the policy of the OSFM to classify a home day care occupancy as “new” or “existing” based not upon the date on which the facility began to be used as a home day care occupancy, but rather based upon the date which the structure was first used as a residential (home) occupancy. In most situations, this effectively means the date which the home was constructed.

For example: If the owner of a home that was built in 1980 began to provide home day care services in 2002, strict application of the *Life Safety Code* could be interpreted to determine that this was an occupancy change from “Single-Family Residential” to “Day Care Home” and therefore the facility should be made to comply to the edition and section of the *Life Safety Code* applicable to “new” home day care occupancies in 2002. However, in Illinois, the policy of the OSFM is to consider the primary use of the occupancy as continuing to be “Single Family Residential”, and although home day care services were begun in 2002, the occupancy would be allowed to comply with the *Life Safety Code* requirements for “existing” day care homes. As addressed in detail later in this document, the distinction between “new” and “existing” is not critical with respect to most *Life Safety Code* requirements because of the similarity in the

applicable editions of the *Codes*. However, an important allowance for day care homes classified as “existing” is the use of battery operated smoke detectors as opposed to detection devices that are “powered by the building’s electrical service” (A.C. powered) as required for “new” occupancies.

SUB-CLASSIFICATION OF DAY CARE HOME OCCUPANCIES

The *Life Safety Code* sub-classifies day care occupancies as “day care centers”, “group day care homes”, or “family day care homes” based upon the number of clients being served. However, the *Life Safety Code* requirements for the sub-classification of day care facilities into these distinct groups is no longer relevant in Illinois rules because when the Office of the State Fire Marshal adopted the 2000 edition of the *Life Safety Code*, it modified the rule language to cause the OSFM to classify day care occupancies according to the same methods used by the Illinois Department of Children and Family Services. The Illinois Department of Children and Family Services classifies day care occupancies as “day care centers”, “group day care homes”, or simply “day care homes”. Therefore, if DCFS classifies a home as a “group day care home” the OSFM applies the “group day care home” section of the *LSC*. If DCFS classifies a home simply as a “day care home” the OSFM applies the “family day care home” section of the *LSC*.

THE OSFM INSPECTION PROCESS

Once the Office of the State Fire Marshal receives a request for the inspection of a day care home a fire prevention inspector of the agency’s Division of Fire Prevention will be assigned to visit the home. This visit will, in most cases, be pre-scheduled. It must be realized that the intent of a *Life Safety Code* inspection is not to “surprise” the owner and clients of a facility. The majority of the *Code*’s requirements require physical features to be in place that cannot be changed at the last minute simply to pass an inspection. Therefore there is little for the inspector to gain by not pre-arranging the inspection date and time.

The OSFM inspector will notify the local fire department inspector (if one exists and they have indicated a desire to be notified) of the date and time of the inspection. While the local fire department is never designated to conduct the OSFM inspection on the agency’s behalf, they are welcome to attend the inspection with the OSFM inspector. Such “dual-visits” are often a benefit to the day care home owner since both the state and local fire authorities can conduct their inspections at the same time and inform owners of any problems in one visit rather than causing owners to devote more than one day to the fire safety inspection process.

The agency recognizes the security/safety concerns of day care home owners. It should be known that inspectors of the Office of the State Fire Marshal drive state vehicles that are clearly lettered with the agency’s insignia and name. Also, the inspectors carry and should be willing to present to you OSFM identification. The inspector will conduct an inspection of the day care home in accordance with the applicable edition and sections of the *Life Safety Code*. This inspection will necessitate the inspector viewing all levels of the home. However, the inspection is “non-destructive” and is conducted in a “hands-off” manner as much as possible. This means, for example, that the inspector will not poke holes in walls or ceilings, or remove equipment such as electrical cover plates, or ceiling tiles. They may however, have the owner demonstrate the condition of various features in the home such as opening and shutting doors and windows to see that they are operable, or pushing a test button on a smoke detector to see that it sounds an alarm.

After the inspection is completed the inspector will conduct an “exit interview” with the owner. This is simply a brief meeting during which the inspector will explain the overall findings of the inspection. The OSFM inspector will print inspection results detailing their findings while at the inspection site and leave them with the home owner or their onsite representative. Owners should not take any corrective action until written correspondence is received from the Office of the State Fire Marshal detailing the findings of the inspection. The results of the inspection are also shared with DCFS as the licensing agency for the home.

The correspondence containing the inspection results explains the right of the owner to appeal the inspection findings. Please take note of the letter’s language which grants a right of appeal only within the first ten days following the date of the violation letter. If the owner chooses to correct the violations the inspector will revisit the occupancy and, if compliance has been achieved, will issue compliance correspondence. If the fire prevention inspector notes that no progress is being made towards correcting the violations, and the order has not been appealed, DCFS will not receive notification of a fire clearance for the home, and the regional manager of the OSFM may recommend legal enforcement of the order through the Attorney General’s Office. (It must be pointed out that day care home violations are often easily corrected, and the OSFM is rarely forced to take legal enforcement action against the owners of such occupancies).

AUTHORITY OF LOCAL FIRE DEPARTMENTS

Local fire departments and fire protection districts maintain the right to enforce locally adopted fire safety regulations in day care home occupancies. Local fire authorities are not under the jurisdiction of the Office of the State Fire Marshal. While the OSFM supports local fire authorities in many aspects, and in fact will respond to a local fire department’s request for code enforcement assistance, this agency maintains no authority over the local fire department relative to the fire prevention code that is adopted in a community nor the manner in which it is applied or interpreted.

While many local fire departments have adopted the *Life Safety Code*, others have adopted other nationally recognized building and/or fire prevention codes as well as written their own fire safety ordinances. The fact that the Department of Children and Family Services using the OSFM to conduct life safety inspections for licensing purposes does not prohibit the local fire department from enforcing their regulations through regular inspections of a day care home occupancy. The Office of the State Fire Marshal therefore recommends contact with county, municipal and district authorities to ensure compliance is maintained with all regulatory agencies.

SPECIFIC CODE REQUIREMENTS

This section reviews the specific code requirements of the 2000 edition of the NFPA *Life Safety Code* applicable to day care homes. The *Code*’s requirements for both “group” day care homes and day care homes (called “family day care homes in the *LSC*) are very similar. Also, the *LSC*’s requirements for both “new” and “existing” day care homes are very similar. Therefore, this review addresses all day care homes. Where additional requirements apply for “group” day care homes those requirements are so noted. Also, if different requirements apply to new vs. existing day care homes, a comment has been included.

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- **Where a group day care home is located in a building containing mixed occupancies, the occupancies shall be separated by 1-hour fire barriers**

Most day care homes are established in one- or two-family dwellings that do not contain any other type of occupancy. However, if a day care home were to be established in a residential apartment that is located above a store for example, this section of the Code requires that the day care home be separated from the other occupancy by construction that will provide resistance to fire for a period of one hour.

- **No special construction requirements**

The home may be of any type of construction including wood frame construction.

- **Every room used for sleeping, living, or dining purposes shall have two (2) means of escape not less than one of which shall be a door or stairway providing a means of unobstructed travel to the outside. The second means of escape shall be permitted to be a window (if the window meets certain criteria explained later in this document).**

The Life Safety Code normally uses the term “means of egress” to describe acceptable methods of exiting an occupancy. However, in the less stringent requirements applying to day care home and group day care home occupancies, the Code uses the term “means of escape” which allows paths of escape that are not always physically separated from other areas of the home by fire rated walls/partitions and also for properly sized escape windows under certain conditions.

The Code does recognize the use of properly sized and located escape windows to serve as one method of providing the “secondary means of escape” from a home. However, the Code does not allow the use of windows as the primary means of escape. Therefore, a day care home and/or group day care home could not use two properly sized windows to gain credit for proper means of escape. The primary method must be a door or door/stairway combination that qualifies under the Code’s primary means of escape requirements.

- **Requirements for Windows as the Secondary Means of Escape**

The requirements for a window to qualify as a secondary means of escape are presented and explained in the section of this document that addresses “basement exiting” requirements. Please refer to that section for information pertaining to the use of windows as a secondary means of escape from a day care home or group day care home.

- **No room or space shall be occupied for living or sleeping purposes that is accessible only by a ladder or folding stairs or through a trap door.**

The Code is simply prohibiting occupancy in areas that provide only these inadequate methods of escape.

- In “**group day care homes**” only, where spaces on the story above the level of exit discharge are used by clients, at least one means of egress shall be an exit discharging directly to the outside. The second means of escape may be a window if properly sized and located.

This requires either an outside stairway from the second floor to ground level, or an interior stairway that is “protected”, or in other words, separated by 1/2-hour fire rated walls so as not to be exposed to a fire on the first floor. Doors in these protected stairways must be at least 20-minute rated fire doors or solid core 1-3/4” thick doors. Such an arrangement allows clients on upper floors to exit the home without being exposed to a fire on the first floor of the occupancy.

The code does allow for the second means of escape from such an upper floor to be via a properly sized and located window. The requirements for a window to qualify as a secondary means of escape are reviewed later in this document. The second means of escape must be located remotely from the primary means of escape so that a fire located near one means of escape will not obstruct the other.

- **Where clients are located on a story below the level of exit discharge (basement), at least one means of egress shall be an exit discharging directly to the outside and the vertical travel to ground level shall not exceed 8 feet. The second means of escape may be a window in accordance with appropriate specifications. No facility shall be located more than one story below the ground**

In consideration of the fact that many day care home owners desire to use the basement levels of their home for client services combined with the fact that the Life Safety Code’s requirements applicable to proper basement exiting are often difficult for home owners to interpret, this section attempts to offer a detailed explanation of proper basement exiting.

Essentially, the Code requires that if clients are placed in a below grade level (basement) of a home, that at least one exit be provided that allows for “direct” discharge to the outside. The Code is clear in its intent, and furthermore the issue has been clarified directly with the technical staff of the National Fire Protection Association - the Code is requiring a door, from the basement, leading directly outside, where clients can then travel up an exterior stair or path, no more than 8 feet vertically, to the grade level. This path of egress cannot require occupants to travel through another level of the home before reaching the outside.

The Office of the Illinois State Fire Marshal has considered the arguments of several home day care operators, stating that they do not have such a “direct door leading to the outside from their basement” but can provide an exit path from the basement via an interior stairway which then leads occupants into a fire protected path on the first floor of the home. Protected meaning that the path through the first floor is separated from all other rooms and combustibles on the first floor by material providing a fire resistance rating of at least one-hour. This is usually accomplished with the installation of such materials as fire rated drywall and fire rated doors. This arrangement is an acceptable method to the OSFM of providing a direct exit from the basement level of a day care home.

Furthermore, the OSFM has also decided to accept one other configuration in a day care home or group day care home that provides basement client services as providing an acceptable alternative to the Code's requirements. This alternative requires that occupants receive early warning of possible fire through the installation of interconnected smoke detectors on all levels of the occupancy and furthermore requires that the path of escape through the grade level of the home be protected by automatic fire sprinklers.

These two alternative methods of basement escape for home day care occupancies have been officially adopted into Illinois Administrative Code language as amendments to the Life Safety Code adoption in the administrative rules found at Title 41 Ill. Adm. Code 100.

What is not an acceptable primary basement exiting arrangement, although commonly encountered in typical single family home design, is a stairway leading from the basement to the first floor that places exiting clients in a position so as to be exposed to rooms and/or any combustible material on the first floor of the home. Therefore, a path of exit that uses an interior stairway which leads from the basement to the first floor, but then exposes escaping clients to the first floor rooms on their path of travel to an exterior door is not an approved "direct exit."

THEREFORE, THE THREE ACCEPTABLE METHODS OF PROVIDING THE "PRIMARY" BASEMENT EXIT ARE:

1) Direct Exit

A direct exit can be achieved by the provision of a door, at the basement level, that leads directly to the outside without traversing another level of the home. Once outside the home occupants can then walk up a flight of outside stairs or a ramp for a maximum height of up to 8 feet in vertical travel to the grade level. (Note that while a properly sized escape window can serve as a secondary means of escape from the basement of a home day care occupancy, it cannot qualify as a direct exit or primary means of escape).

2) Accepted Alternative: "Protected Exit" through the Grade Level of the Home

If the home does not provide a "direct" exit via a door from the basement level to the outside of the home, the escape path is normally an interior stairway that leads to the grade level of the home. The rules accept a path of escape through this grade floor of the home only if the path is separated from all other areas of the occupancy by construction that provides one-hour fire rated protection between the path of escape and the other living areas of the home. This essentially requires a physical separation (a wall or partition) to be constructed on the grade level of the home to ensure that occupants who must travel up an interior stairway from the basement to the grade floor of the home are then protected from the effects of fire while traveling through the grade level to an exterior door. (Note: It is common for a basement stairway to bring occupants into the grade level of a home in close proximity to a door which leads to the outside of the home. However, no matter how short the distance from the basement door to the outside door, the path must be separated from other rooms/areas of the home on the grade level to qualify for this escape arrangement).

3) Accepted Alternative: Multi-Station Smoke Detection with Automatic Sprinkler Protection

If a home provides neither a “direct exit” from the basement or a fire resistant path of escape through the grade level of the home, the OSFM accepts one other arrangement as being “equivalently safe” for exiting. This requires two conditions to be present: a) multi-station smoke detection on all levels of the home and b) automatic fire sprinklers protecting the path of travel through the grade level of the home.

Multi-station smoke detection simply means that smoke alarms in the home are interconnected so as to cause the sounding of an alarm at all detectors if any one detector is activated. The accepted alternative requires smoke alarms to be present on all levels of the home, including levels not devoted to day care services. Therefore, the detection of smoke on any level of the home would cause an immediate alarm on all levels of that home, including the basement, and thereby provide early warning to staff and clients.

Considering that the home does not have a direct exit from the basement, and therefore clients must travel up an interior stairway to reach the grade level of the home, and further considering the path of travel through the grade level of the home is not physically separated by barriers providing 1-hour fire resistance, the accepted alternative is requiring this “un-separated” path through the grade level of the home to be protected by automatic fire sprinklers. The accepted alternative is not requiring that sprinklers be installed throughout the home or even throughout the basement, but rather only along the un-separated path of egress through the grade level of the home. The installation of these sprinklers is required to be made in accordance with NFPA Standard #13-D. This standard is entitled “Standard for the Installation of Sprinkler Systems in One- and Two- Family Dwellings and Mobile Homes” and describes in detail the allowable water supply requirements, sprinkler head spacing, and piping requirements pertaining to the sprinkler system installation. This standard was written specifically for one- and two-family homes and makes allowances for the use of certain types of listed plastic piping as well as domestic water to supply the sprinklers.

*Note that to qualify under this accepted alternative arrangement, both conditions must be met - multi-station smoke detection **and** automatic sprinklers protecting the path of egress through the grade level of the home. The presence of only one of these conditions will not qualify the home for the equivalently safe designation.*

- **Where clients are located on a story below the level of exit discharge (basement) the second means of escape may be a window in accordance with appropriate specifications.**

The Life Safety Code allows the use of windows, if properly sized and located to serve as secondary means of escape in this as well as other situations. Windows meeting the below stated criteria can serve as the “secondary means of escape” only after one of the above discussed primary exits has been provided:

The window must have a minimum width of 20”

The window must have a minimum height of 24”

The window must provide a minimum clear opening of 5.7 square feet

The window is required to comply with all three of the above dimension criteria. It must provide a clear opening of a minimum of 20" wide, 24" in height and 5.7 ft². Note that a 20" x 24" opening does not equate to 5.7 ft². Therefore, one if not both of the width and height dimensions of clear opening provided by the window must be increased to also comply with the 5.7 ft² requirement for the clear opening that is provided.

The OSFM has modified adopted rule language that will accept escape windows that are smaller than the above stated 20" x 24" or 5.7 ft² dimensions to serve as a secondary means of escape, if their use has been demonstrated to an on-site OSFM inspector. All day care home occupants, including clients as well as staff members, must be able to demonstrate escape via the window in three minutes or less.

Further requirements for windows being used as secondary means of escape include:

The bottom of the window opening must not be more than 44" above the floor of the basement. If the bottom of the window opening is greater than 44" above the floor, a permanently affixed sturdy ramp or stairs, located below the window, must be provided. Note that movable objects such as stools, or step-ladders are not acceptable.

Also, as part of the same rule modification language, the agency will accept the placement of a permanent stair or platform to bring occupants to within 44" of the window sill. However, owners are cautioned the stair or platform must be permanently affixed to the wall or floor below the window. Mobile aides such as ladders or chairs will not meet the intent of a permanent platform to bring occupants to within 44" of the bottom sill of the window opening.

The window must be operable from the inside without the use of tools. Locks requiring keys or the use of handles that can be removed from the window are not acceptable.

The window shall be within 20 ft. of grade; or directly accessible to fire department rescue apparatus; or open onto an exterior balcony.

If the window has a sill height below the adjacent ground level it shall be provided with a window well meeting the following criteria:

- a. The window well shall have horizontal dimensions that allow the window to be fully opened.*
- b. The window well shall have an accessible net clear opening of not less than 9 ft² with a length and width of not less than 36 in.*
- c. A window well with a vertical depth of more than 44 in. shall be equipped with an approved permanently affixed ladder or with steps meeting the following criteria:*
 - 1. The ladder or steps shall not encroach more than 6 in. into the required dimensions of the window well.*
 - 2. The ladder or steps shall not be obstructed by the window.*

- **Where clients are located on a story below the level of exit discharge (basement), the vertical travel to ground level shall not exceed 8 feet. No facility shall be located more than one story below the ground.**

This requirement is intended to prohibit the establishment of a day care home occupancy in a “sub-basement” of a home. Most residential basements are located a maximum of “one story” below ground level and therefore will be able to comply with the Code’s requirements. The OSFM applies the DCFS administrative rule definition of a “basement” which is “Basement means the story below the street floor where occupants must traverse a full set of stairs, 8 or more risers, to access the street floor”.

- **Dead-end corridors cannot exceed 20 ft.**

In an “existing day care home protected by an automatic sprinkler system, the dead end corridor may be 50 ft. in length.

Dead end corridors occur when occupants can travel down the corridor, but then have no means of escape at the end of the corridor, causing them to travel all the way back to where they first made their choice to enter the corridor to gain access to an escape route. It should be noted that the sprinkler system required to qualify for the extended dead end distance is a system that protects the entire occupancy, not simply limited sprinkler heads that may protect a single exit corridor or a specific hazardous area.

- **The travel distance from any point in a room and an exit shall not exceed 150 feet.**

The travel distance may be increased by another 50 ft. if the home is protected throughout by an automatic sprinkler system. (Travel distance violations are rarely encountered in a day care home occupancy).

- **No emergency lighting requirements**

There are no requirements for provision of “battery packs” or other methods of emergency lighting during power failures.

- **No exit marking sign requirements**

There are no requirements for lighted exit signs above exit doors or stairways.

- **Every closet door latch shall be such that children can open the door from the inside of the closet.**
- **Every bathroom door lock shall be designed to permit opening of the locked door from outside in an emergency. The opening device shall be readily accessible to the staff.**

These requirements assure that children cannot be locked in (or lock themselves in) a room or area of the home that is inaccessible or from which they cannot escape.

- **No door in any means of escape shall be locked against egress when the building is occupied. All locking devices that impede or prohibit egress or that cannot be easily disengaged shall be prohibited.**

This includes a prohibition against locking mechanisms that cause staff or occupants to use a key from the inside (escape side) because the Code is concerned that the key may not be easily located or occupants could be confused and not know that they need to turn the key in an emergency. Also, just for clarification, the LSC does not prohibit the locking of doors to stop someone from entering the home. The requirements pertain to occupants on the inside of the home attempting to escape.

- **Protection of vertical openings - In group day care homes only, the doorway between the level of exit discharge and any floor below shall be equipped with a door assembly having a 20-minute fire protection rating. Where the floor above the floor of exit discharge is used for sleeping purposes in a group day care home, there shall be a door assembly having a 20-minute fire protection rating at the top or bottom of each stairway. Exception: In “existing” group day care homes, existing self-closing 1-3/4-inch solid bonded wood core doors without rated frames may be accepted by the authority having jurisdiction.**

This passage essentially requires that when a basement level is present in a group day care home, whether the basement is used by clients or not, a door must be provided at the opening from the basement to the first floor. This door must have a 20-minute fire protection rating (the lowest rating recognized by any standardized test for fire door ratings). It is important to note that a 20-minute fire rating includes, by definition, a door closing device attached to the door as well as a latching device. The Code does allow for existing solid core doors of 1-3/4 inch thickness, without rated door frames, to meet the requirements of this section in “existing” occupancies. The same type of 20-minute rated door is required either at the top or bottom of the stairway if upper floors are used for sleeping purposes. These requirements are applicable only to “group” day care homes.

Fire and smoke travel upward in a fire building via vertical paths - primarily stairwells. Basement levels are a common location of fire origin (basements of residential occupancies are typically used for storage as well as the location of the home’s heating plant). The purpose of requiring a fire rated door, with a self-closing device, is to provide time for occupants, alerted by required smoke detection, to exit the home before a fire in the basement area jeopardizes escape paths on the first floor.

- **The interior finish in exits shall be “Class A or B” in accordance with Chapter 10. Interior Finish in occupied spaces in the home shall be “Class A, B or C”.**

Interior finish is an often misunderstood concept of fire prevention codes. Interior finish refers to the treatments and coverings applied to interior wall and ceiling surfaces in an occupancy. (Carpeting attached to floors is addressed by separate requirements). Interior finish pertains to such items as paneling, suspended ceiling tiles, and plasticized sheet goods that may be installed in an occupancy. Such materials contribute to the spread of fire and generation of

deadly smoke in fire incidents. The classification of an interior finish material as Class A, B, or C identifies different degrees of flame spread and smoke developed ratings as determined by standardized tests. Materials such as paneling and ceiling tile are usually labeled by the manufacturer relative to their interior finish rating.

As a matter of practical application, violations of the liberal interior finish requirements of the Life Safety Code are rarely cited during OSFM inspections at day care home occupancies. However, the section of the code is important to guard against conditions such as untreated wood paneling in stairways, plasticized ceiling and wall material, and other questionable interior finish products that would rapidly spread fire throughout a home.

Note, that if carpeting is applied to vertical surfaces (walls and/or ceilings) it then becomes subject to interior finish requirements. Carpeting that is designed, tested and approved for floor application may not qualify for application to walls and ceilings. The application of carpeting on interior walls and ceilings is therefore not recommended and often will present a code violation.

- **Smoke alarms shall be installed in accordance with Chapter 9 of the Life Safety Code.**

The referenced Chapter 9 simply further refers to NFPA Standard 72 “National Fire Alarm Code”. This standard requires that smoke detectors be installed within each room used for sleeping and on each additional story of the family living unit including basements but excluding crawl-spaces and unfinished attics.

In homes classified as “existing” the smoke detectors may be powered by batteries, if properly maintained, and are not required to be “hard wired” into the building’s electrical system. However, homes classified as “new” are required to have smoke detectors that are powered by the building’s electrical service (A.C. powered).

Owners are cautioned that although their home may be classified under the Life Safety Code as an “existing” occupancy (and therefore be allowed to have battery operated smoke alarms), there is a separate state law related to smoke detectors that may require the detectors to be powered by the building’s electrical system (hard wired detectors). Specifically, the Illinois Smoke Detector Act requires that any dwelling occupancy built or substantially remodeled in Illinois after December 31, 1987 is required to be provided with detectors that are permanently wired into the structure’s A.C. power system.

- **Alarm System - No requirements**

There are no requirements for a “full fire alarm system” that would include a fire alarm panel, manual pull box devices, and horn/strobe warning devices. However, where the day care home is located within a building of another occupancy, such as in an apartment building, any corridors serving the day care home are required be provided with a smoke detection system.

- **Special electrical covers for electrical receptacles shall be installed in all areas occupied by children under 6 years of age.**

These are simply covers, usually of plastic construction, that can be inserted into electrical receptacles to prevent children from inserting fingers or material into the outlets.

- **Unvented fuel-fired room heaters shall not be permitted**
- **Any heaters in spaces occupied by children shall be separated from the space by partitions, screens or other means.**
- **If solid partitions are used to provide separation required above, provision shall be made to assure adequate air for combustion and ventilation for the heating equipment.**

These requirements attempt to ensure that heating devices are regulated in a manner that will protect children against burns while still providing the necessary operating air for the devices. Furthermore, they prohibit the use of fuel burning devices that are not vented to the exterior of the home. There is not a requirement for the home's furnace or boiler to be enclosed in a room or by fire-rated construction.

- **The Life Safety Code and DCFS licensing rules limit the number of children under the age of two years that can be served in a group home day care or home day care occupancy and also address the levels of the home on which young children can be located. Potential owners are advised to contact both agencies regarding applicable limits.**

Operating Features

The Life Safety Code requires certain “operating features” and practices to be met on an ongoing basis in day care home occupancies. These are listed below:

- The facility shall have a comprehensive written fire emergency response plan. Copies of the plan shall be made available to employees. All employees shall be periodically instructed and kept informed with respect to the duties of their position under the plan.
- Emergency egress and relocation drills shall be conducted. These shall be done at least monthly and all occupants shall participate. (If the facility is not open year-round, then an additional drill shall be conducted during the first 30 days of operation each year to familiarize occupants with drill procedures). The Life Safety Code allows drills to be deferred during the colder winter months under certain conditions.
- 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.
- It shall be the duty of administrators and staff members to inspect all exit facilities daily to ensure that all stairways, doors, and other exits are in proper condition.

- Clothing and personal effects shall not be stored in corridors.
- Artwork and teaching materials shall be permitted to be attached directly to the walls, but shall not exceed 20% of the wall area.
- Adequate adult staff shall be on duty, alert, awake and in the facility at all times when the clients are present.

Homes in Apartment Buildings

In addition to the requirements reviewed above, when an apartment in an apartment building or complex is used as a day care home, the following also applies:

- **In “group” day care homes only, if the two exit accesses from the home enter the same corridor as the other apartments, exit accesses shall be separated in the corridor by a smoke barrier having not less than a 1-hour fire resistance rating. The smoke barrier shall be so located that there is an exit on each side of it. The door in the smoke barrier shall not be less than 36 inches wide (32 inches in existing occupancies) and the door assembly shall have a fire protection rating of at least 20 minutes and shall be self-closing and latching.**

The provision ensures that if the two paths of exit from a group day care home located within an apartment building must enter into the same corridor, the two paths will be separated by a barrier that provides fire and smoke resistance. This serves to give occupants of the day care home two true paths of escape. If the barrier were not in place, the two separate doors from the home would in fact lead occupants into the same corridor environment which, if containing fire or smoke, would leave the occupants without an alternative means of escaping the home. If the apartment building corridor is used as one means of egress from the home, and a secondary means of escape is provided that does not require occupants to enter the same corridor, no corridor fire and/or smoke separation is needed.

- **When a “group” day care home is located within a building of another occupancy, such as in an apartment building, any corridors serving the group day care home shall be provided with a smoke detection system in accordance with Section 9.6 of the Code.**

When “group” day care homes are located within one of the apartments of an apartment building additional hazards are present. The clients of the “group” day care home become susceptible to fire hazards in areas not under the control of the day care home operator. Therefore the Life Safety Code applies more stringent alarm and exiting requirements than in a single family dwelling. The Code requires that the apartment building be equipped with a smoke detection system in the corridors of the building. This “system” means that the smoke detectors will be interconnected so as to sound an alarm throughout the building whenever any of the detectors senses smoke conditions. This allows for early warning to all building occupants, including “group” day care home staff and clients, even though the smoke may be detected in another area of the building outside of the actual apartment being used as a “group” day care home.

WHAT STATISTICS TELL US ABOUT RESIDENTIAL FIRES

Fire death and injury data collected in Illinois closely reflects that experienced throughout the country. Over eighty five percent (85%) of all fire deaths and fire injuries occur in residential occupancies. When examined by age groups, spanning five years each, the age group most susceptible to fire deaths and fire injuries is that of 0-4 year old children.

The most common causes of fires in residential occupancies are:

- Improperly operated/maintained heating equipment (including portable space heaters)
- Cooking accidents

The time when residential fires occur is not uniform throughout the day. However most people are surprised to learn that when examined on an hour-by-hour basis, the most common time periods for residential fires are from noon to 9:00 p.m. and not during the “middle of the night” sleeping hours.

The areas in residential occupancies where fires most often originate are:

- Kitchens
- Bedrooms
- Living rooms/Family rooms
- Laundry rooms

CONTACTS (QUESTIONS)

If you have questions pertaining to the policies, procedures, or fire prevention regulations of the Office of the State Fire Marshal applicable to day care home occupancies contact one of the three regional offices of the Division of Fire Prevention of the agency:

Chicago Office

James R. Thompson Center
Suite 4-600
100 W. Randolph Street
Chicago, IL 60601
312/814-2693

Springfield Office

1035 West Stevenson Drive
Springfield, IL 62703
217/785-4714

Marion Office

2309 Main Street
Marion, IL 62959
618/993-7085

PLAN REVIEW SERVICES

The OSFM will conduct plan review of construction or remodeling projects for day care home and group day care home occupancies. The agency’s Division of Technical Services performs plan review in accordance with the State-adopted NFPA Life Safety Code free of charge for owners, architects, designers, local fire chiefs or virtually anyone that submits plans and is interested in obtaining review. Plan submittal is not mandatory, but the OSFM encourages owners to take advantage of this free State service so that potential code violations can be identified in the planning stages of the project rather than after the structure is built. Questions about the plan review services offered by the OSFM should be directed to:

Office of the State Fire Marshal
Division of Technical Services
James R. Thompson Center
100 West Randolph Street Suite 4-600
Chicago, IL 60601
312/814-8960
SFM.Techservices@illinois.gov