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Kindergarten, Day Care Center, Nursery, etc. Occupancy

CONSOLIDATED INFORMATION BULLETIN

To: Prospective and Current Kindergarten, Day Care Center, Nursery, and Related Providers

From: Alabama State Fire Marshal's Office (SFMO)

Re: Fire, Building, and Specialty Code Requirements and Guidelines

Introduction –

The following information is an updated consolidation of several previously issued information bulletins designed to assist prospective and current kindergarten, day care center, nursery and related providers, architects and others complying with applicable fire, building and specialty codes adopted by this office. This document has been updated to provide the most current information available. **The information provided merely serves as a guide and does not include all information or requirements needed to design or operate an occupancy of this type.**

Your architect should be provided a copy of this bulletin to inform them of the requirements during plans development.

The final portion of the bulletin provides answers to FAQs (Frequently Asked Questions) We hope these will provide further assistance.

General Information for Prospective Providers –

Before buying, leasing, renting or constructing any building to be used for one of the occupancies outlines above, you must first obtain the services of an architect registered in the state of Alabama. The architect must prepare plans to show how the building will be designed to comply with applicable codes.

The architect must use code or codes which provide equal or greater levels of protection that those adopted by the Alabama State Fire Marshal's Office when designing a building. Currently the following codes are adopted by the State Fire Marshal's Office for new and renovations – ***2009 edition*** of the International Building and Fire Code. **The only time the services of an architect are not required is when the building was previously used for this type occupancy and both the occupancy type has not changed and renovations are not needed.** The requirements for the services of an architect are contained in the Code of Alabama, the compilation of laws passed by the state legislature.

Once the building is completed and ready for inspection, we will make an inspection. We will not need to make an inspection until everything is ready. Please notify us 14 to 30 days prior to the need for an inspection so we can schedule this with the personnel working your area. **Please do not call inspectors at their homes to schedule inspections. All requests for inspections should be made by calling 334-241-4166.** You may give your request to anyone at this number, so please identify your reason for calling.

Restating the steps to follow:

- 1. Contact the State Fire Marshal's Office to confirm you have the most current Information Bulletin available.**
- 2. Contact an architect registered in the state of Alabama.**
- 3. Have your building comply with the codes as previously mentioned in this bulletin.**
- 4. When the building is completely ready, call 334-241-4166 to schedule an inspection.**
- 5. Notify the SFMO 14-30 days prior to the need for an inspection**
- 6. REMEMBER – FIRE SAFETY IS YOUR RESPONSIBILITY AS WELL AS OURS.**

Special attention Architects and Providers – Applicable Fire, Building, Safety and Physically Challenged Codes and Standards for Nurseries, Day Care Centers, Head Start Centers, Kindergartens, etc.

Projects involving state owned buildings, buildings located on state property and buildings constructed with city, county or state funds require submission of plans to the Alabama Building Commission, located at the RSA Plaza – Fourth (4th) Floor, Montgomery, Al. 36130. The commission will review all plans using the ***2009 Edition of the International Building Code***. Projects involving city, county or state funds will also be reviewed for compliance with the Americans with Disabilities Act Accessibility Guidelines, which are used to determine compliance with the state accessibility law.

When city, county, or state funds are not involved, care should be taken to determine the necessity for compliance with the Americans with Disabilities Act.

Architects must address all applicable codes outlined in the bulletin when developing plans, whether submitted to the Alabama Building Commission or not. Should any conflicts be encountered between applicable codes, the more restrictive code requirements should be followed.

No plans should be submitted to the State Fire Marshal's Office unless specifically requested by this office. A letter stating compliance with applicable codes should be submitted to this office by the architect. These letters should be mailed to Post Office Box 303352, Montgomery, Al. 36130-3352. A copy of the final plans should be made available at the construction site, should any questions be encountered during an inspection.

Mattresses for Baby Beds and Cribs –

All new and replacement mattresses for use in baby beds and cribs must comply with standards established by the U.S. Consumer Products Safety Commission.

Fire Extinguishers –

All day care centers and homes must have at least one (1) Class ABC rated dry chemical fire extinguisher for use on common classes of fire – combustibles, flammable liquids, and electrical. These extinguishers should contain no less than ten pounds of fire extinguishing agent. Due to the size of some buildings used for this occupancy type and day care homes, more than one ABC rated extinguisher may be required.

All occupancies of this type and day care homes, which have residential or commercial cook top appliances, must have a Class K fire extinguisher for use in the kitchen. At the present time the smallest Class K extinguisher known to this office is an 11/2 gallon size. This size extinguisher is acceptable for centers and homes.

Commercial Day Cares must have a hood with extinguishing agent to protect the cooking appliances. The cook top must be removed from premise if not protected when the choice is to use microwaves and convection ovens only.

Non-vented Fuel Fired Heating Equipment –

Non-vented fuel fired heating equipment; including equipment with oxygen depletion shut-off devices are not permitted in day care facilities.

Fire Drills –

Monthly fire drills are required and should be designed in cooperation with local fire departments.

A copy of the ***Fire Drill Record*** accompanies this bulletin. This form may be copied and should be used to record every fire drill conducted. Completed forms should be kept on file at the day care facility and ***should not*** be mailed to the State Fire Marshal's Office.

Smoke Detectors

Area (s) where children nap in Home Day Cares shall have an electric smoke detector with battery back up in place that has been installed by a licensed electrician. Proof of installation shall be provided by applicant.

Frequently Asked Questions (FAQ's) –

- ***Question*** – If I have a day care home and use animal or vegetable oils or fats when the children ***are not*** in my home do I still have to have a Class K Fire Extinguisher?

Answer – ***Yes***, you ***must*** have the Class ***K*** Extinguisher when operating a Home Day Care.

- ***Question*** – Where do I purchase a Class ***K*** Fire Extinguisher?

Answer – Generally the only businesses selling Class ***K*** Extinguishers are companies that sell ***and*** service fire extinguishers exclusively. These do not include hardware stores or general merchandise stores.

- ***Question*** - If a fire extinguisher has a ***"K"*** in the model number does that mean it's rated as a Class ***K*** Fire Extinguisher?

Answer – Not necessarily. ***Do not*** rely on the model number of a fire extinguisher to determine what classes of fire it is designed to extinguish. Check the extinguisher itself and it will identify the classes of fires it is designed for, i.e. BC, ABC, K, etc.

- ***Question*** - What type of fire is a Class ***K*** extinguisher designed for?

Answer – Typically kitchen related fires only, specifically those involving grease (animal fats/vegetable oils).

- **Question** – Is there another type of fire extinguisher required in a day care home or day care center other than a Class **K**?

Answer – Yes, you will need a **10lb ABC** Fire Extinguisher.

- **Question** – What type of fire is an **ABC** extinguisher designed for?

Answer – Generally wood and paper products, combustible liquids and electrical fires which are common fires that may happen around the home.

- **Question** – Can an **Engineer (PE)** be used to prepare plans and specifications?

Answer – **No**, the Alabama Board of Architects has advised the State Fire Marshal’s Office that only architects, licensed in Alabama, can prepare plans and specifications for a day care facility.

- **Question** – Is an architect required when a person is going to operate a day care home?

Answer – **No**, the services of an architect are only required when the day care provider is going to operate a commercial day care center.

- **Question**- How many exits shall I have in my Home Day-Care?

Answer- NFPA 101 Life Safety Code says that Means of Escape shall comply with Chapter 24 Section 24.2 In dwellings or dwelling units of two rooms or more, every sleeping room and every living area shall have not less than one primary means of escape and one secondary means of escape. *The primary means of escape shall be a door, stairway, or ramp providing a means of unobstructed travel to the outside of the dwelling unit at street or ground level.* The secondary means of escape, other than existing approved means of escape, shall be one of the means specified in 24.2.2.3(A) through 24.2.2.3(C). **(A)** It shall be a door, stairway, passage, or hall providing a way of unobstructed travel to the outside of the dwelling at street or ground level that is independent of and remote from the primary means of escape.

(B) It shall be a passage through an adjacent nonlockable space, independent of and remote from the primary means of escape, to any approved means of escape.

(C)* It shall be an outside window or door operable from the inside without the use of tools, keys, or special effort and shall provide a clear opening of not less than 0.53 m² (5.7 ft²). The width shall be not less than 510 mm (20 in.), and the height shall be not less than 610 mm (24 in.). The bottom of the opening shall be not more than 1120 mm (44 in.) above the floor. Such means of escape shall be acceptable where one of the following criteria are met:

- (1) The window shall be within 6100 mm (240 in.) of grade.
- (2) The window shall be directly accessible to fire department rescue apparatus as

approved by the authority having jurisdiction.

- (3) The window or door shall open onto an exterior balcony.
- (4) Windows having a sill height below the adjacent ground level 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 0.82 m² (9 ft²) with a length and width of not less than 915 mm (36 in.).
 - (c) A window well with a vertical depth of more than 1120 mm (44 in.) shall be equipped with an approved permanently affixed ladder or with steps meeting the following criteria:
 - i. The ladder or steps shall not encroach more than 150 mm (6 in.) into the required dimensions of the window well.
 - ii. The ladder or steps shall not be obstructed by the window.

- **Question-** Do my interior wall and ceiling finish materials have to meet a fire code finish requirement.

Answer- Yes, Sheet rock, already rated material meeting a Class A or B finish will be ok to satisfy this question.

Please note that all of your questions may not have been answered in this letter but we have attempted to get you pointed in the right direction to assist you in being ready to conduct the business that you desire.