COMMENTS ON DRAFT STAFF ANALYSIS
BY SACRAMENTO METROPOLITAN FIRE DISTRICT

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STATE MANDATES

Fire Safety Inspections of Care Facilities
01-TC-16

I, Gregory Lake, declare:

That I am a Supervising Inspector for the Sacramento Metropolitan Fire District. That I have personal knowledge of the facts stated herein, and if called upon to do so, I could testify competently thereto.

That there has been a lack of training state-wide pertaining to pre-inspections of care facilities. Most training has been performed in-house in the various fire departments around the state. This and the distribution of the state requirements within the California Building Code has resulted in difficulties in interpretation and application of code requirements.

As a result of this being an issue throughout the state, the Northern California Fire Prevention Officers Association (NORCAL), Building Standards Committee in co-operation with the State Fire Marshal's Office has been working on a manual called the *California Fire Service Guide to Licensed Facilities*. I am a member of this committee. This manual is now in draft form, and upon approval, will assist all fire agencies in their inspections of licensed facilities.

The week of March 13th, in Buellton, there will be a meeting of the various fire agencies for a California Fire Prevention Officers Workshop. In one of the classes, plan review and inspection of care facilities will be taught using this handbook. We will be listening closely to questions presented to see if the handbook responds to the issues raised by inspectors, and to make sure that it is user friendly. Hopefully this handbook will be available on the NORCAL website by the end of March.

Presently, our fire inspection officers use the list of requirements as a checklist for pre-inspections and plan reviews. Generally, the majority of such facilities are single-family residences that are being converted to licensed facilities.

Pre-inspections are intended to inform a property owner what they need to do in order to have an approved final inspection. There is often a problem in that the owner will have all the work done which is identified in the pre-inspection without the requisite plans or permits.

When the original $50 fee was enacted 15 years ago, it was probably sufficient to cover inspection costs. However, our current hourly rate is now $93.50 and the required average time for a pre-inspection is a minimum of two hours or $185.00, which far

exceeds the fees allowed by statute. Legislation to adjust these fees should include a cost of living increase.

For informational purposes, attached hereto is a copy of the draft manual which will be used for conducting the pre-inspections and final inspections.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration is executed this 15th day of February, 2006 at Sacramento, California.

Gregory Lake, Supervising
Inspector, Sacramento Metro Fire

THE CALIFORNIA FIRE SERVICE HANDBOOK TO LICENSED FACILITIES

A California Fire Prevention Officers Information Service
October 2005

Preface

This handbook has been developed by the California Fire Prevention Officers Section, Building and Fire Code Committees for the benefit of the California Fire Service. This handbook is intended to provide the fire service user with a comprehensive resource capturing pertinent information pertaining to California State Licensed Facilities.

This handbook provides applications of applicable code sections via committee application notes *(CAN)*. These notes are derived from local enforcer and State Fire Marshal applications of the code section in question. These are for information purposes only.

This handbook presents information in a manner that pertinent code requirements are assembled in one location depending upon classification of the facility. This should simplify the code application process. Content of this handbook is derived from extracts of the California Building and Fire Codes, California Health and Safety Code, California Code of Regulations, and California State Fire Marshal Code Interpretation and Information Sheets.

This handbook provides a comprehensive reference of the laws and regulations governing fire and life safety requirements in facilities licensed for care and supervision by the Department of Social Services and Community Care Licensing, and those facilities licensed by the Department of Health Services for various types of care. The introduction of "R-2" and "R-6" occupancies into the California Building Code resulted from statutory mandates to specifically address the need for maintaining a homelike environment for residential care facilities serving persons with a variety of care needs.

The purpose of this information resource is to serve the needs of both those within the Residential Care Community, and the local fire authorities who are responsible for enforcement.

How To Use This Manual

A. Review the entire document to see how the available material is arranged.
B. Review the Table of Contents for the location of facility information, most frequently asked questions, historical and statutory information on the creation of these facilities, annexed specific code information to help evaluate conditions, a glossary of terms and State agency contacts.
C. Sections 3 through 14 address specific facility types as outlined in the Table of Contents. These sections are broken into specific topics for each type of facility:

Section No. XXX.1 covers Facility Definition and Description

.2 covers General Provisions as noted in the California Building Code

.3 covers Provisions for Type of Construction, Height and Allowable Area

.4 covers Provisions for Protection Based on Proximity to Property Lines

.5 covers Provisions for Access, Egress, and Emergency Escapes

.6 covers Provisions for Habitable Spaces and Efficiency Dwelling Units

.7 covers Provisions for Fire Alarm and Fire Protection Systems

.8 covers Special Provisions

.9 covers Provisions for Evacuation Planning

.10 covers Provisions For and Limitations of Local Fees

.11 covers Applicable State Fire Marshal Interpretations

D. If you are looking for the answer to a code application question that applies to all types of facilities, review Section 15, Most Frequently Asked Questions. If your question is for a specific type of facility, look at the State Fire Marshal Interpretations at the end of the section for that facility type.

E. It is intended that each section of this document contain all pertinent information specific to the type of facility addressed. Each one should be useful as a handout for prospective facility operators, owner/builders, architects, and building and fire department plan reviewers and inspectors.

F. It is expected that those using this document are familiar with the general provisions common to all types of businesses and facilities contained in the State Building and Fire Codes and the requirements of other agencies having jurisdiction that are not listed in this document.

Table of Contents

Section 1	Administration	Page 5
Section 2	History	6
Section 3	Group E Division 3 Facilities	9
Section 4	Group R Division 2.1 Facilities	
Section 5	Group R Division 2.1.1 Facilities	
Section 6	Group R Division 2.2 Facilities	
Section 7	Group R Division 2.2.1 Facilities	
Section 8	Group R Division 2.3 Facilities	
Section 9	Group R Division 2.3.1 Facilities	
Section 10	Group R Division 3 Facilities	
Section 11	Group R Division 6.1 Facilities	
Section 12	Group R Division 6.2 Facilities	
Section 13	Group R Division 6.1.1 Facilities	
Section 14	Group R Division 6.2.1 Facilities	
Section 15	Most Frequently Asked Q & A's	
Annex-I	Exiting General Provisions	
Annex-II	Special Provisions for Bedridden Clients	
Annex-III	CBC Tables: 15-A, 3-B, 5-A, 5-B, and 8-**	
Annex-IV	Residential Care Facilities Group R-2 and 6 Matrixes	
Annex-V	Provisions for Habitable Spaces and Efficiency Dwelling Units	
Annex-VI	Sample Licensed Facility Inspection Forms	
Annex-VII	Information about Facilities Licensed by Department of Health Services	
Annex-VIII	California State Department of Social Services, Community Care Licensing Provisions for Emergency Evacuation Planning	
Annex-IX	Sample Floor Plans and Explanatory Comments	
Annex-X	Health and Safety Code	
Annex-XI	History Annex	
Annex-XII	Glossary	
Annex-XIII	State Agency Contacts	
Annex-XIV	Acknowledgements	

SECTION 1

Administration

Facilities licensed by the Department of Social Services which provide non-medical board, room and care for six or fewer ambulatory children or children two years of age or younger, and which do not have any non-ambulatory clients shall not be subject to regulations pertaining to Group R, Division 2 Facilities, reference Health and Safety Code Section §13143. With respect to these exempted facilities, no city, county, or public district shall adopt or enforce any requirement for the prevention of fire or for the protection of life and property against fire and panic unless the requirement would be applicable to a structure regardless of the special occupancy. Nothing shall restrict the application of state or local housing standards to such facilities if the standards are applicable to residential occupancies and are not based on the use of the structure as a facility for ambulatory children. For the purpose of this exception, "ambulatory children" does not include relatives of the licensee or the licensee's spouse. (Ref. CBC 310.1.4)

Regulations of the state fire marshal pertaining to Group R, Division 2 Facilities classified as Residential Facilities (RF) and Residential-care Facilities for the Elderly (RCFE) shall apply uniformly throughout the state and no city, county, or fire protection district shall adopt or enforce any ordinance or local rule or regulation relating to fire and panic safety which is inconsistent with these regulations, reference Health and Safety Code Section §13133. A city, county, city and county, including a charter city or charter county may pursuant to Health and Safety Code Section §13143.5, or a fire protection district pursuant to Health and Safety Code Section §13869.7 adopt standards more stringent than those adopted by the state fire marshal that are reasonably necessary to accommodate local climate, geological, or topographical conditions relating to roof coverings for Residential-care Facilities for the Elderly. (Ref. CBC 310.1.5)

The California Building Code contains regulatory language that in many cases is derived directly from statute. Statutes are law and therefore enacted through the legislative process. On the other hand, regulations are adopted by the California Building Standards Commission in response to a statutory mandate. Consequently, a statute will always take precedence over a regulation. While a regulation can readily be changed, a statute can only be changed through the legislative process. Further, while an alternate means of protection can be considered for a regulation, this process is not available when dealing with a regulation that reflects statutory language.

California Health and Safety Code, Sections §13145 and §13146, lay out the responsibility for enforcement of building standards adopted by the State Fire Marshal and place this responsibility on the local fire chief or his/her authorized representatives. Therefore, the enforcement of SFM regulations for residential care facilities lies with the local fire authority. It must be noted that enforcement of SFM regulations for large family day cares which are categorized as Group R-3 Occupancies, can be conducted by either the fire chief or the building official as per Health and Safety Code Section §13146 (a).

SECTION 2

History

Residential occupancies have been in existence in California for many years. Originally, regulations were developed for health-care styled occupancies when trends began to shift towards residentially-based care facilities. The need for regulations that addressed "non-medical" care emerged as well as the need for regulations for occupancies providing "medical care" in residential settings.

With the dismantling of the California State hospital system in the 1970's many State Hospital residents were released into the mainstream population. Residential care homes designed to address the special needs of this group sprang up. The previously developed regulations for hospitals did not address their specific needs, resulting in the development of regulations that specifically addressed this need.

Evolving was the emphasis on providing a homelike, residential atmosphere while still providing a safe environment. Residential occupancies were originally regulated solely for non-medical care, and once again, community needs and the aging population created a demand for residential care homes that could provide higher levels of care including, but not limited to, residents with dementia and Alzheimer's, non-ambulatory and bedridden residents.

May 23, 1923: Governor Friend William Richardson signs into law Assembly Bill 409 which established the Office of the State Fire Marshal.

1931: Chapter 427, Statutes of 1931 permitted the SFM to enter a wide variety of occupancies to inspect unusual fire hazards and determine the adequacy of exiting.

1939: The Health and Safety Code was created. Laws pertaining to the SFM were placed within this Code.

1970's: All regulations, including regulations for day care, health care and residential care occupancies, adopted by the Office of the State Fire Marshal were contained in the California Code of Regulations, Title 19 until around 1979.

Title 19 was virtually silent regarding residential care occupancies for six or less persons, with the exception of day care homes, which were classified as "C" Occupancies. The regulations of this day were primarily for hospitals, sanitariums, psychiatric institutions, nursing homes, and homes or institutions for the full-time care of children of more than 6 persons, who were either ambulatory or non-ambulatory. Those classifications were "D-2" and "D-3".

Governor Ronald Reagan implements a trend toward community-based alternatives to the California State hospital system. Many of the State hospitals are closed down and/or resident populations reduced, thus releasing residents into the mainstream population.

1979: SB 331, Chapter 1152, Statutes of 1979, required that all proposed building regulations be approved by the California Building Standards Commission. The legislation further required that all building regulations be removed from other California Titles and placed into Title 24, thus resulting in the removal of building regulations from Title 19. Title 19 subsequently contained the non-building regulations and Title 24 contained building regulations.

This legislation also established the commonly called "nine-point criteria" for which all regulations must comply. The California Building Standards Commission was authorized to administer the processes related to the adoption, approval, publication, and implementation of

California's building codes. These building codes serve as the basis for the design and construction of buildings in California. *See Heath and Safety Code §18901-18949.6*

The Administrative Procedures Act was also established which identified the adoption process for non-building regulations through the Office of Administrative Law. *See Government Code §11346 et al.*

- The "D" occupancy classifications were changed to "I" Occupancies for specified occupancies for 6 or more persons, creating the "Institutional" category.
- A new "D" Occupancy was created for "Protective Social Care" and other residentially based uses.
- The E-3 Occupancy Classification is created for day care facilities with more than six children, a change from the "C" classification.

*1980: The CBSC adopts the 1979 Uniform Building Code, the first model building code to be adopted, with Title 24 Code of Regulations Amendments.

- The "D" Occupancy classifications are created for residential based protective social care facilities
- The "I-1A/I-2A" Occupancy classifications are created for 6 or less residential care facilities.

1981: The SFM publishes the SFM Handbook, which consolidated the adopted provisions of the 1979 Uniform Building Code, California Code of Regulations Title 24, California Code of Regulations Title 19, and Health and Safety Code Sections.

1986: The 1985 Edition of the Uniform Building Code was adopted with the 1987 Accumulative Supplement (CAC Title 24).

- This adoption eliminated the D Occupancy category for Protective Social Care and merged these classifications into the I-1, I-2, I-1A and I-2A classifications.
- Large and Small Residential Day Care Occupancies were created as R-3 Occupancies for 12 or less children, as a result of legislation, making a distinction between commercially based day care and day care with 13 or more children (E-3).
- E-3's are clarified to include nonresidential buildings and any residential building used to day care for 12 or more persons.
- The "D" occupancy classifications established under the previous code are eliminated and combined into other occupancy classifications for I occupancies.

*1989: 1988 UBC with 1989 Amendments (California Code of Regulations Title 24) is adopted.

1991: The 1991 Uniform Building Code is adopted as a base code. The document is titled, for the first time, the 1991 California Building Code. The effective date for the 1991 CBC was July 1, 1992.

- R-2.1A/R-2.2A Occupancies for 6 or less are created for Residential Care Facilities for the Elderly.
- I-1.1A/I-1.2A Occupancies are created for residential facilities for 6 or less residents where medical care is provided.
- R-6 Occupancies are created for residential group care facilities which provide care and/or supervisory services, to include halfway houses, community correctional centers, community correction reentry centers, community treatment programs, work furlough programs, and alcoholism or drug abuse recovery or treatment facilities.
- I-1.2 Occupancy classification is created for Ambulatory Health Care Facilities (Ambulatory Surgery Centers)

1998: 1998 CBC is adopted. The effective date is July 1, 1999.

- I-1A/I-2A Occupancies are consolidated into the appropriate R2 classifications.
- The R-2.1 Occupancy classification is expanded to include Adult Residential Facilities, Congregate Living Health Facilities, Residential Care Facilities for the Elderly, Group Homes and Residential Care Facilities for the Chronically Ill.
- The R-2.1.1/R-2.2.1 Occupancy classifications are expanded to include Adult Residential Facilities, Congregate Living Health Facilities, Foster Family Homes, Intermediate Care Facilities for the Developmentally Disabled Habilitative, Intermediate Care Facilities ford the Developmentally Disabled Nursing, nurseries for the full-time care of children under the age of six, Residential Care Facilities for the Elderly, Small Family Homes and Residential Care Facilities for the Chronically Ill.
- The R-2.1.1 Occupancy classification is expanded to include Adult Residential Facilities, Congregate Living Health Facilities, Foster Family Homes, Intermediate Care Facilities for the Developmentally Disabled Habilitative, Intermediate Care Facilities for the Developmentally Disabled Nursing, nurseries for the full-time care of children under the age of six, but not including "infants" as defined in Section 210; Residential Care Facilities for the Elderly, Small Family Homes and Residential Care Facilities for the Chronically Ill.
- R-3 Large Family Day Care occupant load is changed from 12 children to 14 children.
- R-3 Small Family Day Care occupant load is changed from 6 children to 8 children.
- R-3 Occupancy classification is changed to include Adult Day-care Facilities, Family Day-care Homes, Adult Day-support Centers, Day-care Center for Mildly Ill Children, Infant Care Centers and School Age Child Day-care Centers.
- The E-3 classification is changed 14 or more persons and expands the definition to include Adult Day-care Facilities, Family Day-care Homes, Adult Day-support Centers, Day-care Centers for Mildly Ill Children, Infant Care Centers and School Age Child Day-care Centers.

2000: Statutes of 2000 included SB 1896 which required the SFM to write regulations allowing bedridden residents in residential occupancies.

2001: The 2001 CBC is adopted. The effective date is November 1, 2002.

- The R-2.3/R-2.3.1 Occupancies are created for Hospice facilities.
- Bedridden clients are added to the definition of R-2.1./R-2.2.1 occupancies.

2002: ***** Need to confirm date (didn't have History Note for 1979 & 1988 UBC adoption**

NOTE: For a more explanative narration on the evolution of state licensed occupancies see Annex XI.

SECTION 3

Group E Division 3 Facilities

SECTION 300 – REQUIREMENTS FOR GROUP E DIVISION 3 FACILITIES

300.1 Group E Division 3 Facilities Defined. Group E Division 3 Facilities are any nonresidential building or portion thereof used for day-care purposes for more than six children/persons. Any residential building used for day-care purposes for more than 14 persons.

Licensing categories that may use this classification include: Adult Day Care Facilities, Family Day Care Homes, Day Care Centers, Adult Day Support Center, Day Care Center for Mildly Ill Children, Infant Care Center, School-age Child Day Care Centers. (Ref. CBC 305.1)

300.2 General Provisions for Group E, Division 3 Facilities. None noted.

300.3 Provisions for Type of Construction, Height and Allowable Area. All buildings housing Group E Occupancies shall front directly on a public street or an exit discharge not less than 20 feet (6096 mm) in width. The exit discharge to the public street shall be a minimum 20-foot-wide (6096mm) right-of-way, unobstructed and maintained only as access to the public street. At least one required exit shall be located on the public street or on the exit discharge. (Ref. CBC 305.3) **See Annex for Table 5-B.**

300.4 Provisions for Protection Based on Proximity to Property Lines. See Annex for Table 5-A.

300.5 Provisions for Access, Egress, and Emergency Escapes.

Means of egress identification.

Where required. The path of exit travel to and within exits in a building shall be identified by exit signs conforming to the requirements of CBC Section 1003.2.8. Exit signs shall be readily visible from any direction of approach. Exit signs shall be located as necessary to clearly indicate the direction of egress travel. No point shall be more than 100 feet (30 480 mm) from the nearest visible sign.

EXCEPTION: Exits or exit access from rooms or areas with an occupant load of less than 50 where located within a Group E, Division 3 day-care occupancy. (Ref. CBC 1003.2.8.2)

Special doors. Revolving, sliding and overhead doors serving an occupant load of 10 or more shall not be used as required exit doors. [For SFM] Manually operated horizontal sliding doors may be used when serving an occupant load of 10 or less.

EXCEPTION: For revolving doors see CBC 1003.3.1.2. Horizontal sliding doors complying with CBC Standard 7-8 may be used in other than Group H Occupancies, where serving an occupant load of less than 50. (Ref. CBC 1003.3.1.2)

In addition to the general exiting provisions noted in CBC Chapter 10, the following are specific to Group E Occupancies:

Definitions. For the purpose of CBC Section 1007.3, certain terms are defined as follows:

INTERIOR ROOM is a room whose only exit access is through an adjoining or intervening room and not a corridor.

ROOM is a space or area enclosed on more than 80 percent of the perimeter of such space or area.

SEPARATE MEANS OF EGRESS SYSTEM is not less than two paths of exit travel, which are separated in such a manner to provide an atmospheric separation that precludes contamination of both paths of exit travel by the same fire. (Ref. CBC 1007.3.1)

Separate means of egress system required. Every room with an occupant load of 300 or more shall have one of its exits or exit-access doorways lead directly into a separate means of egress system. Not more than two required exits or exit-access doorways shall enter into the same means of egress system. (Ref. CBC 1007.3.2)

Travel distance.

In rooms. The travel distance from any point in a room shall not exceed 75 feet (22 860 mm) to a corridor or an exit.

EXCEPTIONS: 1. In buildings not more than two stories in height and protected throughout by smoke detectors, the travel distance may be increased to 90 feet (27 432 mm).

2. In buildings equipped with an automatic sprinkler system throughout, the travel distance may be increased to 110 feet (33 528 mm). (Ref. CBC 1007.3.3.1)

From any location. In buildings not equipped with an automatic sprinkler system throughout, the travel distance shall not exceed 150 feet (45 720 mm).

EXCEPTIONS: 1. In buildings not more than two stories in height and protected throughout by smoke detectors, the travel distance may be increased to 175 feet (53 340 mm).

2. In buildings equipped with an automatic fire sprinkler system throughout, the travel distance may be increased to 225 feet (68 580 mm).

The travel distances specified above may be increased up to an additional 100 feet (30 480 mm), provided that the last portion of travel leading to the exit occurs within a corridor. Then length of such corridor shall not be less than the amount of the increase taken. (Ref. CBC 1007.3.3.2)

Travel through intervening rooms. The path of exit travel shall not pass through laboratories using hazardous materials, industrial shops or other similar places.

Where only one exit access is required from an interior room and the path of exit travel is through an adjoining or intervening room, smoke detectors shall be installed throughout the common atmosphere of the exit access through which the path of travel passes. Such smoke detectors shall actuate alarms audible in the interior room and shall be connected to the school fire alarm system.

EXCEPTIONS: 1. Where the aggregate occupant load of the interior room or rooms is 10 or less.

2. Where the enclosures forming interior rooms are less than two thirds of the floor-to-ceiling height and do not exceed 8 feet (2438mm).

3. Rooms used exclusively for mechanical or public utility service to the buildings. (Ref. CBC 1007.3.4)

Basement rooms. Exit stairways from a basement shall open directly to the exterior of the building without entering the first floor. (Ref. CBC 1007.3.9)

Panic Hardware. Exit and exit-access doors from rooms having an occupant load of 50 or more and from corridors shall not be provided with a latch or lock unless it is panic hardware. (Ref CBC 1007.3.10)

Fences and gates. School grounds may be fenced, and gates therein may be equipped with locks, provided that safe dispersal areas based on 3 square feet (0.28 m^2) per occupant are located between the school and the fence. Such required safe dispersal areas shall not be located less than 50 feet (15 240 mm) from school buildings.

Every public and private school shall conform with Section 32020 of the Education Code, which states:

The governing board of every public school district, and the governing authority of every private school, which maintains any building used for the instruction or housing of school pupils on land entirely enclosed (except for building walls) by fences or walls, shall, through cooperation with the local law enforcement and fire-protection agencies having jurisdiction of the area, make provision for the erection of gates in such fences or walls. The gates shall be of sufficient size to permit the entrance of the ambulances, police equipment and fire fighting apparatus used by the law enforcement and fire-protection agencies. There shall be no less than one such access gate and there shall be as many such gates as needed to assure access to all major building and ground areas. If such gates are to be equipped with locks, the locking devices shall be designed to permit ready entrance by the use of the chain or bolt-cutting devices with which the local law enforcement and fire-protection agencies may be equipped. (Ref. CBC 1007.3.11)

Floor-level exit signs. Where exit signs are required by Chapter 10, additional approved low-level exit signs which are internally or externally illuminated photoluminiescent or self-luminous, shall be provided in all interior rated exit corridors of Group E Occupancies.

EXCEPTION: Group E Occupancies where direct exits have been provided from each classroom.

The bottom of the sign shall not be less than 6 inches (152 mm) or more than 8 inches (203 mm) above the floor level and shall indicate the path of exit travel. For exit and exit-access doors, the sign shall be on the door or adjacent to the door with the closest edge of the sign or marker within 4 inches (102 mm) of the doorframe.

NOTE: Pursuant to Health and Safety Code Section 13143, the California amendments to this section shall apply to all newly constructed buildings or structures subject to this section for which a building permit is issued (or construction commenced, where no building permit is issued) on or after January 1, 1989. (Ref. CBC 1007.3.12)

300.6 Provisions for Habitable Spaces and Efficiency Dwelling Units. See Annex IV

Light and Ventilation. All portions of Group E Occupancies customarily occupied by human beings shall be provided with light and ventilation, either natural or artificial, as specified in Chapter 12. See Section 1003.2.9 for required means of egress illumination. (Ref. CBC 305.5)

300.7 Provisions for Fire Alarm and Fire Protection Systems.

Fire Alarm Systems. Group E Occupancies shall be provided with fire alarm systems in accordance with California Building Code, Section 106.2.4. An E-3 occupancy having an occupant load of 50 or more shall be provided with an approved manual fire alarm system. When automatic fire sprinkler systems or smoke detectors provided in accordance with Section 1006.2.4.2 are installed, such systems or detectors shall be connected to the building fire alarm system, and the building fire alarm system shall be both automatic and manual. (Ref. CFC 1006.2.4.1)

When more than one fire alarm control unit is used at a school campus, they shall be interconnected and shall operate all indicating devices. (Ref. CFC 1006.2.4.1.1)

EXCEPTION: Interconnection of the fire alarm panels is not required when:

1. Buildings that are separated a minimum of 20 feet and in accordance with the California Building Code.
2. There is a method of communication between each classroom and the school administrative office approved by the authority having jurisdiction.

School Fire Alarms. Except as provided in CFC Section 1006.2.4.1, every building used for education purposes, regardless of occupancy classification, shall be provided with an approved

fire alarm system. This provision shall apply to, but shall not necessarily be limited to, every elementary school, high school, community college and university. (Ref. CFC 1006.2.4.1.2)

EXCEPTION: Privately owned trade or vocational schools or any firm or company which provides educational facilities and instructions for its employees.

Smoke Detectors.

Increased travel distance. Smoke detectors shall be installed when required by the Building Code for increases in travel distance to exits. (Ref. CFC 1006.2.4.2.1)

Travel through adjoining rooms. To allow the only means of egress from a room to be through adjoining or intervening rooms. (Ref. CFC 1006.2.4.2.2)

When the only access to an exit is through an adjoining room, a smoke detector shall be provided in the adjoining room.

Fire Protection Systems. None required.

300.8 Special Provisions. Rooms in [Group E], Divisions 1 and 2 Occupancies used for [for SFM] day-care purposes, kindergarten, first- or second-grade pupils, and Division 3 Occupancies shall not be located above or below the first story.

EXCEPTIONS: 1. Basements or stories having floor levels located within 4 feet (1219 mm), measured vertically, from adjacent ground level at the level of exit discharge, provided the basement or story has exterior exit doors at that level.

2. In buildings equipped with an automatic sprinkler system throughout, rooms used for kindergarten, first-and second-grade children or for day-care purposes may be located on the second story, provided there are at least two exterior exit doors for the exclusive use of such occupants.

3. Division 3 Occupancies may be located above the first story in buildings of Type I construction and in Type II-F.R., II One-hour and III One-hour construction, subject to the limitation of Section 506 when:

3.1 Division 3 Occupancies with children under the age of seven or containing more than 12 children per story shall not be located above the 4th floor; and

3.2 The entire story in which the day-care facility is located is equipped with an approved manual fire alarm and smoke-detection system. (See the Fire Code.) Actuation of an initiating device shall sound an audible alarm throughout the entire story. When a building fire alarm system is required by other provisions of this code or the Fire Code, the alarm system shall be connected to the building alarm system. An approved alarm signal shall sound at an approved location in the day-care occupancy to indicate a fire alarm or sprinkler flow condition in other parts of the building; and 3.3. The day-care facility, if more than 1,000 square feet (92.9 m2) in area, is divided into at least two compartments of approximately the same size by a smoke barrier with door openings protected by smoke- and draft-control assemblies having a fire-protection rating of not less than 20 minutes. Smoke barriers shall have a fire-resistive rating of not less than one hour. In addition to the requirements of Section 302, occupancy separations between Division 3 Occupancies and other occupancies shall be constructed as smoke barriers. Door openings in the smoke barrier shall be tight fitting, with gaskets installed as required by Section 1005, and shall be automatic closing by actuation of the automatic sprinklers, fire alarm or smoke-detection system. Openings for ducts and other heating, ventilating and air-conditioning openings shall be equipped with a minimum Class I, 250 degree F (121 degree C) smoke damper as defined and tested in accordance with approved recognized standards. See Chapter 35, Part IV. The damper shall close upon detection of smoke by an approved smoke detector located within the duct, or upon the activation of the fire alarm system; and

3.4 Each compartment formed by the smoke barrier has not less than two exits or exit-access doors, one of which is permitted to pass through the adjoining compartment; and
3.5 At least one exit or exit-access door from the Division 3 Occupancy shall be into a separate means of egress as defined in Section 1007.3; and
3.6 The building is equipped with an automatic sprinkler system throughout.

Stages and platforms shall be constructed in accordance with Chapter 4. For attic space partitions and draft stops, see Section 708.
(Ref. CBC 305.2.3)

For decorations see Title 19, Section 3.08.

300.9 Provisions for Emergency Evacuation Planning.

[CAN] The following provisions are model code language and address Group E Occupancies in general. Presently, the State Fire Marshal has not exempted Group E, Division 3 Occupancies from these requirements. Application of these provisions to Group E, Division 3 Occupancies is subject to the local fire agency application.

General. Exterior assembly areas shall be designated and shall be located away from the building being evacuated and so as to avoid interference with fire department operations. Exterior assembly areas shall be arranged to keep each evacuated class or group separated to provide accountability of all individuals involved in the drill.

Fire Drills. Fire drills in Group E Occupancies shall be conducted as follows:
1. Frequency. Fire drills shall be conducted at least once each month during school sessions.
   EXCEPTION: During severe weather, fire drills may be postponed when approved.
2. Extent of evacuation. Fire Drills shall include the complete evacuation of all persons from the building or portion thereof used for educational purposes.
   EXCEPTION: The staff members responsible for notifying the fire department and handling emergency communications.
3. Fire department notification. When required by the chief, the fire department shall be notified prior to each drill.
4. Initiation. When a fire alarm system is provided, fire drills shall be initiated by activation of the fire alarm system. (Ref. CFC 1303.3.3)

Emergency Plans. Emergency plans shall include the procedure for reporting of emergencies and notifying, relocating and evacuating occupants; staff member duties during emergencies; floor plans identifying the locations of portable fire extinguishers, other manual fire extinguishing equipment, manual fire alarm pull stations and fire alarm control panels; floor plans identifying the primary and secondary routes of evacuation for each room or portion of the occupancy; floor plans indicating the locations of interior areas of refuge; and site maps identifying the designated exterior assembly area for each evacuation route.

Review. Emergency plans shall be submitted to the fire department for review when required by the chief.

Maintenance. Emergency plans shall be reviewed and updated annually. Additional reviews and updates shall be provided whenever changes are made in the occupancy or physical arrangement of the building. Revised plans shall be submitted for review in accordance with Section 1303.4.2. (Ref. CFC 1303.4.3)

Employee Duties, Assignments and Training. When required by CFC Section 1303.3, all employees shall be assigned duties for emergencies and shall be trained in their duties in accordance with CFC Section 1303.5. Training shall include familiarization with assigned

duties, evacuation routes, areas of refuge, exterior assembly areas and procedures for leading groups or assisting individuals to evacuate.

Employees shall be trained to know the locations and proper use of portable fire extinguishers. Employees shall be familiar with fire alarm signals, when alarms are provided, and emergency action required under potential emergency conditions.

Employees shall receive training in the emergency plans and their duties as part of new employee orientation and at least annually there after. (Ref. CFC 1303.5)

Fire Drills, additional requirements of CFC Section 1303.6. When required by CFC Section 1303.3, fire drills shall be conducted in accordance with CFC Section 1303.6. Fire drills shall be conducted in a manner that provides for execution of procedures set forth in the emergency plan. In addition, fire drills shall include a review of the emergency plan and execution of assigned employee duties.

When fire drills are conducted, the orderly evacuation of the building shall receive priority over the speed of evacuation. (Ref. CFC 1303.6.1)

Drill Participation. When fire drills are conducted, all persons who are subject to the fire drill requirements shall participate in the drill. (Ref. CFC 1303.6.2)

Drill times and conditions. Fire drills shall be conducted at varying times and under varying conditions to simulate conditions that could occur during a fire or other emergency. (Ref. CFC 1303.6.3)

Records: Records of fire drills shall be maintained on the premises for review by the fire department. Records shall include the date and time of each drill, the person conducting the drill and other information relative to the drill. In Group E Occupancies, the records shall include the time required to evacuate the building. (Ref. CFC 1303.6.4)

300.10 Provisions For and Limitations of Local Fees. For the purpose of application of fees to a community care facility, as defined in Section §1502, a residential-care facility for the elderly, as defined in Section §1569.2, the local authority having jurisdiction, as defined in Section §13244, or state fire marshal, which ever has jurisdiction, pursuant to Health and Safety Code Section §13235, Fire Clearance Preinspection fee; the local agency shall upon receipt of a request from a prospective licensee of a community care facility conduct a preinspection of the facility prior to the final fire clearance approval. (Ref. CBC 107.6.1)

At the time of the preinspection, the local authority having jurisdiction shall price consultation and interpretation of fire safety regulations, and shall notify the prospective licensee of the facility in writing of the specific fire safety regulations which shall be enforced in order to obtain fire clearance approval.

A fee of not more than $50.00 may be charged for the preinspection of a facility with a capacity to serve 25 or fewer persons. A fee of not more than $100.00 may be charged for a pre-inspection of a facility with a capacity to serve 26 or more persons.

The local authority having jurisdiction shall complete the final fire clearance inspection for a community care facility or residential-care facility for the elderly within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final prelicensure inspection by the State Department of Social Services, whichever is later.

Whenever a local authority having jurisdiction requests that the state fire marshal perform plan review and/or inspection services related to a building permit, the applicable fees for such shall be payable to the Office of the State Fire Marshal.

300.11 Applicable State Fire Marshal Interpretations.

- ***Is there a definition for "classroom"?***

The California Building Code (CBC) does not have a separate, specific definition for "*classroom*". However, CBC §201.1 provides that when a term, phrase or word is not defined specifically in the CBC, the definition is to be that found in *Webster's Third New International Dictionary of the English Language, Unabridged (1986)*. **SFM Int. 03-027**

- ***Are the rooms used for adult-day care activities defined as classrooms?***

No. The activities conducted in Adult Day Care Centers [as outlined in Title 22, California Code of Regulations] do not constitute activities that are normally conducted in a classroom. **SFM Int. 03-027**

- ***When two exits are required in Group E, Division 3 occupancies, can both exits pass through an intervening room?***

No. Exception #4 to Section 1004.2.2 of the California Building Code (1998) specifies that only one required exit may pass through an adjoining or intervening room if the intervening room provides direct access to an exit or to a corridor. All other exits must be directly to an exit or to a corridor that provides direct access to an exit. **SFM Int. 02-019**

- ***Is an Adult Day Care Center (Group E, Division 3 Occupancy) housing less than 50 persons required to have a fire alarm system if there is more than one room used for the adult day care activities?***

No. In this circumstance, a fire alarm system is not required. **SFM Int. 03-027**

- ***Are child care facilities located in a health club, bowling alley or similar business establishment where the service is provided without cost to the parents while the parents are patronizing the facility required to be classified as a separate and distinct occupancy?***

No. Businesses such as health clubs and bowling alleys that provide child care or "babysitting" services for their customers are exempt from classification as separate and distinct occupancies. They are also exempt from the requirements for day-cares provided they comply with the following: **SFM Int. 00-007**

1. The area where the child care service is provided complies with the minimum requirements for the main occupancy, and is included in the maximum 25% exception for "administrative and clerical offices and similar rooms".
2. The parents or legal guardians remain at the facility the entire time for which the children are being cared.
3. The child care services provided do not meet the licensure requirements of the Department of Social Services, Community Care Licensing Division.

SECTION 4

Group R Division 2.1 Facilities

SECTION 400 – REQUIREMENTS FOR GROUP R DIVISION 2.1 FACILITIES

400.1 Group R Division 2.1 Facilities Defined. Group R Division 2.1 Facilities are those California licensed facilities that are residentially-based accommodating more than six nonambulatory clients. This division may include ambulatory clients.

Licensing categories that may use this classification include, but are not limited to: Adult Residential Facilities, Congregate Living Health Facilities, Residential Care Facilities for the Elderly, Group Homes and Residential Care Facilities for the Chronically Ill. (Ref. CBC 310.1)

400.2 General Provisions for Group R, Division 2.1 Facilities. Clients who become temporarily bedridden as defined in Health and Safety Code Section 1569.72, as enforced by the department of Social Services, may continue to be housed on any story in a Group R, Division 2 Facility classified as a Residential-care Facility for the Elderly (RCFE). (Ref. CBC 310.1.1)

Every Residential-care Facility for the Elderly (RCFE) admitting or retaining a bedridden resident shall, within 48 hours of the resident's admission or retention in the facility, notify the local authority having jurisdiction of the estimated length of time the resident will retain his or her bedridden status in the facility. (Ref. CBC 310.1.1)

In Group R, Division 2 Facilities classified as Residential Facilities (RF), bedridden clients shall not be located above the first story. (Ref. CBC 310.1.1)

Restraint shall not be practiced in Group R, Division 2 Facilities. (Ref. CBC 310.1.2)

EXCEPTION: Group R, Division 2 Facilities which meet all the construction requirements for a Group I, Division 3 Facility.

Existing Residential Facilities and Residential-care Facilities for the Elderly which were originally classified as a Group I Facility under pre-1991 codes may be reinspected as a Group I Facility under the appropriate previous code provided there is no change in the use which would place the facility in a different division or occupancy group. (See CBC Section 3403.1)(Ref. CBC 310.1.5)

400.3 Provisions for Type of Construction, Height and Allowable Area. Buildings or parts of buildings classed in Group R because of the use or character of the occupancy shall be limited to the types of construction set forth in Table 5-B and shall not exceed, in area or height, the limits specified in Sections 504, 505 and 506. (Ref. CBC 310.2.1) See Annex-III for Table 5-B.

Special provisions. Walls and floors separating dwelling units in the same building, or guest rooms in Group R, Division 1 hotel occupancies, shall not be of less than one-hour fire-resistive construction.

Smoke barriers required. Group R, Division 2 Occupancies shall be provided with smoke barriers, constructed in accordance with CBC Section 308.2.2.1, as follows: (Ref. CBC 310.2.3)

1. Group R, Division 2.1 Occupancies having individual floor areas over 6,000 square feet ($557m^2$) per floor.

EXCEPTIONS: 1. Buildings of Group R, Division 2.1 Occupancies with direct exiting from each dwelling unit and non-ambulatory clients are located only on the first floor.

2. Division 2 Occupancies are not required to comply with the provisions of CBC Section 410 as they pertain to occupant load factors for determining the areas of a smoke compartment.

When smoke barriers are required, the area within a smoke compartment shall not exceed 22,500 square feet (2090m^2) nor shall its width or length exceed 150 feet (45 720mm). Such smoke barriers shall divide the floor as equally as possible.

Storage or laundry rooms that are within Group R, Division 1 Occupancies that are used in common by tenants shall be separated from the rest of the building by not less than one-hour fire-resistive occupancy separation.

Openings to such corridors shall be equipped with doors conforming to CBC Section 1004.3.4.3.2, regardless of the occupancy load served.

For Group R, Division 1 Occupancies with a Group S, Division 3 parking garage in the basement or first story, see Section 311.2.2.

For attic space partitions and draft stops, see CBC Section 708.

400.4 Provisions for Protection Based on Proximity to Property Lines. For fire-resistive protection of exterior walls and openings, as determined by location on property, see CBC Section 503 and Chapter 6. (Ref. CBC 310.3) CBC Section 503 refers to Table 5-A for exterior wall and opening protection. See Annex-III for Table 5-A.

400.5 Provisions for Access, Egress, and Emergency Escapes. Escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches above the floor.

Escape and rescue windows with a finished sill height below the adjacent ground elevation shall have a window well. Window wells at escape or rescue windows shall comply with the following:

1. The clear horizontal dimensions shall allow the window to be fully opened and provide a minimum accessible net clear opening of 9 square feet with a minimum dimension of 36 inches.
2. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well by more than 6 inches.

Bars, grilles, grates or similar devices may be installed on emergency escape or rescue windows, doors or window wells, or any required exit door, provided:

1. The devices are equipped with approved release mechanisms that are openable from the inside without the use of a key or special knowledge or effort; and
2. The building is equipped with smoke alarms installed in accordance with Section 310.9.

Such bars, grilles, grates or similar devices shall be equipped with an approved release device for use by the fire department only, on the exterior side for the purpose of fire department emergency access, when required by the authority having jurisdiction.

3. Where security bars (burglar bars) are installed on emergency egress and rescue windows or doors, on or after July 1, 2000, such devices shall comply with the standards of the California Building Code (CBC), Part 12, Chapter 12-3 and other applicable provisions of Part 2. (Ref. CBC 310.4)

[CAN] The provisions found in this section should be applied to brand new buildings and buildings having a change in use. Consideration should be given to Health & Safety Code §1569.1 whereas it is the legislative intent that Group R-2 occupancies being created within an existing Group R-1 or Group R-3 occupancy would NOT be considered as a change in use. As such, the general exiting facilities would not

necessarily apply to an existing Group R-1 or Group R-3 unless the requirements were applicable and the time the building was originally permitted for construction.

Case in point, escape or rescue windows required by §310.4. The provisions for escape windows did not become required until the late 1960's and codified in the Building Code in 1970 (maybe '67). It is conceivable that a Group R-3 being converted from a single family dwelling to a Group R-2 may not have existing windows within sleeping rooms that meet current requirements for escape or rescue windows. However, if windows are to be replaced voluntarily to improve energy conditions and/or sound insulation – the new windows would be required to meet the requirements for escape or rescue windows.

Means of Egress.

[CAN] The key to applying the "Exiting" provisions of the building code is the recognition and application of the "General Exiting" provisions prior to applying the more specific regulations in §1007.6.3. An assumption should be made that buildings and their exiting should always meet the general requirements as set forth by the building code for that occupancy group. For general exiting provisions see Annex-I.

Fences and Gates. Grounds of Residential Care for the Elderly facilities serving Alzheimer clients may be fenced and gates therein equipped with locks, provided safe dispersal areas are located not less than 50 feet (15240mm) from the buildings. Dispersal areas shall be sized to provide an area of not less than 3 square feet (0.28^2) per occupant. Gates shall not be installed across corridors or passageways leading to such dispersal areas unless they comply with exit requirements. See Section 1021 for exits from dispersal areas. (Ref. CBC 1007.6.3.7)

Basement Exits. One exit accessible to every room below grade shall lead directly to the exterior at grade level from the basement level. (Ref. CBC 1007.6.3.8)

400.6 Provisions for Habitable Spaces and Efficiency Dwelling Units. See Annex-V.

400.7 Provisions for Fire Alarm and Fire Protection Systems.

Fire Alarm System. An approved manual and automatic fire alarm system in accordance with CBC Chapters 3, 9 and 35 and the CFC Articles 10 and 90 shall be provided in buildings containing Group R, Division 2.1 Facilities. (Ref. CBC 310.10.1)

EXCEPTION: Buildings housing non-ambulatory clients on the first story only, and which are protected throughout by the following:

1. An approved and supervised automatic sprinkler system, as specified in CBC Chapter 9, which upon activation will initiate the fire alarm system to notify all occupants.
2. A manual fire alarm system in accordance with CBC Chapters 9 and 35.
3. Smoke alarms required by CBC Section 310.9.1(Refers to when smoke detectors are present as for residential sleeping rooms under current CBC.)

Fire alarm systems shall be divided into alarm zones when required by the [for SFM] authority having jurisdiction. When two or more alarm zones are required, visible annunciation shall be provided in a location approved by the chief [for SFM] to assist in determining the fire location.

The annunciation of all zones and device identification shall be on electrically supervised initiation circuits to the main fire alarm control panel. Alarm, supervisory and trouble signals shall be annunciated in the main control panel by means of an audible signal and a visual display.

Such annunciation shall indicate the building, floor, zone or other designated area from which the alarm or trouble signal originated. Visible annunciation shall be provided in a location

approved by the chief. For the purposes of annunciation, zoning shall be in accordance with the following:

1. When the fire-protective signaling system serves more than one building, each building shall be considered as a separate zone.
2. Each floor of a building shall be considered as a separate zone.
3. Each section of floor of a building that is separated by area separation walls or by horizontal exits shall be considered as a separate zone.
4. Annunciation shall be further divided into zones where deemed necessary by the authority having jurisdiction.

Identification of the type of alarm, initiating devices such as manual, automatic, sprinkler water flow, sprinkler supervisory switches, etc., shall be separately indicated on electrically supervised initiating circuits to the main fire alarm control unit. (Ref. CFC 1006.3.3.7)

Group R, Division 2.1 and 2.3 Occupancies. Group R, Division 2.1 and 2.3 Occupancies shall be provided with an approved manual and automatic fire alarm system in accordance with CFC Section 1006.2.9 and the California Building Code. (Ref. CFC 1006.2.9.1.1.1)

System smoke detectors shall be installed in exit corridors and common areas. Upon actuation, these smoke detectors shall activate the fire alarm notification appliances throughout the building, including those located in guestrooms and dwelling units.

Single-station smoke detectors shall be installed in guestrooms and dwelling units in accordance with the California Building Code, Section 310.9. Upon actuation, these smoke detectors shall only annunciate within such guestroom and dwelling unit and shall not activate the fire alarm system notification appliances that are located throughout the building.

System smoke detectors and trouble conditions alarms shall be annunciated at a location that is constantly attended within the building.

EXCEPTION: Buildings housing non-ambulatory clients on the first story only, and which are protected throughout by the following:

1. An approved fire sprinkler system that is supervised and installed as required by the California Building Code that will result in notification of all occupants if it is activated.
2. A manual fire alarm system installed per the California Building Code. (Ref. CFC 1006.2.9.1.1.1 Nov 15, 2002 supplement)

Existing Group R, Division 2.1. The above section is repeated in its entirety. (Ref. CFC 1006.2.9.2.1)

Fire Protection Systems. An automatic sprinkler system shall be installed in Group R, Division 2 Occupancies. (Ref. CBC 904.2.10)

EXCEPTION: Pursuant to Health and Safety Code Section 13143.6, Division 2 Occupancies which house ambulatory persons only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

400.8 Special Provisions. Group S, Division 3 or R, Divisions 1 or 2 Occupancy above. Other provisions of this code notwithstanding, a basement or first story of a building may be considered as a separate and distinct building for the purpose of area limitations, limitation of number of stories and type of construction, when all of the following conditions are met: (Ref. CBC 311.2.2.1)

1. The basement or first story is of Type I construction and is separated from the building above with a three-hour occupancy separation. See Section 302.3.
2. The building above the three-hour occupancy separation contains only Group A, Division 3; Group B; or Group M or R, Division 1 (for SFM) or 2 Occupancies.

3. The building below the three-hour occupancy separation is a Group S, Division 3 Occupancy used exclusively for the parking and storage of private or pleasure-type motor vehicles.

EXCEPTIONS: 1. Entry lobbies, mechanical rooms and similar uses incidental to the operation of the building.

2. Group A, Division 3 and Group B office, drinking and dining establishments and Group M retail occupancies in addition to those uses incidental to the operation of the building (including storage areas) provided that the entire structure below the three-hour occupancy separation is protected throughout by an automatic sprinkler system.

3. The maximum building height in feet shall not exceed the limits set forth in CBC Table 5-B for the least type of construction involved.

400.9 Provisions for Emergency Evacuation Planning. These provisions are contained in CCR, Title 22, Division 6, Chapter 1, Article 3-4 General Licensing Requirements and/or CCR, Title 22, Division 6, Chapter 8. Residential Care Facilities for the Elderly and are enforced by the licensing agency. See Annex-VIII for specific information.

400.10 Provisions For and Limitations of Local Fees. For the purpose of application of fees to a community care facility, as defined in Section §1502, a residential-care facility for the elderly, as defined in Section §1569.2, the local authority having jurisdiction, as defined in Section §13244, or state fire marshal, which ever has jurisdiction, pursuant to Health and Safety Code Section §13235, Fire Clearance Preinspection fee; the local agency shall upon receipt of a request from a prospective licensee of a community care facility conduct a preinspection of the facility prior to the final fire clearance approval. (Ref. CBC 107.6.1)

A fee of not more than $50.00 may be charged for the preinspection of a facility with a capacity to serve 25 or fewer persons. A fee of not more than $100.00 may be charged for a pre-inspection of a facility with a capacity to serve 26 or more persons.

A reasonable final inspection fee, pursuant to Health and Safety Code Section §13131.5, not to exceed the actual cost of inspection services necessary to complete a final inspection may be charged for Group R, Division 2.1 Facilities classified as residential care facilities for the elderly (RCFE).

The local authority having jurisdiction shall complete the final fire clearance inspection for a community care facility or residential-care facility for the elderly within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final prelicensure inspection by the State Department of Social Services, whichever is later.

Whenever a local authority having jurisdiction requests that the state fire marshal perform plan review and/or inspection services related to a building permit, the applicable fees for such shall be payable to the Office of the State Fire Marshal.

400.11 Applicable State Fire Marshal Interpretations.

- ***Is it the responsibility of the local fire authority to enforce all regulations for Group R, Division 2 Occupancies, including plan review for new facilities?***

The California Health and Safety Code, Section §13146, requires that the local fire authority enforce fire and panic regulations in various occupancies. This includes plan review for compliance with SFM regulations. However, we would encourage the fire authority to work closely with the local building officials so that a comprehensive review of all applicable standards is rendered — including locally adopted ordinances. **SFM Int. 00-011**

- ***Is a Group R, Division 2 facility housing non-ambulatory clients required to comply with the requirements of Chapter 11 concerning Accessibility (e.g., fire alarm strobe lights, exterior ramps, 36-inch hallways and doors, lever style door hardware, etc.).***

The State Fire Marshal only adopted certain sections of Chapter 11B of the California Building Code in its entirety. Since Chapter 11B is specific to public buildings, those sections adopted by the SFM are not applicable to R-2 Occupancies. Therefore, the accessibility standards applicable to Group R, Division 2 facilities are those adopted at the local level for residential applications as found in Chapters 11 and 11A. **SFM Int. 00-011**

- ***When a single-family dwelling applies for a permit to convert the occupancy to a non-ambulatory community care home, is it the intent of the State Building Code to provide the non-ambulatory residents the same accessibility options as for any other occupant?***

The State Fire Marshal only adopted certain sections of Chapter 11B of the California Building Code in its entirety. Since Chapter 11B is specific to public buildings, those sections adopted by the SFM are not applicable to R-2 Occupancies. Therefore, the accessibility standards applicable to Group R, Division 2 facilities are those adopted at the local level for residential applications as found in Chapters 11 and 11A. **SFM Int. 00-011**

- ***Can a residential care occupancy (Group R, Division 2.1) having six or fewer non-ambulatory residents/clients be housed on the third floor of a Type V-1 hour building? The first two floors of the building house more than six non-ambulatory residents/clients.***

No. Health and Safety Code Section 13131.5(b) limits the housing of non-ambulatory persons in a Type V-1 hour building only to the first and second floor. Further, you will find that Table 5-B of the California Building Code (2001 ed) limits a Group R, Division 2.1 occupancy housed in a Type V-1 hour building to two stories as well.

When housing non-ambulatory persons on the third, fourth or fifth floor, Section 13131.5(c)(3) of the California Health and Safety Code requires that the entire building be of Type II Fire Resistive construction. It is not the intent of the code to divide or separate the occupants in a Group R, Division 2.1 occupancy to circumvent minimum requirements. **SFM Int. 04-004**

- ***In Group R, Division 2 and Group R, Division 6 occupancies that house non-ambulatory persons above the first floor, must the buildings be of Type I- FR or Type II- FR construction as specified in Title 19, §3.23?***

No. The issue of non-ambulatory persons above the first story is addressed in law [§13131.5 (b), California Health and Safety Code] for facilities housing more than six elderly clients. §310.2.2 of the California Building Code addresses other Group R, Division 2 occupancies, while Exception #1 in Appendix Chapter A, Section 316A.1 addresses Group R, Division 6 facilities housing non-ambulatory clients above the first floor. (Note: §3.23 is being revised.) **SFM Int. 03-034**

- ***Does Section 1007.6.3.4, Changes in level, apply to all Group R, Division 2 occupancies or only those that have non-ambulatory clients?***

No. This section would only apply for non-ambulatory clients as defined in Section 215, California Building Code. **SFM Int. 02-039**

- *A business is requesting to convert the balance of their senior apartments to assisted* ***living units. This is an existing Type V-1 hr building and will be limited to only ambulatory persons on the upper floors. Since there is no reference in Section 310.2.2***

relating to Group R-2.1 and Group R-2.2 occupancy types, if the floors and walls of each unit are properly constructed of fire-rated materials, can cooking appliances be used in the dwelling units?

Yes. Cooking appliances may be allowed as long as all construction requirements in Section 310.2.2 are met. **SFM Int. 04-012**

- ***Are the Group D Occupancies referred to in Title 19 now Group R Occupancies as included in the California Building Code?***

Yes. Group D occupancies are now classified as Group R-2 and R-6 Occupancies. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant in common areas, such as recreation rooms and/or lobbies in Group R, Division 2 occupancies?***

Yes. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant treated in the individual sleeping rooms in Group R, Division 2 occupancies?***

Not entirely. Exception (a) of Section 3.08, Title 19, allows cubicle curtains, drapes, and other decorative materials to be non- flame retardant in individual sleeping rooms of Institutional and Residential Care Occupancies. However, decorative materials in the individual sleeping room are not exempt from the flame retardant requirements. **SFM Int. 02-033**

- ***Do these requirements apply to all Group R occupancies? If not, which "R" Occupancies would not be included and why?***

No. The requirements of Section 3.08, Title 19, do not apply to Group R, Division 3 occupancies considered single family residences or individual dwelling units in Group R, Division 1 occupancies. However, they do apply to Group R, Division 3 occupancies that are utilized as large family day care homes. **SFM Int. 02-033**

- ***Are fire drills required by State regulation in a Group R, Division 2Occupancy?***

No. There are no requirements for monthly fire drills for a Group R, Division 2 Occupancy. Section 3.10 of Title 19 speaks only to the evacuation and relocation of occupants. When this code section addresses "fire drills", it specifically is directed at those occupancies that do require fire drills (e.g., schools). In addition, State Law provides that requirements for Group R, Division 2 Occupancies housing six or less cannot be amended by local ordinance. **SFM Int. 00-017**

SECTION 5

Group R Division 2.1.1 Facilities

SECTION 500 – REQUIREMENTS FOR GROUP R DIVISION 2.1.1 FACILITIES

500.1 Group R Division 2.1.1 Facilities Defined. Group R Division 2.1.1 Facilities are those California licensed facilities that are residentially-based accommodating six or less nonambulatory clients. This division may include ambulatory clients.

Licensing categories that may use this classification include, but are not limited to: Adult Residential Facilities, Congregate Living Health Facilities, Foster Family Homes, Intermediate Care Facilities for the Developmentally Disabled Habilitative, Intermediate Care Facilities for the Developmentally Disabled Nursing, Nurseries for the full-time care of children under the age of six, but not including "infants" as defined in CFC Section 210; Residential Care Facilities for the Elderly, Small Family Homes and Residential Care Facilities for the Chronically Ill. (Ref. CBC 310.1)

500.2 General Provisions for Group R, Division 2.1.1 Facilities. Clients who become temporarily bedridden as defined in Health and Safety Code Section 1569.72, as enforced by the department of Social Services, may continue to be housed on any story in a Group R, Division 2 Facility classified as a Residential-care Facility for the Elderly (RCFE). (Ref. CBC 310.1.1)

Every Residential-care Facility for the Elderly (RCFE) admitting or retaining a bedridden resident shall, within 48 hours of the resident's admission or retention in the facility, notify the local authority having jurisdiction of the estimated length of time the resident will retain his or her bedridden status in the facility. (Ref. CBC 310.1.1)

In Group R, Division 2 Facilities classified as Residential Facilities (RF), bedridden clients shall not be located above the first story. (Ref. CBC 310.1.2)

Restraint shall not be practiced in Group R, Division 2 Facilities. (Ref. CBC 310.1.2)

EXCEPTION: Group R, Division 2 Facilities which meet all the construction requirements for a Group I, Division 3 Facility.

Existing Residential Facilities and Residential-care Facilities for the Elderly which were originally classified as a Group I Facility under pre-1991 codes may be reinspected as a Group I Facility under the appropriate previous code provided there is no change in the use which would place the facility in a different division or occupancy group. (See CBC Section 3403.1)(Ref. CBC 310.1.5)

500.3 Provisions for Type of Construction, Height and Allowable Area. Buildings or parts of buildings classed in Group R because of the use or character of the occupancy shall be limited to the types of construction set forth in Table 5-B and shall not exceed, in area or height, the limits specified in CBC Sections 504, 505 and 506. (Ref. CBC 310.2.1) See Annex-III for Table 5-B.

Special provisions. Walls and floors separating dwelling units in the same building, or guest rooms in Group R, Division 1 hotel occupancies, shall not be of less than one-hour fire-resistive construction.

EXCEPTION: In Divisions 2.1.1, 2.2.1 and 2.3.1 Occupancies, walls and floors may be non-rated construction provided:

1. Construction has protection equivalent to ½-inch (12.7 mm), non-rated gypsum wallboard and,

2. Dwelling units are not equipped with open flame, gas or electrical element cooking appliances other than a microwave cooking appliance.

Smoke barriers required. Group R, Division 2 Occupancies shall be provided with smoke barriers, constructed in accordance with CBC Section 308.2.2.1, as follows:
Group R, Division 2.1.1 Occupancies having individual floor areas over 6,000 square feet (577 m^2) per floor.

EXCEPTIONS: 1. Buildings of Group R, Division 2.1, 2-1.1, and 2.2 Occupancies with direct exiting from each dwelling unit and non-ambulatory clients are located only on the first floor.

2. Division 2 Occupancies are not required to comply with the provisions of Section 410 as they pertain to occupant load factors for determining the areas of a smoke compartment. Ref. CBC 310.2.3

NOTE: See Annex-I of this document for a copy of CBC Section 308.2.2.1.

Group R, Division 1 Occupancies more than two stories in height or having more than 3,000 square feet (279 m2) of floor area above the first story, and in Division 2.1.1 Occupancies where clients are housed above the first floor and there is more than 3,000 square feet (279 m2) of floor area above the first floor, shall not be of less than one-hour fire-resistive construction throughout, except as provided in CBC Section 601.5.2.2.

Group R, Division 2.2 Occupancies where nonambulatory clients are housed above the first floor and there is more than 3,000 square feet (279 m2) of floor area above the first floor or housing more than 16 clients above the first floor shall be constructed of not less than one-hour fire-resistive construction throughout except as provided in CBC Section 601.5.2.

Group R, Divisions 2.3 and 2.3.1 Occupancies where clients are housed above the first floor, shall not be of less than one-hour fire-resistive construction throughout except as provided in Section 601.5.2.2.

EXCEPTION: Interior non-load bearing partitions within individual dwelling units in apartment houses and guest rooms or suites in hotels where such dwelling units, guest rooms or suites are separated from each other and from corridors by not less than one-hour fire- resistive construction may be constructed of:
1. Noncombustible materials or fire-retardant wood in buildings of any type of construction; or
2. Combustible framing with noncombustible materials applied to the framing in buildings of Type III or Type V construction.
Storage or laundry rooms that are within Group R, Division 1 Occupancies that are used in common by tenants shall be separated from the rest of the building by not less than one-hour fire-resistive occupancy separation.

EXCEPTION [For HCD 1]: Interior non-load bearing partitions within individual dwelling units in apartment houses and guest rooms or suites in hotels where such dwelling units, guest rooms or suites are separated from each other and from corridors by not less than one- hour fire-resistive construction, may be constructed of:
1. Noncombustible materials or fire-retardant wood in buildings of any type of construction; or
2. Combustible framing with noncombustible materials applied to the framing in buildings of Type III or Type V construction.

Openings to such corridors shall be equipped with doors conforming to CBC Section 1004.3.4.3.2, regardless of the occupancy load served.

For Group R, Division 1 Occupancies with a Group S, Division 3 parking garage in the basement or first story, see CBC Section 311.2.2.

For attic space partitions and draft stops, see CBC Section 708.

500.4 Provisions for Protection Based on Proximity to Property Lines. For fire-resistive protection of exterior walls and openings, as determined by location on property, see CBC Section 503 and Chapter 6. (Ref. CBC 310.3) CBC Section 503 refers to Table 5-A for exterior wall and opening protection. See Annex-III for Table 5-A.

Group R, Divisions 2.1.1, 2.2, 2.2.1 and 2.3.1 Occupancies. Interior non-load bearing partitions within individual dwelling units in apartment houses [for SFM]; Group R, Divisions 2.1.1, 2.2, 2.2.1, 2.3 and 2.3.1 Occupancies, and guest rooms or suites in hotels when such dwelling units, guest rooms or suites are separated from each other and from corridors by not less than one-hour fire- resistive construction may be constructed of:

1. Noncombustible materials or fire-retardant-treated wood in buildings of any type of construction; or
2. Combustible framing with noncombustible materials applied to the framing in buildings of Type III or V construction.

Openings to such corridors shall be equipped with doors conforming to CBC Section 1004.3.4.3.2 regardless of the occupant load served. (Ref. CBC 601.5.2.2)

500.5 Provisions for Access, Egress, and Emergency Escapes. Escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches above the floor.

Escape and rescue windows with a finished sill height below the adjacent ground elevation shall have a window well. Window wells at escape or rescue windows shall comply with the following:

1. The clear horizontal dimensions shall allow the window to be fully opened and provide a minimum accessible net clear opening of 9 square feet with a minimum dimension of 36 inches.
2. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well by more than 6 inches.

Bars, grilles, grates or similar devices may be installed on emergency escape or rescue windows, doors or window wells, or any required exit door, provided:

1. The devices are equipped with approved release mechanisms that are openable from the inside without the use of a key or special knowledge or effort; and
2. The building is equipped with smoke alarms installed in accordance with Section 310.9. Such bars, grilles, grates or similar devices shall be equipped with an approved release device for use by the fire department only, on the exterior side for the purpose of fire department emergency access, when required by the authority having jurisdiction.
3. Where security bars (burglar bars) are installed on emergency egress and rescue windows or doors, on or after July 1, 2000, such devices shall comply with the standards of the California Building Code (CBC), Part 12, Chapter 12-3 and other applicable provisions of Part 2. (Ref. CBC 310.4)

[CAN]The provisions found in this section should be applied to brand new buildings and buildings having a change in use. Consideration should be given to Health & Safety Code §1569.1 whereas it is the legislative intent that Group R-2 occupancies being created within an existing Group R-1 or Group R-3 occupancy would NOT be

considered as a change in use. As such, the general exiting facilities would not necessarily apply to an existing Group R-1 or Group R-3 unless the requirements were applicable and the time the building was originally permitted for construction.

Case in point, escape or rescue windows required by §310.4. The provisions for escape windows did not become required until the late 1960's and codified in the Building Code in 1970 (maybe '67). It is conceivable that a Group R-3 being converted from a single family dwelling to a Group R-2 may not have existing windows within sleeping rooms that meet current requirements for escape or rescue windows. However, if windows are to be replaced voluntarily to improve energy conditions and/or sound insulation – the new windows would be required to meet the requirements for escape or rescue windows.

Means of Egress.

[CAN]The key to applying the "Exiting" provisions of the building code is the recognition and application of the "General Exiting" provisions prior to applying the more specific regulations in §1007.6.3. An assumption should be made that buildings and their exiting should always meet the general requirements as set forth by the building code for that occupancy group. For general exiting provisions, see Annex I.

Type of lock or latch in Group R, Division 2 Occupancies. Group R, Division 2.1.1 Occupancies shall not have a night latch, dead bolt, security chain or any similar locking device installed on any interior door leading from the client's sleeping room to any interior area such as a corridor, hallway and or general use areas of the residence. (Ref. CBC 1003.3.1.8.1)

Fences and Gates. Grounds of Residential Care for the Elderly facilities serving Alzheimer clients may be fenced and gates therein equipped with locks, provided safe dispersal areas are located not less than 50 feet (15240mm) from the buildings. Dispersal areas shall be sized to provide an area of not less than 3 square feet (0.28^2) per occupant. Gates shall not be installed across corridors or passageways leading to such dispersal areas unless they comply with exit requirements. See Section 1021 for exits from dispersal areas. (Ref. CBC 1007.6.3.7)

Basement Exits. One exit accessible to every room below grade shall lead directly to the exterior at grade level from the basement level. (Ref. CBC 1007.6.3.8)

500.6 Provisions for Habitable Spaces and Efficiency Dwelling Units. See Annex-V.

500.7 Provisions for Fire Alarm and Fire Protection Systems.

Fire Alarm Systems. Residential care facilities classified as a Group R, Division 2.1.1 Occupancies shall be provided with smoke alarms or multiple-station smoke alarms. Smoke alarms shall be installed in accordance with the CBC and approved manufacturer's instructions. (Ref. CBC 310.9.1.1)

EXCEPTION: A fire alarm system with smoke detectors located in accordance with CBC Sections 310.9.1.4 and 310.9.1.5 may be installed in lieu of smoke alarms. Upon actuation of the detector, only those notification appliances in the dwelling unit or guest room shall activate.

In addition to smoke alarms required by CBC Section 310.9, Group R, Division 2.1.1 Occupancies shall be provided with at least one manual pull station at a location approved by the authority having jurisdiction. Such pull station shall actuate a distinctive fire alarm signal which shall be audible throughout the facility. These devices need not be interconnected to any other fire alarm device, electrically supervised or provided with emergency power. (Ref. CBC 310.10.2 and CFC 1006.2.9.2.3 for existing buildings)

Fire Protection Systems. An automatic sprinkler system shall be installed in Group R, Division 2 Facilities. (Ref. CBC 904.2.10)

EXCEPTIONS: 1. In Group R, Division 2.1.1 Facilities not housing bedridden clients and not exceeding two stories in height or not housing bedridden clients and not housing non-ambulatory clients above the first story.

2. In Group R, Division 2.1.1 Facilities required to have an automatic sprinkler system, an NFPA 13R or 13D system may be used within the scope of those standards. Application of Section 2-6 of NFPA 13R or 13D shall only apply subject to the local authority having jurisdiction.

3. In Group R, Division 2 Occupancies, pursuant to Health and Safety Code Section 13143.6, which house ambulatory persons only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

500.8 Special Provisions. Group S, Division 3 or R, Division 1 or 2 Occupancies above. Other provisions of this code notwithstanding, a basement or first story of a building may be considered as a separate and distinct building for the purpose of area limitations, limitation of number of stories and type of construction, when the following conditions are met: (Ref. CBC 311.2.2.1)

1. The basement or first story is of Type I construction and is separated from the building above with a three-hour occupancy separation. See Section 302.3.
2. The building above the three-hour occupancy separation contains only Group A, Division 3; Group B; or Group M or R, Division 1 (for SFM) or 2 Occupancies.
3. The building below the three-hour occupancy separation is a Group S, Division 3 Occupancy used exclusively for the parking and storage of private or pleasure-type motor vehicles.

EXCEPTIONS: 1. Entry lobbies, mechanical rooms and similar uses incidental to the operation of the building.

2. Group A, Division 3 and Group B office, drinking and dining establishments and Group M retail occupancies in addition to those uses incidental to the operation of the building (including storage areas) provided that the entire structure below the three-hour occupancy separation is protected throughout by an automatic sprinkler system.

4. The maximum building height in feet shall not exceed the limits set forth in Table 5-B for the least type of construction involved.

Walls and floors separating dwelling units in the same building shall not be of less than one-hour fire-resistive construction. (Ref. CBC 310.2.2)

EXCEPTION: In Group R, Division 2.1.1 Facilities, walls and floors may be non-rated construction provided:

1. Construction has protection equivalent to ½-inch (12.7 mm), non-rated gypsum wallboard and,
2. Dwelling units are not equipped with open flame, gas or electrical element cooking appliances other than a microwave cooking appliance.

In Group R, Division 2.1.1 Facilities where clients are housed above the first floor and there is more than 3,000 square feet (279 m^2) of floor area above the first floor, shall not be of less than one-hour fire-resistive construction throughout, except as provided in CBC Section 601.5.2.2. (Ref. CBC 310.2.2)

In Group R, Division 2.1.1 Facilities interior non-load-bearing partitions within individual dwelling units, guest rooms or suites when such dwelling units, guest rooms or suites are separated from each other and from corridors by not less than one-hour fire-resistive construction may be constructed of: (Ref. CBC 601.5.2.2)

1. Noncombustible materials or fire-retardant-treated wood in buildings of any type of construction; or
2. Combustible framing with noncombustible materials applied to the framing in buildings of CBC Type III or V construction.

Openings to such corridors shall be equipped with doors conforming to CBC Section 1004.3.4.3.2 regardless of the occupant load served.

For use of plastics in partitions, see CBC Section 2603.10.

500.9 Provisions for Emergency Evacuation Planning. These provisions are contained in CCR, Title 22, Division 6, Chapter 1, Article 3-4 General Licensing Requirements and/or CCR, Title 22, Division 6, Chapter 8. Residential Care Facilities for the Elderly and are enforced by the licensing agency. See Annex-VIII for specific information.

500.10 Provisions For and Limitations of Local Fees. For the purpose of application of fees to a community care facility, as defined in Section 1502, a residential-care facility for the elderly, as defined in Section 1569.2, the local authority having jurisdiction, as defined in Section 13244, or state fire marshal, which ever has jurisdiction, pursuant to Health and Safety Code Section 13235, Fire Clearance Pre-inspection fee; the local agency shall upon receipt of a request from a prospective licensee of a community care facility conduct a pre-inspection of the facility prior to the final fire clearance approval. (Ref. CBC 107.6.1)

Neither the state fire marshal nor any local public entity, pursuant to Health and Safety Code Section 1569.84, charge any fee for enforcing fire inspection regulations pursuant to state law or regulation or local ordinance, with respect to residential-care facilities for the elderly which service six or fewer persons.

The local authority having jurisdiction shall complete the final fire clearance inspection for a community care facility or residential-care facility for the elderly within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final pre-licensure inspection by the State Department of Social Services, whichever is later.

Whenever a local authority having jurisdiction requests that the state fire marshal perform plan review and/or inspection services related to a building permit, the applicable fees for such shall be payable to the Office of the State Fire Marshal.

500.11 Applicable State Fire Marshal Interpretations.

- ***Is it the responsibility of the local fire authority to enforce all regulations for Group R, Division 2 Occupancies, including plan review for new facilities?***

The California Health and Safety Code, Section 13146, requires that the local fire authority enforce fire and panic regulations in various occupancies. This includes plan review for compliance with SFM regulations. However, we would encourage the fire authority to work closely with the local building officials so that a comprehensive review of all applicable standards is rendered — including locally adopted ordinances. **SFM Int. 00-011**

- ***Is a Group R, Division 2 facility housing non-ambulatory clients required to comply with the requirements of Chapter 11 concerning Accessibility (e.g., fire alarm strobe lights, exterior ramps, 36-inch hallways and doors, lever style door hardware, etc.).***

The State Fire Marshal only adopted certain sections of Chapter 11B of the California Building Code in its entirety. Since Chapter 11B is specific to public buildings, those sections adopted by the SFM are not applicable to R-2 Occupancies. Therefore, the accessibility standards applicable to Group R, Division 2 facilities are those adopted at the local level for residential applications as found in Chapters 11 and 11A. **SFM Int. 00-011**

- ***In Group R, Division 2 and Group R, Division 6 occupancies that house non-ambulatory persons above the first floor, must the buildings be of Type I- FR or Type II- FR construction as specified in Title 19, §3.23?***

No. The issue of non-ambulatory persons above the first story is addressed in law [§13131.5 (b), California Health and Safety Code] for facilities housing more than six elderly clients. §310.2.2 of the California Building Code addresses other Group R, Division 2 occupancies, while Exception #1 in Appendix Chapter A, Section 316A.1 addresses Group R, Division 6 facilities housing non-ambulatory clients above the first floor. (Note: §3.23 is being revised.) **SFM Int. 03-034**

- ***Does Section 1007.6.3.4, Changes in level, apply to all Group R, Division 2 occupancies or only those that have non-ambulatory clients?***

No. This section would only apply for non-ambulatory clients as defined in Section 215, California Building Code. **SFM Int. 02-039**

- ***Are the Group D Occupancies referred to in Title 19 now Group R Occupancies as included in the California Building Code?***

Yes. Group D occupancies are now classified as Group R-2 and R-6 Occupancies. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant in common areas, such as recreation rooms and/or lobbies in Group R, Division 2 occupancies?***

Yes. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant treated in the individual sleeping rooms in Group R, Division 2 Occupancies?***

Not entirely. Exception (a) of Section 3.08, Title 19, allows cubicle curtains, drapes, and other decorative materials to be non- flame retardant in individual sleeping rooms of Institutional and Residential Care Occupancies. However, decorative materials in the individual sleeping room are not exempt from the flame retardant requirements. **SFM Int. 02-033**

- ***Do these requirements apply to all Group R occupancies? If not, which "R" Occupancies would not be included and why?***

No. The requirements of Section 3.08, Title 19, do not apply to Group R, Division 3 occupancies considered single family residences or individual dwelling units in Group R, Division 1 occupancies. However, they do apply to Group R, Division 3 occupancies that are utilized as large family day care homes. **SFM Int. 02-033**

- ***Are fire drills required by State regulation in a Group R, Division 2 Occupancy?***

No. There are no requirements for monthly fire drills for a Group R, Division 2 Occupancy. Section 3.10 of Title 19 speaks only to the evacuation and relocation of occupants. When this code section addresses "fire drills", it specifically is directed at those occupancies that **do** require fire drills (e.g., schools). In addition, State Law provides that requirements for Group R, Division 2 Occupancies housing six or less cannot be amended by local ordinance. **SFM Int. 00-017**

- ***Considering the provisions of Section 1267.8(a) of the California Health and Safety Code, are commercial or residential standards for fire and life safety, egress and accessibility applicable to Group R, Division 2.1.1 occupancies when the code is interpreted by local plan checkers and fire inspectors?***

Only those regulations that have been adopted by the State Fire Marshal shall apply to fire and life safety, egress and accessibility. **SFM Int. 04-018**

- ***Should local fire inspectors or planners cite commercial or residential standards when inspecting a Group R, Division 2.1.1 occupancy?***

No. Commercial standards do not apply to Group R, Division 2 occupancies. The Health and Safety Code requires that these facilities model as closely as possible to a Group R, Division 3 Occupancy. **SFM Int. 04-018**

- ***Considering the provisions of Section 1267.8 of the Health and Safety Code, what are the closest occupancy standards for life safety, egress and accessibility that "special occupancy" fire department planners and inspectors should be using when inspecting a Group R, Division 2.1.1 occupancy (i.e. can local fire departments apply commercial standards)?***

Fire inspectors and plan checkers shall only apply local ordinances for restrictions on building heights, setbacks, lot dimensions, or placement of signs as long as such restrictions are identical to those applied to other single-family residences. **SFM Int. 04-018**

- ***Can a person exit through two intervening rooms in a Group R, Division 2 Occupancy housing six or less non-ambulatory clients?***

One of the two required exits can be through a hallway and then to another bedroom that has an exit directly to the outside. Furthermore, the code also allows the exit to be through an adjacent room (such as a bathroom) and then through a bedroom with direct exit to the outside. The overall intent of the code is to allow exiting using a means of egress that does not expose the persons to common areas. **SFM Int. 00-003**

- ***Is it the intent of the code to allow both of the required exits to be through Intervening rooms?***

No. The preferred means of exiting from bedrooms housing non-ambulatory clients should be directly to the exterior. However, when this is not practical, the exiting may be through an intervening room. **SFM Int. 00-003**

- ***Is the hallway considered an intervening room?***

The hallway would not be considered an intervening room in this specific case. However, the hallway must be separated from other common areas. This is usually accomplished by the installation of a door at the mouth of the hallway. **SFM Int. 00-003**

- ***Can Section 1004.2.2 be ignored because section 1007.6.3.2.2 is more specific?***

Section 1007.6.3.2.2 is the only section applicable for this issue. **SFM Int. 00-003**

- ***Can we apply these requirements to ambulatory facilities?***

No. In ambulatory facilities housing six or fewer clients, exiting is required as per a Group R, Division 3 Occupancy. **SFM Int. 00-003**

- ***Is there a provision for door width for a non-ambulatory client in a wheel chair so they can move freely about a care home***

It appears that everything we find references occupant loads of 10 or more. The code appears to be silent in this regard as it speaks to door widths of rooms housing 10 or more. The intent of the code is to allow the clients to move about freely. Consequently, the doors from the rooms housing non-ambulatory clients must be adequate to accommodate the width of the wheelchair. Since there is no standard size of wheelchair, the door width will have to depend on the particular client housed in the room. **SFM Int. 00-003**

- ***Is there a provision for door width for ambulatory clients?***

There is not specific code reference for this issue. The requirements would be those that are applicable to a Group R, Division 3 Occupancy. **SFM Int. 00-003**

- ***Does §1007.6.3.1.1 apply to existing single-family units (Group R, Division 3Occupancies) that convert to a Group R, Division 2.1.1 or Division 2.2.1 Occupancy? If so, must the exits be the existing front and back door or can the occupant install a new exit(s) that meet the code and leave the existing doors as is?***

Yes. For a Group R, Division 2.2.1, the exits can be the front and back door as long as they meet the requirements of §1007.6.3.2.3 which states, "A means of exit shall not pass through kitchens, storerooms, closets, or spaces used for similar purposes." For a Group R, Division 2.1.1, additional exits may have to be provided to comply with the direct or semi-direct requirements of §1007.6.3.2.2 for non-ambulatory clients. **SFM Int. 03-025**

- ***Considering Section 13143 of the Health and Safety Code, in Group R, Division 2.2.1Occupancies, are illuminated exit signs required above all exit doors and in hallways to indicate the exit path of egress (including illuminated exit signs in all client bedrooms that have a direct exit to the exterior and illuminated hallway exit signs indicating which bedrooms have direct exits to the exterior)?***

No. Exit signs indicating which bedrooms have direct exits to the exterior are not required in this type of occupancy. **SFM Int. 04-018**

- ***Considering Section §13143.8 of the Health and Safety Code, can the local fire department require stricter "commercial" fire and life safety standards for egress, life safety and accessibility in Group R, Division 2.1.1 occupancies than required by the SFM?***

No. **SFM Int. 04-018**

- ***Considering Section 19956 of the Health and Safety Code, are handrails required on ADA compliant walkways sloped 1:20 or greater? Can handrails be required by the Department of Health Services for licensing purposes? Are handrails required on landings that are less than 30 inches above grade?***

The State Fire Marshal does not regulate the application of American with Disabilities Act. **SFM Int. 04-018**

- ***Considering Section §1275 of the Health and Safety Code, can the Department of Health Services amend or apply stricter (e.g. commercial) fire standards for egress and life safety for Group R, Division 2.1.1 than what is specified by the State Fire Marshal (including accessibility/ramp requirements, etc.)?***

No. **SFM Int. 04-018**

- ***Are Residential Care Facilities for the Elderly (RCFE) that have six or fewer residents limited to direct exiting from each resident sleeping room?***

No. RCFE's that house six or fewer ambulatory residents may have the type of exiting allowed for Group R, Division 3 occupancies (single family dwellings.) RCFE's that house six or fewer non-ambulatory residents may have any of the following types of exiting from each sleeping room:

a. Direct exit to exterior from bedroom.
b. Egress through an adjoining bedroom that has a direct exit to exterior.
c. Egress through hallway/corridor that has an exterior exit
d. Egress through a hallway/corridor or area and into a bedroom that has a direct exit to exterior.

SFM Int. 02-057

- ***Since all required exits in Group R, Division 2 occupancies must go to a public way, is it the intent of the State Fire Marshal that Section 1007.6.3.4 of the California***

Building Code (1998) be used for the entire path of travel to the public way or is this section only intended to apply to the interior hallways and corridors?

Section 1007.6.3.4 applies specifically to the interior exiting system. **SFM Int. 02-025**

- ***Is an existing (April 1991) Residential Care Facility (R-2.1.1) that has had no change to either their license or to the building structure required to have smoke detectors in the bedrooms?***

No. There were no smoke detector requirements in sleeping rooms at the time this facility was licensed. **SFM Int. 02-058**

- ***Is at least one manual pull station also required?***

No. There were no pull station requirements for facilities housing six or less at the time this facility was licensed. **SFM Int. 02-058**

- ***Considering Section §13195 of the Health and Safety Code, in Group R, Division 2.2.1 occupancies (ambulatory) are fire sprinklers and a monitored fire sprinkler system that conform to NFPA #13-D required? If required, does the monitored sprinkler system need two dedicated telephone lines for monitoring? Does the monitored system require quarterly inspections by the alarm company (equivalent to a commercial system)?***

No. There are no requirements in the Health and Safety Code or in the California Building Code requiring a sprinkler system in Group R, Division 2.2.1 Occupancies that house six or fewer clients. **SFM Int. 04-018**

- ***Considering Section §13113.7 (2) of the Health and Safety Code, can the local building or fire departments require in-room smoke detectors in all rooms in Group R, Division 2.1.1 facilities that already have monitored fire alarms with a NFPA-13D fire sprinkler system? Has this requirement been waived by the State Fire Marshal?***

No. Local ordinances are not applicable to Group R, Division 2.1.1 occupancies. Only those regulations adopted by the State Fire Marshal are applicable. The requirements of Section §13113.7 (2), Health and Safety Code have not been waived and they are provided for in the smoke alarms required by Section 310.9.1.1 of the California Building Code (2001 ed) **SFM Int. 04-018**

- ***CBC, Section 310.10.2 requires that Group R, Divisions 2.1.1, 2.2.1 and 2.3.1 occupancies be provided with at least one manual pull station to activate a distinctive fire alarm signal audible throughout the facility. Is the manual pull station required to be listed by the State Fire Marshal?***

Yes. A manual pull station is a fire alarm device. Per Section §13114(b) of the California Health and Safety Code, all fire alarm devices must be approved and listed by the State Fire Marshal. **SFM Int. 04-013**

- ***Is the device providing the audible signal required to be listed by the State Fire Marshal?***

If the device is designed or constructed to be a fire alarm device, then it must be approved and listed by the State Fire Marshal. If it is not a fire alarm device then it would not have to be listed by the State Fire Marshal but it would need to produce a distinctive sound audible throughout the facility. **SFM Int. 04-013**

SECTION 6

Group R Division 2.2 Facilities

SECTION 600 – REQUIREMENTS FOR GROUP R DIVISION 2.2 FACILITIES

600.1 Group R Division 2.2 Facilities Defined. Group R Division 2.2 Facilities are those California licensed facilities that are residentially-based accommodating more than six ambulatory clients. This division may include nonambulatory clients and shall not exceed six nonambulatory clients.

Licensing categories that may use this classification include, but are not limited to: Adult Residential Facilities, Residential Care Facilities for the Elderly, Group Homes, Community Treatment Facilities and Social Rehabilitation Facilities. (Ref. CBC 310.1)

600.2 General Provisions for Group R, Division 2.2 Facilities. Clients who become temporarily bedridden as defined in Health and Safety Code Section 1569.72, as enforced by the department of Social Services, may continue to be housed on any story in a Group R, Division 2 Facility classified as a Residential-care Facility for the Elderly (RCFE). (Ref. CBC 310.1.1)

Every Residential-care Facility for the Elderly (RCFE) admitting or retaining a bedridden resident shall, within 48 hours of the resident's admission or retention in the facility, notify the local authority having jurisdiction of the estimated length of time the resident will retain his or her bedridden status in the facility. (Ref. CBC 310.1.1)

In Group R, Division 2 Facilities classified as Residential Facilities (RF), bedridden clients shall not be located above the first story. (Ref. CBC 310.1.1)

Restraint shall not be practiced in Group R, Division 2 Facilities. (Ref. CBC 310.1.2)

EXCEPTION: Group R, Division 2 Facilities which meet all the construction requirements for a Group I, Division 3 Facility.

Existing Residential Facilities and Residential-care Facilities for the Elderly which were originally classified as a Group I Facility under pre-1991 codes may be reinspected as a Group I Facility under the appropriate previous code provided there is no change in the use which would place the facility in a different division or occupancy group. (See CBC Section 3403.1)(Ref. CBC 310.1.5)

600.3 Provisions for Type of Construction, Height and Allowable Area. Buildings or parts of buildings classed in Group R because of the use or character of the occupancy shall be limited to the types of construction set forth in Table 5-B and shall not exceed, in area or height, the limits specified in Sections 504, 505, 506. (Ref. CBC 310.2.1) See Annex-III for Table 5-B.

Smoke barriers required. Group R, Division 2 Occupancies shall be provided with smoke barriers, constructed in accordance with CBC Section 308.2.2.1, as follows:

Group R, Division 2.2 Occupancies having individual floor areas over 6,000 square feet (577 m²) per floor.

EXCEPTIONS: 1. Buildings of Group R, Division 2.1, 2-1.1, and 2.2 Occupancies with direct exiting from each dwelling unit and non-ambulatory clients are located only on the first floor.

2. Division 2 Occupancies are not required to comply with the provisions of Section 410 as they pertain to occupant load factors for determining the areas of a smoke compartment. Ref. CBC 310.2.3

NOTE: See Annex-I of this document for a copy of CBC Section 308.2.2.1.

600.4 Provisions for Protection Based on Proximity to Property Lines. For fire-resistive protection of exterior walls and openings, as determined by location on property, see CBC Section 503 and Chapter 6. (Ref. CBC 310.3) CBC Section 503 refers to Table 5-A for exterior wall and opening protection. See Annex-III for Table 5-A.

600.5 Provisions for Access, Egress, and Emergency Escapes. Escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches above the floor.

Escape and rescue windows with a finished sill height below the adjacent ground elevation shall have a window well. Window wells at escape or rescue windows shall comply with the following:

1. The clear horizontal dimensions shall allow the window to be fully opened and provide a minimum accessible net clear opening of 9 square feet with a minimum dimension of 36 inches.
2. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well by more than 6 inches.

Bars, grilles, grates or similar devices may be installed on emergency escape or rescue windows, doors or window wells, or any required exit door, provided:

1. The devices are equipped with approved release mechanisms that are openable from the inside without the use of a key or special knowledge or effort; and
2. The building is equipped with smoke alarms installed in accordance with Section 310.9. Such bars, grilles, grates or similar devices shall be equipped with an approved release device for use by the fire department only, on the exterior side for the purpose of fire department emergency access, when required by the authority having jurisdiction.
3. Where security bars (burglar bars) are installed on emergency egress and rescue windows or doors, on or after July 1, 2000, such devices shall comply with the standards of the California Building Code (CBC), Part 12, Chapter 12-3 and other applicable provisions of Part 2. (Ref. CBC 310.4)

[CAN]The provisions found in this section should be applied to brand new buildings and buildings having a change in use. Consideration should be given to Health & Safety Code §1569.1 whereas it is the legislative intent that Group R-2 occupancies being created within an existing Group R-1 or Group R-3 occupancy would NOT be considered as a change in use. As such, the general exiting facilities would not necessarily apply to an existing Group R-1 or Group R-3 unless the requirements were applicable and the time the building was originally permitted for construction.

Case in point, escape or rescue windows required by §310.4. The provisions for escape windows did not become required until the late 1960's and codified in the Building Code in 1970 (maybe '67). It is conceivable that a Group R-3 being converted from a single family dwelling to a Group R-2 may not have existing windows within sleeping rooms that meet current requirements for escape or rescue windows. However, if windows are to be replaced voluntarily to improve energy conditions and/or sound insulation – the new windows would be required to meet the requirements for escape or rescue windows.

Means of Egress.

[CAN]The key to applying the "Exiting" provisions of the building code is the recognition and application of the "General Exiting" provisions prior to applying the more specific regulations in 1007.6.3. An assumption should be made that buildings and their exiting should always meet the general requirements as set forth by the building code for that occupancy group. For general exiting provisions, see Annex I.

Fences and Gates. Grounds of Residential Care for the Elderly facilities serving Alzheimer clients may be fenced and gates therein equipped with locks, provided safe dispersal areas are located not less than 50 feet (15240mm) from the buildings. Dispersal areas shall be sized to provide an area of not less than 3 square feet (0.28^2) per occupant. Gates shall not be installed across corridors or passageways leading to such dispersal areas unless they comply with exit requirements. See Section 1021 for exits from dispersal areas. (Ref. CBC 1007.6.3.7)

Basement Exits. One exit accessible to every room below grade shall lead directly to the exterior at grade level from the basement level. (Ref. CBC 1007.6.3.8)

600.6 Provisions for Habitable Spaces and Efficiency Dwelling Units. See Annex-V.

600.7 Provisions for Fire Alarm and Fire Protection Systems.

Fire Alarm Systems. In addition to smoke alarms required by CBC Section 310.9, buildings containing Group R, division 2.2 Occupancies shall be provided with a manual fire alarm system in accordance with Chapter 35 and the California Fire Code. (Ref. CBC 310.10.3 and CFC 1006.2.9.2.2 for existing Group R Occupancies)

Fire Protection Systems. An automatic sprinkler system shall be installed in Group R, Division 2 Facilities. (Ref. CBC 904.2.10)

EXCEPTIONS: 1. In Group R, Division 2.2 Facilities, pursuant to Health and Safety Code Section 13113, housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the building or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.

2. In Group R, Division 2 Facilities, pursuant to Health and Safety Code Section 13143.6, which house ambulatory persons only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

600.8 Special Provisions. Group S, Division 3 or R, Division 1 or 2 Occupancy above. Other provisions of this code notwithstanding, a basement or first story of a building may be considered as a separate and distinct building for the purpose of area limitations, limitation of number of stories and type of construction, when all of the following conditions are met: (Ref. CBC 311.2.2.1)

1. The basement or first story is of Type I construction and is separated from the building above with a three-hour occupancy separation. See Section 302.3.
2. The building above the three-hour occupancy separation contains only Group A, Division 3; Group B; or Group M or R, Division 1 (for SFM) or 2 Occupancies.
3. The building below the three-hour occupancy separation is a Group S, Division 3 Occupancy used exclusively for the parking and storage of private or pleasure-type motor vehicles.

EXCEPTIONS: 1. Entry lobbies, mechanical rooms and similar uses incidental to the operation of the building.

2. Group A, Division 3 and Group B office, drinking and dining establishments and Group M retail occupancies in addition to those uses incidental to the operation of the building (including storage areas) provided that the entire structure below the three-hour occupancy separation is

protected throughout by an automatic sprinkler system.
4. The maximum building height in feet shall not exceed the limits set forth in CBC Table 5-B for the least type of construction involved.

Where nonambulatory clients are housed above the first floor and there is more than 3,000 square feet (279 m^2) of floor area above the first floor or housing more than 16 clients above the first floor shall be constructed of not less than one-hour fire-resistive construction throughout except as provided in CBC Section 601.5.2.. (Ref. CBC 310.2.2)

In Group R, Division 2.2 Facilities interior non-load-bearing partitions within individual dwelling units,. guest rooms or suites when such dwelling units, guest rooms or suites are separated from each other and from corridors by not less than one-hour fire-resistive construction may be constructed of: (Ref. CBC 601.5.2.2)
1. Noncombustible materials or fire-retardant-treated wood in buildings of any type of construction; or
2. Combustible framing with noncombustible materials applied to the framing in buildings of CBC Type III or V construction.

Openings to such corridors shall be equipped with doors conforming to CBC Section 1004.3.4.3.2 regardless of the occupant load served.

For use of plastics in partitions, see CBC Section 2603.10.

600.9 Provisions for Emergency Evacuation Planning. These provisions are contained in CCR, Title 22, Division 6, Chapter 1, Article 3-4 General Licensing Requirements and/or CCR, Title 22, Division 6, Chapter 8. Residential Care Facilities for the Elderly and are enforced by the licensing agency. See Annex-VIII for specific information.

600.10 Provisions For and Limitations of Local Fees. For the purpose of application of fees to a community care facility, as defined in Section 1502, a residential-care facility for the elderly, as defined in Section 1569.2, the local authority having jurisdiction, as defined in Section 13244, or state fire marshal, which ever has jurisdiction, pursuant to Health and Safety Code Section 13235, Fire Clearance Preinspection fee; the local agency shall upon receipt of a request from a prospective licensee of a community care facility conduct a preinspection of the facility prior to the final fire clearance approval. (Ref. CBC 107.6.1)

At the time of the preinspection, the local authority having jurisdiction shall price consultation and interpretation of fire safety regulations, and shall notify the prospective licensee of the facility in writing of the specific fire safety regulations which shall be enforced in order to obtain fire clearance approval.

A fee of not more than $50.00 may be charged for the preinspection of a facility with a capacity to serve 25 or fewer persons. A fee of not more than $100.00 may be charged for a pre-inspection of a facility with a capacity to serve 26 or more persons.

The local authority having jurisdiction shall complete the final fire clearance inspection for a community care facility or residential-care facility for the elderly within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final pre-licensure inspection by the State Department of Social Services, whichever is later.

Whenever a local authority having jurisdiction requests that the state fire marshal perform plan review and/or inspection services related to a building permit, the applicable fees for such shall be payable to the Office of the State Fire Marshal.

600.11 Applicable State Fire Marshal Interpretations.

- ***Is it the responsibility of the local fire authority to enforce all regulations for Group R, Division 2 Occupancies, including plan review for new facilities?***

The California Health and Safety Code, Section §13146, requires that the local fire authority enforce fire and panic regulations in various occupancies. This includes plan review for compliance with SFM regulations. However, we would encourage the fire authority to work closely with the local building officials so that a comprehensive review of all applicable standards is rendered — including locally adopted ordinances. **SFM Int. 00-011**

- ***Is a Group R, Division 2 facility housing non-ambulatory clients required to comply with the requirements of Chapter 11 concerning Accessibility (e.g., fire alarm strobe lights, exterior ramps, 36-inch hallways and doors, lever style door hardware, etc.).***

The State Fire Marshal only adopted certain sections of Chapter 11B of the California Building Code in its entirety. Since Chapter 11B is specific to public buildings, those sections adopted by the SFM are not applicable to R-2 Occupancies. Therefore, the accessibility standards applicable to Group R, Division 2 facilities are those adopted at the local level for residential applications as found in Chapters 11 and 11A. **SFM Int. 00-011**

- ***When a single-family dwelling applies for a permit to convert the occupancy to a non-ambulatory community care home, is it the intent of the State Building Code to provide the non-ambulatory residents the same accessibility options as for any other occupant?***

The State Fire Marshal only adopted certain sections of Chapter 11B of the California Building Code in its entirety. Since Chapter 11B is specific to public buildings, those sections adopted by the SFM are not applicable to R-2 Occupancies. Therefore, the accessibility standards applicable to Group R, Division 2 facilities are those adopted at the local level for residential applications as found in Chapters 11 and 11A. **SFM Int. 00-011**

- ***In Group R, Division 2 and Group R, Division 6 occupancies that house non-ambulatory persons above the first floor, must the buildings be of Type I- FR or Type II-FR construction as specified in Title 19, §3.23?***

No. The issue of non-ambulatory persons above the first story is addressed in law [§13131.5 (b), California Health and Safety Code] for facilities housing more than six elderly clients. Section 310.2.2 of the California Building Code addresses other Group R, Division 2 occupancies, while Exception #1 in Appendix Chapter A, Section 316A.1 addresses Group R, Division 6 facilities housing non-ambulatory clients above the first floor. (Note: §3.23 is being revised.) **SFM Int. 03-034**

- ***Does Section 1007.6.3.4, Changes in level, apply to all Group R, Division 2 Occupancies or only those that have non-ambulatory clients?***

No. This section would only apply for non-ambulatory clients as defined in Section 215, California Building Code. **SFM Int. 02-039**

- ***A business is requesting to convert the balance of their senior apartments to assisted living units. This is an existing Type V-1 hr building and will be limited to only ambulatory persons on the upper floors. Since there is no reference in Section 310.2.2 relating to Group R-2.1 and Group R-2.2 occupancy types, if the floors and walls of each unit are properly constructed of fire-rated materials, can cooking appliances be used in the dwelling units?***

Yes. Cooking appliances may be allowed as long as all construction requirements in Section 310.2.2 are met. **SFM Int. 04-012**

- *Are the Group D Occupancies referred to in Title 19 now Group R Occupancies as included in the California Building Code?*

Yes. Group D occupancies are now classified as Group R-2 and R-6 Occupancies. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant in common areas, such as recreation rooms and/or lobbies in Group R, Division 2 occupancies?***

Yes. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant treated in the individual sleeping rooms in Group R, Division 2 occupancies?***

Not entirely. Exception (a) of Section 3.08, Title 19, allows cubicle curtains, drapes, and other decorative materials to be non- flame retardant in individual sleeping rooms of Institutional and Residential Care Occupancies. However, decorative materials in the individual sleeping room are not exempt from the flame retardant requirements. **SFM Int. 02-033**

- ***Do these requirements apply to all Group R occupancies? If not, which "R" Occupancies would not be included and why?***

No. The requirements of Section 3.08, Title 19, do not apply to Group R, Division 3 occupancies considered single family residences or individual dwelling units in Group R, Division 1 occupancies. However, they do apply to Group R, Division 3 occupancies that are utilized as large family day care homes. **SFM Int. 02-033**

- *Are fire drills required by State regulation in a Group R, Division 2 Occupancy?*

No. There are no requirements for monthly fire drills for a Group R, Division 2 Occupancy. Section 3.10 of Title 19 speaks only to the evacuation and relocation of occupants. When this code section addresses "fire drills", it specifically is directed at those occupancies that do require fire drills (e.g., schools). In addition, State Law provides that requirements for Group R, Division 2 Occupancies housing six or less cannot be amended by local ordinance. **SFM Int. 00-017**

SECTION 7

Group R Division 2.2.1 Facilities

SECTION 700 – REQUIREMENTS FOR GROUP R DIVISION 2.2.1 FACILITIES

700.1 Group R Division 2.2.1 Facilities Defined. Group R Division 2.2.1 Facilities are those California licensed facilities that are residentially-based accommodating six or less ambulatory clients. This division may include a maximum of two nonambulatory clients.

Licensing categories that may use this classification include, but are not limited to: Adult Residential Facilities, Intermediate Care Facilities for the Developmentally Disabled Habilitative, Intermediate Care Facilities for the Developmentally Disabled Nursing, Nursing Homes, Residential Care Facilities for the Elderly, Foster Family Homes, Group Homes, Small Family Homes, Community Treatment Facilities and Social Rehabilitation Facilities.
(Ref. CBC 310.1)

700.2 General Provisions for Group R, Division 2.2.1 Facilities. Clients who become temporarily bedridden as defined in Health and Safety Code Section 1569.72, as enforced by the department of Social Services, may continue to be housed on any story in a Group R, Division 2 Facility classified as a Residential-care Facility for the Elderly (RCFE). (Ref. CBC 310.1.1)

Every Residential-care Facility for the Elderly (RCFE) admitting or retaining a bedridden resident shall, within 48 hours of the resident's admission or retention in the facility, notify the local authority having jurisdiction of the estimated length of time the resident will retain his or her bedridden status in the facility. (Ref. CBC 310.1.1)

In Group R, Division 2 Facilities classified as Residential Facilities (RF), bedridden clients shall not be located above the first story. (Ref. CBC 310.1.1)

Restraint shall not be practiced in Group R, Division 2 Facilities. (Ref. CBC 310.1.2)

EXCEPTION: Group R, Division 2 Facilities which meet all the construction requirements for a Group I, Division 3 Facility.

Existing Residential Facilities and Residential-care Facilities for the Elderly which were originally classified as a Group I Facility under pre-1991 codes may be reinspected as a Group I Facility under the appropriate previous code provided there is no change in the use which would place the facility in a different division or occupancy group. (See CBC Section 3403.1)(Ref. CBC 310.1.5)

700.3 Provisions for Type of Construction, Height and Allowable Area. Buildings or parts of buildings classed in Group R because of the use or character of the occupancy shall be limited to the types of construction set forth in Table 5-B and shall not exceed, in area or height, the limits specified in Sections 504, 505, 506. (Ref. CBC 310.2.1) See Annex-III for Table 5-B.

Smoke barriers required. Group R, Division 2 Occupancies shall be provided with smoke barriers, constructed in accordance with CBC Section 308.2.2.1, as follows:
Group R, Division 2.2.1 Occupancies having individual floor areas over 6,000 square feet (577 m^2) per floor.

EXCEPTIONS: 1. Buildings of Group R, Division 2.1, 2-1.1, and 2.2 Occupancies with direct exiting from each dwelling unit and non-ambulatory clients are located only on the first floor.

2. Division 2 Occupancies are not required to comply with the provisions of Section 410 as they pertain to occupant load factors for determining the areas of a smoke compartment. (Ref. CBC 310.2.3)

NOTE: See Annex-I of this document for a copy of CBC Section 308.2.2.1.

700.4 Provisions for Protection Based on Proximity to Property Lines. For fire-resistive protection of exterior walls and openings, as determined by location on property, see CBC Section 503 and Chapter 6. (Ref. CBC 310.3) CBC Section 503 refers to Table 5-A for exterior wall and opening protection. See Annex-III for Table 5-A.

700.5 Provisions for Access, Egress, and Emergency Escapes. Escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches above the floor.

Escape and rescue windows with a finished sill height below the adjacent ground elevation shall have a window well. Window wells at escape or rescue windows shall comply with the following:

1. The clear horizontal dimensions shall allow the window to be fully opened and provide a minimum accessible net clear opening of 9 square feet with a minimum dimension of 36 inches.
2. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well by more than 6 inches.

Bars, grilles, grates or similar devices may be installed on emergency escape or rescue windows, doors or window wells, or any required exit door, provided:

1. The devices are equipped with approved release mechanisms that are openable from the inside without the use of a key or special knowledge or effort; and
2. The building is equipped with smoke alarms installed in accordance with Section 310.9. Such bars, grilles, grates or similar devices shall be equipped with an approved release device for use by the fire department only, on the exterior side for the purpose of fire department emergency access, when required by the authority having jurisdiction.
3. Where security bars (burglar bars) are installed on emergency egress and rescue windows or doors, on or after July 1, 2000, such devices shall comply with the standards of the California Building Code (CBC), Part 12, Chapter 12-3 and other applicable provisions of Part 2. (Ref. CBC 310.4)

[CAN]The provisions found in this section should be applied to brand new buildings and buildings having a change in use. Consideration should be given to Health & Safety Code §1569.1 whereas it is the legislative intent that Group R-2 occupancies being created within an existing Group R-1 or Group R-3 occupancy would NOT be considered as a change in use. As such, the general exiting facilities would not necessarily apply to an existing Group R-1 or Group R-3 unless the requirements were applicable and the time the building was originally permitted for construction.

Case in point, escape or rescue windows required by §310.4. The provisions for escape windows did not become required until the late 1960's and codified in the Building Code in 1970 (maybe '67). It is conceivable that a Group R-3 being converted from a single family dwelling to a Group R-2 may not have existing windows within sleeping rooms that meet current requirements for escape or rescue windows. However, if

windows are to be replaced voluntarily to improve energy conditions and/or sound insulation – the new windows would be required to meet the requirements for escape or rescue windows.

Means of Egress.

[CAN]The key to applying the "Exiting" provisions of the building code is the recognition and application of the "General Exiting" provisions prior to applying the more specific regulations in 1007.6.3. An assumption should be made that buildings and their exiting should always meet the general requirements as set forth by the building code for that occupancy group. For general exiting provisions, see Annex I.

Type of lock or latch in Group R, Division 2 Occupancies. Group R, Division 2.2.1 Occupancies shall not have a night latch, dead bolt, security chain or any similar locking device installed on any interior door leading from the client's sleeping room to any interior area such as a corridor, hallway and or general use areas of the residence. (Ref. CBC 1003.3.1.8.1)

Fences and Gates. Grounds of Residential Care for the Elderly facilities serving Alzheimer clients may be fenced and gates therein equipped with locks, provided safe dispersal areas are located not less than 50 feet (15240mm) from the buildings. Dispersal areas shall be sized to provide an area of not less than 3 square feet (0.28^2) per occupant. Gates shall not be installed across corridors or passageways leading to such dispersal areas unless they comply with exit requirements. See Section 1021 for exits from dispersal areas. (Ref. CBC 1007.6.3.7)

Basement Exits. One exit accessible to every room below grade shall lead directly to the exterior at grade level from the basement level. (Ref. CBC 1007.6.3.8)

700.6 Provisions for Habitable Spaces and Efficiency Dwelling Units. See Annex-V.

700.7 Provisions for Fire Alarm and Fire Protection Systems.

Fire Alarm Systems. In addition to smoke alarms required by CBC Section 310.9, Group R, Division 2.1.1 Occupancies shall be provided with at least one manual pull station at a location approved by the authority having jurisdiction. Such pull station shall actuate a distinctive fire alarm signal which shall be audible throughout the facility. These devices need not be interconnected to any other fire alarm device, electrically supervised or provided with emergency power. (Ref. CBC 310.10.2 and CFC 1006.2.9.2.3 for existing buildings)

Fire Protection Systems. An automatic sprinkler system shall be installed in Group R, Division 2 Facilities. (Ref. CBC 904.2.10)

EXCEPTIONS: 1. In Group R, Division 2.2.1 Facilities not housing bedridden clients and not exceeding two stories in height or not housing bedridden clients and not housing non-ambulatory clients above the first story.

2. In Group R, Division 2.2.1 Facilities required to have an automatic sprinkler system, an NFPA 13R or 13D system may be used within the scope of those standards. Application of Section 2-6 of NFPA 13R or 13D shall only apply subject to the fire agency having jurisdiction.

3. In Group R, Division 2 Facilities, pursuant to Health and Safety Code Section §13143.6, which house ambulatory persons only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

700.8 Special Provisions. Group S, Division 3 or R, Division 1 or 2 Occupancy above. Other provisions of this code notwithstanding, a basement or first story of a building may be considered as a separate and distinct building for the purpose of area limitations, limitation of number of stories and type of construction, when all of the following conditions are met: (Ref. CBC 311.2.2.1)

1. The basement or first story is of Type I construction and is separated from the building above

with a three-hour occupancy separation. See Section 302.3.
2. The building above the three-hour occupancy separation contains only Group A, Division 3; Group B; or Group M or R, Division 1 (for SFM) or 2 Occupancies.
3. The building below the three-hour occupancy separation is a Group S, Division 3 Occupancy used exclusively for the parking and storage of private or pleasure-type motor vehicles.

EXCEPTIONS: 1. Entry lobbies, mechanical rooms and similar uses incidental to the operation of the building.

2. Group A, Division 3 and Group B office, drinking and dining establishments and Group M retail occupancies in addition to those uses incidental to the operation of the building (including storage areas) provided that the entire structure below the three-hour occupancy separation is protected throughout by an automatic sprinkler system.
4. The maximum building height in feet shall not exceed the limits set forth in Table 5-B for the least type of construction involved.

Walls and floors separating dwelling units in the same building shall not be of less than one-hour fire-resistive construction. (Ref. CBC 310.2.2)

EXCEPTION: In Group R, Division 2.2,1 Facilities, walls and floors may be non-rated construction provided:
1. Construction has protection equivalent to ½-inch (12.7 mm), non-rated gypsum wallboard and,
2. Dwelling units are not equipped with open flame, gas or electrical element cooking appliances other than a microwave cooking appliance.

In Group R, Division 2.2.1 Facilities interior non-load-bearing partitions within individual dwelling units, guest rooms or suites when such dwelling units, guest rooms or suites are separated from each other and from corridors by not less than one-hour fire-resistive construction may be constructed of: (Ref. CBC 601.5.2.2)
1. Noncombustible materials or fire-retardant-treated wood in buildings of any type of construction; or
2. Combustible framing with noncombustible materials applied to the framing in buildings of CBC Type III or V construction.

Openings to such corridors shall be equipped with doors conforming to CBC Section 1004.3.4.3.2 regardless of the occupant load served.

For use of plastics in partitions, see CBC Section 2603.10.

700.9 Provisions for Emergency Evacuation Planning. These provisions are contained in CCR, Title 22, Division 6, Chapter 1, Article 3-4 General Licensing Requirements and/or CCR, Title 22, Division 6, Chapter 8. Residential Care Facilities for the Elderly and are enforced by the licensing agency. See Annex-VIII for specific information.

700.10 Provisions For and Limitations of Local Fees. For the purpose of application of fees to a community care facility, as defined in Section §1502, a residential-care facility for the elderly, as defined in Section §1569.2, the local authority having jurisdiction, as defined in Section §13244, or state fire marshal, which ever has jurisdiction, pursuant to Health and Safety Code Section §13235, Fire Clearance Preinspection fee; the local agency shall upon receipt of a request from a prospective licensee of a community care facility conduct a preinspection of the facility prior to the final fire clearance approval. (Ref. CBC 107.6.1)

Neither the state fire marshal nor any local public entity, pursuant to Health and Safety Code Section §1569.84, charge any fee for enforcing fire inspection regulations pursuant to state law

or regulation or local ordinance, with respect to residential-care facilities for the elderly which service six or fewer persons.

The local authority having jurisdiction shall complete the final fire clearance inspection for a community care facility or residential-care facility for the elderly within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final pre-licensure inspection by the State Department of Social Services, whichever is later.

Whenever a local authority having jurisdiction requests that the state fire marshal perform plan review and/or inspection services related to a building permit, the applicable fees for such shall be payable to the Office of the State Fire Marshal.

700.11 Applicable State Fire Marshal Interpretations.

- ***Is it the responsibility of the local fire authority to enforce all regulations for Group R, Division 2 Occupancies, including plan review for new facilities?***

The California Health and Safety Code, Section §13146, requires that the local fire authority enforce fire and panic regulations in various occupancies. This includes plan review for compliance with SFM regulations. However, we would encourage the fire authority to work closely with the local building officials so that a comprehensive review of all applicable standards is rendered — including locally adopted ordinances. **SFM Int. 00-011**

- ***Is a Group R, Division 2 facility housing non-ambulatory clients required to comply with the requirements of Chapter 11 concerning Accessibility (e.g., fire alarm strobe lights, exterior ramps, 36-inch hallways and doors, lever style door hardware, etc.).***

The State Fire Marshal only adopted certain sections of Chapter 11B of the California Building Code in its entirety. Since Chapter 11B is specific to public buildings, those sections adopted by the SFM are not applicable to R-2 Occupancies. Therefore, the accessibility standards applicable to Group R, Division 2 facilities are those adopted at the local level for residential applications as found in Chapters 11 and 11A. **SFM Int. 00-011**

- ***In Group R, Division 2 and Group R, Division 6 occupancies that house non-ambulatory persons above the first floor, must the buildings be of Type I- FR or Type II- FR construction as specified in Title 19, §3.23?***

No. The issue of non-ambulatory persons above the first story is addressed in law [§13131.5 (b), California Health and Safety Code] for facilities housing more than six elderly clients. Section 310.2.2 of the California Building Code addresses other Group R, Division 2 occupancies, while Exception #1 in Appendix Chapter A, Section 316A.1 addresses Group R, Division 6 facilities housing non-ambulatory clients above the first floor. (Note: §3.23 is being revised.) **SFM Int. 03-034**

- ***Does Section 1007.6.3.4, Changes in level, apply to all Group R, Division 2 occupancies or only those that have non-ambulatory clients?***

No. This section would only apply for non-ambulatory clients as defined in Section 215, California Building Code. **SFM Int. 02-039**

- ***Are the Group D Occupancies referred to in Title 19 now Group R Occupancies as included in the California Building Code?***

Yes. Group D occupancies are now classified as Group R-2 and R-6 Occupancies. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant in common areas, such as recreation rooms and/or lobbies in Group R, Division 2 occupancies?***

Yes. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant treated in the individual sleeping rooms in Group R, Division 2 occupancies?***

Not entirely. Exception (a) of Section 3.08, Title 19, allows cubicle curtains, drapes, and other decorative materials to be non- flame retardant in individual sleeping rooms of Institutional and Residential Care Occupancies. However, decorative materials in the individual sleeping room are not exempt from the flame retardant requirements. **SFM Int. 02-033**

- ***Do these requirements apply to all Group R occupancies? If not, which "R" Occupancies would not be included and why?***

No. The requirements of Section 3.08, Title 19, do not apply to Group R, Division 3 occupancies considered single family residences or individual dwelling units in Group R, Division 1 occupancies. However, they do apply to Group R, Division 3 occupancies that are utilized as large family day care homes. **SFM Int. 02-033**

- ***Are fire drills required by State regulation in a Group R, Division 2 Occupancy?***

No. There are no requirements for monthly fire drills for a Group R, Division 2 Occupancy. Section 3.10 of Title 19 speaks only to the evacuation and relocation of occupants. When this code section addresses "fire drills", it specifically is directed at those occupancies that **do** require fire drills (e.g., schools). In addition, State Law provides that requirements for Group R, Division 2 Occupancies housing six or less cannot be amended by local ordinance. **SFM Int. 00-017**

- ***Considering the provisions of Section §1267.8(a) of the California Health and Safety Code, are commercial or residential standards for fire and life safety, egress and accessibility applicable to Group R, Division 2.1.1 occupancies when the code is interpreted by local plan checkers and fire inspectors?***

Only those regulations that have been adopted by the State Fire Marshal shall apply to fire and life safety, egress and accessibility. **SFM Int. 04-018**

- ***Should local fire inspectors or planners cite commercial or residential standards when inspecting a Group R, Division 2.1.1 occupancy?***

No. Commercial standards do not apply to Group R, Division 2 occupancies. The Health and Safety Code requires that these facilities model as closely as possible to a Group R, Division 3 Occupancy. **SFM Int. 04-018**

- ***Considering the provisions of Section §1267.8 of the Health and Safety Code, what are the closest occupancy standards for life safety, egress and accessibility that "special occupancy" fire department planners and inspectors should be using when inspecting a Group R, Division 2.1.1 occupancy (i.e. can local fire departments apply commercial standards)?***

Fire inspectors and plan checkers shall only apply local ordinances for restrictions on building heights, setbacks, lot dimensions, or placement of signs as long as such restrictions are identical to those applied to other single-family residences. **SFM Int. 04-018**

- ***Does 1007.6.3.1.1 apply to existing single-family units (Group R, Division 3 Occupancies) that convert to a Group R, Division 2.1.1 or Division 2.2.1 Occupancy? If so, must the exits be the existing front and back door or can the occupant install a new exit(s) that meet the code and leave the existing doors as is?***

Yes. For a Group R, Division 2.2.1, the exits can be the front and back door as long as they meet the requirements of 1007.6.3.2.3 which states, "A means of exit shall not pass through kitchens, storerooms, closets or spaces used for similar purposes." For a Group R, Division 2.1.1,

additional exits may have to be provided to comply with the direct or semi-direct requirements of §1007.6.3.2.2 for non-ambulatory clients. **SFM Int. 03-025**

- ***Considering Section §13143 of the Health and Safety Code, in Group R, Division 2.2.1 Occupancies, are illuminated exit signs required above all exit doors and in hallways to indicate the exit path of egress (including illuminated exit signs in all client bedrooms that have a direct exit to the exterior and illuminated hallway exit signs indicating which bedrooms have direct exits to the exterior)?***

No. Exit signs indicating which bedrooms have direct exits to the exterior are not required in this type of occupancy. **SFM Int. 04-018**

- ***Considering Section §13143.8 of the Health and Safety Code, can the local fire department require stricter "commercial" fire and life safety standards for egress, life safety and accessibility in Group R, Division 2.1.1 occupancies than required by the SFM?***

No. **SFM Int. 04-018**

- ***Considering Section §19956 of the Health and Safety Code, are handrails required on ADA compliant walkways sloped 1:20 or greater? Can handrails be required by the Department of Health Services for licensing purposes? Are handrails required on landings that are less than 30 inches above grade?***

The State Fire Marshal does not regulate the application of American with Disabilities Act. **SFM Int. 04-018**

- ***Considering Section §1275 of the Health and Safety Code, can the Department of Health Services amend or apply stricter (e.g. commercial) fire standards for egress and life safety for Group R, Division 2.1.1 than what is specified by the State Fire Marshal (including accessibility/ramp requirements, etc.)?***

No. **SFM Int. 04-018**

- ***Are Residential Care Facilities for the Elderly (RCFE) that have six or fewer residents limited to direct exiting from each resident sleeping room?***

No. RCFE's that house six or fewer ambulatory residents may have the type of exiting allowed for Group R, Division 3 occupancies (single family dwellings). RCFE's that house six or fewer non-ambulatory residents may have any of the following types of exiting from each sleeping room:

a. Direct exit to exterior from bedroom.
b. Egress through an adjoining bedroom that has a direct exit to exterior.
c. Egress through hallway/corridor that has an exterior exit
d. Egress through a hallway/corridor or area and into a bedroom that has a direct exit to exterior.

SFM Int. 02-057

- ***Since all required exits in Group R, Division 2 occupancies must go to a public way, is it the intent of the State Fire Marshal that Section 1007.6.3.4 of the California Building Code (1998) be used for the entire path of travel to the public way or is this section only intended to apply to the interior hallways and corridors?***

Section 1007.6.3.4 applies specifically to the interior exiting system. **SFM Int. 02-025**

- ***Considering Section §13195 of the Health and Safety Code, in Group R, Division 2.2.1 occupancies (ambulatory) are fire sprinklers and a monitored fire sprinkler system that conform to NFPA #13-D required? If required, does the monitored sprinkler system need two dedicated telephone lines for monitoring? Does the monitored system require quarterly inspections by the alarm company (equivalent to a commercial system)?***

No. There are no requirements in the Health and Safety Code or in the California Building Code requiring a sprinkler system in Group R, Division 2.2.1 Occupancies that house six or fewer clients. **SFM Int. 04-018**

- ***Considering Section §13113.7 (2) of the Health and Safety Code, can the local building or fire departments require in-room smoke detectors in all rooms in Group R, Division 2.1.1 facilities that already have monitored fire alarms with a NFPA-13D fire sprinkler system? Has this requirement been waived by the State Fire Marshal?***

No. Local ordinances are not applicable to Group R, Division 2.1.1 occupancies. Only those regulations adopted by the State Fire Marshal are applicable. The requirements of Section §13113.7 (2), Health and Safety Code have not been waived and they are provided for in the smoke alarms required by Section 310.9.1.1 of the 2001 California Building Code. **SFM Int. 04-018**

- ***CBC, Section 310.10.2 requires that Group R, Divisions 2.1.1, 2.2.1 and 2.3.1 occupancies be provided with at least one manual pull station to activate a distinctive fire alarm signal audible throughout the facility. Is the manual pull station required to be listed by the State Fire Marshal?***

Yes. A manual pull station is a fire alarm device. Per Section §13114(b) of the California Health and Safety Code, all fire alarm devices must be approved and listed by the State Fire Marshal. **SFM Int. 04-013**

- ***Is the device providing the audible signal required to be listed by the State Fire Marshal?***

If the device is designed or constructed to be a fire alarm device, then it must be approved and listed by the State Fire Marshal. If it is not a fire alarm device then it would not have to be listed by the State Fire Marshal but it would need to produce a distinctive sound audible throughout the facility. **SFM Int. 04-013**

- ***Is a small family home having a licensed capacity of four infants as defined in Section 310 classified as a Group R, Division 2.2 occupancy?***

No. The total capacity of the facility you describe is less than six clients. Since infants cannot be defined as non-ambulatory due to age per Section 210, the facility more closely resembles a Group R, Division 2.2.1 occupancy. **SFM Int. 03-005**

- ***In Group R, Division 2.2.1 occupancy housed in a one-story single-family residence where the entry door is the primary exit, is it the intent of 1007.6.3.2.2 to require direct or semi-direct exit from each client bedroom or does this just apply to those bedrooms which contain non-ambulatory clients?***

No. The exiting requirements of 1007.6.3.2.2 apply to the bedrooms of Group R, Division 2.2.1 occupancies used by non-ambulatory clients only. It is not the intent of this section to apply these requirements to ambulatory clients. **SFM Int. 03-019**

- ***If all of the clients in a single-story Group R, Division 2.2.1 occupancy are ambulatory, wouldn't the window escape method specified in 310.4 provide the second required exit?***

No. All Group R, Division 2 occupancies must have at least two exits. The second required exit cannot be a window. It must be an exit door. **SFM Int. 03-019**

- ***Is it the intent of CBC Section 1003.3.1.3 to require that the net unobstructed door width, WITH NO EXCEPTIONS, be no less than 32" through bedroom doors on an existing Group R, Division 3 occupancy being converted for use as a Group R, Division 2.2.1 facility?***

No. Section 1003.3.1.3 is specific to occupancies serving 10 or more clients. An existing Group R, Division 3 being converted to a Group R, Division 2.2.1 does not fall into this criteria and can have exit doors with a clear exit width of 28 inches as the clients will all be ambulatory. **SFM Int. 02-050**

- ***Does CBC Section 1007.6.3.2.1(exits through adjoining dwelling units) apply to Group R, Division 2.2.1 occupancies that house non-ambulatory clients?***

Yes. Section 1007.6.3.2.1 applies to the bedrooms used by non-ambulatory clients in Group R, Division 2.2.1 occupancies built of non-rated construction. **SFM Int. 02-046**

- ***How do you apply section 1007.6.3.2.4 (exits through more than one intervening room)? It appears that the clients are exiting through more than one intervening room if they exit through the hallway.***

For purposes of determining the number of intervening rooms, the room that the clients exit from is not counted and the hallway is not considered a room for purposes of exiting in this type of occupancies. Clients may exit from a bedroom to the hallway and through another bedroom that has a direct exit to the exterior. They may not exit from the hallway into a common living area such as an entryway or living room. Further, when using the hallway to reach another room or exit, the hallway must be separated from common living areas by the use of a door at the mouth of the hallway. The door must be positive latching and may be non-rated without self-closer. **SFM Int. 02-046**

- ***In a Group R, Division 3 dwelling conversion, it is the intent of the Code to require the following before it may be approved as a Group R, Division 2.2.1 Occupancy:***
  1. Interior "changes in level" ramps with handrails per CBC for access to common areas not in exit path;
  2. 32-inch wide doors to the bathroom, commode room, and other common use areas not in the exit path from the sleeping areas as noted in Section 1007;
  3. Consideration of every common-area door as a required exit door from that room;
  4. Lever hardware on the doors and gates.

No. Single family dwellings are not subject to accessibility standards. It appears that you may be trying to apply Chapter 11 accessibility standards to the Chapter 10 exit requirements for Group R, Division 2 Occupancies. Common areas are specific to Chapter 11 only and not intended to be interchangeable with other sections of the Code. **SFM Int. 00-019**

SECTION 8

Group R Division 2.3 Facilities

SECTION 800 – REQUIREMENTS FOR GROUP R DIVISION 2.3 FACILITIES

800.1 Group R Division 2.3 Facilities Defined. Group R Division 2.3 Facilities are those California licensed facilities that provide hospice care throughout accommodating more than six bedridden clients.

Licensing categories that may use this classification are limited to; Congregate Living Health Facilities for the Terminally Ill and Residential Care Facilities for the Chronically Ill. (Ref. CBC 310.1)

800.2 General Provisions for Group R, Division 2.3 Facilities. Clients who become temporarily bedridden as defined in Health and Safety Code Section 1569.72, as enforced by the department of Social Services, may continue to be housed on any story in a Group R, Division 2 Facility classified as a Residential-care Facility for the Elderly (RCFE). (Ref. CBC 310.1.1)

Every Residential-care Facility for the Elderly (RCFE) admitting or retaining a bedridden resident shall, within 48 hours of the resident's admission or retention in the facility, notify the local authority having jurisdiction of the estimated length of time the resident will retain his or her bedridden status in the facility. (Ref. CBC 310.1.1)

In Group R, Division 2 Facilities classified as Residential Facilities (RF), bedridden clients shall not be located above the first story. (Ref. CBC 310.1.1)

Restraint shall not be practiced in Group R, Division 2 Facilities. (Ref. CBC 310.1.2)

EXCEPTION: Group R, Division 2 Facilities which meet all the construction requirements for a Group I, Division 3 Facility.

Existing Residential Facilities and Residential-care Facilities for the Elderly which were originally classified as a Group I Facility under pre-1991 codes may be reinspected as a Group I Facility under the appropriate previous code provided there is no change in the use which would place the facility in a different division or occupancy group. (See CBC Section 3403.1)(Ref. CBC 310.1.5)

800.3 Provisions for Type of Construction, Height and Allowable Area. Buildings or parts of buildings classed in Group R because of the use or character of the occupancy shall be limited to the types of construction set forth in Table 5-B and shall not exceed, in area or height, the limits specified in Sections 504, 505, 506. (Ref. CBC 310.2.1) See Annex-III for Table 5-B.

Smoke barriers required. Group R, Division 2 Occupancies shall be provided with smoke barriers, constructed in accordance with CBC Section 308.2.2.1, as follows:
Group R, Division 2.3 Occupancies having individual floor areas over 6,000 square feet (577 m²) per floor.

EXCEPTIONS: 1. Buildings of Group R, Division 2.1, 2-1.1, and 2.2 Occupancies with direct exiting from each dwelling unit and non-ambulatory clients are located only on the first floor.

2. Division 2 Occupancies are not required to comply with the provisions of Section 410 as they pertain to occupant load factors for determining the areas of a smoke compartment. Ref. CBC 310.2.3

NOTE: See Annex-I of this document for a copy of CBC Section 308.2.2.1.

800.4 Provisions for Protection Based on Proximity to Property Lines. For fire-resistive protection of exterior walls and openings, as determined by location on property, see CBC Section 503 and Chapter 6. (Ref. CBC 310.3) CBC Section 503 refers to Table 5-A for exterior wall and opening protection. **See Annex for Table 5-A.**

800.5 Provisions for Access, Egress, and Emergency Escapes. Escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches above the floor.

Escape and rescue windows with a finished sill height below the adjacent ground elevation shall have a window well. Window wells at escape or rescue windows shall comply with the following:

1. The clear horizontal dimensions shall allow the window to be fully opened and provide a minimum accessible net clear opening of 9 square feet with a minimum dimension of 36 inches.
2. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well by more than 6 inches.

Bars, grilles, grates or similar devices may be installed on emergency escape or rescue windows, doors or window wells, or any required exit door, provided:

1. The devices are equipped with approved release mechanisms that are openable from the inside without the use of a key or special knowledge or effort; and
2. The building is equipped with smoke alarms installed in accordance with Section 310.9. Such bars, grilles, grates or similar devices shall be equipped with an approved release device for use by the fire department only, on the exterior side for the purpose of fire department emergency access, when required by the authority having jurisdiction.
3. Where security bars (burglar bars) are installed on emergency egress and rescue windows or doors, on or after July 1, 2000, such devices shall comply with the standards of the California Building Code (CBC), Part 12, Chapter 12-3 and other applicable provisions of Part 2. (Ref. CBC 310.4)

[CAN]The provisions found in this section should be applied to brand new buildings and buildings having a change in use. Consideration should be given to Health & Safety Code §1569.1 whereas it is the legislative intent that Group R-2 occupancies being created within an existing Group R-1 or Group R-3 occupancy would NOT be considered as a change in use. As such, the general exiting facilities would not necessarily apply to an existing Group R-1 or Group R-3 unless the requirements were applicable and the time the building was originally permitted for construction.

Case in point, escape or rescue windows required by 310.4. The provisions for escape windows did not become required until the late 1960's and codified in the Building Code in 1970 (maybe '67). It is conceivable that a Group R-3 being converted from a single family dwelling to a Group R-2 may not have existing windows within sleeping rooms that meet current requirements for escape or rescue windows. However, if windows are to be replaced voluntarily to improve energy conditions and/or sound insulation – the new windows would be required to meet the requirements for escape or rescue windows.

Means of Egress.

[CAN]The key to applying the "Exiting" provisions of the building code is the recognition and application of the "General Exiting" provisions prior to applying the more specific regulations in 1007.6.3. An assumption should be made that buildings and their exiting should always meet the general requirements as set forth by the building code for that occupancy group. For general exiting provisions, see Annex I.

Fences and Gates. Grounds of Residential Care for the Elderly facilities serving Alzheimer clients may be fenced and gates therein equipped with locks, provided safe dispersal areas are located not less than 50 feet (15240mm) from the buildings. Dispersal areas shall be sized to provide an area of not less than 3 square feet (0.28^2) per occupant. Gates shall not be installed across corridors or passageways leading to such dispersal areas unless they comply with exit requirements. See Section 1021 for exits from dispersal areas. (Ref. CBC 1007.6.3.7)

Basement Exits. One exit accessible to every room below grade shall lead directly to the exterior at grade level from the basement level. (Ref. CBC 1007.6.3.8)

800.6 Provisions for Habitable Spaces and Efficiency Dwelling Units. See Annex-V.

800.7 Provisions for Fire Alarm and Fire Protection Systems.

Fire Alarm Systems. Group R, Division 2.3 Occupancies shall be provided with both an approved manual and automatic fire alarm system per CFC 1006.2.9 and the California Building Code.

System smoke detectors shall be installed in the exit corridors and common areas. Upon actuation, these smoke detectors shall activate the fire alarm notification appliances throughout the building, including those located in the guestrooms and dwelling units. (Ref. CFC 1006.2.9.1.1.1 [for SFM] Nov 15, 2002 Supplement)

Single-station smoke detectors shall be installed in guestrooms and dwelling units in accordance with the California Building Code, Section 310.9. Upon activation, these smoke detectors shall only annunciate within such guest room or dwelling unit and shall not activate the fire alarm system notification appliances that are located throughout the building.

System smoke detectors and trouble conditions alarms shall be annunciated at a location that is constantly attended within the building.

EXCEPTION: Buildings housing non-ambulatory clients on the first story only, and which are protected throughout by the following:

1. An approved fire sprinkler system that is supervised and installed as required by the California Building Code that will result in notification of all occupants if it is activated.
2. A manual fire alarm system installed per the California Building Code. (Ref. CBC 310.10 and CFC 1006.2.9.1.1.1 Nov 15, 2002 supplement for Existing Group R Occupancies)

Fire Protection Systems. An automatic sprinkler system shall be installed in Group R, Division 2.3 Facilities. Residential or quick-response standard sprinklers shall be used in sleeping rooms. An automatic sprinkler system meeting the requirements of NFPA 13 shall be installed in all Group R, Division 2.3 Facilities. (Ref. CBC 904.2.10.1)

800.8 Special Provisions. Group S, Division 3 or R, Division 1 or 2 Occupancy above. Other provisions of this code notwithstanding, a basement or first story of a building may be considered as a separate and distinct building for the purpose of area limitations, limitation of number of stories and type of construction, when all of the following conditions are met: (Ref. CBC 311.2.2.1)

1. The basement or first story is of Type I construction and is separated from the building above

with a three-hour occupancy separation. See Section 302.3.
2. The building above the three-hour occupancy separation contains only Group A, Division 3; Group B; or Group M or R, Division 1 (for SFM) or 2 Occupancies.
3. The building below the three-hour occupancy separation is a Group S, Division 3 Occupancy used exclusively for the parking and storage of private or pleasure-type motor vehicles.

EXCEPTIONS: 1. Entry lobbies, mechanical rooms and similar uses incidental to the operation of the building.

2. Group A, Division 3 and Group B office, drinking and dining establishments and Group M retail occupancies in addition to those uses incidental to the operation of the building (including storage areas) provided that the entire structure below the three-hour occupancy separation is protected throughout by an automatic sprinkler system.
4. The maximum building height in feet shall not exceed the limits set forth in CBC Table 5-B for the least type of construction involved.

In Group R, Division 2.3 Facilities interior non-load-bearing partitions within individual dwelling units, guest rooms or suites when such dwelling units, guest rooms or suites are separated from each other and from corridors by not less than one-hour fire-resistive construction may be constructed of: (Ref. CBC 601.5.2.2)
1. Noncombustible materials or fire-retardant-treated wood in buildings of any type of construction; or
2. Combustible framing with noncombustible materials applied to the framing in buildings of CBC Type III or V construction.

Openings to such corridors shall be equipped with doors conforming to CBC Section 1004.3.4.3.2 regardless of the occupant load served.

For use of plastics in partitions, see CBC Section 2603.10.

In Group R, Division 2.3 Facilities where clients are housed above the first floor, shall not be of less than one-hour fire-resistive construction throughout except as provided in CBC Section 601.5.2.2. (Ref. CBC 310.2.2)

EXCEPTION: Interior nonload-bearing partitions within individual dwelling units, in apartment houses and guest rooms or suites in hotels where such dwelling units, guest rooms or suites are separated from each other and from corridors by not less than one-hour fire-resistive construction may be constructed of:
1. Noncombustible materials or fire-retardant-treated wood in buildings of any type of construction; or
2. Combustible framing with noncombustible materials applied to the framing in buildings of CBC Type III or V construction.

800.9 Provisions for Emergency Evacuation Planning. These provisions are contained in CCR, Title 22, Division 6, Chapter 1, Article 3-4 General Licensing Requirements and/or CCR, Title 22, Division 6, Chapter 8: Residential Care Facilities for the Elderly and are enforced by the licensing agency. See Annex-VIII for specific information.

800.10 Provisions For and Limitations of Local Fees. For the purpose of application of fees to a community care facility, as defined in Section 1502, a residential care facility for the elderly, as defined in Section 1569.2, the local authority having jurisdiction, as defined in Section 13244, or state fire marshal, which ever has jurisdiction, pursuant to Health and Safety Code Section 13235 Fire Clearance Preinspection fee, the local agency shall upon receipt of a request from a prospective licensee of a community care facility conduct a preinspection of the facility prior to the final fire clearance approval.

A fee of not more than $50.00 may be charged for the preinspection of a facility with a capacity to serve 25 or fewer persons. A fee of not more than $100.00 may be charged for a preinspection of a facility with a capacity to serve 26 or more persons.

A reasonable final inspection fee, pursuant to Health and Safety Code Section §13131.5, not to exceed the actual cost of inspection services necessary to complete a final inspection may be charged for Group R, Division 2.1 Facilities classified as residential care facilities for the elderly (RCFE).

The local authority having jurisdiction shall complete the final fire clearance inspection for a community care facility or residential-care facility for the elderly within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final prelicensure inspection by the State Department of Social Services, whichever is later.

Whenever a local authority having jurisdiction requests that the state fire marshal perform plan review and/or inspection services related to a building permit, the applicable fees for such shall be payable to the Office of the State Fire Marshal.

800.11 Applicable State Fire Marshal Interpretations.

- ***Is it the responsibility of the local fire authority to enforce all regulations for Group R, Division 2 Occupancies, including plan review for new facilities?***

The California Health and Safety Code, Section §13146, requires that the local fire authority enforce fire and panic regulations in various occupancies. This includes plan review for compliance with SFM regulations. However, we would encourage the fire authority to work closely with the local building officials so that a comprehensive review of all applicable standards is rendered — including locally adopted ordinances. **SFM Int. 00-011**

- ***Is a Group R, Division 2 facility housing non-ambulatory clients required to comply with the requirements of Chapter 11 concerning Accessibility (e.g., fire alarm strobe lights, exterior ramps, 36-inch hallways and doors, lever style door hardware, etc.).***

The State Fire Marshal only adopted certain sections of Chapter 11B of the California Building Code in its entirety. Since Chapter 11B is specific to public buildings, those sections adopted by the SFM are not applicable to R-2 Occupancies. Therefore, the accessibility standards applicable to Group R, Division 2 facilities are those adopted at the local level for residential applications as found in Chapters 11 and 11A. **SFM Int. 00-011**

- ***When a single-family dwelling applies for a permit to convert the occupancy to a non-ambulatory community care home, is it the intent of the State Building Code to provide the non-ambulatory residents the same accessibility options as for any other occupant?***

The State Fire Marshal only adopted certain sections of Chapter 11B of the California Building Code in its entirety. Since Chapter 11B is specific to public buildings, those sections adopted by the SFM are not applicable to R-2 Occupancies. Therefore, the accessibility standards applicable to Group R, Division 2 facilities are those adopted at the local level for residential applications as found in Chapters 11 and 11A. **SFM Int. 00-011**

- ***In Group R, Division 2 and Group R, Division 6 occupancies that house non-ambulatory persons above the first floor, must the buildings be of Type I- FR or Type II- FR construction as specified in Title 19, §3.23?***

No. The issue of non-ambulatory persons above the first story is addressed in law [§13131.5 (b), California Health and Safety Code] for facilities housing more than six elderly clients. §310.2.2 of the California Building Code addresses other Group R, Division 2 occupancies, while Exception #1 in Appendix Chapter A, Section 316A.1 addresses Group R, Division 6 facilities

housing non-ambulatory clients above the first floor. (Note: §3.23 is being revised.) **SFM Int. 03-034**

- ***Does Section 1007.6.3.4, Changes in level, apply to all Group R, Division 2 occupancies or only those that have non-ambulatory clients?***

No. This section would only apply for non-ambulatory clients as defined in Section 215, California Building Code. **SFM Int. 02-039**

- ***Are the Group D Occupancies referred to in Title 19 now Group R Occupancies as included in the California Building Code?***

Yes. Group D occupancies are now classified as Group R-2 and R-6 Occupancies. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant in common areas, such as recreation rooms and/or lobbies in Group R, Division 2 occupancies?***

Yes. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant treated in the individual sleeping rooms in Group R, Division 2 occupancies?***

Not entirely. Exception (a) of Section 3.08, Title 19, allows cubicle curtains, drapes, and other decorative materials to be non- flame retardant in individual sleeping rooms of Institutional and Residential Care Occupancies. However, decorative materials in the individual sleeping room are not exempt from the flame retardant requirements. **SFM Int. 02-033**

- ***Do these requirements apply to all Group R occupancies? If not, which "R" Occupancies would not be included and why?***

No. The requirements of Section 3.08, Title 19, do not apply to Group R, Division 3 occupancies considered single family residences or individual dwelling units in Group R, Division 1 occupancies. However, they do apply to Group R, Division 3 occupancies that are utilized as large family day care homes. **SFM Int. 02-033**

- ***Are fire drills required by State regulation in a Group R, Division 2 Occupancy?***

No. There are no requirements for monthly fire drills for a Group R, Division 2 Occupancy. Section 3.10 of Title 19 speaks only to the evacuation and relocation of occupants. When this code section addresses "fire drills", it specifically is directed at those occupancies that **do** require fire drills (e.g., schools). In addition, State Law provides that requirements for Group R, Division 2 Occupancies housing six or less cannot be amended by local ordinance. **SFM Int. 00-017**

SECTION 9

Group R Division 2.3.1 Facilities

SECTION 900 – REQUIREMENTS FOR GROUP R DIVISION 2.3.1 FACILITIES

900.1 Group R Division 2.3.1 Facilities Defined. Group R Division 2.3.1 Facilities are those California licensed facilities that are residentially-based providing hospice care throughout accommodating six or less bedridden clients.

Licensing categories that may use this classification are limited to: Congregate Living Health Facilities for the Terminally Ill and Residential Care Facilities for the Chronically Ill. (Ref. CBC 310.1)

900.2 General Provisions for Group R, Division 2.3.1 Facilities. Clients who become temporarily bedridden as defined in Health and Safety Code Section 1569.72, as enforced by the department of Social Services, may continue to be housed on any story in a Group R, Division 2 Facility classified as a Residential-care Facility for the Elderly (RCFE). (Ref. CBC 310.1.1)

Every Residential-care Facility for the Elderly (RCFE) admitting or retaining a bedridden resident shall, within 48 hours of the resident's admission or retention in the facility, notify the local authority having jurisdiction of the estimated length of time the resident will retain his or her bedridden status in the facility. (Ref. CBC 310.1.1)

In Group R, Division 2 Facilities classified as Residential Facilities (RF), bedridden clients shall not be located above the first story. (Ref. CBC 310.1.1)

Restraint shall not be practiced in Group R, Division 2 Facilities. (Ref. CBC 310.1.2)

EXCEPTION: Group R, Division 2 Facilities which meet all the construction requirements for a Group I, Division 3 Facility.

Existing Residential Facilities and Residential-care Facilities for the Elderly which were originally classified as a Group I Facility under pre-1991 codes may be reinspected as a Group I Facility under the appropriate previous code provided there is no change in the use which would place the facility in a different division or occupancy group. (See CBC Section 3403.1)(Ref. CBC 310.1.5)

900.3 Provisions for Type of Construction, Height and Allowable Area. Buildings or parts of buildings classed in Group R because of the use or character of the occupancy shall be limited to the types of construction set forth in Table 5-B and shall not exceed, in area or height, the limits specified in Sections 504, 505, 506. (Ref. CBC 310.2.1) See Annex-III for Table 5-B.

Smoke barriers required. Group R, Division 2 Occupancies shall be provided with smoke barriers, constructed in accordance with CBC Section 308.2.2.1, as follows:
Group R, Division 2.3.1 Occupancies having individual floor areas over 6,000 square feet (577 m^2) per floor.

EXCEPTIONS: 1. Buildings of Group R, Division 2.1, 2-1.1, and 2.2 Occupancies with direct exiting from each dwelling unit and non-ambulatory clients are located only on the first floor.

2. Division 2 Occupancies are not required to comply with the provisions of Section 410 as they pertain to occupant load factors for determining the areas of a smoke compartment. Ref. CBC 310.2.3

NOTE: See Annex-I of this document for a copy of CBC Section 308.2.2.1.

900.4 Provisions for Protection Based on Proximity to Property Lines. For fire-resistive protection of exterior walls and openings, as determined by location on property, see CBC Section 503 and Chapter 6. (Ref. CBC 310.3) CBC Section 503 refers to Table 5-A for exterior wall and opening protection. See Annex-III for Table 5-A.

900.5 Provisions for Access, Egress, and Emergency Escapes. Escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches above the floor.

Escape and rescue windows with a finished sill height below the adjacent ground elevation shall have a window well. Window wells at escape or rescue windows shall comply with the following:

1. The clear horizontal dimensions shall allow the window to be fully opened and provide a minimum accessible net clear opening of 9 square feet with a minimum dimension of 36 inches.
2. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well by more than 6 inches.

Bars, grilles, grates or similar devices may be installed on emergency escape or rescue windows, doors or window wells, or any required exit door, provided:

1. The devices are equipped with approved release mechanisms that are openable from the inside without the use of a key or special knowledge or effort; and
2. The building is equipped with smoke alarms installed in accordance with Section 310.9. Such bars, grilles, grates or similar devices shall be equipped with an approved release device for use by the fire department only, on the exterior side for the purpose of fire department emergency access, when required by the authority having jurisdiction.
3. Where security bars (burglar bars) are installed on emergency egress and rescue windows or doors, on or after July 1, 2000, such devices shall comply with the standards of the California Building Code (CBC), Part 12, Chapter 12-3 and other applicable provisions of Part 2. (Ref. CBC 310.4)

[CAN]The provisions found in this section should be applied to brand new buildings and buildings having a change in use. Consideration should be given to Health & Safety Code §1569.1 whereas it is the legislative intent that Group R-2 occupancies being created within an existing Group R-1 or Group R-3 occupancy would NOT be considered as a change in use. As such, the general exiting facilities would not necessarily apply to an existing Group R-1 or Group R-3 unless the requirements were applicable and the time the building was originally permitted for construction.

Case in point, escape or rescue windows required by §310.4. The provisions for escape windows did not become required until the late 1960's and codified in the Building Code in 1970 (maybe '67). It is conceivable that a Group R-3 being converted from a single family dwelling to a Group R-2 may not have existing windows within sleeping rooms that meet current requirements for escape or rescue windows. However, if windows are to be replaced voluntarily to improve energy conditions and/or sound insulation – the new windows would be required to meet the requirements for escape or rescue windows.

Means of Egress.

[CAN]The key to applying the "Exiting" provisions of the building code is the recognition and application of the "General Exiting" provisions prior to applying the more specific regulations in §1007.6.3. An assumption should be made that buildings and their exiting should always meet the general requirements as set forth by the building code for that occupancy group. For general exiting provisions, see Annex I.

Fences and Gates. Grounds of Residential Care for the Elderly facilities serving Alzheimer clients may be fenced and gates therein equipped with locks, provided safe dispersal areas are located not less than 50 feet (15240mm) from the buildings. Dispersal areas shall be sized to provide an area of not less than 3 square feet (0.28^2) per occupant. Gates shall not be installed across corridors or passageways leading to such dispersal areas unless they comply with exit requirements. See Section 1021 for exits from dispersal areas. (Ref. CBC 1007.6.3.7)

Basement Exits. One exit accessible to every room below grade shall lead directly to the exterior at grade level from the basement level. (Ref. CBC 1007.6.3.8)

900.6 Provisions for Habitable Spaces and Efficiency Dwelling Units. See Annex-V.

900.7 Provisions for Fire Alarm and Fire Protection Systems.

Fire Alarm Systems. Residential care facilities classified as Group R, Division 2.3.1 Occupancies shall be provided with smoke alarms or multiple-station smoke alarms. Smoke alarms shall be installed in accordance with the CBC and approved manufacturer's instructions. (Ref. CBC 310.9.1.1)

EXCEPTION: A fire alarm system with smoke detectors located in accordance with CBC Sections 310.9.1.4 and 310.9.1.5 may be installed in lieu of smoke alarms. Upon actuation of the detector, only those notification appliances in the dwelling unit or guest room shall activate.

In addition to smoke alarms required by CBC Section 310.9, Group R, Division 2.3.1 Occupancies shall be provided with at least one manual pull station at a location approved by the authority having jurisdiction. Such pull station shall actuate a distinctive fire alarm signal which shall be audible throughout the facility. These devices need not be interconnected to any other fire alarm device, electrically supervised or provided with emergency power. (Ref. CBC 310.10.2 and CFC does not reference existing R-2.3.1 Occupancies)

Fire Protection Systems. An automatic sprinkler system shall be installed in Group R, Division 2.3.1 Occupancies. Residential or quick-response standard sprinklers shall be used in sleeping rooms. An automatic sprinkler system meeting the requirements of NFPA 13R or 13D may be used in Group R, Division 2.3.1 Facilities. (Ref. CBC 904.2.10.1)

900.8 Special Provisions. Group S, Division 3 or R, Division 1 or 2 Occupancy above. Other provisions of this code notwithstanding, a basement or first story of a building may be considered as a separate and distinct building for the purpose of area limitations, limitation of number of stories and type of construction, when all of the following conditions are met: (Ref. CBC 311.2.2.1)

1. The basement or first story is of Type I construction and is separated from the building above with a three-hour occupancy separation. See Section 302.3.
2. The building above the three-hour occupancy separation contains only Group A, Division 3; Group B; or Group M or R, Division 1 (for SFM) or 2 Occupancies.
3. The building below the three-hour occupancy separation is a Group S, Division 3 Occupancy used exclusively for the parking and storage of private or pleasure-type motor vehicles.

EXCEPTIONS: 1. Entry lobbies, mechanical rooms and similar uses incidental to the

operation of the building.

2. Group A, Division 3 and Group B office, drinking and dining establishments and Group M retail occupancies in addition to those uses incidental to the operation of the building (including storage areas) provided that the entire structure below the three-hour occupancy separation is protected throughout by an automatic sprinkler system.

4. The maximum building height in feet shall not exceed the limits set forth in Table 5-B for the least type of construction involved.

Walls and floors separating dwelling units in the same building shall not be of less than one-hour fire-resistive construction. (Ref. CBC 310.2.2)

EXCEPTION: In Group R, Division 2.3.1 Facilities, walls and floors may be nonrated construction provided:

1. Construction has protection equivalent to ½-inch (12.7 mm), nonrated gypsum wallboard and,

2. Dwelling units are not equipped with open flame, gas or electrical element cooking appliances other than a microwave cooking appliance.

In Group R, Division 2.3.1 Facilities interior non-load-bearing partitions within individual dwelling units, guest rooms or suites when such dwelling units, guest rooms or suites are separated from each other and from corridors by not less than one-hour fire-resistive construction may be constructed of: (Ref. CBC 601.5.2.2)

1. Noncombustible materials or fire-retardant-treated wood in buildings of any type of construction; or

2. Combustible framing with noncombustible materials applied to the framing in buildings of CBC Type III or V construction.

Openings to such corridors shall be equipped with doors conforming to CBC Section 1004.3.4.3.2 regardless of the occupant load served.

For use of plastics in partitions, see CBC Section 2603.10.

In Group R, Division 2.3.1 Facilities where clients are housed above the first floor shall not be of less than one-hour fire-resistive construction throughout except as provided in CBC Section 601.5.2.2. (Ref. CBC 310.2.2)

EXCEPTION: Interior nonload-bearing partitions within individual dwelling units, in apartment houses and guest rooms or suites in hotels where such dwelling units, guest rooms or suites are separated from each other and from corridors by not less than one-hour fire-resistive construction may be constructed of:

1. Noncombustible materials or fire-retardant-treated wood in buildings of any type of construction; or

2. Combustible framing with noncombustible materials applied to the framing in buildings of CBC Type III or V construction.

900.9 Provisions for Emergency Evacuation Planning. These provisions are contained in CCR, Title 22, Division 6, Chapter 1, Article 3-4 General Licensing Requirements and/or CCR, Title 22, Division 6, Chapter 8. Residential Care Facilities for the Elderly and are enforced by the licensing agency. See Annex-VIII for specific information.

900.10 Provisions For and Limitations of Local Fees. For the purpose of application of fees to a community care facility, as defined in Section §1502, a residential-care facility for the elderly, as defined in Section §1569.2, local authority having jurisdiction, as defined in Section §13244, or state fire marshal, which ever has jurisdiction, pursuant to Health and Safety Code Section §13235, Fire Clearance Preinspection fee; the local agency shall upon receipt of a request from a

prospective licensee of a community care facility conduct a preinspection of the facility prior to the final fire clearance approval.

A fee of not more than $50.00 may be charged for the preinspection of a facility with a capacity to serve 25 or fewer persons. A fee of not more than $100.00 may be charged for a preinspection of a facility with a capacity to serve 26 or more persons.

A reasonable final inspection fee, pursuant to Health and Safety Code Section §13131.5, not to exceed the actual cost of inspection services necessary to complete a final inspection may be charged for Group R, Division 2.1 Facilities classified as residential care facilities for the elderly (RCFE).

The local authority having jurisdiction shall complete the final fire clearance inspection for a community care facility, residential-care facility for the elderly~~, or child day-care facility~~ within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final prelicensure inspection by the State Department of Social Services, whichever is later.

Whenever a local authority having jurisdiction requests that the state fire marshal perform plan review and/or inspection services related to a building permit, the applicable fees for such shall be payable to the Office of the State Fire Marshal.

900.11 Applicable State Fire Marshal Interpretations.

- ***Is it the responsibility of the local fire authority to enforce all regulations for Group R, Division 2 Occupancies, including plan review for new facilities?***

The California Health and Safety Code, Section §13146, requires that the local fire authority enforce fire and panic regulations in various occupancies. This includes plan review for compliance with SFM regulations. However, we would encourage the fire authority to work closely with the local building officials so that a comprehensive review of all applicable standards is rendered — including locally adopted ordinances. **SFM Int. 00-011**

- ***Is a Group R, Division 2 facility housing non-ambulatory clients required to comply with the requirements of Chapter 11 concerning Accessibility (e.g., fire alarm strobe lights, exterior ramps, 36-inch hallways and doors, lever style door hardware, etc.).***

The State Fire Marshal only adopted certain sections of Chapter 11B of the California Building Code in its entirety. Since Chapter 11B is specific to public buildings, those sections adopted by the SFM are not applicable to R-2 Occupancies. Therefore, the accessibility standards applicable to Group R, Division 2 facilities are those adopted at the local level for residential applications as found in Chapters 11 and 11A. **SFM Int. 00-011**

- ***In Group R, Division 2 and Group R, Division 6 occupancies that house non-ambulatory persons above the first floor, must the buildings be of Type I- FR or Type II- FR construction as specified in Title 19, §3.23?***

No. The issue of non-ambulatory persons above the first story is addressed in law [§13131.5 (b), California Health and Safety Code] for facilities housing more than six elderly clients. §310.2.2 of the California Building Code addresses other Group R, Division 2 occupancies, while Exception #1 in Appendix Chapter A, Section 316A.1 addresses Group R, Division 6 facilities housing non-ambulatory clients above the first floor. (Note: §3.23 is being revised.) **SFM Int. 03-034**

- ***Does Section 1007.6.3.4, Changes in level, apply to all Group R, Division 2 occupancies or only those that have non-ambulatory clients?***

No. This section would only apply for non-ambulatory clients as defined in Section 215, California Building Code. **SFM Int. 02-039**

- ***Are the Group D Occupancies referred to in Title 19 now Group R Occupancies as included in the California Building Code?***

Yes. Group D occupancies are now classified as Group R-2 and R-6 Occupancies. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant in common areas, such as recreation rooms and/or lobbies in Group R, Division 2 occupancies?***

Yes. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant treated in the individual sleeping rooms in Group R, Division 2 occupancies?***

Not entirely. Exception (a) of Section 3.08, Title 19, allows cubicle curtains, drapes, and other decorative materials to be non- flame retardant in individual sleeping rooms of Institutional and Residential Care Occupancies. However, decorative materials in the individual sleeping room are not exempt from the flame retardant requirements. **SFM Int. 02-033**

- ***Do these requirements apply to all Group R occupancies? If not, which "R" Occupancies would not be included and why?***

No. The requirements of Section 3.08, Title 19, do not apply to Group R, Division 3 occupancies considered single family residences or individual dwelling units in Group R, Division 1 occupancies. However, they do apply to Group R, Division 3 occupancies that are utilized as large family day care homes. **SFM Int. 02-033**

- ***Are fire drills required by State regulation in a Group R, Division 2 Occupancy?***

No. There are no requirements for monthly fire drills for a Group R, Division 2 Occupancy. Section 3.10 of Title 19 speaks only to the evacuation and relocation of occupants. When this code section addresses "fire drills", it specifically is directed at those occupancies that **do** require fire drills (e.g., schools). In addition, State Law provides that requirements for Group R, Division 2 Occupancies housing six or less cannot be amended by local ordinance. **SFM Int. 00-017**

- ***Since all required exits in Group R, Division 2 occupancies must go to a public way, is it the intent of the State Fire Marshal that Section 1007.6.3.4 of the California Building Code (1998) be used for the entire path of travel to the public way or is this section only intended to apply to the interior hallways and corridors?***

Section 1007.6.3.4 applies specifically to the interior exiting system. **SFM Int. 02-025**

- ***CBC, Section 310.10.2 requires that Group R, Divisions 2.1.1, 2.2.1 and 2.3.1 occupancies be provided with at least one manual pull station to activate a distinctive fire alarm signal audible throughout the facility. Is the manual pull station required to be listed by the State Fire Marshal?***

Yes. A manual pull station is a fire alarm device. Per Section 13114(b) of the California Health and Safety Code, all fire alarm devices must be approved and listed by the State Fire Marshal. **SFM Int. 04-013**

- ***Is the device providing the audible signal required to be listed by the State Fire Marshal?***

If the device is designed or constructed to be a fire alarm device, then it must be approved and listed by the State Fire Marshal. If it is not a fire alarm device then it would not have to be listed

by the State Fire Marshal but it would need to produce a distinctive sound audible throughout the facility. **SFM Int. 04-013**

- ***Does the Code intend that bedridden persons in Group R, Division 2.3.1 occupancies be evacuated while in their beds?***

No. **SFM Int. 02-003**

- ***Can the local Authority Having Jurisdiction [AHJ] require that the exit width be increased depending upon the size of the bed?***

No. However, the facility may voluntarily choose to increase the width of the exits. **SFM Int. 02-003**

SECTION 10

Group R Division 3 Facilities

SECTION 1000 – REQUIREMENTS FOR GROUP R DIVISION 3 FACILITIES

1000.1 Group R Division 3 Facilities Defined. Group R Division 3 Facilities are Residential Occupancies containing no more than two dwelling units used for large family day-care homes and lodging houses.

Licensing categories that may use this classification include, but are not limited to: Adult Day-care Facilities, Family Day-care Homes, Adult Day-support Center, Day-care Center for Mildly Ill Children, Infant Care Center and School Age Child Day-care Center. (Ref. CBC 310.1)

1000.2 General Provisions for Group R, Division 3 Facilities. As required for a single family dwelling.

1000.3 Provisions for Type of Construction, Height and Allowable Area. As required for a single family dwelling.

1000.4 Provisions for Protection Based on Proximity to Property Lines. As required for a single family dwelling.

1000.5 Provisions for Access, Egress, and Emergency Escapes. As required for a single family dwelling.

1000.6 Provisions for Habitable Spaces and Efficiency Dwelling Units. See Annex IV

1000.7 Provisions for Fire Alarm and Fire Protection Systems.

Fire Alarm Systems. Large family day-care homes shall be equipped with a State Fire Marshal-approved and listed single station residential type smoke alarms. The number and placement of smoke alarms shall be determined by the enforcement authority. (Ref. CBC 310.15.2)

Large family day-care homes shall be equipped with a portable fire extinguisher having a minimum 2A:10BC rating. (Ref. CBC310.15.3)

Every large family day-care home shall be provided with at least one manual device at a location approved by the authority having jurisdiction. Such device shall actuate a fire alarm signal, which shall be audible throughout the facility at a minimum level of 15db above ambient noise level. These devices need not be interconnected to any other fire alarm device, have a control panel, or be electrically supervised or provided with emergency power. Such device or devices shall be attached to the structure and may be of any type acceptable to the enforcing agent, provided that such devices are distinctive in tone and are audible throughout the structure. (Ref. CBC 310.15.4)

NOTE: This device should be a SFM listed fire alarm, manual pull station and approved bell or horn/strobe.

Fire Protection Systems. None required.

1000.8 Special Provisions. None listed.

1000.9 Provisions for Emergency Evacuation Planning. These provisions are contained in CCR, Title 22, Division 6, Chapter 1, Article 3-4 General Licensing Requirements and/or CCR, Title 22, Division 6, Chapter 8. See Annex-VIII for specific information.

[CAN] Presently, no requirements exist in the California Code of Regulations Title 19 or the California Fire Code for emergency evacuation planning for this type of facility.

1000.10 Provisions For and Limitations of Local Fees. For the purpose of application of fees to Large Family Day-care Homes, pursuant to Health and Safety Code Section §1597.46, the local agency shall process any required permit as economically as possible, and fees charged for review shall not exceed the costs of the review and permit process. (Ref. CBC 107.6.1)

1000.11 Applicable State Fire Marshal Interpretations.

- ***Section 310.15.4 of the California Building Code states that large day care centers must have at least one manual device that can actuate a fire alarm signal at a minimum level of 15db above ambient noise level. The "type" of alarm device "may be of any type acceptable to the enforcing agent, provided that such devices are distinctive in tone and are audible throughout the structure." This sounds as if the cities have the discretion to require large family day cares to install any type of fire alarm the city fire departments (the "enforcing agent") deem "acceptable."***

  However, Section 310.15.5 states that cities may not adopt or enforce any rule relating to fire and life safety that is inconsistent with those adopted by the State Fire Marshal, unless the rule applies to all single family residences.

  The state code apparently does not require hard-wired alarms in large family day cares. What is the State Fire Marshal's position on whether a city has the authority to require hard-wired alarms on large family day care homes, if the same city does not require hard-wired alarms in all single family residences?

The fire alarm requirement for licensed large family day cares stands on its own and has no direct connection to any requirements for single family residences in your community. While it is not the intent of Section 310.15.4 to require a fire alarm system, it is the intent that a manual device be provided, that when activated, initiates an audible fire alarm signal that is a minimum level of 15db above ambient noise level throughout the structure. (An example could be a pull station connected to a bell or horn). The method for achieving the alarm shall be up to the local fire authority. **SFM Int. 05-005**

SECTION 11

Group R Division 6.1 Facilities

SECTION 1100 – REQUIREMENTS FOR GROUP R DIVISION 6.1 FACILITIES

1100.1 Group R Division 6.1 Facilities Defined. Group R Division 6.1 Facilities shall be residential group care facilities, which provide care and/or supervisory services with more than six nonambulatory residents. *Restraint shall not be practiced in these facilities.*

Licensing categories limited to this classification are Halfway Houses such as Community Correctional Centers, Community Correction Reentry Centers, Community Treatment Programs, Work Furlough Programs, and Alcoholism or Drug Abuse Recovery or Treatment Facilities. (Ref. CBC 310.1)

1100.2 General Provisions for Group R, Division 6.1 Facilities. None noted.

1100.3 Provisions for Type of Construction, Height and Allowable Area. Buildings or parts of buildings classes in Group R, Division 6 shall not exceed the limits of area, height and type of construction as specified for the following occupancies:

Group R, Division 6.1 and Group I, Division 1.1 Occupancies have the same requirements as an I-1 Occupancy. See Annex-III for Table 5-B.

EXCEPTIONS: 1. Buildings housing non-ambulatory persons above the first floor shall be constructed of not less than Type V One-hour fire-resistive construction throughout.

2. Buildings which exceed two stories in height or when individual floor areas exceed 3,000 square feet (279m²), shall be constructed of not less than Type V One-hour fire-resistive construction throughout. (Ref. CBC 316A.1)

Shaft Enclosures. Elevator shafts, vent shafts, dumbwaiter shafts, cloths chutes and other vertical openings shall be enclosed and the enclosure shall be as specified in CBC Section 711. (Ref. CBC 319A)

1100.4 Provisions for Protection Based on Proximity to Property Lines. Exterior walls located less than 3 feet (914 mm) from property lines shall be on one-hour fire-resistive construction. Openings shall not be permitted in exterior walls located less than 3 feet (914 mm) from property lines. For other requirements, see CBC Section 503. (Ref. CBC 317A)

1100.5 Provisions for Access, Egress, and Emergency Escapes. General. Group R, Division 6 Occupancies shall be provided with a means of egress as required by this section and Chapter 10 of this code (CBC).

EXCEPTION: Alcoholism or drug abuse recovery or treatment facilities, halfway houses operated by the California Department of Corrections and similar facilities housing residents, none of whom are physically or mentally handicapped, or non-ambulatory may have a means of egress as required for Group R, Division 1 Occupancies. (Ref. CBC Appendix Chapter 3A [For SFM], Division 1, Section 318A.1)

Exits Required. Group R, Division 6.1 Occupancies housing non-ambulatory residents shall be provided with direct exiting from sleeping rooms housing non-ambulatory clients or two separate means of egress exit connected by an exit corridor constructed in accordance with the provisions of Section 1004.3.4. (Ref. CBC, 318A.2.1)

Corridors and Hallways. For Width, see CBC 1004.3.4.2. For Construction, see CBC 1004.3.4.3.1.

EXCEPTIONS: 1. Corridors and hallways serving an occupant load of 10 or less may be constructed in accordance with the provisions of Section 1004.3.3.

2. Corridors and hallways serving resident sleeping areas provided with direct or semi direct exiting may be constructed in accordance with the provisions of Section 1004.3.3. For Openings, see CBC 1004.3.4.3.2. (Ref CBC 318A.3)

Stairways. See CBC 1003.3.3. *EXCEPTION:* In buildings that are converted to a Group R, Division 6 Occupancy, existing stairways may have an 8-inch-maximum (203 mm) rise, 9-inch-minimum (229 mm) run and may be 30 inches (762 mm) in width. (Ref CBC 318A.4)

Ramps. Group R, Division 6 Occupancies housing non-ambulatory residents shall have access to a ramp leading from the first story to the exterior of the building at the ground level. (Ref CBC 318A.5)

Emergency Exit Illumination. In the event of power failure, exit illumination shall be automatically provided from an emergency system. Emergency systems shall be supplied from storage batteries or an on-site generator set and the system shall be installed in accordance with the requirements of the Electrical Code

EXCEPTION: Existing facilities which house 10 or less residents need not provide emergency illumination. (Ref CBC 318A.6)

Emergency Escape. Every Sleeping room shall be provided with emergency escape or rescue facilities as required by CBC Section 310.4 of this code.

EXCEPTION: Existing facilities having emergency escape installations acceptable to the authority having jurisdiction. (Ref CBC 318A.7)

Yards and Courts. Yards and Courts shall be as specified in CBC Section 1203.4. (Ref CBC 318A.8)

Shaft Enclosures. Exits shall be enclosed as specified in CBC Chapter 10 for Group R, Division 1 Occupancies. (Ref CBC 319A)

1100.6 Provisions for Habitable Spaces and Efficiency Dwelling Units. See Annex-V.

1100.7 Provisions for Fire Alarm and Fire Protection Systems.

Fire Alarm Systems. Group R, Division 6 Occupancies shall be provided with smoke detectors as required by Section 310.9. An approved automatic fire alarm system which responds to products of combustion shall be provided in Group R, Divisions 6.1 Occupancies as required for Group R, Division 1 Occupancies.

EXCEPTIONS: 1. Group R, Division 6.2 Occupancies housing persons none of whom are physically or mentally handicapped or non-ambulatory and which provide supervisory services such as alcoholism or drug abuse recovery or treatment facilities, halfway houses operated by the California Department of Corrections, and similar facilities.

2. Group R, Division 6 Occupancies provided with an automatic sprinkler system which complies with Chapter 9. (Ref. CBC 320A.1)

When an automatic fire alarm system is not required, a manual pull station conforming to the California Electrical Code shall be provided at a location approved by the authority having jurisdiction. Such pull station shall actuate a distinctive fire alarm signal which shall be audible throughout the facility. These devices need not be interconnected to any other fire alarm device, be electrically supervised or provided with an emergency power source. (Ref. CBC 320A.2)

Group R, Division 6 Occupancies which house persons who are hearing impaired shall be provided with notification appliances for the hearing impaired installed in accordance with

NFPA 72G and which shall operate upon initiation of either an automatic fire alarm system or the smoke detector required by Section 310.9.1. (Ref. CBC 320A.3)

Fire Protection Systems. An automatic sprinkler system which complies with CBC Chapter 9 shall be provided in Group R, Division 6.1 Occupancies. (Ref CBC 318A.9.1)

An automatic sprinkler system which complies with CBC Chapter 9 shall be provided in Group R, Division 6 Occupancies which house non-ambulatory persons above the first floor. (Ref CBC 318A.9.2)

1100.8 Special Provisions. None listed.

1100.9 Provisions for Emergency Evacuation Planning. These provisions are contained in CCR, Title 22, Division 6, Chapter 1, Article 3-4 General Licensing Requirements and/or CCR, Title 22, Division 6, Chapter 8. Residential Care Facilities for the Elderly and are enforced by the licensing agency. See Annex-VIII for specific information.

1100.10 Provisions For and Limitations of Local Fees. A local agency is pre-empted from applying local ordinances and/or assessing local agency fees per HSC §13143.6 "Protective Social Care."

1100.11 Applicable State Fire Marshal Interpretations.

- ***In Group R, Division 2 and Group R, Division 6 occupancies that house non-ambulatory persons above the first floor, must the buildings be of Type I- FR or Type II- FR construction as specified in Title 19, §3.23?***

No. The issue of non-ambulatory persons above the first story is addressed in law [§13131.5 (b), California Health and Safety Code] for facilities housing more than six elderly clients. §310.2.2 of the California Building Code addresses other Group R, Division 2 occupancies, while Exception #1 in Appendix Chapter A, Section 316A.1 addresses Group R, Division 6 facilities housing non-ambulatory clients above the first floor. (Note: §3.23 is being revised.) **SFM Int. 03-034**

- ***Are the Group D Occupancies referred to in Title 19 now Group R Occupancies as included in the California Building Code?***

Yes. Group D occupancies are now classified as Group R-2 and R-6 Occupancies. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant in common areas, such as recreation rooms and/or lobbies in Group R, Division 2 occupancies?***

Yes. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant treated in the individual sleeping rooms in Group R, Division 2 occupancies?***

Not entirely. Exception (a) of Section 3.08, Title 19, allows cubicle curtains, drapes, and other decorative materials to be non- flame retardant in individual sleeping rooms of Institutional and Residential Care Occupancies. However, decorative materials in the individual sleeping room are not exempt from the flame retardant requirements. **SFM Int. 02-033**

- ***Do these requirements apply to all Group R occupancies? If not, which "R" Occupancies would not be included and why?***

No. The requirements of Section 3.08, Title 19, do not apply to Group R, Division 3 occupancies considered single family residences or individual dwelling units in Group R,

Division 1 occupancies. However, they do apply to Group R, Division 3 occupancies that are utilized as large family day care homes. **SFM Int. 02-033**

SECTION 12

Group R Division 6.2 Facilities

SECTION 1200 – REQUIREMENTS FOR GROUP R DIVISION 6.2 FACILITIES

1200.1 Group R Division 6.2 Facilities Defined. Group R Division 6.2 Facilities shall be residential group care facilities, which provide care and/or supervisory services with more than six ambulatory residents. *Restraint shall not be practiced in these facilities.*

Licensing categories limited to this classification are Halfway Houses such as Community Correctional Centers, Community Correction Reentry Centers, Community Treatment Programs, Work Furlough Programs, and Alcoholism or Drug Abuse Recovery or Treatment Facilities. (Ref. CBC 310.1)

1200.2 General Provisions for Group R, Division 6.2 Facilities. None noted.

1200.3 Provisions for Type of Construction, Height and Allowable Area. Buildings or parts of buildings classes in Group R, Division 6 shall not exceed the limits of area, height and type of construction as specified for the following occupancies:
Group R, Division 6.2 and Group I, Division 1 Occupancies have the same requirements as a Group R, Division 1 Occupancy: See Annex-III for Table 5-B.

EXCEPTIONS: 1. Buildings housing non-ambulatory persons above the first floor shall be constructed of not less than Type V One-hour fire-resistive construction throughout.

2. Buildings which exceed two stories in height or when individual floor areas exceed 3,000 square feet (279m²), shall be constructed of not less than Type V One-hour fire-resistive construction throughout. (Ref. CBC 316A.1)

Shaft Enclosures. Elevator shafts, vent shafts, dumbwaiter shafts, cloths chutes and other vertical openings shall be enclosed and the enclosure shall be as specified in CBC Section 711. (Ref. CBC 319A)

1200.4 Provisions for Protection Based on Proximity to Property Lines. Exterior walls located less than 3 feet (914 mm) from property lines shall be on one-hour fire-resistive construction. Openings shall not be permitted in exterior walls located less than 3 feet (914 mm) from property lines. For other requirements, see CBC Section 503. (Ref, CBC 317A)

1200.5 Provisions for Access, Egress, and Emergency Escapes. General. Group R, Division 6 Occupancies shall be provided with a means of egress as required by this section and Chapter 10 of this code (CBC).

EXCEPTION: Alcoholism or drug abuse recovery or treatment facilities, halfway houses operated by the California Department of Corrections and similar facilities housing residents, none of whom are physically or mentally handicapped, or non-ambulatory may have a means of egress as required for Group R, Division 1 Occupancies. (Ref. CBC Appendix Chapter 3A [For SFM], Division 1, Section 318A.1)

Exits Required. Group R, Division 6.1 Occupancies housing non-ambulatory residents shall be provided with direct exiting from sleeping rooms housing non-ambulatory clients or two separate means of egress exit connected by an exit corridor constructed in accordance with the provisions of Section 1004.3.4. (Ref. CBC, 318A.2.1)

Corridors and Hallways. For Width, see CBC 1004.3.4.2. For Construction, see CBC 1004.3.4.3.1.

EXCEPTIONS: 1. Corridors and hallways serving an occupant load of 10 or less may be constructed in accordance with the provisions of Section 1004.3.3.

2. Corridors and hallways serving resident sleeping areas provided with direct or semi direct exiting may be constructed in accordance with the provisions of Section 1004.3.3. For Openings, see CBC 1004.3.4.3.2. (Ref CBC 318A.3)

Stairways. See CBC 1003.3.3. *EXCEPTION:* In buildings that are converted to a Group R, Division 6 Occupancy, existing stairways may have an 8-inch-maximum (203 mm) rise, 9-inch-minimum (229 mm) run and may be 30 inches (762 mm) in width. (Ref CBC 318A.4)

Ramps. Group R, Division 6 Occupancies housing non-ambulatory residents shall have access to a ramp leading from the first story to the exterior of the building at the ground level. (Ref CBC 318A.5)

Emergency Exit Illumination. In the event of power failure, exit illumination shall be automatically provided from an emergency system. Emergency systems shall be supplied from storage batteries or an on-site generator set and the system shall be installed in accordance with the requirements of the California Electrical Code.

EXCEPTION: Existing facilities which house 10 or less residents need not provide emergency illumination. (Ref CBC 318A.6)

Emergency Escape. Every Sleeping room shall be provided with emergency escape or rescue facilities as required by CBC Section 310.4 of this code.

EXCEPTION: Existing facilities having emergency escape installations acceptable to the authority having jurisdiction. (Ref CBC 318A.7)

Yards and Courts. Yards and Courts shall be as specified in CBC Section 1203.4. (Ref CBC 318A.8)

Shaft Enclosures. Exits shall be enclosed as specified in CBC Chapter 10 for Group R, Division 1 Occupancies. (Ref CBC 319A)

1200.6 Provisions for Habitable Spaces and Efficiency Dwelling Units. See Annex-V.

1200.7 Provisions for Fire Alarm and Fire Protection Systems.

Fire Alarm Systems. Group R, Division 6 Occupancies shall be provided with smoke detectors as required by Section 310.9. An approved automatic fire alarm system which responds to products of combustion shall be provided in Group R, Divisions 6.2 Occupancies as required for Group R, Division 1 Occupancies.

EXCEPTIONS: 1. Group R, Division 6.2 Occupancies housing persons none of whom are physically or mentally handicapped or non-ambulatory and which provide supervisory services such as alcoholism or drug abuse recovery or treatment facilities, halfway houses operated by the California Department of Corrections, and similar facilities.

2. Group R, Division 6 Occupancies provided with an automatic sprinkler system which complies with Chapter 9. (Ref. CBC 320A.1)

When an automatic fire alarm system is not required, a manual pull station conforming to the California Electrical Code shall be provided at a location approved by the authority having jurisdiction. Such pull station shall actuate a distinctive fire alarm signal which shall be audible throughout the facility. These devices need not be interconnected to any other fire alarm device, be electrically supervised or provided with an emergency power source. (Ref. CBC 320A.2)

Group R, Division 6 Occupancies which house persons who are hearing impaired shall be provided with notification appliances for the hearing impaired installed in accordance with

NFPA 72G and which shall operate upon initiation of either an automatic fire alarm system or the smoke detector required by Section 310.9.1. (Ref. CBC 320A.3)

Fire Protection Systems. An automatic sprinkler system which complies with CBC Chapter 9 shall be provided in Group R, Division 6 Occupancies which house non-ambulatory persons above the first floor. (Ref CBC 318A.9.2)

1200.8 Special Provisions. None listed.

1200.9 Provisions for Emergency Evacuation Planning. These provisions are contained in CCR, Title 22, Division 6, Chapter 1, Article 3-4 General Licensing Requirements and/or CCR, Title 22, Division 6, Chapter 8. Residential Care Facilities for the Elderly and are enforced by the licensing agency. See Annex-VIII for specific information.

1200.10 Provisions For and Limitations of Local Fees. A local agency is pre-empted from applying local ordinances and/or assessing local agency fees per HSC §13143.6 "Protective Social Care."

1200.11 Applicable State Fire Marshal Interpretations.

- ***In Group R, Division 2 and Group R, Division 6 occupancies that house non-ambulatory persons above the first floor, must the buildings be of Type I- FR or Type II- FR construction as specified in Title 19, §3.23?***

No. The issue of non-ambulatory persons above the first story is addressed in law [§13131.5 (b), California Health and Safety Code] for facilities housing more than six elderly clients. §310.2.2 of the California Building Code addresses other Group R, Division 2 occupancies, while Exception #1 in Appendix Chapter A, Section 316A.1 addresses Group R, Division 6 facilities housing non-ambulatory clients above the first floor. (Note: §3.23 is being revised.) **SFM Int. 03-034**

- ***Are the Group D Occupancies referred to in Title 19 now Group R Occupancies as included in the California Building Code?***

Yes. Group D occupancies are now classified as Group R-2 and R-6 Occupancies. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant in common areas, such as recreation rooms and/or lobbies in Group R, Division 2 occupancies?***

Yes. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant treated in the individual sleeping rooms in Group R, Division 2 occupancies?***

Not entirely. Exception (a) of Section 3.08, Title 19, allows cubicle curtains, drapes, and other decorative materials to be non- flame retardant in individual sleeping rooms of Institutional and Residential Care Occupancies. However, decorative materials in the individual sleeping room are not exempt from the flame retardant requirements. **SFM Int. 02-033**

- ***Do these requirements apply to all Group R occupancies? If not, which "R" Occupancies would not be included and why?***

No. The requirements of Section 3.08, Title 19, do not apply to Group R, Division 3 occupancies considered single family residences or individual dwelling units in Group R, Division 1 occupancies. However, they do apply to Group R, Division 3 occupancies that are utilized as large family day care homes. **SFM Int. 02-033**

- ***Is it the intent of CBC Section 317A to allow setback from the property line of only three feet for a Group R, Division 6.2 Occupancy if the building is designed with a nonrated exterior wall and unprotected openings even when the occupancy load is greater than ten?***

No. Section 316A states that a Group R, Division 6.2 Occupancy shall not exceed the type of construction as specified for occupancies classified Group R Division 1 Occupancy. **SFM Int. 02-014**

SECTION 13

Group R Division 6.1.1 Facilities

SECTION 1300 – REQUIREMENTS FOR GROUP R DIVISION 6.1.1 FACILITIES

1300.1 Group R Division 6.1.1 Facilities Defined. Group R Division 6.1.1 Facilities shall be residential group care facilities, which provide care and/or supervisory services with six or less nonambulatory residents. *Restraint shall not be practiced in these facilities.*

Licensing categories limited to this classification are Halfway Houses such as Community Correctional Centers, Community Correction Reentry Centers, Community Treatment Programs, Work Furlough Programs, and Alcoholism or Drug Abuse Recovery or Treatment Facilities. (Ref. CBC 310.1)

1300.2 General Provisions for Group R, Division 6.1.1 Facilities. None noted.

1300.3 Provisions for Type of Construction, Height and Allowable Area. Buildings or parts of buildings classes in Group R, Division 6 shall not exceed the limits of area, height and type of construction as specified for the following occupancies:

Group R, Division 6.1.1 Occupancies have the same requirements as a Group R, Division 3 Occupancy. See Annex-III for Table 5-B.

EXCEPTIONS: 1. Buildings housing non-ambulatory persons above the first floor shall be constructed of not less than Type V One-hour fire-resistive construction throughout.

2. Buildings which exceed two stories in height or when individual floor areas exceed 3,000 square feet (279m²), shall be constructed of not less than Type V One-hour fire-resistive construction throughout. (Ref. CBC 316A.1)

1300.4 Provisions for Protection Based on Proximity to Property Lines. Exterior walls located less than 3 feet (914 mm) from property lines shall be on one-hour fire-resistive construction. Openings shall not be permitted in exterior walls located less than 3 feet (914 mm) from property lines. For other requirements, see CBC Section 503. (Ref. CBC 317A)

1300.5 Provisions for Access, Egress, and Emergency Escapes. As approved for a Group R, Division 3 Occupancy.

1300.6 Provisions for Habitable Spaces and Efficiency Dwelling Units. See Annex-V.

1300.7 Provisions for Fire Alarm and Fire Protection Systems. An automatic fire alarm and fire protection system is not required, therefore:

When an automatic fire alarm system is not required, a manual pull station conforming to the California Electrical Code shall be provided at a location approved by the authority having jurisdiction. Such pull station shall actuate a distinctive fire alarm signal which shall be audible throughout the facility. These devices need not be interconnected to any other fire alarm device, be electrically supervised or provided with an emergency power source. (Ref. CBC 320A.2)

Group R, Division 6 Occupancies which house persons who are hearing impaired shall be provided with notification appliances for the hearing impaired installed in accordance with NFPA 72G and which shall operate upon initiation of either an automatic fire alarm system or the smoke detector required by CBC Section 310.9.1. (Ref. CBC 320A.3)

An automatic sprinkler system which complies with CBC Chapter 9 shall be provided in Group R, Division 6 Occupancies which house non-ambulatory persons above the first floor. (Ref CBC 318A.9.2)

1300.8 Special Provisions. None listed.

1300.9 Provisions for Emergency Evacuation Planning. These provisions are contained in CCR, Title 22, Division 6, Chapter 1, Article 3-4 General Licensing Requirements and/or CCR, Title 22, Division 6, Chapter 8. Residential Care Facilities for the Elderly and are enforced by the licensing agency. See Annex-VIII for specific information.

1300.10 Provisions For and Limitations of Local Fees. A local agency is pre-empted from applying local ordinances and/or assessing local agency fees per HSC §13143.6 "Protective Social Care."

1300.11 Applicable State Fire Marshal Interpretations.

- ***In Group R, Division 2 and Group R, Division 6 occupancies that house non-ambulatory persons above the first floor, must the buildings be of Type I- FR or Type II- FR construction as specified in Title 19, §3.23?***

No. The issue of non-ambulatory persons above the first story is addressed in law [§13131.5 (b), California Health and Safety Code] for facilities housing more than six elderly clients. §310.2.2 of the California Building Code addresses other Group R, Division 2 occupancies, while Exception #1 in Appendix Chapter A, Section 316A.1 addresses Group R, Division 6 facilities housing non-ambulatory clients above the first floor. (Note: §3.23 is being revised.) **SFM Int. 03-034**

- ***Are the Group D Occupancies referred to in Title 19 now Group R Occupancies as included in the California Building Code?***

Yes. Group D occupancies are now classified as Group R-2 and R-6 Occupancies. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant in common areas, such as recreation rooms and/or lobbies in Group R, Division 2 occupancies?***

Yes. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant treated in the individual sleeping rooms in Group R, Division 2 occupancies?***

Not entirely. Exception (a) of Section 3.08, Title 19, allows cubicle curtains, drapes, and other decorative materials to be non- flame retardant in individual sleeping rooms of Institutional and Residential Care Occupancies. However, decorative materials in the individual sleeping room are not exempt from the flame retardant requirements. **SFM Int. 02-033**

- ***Do these requirements apply to all Group R occupancies? If not, which "R" Occupancies would not be included and why?***

No. The requirements of Section 3.08, Title 19, do not apply to Group R, Division 3 occupancies considered single family residences or individual dwelling units in Group R, Division 1 occupancies. However, they do apply to Group R, Division 3 occupancies that are utilized as large family day care homes. **SFM Int. 02-033**

SECTION 14

Group R Division 6.2.1 Facilities

SECTION 1400 – REQUIREMENTS FOR GROUP R DIVISION 6.2.1 FACILITIES

1400.1 Group R Division 6.2.1 Facilities Defined. Group R Division 6.2.1 Facilities shall be residential group care facilities, which provide care and/or supervisory services with six or less ambulatory residents. *Restraint shall not be practiced in these facilities.*

Licensing categories limited to this classification are Halfway Houses such as Community Correctional Centers, Community Correction Reentry Centers, Community Treatment Programs, Work Furlough Programs, and Alcoholism or Drug Abuse Recovery or Treatment Facilities. (Ref. CBC 310.1)

1400.2 General Provisions for Group R, Division 6.2.1 Facilities. None noted.

1400.3 Provisions for Type of Construction, Height and Allowable Area. Buildings or parts of buildings classes in Group R, Division 6 shall not exceed the limits of area, height and type of construction as specified for the following occupancies:
Group R, Division 6.2.1 Occupancies have the same requirements as a Group R, Division 3 Occupancy. See Annex-III for Table 5-B.

EXCEPTIONS: 1. Buildings housing non-ambulatory persons above the first floor shall be constructed of not less than Type V One-hour fire-resistive construction throughout.

2. Buildings which exceed two stories in height or when individual floor areas exceed 3,000 square feet (279m²), shall be constructed of not less than Type V One-hour fire-resistive construction throughout. (Ref. CBC 316A.1)

1400.4 Provisions for Protection Based on Proximity to Property Lines. Exterior walls located less than 3 feet (914 mm) from property lines shall be on one-hour fire-resistive construction. Openings shall not be permitted in exterior walls located less than 3 feet (914 mm) from property lines. For other requirements, see CBC Section 503. (Ref. CBC 317A)

1400.5 Provisions for Access, Egress, and Emergency Escapes. As approved for a Group R, Division 3 Occupancy.

1400.6 Provisions for Habitable Spaces and Efficiency Dwelling Units. See Annex-V.

1400.7 Provisions for Fire Alarm and Fire Protection Systems. An automatic fire alarm and fire protection system is not required, therefore:

When an automatic fire alarm system is not required, a manual pull station conforming to the California Electrical Code shall be provided at a location approved by the authority having jurisdiction. Such pull station shall actuate a distinctive fire alarm signal which shall be audible throughout the facility. These devices need not be interconnected to any other fire alarm device, be electrically supervised or provided with an emergency power source. (Ref. CBC 320A.2)

Group R, Division 6 Occupancies which house persons who are hearing impaired shall be provided with notification appliances for the hearing impaired installed in accordance with NFPA 72G and which shall operate upon initiation of either an automatic fire alarm system or the smoke detector required by CBC Section 310.9.1. (Ref. CBC 320A.3)

An automatic sprinkler system which complies with CBC Chapter 9 shall be provided in Group R, Division 6 Occupancies which house non-ambulatory persons above the first floor. (Ref CBC 318A.9.2)

1400.8 Special Provisions. None listed.

1400.9 Provisions for Emergency Evacuation Planning. These provisions are contained in CCR, Title 22, Division 6, Chapter 1, Article 3-4 General Licensing Requirements and/or CCR, Title 22, Division 6, Chapter 8. Residential Care Facilities for the Elderly and are enforced by the licensing agency. See Annex-VIII for specific information.

1400.10 Provisions For and Limitations of Local Fees. A local agency is pre-empted from applying local ordinances and/or assessing local agency fees per HSC §13143.6 "Protective Social Care."

1400.11 Applicable State Fire Marshal Interpretations.

- ***In Group R, Division 2 and Group R, Division 6 occupancies that house non-ambulatory persons above the first floor, must the buildings be of Type I- FR or Type II- FR construction as specified in Title 19, §3.23?***

No. The issue of non-ambulatory persons above the first story is addressed in law [§13131.5 (b), California Health and Safety Code] for facilities housing more than six elderly clients. §310.2.2 of the California Building Code addresses other Group R, Division 2 occupancies, while Exception #1 in Appendix Chapter A, Section 316A.1 addresses Group R, Division 6 facilities housing non-ambulatory clients above the first floor. (Note: §3.23 is being revised.) **SFM Int. 03-034**

- ***Are the Group D Occupancies referred to in Title 19 now Group R Occupancies as included in the California Building Code?***

Yes. Group D occupancies are now classified as Group R-2 and R-6 Occupancies. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant in common areas, such as recreation rooms and/or lobbies in Group R, Division 2 occupancies?***

Yes. **SFM Int. 02-033**

- ***Is it the intent of the Code to require drapes, curtains, and other decorative materials to be flame-retardant treated in the individual sleeping rooms in Group R, Division 2 occupancies?***

Not entirely. Exception (a) of Section 3.08, Title 19, allows cubicle curtains, drapes, and other decorative materials to be non- flame retardant in individual sleeping rooms of Institutional and Residential Care Occupancies. However, decorative materials in the individual sleeping room are not exempt from the flame retardant requirements. **SFM Int. 02-033**

- ***Do these requirements apply to all Group R occupancies? If not, which "R" Occupancies would not be included and why?***

No. The requirements of Section 3.08, Title 19, do not apply to Group R, Division 3 occupancies considered single family residences or individual dwelling units in Group R, Division 1 occupancies. However, they do apply to Group R, Division 3 occupancies that are utilized as large family day care homes. **SFM Int. 02-033**

- ***We have received an application to permit a new drug rehabilitation/alcoholic recovery center to be placed in an existing single- family dwelling (Group R, Division 3 occupancy). The center is not and will not be licensed by the State. The facility will be limited to six ambulatory adult clients for at least two weeks with overnight stay. The applicant claims the occupancy group for the center is Group R, Division 3(based on the number of ambulatory adults) and is not a Group R, Division 6.2.1 occupancy since***

the facility is not a licensed facility in accordance to the Sections 13133 and 13143 of the California Health and Safety Code. Please help us identify the correct occupancy type.

If a fire and life safety inspection is required, the Authority Having Jurisdiction must place the facility in the occupancy that it most nearly resembles. Even though the facility is not licensed, the description provided would indicate that this facility would most closely resemble a Group R, Division 6.2.1 occupancy. **SFM Int. 04-023**

SECTION 15

Most Frequently Asked Questions and Answers Regarding Residential Care Facilities

1. ***When is a class 1 hood over cooking equipment required in an R-2?***
   Per section 508.1 of the 1995 CMC, a Type 1 hood would be required in a facility not meeting the definition of a dwelling unit and using commercial-type cooking which produces comparable amounts of steam, smoke, grease or heat. Some R-2 facilities may fall under these parameters.

2. ***Are handicapped ramps required for accessibility for all required R-2 exits?***
   In general, the local fire departments are not responsible for enforcement of the accessibility provision of the California Building Code (CBC). While the State Fire Marshal specifically adopts Section 1108A and Sections 1114B.2.1 through 1114B.2.5. These sections are relative to public and commercial buildings and would not be applicable to those R-2 Occupancies housing 6 or less.

   For R-2's housing more than 6, the local fire department is responsible for enforcement of CBC, Section 1114B.2.1, which states that "In portions of buildings required to be accessible, accessible means of egress shall be provided in the same number as required for exits by Chapter 10". Therefore, the local fire department has the responsibility for ensuring that if two exits are required from the floor of discharge, that both of these exits are provided with ramps for handicapped accessibility.

3. ***When are State Fire Marshal's new guide for R-2 Occupancies going to be printed?***
   Not in the near future. The last guide that was recently printed was printed by the California Association of Residential Care Facilities without the blessing of the State Fire Marshal. Printing costs cannot be borne by the State Fire Marshal at this time. Additionally, personnel shortages hamper the production of a new document at this time.

4. ***When an existing R-3 is being converted to a R-2.1.1, is the occupancy exempt from code requirements because it is an existing R-3?***
   No it is not exempt. Conversion of the R-3 to R-2.1.1 is considered a change in occupancy and is subject to the requirements for an R-2.1.1. There may be some existing facilities where existing construction issues such as window sill heights, etc, may have to be discussed and resolved with the local fire authority.

5. ***When smoke detectors are required in sleeping rooms, are they required to be interconnected to sound a common alarm throughout?***
   Sections 310.9.1.4 and 310.9.1.5 do not intend that smoke detectors sound a common alarm throughout the building. The intent is that the alarm be heard in all sleeping rooms of the dwelling if the unit meets the definition of a dwelling. The reason being that when the staff are awake, they readily perceive any fire or smoke situation. On the other hand, if everyone is asleep, a smoke detector sounding will then alert all occupants in their bedrooms. As a standard, use a maximum of 15 db above ambient noise level at adjacent bedrooms or 70 db minimum throughout the sleeping areas.

6. ***Can a NFPA 13R or 13D system be used in lieu of an NFPA 13 system?***
   Section 904.2.10 (Exception #2) would permit you to install a NFPA 13R or 13-D system in R2.1.1 and R2.2.1 occupancies when a sprinkler system is required. Further, section 904.2.10.1 gives the same allowance for R2.3.1 Occupancies.

Group R2.1's are specifically governed by Health and Safety Code Section §13131.5 which requires the entire building to have an NFPA 13 system. Also, Section 904.2.10.1 mandates the use of an NFPA 13 system on R2.3 Occupancies.

While the code is silent in R2.2's, other than requiring a sprinkler system, these occupancies would require an NFPA 13 system. However, please note the exceptions #3 and 4 of Section 904.2.10 as they relate to R2.2's.

It must also be noted R-2 Occupancies which house adults (18-64) which are ambulatory, and are not physically or mentally handicapped can be exempted from sprinkler requirements as per Health and Safety Code, Section 13143.6 (b).

7. ***In the CBC section 310.1 defining R-2's, it appears that these occupancies are only for the elderly. Is this true? If not, what other clients can be housed?***
Section 310.1, 2001 CBC defines R-2 occupancies as residential facilities **and** residential care facilities for the elderly. As such, it speaks to two types of facilities. R-2's can house persons of any age group.

8. ***What is the authority of the local fire department in granting fire clearance for ICF-DD(N)(H)?***
Health and Safety Code Section 1267.8 (a) specifically states that Intermediate Care Facilities-Developmentally Disabled Habilitative or Developmentally disabled Nursing (ICF-DDH's or DDN's), shall meet the same fire safety standards that apply to community care facilities, (R-2's). Further, it mandates the local fire authorities to enforce SFM regulations within these types of facilities.

9. ***When can the local fire department require chapter 11(accessibility)?***
Section 310.4 refers you to Chapter 11 for accessibility. The State of California amended Chapter 11 to create Chapter 11A and 11B. The SFM adopted only section 1108A of Chapter 11A and sections 1114B.2.1 through 1114B.2.5 of Chapter 11B. Consequently, these are the only sections that can be enforced by the local fire department unless there is a local ordinance adopting more elements of Chapter 11.

10. ***How does section 1114B.2.4 apply to R-2's?***
In R-2's that are six or less, this section would not apply as a fire alarm system is not required. While the local fire department cannot require visual warning appliances, they can make strong recommendations to the owner for provision of visual warning devices in residential care facilities for the elderly, or other facilities where it is likely there will be hearing-impaired occupants.

In R2.1's, R2.2's and R2.3's this section would apply with the strobes placed in the common areas and other areas open to the public.

11. ***Are sliding glass doors considered approved exits?***
As per section 1003.3.1.2, manually operated horizontal sliding doors may be used when serving an occupant load of 10 or less. This count would also include the staff in R-2 facilities. As a result, R2.1.1 and R2.2.1 occupancies could use sliding glass doors.

12. ***When a facility changes capacity (4 ambulatory, 2 non-ambulatory to 2 ambulatory, 4 non-ambulatory) does the local fire department have the authority to require the facility to meet current code?***
Yes. The local fire department has the authority to require the facility to meet current code as this is a change in occupancy. In this particular example changing the capacity to 4 non-ambulatory clients changes the occupancy from an R2.2.1 to an R2.1.1 occupancy as there

are more than 2 non-ambulatory clients. Consequently, the changes that are required are directly related to the non-ambulatory clients, (i.e., location of the non-ambulatory clients, exiting from their bedrooms, ramps, etc.)

13. ***What extent of storage, i.e. vehicles, mattresses, boxed items are allowed in the garage of a facility?***

The CBC does not deal with this issue as it is more of a maintenance item. If the garage is in a residential setting, it is then up to the AHJ to use common sense in determining what is "too much storage." If it is determined to be excessive, the inspector can use Title 19, sections 3.19 (housekeeping) and 3.14 (fire hazard) as enforcement tools.

On the other hand, if the garage is not in a residential setting, the extent of storage is going to be determined by the type of occupancy, type of construction, type of storage, fire protection systems such as sprinklers, occupancy separations and whether the garage is a distinct and separate building.

14. ***In defining "Non-ambulatory" what is meant by "assistance?"***

This means physical assistance by either other persons or the use of a mechanical device such as crutches, walkers and wheelchairs.

15. ***What are the code requirements for hospice care?***

Hospices are defined in the code as R2.3 and R2.3.1 Occupancies. They are part of the R2 Occupancies and the specific requirements would be found in the same areas of the code as the R2's.

16. ***When are wood shakes allowed (especially in cases where the structure was built as a Group R-3 with no restrictions?***

Wood shakes would be allowed in R2.1.1, R2.2.1 and R2.3.1 Occupancies that are existing structures. However, as per section 310.1.5 the local AHJ can be more stringent and adopt other standards related to roof coverings for residential care facilities for the elderly.

17. ***Are there any general guidelines that can be used to determine when exit corridors are required?***

No such animal. Basically, the designer decides if the building will have corridors or hallways. The enforcing authority then applies the code based on the physical layout of the building. However, Section 1004.3.4.3 gives you direction as to when 1-hour corridors are required.

18. ***Could the details between non-ambulatory and bedridden be clarified?***

Non-ambulatory persons cannot exit the building unassisted under emergency conditions. This means that they need the aid of a person or mechanical device to leave the building. They may be able to get themselves from the bed into the wheelchair and then exit under their power. The assistance comes from the use for the wheelchair. Health and Safety Code Section 13131 gives you a good definition.

Bedridden persons are those confined to a bed. This means that they could not get themselves out of bed or into any mechanical device to exit the building. Consequently, these people are totally dependent on others for purposes of exiting. See H & S Section 1569.72 for the specific definition.

19. ***What are the minimum access and water supply requirements?***

For R-2's within a city, the street is the required access. For a facility out in the country, a 20' all weather access road is required as per Title 19, Section 3.05. In regards to water supply requirements, for the R2.1.1's and R2.2.1's the water supply is the same as it would

be for any other residence within the area. For the R2.1's, R2.2's, R2.3's and R2.3.1's, the water supply will depend on the sprinkler systems that will be installed as well as local ordinances regarding water supply.

20. When are interconnected smoke detectors required (especially in cases of an existing R-3 converted to an R-2)?

Smoke detectors are required to be interconnected only in the case of an R2.1 when they are part of an automatic fire alarm system. In the other R2's, they may be interconnected to other smoke detectors located within the sleeping areas, but that is not required as long as the detectors will be heard in all sleeping areas.

21. Are building permits required for the installation of a required ramp?

Section 106, 2001 CBC would require a permit unless specific exemptions are granted by the building department.

22. Are curtains required to be treated by a licensed applicator?

It is the intent of the code that when curtains are required by code to be flame retardant, they either be inherently flame retardant or they be treated with an approved flame retardant chemical by a licensed applicator.

23. What are the minimum exterior walkway requirements for an exit to a public way?

There are no requirements for a walkway to a public way. Rather, the code defines an exit as a continuous and unobstructed means of egress to a public way. What that means is that the code gives the user the option of how to achieve a continuous and unobstructed path or means to a public way. In this sense, it means that whatever surface is used, it must not present any impediment to the user and must be an all weather surface.

24. Are any steps allowable for non-ambulatory persons?

Steps are allowable in an R2 facility as long as these are not part of a required exit for non-ambulatory persons. Required exits for non-ambulatory persons must be provided with ramps if the floor of discharge is above or below grade.

25. What types of locking devices are permissible on sliding doors in bedrooms with direct exits?

The use of sliding doors is discouraged because, while they can have them, the doors are required to have the "no special knowledge type of lock or latch". Any method that will meet this requirement is allowed in a sliding door.

26. What is the minimum width of a sliding door exit?

Section 1003.3.1.3 requires a minimum clear opening of 32 inches with the door open 90 degrees, measured between the face the door and the opposite stop. Remember that the 32" opening also applies to sliding doors.

27. How much interior remodeling can be done without a building permit?

Section 106.2 of the 2001 CBC outlines the building permit exemptions. However, good judgment on the part of the enforcement authority must always be exercised.

28. When the code states "R-2" in a requirement, does it mean all R-2's?

It includes all the R-2's.

29. Is a non-medical facility an R-2?

Not automatically. The facility must be a residential care facility licensed by Community Care Licensing, or a congregate living health facility licensed by the Department of health Services. That is the key. If it's licensed by another agency, it is not an R-2.

30. ***What about children who are illegal aliens being detained. Is this an R-2 facility?***
The key word is "detained". This usually means that someone is being held against their will. Detention constitutes "restraint" and as such would make any such facility an I-3.

31. ***On an R-2, it is mandated that a pre-inspection be conducted if 6 or less? Who mandates?***
Health and Safety Code Section 13235 requires the local jurisdiction to conduct a pre-inspection of an R-2 when the provider requests one.

32. ***Would a facility operator be required to do a pre-inspection if asked by the owner?***
This would be an issue between the owner and the provider. The codes do not address this issue.

33. ***Is the fee associated with the first site visit? What happens when they don't pay? Do you withhold the fire clearance?***
The fee is specifically associated with the pre-inspection only and clearly outlined in Health and Safety Code Section 13235. It is up to the AHJ to determine the method for collecting payments. It is recommended that the fee be collected prior to the pre-inspection.

34. ***Pre-inspection fees only applies to R-2's?***
No. Health Safety code Section 13235 provides for a pre-inspection to be done in community care facilities, residential care facilities for the elderly, or child day care facilities.

35. ***Is a child-care an E Occupancy?***
Not necessarily. If it was a child care in a residential building and had a capacity of 14 or less children it would be a large family day care and as such would be an R-3 Occupancy.

36. ***The 2001 CBC, Table 10-A, states that 2 exits are required in R-2 occupancies if the occupant load is ten or more. Is this accurate?***
The 2001 CBC, Section 1007.6.3.1.1 requires a minimum of two exits from all R2 Occupancies. Therefore, Table 10-A is in error in the column that speaks to the number of occupants that are required before two exits must be provided. Cross out the 10 on row #31 relative to R2' and replace it with the #1.

Note: When dealing with Residential Care Facilities for the Elderly specifically, Group R, Division 2.2 occupancies shall have a minimum of two exits from stories above the first floor when non-ambulatory persons are housed above the first story regardless of the occupant load of that story. This inconsistent application is necessary for compliance with Health & Safety code §13131.5.

37. ***If a facility requires two exists, is an exit path through the garage acceptable for one of the exits?***
No. This would be in conflict with the general provisions of Section 1007.6.3.2.3, 2001 CBC whereas exits shall not pass through kitchens, store rooms, restrooms, closets or spaces used for similar rooms.

38. ***When are smoke alarms required in bedrooms? When are they required for common areas only? Are all R-3 and R-2 occupancies required to have smoke alarms in the bedrooms or does this apply only to R-2, R-3, and R-6 occupancies established on or after January 1, 1987?***
In all bedrooms of Group R2 and R6 occupancies built on or after August 12, 1992. Of course there are retroactive requirements built in to the section which apply when construction exceeds $1,000.00 or a bedroom is added. Smoke alarms are required in common areas for Group R3's single-family residences, duplexes and apartments as per Health & Safety code §13113.7 & §13113.8.

39. What are the specifics regarding indirect exiting through rooms for the "R" occupancies? (CBC Section 1007.6.3.2.2)

First, the requirements for Section 1007.6.3.2.2, Title 24 CBC apply to the placement of non-ambulatory residents in R-2.1.1 and R2.2.1 occupancies housing non-ambulatory clients are housed and at least one exit shall conform to the following:

A. Direct exit from the bedroom to the exterior.
B. Exit through an adjoining bedroom which exits to the exterior.
C. From a bedroom to a hallway which exits directly to the exterior.
D. From a bedroom through a hallway (hallway should be separated from common areas by door at mouth of hallway) to a bedroom with direct exiting. Such bedroom shall have an exit sign placed in accordance with 1007.6.3.2.2.

40. What are the distinctions between R-2 and R-6 occupancies?

Group R, Division 6 occupancies are a result of health & Safety Code §13143.6, Protective Social Care (to protect them from themselves or to protect others from them). Normally clients in R6's are referred to the facility by a governmental agency. R6's are licensed by state agencies other than Department of Social Services. Refer to the definition of Group R, Division 6 Occupancies as defined in Section 310.1, 2001 CBC which specifically states that R-6's are **limited to** halfway houses such as community correctional centers, community correction reentry centers, community treatment programs, work furlough programs, and alcoholism or drug abuse recovery or treatment facilities.

On the other hand, R2's are licensed by the Department of Social Services or the Department of Health. The clients can be placed there by their families or other means, and not necessarily referred there by a governmental agency. They are there basically for care and supervision.

ANNEX-I
EXITING GENERAL PROVISIONS

EXITS

[CAN] The key to applying the "Exiting" provisions of the building code is the recognition and application of the "General Exiting" provisions prior to applying the more specific regulations for in §1007.3, §1007.6 and §1007.6.3. An assumption should be made that buildings and their exiting should always meet the general requirements as set forth by the building code for that occupancy group.

MEANS OF EGRESS

General. The building official shall assign a use category as set forth in CBC Table 10-A to all portions of a building. When an intended use is not listed in CBC Table 10-A, the building official shall establish a use based on a listed use that most nearly resembles the intended use. (Ref. CBC 1003.2.1.1)

[CAN] The State Fire Marshal has amended CBC Table 10-A so as to remove all confusion in regards to "use" application by adding items #31 for Group R, Division 2 Occupancies and #32 for group R-6 occupancies.

Change in use. No change in use or occupancy shall be made to any existing building or structure unless the means of egress system is made to comply with the requirements of this chapter for the new use or occupancy. (Ref. CBC 1003.2.1.2)

[CAN] New Group R, Division 2 Occupancies within an existing residential use shall not be considered a change in use per Health & Safety Code §1569.1. The provisions of §1007.6.3 shall be applied regardless.

Occupant Load.

[CAN] As specified by footnote #6 in CBC Table 10-A, the number of clients for occupancy classification shall be determined by the licensing authority. The establishment of an Occupant Load Factor is to make the determination occupant load for specific requirements such as Exiting Width, rated corridors, etc. Dining rooms and assembly rooms should still utilize the occupant load factors assigned to that specific use.

Changes in elevation.

[CAN] See §1007.6.3.4 for specific Group R, Division 2 Occupancy requirements regardless of an existing use as residence.

Means of egress identification.

Where required. The path of exit travel to and within exits in a building shall be identified by exit signs conforming to the requirements of CBC Section 1003.2.8. Exit signs shall be readily visible from any direction of approach. Exit signs shall be located as necessary to clearly indicate the direction of egress travel. No point shall be more than 100 feet (30 480 mm) from the nearest visible sign. (Ref. CBC 1003.2.8.2)

[CAN] It was not the original intent of the State Fire Marshal to require exit signs in less than six facilities (except when exiting from a room through a hallway to another room with a direct exit). However, changes in the general provisions of model code for the 1997 UBC now require exit signs and do not exempt facilities housing six or less. However, while not noted in the code, the intent of the SFM regulations is to only require those exit signs as per Section 1007.6.3.2.2. In this case, the specific provisions take precedence over the general provisions.

Means of egress illumination.

General. Any time a building or portion of a building is occupied, the means of egress serving the occupied portion shall be illuminated at an intensity of not less than 1 foot-candle at the floor level.

EXCEPTIONS: 1. In Group R, Division 2.1.1, 2.2.1, 2.3.1, 6.1.1, 6.2.1 and 3 Occupancies and within individual units of Group R, Division 1 Occupancies.

2. Sleeping rooms in Group I Occupancies and sleeping rooms in Group R, Division 2.1, 2.2, 2.3, 6.1 and 6.2 Occupancies. (Ref. CBC 1003.2.9.1)

Means of egress components.

Doors.

Special doors. Revolving, sliding and overhead doors serving an occupant load of 10 or more shall not be used as required exit doors. Manually operated horizontal sliding doors may be used when serving an occupant load of 10 or less. Large family day-care homes may use manually operated horizontal sliding doors when serving an occupant load of 14 or less. (Ref. CBC 1003.3.1.2)

[CAN] In general, sliding doors in Group R, Division 2.1.1, 2.2.1, 2.3.1 and 6.1.1 facilities may be used as an exit. Consideration should be given to thresholds exceeding more than ¼ inch in height shall comply with §1007.6.3.4, Title 24 CBC.

Width and height. Every required exit doorway serving an occupant load of 10 or more shall be of a size to permit the installation of a door not less than 3 fee in nominal width and not less than 6 feet 8 inches in nominal height. Were installed, exit doors shall be capable of opening such that the clear width of the exit is not less than 32 inches. In computing the exit width as required by Section 1003.2.3, the net dimension of the doorway shall be used. (CBC 1003.3.1.3)

[CAN] In general, exit doors in Group R, Division 2.1.1, 2.2.1, 2.3.1 and 6.1.1 facilities may be less than 32 inches. For new construction, the code official should check with the building department for applicable housing codes. Existing residences or Group R, Division 3 occupancies being converted to an R-2 would be allowed to maintain their existing exit widths.

Type of lock or latch. Regardless of the occupant load served, exit doors shall be openable from the inside without the use of a key or special knowledge or effort.

[CAN] The phrase "special knowledge or effort" appears to be an elusively defined phrase. No definition can be found in the California Building Code, however the Handbook To The Uniform Building Code™ contains descriptive language to aid the local enforcer.

Section 1003.3.1.8 Type of lock or latch. "...Therefore, as a general statement, this section states that all doors in the egress system are required to be openable from the inside or from the side from which egress is sought, without the need of a key or any special knowledge or effort. If a key or special knowledge or effort is required, in all probability the door could not be readily openable by many building occupants. Such things as combination locks are also prohibited on doors in exiting systems. Essentially, the code intends that the hardware installed be of a type familiar to most users something that is readily recognizable under any condition of visibility, including darkness, and under conditions of fire or any other emergency.

In addition, the hardware must be readily operable. At times one will encounter different types of devices, such as thumb turns, surface bolts or other kinds of hardware. The building official must determine if these special types of operating devices are acceptable. In many instances, it will be necessary to ensure that the

building occupant can, in fact, grip the operating device and operate it. Some thumb turns are so small that they are, by their nature, quite difficult to operate..."

Special egress-control devices. When approved by the building official, exit doors in Group B; Group F; Group I Divisions 2; Group M; Group R, Division 1 congregate residences serving as a group-care facilities and Division 2 facilities licensed as a Residential Care for the Elderly (RCFE) housing clients with Alzheimer's disease and other forms of dementia; residential facilities licensed as an adult residential care facility, group home, small family home, foster family home or a family home certified by a foster family agency and Group S Occupancies may be equipped with approved listed special egress-control devices of the time-delay type, provided the building is protected throughout by an approved automatic sprinkler system and an approved automatic smoke-detection system in accordance with Section 1007.2.14 of the California Fire Code. Such devices shall conform to all the following:

1. The egress-control device shall automatically deactivate upon activation of either the sprinkler system or the smoke-detection system.
2. The egress-control device shall automatically deactivate upon loss of electrical power to any one of the following:
   a. The egress-control device itself.
   b. The smoke-detection system.
   c. Means of egress illumination as required by CBC Section 1003.2.9
3. The egress-control device shall be capable of being deactivated by a signal form a switch located in an approved location.
4. An irreversible process that will deactivate the egress-control device shall be initiated whenever a manual force of not more than15 pounds is applied for two seconds to the panic bar or other door-latching hardware. The egress-control device shall deactivate within an approved time period not to exceed a total of 15 seconds. The time delay established for each egress-control device shall not be field adjustable.
5. Actuation of the panic bar or other door-latching hardware shall activate an audible signal at the door.
6. The unlatching shall not require more than one operation. A sign shall be provided on the door located above and within 12 inches of the panic bar or other door-latching hardware reading: (Ref. CBC 1003.3.1.10)

   "KEEP PUSHING. THIS DOOR WILL OPEN IN 15 SECONDS. ALARM WILL SOUND"

[CAN] The requirements for delayed egress are prescriptive. Although the beginning of the section states, "When approved by the building official...;" note that Health & Safety Code §1531.1 permits a facility to utilize this technology provided other non-building standards are applied.

THE EXIT ACCESS

Corridors.

Construction. Construction of Groups C; I and R, Division 2 Occupancies having an occupant load of seven or more in Group E shall be fully enclosed by walls, a floor, a ceiling and permitted protected openings. The walls and ceilings of corridors shall be constructed of fire-resistive materials as specified in Section 1004.3.4.3.1. (Ref. CBC 1004.3.4.3)

[CAN] The construction of corridors was intended to be one-hour for all Group R, Division 2 occupancies housing more than six residents.

MEANS OF EGRESS REQUIREMENTS BASED ON OCCUPANCY

Group R, Division 2 Occupancies.

Number of exits. Group R, Division 2 Occupancies shall have exits as may be required by Section 1005.3.3. Buildings of Division 2 Occupancies shall have a minimum of two exits.

EXCEPTION: Divisions 2.1.1 and 2.2.1 Occupancies which are constructed of not less than Type V, One-hour construction and which are provided with an automatic sprinkler system complying with CBC Chapter 9 may have exits as required by CBC Section 1005.3.3.

Excerpt from CBC Table 10-A MINIMUM EGRESS REQUIREMENTS[1]

USE[2]	MINIMUM OF TWO EXITS OTHER THAN ELEVATORS ARE REQUIRED WHERE NUMBER OF OCCUPANTS IS AT LEAST	OCCUPANT LOAD FACTOR[3] (square feet)
		X 0.0929 for m²
#31. Group R, Division 2	*1*	*300*

(Ref. CBC 1007.6.3.1.1)

Two enclosed exit stairways which are remotely located from each other shall be provided in Division 2.1 Occupancies housing nonambulatory clients above the first floor. Except as required by Section 1005.3.3 enclosed stairways which serve non-rated corridors may be of non-rated construction. (Ref. CBC 1007.6.3.1.2)

Exit arrangements.

Exiting through adjoining dwelling units shall not be permitted. (Ref. CBC 1007.6.3.2.1)

In Group R, Divisions 2.1.1, 2.2.1, and 2.3.1 Occupancies which are of non-rated construction, bedrooms used by nonambulatory clients shall have access to **at least one** of the required exits which shall conform to one of the following:

Exits through a corridor/hallway or area and into a bedroom (in the immediate area) which has an exit directly to the exterior. Bedroom doors used as exits shall have exit signs complying with CBC Section 1013.

Through a corridor/hallway (serving the sleeping area which exits directly to the exterior).

Direct exit from the bedroom to the exterior.

Exit through an adjoining bedroom which exits to the exterior. (Ref. CBC 1007.6.3.2.2)

[CAN] Originally when the old provisions for Group I, Division 1A's and 2A's were being applied, it called for direct or semi-direct exiting from the rooms. When the Group R, Division 2 regulations were written with the adoption of the 1991 UBC, there was a specific intent to drop semi-direct and direct as the only means of exiting clients. It was felt by the code development committee at the time, that in lieu of limiting exiting to "direct and semi-direct", it could include "from a bedroom to a hallway with direct exiting" and "from a bedroom to a hallway to a bedroom with direct exiting" because smoke alarms were now introduced into every bedroom (these are the requirements now found in §310.9). SFM Code Interpretation #02-046 requires a door at the mouth of the hallway when utilizing the hallway as means of egress for six or less non-ambulatory.

A means exit shall not pass through kitchens, storerooms, closets or spaces used for similar purposes. (Ref. CBC 1007.6.3.2.3)

EXCEPTION: Kitchens which do not form separate rooms by construction.

Exits shall not pass through more than one intervening room. (Ref. CBC 1007.6.3.2.4)

[CAN] This section was intended for Group R, Division 2.1, 2.2, and 2.3. Although this section is generalized for all Group R, Division 2 Occupancies; §1007.6.3.2.2 is prescriptive/specific allowance for more than one intervening room in facilities housing six or less clients. SFM Code Interpretation #02-046 clarifies that in facilities housing six or less utilizing the hallway to exit, the hallway is not counted as an intervening room.

Corridors/hallways. The minimum clear width of a corridor shall be as follows:

1. In Group R, Division 2.1 Occupancies sixty inches on floors housing nonambulatory clients.

EXCEPTION: Existing buildings reclassified to a Group R, Division 2.1 Occupancy, built prior to January 1, 1994, with existing corridors having a width of not less than 44 inches.

Forty-four inches on floors housing only ambulatory clients.

2. In Group R, Division 2.1.1 thirty-six inches on floors housing clients.
3. In Group R, Division 2.2 forty-four inches on floors housing clients.

EXCEPTIONS: 1. Corridors serving an occupant load of 10 or less shall not be less than 36-inches in width.

2. Corridors serving ambulatory persons only and having an occupant load of 49 or less shall not be less than 36-inches in width.

4. In Group R, Division 2.2.1 Occupancies, thirty-six inches on floors housing clients.
5. In Group R, Division 2.3 Occupancies, sixty inches on floors housing clients.
6. In Group R, Division 2.3.1 Occupancies thirty-six inches on floors housing clients.

In Group R, Division 2.1 and 2.1.1 Occupancies in buildings provided with fire sprinklers throughout and which are required to have rated corridors, door closers need not be installed on doors to client sleeping rooms.

In Group R, Division 2.3 and 2.3.1 Occupancies, doors to client rooms shall be at least a self-closing positive latching 1 ⅜ inch hollow wood door with no glazed openings. Such doors shall be provided with a gasket so installed as to provide a seal where the door meets the stop on both sides and across the top. Doors shall be maintained self-closing or shall be automatic closing by actuation of a smoke detector in accordance with CBC Section 713. (Ref. CBC 1007.6.3.3.1)

In Group R, Divisions 2.1 and 2.1.1 Occupancies having smoke barriers, cross-corridor doors in corridors 6 feet or less in width shall have, as a minimum, a door 36 inches in width.

Door closers are not required on doors to client sleeping rooms in rated corridors when the building is provided with automatic sprinkles, throughout. (Ref. CBC 1007.6.3.3.2)

In Group R, Divisions 2.1.1 and 2.2.1 Occupancies, exit corridors may be interrupted by intervening rooms. (Ref. CBC 1007.6.3.3.3)

Changes in Level. Changes in level up to ¼ inch may be vertical and without edge treatment. Changes in level between ¼ inch and ½ inch shall be beveled with a slope no greater than 1:2. Changes in level greater than ½ inch shall be accomplished by means of a ramp. (Ref. CBC 1007.6.3.4)

Stairways: In Group I, Divisions 1.1 and 2.1, and Group R, Division 3 Occupancies that are reclassified as a Group R, Division 2.1.1 or 2.2.1 Occupancy, may continue to use existing stairways (except for winding and spiral stairways which are not permitted as a required means of egress) provided the stairs have a maximum rise of 8 inches with a minimum run of 9 inches. The minimum stairway width may be 30 inches. (Ref. CBC 1007.6.3.5)

[CAN] For clarification purposes, there was never a Group I, Division 1.1 and 2.1. The intent of the state was to recognize previously classified Group I, Division 1A's

and 2A's that were recognized in the 1995 California Building Code.

Floor Separation. Group I, Division 1.1, 2.1, and Group R, Division 3 Occupancies that are re-classified as a Group R, Division 2.1.1 or 2.2.1 Occupancy, shall be provided with a non-rated floor separation at stairs which will prevent smoke migration between floors. Such non-rated floor separation shall have equivalent construction of ½ inch gypsum wallboard on one side of the wall studs. Doors within such non-rated floor separations shall be tight fitting solid wood at least 1 ⅜ inches in thickness. Door glazing shall not exceed 1296 inches with no dimension greater than 54 inches. Such doors shall be positive latching, smoke gasketed and shall be automatic-closing by smoke detection.

EXCEPTIONS: 1. Occupancies with at least one exterior exit from floors occupied by clients.

2. Occupancies provided with automatic fire sprinkler systems complying with CBC Chapter 9. (Ref. CBC 1007.6.3.6)

Smoke Barriers. Floor levels of Group I, Division 1.1 Occupancies used by inpatients for sleeping or treatment, or having an occupant load of 50 or more, shall be divided into at least two compartments by smoke barriers of not less than one-hour fire resistance meeting the requirements of Sections 905.2.3 [for SFM] and 905.2.4. Such barriers shall be continuous from outside wall to outside wall, from a smoke barrier to a smoke barrier, from floor to floor or roof above, or a combination thereof, including continuity through all concealed spaces, such as above suspended ceilings, interstitial structural and mechanical spaces. The area within a smoke-control zone shall not exceed 22,500 square feet (2090 m2) and its width or length shall not exceed 150 feet (45,720 mm). The area of a smoke zone shall not be less than that required to accommodate the occupants of the zone plus the occupants from any adjoining zone. Not less than 30 square feet (2.8 m2) net clear floor area for bed and litter patients and 6 square feet (0.6m2) net clear floor area for other occupants shall be used to compute the required areas.

Doors in smoke barriers shall be tight-fitting smoke- and draft-control assemblies having a fire-protection rating of not less than 20 minutes and shall comply with Section 1007.5.1. When doors are installed across corridors, a pare of opposite-swinging doors without a center mullion or horizontal sliding doors that comply with UBC Standard 7-8, which is part of this code 9see Chapter 35, Part II), shall be installed. Smoke-barrier doors shall:

1. When installed across corridors, [for SFM]swinging doors shall have vision panels. The area of the vision panels shall not exceed that tested.
2. Be closefitting with only the clearance necessary for proper operation and shall be without undercuts, louvers or grills.
3. Have stops at the head and jamb. Opposite-swinging corridor doors shall be rabbets or astragals at the meeting edges.
4. Have positive latching devices, except on doors installed across corridors.

4.1 [for SFM] Shall be positive latching.

5. Be automatic closing. Doors installed across corridors shall comply with Section 713.6.1, Item 3, and doors on the floor or in the affected zone shall automatically close if the fire alarm or sprinkler system is activated.

At least two means of egress shall be provided from each smoke zone. Means of egress may pass through adjacent zones, provided the means of egress does not return through the compartment zone from which exiting originated. Exit or exit-access doors at zone boundaries shall be equipped with approved vision panels. (Ref. CBC 308.2.2.1)

Fences and Gates. Grounds of Residential Care for the Elderly facilities serving Alzheimer clients may be fenced and gates therein equipped with locks, provided safe dispersal areas are

located not less than 50 feet (15240mm) from the buildings. Dispersal areas shall be sized to provide an area of not less than 3 square feet (0.28^2) per occupant. Gates shall not be installed across corridors or passageways leading to such dispersal areas unless they comply with exit requirements. See Section 1021 for exits from dispersal areas. (Ref. CBC 1007.6.3.7)

Basement Exits. One exit accessible to every room below grade shall lead directly to the exterior at grade level from the basement level. (Ref. CBC 1007.6.3.8)

ANNEX-II

SPECIAL PROVISIONS FOR BEDRIDDEN CLIENTS

RESIDENTIALLY-BASED, LICENSED FACILITIES IN A NON-SPRINKLERED GROUP R, DIVISION 2.1.1 AND 2.2.1 OCCUPANCY HOUSING A BEDRIDDEN CLIENT (Ref. CBC 415A)

Scope. In addition to other provisions of this code, the provisions of this section shall apply to residentially-based, licensed facilities classified as Group R, Divisions 2.1.1 and 2.2.1 Occupancies as defined in CBC Section 310.

Purpose. The purpose of this chapter is to provide a minimum level of fire and life safety protection for a bedridden client, as defined in CBC Section 203, housed in a non-sprinklered, Group R, Division 2.1.1 or 2.2.1 Occupancy.

Location. In Group R, Divisions 2.1.1 and 2.2.1 Occupancies housing a bedridden client sleeping room shall not be located above or below the first story.

EXCEPTION: Clients who become bedridden as a result of a temporary illness as defined in Health and Safety Code Sections 1566.45, 1568.0832, and 1569.72. A temporary illness is an illness, which persists for 14 days or less. A bedridden client may be retained in excess of the 14 days upon approval by the Department of Social Services and may continue to be housed on any story in a Group R, Division 2 Occupancy classified as a licensed residential facility.

Every licensee admitting or retaining a bedridden resident shall, within 48 hours of the resident's admission or retention in the facility, notify the local fire authority with jurisdiction of the estimated length of time the resident will retain his or her bedridden status in the facility.

Exits Required. In Group R, Divisions 2.1.1 and 2.2.1 Occupancies housing a bedridden client, a direct exit to the exterior of the residence shall be provided from the client sleeping room.

Doors and Door Hardware. Doors to bedridden client's sleeping room shall be of a self-closing, positive latching 1 ⅜ inch solid wood door. Such doors shall be provided with a gasket so installed as to provide a seal where the door meets the jam on both sides and across the top. Doors shall be maintained self-closing or shall be automatic closing by actuation of a smoke alarm in accordance with Section 713.

Locks on interior doors. Group R, Divisions 2.1.1 and 2.2.1 Occupancies shall not have a night latch, dead bolt, security chain or any similar locking device installed on any interior door leading from a bedridden client's sleeping room to any interior area such as a corridor, hallway and or general use areas of the residence in accordance with CBC Chapter 10.

Exterior Exit Door. The exterior exit door to a bedridden client's sleeping room shall be operable from both the interior and exterior of the residence.

Width and Height. Every required exit doorway shall be of a size as to permit the installation of a door not less than 3 feet (914 mm) in width and not less than 6 feet 8 inches (2032 mm) in height. When installed in exit doorways, exit doors shall be capable of opening at least 90 degrees and shall be so mounted that the clear width of the exit way is not less than 32 inches (813 mm).

Smoke Alarms. In all facilities housing a bedridden client, smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall be electrically interconnected so as to cause all smoke alarms to sound a distinctive alarm signal upon actuation of any single

smoke alarm. Such alarm signal shall be audible throughout the facility at a minimum level of 15 db above ambient noise level. These devices need not be interconnected to any other fire alarm device, have a control panel, or be electrically supervised or provided with emergency power.

Interior Finish. In all facilities housing a bedridden client, interior finishes shall be in accordance with CBC Table 8-B. See Annex-III for CBC Table 8-B.

Request for Alternate Means of Protection. Request for alternate means of protection shall apply to CBC Sections 415A.1 through 415A.9. Request for approval to use an alternative material, assembly or materials, equipment, method of construction, method of installation of equipment, or means of protection shall be made in writing to the local fire authority having jurisdiction by the facility, client or the client's authorized representative. Sufficient evidence shall be submitted to substantiate the need for an alternate means of protection.

The facility, client or the client's representative or the local fire authority having jurisdiction may request a written opinion from the State Fire Marshal concerning the interpretation of the regulations promulgated by the State Fire Marshal for a particular factual dispute. The State Fire Marshal shall issue the written opinion within 45 days following the request.

Approval of a request for use of an alternative material, assembly or materials, equipment, method of construction, method of installation of equipment, or means of protection made pursuant to this section shall be limited to Group R, Divisions 2.1.1 and 2.2.1 Occupancies housing a bedridden client.

Approvals made by the local fire authority having jurisdiction and the written opinion by the State Fire Marshal shall be applicable only to the requesting facility and shall not be construed as establishing any precedent for any future request by the facility or any other facility.

ANNEX-III

The following tables have been extracted from the California Building Code for use with this handbook. CBC Tables: 15-A, 3-B, 5-A, 5-B, and 8-B.

CBC TABLE 15-A MINIMUM ROOF CLASSES

OCCUPANCY	TYPE OF CONSTRUCTION								
	I	II			III		IV	V	
	F.R.	F.R.	One-hour	N	One-hour	N	H.T.	One-hour	N
E	B	B	B	B	B[1]	C	B[1]	B[1]	C
I)1.1-1.2-2	A	B	B	-	B	-	B	B	-
I-3	A	B	B[1]	-	B[2]	-	-	B[3]	-
R-1-2.2-6.2	B	B	B	B	B[1,3]	C[3]	B[1,3]	B[1,3]	C[3]
R-2.1-2.3-6.1	A	B	B	-	B	-	B	B	-
R-2.1.1-2.2.1-2.3.1	B	B	B	B	C	C	C	C	C
R-3	B	B	B	B	C[5]-NR	C[5]-NR	C[5]-NR	C[5]-NR	C[5]-NR
R-6.1.1-6.2.1	B	B	B	B	C	C	C	C	C

A-Class A roofing.
B-Class B roofing.
C-Class C roofing.
F.R.-Fire resistive.
H.T.-Heavy timber.
N-No requirements for fire resistance.
NR-Nonrated roof coverings.

[1]Buildings that are not more than two stories in height and have not more than 6,000 square feet (557 m2) of projected roof area where there is a minimum of 10 feet (3048 mm) from the extremity of the roof to the property line or assumed property line on all sides except for street fronts may have Class C roof coverings that comply with CBC Standard 15-2.

[2]See CBC Section 308.2.2.

[3]Nonrated roof coverings may be used on buildings that are not more than two stories in height and have not more than 3,000 square feet (279 m2) of projected roof area and where there is a minimum of 10 feet (3048 mm) from the extremity of the roof to the property line on all sides except for street fronts.

Note: Footnote 3 is not adopted by the State of California.

[4]Unless otherwise required because of location, Group U, Division 1 roof coverings shall consist of not less than one layer of cap sheet, or built-up roofing consisting of two layers of felt and a surfacing material of 300 pounds per roofing square (14.6 kg/m2) of gravel or other approved surfacing material, or 250 pounds (12.2 kg/m2) of crushed slag.

Note: Footnote 4 is not adopted by the State of California.

[5]The minimum roof classification for Group r and U Occupancies shall be a Class C roof covering. Also reference CBC Sections 1503.1 and 1503.2.

CBC TABLE 3-B REQUIRED SEPARATION IN BUILDINGS OF MIXED OCCUPANCY[1] (HOURS)

	A-1	A-2	A-2.1	A-3	A-4	B	E	F-1	F-2	H-2	H-3	H-4,5	H-6,7[2]	H-8	I	M	R-1,2	R-3	S-1	S-2	S-3	S-5	U-1[3]
A-1		N	N	N	N	3	N	3	3	4	4	4	4	3	3	3	1	1	3	3	4	3	1
A-2			N	N	N	1	N	1	1	4	4	4	4	2	3	1	1	1	1	1	3	1	1
A-2.1				N	N	1	N	1	1	4	4	4	4	2	3	1	1	1	1	1	3	1	1
A-3					N	N	N	N	N	4	4	4	3	1	2	N	1	1	N	1	3	1	1
A-4						1	N	1	1	4	4	4	4	1	3	1	1	1	1	1	3	1	1
B							1	N[5]	N	2	1	1	1	1	2	N	1	1	N	1	1	1	1
E								1	1	4	4	4	3	2	1	1	1	1	1	1	3	1	1
F-1									1	2	1	1	1	1	3	N[5]	1	1	N	1	1	1	1
F-2										2	1	1	1	1	2	1	1	1	N	1	1	1	1
H-1	NOT PERMITTED IN MIXED OCCUPANCIES. SEE CBC SECTION 307.2.9																						
H-2											1	1	2	2	4	2	4	4	2	2	2	2	1
H-3												1	1	1	4	1	3	3	1	1	1	1	1
H-4,5													1	1	4	1	3	3	1	1	1	1	1
H-6,7[2]														1	4	1	4	4	1	1	1	1	3
I														2		2	1	1	2	4	4	3	1
M														1			1	1	1[4]	1[4]	1	1	1
R-1,2														4				N	3	1	3	1	1
R-3														4					1	1	1	1	1
S-1														1						1	1	1	1
S-2														1							1	1	N
S-3														1								1	1
S-4	OPEN PARKING GARAGES ARE EXCLUDED EXCEPT AS PROVIDED IN CBC SECTION 311.2																						
S-5														1									N

N-No requirements for fire resistance.

[1] For detailed requirements and exceptions, see CBC Section 302.4.
[2] For special provisions on highly toxic materials, see the Fire Code.
[3] For agricultural buildings, see also CBC Appendix Chapter 3.
[4] See CBC Section 309.2.2 for exceptions.
[5] For Group F, Division 1 woodworking establishments with more than 2,500 square feet (232.3 m^2), the occupancy separation shall be one hour.

CBC TABLE 5-A EXTERIOR WALL AND OPENING PROTECTION BASED ON LOCATION ON PROPERTY FOR ALL CONSTRUCTION TYPES[1,2,3]

For exceptions, see CBC Section 503.4.

Occupancy Group	Construction Type	Exterior Walls		Openings
		Bearing	Nonbearing	
		Distances are measured to property lines (see CBC Section 503)		
		X 304.8 for mm		
I-1.1 I-1.2 I-2 I-3	I-F.R. II-F.R.	Four-hour N/C	Four-hour N/c less than 5 feet Two-hour N/C less than 20 feet One-hour N/C less than 40 feet NR, N/c elsewhere	Not permitted less than 5 feet Protected less than 20 feet
I-1.1 I-1.2 I-1.3[2]	II One-hour	Two-hour N/C less than 5 feet One-hour N/C elsewhere	Same as bearing except NR, N/C 40 feet or greater	Not permitted less than 5 feet Protected less than 10 feet
	V-One-hour	Two-hour less than 5 feet One-hour elsewhere	Same as bearing	Not permitted less than 5 feet Protected less than 10 feet
I-1.1 I-1.2 I-2 I-3	II-N III-N V-N	These occupancies are not allowed in buildings of these construction types.[7]		
I-3	IV-H.T.	Group I, Division 3 Occupancies are not allowed in buildings of this construction type.		
I-1.1 I-1.2 I-2 I-3	III-One-hour	Four-hour N/C	Same as bearing except NR, N/C 40 feet greater	Not permitted less than 5 feet Protected less than 20 feet
I-1.1 I-1.2 I-2	IV-H.T.	Four-hour N/C	Same as bearing except NR, N/C 40 feet greater	Not permitted less than 5 feet Protected less than 20 feet
I-2	II One-hour	One-hour N/C	Same as bearing except NR, N/C 40 feet greater	Not permitted less than 5 feet Protected less than 10 feet
	V One-hour	One-hour	Same as bearing	Not permitted less than 5 feet Protected less than 10 feet
R-1 R-2.1 R-2.2	I-F.R. II-F.R. III One-hour III-N IV-H.T.	Four-hour N/C less than 3 feet Two-hour N/C elsewhere	Four-hour N/C less than 3 feet Two-hour N/C less than 20 feet One-hour N/C less than 40 feet NR, N/C elsewhere	Not permitted less than 3 feet Protected less than 20 feet
	II One-hour	One-hour N/C	Same as bearing except NR, N/C 40 feet or greater	Not permitted less than 5 feet
	II-N	One-hour N/C less than 5 feet NR, N/C elsewhere	Same as bearing	Not permitted less than 5 feet
	V One-hour	One-hour	Same as bearing	Not permitted less than 5 feet
	V-N	One-hour less than 5 feet NR elsewhere	Same as bearing	Not permitted less than 5 feet
R-2.1.1 R-2.2.1	V-N	One-hour less than 3 feet	One-hour less than 3 feet	Not permitted less than 3 feet
R-2.3 R-2.3.1				
R-2.6				
R-3	I-F.R. II-F.R. III One-hour III-N IV-H.T.	Four-hour N/C	Four-hour N/C less than 3 feet Two-hour N/C less than 20 feet One-hour N/C less than 40 feet NR, N/C elsewhere	Not permitted less than 3 feet Protected less than 20 feet
	II One-hour	One-hour N/C	Same as bearing except NR, N/C 40 feet or greater	Not permitted less than 3 feet
	II-N	One-hour N/C less than 3 feet NR, N/C elsewhere	Same as bearing	Not permitted less than 3 feet
	V One-hour	One-hour	Same as bearing	Not permitted less than 3 feet
	V-N	One-hour less than 3 feet NR elsewhere	Same as bearing	Not permitted less than 3 feet

N/C-Noncombustible. NR-Nonrated. H.T.-Heavy timber. F.R.-Fire resistive.

[1] See CBC Section 503 for types of walls affected and requirements covering percentage of openings permitted in exterior walls. For walls facing streets, yards and public ways, also see Section 601.5.

[2] For additional restrictions, see CBC Chapters 3 and 6.

[3] For special provisions and exceptions, see also CBC Section 503.4.

[4] See CBC Table 3-A for a description of each occupancy type.

[5] Openings requiring protection in exterior walls shall be protected by a fire assembly having at least a three-fourths-hour fire-protection rating.

[6] Group E, Divisions 2 and 3 Occupancies having an occupant load of not more than 20 may have exterior wall and opening protection as required for Group R, Division 3 Occupancies.
See CBC Section 308.2.1, Exception 3.

CBC TABLE 5-B BASIC ALLOWABLE BUILDING HEIGHTS AND BASIC ALLOWABLE FLOOR AREA FOR BUILDINGS ONE STORY IN HEIGHT[1]

		TYPES OF CONSTRUCTION							
		I	II			III		IV	V	
		F.R.	F.R.	One-hour	N	One-hour	N	H.T.	One-hour	N
		Maximum Height (feet)								
		UL	160 (48 768 mm)	65 (19 812 mm)	55 (16 764 mm)	65 (19 812 mm)	55 (16 764 mm)	65 (19 812 mm)	50 (15 240 mm)	40 (12 192 mm)
Use Group	Height/Area	Maximum Height (Stories) and Maximum Area (sq. ft.) (X 0.0929 for m²)								
I-1.1, 1.2[4,10]	H	UL	3	1	NP	1	NP	1	1	NP
	A	UL	15,100	6,800	NP	6,800	NP	6,800	5,200	NP
I-2	H	UL	3	2	NP	2	NP	2	2	NP
	A	UL	15,100	6,800	NP	6,800	NP	6,800	5,200	NP
I-3	H	UL	2	Not Permitted[7]						
	A	UL	15,100							
R-1	H	UL	12	4	2[9]	4	2[9]	4	3	2[9]
	A	UL	29,900	13,500	9,100[9]	13,500	9,100[9]	13,500	10,500	6,000[9]
R-2.1	H	UL	12	2	NP	2	NP	NP	2	NP
	A	UL	29,900	13,500	NP	13,500	NP	NP	10,500	NP
R-2.1.1, 2.2, 2.2.1	H	UL	12	4	2[9]	4	2[9]	4	3	2[9]
	A	UL	29,900	13,500	9,100[8]	13,500	9,100[8]	13,500	10,500	6,000[8]
	H	UL								
	A	UL								
R-3	H	UL	3	3	3	3	3	3	3	3
	A	Unlimited								

A- Building area in square feet.
H- Building height in number of stories.
H.T.- Heavy timber.
NP- Not permitted.
N- No requirements.
F.R.- Fire resistive.
UL- Unlimited.

[1]For multistory buildings, see CBC Section 504.2.
[2]For limitations and exceptions, see CBC Section 303.2.
[3]For open parking garages, see CBC Section 311.9.
[4]See CBC Section 305.2.3.
[5]See CBC Section 307.
[6]See CBC Section 308.2.1 for exception to the allowable area and number of stories in hospitals, nursing homes and health-care centers.
[7]See CBC Section 308.2.2.2.
[8]For agricultural buildings, see also CBC Appendix Chapter 3.
[9]For limitations and exceptions, see CBC Section 310.2.
[10]For Type II F.R., the maximum height of Group I, Division 1.1 Occupancies is limited to 75 feet (22 860 mm). For Type II, One-hour construction, the maximum height of Group I, Division 1.1 Occupancies is limited to 45 feet (13716 mm).

TABLE 8-B-MAXIMUM FLAME SPREAD CLASS[1]

OCCUPANCY GROUP	ENCLOSED VERTICAL EXITWAYS	OTHER EXITWAYS[2]	ROOMS OR AREAS
E	I	II	III
I-1.1, I-1.2, 1-2	I	I[5]	II[6]
I-3	I	I[5]	I[6]
R-1	I	II	III
R-2	I	II[7]	III[7]
R-3	III	III	III[8]

[1]Foam plastics shall comply with the requirements specified in Section 2602. Carpeting on ceilings and textile wall coverings shall comply with the requirements specified in Sections 804.2 and 805, respectively.
[2]Finish classification is not applicable to interior walls and ceilings of exterior exit balconies.
[3]In Group A, Divisions 3 and 4 Occupancies, Class III may be used.
[4]Over two stories shall be of Class II.
[5]In Group I, Divisions 2 and 3 Occupancies, Class II may be used.
[6]Class III may be used in administrative spaces.
[7]Group R, Division 2 Occupancies housing six or more non-ambulatory clients or a bedridden client shall comply with the requirements specified for Group I, Division 1.1 Occupancies.
[8]Flame-spread provisions are not applicable to kitchens and bathrooms of Group R, Division 3 Occupancies.

ANNEX-IV

RESIDENTIAL CARE FACILITIES GROUP R-2 MATRIX

Occup.	Const.	Smoke Barriers	Rated Corridors	Sprinkler System	Fire Alarm	Smoke Alarms	Exits	Delayed Egress	Bed-Ridden	Exit Signs	Tactile Exit Signs	Emerg. Lights	Fire Exting.	Ramps
R2.1 7+non-ambs	Rated *Table 5-B*	If > than 6,000 sq. feet *310.2.3*	Yes *1004.3 .4.3*	Yes *904.2. 10*	Manual & Auto. System *310.10.1 See Exc. #1-3 and CFC 1006.2.9.1.1.1*	No *See 310.10.1 for special conditions*	Two *1007.6 .3.1.1*	Yes *Must meet all req. of 1003.3.1.10*	Not Allowed *See 310.1.1 special provisions*	Yes *1003.2.8.2*	Yes *1003.2.8.6.1*	Yes *1003.2.9 .2*	Yes *CFC 1002.1*	Yes *1007.6.3.*
R2.1.1 6 or less non-amb	Non-rated *Table 5-B & See special considerations of 310.2.2*	If >than 6,000 sq. feet *310.2.3*	No *1007.6. 3.3.1*	No *See 904 .2.10 Exc. #1*	Manual Pull Station *310.10.2*	Yes *310.9.1.1*	Two *1007.6 .3.1.1*	Yes *Must meet all req. of 1003.3.1.10*	Not Allowed *See 310.1.1 special provisions*	Yes *1007.6.3.2.2*	No	No	Yes *CFC 1002.1*	Yes *1007.6.3.*
R2.2 7+ambs	Non-Rated *See special considerations In 310.2.2*	If > than 6,000 sq. feet *310.2.3*	Yes *1004.3 .4.3*	Yes *See 904 .2.10 Exc. #3*	Manual System *310.10.3*	No *310.10.3*	Two *1007.6 .3.1.1*	Yes *Must meet all req. of 1003.3.1.10*	Not Allowed *See 310.1.1 special provisions*	Yes *1003.2.8.2*	Yes *1003.2.8.6.1*	Yes *1003.2 .9.2*	Yes *CFC 1002.1*	No Unless housing non-amb *1007.6.3.*
R2.2.1 6 or less ambs.	Non-rated *Table 5-B*	If > than 6,000 sq. feet *310.2.3*	No *1007.6. 3.3.1*	No *See 904 .2.10 Exc. #1*	Manual Pull stat. *310.10.2*	Yes *310.9.1.1*	Two *1007.6 .3.1.1*	Yes *Must meet all req. of 1003.3.1.10*	Not Allowed *See 310.1.1 special provisions*	Yes *1007.6.3.2.2*		No	Yes *CFC 1002.1*	No Unless housing non-amb *1007.6.3.*
R2.3 Hospice 7+bed-ridden	Rated if > 1 story *See 310.2.2 For except.*	If > than 6,000 sq. feet *310.2.3*	Yes *1004.3 .4.3*	Yes *904.2 .10.1*	Manual & Auto System *CBC 310.10.1 and CFC 1006.2.9.1.1.1 special conditions and except.*	No *See special conditions of 310.10.1 exception*	Two *1007.6 3.1.1*	Yes *Must meet all req. of 1003.3.1.10*	Yes *310.1*	Yes *1003.2.8.2*	Yes *1003.2.8.6.1*	Yes *1003.2.9 .2*	Yes *CFC 1002.1*	Yes *1007.6.3.*

Occup.	Const.	Smoke Barriers	Rated Corridors	Sprinkler System	Fire Alarm	Smoke Alarms	Exits	Delayed Egress	Bed-Ridden	Exit Signs	Tactile Exit Signs	Emerg. Lights	Fire Exting.	Ramps
R2.3.1 Hospice 6 or less bed-ridden	Rated if > 1 story *See 310.2.2 For except.*	If > 6,000 sq. feet *310.2.3* *310.2.3*	No *1007.6 .3.3.1*	Yes *904.2 .10.1*	Manual Pull Station *310.10.2*	Yes *310.9.1.1*	Two *1007.6 .3.1.1*	Yes *Must meet all req. of 1003.3.1.10*	Yes *310.1*	Yes *1007.6.3.2.2.*	No	No	Yes *CFC 1002.1*	Yes *1007.6.3.*

RESIDENTIAL CARE FACILITIES GROUP R-6 MATRIX

OCCUP.	CONST.	SMOKE BARRIERS	RATED CORR.	SPRINK. SYSTEM	FIRE ALARMS	STROBES	SMOKE ALARMS	EXITS	EXIT SIGNS	EMERG. LIGHTS	FIRE EXTING.	RAMPS
R6.1 7 + non-ambs	As per I-1.1 *316A.1*	N/A	Yes - or Direct exits from bedrooms *318A.2.1*	Yes *318A.9.1*	Automatic fire alarm system *320A.1 see excpt #1 & 2*	Yes –If Housing hearing impaired *320A.3*	Yes *320A.1*	Two *318A.2.1*	Yes *1003.2.8.2*	Yes – If housing 11 + *318A.6*	Yes *CFC 1002.1*	Yes *318A.5*
R6.1.1 6 or less nonambs	As per R-3 *316A.1*	N/A	No *318A.3.2 Excpt. #1*	No Unless non-ambs Above 1st floor *318A.9.2*	Manual pull stat. & bell *320A.2*	Yes –If Housing hearing impaired *320A.3*	Yes *320A.1*	Two *318A.1*	N/A	No *Exception to 318A.6*	Yes *CFC 1002.1*	Yes *318A.5*
R6.2 7 +ambs.	As per R-1 *316A.1*	N/A	Yes If 11 or + *318A.3.2*	No Unless non-ambs Above 1st floor *318A.9.2*	Automatic fire alarm system *320A.1 see excpt #1 & 2*	Yes –If Housing hearing impaired *320A.3*	Yes *320A.1*	Two *318A.1*	Yes *1003.2.8.2*	Yes – If housing 11 + *318A.6*	Yes *CFC 1002.1*	No- Unless housing non-ambs *318A.5*
R6.2.1 6 or less ambs.	As per R-3 *316A.1*	N/A	No *318A.3.2 Excpt. #1*	No Unless non-ambs Above 1st floor *318A.9.2*	Manual pull stat. & bell *320A.2*	Yes –If Housing hearing impaired *320A.3*	Yes *320A.1*	Two As per R-3 *318A.2.2*	N/A	No *Exception to 318A.6*	Yes *CFC 1002.1*	No- Unless housing non-ambs *318A.5*

309

ANNEX-V

PROVISIONS FOR HABITABLE SPACES AND EFFICIENCY DWELLING UNITS

Provisions for Habitable Spaces and Efficiency Dwelling Units.

Ceiling Heights. Habitable space shall have a ceiling height of not less than 7 feet 6 inches (2286 mm) except as otherwise permitted in this section. Kitchens, halls, bathrooms and toilet compartments may have a ceiling height of not less than 7 feet (2134 mm) measured to the lowest projection from the ceiling. (Ref. CBC 310.6.1)

Where exposed beam ceiling members are spaced at less than 48 inches (1219 mm) on center, ceiling height shall be measured to the bottom of these members.

Where exposed beam ceiling members are spaced at 48 inches (1219 mm) or more on center, ceiling height shall be measured to the bottom of the deck supported by these members, provided that the bottom of the members is not less than 7 feet (2134 mm) above the floor.

If any room in a building has a sloping ceiling, the prescribed ceiling height for the room is required by only one half the area. No portion of the room measuring less than 5 feet (1524 mm) from the finished floor to the finished ceiling shall be included in computation of the minimum area.

If any room has a furred ceiling, the prescribed ceiling height is required in two-thirds the area, but in no case shall the height of the furred ceiling be less than 7 feet (2134 mm).

Floor Area. Dwelling units and congregate residences shall have at least one room that shall have not less than 120 square feet (11.2 m2) of floor area. Other habitable rooms except kitchens shall have an area of not less than 70 square feet (6.5 m2). Efficiency dwelling units shall comply with the requirements of Section 310.7. (Ref. CBC 310.6.2)

Width. Habitable rooms other than a kitchen shall not be less than 7 feet (2134 mm) in any direction. (Ref. CBC 310.6.3)

Efficiency Dwelling Units. An efficiency dwelling unit shall conform to the requirements of the code except as herein provided; (Ref CBC 310.7)

1. The unit shall have a living room of not less than 220 square feet (20.4 m2) of superficial floor area. An additional 100 square feet (9.3 m2) of superficial floor area shall be provided for each occupant of such unit in excess or two.
2. The unit shall be provided with a separate closet.
3. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
4. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.

Heating. Dwelling units, guest rooms and congregate residences shall be provided with heating facilities capable of maintaining a room temperature of 70 degrees F (21 C) at a point 3 feet (914 mm) above the floor in all habitable rooms. (Ref. CBC 310.11)

Light and Ventilation in Group R Occupancies.

[CAN] (This section is not enforced by the local fire official. This information has been provided for assessment of licensee applications for existing dwellings and potential referral of non-conforming conditions to the local building official for review and correction if appropriate.)

General. For the purpose of determining the light or ventilation for Group R Occupancies required by this section, any room may be considered as a portion of an adjoining room when one half of the area of the common wall is open and unobstructed and provides an opening of not less than one tenth of the floor area of the interior room or 25 square feet (2.3 m2), which ever is greater. (Ref. CBC 1203.1)

Exterior openings for natural light or ventilation required by this section shall open directly onto a public way or a yard or court as set forth in Section 1203.4

EXCEPTIONS: 1. Required exterior openings may open into a roofed porch where the porch:

a. Abuts a public way, yard or court;
b. Has a ceiling height of not less than 7 feet (2134 mm); and
c. Has a longer side at least 65 percent open and unobstructed.

2. Skylights

Light. Guest rooms and habitable rooms within a dwelling unit or congregate residence shall be provided with natural light by means of exterior glazed openings with an area not less than one tenth of the floor area of such rooms with a minimum of 10 square feet (0.93 m2). (Ref. CBC 1203.2)

EXCEPTION: Kitchens in Group R Occupancies may be provided with artificial light.

Ventilation. Guest rooms and habitable rooms within a dwelling unit or congregate residence shall be provided with natural ventilation by means of openable exterior openings with an area of not less than 1/20 of the floor area of such rooms with a minimum of 5 square feet (0.46 m2). (Ref. CBC 1203.3)

In lieu of required exterior openings for natural ventilation, a mechanical ventilating system may be provided. Such system shall be capable of providing two air changes per hour in guest rooms, dormitories, habitable rooms and in public corridors with a minimum of 15 cubic feet per minute (7 L/s) of outside air per occupant during such time as the building is occupied.

Bathrooms, water closet compartments, laundry rooms and similar rooms shall be provided with natural ventilation by means of openable exterior openings with an area not less than 1/20 of the floor area of such rooms with a minimum of 1½ square feet (0.14 m2).

EXCEPTION: Laundry rooms in Group R, Division 3 Occupancies.

In lieu of required exterior openings for natural ventilation in bathrooms containing a bathtub, shower or combination thereof; laundry rooms; and similar rooms, a mechanical ventilation system connected directly to the outside capable of providing five air changes per hour shall be provided. Such systems shall be connected directly to the outside, and the point of discharge shall be at least 3 feet 914 mm from any opening that allows air entry into occupied portions of the building. Bathrooms that contain only water closet, lavatory or combination thereof and similar rooms may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

ANNEX-VI
SAMPLE LICENSED FACILITY INSPECTION FORMS

R2 / R3

ADDRESS _____ BUSINESS NAME _____

MANAGER/OWNER _____ PHONE # _____ FAX#_____

ρ A reasonable degree of fire safety exists at this time. (Date)_____ (Inspector Number)_____

ρ In accordance with Section 103.4.3.1 of the California Fire Code you are hereby ordered to correct all violations immediately upon receipt of this notice. Failure to comply with this lawful order may result in a citation to appear in Municipal Court.

ρ R-2.1 Residentially-based, licensed facilities accommodating more than six non-ambulatory clients.
ρ R-2.1.1 Residentially-based, licensed facilities accommodating six or less non-ambulatory clients.
ρ R-2.2 Residentially-based, licensed facilities accommodating more than six ambulatory clients.
ρ R-2.2.1 Residentially-based, licensed facilities accommodating six or less ambulatory clients.
ρ R-3 Dwellings used for large family daycare homes and lodging houses.

1ST 2ND 3RD OK	GENERAL REQUIREMENTS AND SPECIAL HAZARDS FOR ALL "R" OCCUPANCIES
ρ ρ ρ ρ	A minimum of one 2-A:10-B:C extinguisher shall be provided for each 3,000 square feet of floor area (every 6,000 feet in sprinklered buildings). Travel distance shall not exceed 75 feet.
ρ ρ ρ ρ	Extinguishers shall be serviced annually and shall have a current service tag attached.
ρ ρ ρ ρ	Exits shall not be obstructed in any manner.
ρ ρ ρ ρ	Combustible rubbish stored in containers shall be removed from buildings not less than once each working day.
ρ ρ ρ ρ	Oily rags shall be stored in metal, metal-lined or other approved containers with tight fitting lids.
ρ ρ ρ ρ	Extension cords shall not be used as a substitute for permanent wiring.
ρ ρ ρ ρ	Appliance cords and extension cords shall be kept in good condition with no splices.
ρ ρ ρ ρ	Rooms containing boiler or central heating plant shall be separated from the rest of the building by not less than one hour occupancy separation.
ρ ρ ρ ρ	Fire hydrants and other fire protection equipment shall not be obstructed and shall be maintained in an operative condition.
ρ ρ ρ ρ	A 40-B:C extinguisher shall be provided in all kitchens. ('K'- type extinguisher required for deep fat fryers)
ρ ρ ρ ρ	Maintain required service record for: automatic extinguishing system (min. 6 mos.) commercial hood system.
ρ ρ ρ ρ	Dwelling units, congregate residences and hotel or lodging house guest rooms used for sleeping purposes shall be provided with smoke detectors.
ρ ρ ρ ρ	Where an automatic or manual fire alarm system is in place, such system shall be maintained in operating condition.
ρ ρ ρ ρ	Where an automatic extinguishing system or standpipe system is in place, such system shall be serviced and maintained in operating condition (inspected/serviced quarterly, re-certified every 5 years for fire sprinklers).
ρ ρ ρ ρ	Address number shall be posted, plainly visible from street. Numbers should contrast with background.
ρ ρ ρ ρ	Maintain minimum of 18" from ceilings in sprinklered bldg. and 24" from ceilings in non-sprinklered bldg. (example. along walls)
	R-2 REQUIREMENTS
ρ ρ ρ ρ	A minimum of two remote exits are required. All exit doors must provide a continuous path to the street. Gates blocking exit paths to the street must also comply with the requirements for exit doors in width and locking hardware.
ρ ρ ρ ρ	Corridors in R-2.1 shall be 60" on floors housing non-ambulatory clients and 44" on floors housing ambulatory. R-2.1.1 and R-2.2.1 corridors shall be 36" on floors housing clients. R-2.2 corridors shall be 44" on floors housing clients.
ρ ρ ρ ρ	Where non-ambulatory clients are permitted, approved ramps are required when the change of level exceeds ½ inch.
ρ ρ ρ ρ	All exit doors must be openable from the inside without use of a key or special knowledge. Where panic hardware is installed there shall be no other locks or latches.
ρ ρ ρ ρ	One manual pull station is required.
ρ ρ ρ ρ	The fire resistive wall separating the garage from the house shall be maintained in good repair and the door maintained self-closing with a tight latch.
	R-3 REQUIREMENTS
ρ ρ ρ ρ	Children are not permitted above the first story in a large family daycare unless approved.
ρ ρ ρ ρ	The fire resistive wall separating the garage from the house shall be maintained in good repair and the door maintained self-closing with a tight latch.
ρ ρ ρ ρ	A minimum of two remote exits are required. Exit doors must provide a continuous path to the street. Gates blocking exit paths to the street must also comply with the requirements for exit doors in width and locking hardware.
ρ ρ ρ ρ	Exit doors, when open, shall have a minimum clear width of 32". A manually operated horizontal sliding door may be used as one of the two required exits.
ρ ρ ρ ρ	Exit doors must be openable from the inside without the use of a key or special knowledge and require no more than one motion to open the door.
ρ ρ ρ ρ	An approved device suitable for sounding a fire alarm shall be provided.
ρ ρ ρ ρ	Monthly fire drills shall be conducted and records maintained.
	MISC. REQUIREMENTS
ρ ρ ρ ρ	_____
ρ ρ ρ ρ	_____
ρ ρ ρ ρ	_____
ρ ρ ρ ρ	_____

ADDRESS _____ BUSINESS NAME _____

MANAGER/OWNER _____ PHONE # _____ FAX #_____

ρ A reasonable degree of fire safety exists at this time. (Date)_____ (Inspector Number)_____

ρ In accordance with Section 103.4.3.1 of the California Fire Code you are hereby ordered to correct all violations immediately upon receipt of this notice. Failure to comply with this lawful order may result in a citation to appear in Municipal Court.

ρ R-2.3 Residential-based licensed facilities providing hospice care throughout, accommodating more than six bedridden clients.

ρ R-2.3.1 Residential-based licensed facilities providing hospice care throughout, accommodating six or less bedridden clients.

1ST 2ND 3RD OK	GENERAL REQUIREMENTS AND SPECIAL HAZARDS FOR ALL "R" OCCUPANCIES
ρ ρ ρ ρ	A minimum of one 2-A:10-B:C extinguisher shall be provided for each 3,000 square feet of floor area (every 6,000 feet in sprinklered buildings). Travel distance shall not exceed 75 feet.
ρ ρ ρ ρ	Extinguishers shall be serviced annually and shall have a current service tag attached.
ρ ρ ρ ρ	Exits shall not be obstructed in any manner.
ρ ρ ρ ρ	Combustible rubbish stored in containers shall be removed from buildings not less than once each working day.
ρ ρ ρ ρ	Oily rags shall be stored in metal, metal-lined or other approved containers with tight fitting lids.
ρ ρ ρ ρ	Extension cords shall not be used as a substitute for permanent wiring.
ρ ρ ρ ρ	Appliance cords and extension cords shall be kept in good condition with no splices.
ρ ρ ρ ρ	Rooms containing boiler or central heating plant shall be separated from the rest of the building by not less than one hour occupancy separation.
ρ ρ ρ ρ	Fire hydrants and other fire protection equipment shall not be obstructed and shall be maintained in an operative condition.
ρ ρ ρ ρ	A 40-B:C extinguisher shall be provided in all kitchens. ('K'- type extinguisher required for deep fat fryers)
ρ ρ ρ ρ	Maintain required service record for: automatic extinguishing system (min. 6 mo.) – commercial hoods – ducts - filters
ρ ρ ρ ρ	Dwelling units, congregate residences and hotel or lodging house guest rooms used for sleeping purposes shall be provided with smoke detectors.
ρ ρ ρ ρ	Where an automatic or manual fire alarm system is in place, such system shall be maintained in operating condition.
ρ ρ ρ ρ	Where an automatic extinguishing system or standpipe system is in place, such system shall be serviced and maintained in operating condition (inspected/serviced quarterly, re-certified every 5 years for fire sprinklers).
ρ ρ ρ ρ	Address number shall be posted, plainly visible from street. Numbers should contrast with background.
ρ ρ ρ ρ	Maintain minimum of 18" from ceilings in sprinklered bldg. Or 24" from ceilings in non-sprinklered bldg. (ex. along walls)
ρ ρ ρ ρ	Compressed gas containers, cylinders, and tanks shall be secured to prevent falling due to contact, vibration, or seismic
	R-2.3 REQUIREMENTS
ρ ρ ρ ρ	A minimum of two remote exits are required. All exit doors must provide a continuous path to the street. Gates blocking exit paths to the street must also comply with the requirements for exit doors in width and locking hardware.
ρ ρ ρ ρ	Corridors in R-2.3 shall be 60". Corridors in R-2.3.1 shall be 36".
ρ ρ ρ ρ	Where non-ambulatory clients are permitted, approved ramps are required when the change of level exceeds ½ inch.
ρ ρ ρ ρ	All exit doors must be openable from the inside without use of a key or special knowledge. Where panic hardware is installed there shall be no other locks or latches.
ρ ρ ρ ρ	Minimum of one manual pull station is required.
ρ ρ ρ ρ	The fire resistive wall separating the garage from the house shall be maintained in good repair and the door maintained self-closing with a tight latch.
ρ ρ ρ ρ	Bedridden clients shall not be located above the first story.
ρ ρ ρ ρ	Client room doors shall be 1-3/8" hollow wood, self-closing, positive-latching and provided with a gasket. Doors shall be maintained self-closing.
ρ ρ ρ ρ	Every (apartment and every other) sleeping room shall have access to not less than two exits when the O/L is 10 or more.
ρ ρ ρ ρ	An automatic fire sprinkler system shall be installed.
	MISC. REQUIREMENTS
ρ ρ ρ ρ	_____
ρ ρ ρ ρ	_____
ρ ρ ρ ρ	_____
ρ ρ ρ ρ	_____

STATE OF CALIFORNIA

FIRE SAFETY INSPECTION REQUEST

STD. 850 (REV. 10/94)

See instructions on reverse.

AGENCY CONTACT'S NAME	TELEPHONE NUMBER ( )	REQUEST DATE	PROGRAM
EVALUATOR'S NAME	REQUESTING AGENCY FACILITY NUMBER		REQUEST CODE

LICENSING AGENCY NAME AND ADDRESS

CODES

1. ORIGINAL A. FIRE CLEARANCE
2. RENEWAL B. LIFE SAFETY
3. CAPACITY CHANGE
4. OWNERSHIP CHANGE
5. ADDRESS CHANGE
6. NAME CHANGE
7. OTHER

AMBULATORY		NONAMBULATORY		BEDRIDDEN		TOTAL CAPACITY
CAPACITY	PREVIOUS CAPACITY	CAPACITY	PREVIOUS CAPACITY	CAPACITY	PREVIOUS CAPACITY	

FACILITY NAME	LICENSE CATEGORY
STREET ADDRESS (Actual Location)	NUMBER OF BUILDINGS
CITY	RESTRAINT
FACILITY CONTACT PERSON'S NAME	HOURS

SPECIAL CONDITIONS

TO BE COMPLETED BY INSPECTING AUTHORITY

FIRE AUTHORITY NAME AND ADDRESS

CLEARANCE/DENIAL CODE

CODES

1. FIRE CLEARANCE GRANTED
2. FIRE CLEARANCE DENIED
   - A. EXITS
   - B. CONSTRUCTION
   - C. FIRE ALARM
   - D. SPRINKLERS
   - E. HOUSEKEEPING
   - F. SPECIAL HAZARD
   - G. OTHER

INSPECTOR'S NAME (Typed or Printed)	TELEPHONE NUMBER ( )	CFIRS NUMBER	OCCUPANCY CLASS
INSPECTION DATE	INSPECTOR'S SIGNATURE (Typed or Printed)		

EXPLAIN DENIAL OR LIST SPECIAL CONDITIONS

STATE OF CALIFORNIA

FIRE SAFETY INSPECTION REQUEST

STD.836(REV.10-94)(REVERSE)

INSTRUCTIONS

This form is designed for use with a window envelope

Licensing or Requesting Agencies--Complete the following 19 sections on this form before submitting it to the fire authority having jurisdiction.

1. **AGENCY CONTACT, 2. TELEPHONE NUMBER, 5. EVALUATOR.** Enter the name and telephone number of agency contact person.

3. **PROGRAM.** Licensing agency use.

4. **REQUEST DATE.** Enter date request was prepared.

6. **REQUESTING AGENCY FACILITY NUMBER.** This is the file number assigned by the licensing agency.

7. **REQUEST CODE.** Use the seven codes shown and insert the appropriate number in the box following "Request Code". If NAME CHANGE, please list previous name. Insert date of original request is other than an original.

8. **AGENCY NAME AND ADDRESS.** Enter the name and address of the licensing facility requesting the inspection.

9. **AMBULATORY--NONAMBULATORY--BEDRIDDEN.**

   Capacity: Insert in the appropriate section, the capacity of licensed ambulatory or nonambulatory occupants covered by this request.

   Previous Capacity: If request is for renewal or capacity change, insert capacity of previous clearance.

   Total Capacity: Show total licensed capacity. If the facility is intended to house part ambulatory, nonambulatory, and part bedridden, show the total of the three types of occupants.

10. **FACILITY NAME.** Insert the name of the facility as it will appear on the license. List identifying sub name if known (i.e., Hacienda Corp/Medina Lodge).

11. **LICENSE CATEGORY.** Insert the category of license being sought as it will appear on the license certificate.

12. **ADDRESS.** Insert street address and city only. A post office box is not acceptable as only location.

13. **NUMBER OF BUILDINGS.** Insert the total number of buildings to be used for housing of the occupants covered by the license.

14. **RESTRAINT.** Indicate if physical restraint (locked in a room or the building) is to be used in the housing of the occupants.

15. **FACILITY CONTACT PERSON--TELEPHONE NUMBER.** Indicate the name and telephone number of the responsible individual at the facility to be contacted by the fire authority.

16. **HOURS.** Indicate the number of hours the occupants are housed at the facility (less than 24 or 24+).

17. **SPECIAL CONDITIONS.** Indicate any conditions unique to this request. As an example, if the inspection request is for one building in a multi-building facility.

FIRE AUTHORITY CONDUCTING THE INSPECTION--COMPLETE THE FOLLOWING:

18. **FIRE AUTHORITY, NAME AND ADDRESS.** Insert the name and address of the fire authority where the facility is located.

19. **CLEARANCE/DENIAL CODE.** Use the two codes: 1 for clearance granted, and 2 for clearance denied. If denied, also include the appropriate letter code. As an example, Denial based upon exiting would be coded 2A.

20. **INSPECTOR'S NAME.** Print the initial of the inspector's first name and full last name; insert the telephone number where the inspector may be contacted.

21. **CFIRS I.D. NUMBER.** Insert the fire department's number assigned by California Fire Incident Reporting System.

22. **OCCUPANCY CLASSIFICATION.** Use California Building Code occupancy classifications and insert the occupancy determined by the inspector.

23. **INSPECTION DATE.** Enter the actual date of the inspection.

24. **INSPECTOR'S SIGNATURE.** To be signed by the inspector conducting the inspection.

25. **EXPLAIN DENIAL OR SPECIAL CONDITIONS.** If clearance code #2 is used, briefly explain reason. This space is also to be used to specify any additional limitations placed by the fire authority, such as the use of certain floors or sleeping rooms approved for nonambulatory clients.

The information extracted from a STD Form 850 Fire Safety Inspection Request can provide you with the following:

Item #4. The Request Date. This date is commonly confused with the date of RECEIPT of a request. The date of Receipt is the point at which the clock starts ticking. AHJ's will have 30 days from the receipt date to provide at least an initial inspection for fire clearance.

Item #6. Agency. You can no longer classify a facility based upon the licensing agency requesting the inspection. With the addition of CLHF's, ICF/DDH's, & ICF/DDN's; facilities might be licensed by Social Services-Community Care Licensing, Health Services-Certification & Licensing, or Health Services-Division of AIDS.

Item #9. Capacities. Regardless of what "Revision" of STD Form 850 you may receive, the number of ambulatory verses non-ambulatory clients in addition to the total capacities will determine the Division of Group R Occupancy (ie: 2.1, 2.2).

Item #14. Restraint. Never in a Group R Division 2!

Item #16. Hours. Anything less than 24 hour where "care and supervision" is being provided is probably a Day Care Facility. (See changes to Group E Division 3 Occupancies.)

Item #17. (Or just below this item...) Special instruction or descriptions will be found. Licensing agencies should be providing descriptions of the facility consistent with the types of facilities noted in Sec. 310.1, T24 CBC.

The information extracted from a STD Form 9092 Fire Pre-Inspection/Consultation Request can properly prepare you to perform a Pre-inspection upon request by Health & Safety Code Section 13235:

The Pre-Inspection/Consultation Request form is provided to prospective care providers by Social Services Community Care Licensing to complete and forward to local fire authorities for their disposition. Upon receipt, local fire authorities have 30 days to respond to the request.

The form will provide you with the following information:

- Type of facility
- Size of facility for billing purposes only
- Number of non-ambulatory clients
- Location of facility

The form will not provide you with the total number of capacity of a facility nor will it identify ambulatory, non-ambulatory, bedridden.

The form will not distinguish Elderly, Protective Social Care, nor Children

It does not require a floor plan.

It does not identify restraint.

ANNEX-VII

Information About Facilities Licensed by Department of Health Services
(Congregate Living Health Facilities)

Most six or less residential care facilities will be licensed by the Department of Social Services and will care for clients who need "Care and Supervision". However, there are a small number of small residential care facilities that are licensed by the Department of Health Services.

Residential care facilities can choose to participate in the Federal Certification Program administered by the Center for Medicare/Medicaid Services, (CMS). This federal agency manages the disbursement of Medicare and Medicaid funds to health care facilities nationwide who participate in the program through this agency's certification program. In order for a facility to be certified, and as a condition of participation, the facility must comply with State and Federal fire and life safety regulations. In this process, Department of Health Services Fire and Life Safety Surveyors conduct the Federal fire and life safety part of the survey. The Department of Health Services then submits an 850 to the local AHJ to conduct the State fire and life safety inspection.

In 1989 and the early 90's, budgetary revisions caused the closure of several California State Hospitals. The residents in these large institutions were then farmed out to residential facilities within their communities. These clients had been in the large institutions which provided medical care and were certified to receive federal Medicare or Medicaid funds. At that time the large institutions had to comply with NFPA #101, "Health Care Facilities" chapter. In response to the clients being relocated from a large facility to a small residential facility, CMS adopted the 2000 Edition of NFPA #101, Chapter 21, Residential Board and Care Occupancies. This chapter then became the Federal fire and life safety standard that these small facilities had to meet in order to be certified.

Facilities participating in this program will be licensed by the Department of Health as they will house clients who typically need medical care and fall within the federal definition of "Health Care Facilities". The care they provide goes beyond "Care and Supervision" as defined in Chapter 2 of the California Building Code for R-2 facilities licensed by Department of Social Services. Consequently, these facilities will house developmentally disabled persons as well as bedridden. Inspectors receiving 850 forms from the Department of Health Services for these facilities will notice that the designator on the upper right-hand corner box entitled "request code" should be listed as having a numerical designator followed by the letter "A". (An example would be "1A"). If the letter used in this box is a "B", send the 850 back to DHS. Otherwise, conduct the inspection categorizing the facility in the R-2 Occupancy it most nearly resembles.

ANNEX-VIII

California State Department of Social Services, Community Care Licensing
PROVISIONS FOR EMERGENCY EVACUATION PLANNING

CCR, Title 22, Division 6, Chapter 1, Article 3-4 General Licensing Requirements

80023 DISASTER AND MASS CASUALTY PLAN 80023

(a) Each licensee shall have and maintain on file a current, written disaster and mass casualty plan of action.

(b) The plan shall be subject to review by the licensing agency and shall include:

(1) Designation of administrative authority and staff assignments.

(2) Contingency plans for action during fires, floods, and earthquakes, including but not limited to the following:

(A) Means of exiting.

(B) Transportation arrangements.

(C) Relocation sites which are equipped to provide safe temporary accommodation for clients.

(D) Arrangements for supervision of clients during evacuation or relocation, and for contact after relocation to ensure that relocation has been completed as planned.

(E) Means of contacting local agencies, including but not limited to the fire department, law enforcement agencies, and civil defense and other disaster authorities.

(c) The licensee shall instruct all clients, age and abilities permitting, all staff, and/or members of the household in their duties and responsibilities under the plan.

(d) Disaster drills shall be conducted at least every six months.

(1) Completion of such drills shall not require travel away from the facility grounds or contact with local disaster agencies.

(2) The drills shall be documented and the documentation maintained in the facility for at least one year.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1520, 1528 and 1531, Health and Safety Code.

CCR, Title 22, Division 6, Chapter 8. Residential Care Facilities for the Elderly

87223 DISASTER AND MASS CASUALTY PLAN 87223

(a) Each facility shall have a disaster and mass casualty plan of action. The plan shall be in writing and shall be readily available.

(b) The plan shall be subject to review by the Department and shall include:

(1) Designation of administrative authority and staff assignments.

(2) Plan for evacuation including:

(A) Fire safety plan.

(B) Means of exiting.

(C) Transportation arrangements.

(D) Relocation sites which are equipped to provide safe temporary accommodations for residents.

(E) Supervision of residents during evacuation or relocation and contact after relocation to assure that relocation has been completed as planned.

(F) Means of contacting local agencies such as fire department, law enforcement agencies, civil defense and other disaster authorities.

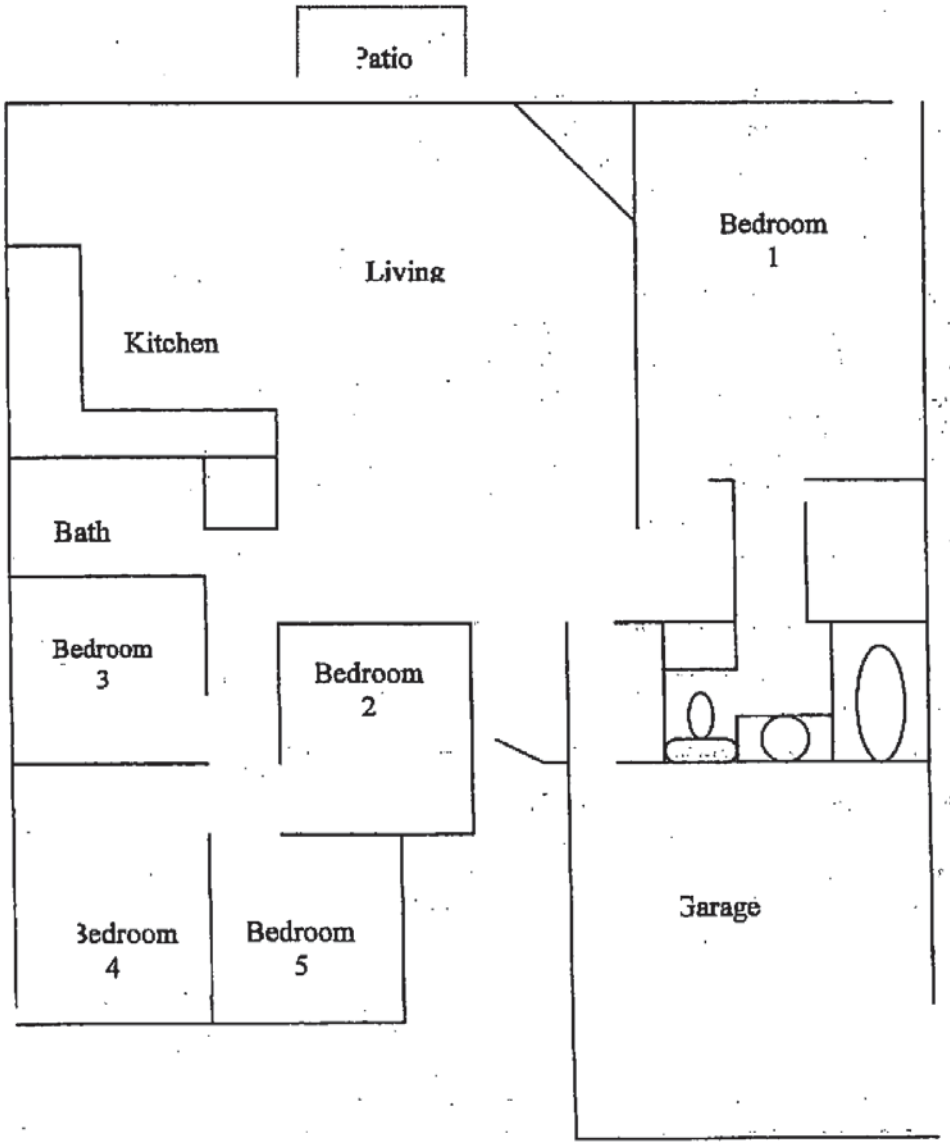
(3) Provision for notifying a resident's hospice agency, if any, in the event of evacuation and/or relocation.

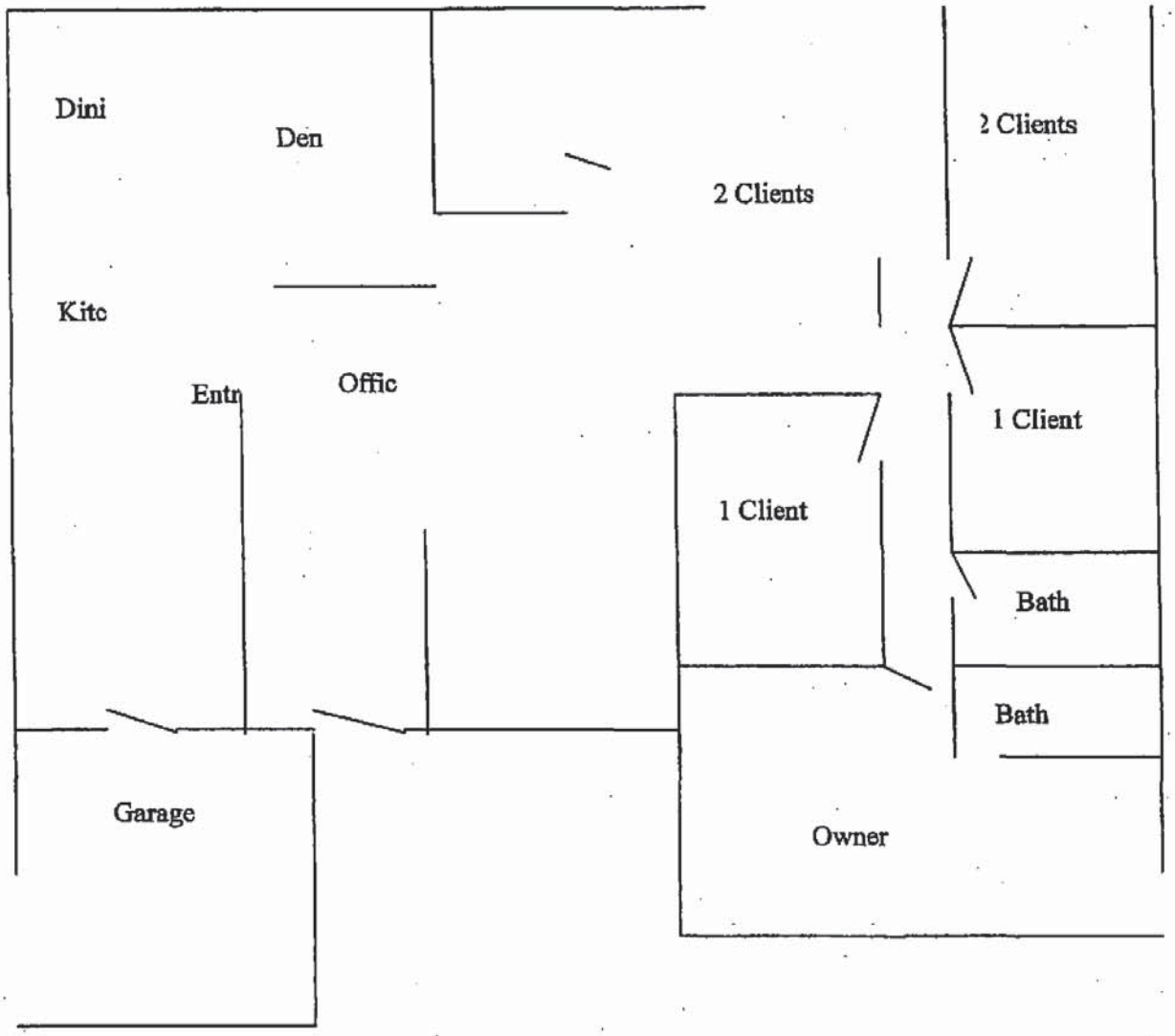
(c) Emergency exiting plans and telephone numbers shall be posted.

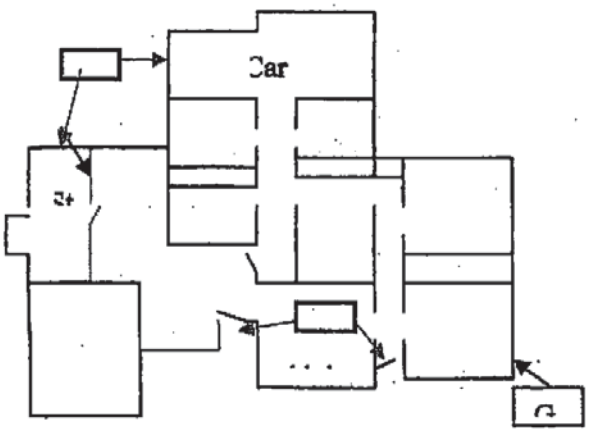
NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.1, 1569.2, 1569.31, 1569.312, and 13131, Health and Safety Code.

ANNEX-IX

Sample Floor Plans and Explanatory Comments




Dini
Den
2 Clients
2 Clients
Kitc
Entr
Offic
1 Client
1 Client
Bath
Bath
Garage
Owner



Electric
Shut-off

ANNEX-X

Health and Safety Code

§1250. HEALTH FACILITY

[CAN]Definitions for various types of residential care facilities providing medical care and licensed by the Department of Health Services.

As used in this chapter, "health facility" means any facility, place, or building which is organized, maintained, and operated for the diagnosis, care prevention, and treatment of human illness, physical or mental, including convalescence and rehabilitation and including care during and after pregnancy, or for any one or more of these purposes, for one or more persons, to which the persons are admitted for a 24-hour stay or longer, and includes the following types:

(e) **"Intermediate care facility/developmentally disabled habilitative"** means a facility with capacity of four to 15 beds which provides 24-hour personal care, habilitative, developmental, and supportive health services to 15 or fewer developmentally disabled persons who have intermittent recurring needs for nursing services, but have been certified by a physician and surgeon as not requiring availability of continuous skilled nursing care.

(h) **"Intermediate care facility/developmentally disabled-nursing"** means a facility with a capacity of four to 15 beds which provides 24-hour personal care, developmental services, and nursing supervision for developmentally disabled persons who have intermittent recurring needs for skilled nursing care but have been certified by a physician and surgeon as not requiring continuous skilled nursing care. The facility shall serve medically fragile persons who have developmental disabilities or demonstrate significant developmental delay that may lead to a developmental disability if not treated.

(i)(1) **"Congregate living health facility"** means a residential home with a capacity, except as provided in paragraph (4), of no more than six beds, which provides inpatient care, including the following basic services: medical super recreational, and at least one type of service specified in paragraph (2). The ability of skilled nursing care on a recurring, intermittent, extended, or general acute care hospitals but more intense that provided in skilled nursing facilities.

(2) Congregate living health facilities shall provide one of the following services:

(A) Services for persons who are mentally alert, physically disabled persons, who may be ventilator dependent.

(B) Services for persons who have a diagnosis of terminal illness. Terminal illness means the individual has a life expectancy of six months or less as stated in writing by his or her attending physician or surgeon.

(C) Services for persons who are a catastrophically and severely disabled. A catastrophically and severely disabled person means a person whose origin of disability was acquired through trauma or non-degenerative neurologic illness, for whom it has been determined that active rehabilitation would be beneficial and to whom these services are being provided. Services offered by a congregate living health facility to a catastrophically disabled person shall include, but not limited to, speech, physical, and occupational therapy.

(3) A congregate living health facility license shall specify which of the types of persons described in paragraph (2) to whom a facility is licensed to provide services.

(4) (A) A facility operated by a city and county for the purpose of delivering services under this section may have a capacity of 59 beds.

(B) A congregate living health facility not operated by a city and county servicing persons who are terminally ill, which is located in a county with a population of 500,000 or more persons may have not more than 25 beds for the purpose of servicing terminally ill persons.

(C) A congregate living health facility not operated by a city and county serving persons who are catastrophically and severely disabled, as defined in subparagraph (C) of paragraph (2) which is located in a county of 500,000 or more persons may have not more than 12 beds for the purpose of serving catastrophically and severely disabled persons.
(5) A congregate living health facility shall have a non-institutional, home-like environment.

§1267.13. CONGREGATE LIVING HEALTH FACILITIES; INTERIM REGULATIONS

[CAN] State Fire Marshal to create regulations for facilities for the terminally ill and catastrophically and severely disabled persons. This is enabling legislation that established the R2.3 Occupancies.

Pursuant to paragraph (3) of subdivision (a) and subdivision (b) of Section §1265.7, this section shall be effective until the adoption of permanent regulations. Notwithstanding, the state department has authority to make reasonable accommodation for exceptions to the standards in this section, providing the health, safety, and quality of patient care is not compromised. No exceptions shall be made for building standards. Prior written approval communicating the terms and conditions under which the exception is granted shall be required. Applicants shall request exception in writing accompanied by detailed, supporting documentation.

Congregate living health facilities serving persons who are terminally ill, persons who are catastrophically and severely disabled, persons who are mentally alert but physically disabled, or any combination of these persons, shall conform to the following:
(a)Facilities shall obtain and maintain a valid clearance from the appropriate authority having jurisdiction over the facility, based on compliance with state regulations concerning fire and safety, as adopted by the State Fire Marshal.
(b)The State Fire Marshal, with the advice of the State Board of Fire Services, shall adopt regulations on or before January 1, 1991, following a public hearing, establishing minimum requirements for the protection of life and property for congregate living health facilities serving terminally ill persons, catastrophically and severely disabled persons, persons who are mentally alert but physically disabled, or any combination of these persons. These minimum requirements shall recognize the residential and non-institutional setting of congregate living health facilities serving terminally ill persons, catastrophically and severely disabled persons, persons who are mentally alert but physically disabled, or any combination of these persons.
(c)Facilities shall be in a homelike residential setting. Living accommodations and grounds shall be related to the facility's function and clientele. Facilities shall provide sufficient space for comfortable living accommodations and privacy for residents, staff, and others who may reside in the facility.

§1501.

[CAN] Legislative mandate to establish community-based care system to facilitate the placement of state hospital patients into the community.

(a) The Legislature hereby finds and declares that there is an urgent need to establish a coordinated and comprehensive statewide service system of quality community care for mentally ill, developmentally and physically disabled, and children and adults who require care or services by a facility or organization issued a license or special permit pursuant to this chapter.
(b) Therefore, the Legislature declares it is the intent of the state to develop policies and programs designed to:
(1) Insure a level of care and services in the community which is equal to or better than that provided by the state hospitals;

(2) Assure that all people who require them are provided with the appropriate range of social rehabilitative, habilitative and treatment services, including residential and nonresidential programs tailored to their needs;

(3) Protect the legal and human rights of a person in or receiving services from a community care facility;

(4) Insure continuity of care between the medical-health elements and the supportive care-rehabilitation elements of California's health systems;

(5) Insure that facilities providing community care are adequate, safe and sanitary;

(6) Assure that rehabilitative and treatment services are provided at a reasonable cost;

(7) Assure that state payments for community care services are based on a flexible rate schedule varying according to type and cost of care and services provided;

(8) Encourage the utilization of personnel from state hospitals and the development of training programs to improve the quality of staff in community care facilities; and

(9) Insure the quality of community care facilities by evaluating the care and services provided and furnishing incentives to upgrade their quality.

§1501.1.

[CAN] The needs of each child shall be considered when placing them in foster homes or certified family homes.

(a) It is the policy of the state to facilitate the proper placement of every child in residential care facilities where the placement is in the best interests of the child. A county may require placement or licensing agencies, or both placement and licensing agencies, to actively seek out-of-home care facilities capable of meeting the varied needs of the child. Therefore, in placing children in out-of-home care, particular attention should be given to the individual child's needs, the ability of the facility to meet those needs, the needs of other children in the facility, the licensing requirements of the facility as determined by the licensing agency, and the impact of the placement on the family reunification plan.

(b) Pursuant to this section, children with varying designations and varying needs, except as provided by statute, may be placed in the same facility provided the facility is licensed, complies with all licensing requirements relevant to the protection of the child, and has a special permit, if necessary, to meet the needs of each child so placed. A facility may not require, as a condition of placement, that a child be identified as an individual with exceptional needs as defined by Section §56026 of the Education Code.

(c) Neither the requirement for any license nor any regulation shall restrict the implementation of the provisions of this section. Implementation of this section does not obviate the requirement for a facility to be licensed by the department.

(d) Pursuant to this section, children with varying designations and varying needs, except as provided by statute, may be placed in the same licensed foster family home or with a foster family agency for subsequent placement in a certified family home. Children with developmental disabilities, mental disorders, or physical disabilities may be placed in licensed foster family homes or certified family homes, provided that an appraisal of the child's needs and the ability of the receiving home to meet those needs is made jointly by the placement agency and the licensee in the case of licensed foster family homes or the placement agency and the foster family agency in the case of certified family homes, and is followed by written confirmation prior to placement. The appraisal shall confirm that the placement poses no threat to any child in the home.

For purposes of this chapter, the placing of children by foster family agencies shall be referred to as "subsequent placement" to distinguish the activity from the placing by public agencies.

§1502. As used in this chapter:

[CAN] Definitions relative to the various types of facilities providing "care and supervision" and licensed by the Department of Social Services.

(a) "Community care facility" means any facility, place, or building that is maintained and operated to provide non-medical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children, and includes the following:

(1) "Residential facility" means any family home, group care facility, or similar facility determined by the director, for 24-hour non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.

(2) "Adult day program" means any community-based facility or program that provides care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals on less than a 24-hour basis.

(3) "Therapeutic day services facility" means any facility that provides non-medical care, counseling, educational or vocational support, or social rehabilitation services on less than a 24-hour basis to persons under 18 years of age who would otherwise be placed in foster care or who are returning to families from foster care. Program standards for these facilities shall be developed by the department, pursuant to Section §1530, in consultation with therapeutic day services and foster care providers.

(4) "Foster family agency" means any organization engaged in the recruiting, certifying, and training of, and providing professional support to, foster parents, or in finding homes or other places for placement of children for temporary or permanent care who require that level of care as an alternative to a group home. Private foster family agencies shall be organized and operated on a nonprofit basis.

(5) "Foster family home" means any residential facility providing 24-hour care for six or fewer foster children that is owned, leased, or rented and is the residence of the foster parent or parents, including their family, in whose care the foster children have been placed. The placement may be by a public or private child placement agency or by a court order, or by voluntary placement by a parent, parents, or guardian. It also means a foster family home described in Section §1505.2.

(6) "Small family home" means any residential facility, in the licensee's family residence, that provides 24-hour care for six or fewer foster children who have mental disorders or developmental or physical disabilities and who require special care and supervision as a result of their disabilities. A small family home may accept children with special health care needs, pursuant to subdivision (a) of Section §17710 of the Welfare and Institutions Code. In addition to placing children with special health care needs, the department may approve placement of children without special health care needs, up to the licensed capacity.

(7) "Social rehabilitation facility" means any residential facility that provides social rehabilitation services for no longer than 18 months in a group setting to adults recovering from mental illness who temporarily need assistance, guidance, or counseling. Program components shall be subject to program standards pursuant to Article 1 (commencing with Section §5670) of Chapter 2.5 of Part 2 of Division 5 of the Welfare and Institutions Code.

(8) "Community treatment facility" means any residential facility that provides mental health treatment services to children in a group setting and that has the capacity to provide secure

containment. Program components shall be subject to program standards developed and enforced by the State Department of Mental Health pursuant to Section §4094 of the Welfare and Institutions Code.

Nothing in this section shall be construed to prohibit or discourage placement of persons who have mental or physical disabilities into any category of community care facility that meets the needs of the individual placed, if the placement is consistent with the licensing regulations of the department.

(9) "Full-service adoption agency" means any licensed entity engaged in the business of providing adoption services, that does all of the following:

(A) Assumes care, custody, and control of a child through relinquishment of the child to the agency or involuntary termination of parental rights to the child.

(B) Assesses the birth parents, prospective adoptive parents, or child.

(C) Places children for adoption.

(D) Supervises adoptive placements. Private full-service adoption agencies shall be organized and operated on a nonprofit basis.

(10) "Noncustodial adoption agency" means any licensed entity engaged in the business of providing adoption services, that does all of the following:

(A) Assesses the prospective adoptive parents.

(B) Cooperatively matches children freed for adoption, who are under the care, custody, and control of a licensed adoption agency, for adoption, with assessed and approved adoptive applicants.

(C) Cooperatively supervises adoptive placements with a full-service adoptive agency, but does not disrupt a placement or remove a child from a placement. Private noncustodial adoption agencies shall be organized and operated on a nonprofit basis.

(11) "Transitional shelter care facility" means any group care facility that provides for 24-hour nonmedical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual. Program components shall be subject to program standards developed by the State Department of Social Services pursuant to Section §1502.3.

(12) "Transitional housing placement facility" means a community care facility licensed by the department pursuant to Section §1559.110 to provide transitional housing opportunities to persons at least 17 years of age, and not more than 18 years of age unless the requirements of Section §11403 of the Welfare and Institutions Code are met, who are in out-of-home placement under the supervision of the county department of social services or the county probation department, and who are participating in an independent living program.

(b) "Department" or "state department" means the State Department of Social Services.

(c) "Director" means the Director of Social Services.

§1502.2.

[CAN] Community care facility and social day care facility defined.

For purposes of this chapter, a "community care facility" pursuant to Section 1502 includes a social day care facility. A "social day care facility" means a community-based group program designed to meet the needs of functionally impaired adults through and individual plan of care in a structured comprehensive program that provides a variety of social and related support services in a protective setting on less than a 24-hour basis.

§1502.3.

[CAN] A community care facility, which is a short-term placement facility for abused and neglected children, shall be considered to be a "residential care facility".

For purposes of this chapter, a "community care facility," pursuant to Section §1502, includes a transitional shelter care facility. A "transitional shelter care facility" means a short-term residential care program that meets all of the following requirements:

(a) It is owned by the county, and operated by the county or by a private nonprofit organization under contract to the county.

(b) It is a group care facility that provides for 24-hour nonmedical care of persons, under 18 years of age, who are in need of personal services, supervision, or assistance that is essential for sustaining the activities of daily living, or for the protection of the individual on a short-term basis. As used in this section, "short-term" means up to 90 days from the date of admission.

(c) It is for the sole purpose of providing care for children who have been removed from their homes as a result of abuse or neglect, or both; for children who have been adjudged wards of the court; and, for children who are seriously emotionally disturbed children. For purposes of this subdivision, "abuse or neglect" means the same as defined in Section §300 of the Welfare and Institutions Code. For purposes of this subdivision, "wards of the court" means the same as defined in Section §602 of the Welfare and Institutions Code. For purposes of this subdivision, "seriously emotionally disturbed children" means the same as defined in subdivision (a) of Section §5600.3 of the Welfare and Institutions Code.

(d) It primarily serves children who have previously been placed in a community care facility and are awaiting placement into a different community care facility that is appropriate to their needs. Children residing in transitional shelter care facilities may include children who are very difficult to place in appropriate community care facilities because of factors which may be present in combination, including: threatening, aggressive, suicide, runaway or destructive behaviors and behaviors as defined in Section §5600.3 of the Welfare and Institutions Code.

(e) Based upon an agreement with the county, the licensee shall agree to accept, for placement into its transitional shelter care program, all children referred by the county.

(f) The licensee shall not discharge any child without the permission of the county, except when a child:

(1) Commits an unlawful act and the child must be detained in a juvenile institution.

(2) Requires either of the following:

(A) Physical health care in an acute care hospital.

(B) Mental health services in an acute psychiatric hospital.

(g) The licensee shall provide a program that is designed to be flexible enough to care for a highly variable population size and shall allow for the special needs of sibling groups.

§1502.4.

[CAN] Community care facility licensed as a group home for children may accept for placement, and provide care and supervision to, a child assessed as seriously emotionally disturbed as long as the child does not need inpatient care in a licensed health facility.

(a) (1) A community care facility licensed as a group home for children pursuant to this chapter may accept for placement, and provide care and supervision to, a child assessed as seriously emotionally disturbed as long as the child does not need inpatient care in a licensed health facility.

(2) For the purpose of this chapter, the following definitions shall apply:

(A) "Inpatient care in a licensed health facility" means care and supervision at a level greater than incidental medical services as specified in Section §1507.

(B) "Seriously emotionally disturbed" means the same as paragraph (2) of subdivision (a) of Section §5600.3 of the Welfare and Institutions Code.

(b) If a child described in subdivision (a) is placed into a group home program classified at rate classification level 13 or rate classification level 14 pursuant to Section §11462.01 of the Welfare and Institutions Code, the licensee shall meet both of the following requirements:

(1) The licensee shall agree to accept, for placement into its group home program, only children who have been assessed as seriously emotionally disturbed by either of the following:

(A) An interagency placement committee, as described in Section §4096 of the Welfare and Institutions Code or by a licensed mental health professional, as defined in Sections §629 to §633, inclusive, of Title 9 of the California Code of Regulations.

(B) A licensed mental health professional pursuant to paragraph (3) of subdivision (i), or subdivision (j), of Section §11462.01 of the Welfare and Institutions Code if the child is privately placed or only county funded.

(2) The program is certified by the State Department of Mental Health, pursuant to Section §4096.5 of the Welfare and Institutions Code, as a program that provides mental health treatment services for seriously emotionally disturbed children.

(c) The department shall not evaluate, or have any responsibility or liability with regard to the evaluation of, the mental health treatment services provided pursuant to this section and paragraph (3) of subdivision (f) of Section §11462.01 of the Welfare and Institutions Code.

§1502.5.

[CAN] Residential care facilities for the elderly are not community care facilities.

Notwithstanding Section §1502, residential care facilities for the elderly, as defined in Section §1569.2, shall not be considered community care facilities and shall be subject only to the California Residential Care Facilities for the Elderly Act (Chapter 3.2 (commencing with Section §1569)).

§1503.

[CAN] Definition of a License.

As used in this chapter, "license" means a basic permit to operate a community care facility. A license shall not be transferable.

§1503.5.

[CAN] No unlicensed community care facility shall operate in this state. Above section describes such facilities.

(a) A facility shall be deemed to be an "unlicensed community care facility" and "maintained and operated to provide non-medical care" if it is unlicensed and not exempt from licensure and any one of the following conditions is satisfied:

(1) The facility is providing care or supervision, as defined by this chapter or the rules and regulations adopted pursuant to this chapter.

(2) The facility is held out as or represented as providing care or supervision, as defined by this chapter or the rules and regulations adopted pursuant to this chapter.

(3) The facility accepts or retains residents who demonstrate the need for care or supervision, as defined by this chapter or the rules and regulations adopted pursuant to this chapter.

(4) The facility represents itself as a licensed community care facility.

(5) The facility is performing any of the functions of a foster family agency or holding itself out as a foster family agency.

(6) The facility is performing any of the functions of an adoption agency or holding itself out as performing any of the functions of an adoption agency as specified in paragraph (9) of subdivision (a) of Section §1502.

(b) No unlicensed community care facility, as defined in subdivision (a), shall operate in this state.

(o) Upon discovery of an unlicensed community care facility, the department shall refer residents to the appropriate local or state ombudsman, or placement, adult protective services, or child protective services agency if either of the following conditions exist:

(1) There is an immediate threat to the clients' health and safety.

(2) The facility will not cooperate with the licensing agency to apply for a license, meet licensing standards, and obtain a valid license.

§1504.5.

[CAN] Disabled persons can live independently on their own, or may choose to rent a room or space in a residence, while receiving "community living support services" which may resemble "care and supervision". However, residences renting a room or space to the disabled, as intended in this section, are not necessarily residential care facilities or in need of licensing by Department of Social Services.

(a) (1) This chapter does not apply to any independent living arrangement or supportive housing, described in paragraph (2) of subdivision (c), for individuals with disabilities who are receiving community living support services, as described in paragraph (1) of subdivision (c).

(2) This section does not affect the provisions of Section §1503.5 or §1505.

(3) Community living support services described in paragraph (1) of subdivision (c) do not constitute care or supervision.

(b) (1) The Legislature finds and declares that there is an urgent need to increase the access to supportive housing, as described in paragraph (2) of subdivision (c), and to foster community living support services, as described in paragraph (1) of subdivision (c), as an effective and cost-efficient method of serving persons with disabilities who wish to live independently.

(2) It is the intent of the Legislature that persons with disabilities be permitted to do both of the following:

(A) Receive one or more community living support services in the least restrictive setting possible, such as in a person's private home or supportive housing residence.

(B) Voluntarily choose to receive support services in obtaining and maintaining supportive housing.

(3) It is the intent of the Legislature that community living support services, as described in paragraph (1) of subdivision (c), enable persons with disabilities to live more independently in the community for long periods of time.

(c) (1) "Community living support services," for purposes of this section, are voluntary and chosen by persons with disabilities in accordance with their preferences and goals for independent living. "Community living support services" may include, but are not limited to, any of the following:

(A) Supports that are designed to develop and improve independent living and problem solving skills.

(B) Education and training in meal planning and shopping, budgeting and managing finances, medication self-management, transportation, vocational and educational development, and the appropriate use of community resources and leisure activities.

(C) Assistance with arrangements to meet the individual's basic needs such as financial benefits, food, clothing, household goods, and housing, and locating and scheduling for appropriate medical, dental, and vision benefits and care.

(2) "Supportive housing," for purposes of this section, is rental housing that has all of the following characteristics:

(A) It is affordable to people with disabilities.

(B) It is independent housing in which each tenant meets all of the following conditions:

(i) Holds a lease or rental agreement in his or her own name and is responsible for paying his or her own rent.

(ii) Has his or her own room or apartment and is individually responsible for arranging any shared tenancy.

(C) It is permanent, wherein each tenant may stay as long as he or she pays his or her share of rent and complies with the terms of his or her lease.

(D) It is tenancy housing under which supportive housing providers are required to comply with applicable state and federal laws governing the landlord-tenant relationship.

(E) Participation in services or any particular type of service is not required as a condition of tenancy.

(d) Counties may contract with agencies or individuals to assist persons with disabilities in securing their own homes and to provide persons with disabilities with the supports needed to live in their own homes, including supportive housing.

(e) For purposes of this section and notwithstanding any other provision of law, an individual with disabilities may contract for the provision of any of the community support services specified in paragraph (1) of subdivision (c) in the individual's own home including supportive housing, as part of that individual's service, care, or independent living plan, only through a government funded program or a private health or disability insurance plan.

(f) An individual's receipt of community living support services as defined in paragraph (1) of subdivision (c) shall not be construed to mean that the individual requires care or supervision or is receiving care or supervision.

§1505.

[CAN] Above facilities do not qualify as "Community Care Facilities" as defined in Section 1502.2.

This chapter does not apply to any of the following:

(a) Any health facility, as defined by Section §1250.

(b) Any clinic, as defined by Section §1202.

(c) Any juvenile placement facility approved by the California Youth Authority or any juvenile hall operated by a county.

(d) Any place in which a juvenile is judicially placed pursuant to subdivision (a) of Section §727 of the Welfare and Institutions Code.

(e) Any child day care facility, as defined in Section §1596.750.

(f) Any facility conducted by and for the adherents of any well-recognized church or religious denomination for the purpose of providing facilities for the care or treatment of the sick who depend upon prayer or spiritual means for healing in the practice of the religion of the church or denomination.

(g) Any school dormitory or similar facility determined by the department.

(h) Any house, institution, hotel, homeless shelter, or other similar place that supplies board and room only, or room only, or board only, provided that no resident thereof requires any element of care as determined by the director.

(i) Recovery houses or other similar facilities providing group living arrangements for persons recovering from alcoholism or drug addiction where the facility provides no care or supervision.

(j) Any alcoholism or drug abuse recovery or treatment facility as defined by Section §11834.11.

(k) Any arrangement for the receiving and care of persons by a relative or any arrangement for the receiving and care of persons from only one family by a close friend of the parent, guardian, or conservator, if the arrangement is not for financial profit and occurs only occasionally and irregularly, as defined by regulations of the department. For purposes of this chapter, arrangements for the receiving and care of persons by a relative shall include relatives of the child for the purpose of keeping sibling groups together.

(l) (1) Any home of a relative caregiver of children who are placed by a juvenile court, supervised by the county welfare or probation department, and the placement of whom is approved according to subdivision (d) of Section §309 of the Welfare and Institutions Code.

(2) Any home of a nonrelative extended family member, as described in Section §362.7 of the Welfare and Institutions Code, providing care to children who are placed by a juvenile court, supervised by the county welfare or probation department, and the placement of whom is approved according to subdivision (d) of Section §309 of the Welfare and Institutions Code.

(m) Any supported living arrangement for individuals with developmental disabilities as defined in Section §4689 of the Welfare and Institutions Code.

(n) (1) Any family home agency, family home, or family teaching home as defined in Section §4689.1 of the Welfare and Institutions Code, that is vendored by the State Department of Developmental Services and that does any of the following:

(A) As a family home approved by a family home agency, provides 24-hour care for one or two adults with developmental disabilities in the residence of the family home provider or providers and the family home provider or providers' family, and the provider is not licensed by the State Department of Social Services or the State Department of Health Services or certified by a licensee of the State Department of Social Services or the State Department of Health Services.

(B) As a family teaching home approved by a family home agency, provides 24-hour care for a maximum of three adults with developmental disabilities in independent residences, whether contiguous or attached, and the provider is not licensed by the State Department of Social Services or the State Department of Health Services or certified by a licensee of the State Department of Social Services or the State Department of Health Services.

(C) As a family home agency, engages in recruiting, approving, and providing support to family homes.

(2) No part of this subdivision shall be construed as establishing by implication either a family home agency or family home licensing category.

(o) Any facility in which only Indian children who are eligible under the federal Indian Child Welfare Act, Chapter 21 (commencing with Section 1901) of Title 25 of the United States Code are placed and that is one of the following:

(1) An extended family member of the Indian child, as defined in Section 1903 of Title 25 of the United States Code.

(2) A foster home that is licensed, approved, or specified by the Indian child's tribe pursuant to Section 1915 of Title 25 of the United States Code.

(p) Any housing for elderly or disabled persons, or both, that is approved and operated pursuant to Section 202 of Public Law 86-372 (12 U.S.C.A. Sec. 1701g), or Section 811 of Public Law 101-625 (42 U.S.C.A. Sec. 8013), or whose mortgage is insured pursuant to Section 236 of Public Law 90-448 (12 U.S.C.A. Sec. 1715z), or that receives mortgage assistance pursuant to Section 221d (3) of Public Law 87-70 (12 U.S.C.A. Sec. 17151), where supportive

services are made available to residents at their option, as long as the project owner or operator does not contract for or provide the supportive services. The project owner or operator may coordinate, or help residents gain access to, the supportive services, either directly, or through a service coordinator.

(q) Any similar facility determined by the director.

§1505.2.

[CAN] Foster homes may house up to children. If the children are siblings, a sibling group exceeding 8 children may be placed in a single foster home.

A licensing agency may authorize a foster family home to provide 24-hour care for up to eight foster children, for the purpose of placing siblings or half siblings together in foster care. This authorization may be granted only if all of the following conditions are met:

(A) The foster family home is not a specialized foster care home as defined in subdivision (i) of Section §17710 of the Welfare and Institutions Code.

(B) The home is sufficient in size to accommodate the needs of all children in the home.

(C) For each child to be placed, the child's placement social worker has determined that the child's needs will be met and has documented that determination.

The licensing agency may authorize a foster family home to provide 24-hour care for more than eight children only if the foster family home specializes in the care of sibling groups, that placement is solely for the purpose of placing together one sibling group that exceeds eight children, and all of the above listed conditions are met.

§1505.5.

[CAN] Residential care facilities that have extra room or space can provide short-term care for people who are cared for by a caretaker who needs to place them somewhere else temporarily.

The director shall adopt regulations authorizing residential facilities, as defined in Section §1502, to fill unused capacity on a short-term, time-limited basis to provide temporary respite care for frail elderly persons, functionally impaired adults, or mentally disordered persons who need 24-hour supervision and who are being cared for by a caretaker or caretakers. The regulations shall address provisions for liability coverage and the level of facility responsibility for routine medical care and medication management, and may require screening of persons to determine the level of care required, a physical history completed by the person's personal physician, and other alternative admission criteria to protect the health and safety of persons applying for respite care.

The regulations shall permit these facilities to charge a fee for services provided, which shall include, but not be limited to, supervision, room, leisure activities, and meals.

No facility shall accept persons in need of care beyond the level of care for which that facility is licensed.

§1506.

[CAN] A child with a developmental disability can remain in a foster home beyond 18 years of age if necessary.

(a) (1) Any holder of a valid license issued by the department that authorizes the licensee to engage in any foster family agency functions, may use only a certified family home that has been

certified by that agency or a licensed foster family home approved for this use by the licensing county pursuant to Section §1506.5.

(2) Any home selected and certified for the reception and care of children by that licensee shall not, during the time it is certified and used only by that agency for these placements or care, be subject to Section §1508. A certified family home may not be concurrently licensed as a foster family home or as any other licensed residential facility.

(3) A child with a developmental disability who is placed in a certified family home by a foster family agency that is operating under agreement with the regional center responsible for that child may remain in the certified family home after the age of 18 years. The determination regarding whether and how long he or she may remain as a resident after the age of 18 years shall be made through the agreement of all parties involved, including the resident, the foster parent, the foster family agency social worker, the resident's regional center case manager, and the resident's parent, legal guardian, or conservator, as appropriate. This determination shall include a needs and service plan that contains an assessment of the child's needs to ensure continued compatibility with the other children in placement. The needs and service plan shall be completed no more than six months prior to the child's eighteenth birthday. The assessment shall be documented and maintained in the child's file with the foster family agency.

(b) (1) A foster family agency shall certify to the department that the home has met the department's licensing standards. A foster family agency may require a family home to meet additional standards or be compatible with its treatment approach.

(2) The foster family agency shall issue a certificate of approval to the certified family home upon its determination that it has met the standards established by the department and before the placement of any child in the home. The certificate shall be valid for a period not to exceed one year. The annual recertification shall require a certified family home to complete at least 12 hours of structured applicable training or continuing education. At least one hour of training during the first six months following initial certification shall be dedicated to meeting the requirements of paragraph (1) of subdivision (b) of Section §11174.1 of the Penal Code.

(3) If the agency determines that the home no longer meets the standards, it shall notify the department and the local placing agency.

(c) The department shall develop licensing regulations differentiating between foster family agencies that provide treatment of children in foster families and those that provide non-treatment services.

(d) As used in this chapter, "certified family home" means a family residence certified by a licensed foster family agency and issued a certificate of approval by that agency as meeting licensing standards, and used only by that foster family agency for placements.

(e) (1) Requirements for social work personnel for a foster family agency shall be a master's degree from an accredited or state approved graduate school in social work or social welfare, or equivalent education and experience, as determined by the state department.

(2) Persons who possess a master's degree from an accredited or state approved graduate school in any of the following areas, or equivalent education and experience, as determined by the state department, shall be considered to be qualified to perform social work activities in a foster family agency:

(A) Marriage, family, and child counseling.

(B) Child psychology.

(C) Child development.

(D) Counseling psychology.

(E) Social psychology.

(F) Clinical psychology.

(G)Educational psychology, consistent with the scope of practice as described in Section 4986.10 of the Business and Professions Code.

(H) Education, with emphasis on counseling.

(f) (1) In addition to the degree specifications in subdivision (e), all of the following coursework and field practice or experience, as defined in departmental regulations, shall be required of all new hires for the position of social work personnel effective January 1, 1995:

(A) At least three semester units of field practice at the master's level or six months' full-time equivalent experience in a public or private social service agency setting.

(B) At least nine semester units of coursework related to human development or human behavior, or, within the first year of employment, experience working with children and families as a major responsibility of the position under the supervision of a supervising social worker.

(C) At least three semester units in working with minority populations or six months of experience in working with minority populations or training in cultural competency and working with minority populations within the first six months of employment as a condition of employment.

(D) At least three semester units in child welfare or at least six months of experience in a public or private child welfare social services setting for a nonsupervisory social worker. A supervising social worker shall have two years' experience in a public or private child welfare social services setting.

(2) (A) Persons who do not meet the requirements specified in subdivision (e) or (f) may apply for an exception as provided for in subdivisions (g) and (h).

(B) Exceptions granted by the department prior to January 1, 1995, shall remain in effect.

(3) (A) Persons who are hired as social work personnel on or after January 1, 1995, who do not meet the requirements listed in this subdivision shall be required to successfully meet those requirements in order to be employed as social work personnel in a foster family agency.

(B) Employees who were hired prior to January 1, 1995, shall not be required to meet the requirements of this subdivision in order to remain employed as social work personnel in a foster family agency.

(4) Coursework and field practice or experience completed to fulfill the degree requirements of subdivision (e) may be used to satisfy the requirements of this subdivision.

(g) Individuals seeking an exception to the requirements of subdivision (e) or (f) based on completion of equivalent education and experience shall apply to the department by the process established by the department.

(h) The State Department of Social Services shall be required to complete the process for the exception to minimum education and experience requirements described in subdivisions (e) and (f) within 30 days of receiving the exception application of social work personnel or supervising social worker qualifications from the foster family agency.

(i) The department shall review the feasibility of instituting a licensure category to cover foster homes that are established specifically to care for and supervise adults with developmental disabilities, as defined in subdivision (a) of Section §4512 of the Welfare and Institutions Code, to prevent the institutionalization of those individuals.

(j) For purposes of this section, "social work personnel" means supervising social workers as well as non-supervisory social workers.

§1507.

[CAN] Incidental medical services can be provided by facility staff in a residential care facility for adults if the facility staff have been properly trained to provide the services.

(a) Notwithstanding any other provision of law, incidental medical services may be provided in a community care facility. If the medical services constitute a substantial component of the services provided by the community care facility as defined by the director in regulations, the medical services component shall be approved as set forth in Chapter 1 (commencing with Section §1200) or Chapter 2 (commencing with Section §1250).

(b) Notwithstanding any other provision of law, if the requirements of subdivision (c) are met, the department shall permit incidental medical services to be provided in community care facilities for adults by facility staff who are not licensed health care professionals but who are trained by a licensed health care professional and supervised according to the client's individualized health care plan prepared pursuant to subdivision (c). Incidental medical services provided by trained facility staff for the following conditions shall be limited as follows:

(1) Colostomy and ileostomy: changing bags and cleaning stoma.

(2) Urinary catheter: emptying bags in day care facilities; emptying and changing bags in residential facilities.

(3) Gastrostomy: feeding, hydration, cleaning stoma, and adding medication per physician's or nurse practitioner's orders for the routine medication of patients with chronic, stable conditions.

(c) Facility staff may provide incidental medical services if the following conditions have been met:

(1) For regional center clients the following shall apply:

(A) An individualized health care plan, which may be part of a client's individual program plan, shall be prepared for each client by a health care team that shall include the client or his or her designee if the client is not able to participate in planning his or her health care, the client's primary care physician or nurse practitioner or other health care professional designated by the physician or nurse practitioner, the licensee or licensee's designee, any involved social worker or regional center worker, and any health care professional designated to monitor the client's individualized health care plan.

(B) The client's individualized health care plan shall be reassessed at least every 12 months or more frequently as determined by the client's physician or nurse practitioner during the time the client receives incidental medical services in the facility.

(C) The client's regional center, primary care physician or nurse practitioner, or other health care professional designated by the physician or nurse practitioner shall identify the health care professional who shall be responsible for training facility staff in the provision of incidental medical services.

(D) Facility staff shall be trained by the identified health care professional practicing within his or her scope of practice who shall monitor, according to the individualized health care plan, the staff's ability to provide incidental medical services and who shall review, correct, or update facility staff training as the health care professional deems necessary.

(E) The regional center or placing agency shall evaluate, monitor, and have responsibility for oversight of the incidental medical services provided in the facility by facility staff. However, nothing in this section shall preclude the department from taking an administrative action against a licensee or facility staff member for failure or refusal to carry out, or negligence in carrying out, his or her duties in providing these incidental medical services.

(2) For persons who are not regional center clients, the following shall apply:

(A) An individualized health care plan shall be prepared that includes the physician's or nurse practitioner's order for services to be provided during the time the client is in the day care facility. The plan shall be prepared by a team that includes the client or his or her designee if the client is not able to participate in planning his or her care, the client's social worker, conservator, or legal guardian, as appropriate, a licensed health care professional, and the licensee or the licensee's designee.

(B) The client's individualized health care plan shall be reassessed at least every 12 months or more frequently as determined by the client's physician or nurse practitioner during the time the client receives incidental medical services in the facility.

(C) A licensed health care professional practicing within his or her scope of practice shall train the staff of the facility on procedures for caring for clients who require incidental medical services and shall periodically review, correct, or update facility staff training as the health care professional deems necessary.

(d) Facilities providing incidental medical services shall remain in substantial compliance with all other applicable regulations of the department.

(e) The department shall adopt emergency regulations for community care facilities for adults by February 1, 1997, to do all of the following:

(1) Specify incidental medical services that may be provided.

These incidental medical services shall include, but need not be limited to, any of the following: gastrostomy, colostomy, ileostomy, and urinary catheters.

(2) Specify the conditions under which incidental medical services may be provided.

(3) Specify the medical services that, due to the level of care required, are prohibited services.

(f) The department shall consult with the State Department of Developmental Services, the State Department of Mental Health, the Association of Regional Center Agencies, and provider associations in the development of the regulations required by subdivision (e).

§1507.1.

[CAN] An adult residential care facility may permit incidental medical services to be provided through a home health agency.

(a) An adult community care facility may permit incidental medical services to be provided through a home health agency licensed pursuant to Chapter 8 (commencing with Section §1725) when all of the following conditions are met:

(1) The facility, in the judgment of the department, has the ability to provide the supporting care and supervision appropriate to meet the needs of the client receiving care from a home health agency.

(2) The home health agency has been advised of the regulations pertaining to adult community care facilities and the requirements related to incidental medical services being provided in the facility.

(3) There is evidence of an agreed-upon protocol between the home health agency and the adult community care facility. The protocol shall address areas of responsibility of the home health agency and the adult community care facility and the need for communication and the sharing of client information related to the home health care plan. Client information may be shared between the home health agency and the adult community care facility relative to the client's medical condition and the care and treatment provided to the client by the home health agency, including, but not limited to, medical information defined by the Confidentiality of Medical Information Act, Part 2.6 (commencing with Section 56) of Division 1 of the Civil Code.

(4) There is ongoing communication between the home health agency and the adult community care facility about the services provided to the client by the home health agency and the frequency and duration of care to be provided.

(b) Nothing in this section is intended to expand the scope of care and supervision for an adult community care facility, as prescribed by this chapter.

(c) Nothing in this section shall require any care or supervision to be provided by the adult community care facility beyond that which is permitted in this chapter.

(d) The department shall not be responsible for the evaluation of medical services provided to the client of the adult community care facility by the home health agency.

(e) Any regulations, policies, or procedures related to sharing client information and development of protocols, established by the department pursuant to this section, shall be developed in consultation with the State Department of Health Services and persons representing home health agencies and adult community care facilities.

§1507.2.

[CAN] Children with special health care needs may be placed in a specialized foster home. This is not the norm.

Notwithstanding any other provision of this chapter, a child with special health care needs, as defined in subdivision (a) of Section §17710 of the Welfare and Institutions Code, may be accepted in a specialized foster care home, as defined in subdivision (i) of Section §17710 of the Welfare and Institutions Code, or retained beyond the age of 18, in accordance with Part 5.5 (commencing with Section §17700) of Division 9 of the Welfare and Institutions Code, relating to children with special health care needs. If the facility accepts a child with special health care needs, or retains a child with special health care needs beyond the age of 18 years, the facility shall maintain all documents required as evidence of compliance with Part 5.5 (commencing with Section §17700) of Division 9 of the Welfare and Institutions Code in the files of the facility that are available for inspection by the certifying or licensing agency.

§1507.3.

CAN] A residential facility that provides care to adults may obtain a waiver from Department of Social Services for the purpose of allowing a resident who has been diagnosed as terminally ill by his or her physician or surgeon to remain in the facility.

(a) A residential facility that provides care to adults may obtain a waiver from the department for the purpose of allowing a resident who has been diagnosed as terminally ill by his or her physician or surgeon to remain in the facility, or allowing a person who has been diagnosed as terminally ill by his or her physician and surgeon to become a resident of the facility if that person is already receiving hospice services and would continue to receive hospice services without disruption if he or she became a resident, when all of the following conditions are met:

(1) The facility agrees to retain the terminally ill resident, or accept as a resident the terminally ill person, and to seek a waiver on behalf of the individual, provided the individual has requested the waiver and is capable of deciding to obtain hospice services.

(2) The terminally ill resident, or the terminally ill person to be accepted as a resident, has obtained the services of a hospice certified in accordance with federal medicare conditions of participation and licensed pursuant to Chapter 8 (commencing with Section §1725) or Chapter 8.5 (commencing with Section §1745).

(3) The facility, in the judgment of the department, has the ability to provide care and supervision appropriate to meet the needs of the terminally ill resident, or the terminally ill person to be accepted as a resident, and is in substantial compliance with regulations governing the operation of residential facilities that provide care to adults.

(4) The hospice has agreed to design and provide for care, services, and necessary medical intervention related to the terminal illness as necessary to supplement the care and supervision provided by the facility.

(5) An agreement has been executed between the facility and the hospice regarding the care plan for the terminally ill resident, or the terminally ill person to be accepted as a resident. The

care plan shall designate the primary caregiver, identify other caregivers, and outline the tasks the facility is responsible for performing and the approximate frequency with which they shall be performed. The care plan shall specifically limit the facility's role for care and supervision to those tasks authorized for a residential facility under this chapter.

(6) The facility has obtained the agreement of those residents who share the same room with the terminally ill resident, or any resident who will share a room with the terminally ill person to be accepted as a resident, to allow the hospice caregivers into their residence.

(b) At any time that the licensed hospice, the facility, or the terminally ill resident determines that the resident's condition has changed so that continued residence in the facility will pose a threat to the health and safety of the terminally ill resident or any other resident, the facility may initiate procedures for a transfer.

(c) A facility that has obtained a hospice waiver from the department pursuant to this section need not call emergency response services at the time of a life-threatening emergency if the hospice agency is notified instead and all of the following conditions are met:

(1) The resident is receiving hospice services from a licensed hospice agency.

(2) The resident has completed an advance directive, as defined in Section §4605 of the Probate Code, requesting to forego resuscitative measures.

(3) The facility has documented that facility staff have received training from the hospice agency on the expected course of the resident's illness and the symptoms of impending death.

(d) Nothing in this section is intended to expand the scope of care and supervision for a residential facility, as defined in this chapter, that provides care to adults nor shall a facility be required to alter or extend its license in order to retain a terminally ill resident, or allow a terminally ill person to become a resident of the facility, as authorized by this section.

(e) Nothing in this section shall require any care or supervision to be provided by the residential facility beyond that which is permitted in this chapter.

(f) Nothing in this section is intended to expand the scope of life care contracts or the contractual obligation of continuing care retirement communities as defined in Section §1771.

(g) The department shall not be responsible for the evaluation of medical services provided to the resident by the hospice and shall have no liability for the independent acts of the hospice.

(h) The department, in consultation with the State Fire Marshal, shall develop and expedite implementation of regulations related to residents who have been diagnosed as terminally ill who remain in the facility and who are non-ambulatory that ensure resident safety but also provide flexibility to allow residents to remain in the least restrictive environment.

(i) Nothing in this section shall be construed to relieve a licensed residential facility that provides care to adults of its responsibility, for purposes of allowing a resident who has been diagnosed as terminally ill to remain in the facility, to do both of the following:

(1) With regard to any resident who is bedridden, as defined in subdivision (a) of Section §1566.45, to, within 48 hours of the resident's retention in the facility, notify the local fire authority with jurisdiction in the bedridden resident's location of the estimated length of time the resident will retain his or her bedridden status in the facility.

(2) Secure a fire clearance approval from the city or county fire department, fire district, or any other local agency providing fire protection services, or the State Fire Marshal, whichever has primary fire protection jurisdiction.

§1507.5.

[CAN] In-home medical care can be provided by a licensed home health agency to children with medical needs who reside in a foster family home.

(a) In-home medical care and home and community-based services, as described in subdivisions (t) and (u) of Section §14132 of the Welfare and Institutions Code, may, when deemed medically appropriate by the State Department of Health Services, be provided by a licensed home health agency to children with special medical needs, as defined by the State Department of Health Services, in foster family homes. For children described in this section, these medical services shall not be considered as a substantial component of the services provided by the licensee for the purposes of Section §1507. To be eligible under this section for placement in a foster home, a child shall be receiving medical supervision and medical case management by an agent designated by the State Department of Health Services.

(b) No more than two children eligible for services under this section may be placed in a single licensed foster family home at one time.

(c) The State Department of Social Services and its agents shall not evaluate or have any responsibility or liability for the evaluation of the medical services described in this section.

§1507.6.

[CAN] Children in a group home can receive mental health services if deemed necessary.

Mental health services, as deemed necessary by the placing agency, may be provided to children in a group home. Except for the physical safety and direct care and supervision of children so placed, the State Department of Social Services and its agents shall not evaluate or have responsibility or liability for the evaluation of mental health services provided in those homes. Supervision of mental health treatment services provided to a child in a group home shall be a case management responsibility of the placing agency.

§1508.

[CAN] No one can operate a residential care facility without a current license from Department of Social Services.

No person, firm, partnership, association, or corporation within the state and no state or local public agency shall operate, establish, manage, conduct, or maintain a community care facility in this state, without a current valid license therefore as provided in this chapter.

No person, firm, partnership, association, or corporation within the state and no state or local public agency shall provide specialized services within a community care facility in this state, without a current valid special permit therefore as provided in this chapter.

Except for a juvenile hall operated by a county, or a public recreation program, this section applies to community care facilities directly operated by a state or local public agency. Each community care facility operated by a state or local public agency shall comply with the standards established by the director for community care facilities.

As used in this chapter, "local public agency" means a city, county, special district, school district, community college district, chartered city, or chartered city and county.

§1509.5.

[CAN] The Department of Social Services shall require a fire clearance from the AHJ as part of the licensing process to operate a community care facility.

(a) The department and the licensing agencies with which it contracts for licensing shall review and make a final determination within 60 days of an applicant's submission of a complete application on all applications for a license to operate a community care facility if the applicant possesses a current valid license to operate a community care facility at another site. Applicants

shall note on the application, or in a cover letter to the application, that they possess a current valid license at another site, and the number of that license.

(b) The department shall request a fire safety clearance from the appropriate fire marshal within five days of receipt of an application described in subdivision (a). The applicant shall be responsible for requesting and obtaining the required criminal record clearances.

(c) If the department for any reason is unable to comply with subdivision (a), it shall, within 60 days of receipt of the application described in subdivision (a), grant a provisional license to the applicant to operate for a period not to exceed six months, except as provided in subdivision (d). While the provisional license is in effect, the department shall continue its investigation and make a final determination on the application before the provisional license expires. The provisional license shall be granted, provided the department knows of no life safety risks, the criminal records clearances, if applicable, are complete, and the fire safety clearance is complete. The director may extend the term of a provisional license for an additional six months at the time of the application, if the director determines that more than six months will be required to achieve full compliance with licensing standards due to circumstances beyond the control of the applicant, and if all other requirements for a license have been met.

(d) If the department does not issue a provisional license pursuant to subdivision (c), the department shall issue a notice to the applicant identifying whether the provisional license has not been issued due to the existence of a life safety risk, lack of a fire safety clearance, lack of a criminal records clearance, failure to complete the application, or any combination of these reasons. If a life safety risk is identified, the risk preventing the issuance of the provisional license shall be clearly explained. If a lack of the fire safety clearance is identified, the notice shall include the dates on which the department requested the clearance and the current status of that request, and the fire marshal's name and telephone number to whom a fire safety clearance request was sent. The department shall identify the names of individuals for whom criminal records clearances are lacking. If failure to complete the application is identified, the notice shall list all of the forms or attachments that are missing or incorrect. This notice shall be sent to the applicant no later than 60 days after the applicant filed the application. If the reasons identified in the notice are corrected, the department shall issue the provisional license within five days after the corrections are made.

(e) The department shall, immediately after January 1, 1993, develop expedited procedures necessary to implement subdivisions (a), (b), (c), and (d).

(f) The department shall, immediately after January 1, 1993, develop an appeal procedure for applicants under this section for both denial of licenses and delay in processing applications.

§1516.

[CAN] This section sets up the parameters for a "crisis nursery" as a facility that will house children temporarily up to 30 days when the parents or guardians place the children there due to a crisis or stressful situation.

(a) For purposes of this chapter, "crisis nursery" means a facility licensed by the department pursuant to subdivision (j) to provide short-term, 24-hour non-medical residential care and supervision for children under six years of age, who are either voluntarily placed for temporary care by a parent or legal guardian due to a family crisis or a stressful situation, for no more than 30 days or, except as provided in subdivision (e), who are temporarily placed by a county child welfare service agency for no more than 14-days.

(b) Crisis nurseries shall be organized and operated on a nonprofit basis by private nonprofit corporations or nonprofit public benefit corporations.

(c) "Voluntary placement," for purposes of this section, means a child, who is not receiving Aid to Families with Dependent Children-Foster Care, placed by a parent or legal guardian who retains physical custody of, and remains responsible for, the care of his or her children who are placed for temporary emergency care, as described in subdivision (a).

(d) A crisis nursery may also provide temporary emergency care to children under six years of age who have been taken into the protective custody of, or are placed directly by, the county child welfare services system that has assumed responsibility for the care of the children.

(e) County placements, as described in subdivision (d), shall be limited to no more than one-third of a crisis nursery's licensed capacity. The length of stay for a county-placed child shall not exceed 14-days unless the State Department of Social Services issues an exception.

(f) (1) Except as provided in paragraph (2), the maximum licensed capacity for crisis nursery programs shall be 14.

(2) Any facility licensed on or before January 1, 2004, as a group home for children under the age of six years with a licensed capacity greater than 14, but less than 21, that provides crisis nursery services shall be allowed to retain its capacity if issued a crisis nursery license until the time there is a change in the licensee's program, location, or client population.

(g) Facilities licensed as crisis nurseries shall be required to submit, in a format specified by the department, a monthly report indicating the total number of children placed in the program, designating whether each child is voluntarily placed by the parents or legal guardians or placed directly by county child welfare services and the length of stay for each child.

(h) Notwithstanding Section §1596.80, a crisis nursery may provide child day care services for children under the age of six years at the same site as the crisis nursery. A child may not receive child day care services at a crisis nursery for more than 30 calendar days in a six-month period unless the department issues an exception. A child who is receiving child day care services shall be counted in the licensed capacity. A child who is receiving child day care services, and who is a county placement, as described in subdivision (d), shall be counted in the limitation on county placements specified in subdivision (e).

(i) Exceptions to group home licensing regulations pursuant to subdivision (c) of Section §84200 of Title 22 of the California Code of Regulations, in effect on August 1, 2004, for county-operated or county-contracted emergency shelter care facilities that care for children under the age of six years for no more than 30 days, shall be contained in regulations for crisis nurseries.

(j) The department may issue a license pursuant to this section only to a facility that meets one of the following conditions:

(1) The facility is operating, or has an application on file with the department to operate as of September 1, 2004, as a group home for children under six years of age in any of the following counties:

(A) Contra Costa.
(B) Nevada.
(C) Placer.
(D) Sacramento.
(E) San Joaquin.
(F) Stanislaus.
(G) Yolo.

(2) The facility, pursuant to standards developed by the department by regulation, meets an urgent, significant, and unmet need for temporary respite care of children under the age of six years.

(3) The facility offers temporary emergency shelter and services only to children under the age of six years who are voluntarily placed by a parent or guardian, as set forth in subdivision (c), and the facility does not accept county placements, as set forth in subdivision (d).

(k) This section shall remain in effect only until January 1, 2008, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2008, deletes or extends that date.

§1518.

[CAN] Licensed community care facilities are not subject to rent regulations or controls.

(a) Nothing in this chapter shall authorize the imposition of rent regulations or controls for licensed community care facilities.

(b) Licensed community care facilities shall not be subject to controls on rent imposed by any state or local agency or other local government or entity.

§1531.1. DELAYED EGRESS

[CAN] A residential facility licensed as an adult residential facility, group home, small family home, foster family home, or a family home certified by a foster family agency may utilize delayed egress devices of the time delay type.

(a) A residential facility licensed as an adult residential facility, group home, small family home, foster family home, or a family home certified by a foster family agency may install and utilize delayed egress devices of the time delay type.

(b) As used in this section, "delayed egress device" means a device that precludes the use of exits for a predetermined period of time. These devices shall not delay any resident's departure from the facility for longer than 30 seconds.

(c) Within the 30 seconds of delay, facility staff may attempt to redirect a resident who attempts to leave the facility.

(d) Any person accepted by a residential facility or family home certified by a foster family agency utilizing delayed egress devices shall meet all of the following conditions:

(1) The person shall have a developmental disability as defined in Section §4512 of the Welfare and Institutions Code.

(2) The person shall be receiving services and case management from a regional center under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section §4500) of the Welfare and Institutions Code.

(3) An interdisciplinary team, through the Individual Program Plan (IPP) process pursuant to Section §4646.5 of the Welfare and Institutions Code, shall have determined that level of supervision afforded by a facility equipped with delayed egress devices, and that but for this placement, the person would be at risk of admission to, or would have no option but to remain in, a more restrictive state hospital or state developmental center placement.

(e) The facility shall be subject to all fire and building codes, regulations, and standards applicable to residential care facilities for the elderly utilizing delayed egress devices, and shall receive approval by the county or city fire department, the local fire prevention district, or the State Fire Marshal for the installed delayed egress devices.

(f) The facility shall provide staff training regarding the use and operation of the egress control devices utilized by the facility, protection of residents' personal rights, lack of hazard awareness and impulse control behavior, and emergency evacuation procedures.

(g) The facility shall develop a plan of operation approved by the State Department of Social Services that includes a description of how the facility is to be equipped with egress control

devices that are consistent with regulations adopted by the State Fire Marshal pursuant to Section §13143 of the Health and Safety Code.

(h) The plan shall include, but shall not be limited to, all of the following:

(1) A description of how the facility will provide training for staff regarding the use and operation of the egress control devices utilized by the facility.

(2) A description of how the facility will ensure the protection of the residents' personal rights consistent with Sections §4502, §4503, and §4504 of the Welfare and Institute code.

(3) A description of how the facility will manage the person's lack of hazard awareness and impulse control behavior.

(4) A description of the facility's emergency evacuation procedures.

(i) Delayed egress devices shall not substitute for adequate staff. The capacity of the facility shall not exceed six residents.

(j) Emergency fire and earthquake drills shall be conducted at least once every three months on each shift, and shall include all facility staff providing resident care and supervision on each shift.

SECTION 2. No reimbursement is required by this act pursuant to Section 6 of Article XIIIB of the California Constitution for certain costs that may be incurred by a local agency or school district because in that regard this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section §17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIIIB of the California Constitution.

However, notwithstanding Section §17610 of the Government Code, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section §17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed on million dollars ($1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

Notwithstanding Section §17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date the act takes effect pursuant to the California Constitution.

§1531.2.

[CAN] Adult day programs, providing care and supervision for adults with Alzheimer's disease and other dementias may install secured perimeter fences or egress control devices of the time-delay type on exit doors if they meet all of the requirements of the above section.

(a) Upon the filing by the department of emergency regulations with the Secretary of State, an adult day program, as defined in Division 6 of Title 22 of the California Code of Regulations, or Section §1502, that provides care and supervision for adults with Alzheimer's disease and other dementias may install for the safety and security of these persons secured perimeter fences or egress control devices of the time-delay type on exit doors if they meet all of the requirements for additional safeguards required by those regulations. The initial adoption of new emergency regulations on and after January 1, 1999, shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare.

(b) As used in this section, "egress control device" means a device that precludes the use of exits for a predetermined period of time. An egress control device shall not delay any client's

departure from the facility for longer than 30 seconds. Facility staff may attempt to redirect a client who attempts to leave the facility.

(c) A facility that installs an egress control device pursuant to this section shall meet all of the following requirements:

(1) The facility shall be subject to all fire and building codes, regulations, and standards applicable to adult day programs using egress control devices or secured perimeter fences and before using an egress control device shall receive a fire clearance from the fire authority having jurisdiction for the egress control devices.

(2) The facility shall require any client entering the facility to provide documentation of a diagnosis by a physician of Alzheimer's disease or other dementias, if such a diagnosis has been made. For purposes of this section, Alzheimer's disease shall include dementia and related disorders that increase the tendency to wander, decrease hazard awareness, and decrease the ability to communicate.

(3) The facility shall provide staff training regarding the use and operation of the egress control devices used by the facility, the protection of clients' personal rights, wandering behavior and acceptable methods of redirection, and emergency evacuation procedures for persons with dementia.

(4) All admissions to the facility shall continue to be voluntary on the part of the client or with the lawful consent of the client's conservator or a person who has the authority to act on behalf of the client. Persons who have the authority to act on behalf of a client may include the client's spouse, relative or relatives, or designated care giver or care givers.

(5) Any client entering a facility pursuant to this section who does not have a conservator or does not have a person with the authority to act on his or her behalf shall sign a statement of voluntary entry. The facility shall retain the original statement in the client's file at the facility.

(6) The use of egress control devices or secured perimeter fences shall not substitute for adequate staff. Staffing ratios shall at all times meet the requirements of applicable regulations.

(7) Emergency fire and earthquake drills shall be conducted at least once every three months, or more frequently as required by a county or city fire department or local fire prevention district. The drills shall include all facility staff and volunteers providing client care and supervision.

(8) The facility shall develop a plan of operation approved by the department that includes a description of how the facility is to be equipped with egress control devices that are consistent with regulations adopted by the State Fire Marshal pursuant to Section §13143. The plan shall include, but not be limited to, all of the following:

(A) A description of how the facility will provide training to staff regarding the use and operation of the egress control device utilized by the facility.

(B) A description of how the facility will ensure the protection of the residents' personal rights consistent with Sections §4502, §4503, and §4504 of the Welfare and Institutions Code.

(C) A description of the facility's emergency evacuation procedures for persons with Alzheimer's disease and other dementias.

(d) This section does not require an adult day program to use secured perimeters or egress control devices in providing care for persons with Alzheimer's disease or other dementias.

(e) The department shall adopt regulations to implement this section in accordance with those provisions of the Administrative Procedure Act contained in Chapter 3.5 (commencing with Section §11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(f) The State Fire Marshal may also adopt regulations to implement this section.

§1531.3.

[CAN] Requires the SFM to establish fire and safety regulations for facilities licensed by Department of Social Services.

The State Fire Marshal shall establish separate fire and panic safety standards and criteria for the evaluation of each category of license described in subdivision (a) of Section §1502. The State Fire Marshal shall take into consideration the characteristics of the persons served by each facility in establishing these standards and criteria.

§1566.2.

[CAN] Residential care facilities housing 6 or less are not subject to any local fees or taxes not imposed on any other family dwellings of the same type and in the same zone.

A residential facility, which serves six or fewer persons shall not be subject to any business taxes, local registration fees, use permit fees, or other fees to which other family dwellings of the same type in the same zone are not likewise subject. Nothing in this section shall be construed to forbid the imposition of local property taxes, fees for water service and garbage collection, fees for inspections not prohibited by Section §1566.3, local bond assessments, and other fees, charges, and assessments to which other family dwellings of the same type in the same zone are likewise subject. Neither the State Fire Marshal nor any local public entity shall charge any fee for enforcing fire inspection regulations pursuant to state law or regulation or local ordinance, with respect to residential facilities which serve six or fewer persons.

For the purposes of this section, "family dwellings," includes, but is not limited to, single-family dwellings, units in multifamily dwellings, including units in duplexes and units in apartment dwellings, mobilehomes, including mobilehomes located in mobilehome parks, units in cooperatives, units in condominiums, units in townhouses, and units in planned unit developments.

§1566.3.

[CAN] Residential care facilities housing 6 or less are not subject to any local zoning ordinances not imposed on any other family dwellings of the same type and in the same zone.

Whether or not unrelated persons are living together, a residential facility which serves six or fewer persons shall be considered a residential use of property for the purposes of this article. In addition, the residents and operators of such a facility shall be considered a family for the purposes of any law or zoning ordinance which relates to the residential use of property pursuant to this article.

For the purpose of all local ordinances, a residential facility which serves six or fewer persons shall not be included within the definition of a boarding house, rooming house, institution or home for the care of minors, the aged, or the mentally infirm, foster care home, guest home, rest home, sanitarium, mental hygiene home, or other similar term which implies that the residential facility is a business run for profit or differs in any other way from a family dwelling.

This section shall not be construed to forbid any city, county, or other local public entity from placing restrictions on building heights, setback, lot dimensions, or placement of signs of a residential facility which serves six or fewer persons as long as such restrictions are identical to those applied to other family dwellings of the same type in the same zone.

This section shall not be construed to forbid the application to a residential care facility of any local ordinance which deals with health and safety, building standards, environmental impact standards, or any other matter within the jurisdiction of a local public entity if the ordinance does

not distinguish residential care facilities which serve six or fewer persons from other family dwellings of the same type in the same zone; and if the ordinance does not distinguish residents of the residential care facilities from persons who reside in other family dwellings of the same type in the same zone.

No conditional use permit, zoning variance, or other zoning clearance shall be required of a residential facility which serves six or fewer persons which is not required of a family dwelling of the same type in the same zone.

Use of a family dwelling for purposes of a residential facility serving six or fewer persons shall not constitute a change of occupancy for purposes of Part 1. 5 (commencing with Section §17910) of Division 13 or local building codes. However, nothing in this section is intended to supersede Section §13143 or §13143.6, to the extent such sections are applicable to residential facilities providing care for six or fewer residents.

For the purposes of this section, "family dwelling," includes, but is not limited to, single-family dwellings, units in multifamily dwellings, including units in duplexes and units in apartment dwellings, mobilehomes, including mobilehomes located in mobilehome parks, units in cooperatives, units in condominiums, units in townhouses, and units in planned unit developments.

§1568.0832. BEDRIDDEN DEFINED

[CAN] Definition of "bedridden" and mandate to the state agencies to create appropriate regulations.

(a) (1) For purposes of this section, "bedridden" means either requiring assistance in turning and repositioning in bed, or being unable to independently transfer to and from bed, except in facilities with appropriate and sufficient care staff, mechanical devices if necessary, and safety precautions, as determined by the director in regulations.

(2) For purposes of this section, the status of being bedridden shall not include having any illness that persists for 14 days or less.

(3) The determination of the bedridden status of persons with developmental disabilities shall be made by the Director of Social Services or his or her designated representative, in consultation with the Director of Developmental Services or his or her designated representative, after consulting the resident's individual safety plan. The determination of the bedridden status of all other persons with disabilities who are not developmentally disabled shall be made by the Director of Social Services, or his or her designated representative.

(b) Bedridden persons may be admitted to, and remain in, residential facilities that secure and maintain an appropriate fire clearance. A fire clearance shall be issued to a facility in which a bedridden person resides if either of the following conditions are met:

(1) The fire safety requirements are met.

(2) Alternative methods of protection are approved.

(c) (1) The department and the Office of the State Fire Marshal, in consultation with the State Department of Developmental Services, shall each promulgate regulations that meet all of the following conditions:

(A) Are consistent with subdivision (a).

(B) Are applicable to facilities regulated under this chapter, consistent with the regulatory requirements of the California Building Standards Code for fire and life safety for the respective occupancy classifications into which the State Department of Social Services' community care licensing classifications fall.

(C) Permit residents to remain in home-like settings.

(2) At a minimum, these regulations shall do both of the following with regard to a residential care facility that provides care for six or fewer clients, at least one of whom is bedridden:
(A) Clarify the fire and life safety requirements for a fire clearance for the facility.
(B) Identify procedures for requesting the approval of alternative means of providing equivalent levels of fire and life safety protection. Either the facility, the resident or resident's representative, or local fire official may request from the Office of the State Fire Marshal a written opinion concerning the interpretation of the regulations promulgated by the State Fire Marshal pursuant to this section for a particular factual dispute. The State Fire Marshall shall issue the written opinion within 45 days following the request.
(d) For facilities that care for six or fewer clients, a local fire official shall not impose fire safety requirements stricter than the fire safety regulations promulgated for the particular type of facility by the Office of the State Fire Marshal or the local fire safety requirements imposed on any other single family dwelling, whichever is more strict.
(e) This section and any regulations promulgated there under shall be interpreted in a manner that provides flexibility to allow bedridden persons to avoid institutionalization and be admitted to,
and safely remain in, community-based residential care facilities.

§1569.1. LEGISLATIVE FINDINGS AND INTENT

[CAN] See item (h) above. This is a good summary of this section.

The Legislature hereby finds and declares:
(a) The Legislature has taken steps in recent years to develop a continuum of long-term social and health support services for older persons in the community that provide a range of options for long-term care and residential care facilities for the elderly are central in that continuum.
(b) These efforts require a reevaluation of residential care for the elderly outside the constraints of the Community Care Facilities Act.
(c) The Community Care Facilities Act was enacted in 1973 with the primary purpose of ensuring that residents of state hospitals would have access to safe, alternative community-based housing.
(d) Since that time, due to shortages in affordable housing and a greater demand for residences for the elderly providing some care and supervision, a growing number of elderly persons with health and social care needs now reside in community care facilities that may or may not be designed to meet their needs.
(e) Progress in the field of gerontology has provided new insights and information as to the types of services required to allow older persons to remain as independent as possible while residing in a residential care facility for the elderly.
(f) The fluctuating health and social status of older persons demands a system of residential care that can respond to these needs by making available multi-levels of service within the facility, thus reducing the need for residents with fluctuating conditions to move between medical and non-medical facilities.
(g) Residential care facilities for the elderly which are not primarily medically oriented represent a humane approach to meeting the housing, social and service needs of older persons, and can provide a homelike environment for older persons with a variety of care needs.
(h) It is, therefore, the intent of the Legislature to require that residential care facilities for the elderly be licensed as a separate category within the existing licensing structure of the State Department of Social Services.

§1569.2. RESIDENTIAL CARE FACILITIES FOR ELDERLY DEFINITION

[CAN] This subdivision shall be operative only until the enactment of legislation implementing the three levels of care in residential care facilities for the elderly pursuant to Section §1569.70.

As used in this chapter:

(a) "**Administrator**" means the individual designated by the licensee to act in behalf of the licensee in the overall management of the facility. The licensee, if an individual, and the administrator may be one and the same person.

(b) "**Care and supervision**" means the facility assumes responsibility for, or provides or promises to provide in the future, ongoing assistance with activities of daily living without which resident physical health, mental health, safety or welfare would be endangered. Assistance includes assistance with taking medications, money management, or personal care.

(c) "**Department**" means the State Department of Social Services.

(d) "**Director**" means the Director of Social Services.

(e) "**Health-related services**" means services which shall be directly provided by an appropriate skilled professional, including a registered nurse, licensed vocational nurse, physical therapist, or occupational therapist.

(f) "**Instrumental activities of daily living**" means any of the following: housework, meals, laundry, taking of medication, money management, appropriate transportation, correspondence, telephoning, and related tasks.

(g) "**License**" means a basic permit to operate a residential care facility for the elderly.

(h) "**Personal activities of daily living**" means any of the following: dressing, feeding, toileting, bathing, grooming, and mobility and associated tasks.

(i) "**Personal care**" means assistance with personal activities of daily living to help provide for the maintenance of physical and psychosocial comfort.

(j) "**Protective supervision**" means observing and assisting confused residents, including persons with dementia, to safeguard them against injury.

(k) "**Residential care facility for the elderly**" means a housing arrangement chosen voluntarily by persons 60 years of age or over, or their authorized representative, where varying levels and intensities of care and supervision, protective supervision, or personal care are provided, based upon their varying needs, as determined in order to be admitted and to remain in the facility. Persons under 60 years of age with compatible needs, as determined by the department in regulations, may be allowed to be admitted or retained in a residential care facility for the elderly.

(m) "**Supportive services**" means resources available to the resident in the community which help to maintain their functional ability and meet their needs as identified in the individual resident assessment. Supportive services may include any of the following: medical, dental, and other health care services; transportation; recreational and leisure activities; social services; and counseling services.

§1569.698. BUILDING STANDARDS; ADOPTION; LOCKED AND SECURED PERIMETERS IN RESIDENTIAL CARE FACILITIES; PERSONS WITH DEMENTIA

(a) The State Fire Marshal has proposed that the State Building Standards Commission adopt building standards to provide for locked and secured perimeters in residential care facilities for the elderly that care for persons with dementia:

(1) It is acknowledged that these building standards will not become effective until October 1, 1996.

(2) It is the policy of the State Building Standards Commission that building standards be adopted exclusively into the California Building Standards Code and not into state statute.

(3) However, in recognition of the immediate need of residential care facilities for the elderly caring for persons with dementia to provide a secured environment, it is the intent of the Legislature that the building standards for locked and secured perimeters proposed by the State Fire Marshal for adoption in the 1994 California Building Standards Code, as set forth in Section §1569.699, be effective upon the date this article becomes operative.

(b) (1) Upon the filing of emergency regulations with the Secretary of State pursuant to subdivision (c), a residential care facility for the elderly that cares for people with dementia may utilize secured perimeter fences or locked exit doors, if it meets the requirements for additional safeguards required by those regulations.

(2) For the purposes of this article, dementia includes Alzheimer' s disease and related disorders diagnosed by a physician, that increases the tendency to wander and that decreases hazard awareness and the ability to communicate.

(3) It is the intent of the Legislature in enacting this article that residential care facilities for the elderly have options for the security of persons with dementia who are residents of those facilities that are in addition to existing security exceptions made for individual residents. It is the further intent of the Legislature that these additional options shall include the use of waivers of certain building standards relating to fire safety to be issued by the state department with the approval, of the State Fire Marshal, to permit the care of a target group of persons with dementia by means of secured perimeter fences, or the use of locked exterior doors. Each waiver request shall include a facility plan of operation that addresses elements of care to be identified by the department in regulations and demonstrates the facility's ability to meet the safety needs of persons with dementia.

(4) The department shall adopt regulations that ensure that staff for secured perimeter facilities receive appropriate and adequate training in the care of residents with Alzheimer's disease or other related dementia.

(5) Nothing in this section is intended to prohibit residential care facilities for the elderly from accepting or retaining persons with dementia whose needs can be fully met using care options permitted by existing law and regulations.

(6) It is not the intent of the Legislature to authorize an increase in the level of care provided in a residential care facility for the elderly or to establish a supplemental rate structure based on the services provided in the facility.

(7) All admissions to residential care facilities for the elderly shall continue to be voluntary on the part of the resident or with the lawful consent of the resident's legal conservator.

(c) The department shall adopt regulations to implement subdivision (b) in accordance with those provisions of the Administrative Procedure Act contained in Chapter 3.5 (commencing with Section §11340) of Part 1 of Division 3 of Title 2 of the Government Code. The initial adoption of any emergency regulations following the effective date of the act amending this section during the 1995-96 Regular Legislative Session shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare. Emergency regulations adopted pursuant to this subdivision shall remain in effect for no more than 180 days.

(d) In addition to the security options authorized by subdivision (b), residential care facilities for the elderly that accept or retain as residents persons with dementia, and that choose to utilize the security options of egress-control devices of the time-delay type in addition to secured perimeter fences or locked exit doors, shall comply with Section §1569.699, or regulations adopted by the State Building Standards Commission, whichever is operative.

(e) Except as specified in Article 6.5 (commencing with Section §1569.691), no residential care facility for the elderly shall utilize special egress-control devices of the time-delay type, secured perimeter fences, or locked exit doors unless the facility meets the requirements of Section §1569.699 or the Building Standards Commission adopts building standards to implement this section.

(f) Any person who is not a conservatee and is entering a locked or secured perimeter facility pursuant to this section, shall sign a statement of voluntary entry. The facility shall retain the original statement and shall send a copy of the statement to the department.

§1569.699. EXIT DOORS; EGRESS-CONTROL DEVICES OF TIME-DELAY TYPE; FENCES

[CAN] R2's housing elderly with Alzheimer's or dementia can have delayed egress.

(a) When approved by the person responsible for enforcement as described in Section §13146, exit doors in facilities classified as Group R, Division 2 facilities under the California Building Standards Code, licensed as residential care facilities for the elderly, and housing clients with Alzheimer's disease or dementia, may be equipped with approved listed special egress-control devices of the time-delay type, provided the building is protected throughout by an approved automatic sprinkler system and an approved automatic smoke-detection system. The devices shall conform to all of the following requirements:

(1) Automatic deactivation of the egress-control device upon activation of either the sprinkler system or the detection system.

(2) Automatic deactivation of the egress-control device upon loss of electrical power to any one of the following: The egress-control device; the smoke-detection system; exit illumination as required by Section 1012 of the California Building Code.

(3) Be capable of being deactivated by a signal from a switch located in an approved location.

(4) Initiate an irreversible process that will deactivate the egress-control device whenever a manual force of not more than 15 pounds (66.72 N) is applied for two seconds to the panic bar or other door-latching hardware. The egress-control device shall deactivate within an approved time period not to exceed a total of 15 seconds, except that the person responsible for enforcement as described in Section §13146 may approve a delay not to exceed 30 seconds in residential care facilities for the elderly serving patients with Alzheimer's disease.

(5) Actuation of the panic bar or other door-latching hardware shall activate an audible signal at the door.

(6) The unlatching shall not require more than operation.

(7) A sign shall be provided on the door located above and within 12 inches (305mm) of the panic bar or other door-latching hardware reading.

KEEP PUSHING. THIS DOOR WILL OPEN IN 30 SECONDS. ALARM WILL SOUND.

Sign letters shall be at least one inch (25mm) in height and shall have a stroke of not less than 1/8 inch (3.3mm).

(8) Regardless of the means of deactivation, relocking of the egress-control device shall be by manual means only at the door.

(b) Grounds of residential care facilities for the elderly serving persons with Alzheimer's disease or dementia may be fenced, and gates therein equipped with locks, provided safe dispersal areas are located not less than 50 feet (1540mm) from the buildings. Dispersal areas shall be sized to provide an area of not less than three square feet (0.28^2) per occupant. Gates shall not be

installed across corridors or passageways leading to the dispersal areas unless they comply with the exit requirements of Section 1021 of the California Building Standards Code.

(c) Exit doors may be locked in residential care facilities for the elderly that meet the requirement for Group I, Division 3 occupancies under the California Building Standards Code and that care for people with dementia.

(d) This section shall become inoperative on the date the State Building Standards Commission adopts regulations regarding secured perimeters in residential care facilities for the elderly, and, as of the January 1, next following that date, is repealed, unless a later enacted statute, that becomes operative on or before that January 1, deletes or extends the dates on which it becomes inoperative and is repealed.

§1569.72. RESTRICTIONS ON BEDRIDDEN RESIDENTS IN A RESIDENTIAL CARE FACILITY FOR THE ELDERLY

(a) Except as otherwise provided in subdivision (d), no resident shall be admitted or retained in a residential care facility for the elderly if any of the following apply:

(1) The resident requires 24-hour, skilled nursing or intermediate care.

(2) The resident is bedridden, other than for a temporary illness or for recovery from surgery.

(b) (1) For the purposes of this section, "bedridden" means either requiring assistance in turning and repositioning in bed, or being unable to independently transfer to and from bed, except in facilities with appropriate and sufficient care staff, mechanical devices if necessary, and safety precautions, as determined by the director in regulations.

(2) The determination of the bedridden status of persons with developmental disabilities shall be made by the Director of Social Services or his or her designated representative, in consultation with the Director of Developmental Services or his or her designated representative, after consulting the resident's individual safety plan. The determination of the bedridden status of all other persons with disabilities who are not developmentally disabled shall be made by the Director of Social Services, or his or her designated representative.

(c) Notwithstanding paragraph (2) of subdivision (a), bedridden persons may be admitted to, and remain in, residential care facilities for the elderly that secure and maintain an appropriate fire clearance. A fire clearance shall be issued to a facility in which a bedridden person resides if either of the following conditions are met:

(1) The fire safety requirements are met.

(2) Alternative methods of protection are approved.

(d) (1) For purposes of this section, "temporary illness" means any illness which persists for 14 days or less.

(e) A bedridden resident may be retained in a residential care facility for the elderly in excess of 14 days if all of the following requirements are satisfied:

(1) The facility notifies the department in writing regarding the temporary illness or recovery from surgery.

(2) The facility submits to the department, with the notification, a physician and surgeon's written statement to the effect that the resident's illness or recovery is of a temporary nature. The statement shall contain an estimated date upon which the illness or recovery will end or upon which the resident will no longer be confined to a bed.

(3) The department determines that the health and safety of the resident is adequately protected in that facility and that transfer to a higher level of care is not necessary.

(4) This section does not expand the scope of care and supervision of a residential care facility for the elderly.

(f) Notwithstanding the length of stay of a bedridden resident, every facility admitting or retaining a bedridden resident, as defined in this section, shall, within 48 hours of the resident's admission or retention in the facility, notify the local fire authority with jurisdiction in the bedridden resident's location of the estimated length of time the resident will retain his or her bedridden status in the facility.

(g) Nothing in this section shall be used for purposes of Section §1569.70 to determine the appropriateness of residents being admitted or retained in a residential care facility for the elderly on the basis of health related conditions and the need for these services until the three levels of care set forth in Section §1569.70 are fully implemented. This section shall not prohibit the Community Care Licensing Division of the State Department of Social Services from continuing to implement the regulations of Article 8 (commencing with Section §87700) of Chapter 8 of Division 6 of Title 22 of the California Code of Regulations, as promulgated and approved on February 13, 1990.

(h) (1) The department and the Office of the State Fire Marshal, in consultation with the State Department of Developmental Services, shall each promulgate regulations that meet all of the following conditions:

(A) Are consistent with subdivisions (a) to (f), inclusive.

(B) Are applicable to facilities regulated under this chapter, consistent with the regulatory requirements of the California Building Standards Code for fire and life safety for the respective occupancy classifications into which the State Department of Social Services' community care licensing classifications fall.

(C) Permit residents to remain in home-like settings.

(2) At a minimum, these regulations shall do both of the following with regard to a residential care facility that provides care for six or fewer residents, at least one of whom is bedridden:

(A) Clarify the fire and life safety requirements for a fire clearance for the facility.

(B) (i) Identify procedures for requesting the approval of alternative means of providing equivalent levels of fire and life safety protection.

(ii) Either the facility, the resident or resident's representative, or local fire official may request from the Office of the State Fire Marshal a written opinion concerning the interpretation of the regulations promulgated by the State Fire Marshal pursuant to this section for a particular factual dispute. The State Fire Marshall shall issue the written opinion within 45 days following the request.

(i) For facilities that care for six or fewer clients, a local fire official may not impose fire safety requirements stricter than the fire safety regulations promulgated for the particular type of facility by the Office of the State Fire Marshal or the local fire safety requirements imposed on any other single family dwelling, whichever is more strict.

(j) This section and any regulations promulgated thereunder shall be interpreted in a manner that provides flexibility to allow bedridden persons to avoid institutionalization and be admitted to, and safely remain in, community-based residential care facilities.

[CAN] Clients who become temporarily bedridden as defined in Health and Safety Code Section §1569.72 may continue to be housed on any story in Group R, Division 2 Occupancies classified as a residential-care facility for the elderly (RCFE). Every residential-care facility for the elderly (RCFE) admitting or retaining a bedridden resident shall, within 48 hours of the resident's admission or retention in the facility, notify the local fire authority of the estimated length of time the resident will retain his or her bedridden status in the facility.

In Group R, Division 2 Occupancies classified as residential facilities (RF), bedridden clients shall not be located above the first story.

Restraint shall not be practiced in Group R, Division 2 Occupancies, except those facilities meeting all the requirements for a Group I, Division 3 Occupancy.

§1569.84.

A residential care facility for the elderly, which serves six or fewer persons shall not be subject to any business taxes, local registration fees, use permit fees, or other fees to which other family dwellings of the same type in the same zone are not likewise subject. Nothing in this section shall be construed to forbid the imposition of local property taxes, fees for water service and garbage collection, fees for inspections not prohibited by Section §1569.85, local bond assessments, and other fees, charges, and assessments to which other family dwellings of the same type in the same zone are likewise subject. Neither the State Fire Marshal nor any local public entity shall charge any fee for enforcing fire inspection regulations pursuant to state law or regulation or local ordinance, with respect to residential care facilities for the elderly which service six or fewer persons.

For the purposes of this section, "family dwelling," includes, but is not limited to, single-family dwellings, units in multifamily dwellings, including units in duplexes and units in apartment dwellings, mobilehomes, including mobilehomes located in mobilehome parks, units in cooperatives, units in condominiums, units in townhouses, and units in planned unit developments.

[CAN] Facilities housing 6 or less elderly are not subject to any special fees, taxes, etc. that any other family dwelling of the same type and on the same zone are not subject to. Locals cannot charge for inspections.

§1584.

(a) An adult day health care center that provides care for adults with Alzheimer's disease and other dementias may install for the safety and security of those persons secured perimeter fences or egress control devices of the time-delay type on exit doors.

(b) As used in this section, "egress control device" means a device that precludes the use of exits for a predetermined period of time. These devices shall not delay any participant's departure from the center for longer than 30 seconds. Center staff may attempt to redirect a participant who attempts to leave the center.

(c) Adult day health care centers installing security devices pursuant to this section shall meet all of the following requirements:

(1) The center shall be subject to all fire and building codes, regulations, and standards applicable to adult day health care centers using egress control devices or secured perimeter fences and shall receive a fire clearance from the fire authority having jurisdiction for the egress control devices or secured perimeter fences.

(2) The center shall maintain documentation of diagnosis by a physician of a participant's Alzheimer's disease or other dementia.

(3) The center shall provide staff training regarding the use and operation of the egress control devices utilized by the center, the protection of participants' personal rights, wandering behavior and acceptable methods of redirection, and emergency evacuation procedures for persons with dementia.

(4) All admissions to the center shall continue to be voluntary on the part of the participant or with consent of the participant's conservator, an agent of the participant under a power of attorney for health care, or other person who has the authority to act on behalf of the participant. Persons who have the authority to act on behalf of the participant include the participant's spouse or closest available relative.

(5) The center shall inform all participants, conservators, agents, and persons who have the authority to act on behalf of participants of the use of security devices. The center shall maintain a signed participation agreement indicating the use of the devices and the consent of the participant, conservator, agent, or person who has the authority to act on behalf of the participant. The center shall retain the original statement in the participant's files at the center.

(6) The use of egress control devices or secured perimeter fences shall not substitute for adequate staff. Staffing ratios shall at all times meet the requirements of applicable regulations.

(7) Emergency fire and earthquake drills shall be conducted at least once every three months, or more frequently as required by a county or city fire department or local fire prevention district. The drills shall include all center staff and volunteers providing participant care and supervision. This requirement does not preclude drills with participants as required by regulations.

(8) The center shall develop a plan of operation approved by the department that includes a description of how the center is to be equipped with egress control devices or secured perimeter fences that are consistent with regulations adopted by the State Fire Marshal pursuant to Section §13143. The plan shall include, but not be limited to, the following:

(A) A description of how the center will provide training for staff regarding the use and operation of the egress control device utilized by the center.

(B) A description of how the center will ensure the protection of the participant's personal rights consistent with applicable regulations.

(C) A description of the center's emergency evacuation procedures for persons with Alzheimer's disease and other dementias.

(d) This section does not require an adult day health care center to use security devices in providing care for persons with Alzheimer's disease and other dementias.

[CAN] Adult day health centers can have delayed egress.

§13113. AUTOMATIC SPRINKLERS

(a) Except as otherwise provided in this section, no person, firm, or corporation shall establish, maintain, or operate any hospital, children's home, children's nursery, or institution, or a home or institution for insane or mentally retarded persons and any nursing or convalescent home, wherein more than six guests or patients are housed or cared for on a 24-hour-per-day basis unless there is installed and maintained in an operable condition in every building or portion thereof where patients or guests are housed an automatic sprinkler system approved by the State Fire Marshal.

(b) This section shall not apply to homes or institutions for the 24-hour-per-day care of ambulatory children if all the following conditions are satisfied:

(1) The buildings or portions thereof in which such children are housed are not more than two stories in height and are constructed and maintained in accordance with regulations adopted by the State Fire Marshal pursuant to Section §13143 and building standards published in the State Building Standards Code.

(2) The buildings or portions thereof housing more than six such children shall have installed and maintained in an operable condition therein a fire alarm system of a type approved by the State Fire Marshal. Such system shall be activated by detectors responding to invisible products of combustion other than heat.

(3) The buildings or portions thereof do not house mentally ill or mentally retarded children.

(c) This section shall not apply to any one-story building or structure of an institution or home for the care of the aged providing 24-hour-per-day care if such building or structure is used or

intended to be used for the housing of no more than six ambulatory aged persons. However, such buildings or institutions shall have installed and maintained in a operable condition therein a fire alarm system of a type approved by the State Fire Marshal. Such system shall be activated by detectors responding to products of combustion other than heat.

(d) This section shall not apply to occupancies, or any alterations thereto, located in Type I construction, as defined by the State Fire Marshal, under construction or in existence on March 4, 1972.

(e) "Under construction," as used in this section, means that actual work shall have been performed on the construction site and shall no be construed to mean that the hospital, home, nursery, institution, sanitarium or any portion thereof, is in the planning stage.

[CAN] Requires automatic fire sprinklers for more than 6 clients in a Residential Care Facility for the Elderly.

§13113.7. SMOKE DETECTORS IN DWELLING UNITS

(a) Except as otherwise provided in this section, a smoke detector, approved and listed by the State Fire Marshal pursuant to Section §13114, shall be installed, in accordance with the manufacturer's instructions in each dwelling intended for human occupancy within the earliest applicable time period as follows:

(1) For all dwelling units intended for human occupancy, upon the owner's application on or after January 1, 1985, for a permit for alterations, repairs, or additions, exceeding on thousand dollars ($1000).

(2) For all other dwelling units intended for human occupancy on or after January 1, 1987.

However, if any local rule, regulation, or ordinance, adopted prior to the compliance dates specified in paragraphs (1) and (2) requires installation in a dwelling unit intended for human occupancy of smoke detectors which receive their power from the electrical system of the building and requires compliance with the local rule, regulation, or ordinance at a date subsequent to the dates specified in this section, the compliance date specified in the rule, regulation, or ordinance shall, but only with respect to the dwelling units specified in this section, take precedence over the dates specified in this section.

The State Fire Marshal may adopt regulations exempting dwellings intended for human occupancy with fire sprinkler systems from the provisions of this section, if he or she determines that a smoke detector is not reasonably necessary for fire safety in the occupancy.

Unless prohibited by local rules, regulations, or ordinances, a battery-operated smoke detector, which otherwise meets the standards adopted pursuant to Section §13114 for smoke detectors, satisfies the requirements of this section.

(b) "Dwelling units intended for human occupancy," as used in this section, includes a duplex, lodging house, apartment complex, hotel, motel, condominium, stock cooperative, time-share project, or dwelling unit of a multiple-unit dwelling complex. For the purpose of this part, "dwelling units intended for human occupancy" does not include manufactured homes as defined in Section §18007, mobile homes as defined in Section §18008, and commercial coaches as defined in Section §18001.8.

(c) The owner of each dwelling unit subject to this section shall supply and install smoke detectors required by this section in the locations and in the manner set forth in the manufacturer's instructions, as approved by the State Fire Marshal's regulations. In the case of apartment complexes and other multiple-dwelling complexes, a smoke detector shall be installed in the common stairwells. All fire alarm warning systems supplemental to the smoke detector shall also be listed by the State Fire Marshal.

(d) A high rise structure, as defined in subdivision (b) of Section §13210 and regulated by

Chapter 3 (commencing with Section §13210), and which is used for purposed other than as dwelling units intended for human occupancy, is exempt from the requirements of this section.
(e) The owner shall be responsible for testing and maintaining detectors in hotels, motels, lodging houses, and common stairwells of apartment complexes and other multiple dwelling complexes.

An owner or the owner's agent may enter any dwelling unit, efficiency dwelling unit, guest room, and suite owned by the owner for the purpose of installing, repairing, testing, and maintaining single station smoke detectors required by this section. Except in cases of emergency, the owner or owner's agent shall give the tenants of each such unit, room, or suite reasonable notice in writing of the intention to enter and shall enter only during normal business hours. Twenty-four hours shall be presumed to be reasonable notice in absence of evidence to the contrary.

The smoke detector shall be operable at the time that the tenant takes possession. The apartment complex tenant shall be responsible for notifying the manager or owner if the tenant becomes aware of an inoperable smoke detector within his or her unit. The owner or authorized agent shall correct any reported deficiencies in the smoke detector and shall not be in violation of this section for a deficient smoke detector when he or she has not received notice of the deficiency.
(f) A violation of this section is an infraction punishable by a maximum fine of two hundred dollars ($200) for each offense.
(g) This section shall not affect any rights which the parties may have under any other provision of law because of the presence or absence of a smoke detector.
(h) This section shall not apply to the installation of smoke detectors in single-family dwellings or factory-built housing which is regulated by Section §13113.8, as added by Assembly Bill No. 2285 of the 1983-84 Regular Session.

[CAN] Requires multi-family dwellings (apartments, condominiums, duplexes, etc.) upon transfer of sale, to install a smoke alarm in specified areas.

§13131. NONAMBULATORY PERSON DEFINED; DETERMINATION OF AMBULATORY OR NONAMBULATORY STATUS

"Non-ambulatory persons" means persons unable to leave a building unassisted under emergency conditions. It includes any person who is unable, or likely to be unable, to physically and mentally respond to a sensory signal approved by the State Fire Marshal, or an oral instruction relating to fire danger, and persons who depend upon mechanical aids such as crutches, walkers, and wheelchairs. The determination of ambulatory or non-ambulatory status of persons with developmental disabilities shall be made by the Director of Social Services or his or her designated representative, in consultation with the Director of Developmental Services or his or her designated representative. The determination of ambulatory or non-ambulatory status of all other disabled persons placed after January 1, 1984, who are not developmentally disabled shall be made by the Director of Social Services, or his or her designated representative.

§13131.5. RESIDENTIAL CARE FACILITIES FOR THE ELDERLY (AB1989, Hannigan)

(a) All of the following building standards shall apply to any single-story building housing non-ambulatory persons which is operated as a residential care facility for the elderly and licensed to care for more than six persons:

(1) The entire building shall have installed a State Fire Marshal approved fully automatic fire extinguishing system, designed and installed in accordance with Section 2-3801(d) of Chapter 2-

38 of Part 2 of Title 24 of the California Code of Regulations.

(2) The entire building shall have a State Fire Marshal approved and listed manual fire alarm system.

(3) The entire building shall be of a least Type V one-hour fire resistive construction, as described in Chapter 2-22 of Part 2 of Title 24 of the California Code of Regulations.

(4) A building with individual floor areas over 6,000 square feet per floor shall have an approved smoke barrier dividing the floor approximately in half, unless there is direct exiting available for each dwelling unit.

(b) All of the following building standards shall apply to any two-story building housing non-ambulatory persons on a second floor, which is operated as a residential care facility for the elderly and licensed to care for more than six persons:

(1) The entire building shall have installed a State Fire Marshal approved fully automatic fire extinguishing system, designed and installed in accordance with Section 2-380(d) of Chapter 2-38 of Part 2 of Title 24 of the California Code of Regulations.

(2) The entire building shall have installed a State Fire Marshal approved and listed automatic fire alarm system.

(3) The entire building shall be of at least type V one-hour fire resistive construction, as described in Chapter 2-22 of Part 2 of Title 24 of the California Code of Regulations.

(4) A building with individual floor areas over 6,000 square feet per floor shall have an approved smoke barrier dividing the floor approximately in half, without regard to whether directing exiting is available from each dwelling unit.

(5) The entire building shall have at lest two sets of enclosed stairways.

(c) All of the following building standards shall apply to any multistory building housing non-ambulatory persons on the third, fourth, or fifth floor, which is operated as a residential care facility for the elderly and licensed to care for more than six persons:

(1) The entire building, unless otherwise exempt pursuant to subdivision (d) of Section §13113, shall have installed a State Fire Marshal approved fully automatic fire extinguishing system, designed and installed in accordance with Section 2-3801(d) of Chapter 2-38 of Part 2 of Title 24 of the California Code of Regulations.

(2) The entire building shall have installed a State Fire Marshal approved and listed automatic fire alarm system.

(3) The entire building shall be of Type II fire resistive construction, as described in Chapter 2-19 of Part 2 of Title 24 of the California Code of Regulations.

(4) A building with individual floor areas over 6,000 square feet per floor shall have an approved smoke barrier dividing the floor approximately in half, without regard to whether direct exiting is available for each dwelling unit.

(5) The entire building shall have a least two sets of enclosed stairways.

(d) All of the following building standards shall apply to any multistory building housing non-ambulatory persons on floors above the fifth floor, which is operated as a residential care facility for the elderly and licensed to care for more than six persons:

(1) The entire building, unless otherwise exempt pursuant to subdivision (d) of Section §13113, shall have installed a State Fire Marshal approved fully automatic fire extinguishing system, designed and installed in accordance with Section 2-3801(d) of Chapter 2-38 of Part 2 of Title 24 of the California Code of Regulations.

(2) The entire building shall have installed a State Fire Marshal approved and listed automatic fire alarm system.

(3) The entire building shall be Type I fire resistive construction, as described in Chapter 2-18 of Part 2 of Title 24 of the California Code of Regulations.

(4) A building with individual floor areas over 6,000 square feet per floor shall have an

approved smoke barrier dividing the floor approximately in half, without regard to whether direct exiting is available from each dwelling unit.

(5) The entire building shall have at least two sets of enclosed stairways.

(e) This section and the regulations adopted by the State Fire Marshal pursuant to subdivision (f) shall apply uniformly throughout the state and no city, county, city and county, or district shall adopt any ordinance, rule, or regulation which is inconsistent with this section or with the regulations adopted by the State Fire Marshal pursuant to subdivision (f).

(f) The State Fire Marshal shall adopt regulations establishing a reasonable fee, not to exceed the actual costs of inspection to the agency conducting the inspection, for the final inspection of any facility which is subject to the standards established pursuant to this section.

(g) This section shall be enforced in accordance with the division of authority prescribed in Section §13146.

[CAN] This section refers specifically to RCFE's licensed for more than six non-ambulatory elderly persons. These statutory requirements (as opposed to regulations in the California Building Code) represent many of the building standards addressed in this handbook that relate to R2.1 Occupancies.

§13133.

(a) The State Fire Marshal shall develop and adopt regulations establishing new occupancy classifications and specific fire safety standards appropriate for residential facilities, as defined in Section §1502, and residential care facilities for the elderly, as defined in Section §1569.2. Notwithstanding Sections §13143.2, §13143.5, and §13869.7, building standards adopted by the State Fire Marshal pursuant to this section and published in the State Building Standards Code relating to fire and panic safety, and other regulations adopted by the State Fire Marshal pursuant to this section, shall apply uniformly throughout the state, and no city, county, city and county, including a charter city or charter county, or fire protection district shall adopt or enforce any ordinance or local rule or regulation relating to fire and panic safety in buildings or structures subject to this section that is inconsistent with building standards adopted by the State Fire Marshal pursuant to this section and published in the State Building Standards Code relating to fire and panic safety, or other regulations adopted by the State Fire Marshal pursuant to this section.

(b) Notwithstanding subdivision (a), a city, county, city and county, including a charter city or charter county may pursuant to Section §13143.5, or a fire protection district may pursuant to Section §13869.7, adopt standards more stringent than those contained in subdivision (a) that are reasonably necessary to accommodate local climate, geological, or topographical conditions relating to roof coverings for residential care facilities for the elderly.

[CAN] SFM to develop regulations for R-2 Occupancies. Local regulations do not apply to R-2's unless they apply to every other single family residence in the area. However, local ordinances related to roof coverings can apply to residential care facilities for the elderly.

§13135.

The State Fire Marshal shall adopt regulations for alcoholism or drug abuse recovery or treatment facilities, as defined in Section §11834.11, based on whether the residents or patients of the facilities are non-ambulatory, as defined in Section §13131, and not based on the age of residents or patients of the facilities.

[CAN] The section mandates the SFM to develop regulations for alcoholism and drug abuse facilities. This mandate placed these facilities in the R-6 Occupancies.

§13143.6. PROTECTIVE SOCIAL CARE

(a) Except as provided in Section §18930, the State Fire Marshal, with the advice of the State Board of Fire Services, shall prepare and adopt regulations establishing minimum standards for the prevention of fire and for the protection of life and property against fire in any building or structure used or intended for use as a home or institution for the housing of any person of any age when such person is referred to or placed within such home or institution for protective social care and supervision services by any governmental agency. The State Fire Marshal shall adopt and submit building standards for approval pursuant to the provisions of Chapter 4 (commencing with Section §18935) of Part 2.5 of Division 13 for the purposes described in this section. Occupancies within the meaning of this subdivision shall be those not otherwise specified in Sections §13113 and §13143 and shall include, but are not limited to, those commonly referred to as "certified family care homes," "out-of-home placement facilities," and "halfway houses."

Building standards relating to fire and panic safety published in the State Building Standards Code, and other regulations adopted pursuant to this subdivision shall establish minimum requirements relating to the means of egress and the adequacy of exits, the installation and maintenance of fire extinguishing and fire alarm systems, the storage, handling, or use of combustible or flammable materials or substances, and the installation and maintenance of appliances, equipment, decorations, and furnishings that may present a fire, explosion, or panic hazard. Such minimum requirements shall be predicated on the height, area, and fire-resistive qualities of the building or structure used or intended to be used.

Any building or structure within the scope of this subdivision used or intended to be used for the housing of more than six non-ambulatory persons shall have installed and maintained in proper operating condition an automatic sprinkler system approved by the State Fire Marshal. "Non-ambulatory person," as used in this section, means non-ambulatory person as defined in Section §13131.

The ambulatory or non-ambulatory status of any developmentally disabled person within the scope of this subdivision shall be determined by the Director of Social Services or his or her designated representative, in consultation with the Director of Developmental Services or his or her designated representative.

Any building or structure within the scope of this subdivision used or intended to be used for the housing of more than six ambulatory persons shall have installed or maintained in proper operating condition an automatic fire alarm system approved and listed by the State Fire Marshal which will respond to products of combustion other than heat.

In preparing and adopting regulations pursuant to this subdivision, the State Fire Marshal shall give reasonable consideration to the continued use of existing buildings' housing occupancies established prior to March 4, 1972.

In preparing and adopting regulations pursuant to this subdivision, the State Fire Marshal shall also secure the advice of the appropriate governmental agencies involved in the affected protective social care programs in order to provide compatibility and maintenance of operating programs in the state.

Any governmental agency that refers any person to, or causes his or her placement in, any home or institution subject to this section shall, within seven days after the referral or placement, request verification of conformance to the fire safety standards adopted by the State Fire Marshal

pursuant to Sections §13145 and §13146. Any referral or placement in homes or institutions subject to this section shall be subject to rescission if the fire authority having jurisdiction subsequently informs the governmental agency that it is unable to give the requested verification.

When a building or structure within the scope of this subdivision is used to house either ambulatory or non-ambulatory person, or both, and an automatic sprinkler system, approved by the State Fire Marshal, is installed, this subdivision shall not be construed to also require the installation of an automatic fire alarm system.

(b) Notwithstanding any other provision of law, facilities which are subject to the provisions of subdivision (a) and which are used for the housing of persons, none of whom are physically or mentally handicapped or non-ambulatory persons within the meaning of Section §13131, shall not be required to have installed an automatic sprinkler system or an automatic fire alarm system. In adopting regulations, or when adopting building standards for approval pursuant to Chapter 4 (commencing with Section §18935) of Part 2.5 of Division 13, affecting facilities specified in this subdivision, the State Fire Marshal shall take into consideration the ambulatory and non-handicapped status of persons housed in such facilities.

(c) It is the intent of the Legislature that any building or structure within the scope of subdivision (a) in which there is housed any totally deft person, shall be required by the State Fire Marshal to be equipped with fire warning devices to which such person is able to respond.

(d) The provisions of this section, building standards adopted by the State Fire Marshal pursuant to this section and published in the State Building Standards Code relating to fire and panic safety, and the other regulations adopted by the State Fire Marshal pursuant to this section shall apply uniformly throughout the State of California, and no county, city, city and county, or district shall adopt or enforce any ordinance or local rule or regulation relating to fire and panic safety in buildings or structures subject to the provisions of this section which is inconsistent with the provisions of this section, building standards published in the State Building Standards Code relating to fire and panic safety, or the other regulations adopted by the State Fire Marshal pursuant to this section.

[CAN] This section mandates the State Fire Marshal to adopt regulations establishing minimum fire and life safety requirements for homes and institutions used for protective social care and supervision services for clients referred there by any governmental agency. Protective social care is a Residential Care Facility (RCF) classified as a Group R, Division 6 Occupancy. Historically these facilities house the age group 18-64 (i.e., halfway house, certified family care home, out-of-home placement facilities, etc.). Recent changes in legislation (i.e., Health and Safety Code, Section §1569.2) have defined the age group for the elderly to 60 years or more. Subsequently, the definition of protective social care facilities (i.e., Residential Care Facilities) has now been narrowed to represent the age group 18-59 years of age.

§13145.

The State Fire Marshal, the chief of any city or county fire department or district providing fire protection services, and their authorized representatives, shall enforce in their respective areas building standards relating to fire and panic safety adopted by the State Fire Marshal and published in the State Building Standards Code and other regulations that have been formally adopted by the State Fire Marshal for the prevention of fire or for the protection of life and property against fire or panic.

[CAN] This section mandates local enforcement of SFM regulations by the AHJ.

§13146.

The responsibility for enforcement of building standards adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety and other regulations of the State Fire Marshal shall be as follows:

(a) The city, county, or city and county with jurisdiction in the area affected by the standard or regulation shall delegate the enforcement of the building standards relating to fire and panic safety and other regulations of the State Fire Marshal as they relate to R-3 dwellings, as described in Section 1201 of Part 2 of the California Building Standards Code, to either of the following:

(1) The chief of the fire authority of the city, county, or city and county, or his or her authorized representative.

(2) The chief building official of the city, county, or city and county, or his or her authorized representative.

(b) The chief of any city or county fire department or of any fire protection district, and their authorized representatives, shall enforce within its jurisdiction the building standards and other regulations of the State Fire Marshal, except those described in subdivision (a) or (d).

(c) The State Fire Marshal shall have authority to enforce the building standards and other regulations of the State Fire Marshal in areas outside of corporate cities and districts providing fire protection services.

(d) The State Fire Marshal shall have authority to enforce the building standards and other regulations of the State Fire Marshal in corporate cities and districts providing fire protection services upon request of the chief fire official or the governing body.

(e) Any fee charged pursuant to the enforcement authority of this section shall not exceed the estimated reasonable cost of providing the service for which the fee is charged, pursuant to Section §66014 of the Government Code.

[CAN] This section establishes the delineation of authority for the enforcement of SFM regulations at the local level.

§13146.5

The provisions of Section 13145, 13146 and 13146.3 shall, so far as practicable, be carried out at the local level by persons who are regular full-time members of a regularly organized fire department of a city, county, or district providing fire protection services, and shall not be carried out by other persons pursuant to Section 34004 of the Government Code.

[CAN] The enforcement of SFM regulations shall be carried out by fire department personnel only.

§13235.

(a) Upon receipt of a request from a prospective licensee of a community care facility, as defined in Section §1502, of a residential care facility for the elderly, as defined in Section §1569.2, or of a child day care facility, as defined in Section §1596.750, the local fire enforcing agency, as defined in Section §13244, or State Fire Marshal, whichever has primary jurisdiction, shall conduct a preinspection of the facility prior to the final fire clearance approval. At the time of the preinspection, the primary fire enforcing agency shall provide consultation and interpretation of fire safety regulations, and shall notify the prospective licensee of the facility in writing of the specific fire safety regulations which shall be enforced in order to obtain fire clearance approval.

A fee of not more than fifty dollars ($50) may be charged for the preinspection of a facility with a capacity to serve 25 or fewer persons. A fee of not more than one hundred dollars ($100) may be charged for a preinspection of a facility with a capacity to serve 26 or more persons.

(b) The primary fire enforcing agency shall complete the final fire clearance inspection for a community care facility, residential care facility for the elderly, or child day care facility within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final prelicensure inspection by the State Department of Social Services, whichever is later.

[CAN] A prospective provider can request a pre-inspection from the AHJ. The cost of the pre-inspection shall not exceed the amounts listed above. Further, the AHJ must conduct the inspection within 30 days of request by provider.

ANNEX-XI

History

The following pieces of information are more explanative in the evolution of state licensed occupancies:

- **I-1.1 OCCUPANCIES - HEALTH-CARE FACILITIES FOR MORE THAN 6**

2001 California Building Code

I Division 1.1 (I-1.1): Nurseries for the full-time care of children under the age of six [each accommodating more than five persons ***(for SFM) six persons]***.

Hospitals, sanitariums, nursing homes with non-ambulatory patients ***[for SFM] where medical care is provided, or homes with non-ambulatory guests where medical care is provided,*** and similar buildings [each accommodating more than five persons ***(for SFM) six persons***].

1998 California Building Code

I Division 1.1 (I-1.1): Nurseries for the full-time care of children under the age of six [each accommodating more than five persons *(for SFM) six persons]*.

Hospitals, sanitariums, nursing homes with non-ambulatory patients *[for SFM} where medical care is provided, or homes with non-ambulatory guests where medical care is provided,* and similar buildings [each accommodating more than five persons *(for SFM) six persons*].

1991 California Building Code

I Division 1.1 (I-1.1): Nurseries for the full-time care of children under the age of six {each accommodating more than five persons *(for SFM) six persons}*

Hospitals, sanitariums, nursing homes with non-ambulatory patients where medical care is provided, protective social care facilities where medical care is provided or homes with non-ambulatory guests where medical care is provided, and similar building {each accommodating more than five persons (for SFM) six persons}

1988 Uniform Building Code with 1989 Amendments (Title 24)

I Division 1 (I-1): Nurseries for the full-time care of children under the age of six [each accommodating more than five *(for SFM) six* persons]

Hospitals, sanitariums, nursing homes *and aged homes* with non-ambulatory patients, *protective social-care facilities or homes with non-ambulatory guests*, and similar buildings (each accommodating more than five, *(for SFM) six* persons.}

1985 Uniform Building Code with Title 24 Amendments (1987 Accumulative Supplement)

I Division 1 (I-1): Nurseries for the full-time care of children under the age of six. Hospitals, sanitariums, nursing homes and ages homes with non-ambulatory patients, protective social care facilities or homes with non-ambulatory guests, and similar building. (Each occupancy accommodating more than six persons.)

1979 Uniform Building Code with Title 24 Amendments

I Division 1 (I-1): Nurseries for the full-time care of children under the age of six. Hospitals, sanitariums, nursing homes and ages homes with non-ambulatory patients, protective social care facilities or homes with non-ambulatory guests, and similar building. (Each occupancy accommodating more than six persons.)

1971 Title 19

D Division 2 (D-2): Homes or institutions for the full-time care of children under kindergarten age (each accommodating more than six (6) persons not including employees or relations).

Hospitals, sanitariums psychiatric institutions, nursing homes wit non-**********???

2001 CBC	1998 CBC	1991 CBC	1988 UBC w/T24 1989 Amendments	1985 UBC w/ T24 Amendments	1979 UBC w/T24 Amendments	1971 Title 19
I-1.1	I-1.1	I-1.1	I-1	I-1	I-1	D-2

- **I-1.2 OCCUPANCIES - AMBULATORY HEALTH-CARE/AMBULATORY SURGERY CENTERS**

2001 California Building Code

I Division 1.2 (I-1.2): Health-care centers for ambulatory patients receiving outpatient medical care that may render the patient incapable of unassisted self-preservation (each tenant space accommodating more than five persons),

1998 California Building Code

I Division 1.2 (I-1.2): Health-care centers for ambulatory patients receiving outpatient medical care that may render the patient incapable of unassisted self-preservation (each tenant space accommodating more than five persons).

1991 California Building Code

I Division 1.2 (I-1.2): Health-care centers for ambulatory patients receiving outpatient medical care that may render the patient incapable of unassisted self-preservation (each tenant space accommodating more than five persons).

1988 Uniform Building Code with 1989 Amendments (Title 24)

No specific definition for an Ambulatory Health-care center existed in the Building Code or Title 24. The definition was first found in the NFPA 1981 Life Safety Code. [1] Ambulatory Health-care centers were generally classified as an I-1, I-2, or B-2 Occupancy, depending upon the number of occupants and the evacuation capabilities of the patients.

1985 Uniform Building Code with Title 24 Amendments (1987 Accumulative Supplement)

No specific definition for an Ambulatory Health-care center existed in the Building Code or Title 24. The definition was first found in the NFPA 1981 Life Safety Code. [1] Ambulatory Health-care centers were generally classified as an I-1, I-2, or B-2 Occupancy, depending upon the number of occupants and the evacuation capabilities of the patients.

1979 Uniform Building Code with Title 24 Amendments

No Definition for an Ambulatory Health-care center existed. Ambulatory Health-care centers were generally classified as an I-1, I-2, or B-2 occupancy, depending upon the number of occupants and the evacuation capabilities of the patients.

1971 Title 19

No Definition for an Ambulatory Health-care center existed. Ambulatory Health-care centers were virtually non-existent in the Health Care Industry until the late 1970's. It can be assumed that if some existed they would have been classified as a hospital-type facility.

2001 CBC	1998 CBC	1991 CBC	1988 UBC w/T24 1989 Amendments	1985 UBC w/T24 Amendments	1979 UBC w/T24 Amendments	1971 Title 19
I-1.2	I-1.2	I-2	No Specific Classification Existed: I-1, I-2, B-2	No Specific Classification Existed: I-1, I-2, B-2	No Specific Classification Existed: I-1, I-2, B-2	Not Used

Foot note:

1) **NFPA 1981 Life Safety Code:**

"Ambulatory Health Care Centers. A building or part thereof used to provide services or treatment to four or more patients at the same time and meeting either (1) or (2) below.

1. Those facilities which provide, on a outpatient basis, treatment for patients which would render them incapable of taking action for self-preservation under emergency conditions without assistance from others, such as hemodialysis units or freestanding emergency medical units.
2. Those facilities which provide, on an outpatient basis, surgical treatment requiring general anesthesia."

- **I-2 OCCUPANCIES - HEALTH-CARE FACILITIES FOR 6 OR MORE AMBULATORY**

2001 California Building Code

I Division 2 (I-2): Nursing Homes for ambulatory patients, *[for SFM] where medical care is provided,* homes for *ambulatory* children six years of age or over *where medical care is provided, or homes with ambulatory guests where medical care is provided, and similar buildings and honor farms and conservation camps housing inmates who are not restrained* (each accommodating more than five patients or children *[for SFM] six patients or children.*

1998 California Building Code

I Division 2 (I-2): Nursing Homes for ambulatory patients, *[for SFM] where medical care is provided,* homes for *ambulatory* children six years of age or over *where medical care is provided, or homes with ambulatory guests where medical care is provided, and similar buildings and honor farms and conservation camps housing inmates who are not restrained* (each accommodating more than five patients or children *[for SFM] six patients or children.*

1991 California Building Code

I Division 2 (I-2): Nursing Homes for ambulatory patients, *[for SFM] where medical care is provided,* homes for *ambulatory* children six years of age or over *where medical care is provided, protective social care facilities where medical care is provided or homes with ambulatory guests where medical care is provided, and similar buildings and honor farms and conservation camps housing inmates who are not restrained* (each accommodating more than five patients or children *[for SFM] six patients or children.*

1988 Uniform Building Code with 1989 Amendments (Title 24)

I Division 2 (I-2): Nursing Homes *and aged homes* for ambulatory patients, homes for *ambulatory* children six years of age or over, *protective social- care facilities or homes with ambulatory guests, and similar buildings and honor farms and conservation camps housing inmates who are not restrained* [each accommodating more than five *(for SFM) six persons.*]

1985 Uniform Building Code with Title 24 Amendments (1987 Accumulative Supplement)

I Division 2 (I-2): Nursing Homes *and aged homes* for ambulatory patients, homes for *ambulatory* children six years of age or over, *protective social- care facilities or homes with ambulatory guests, and similar buildings* (each occupancy accommodating more than *six persons.*)

1979 Uniform Building Code with Title 24 Amendments

I Division 2 (I-2): Nursing Homes *and aged homes* for ambulatory patients, homes for *ambulatory* children six years of age or over, *protective social- care facilities or homes with ambulatory guests, and similar buildings* (each occupancy accommodating more than *six persons.*)

1971 Title 19

D Division 3 (D-3): Nursing homes for ambulatory persons, homes or institutions for the ages, homes for children of kindergarten age or over (each accommodating more than six (6) persons

not including employees or relations). Portions of building housing non-ambulatory persons shall conform to the requirements of Division 2.

2001 CBC	1998 CBC	1991 CBC	1988 UBC w/T24 1989 Amendments	1985 UBC w/ T24 Amendments	1979 UBC w/T24 Amendments	1971 Title 19
I-2	I-2	I-2	I-2	I-2	I-2	D-3

- **R-2.1 OCCUPANCIES – RESIDENTIAL CARE FACILITIES FOR MORE THAN 6 NONAMBULATORY PERSONS**

2001 California Building Code

R Division 2.1 (R-2.1): *Residentially-based, licensed facilities accommodating more than six non-ambulatory clients. This division may include ambulatory clients. Licensing categories that may use this classification include, but are not limited to: Adult Residential Facilities, Congregate Living Health Facilities, Residential Care Facilities for the Elderly, Group Homes and Residential Care Facilities for the Chronically Ill.*

1998 California Building Code

R Division 2.1 (R-2.1): *Residentially-based, licensed facilities accommodating more than six non-ambulatory clients. This division may include ambulatory clients. Licensing categories that may use this classification include, but are not limited to: Adult Residential Facilities, Congregate Living Health Facilities, Residential Care Facilities for the Elderly, Group Homes and Residential Care Facilities for the Chronically Ill.*

1991 California Building Code

R Division 2.1 (R-2.1): *Residential care-facilities for the elderly (each accommodating more than six non-ambulatory clients.*

Or

I Division 1.1 (I-1.1): Nurseries for the full-time care of children under the age of six [each accommodating more than five persons *(for SFM) six persons]*.

Hospitals, sanitariums, nursing homes with non-ambulatory patients *where medical care is provided, protective social care facilities where medical care is provided or homes with non-ambulatory guests where medical care is provided,* and similar buildings [each accommodating more than five persons *(for SFM) six persons.*

1988 Uniform Building Code with 1989 Amendments (Title 24)

I Division 1 (I-1): Nurseries for the full-time care of children under the age of six [each accommodating more than five *(for SFM) six* persons].

Hospitals, sanitariums, nursing homes *and aged homes* with non-ambulatory patients, *protective social care facilities, or homes with non-ambulatory guests,* and similar buildings [each accommodating more than five *(for SFM) six* persons.

1985 Uniform Building Code with Title 24 Amendments (1988 Supplement)

I Division 1 (I-1): Nurseries for the full-time care of children under the age of six [each accommodating more than five (for SFM) six persons].

Hospitals, sanitariums, nursing homes and aged homes with non-ambulatory patients, protective social care facilities, or homes with non-ambulatory guests, and similar buildings [each accommodating more than six persons.

1979 Uniform Building Code with Title 24 Amendments

I Division 1 (I-1): Nurseries for the full-time care of children under the age of six (each accommodating more than six persons).

Hospitals, sanitariums, nursing homes with non-ambulatory patients, and similar buildings (each accommodating more than six persons).

Or

D Division 1 (D-1): Occupancies housing more than 6 non-ambulatory persons on the premises not including employees or relatives.

For the purposes of this chapter D2 occupancies shall include any home or facility for the housing of any person ages 18 through 64 when such person is referred to or placed within such home or facility for protective social care and supervisory services by any governmental agency and shall include but are not limited to those commonly referred to as "certified family care homes," "out-of-home placement facilities," and "halfway houses".

EXCEPTION: Any facility classified by these regulations as a Group I, Division 1, 1A, 2, or 2A Occupancy or any Group C Occupancy.

1971 Title 19

No related occupancy classification found.

2001 CBC	1998 CBC	1991 CBC		1988 UBC w/T24 1989 Amendments	1985 UBC w/ T24 Amendments	1979 UBC w/T24 Amendments		1971 Title 19
R-2.1	R-2.1	R-2.1	I-1.1	I-1	I-1	I-1	D-1	Not Used

- **R-2.1.1 OCCUPANCIES – RESIDENTIAL CARE FACILITIES FOR 6 OR LESS NONAMBULATORY PERSONS**

2001 California Building Code

R Division 2.1.1 (R-2.1.1): *Residentially-based, licensed facilities accommodating six or less non-ambulatory clients. This division may include ambulatory and bedridden clients. Licensing categories that may use this classification include, but are not limited to: Adult Residential Facilities, Congregate Living Health Facilities, Foster Family Homes, Group Homes, Intermediate Care Facilities for the Developmentally Disabled Habilitative, Intermediate Care Facilities for the Developmentally Disabled Nursing, nurseries for the full-time care of children under the age of six, but not including "infants" as defined in Section 210; Residential Care Facilities for the Elderly, Small Family Homes and Residential Care Facilities for the Chronically Ill..*

1998 California Building Code

R Division 2.1.1 (R-2.1.1): *Residentially-based, licensed facilities accommodating six or less non-ambulatory clients. This division may include ambulatory clients. Licensing categories that may use this classification include, but are not limited to: Adult Residential Facilities, Congregate Living Health Facilities, Foster Family Homes, Intermediate Care Facilities for the Developmentally Disabled Habilitative, Intermediate Care Facilities for the Developmentally Disabled Nursing, nurseries for the full-time care of children under the age of six, but not including "infants" as defined in Section 210; Residential Care Facilities for the Elderly, Small Family Homes and Residential Care Facilities for the Chronically Ill..*

1991 California Building Code

R Division 2.1A (R-2.1A): *Residential care-facilities for the elderly (each accommodating six or less non-ambulatory clients.*

Or

I Division 1.1A (I-1.1A): *Nurseries for the full-time care of children under the age of six, but not including "infants" as defined in Section 410, hospitals, sanitariums, nursing homes with non-ambulatory patients where medical care is provided, protective social care facilities where medical care is provided or homes with non-ambulatory guests where medical care is provided, and similar buildings (each accommodating six or less persons).*

1988 Uniform Building Code with 1989 Amendments (Title 24)

I Division 1A (I-1A): *Nurseries for the full-time care of children under the age of six, but not including "infants" as defined in Section 410, hospitals, sanitariums, nursing homes and aged homes with non-ambulatory patients, protective social care facilities or homes with non-ambulatory guests, and similar buildings (each accommodating six or less persons).*

1985 Uniform Building Code with Title 24 Amendments (1988 Supplement)

I Division 1A (I-1A): Nurseries for the full-time care of children under the age of six, but not including "infants" as defined in Section 2-410:

Hospitals, sanitariums, nursing homes and aged homes with non-ambulatory patients, protective social care facilities or homes with non-ambulatory guests, and similar buildings (each accommodating six or less persons).

1979 Uniform Building Code with Title 24 Amendments

I Division 1A (I-1A): Nurseries for the full-time care of children under the age of six, but not including "infants" as defined herein (each accommodating six or less persons).

Hospitals, sanitariums, nursing homes and aged homes with non-ambulatory patients, and similar buildings (each accommodating six or less persons).

For the purpose of this chapter, "infant" shall mean any child who because of age only, is unable to walk and require the aid of another person to evacuate the building. In no case shall the term "infant" mean a child beyond 6 years of age. It is the intent of this definition to allow the use of a residential type building as a permanent foster home for a child without the need to conform to the more restrictive provisions applicable to other care of institutional type occupancies.

EXCEPTION: The provisions of this chapter shall not apply to homes, institutions or day care facilities which provide non-medical board, room and care for 6 or fewer ambulatory children only.

Or

D Division 2 (D-2): Occupancies housing 6 or less non-ambulatory persons on the premises not including employees or relatives.

For the purposes of this chapter D2 occupancies shall include any home or facility for the housing of any person ages 18 through 64 when such person is referred to or placed within such home or facility for protective social care and supervisory services by any governmental agency and shall include but are not limited to those commonly referred to as "certified family care homes," "out-of-home placement facilities," and "halfway houses".

EXCEPTION: Any facility classified by these regulations as a Group I, Visision1, 1A, 2, or 2A Occupancy or any Group C Occupancy.

1971 Title 19

No related occupancy classification found.

2001 CBC	1998 CBC	1991 CBC		1988 UBC with T24 Amendments	1985 UBC with T24 Amendments	1979 UBC with T24 Amendments		1971 Title 19
R-2.1.1	R-2.1.1	R-2.1A	I-1.1A	I-1A	I-1A	I-1A	D-2	Not Used

- **R-2.2.1 OCCUPANCIES – RESIDENTIAL CARE FACILITIES FOR 6 OR LESS AMBULATORY PERSONS**

2001 California Building Code

R Division 2.2.1 (R-2.2.1): *Residentially-based, licensed facilities accommodating six or less ambulatory clients. This division may include a maximum of two non-ambulatory clients, one of whom may be bedridden... Licensing categories that may use this classification include, but are not limited to: Adult Residential Facilities, Intermediate Care Facilities for the Developmentally Disabled Habilitative, Intermediate Care Facilities for the Developmentally Disabled Nursing, Nursing Homes, Residential Care Facilities for the Elderly, Foster Family Homes, Group Homes, Small Family Homes, Community Treatment Facilities and Social Rehabilitation Facilities.*

1998 California Building Code

R Division 2.2.1 (R-2.2.1): *Residentially-based, licensed facilities accommodating six or less ambulatory clients. This division may include a maximum of two non-ambulatory clients. Licensing categories that may use this classification include, but are not limited to: Adult Residential Facilities, Intermediate Care Facilities for the Developmentally Disabled Habilitative, Intermediate Care Facilities for the Developmentally Disabled Nursing, Nursing Homes, Residential Care Facilities for the Elderly, Foster Family Homes, Group Homes, Small Family Homes, Community Treatment Facilities and Social Rehabilitation Facilities.*

1991 California Building Code

R Division 2.2A (R-2.2A): *Residential care facilities for the elderly (each accommodating six or less ambulatory clients.*

Or

I Division 2.2A (I-2.2A): Nursing homes for ambulatory patients *where medical care is provided,* homes for *ambulatory* children six years of age or over *where medical care is provided, protective social care facilities where medical care is provided or homes with ambulatory guests where medical care is provided, and similar buildings (each occupancy accommodating six or less persons), but not including "infants" as defined in Section 410.*

1988 Uniform Building Code with 1989 Amendments (Title 24)

I Division 2A (I-2A): *Nursing homes and aged homes for ambulatory patients, homes for ambulatory children six years of age or over, protective social-care facilities or homes with ambulatory guests, and similar buildings (each occupancy accommodating six or less persons), but not including "infants" as defined in Section 410.*

1985 Uniform Building Code with Title 24 Amendments (1988 Supplement)

I Division 2A (I-2A): Nursing homes and aged homes for ambulatory patients, homes for ambulatory children six years of age or over, protective social-care facilities or homes with ambulatory guests, and similar buildings each occupancy accommodating six or less persons, but not including "infants" as defined in Section 2-410.

1979 Uniform Building Code with Title 24 Amendments

I Division 2A (I-2A): Nursing Homes for ambulatory patients, homes for children six years of age or over (each accommodating six or less persons).

EXCEPTION: The provisions of this chapter shall not apply to homes, institutions or day care facilities which provide non-medical board, room and care for 6 or fewer ambulatory children only.

Or

D Division 4 (D-4): Occupancies housing 6 or less ambulatory persons on the premises not including employees or relatives.

For the purposes of this chapter D2 occupancies shall include any home or facility for the housing of any person ages 18 through 64 when such person is referred to or placed within such home or facility for protective social care and supervisory services by any governmental agency and shall include but are not limited to those commonly referred to as "certified family care homes," "out-of-home placement facilities," and "halfway houses".

EXCEPTION: Any facility classified by these regulations as a Group I, Visision1, 1A, 2, or 2A Occupancy or any Group C Occupancy.

1971 Title 19

No related occupancy classification found.

2001 CBC	1998 CBC	1991 CBC		1988 UBC with T24 Amendments	1985 UBC with T24 Amendments	1979 UBC with T24 Amendments		1971 Title 19
R-2.2.1	R-2.2.1	R-2.2A	I-2.2A	I-2A	I-2A	I-2A	D-4	Not Used

- **R-2.3 and R-2.1 OCCUPANCIES – HOSPICE RESIDENTIAL CARE**

2001 California Building Code

R Division 2.3 (R-2.3): *Residentially-based, licensed facilities providing hospice care throughout accommodating more than six bedridden clients. Licensing categories that may use this classification are limited to: Congregate Living Health Facilities for the Terminally Ill and Residential Care Facilities for the Chronically Ill.*

R Division 2.3.1 (R-2.3.1): *Residentially-based, licensed facilities providing hospice care throughout accommodating six or less bedridden clients. Licensing categories that may use this classification are limited to: Congregate Living Health Facilities for the Terminally Ill and Residential Care Facilities for the Chronically Ill.*

NOTE: This was the first accommodation for hospice care homes and bedridden clients that appeared in the code.

1998 California Building Code

R Division 2.1.1 (R-2.1.1): *Residentially-based, licensed facilities accommodating six or less non-ambulatory clients. This division may include ambulatory clients. Licensing categories that may use this classification include, but are not limited to: Adult Residential Facilities, Congregate Living Health Facilities, Foster Family Homes, Intermediate Care Facilities for the Developmentally Disabled Habilitative, Intermediate Care Facilities for the Developmentally Disabled Nursing, nurseries for the full-time care of children under the age of six, but not including "infants" as defined in Section 210; Residential Care Facilities for the Elderly, Small Family Homes and Residential Care Facilities for the Chronically Ill.*

NOTE: Bedridden clients were not permitted in past code editions. The allowance of bedridden clients was handled on case by case basis, usually with alternate means of protection required for the bedridden clients. Typically the occupancies were then classified as an R-2.1.1 or an I-1.1. The above occupancy classification for an R-2.1.1 does include Residentially Care Facilities for the Chronically Ill.

1991 California Building Code
No References to Hospice. The Occupancy classification most likely assigned to a Hospice facility would be an I1.1 or an I 1.1A.

1988 Uniform Building Code with 1989 Amendments (Title 24)
No Reference to Hospice

1985 Uniform Building Code with Title 24 Amendments (1988 Supplement)
No Reference to Hospice

1979 Uniform Building Code with Title 24 Amendments
No Reference to Hospice

1971 Title 19
No related occupancy classification found.

2001 CBC	1998 CBC	1991 CBC	1988 UBC with T24 Amendments	1985 UBC with T24 Amendments	1979 UBC with T24 Amendments	1971 Title 19
R-2.3	I-1.1	I-1.1	No Classification	No Classification	No Classification	No Classification
R-2.3.1	R-2.1.1	I-1.1A	No Classification	No Classification	No Classification	No Classification

- **R-2.2 OCCUPANCIES – RESIDENTIAL CARE FACILITIES FOR MORE THAN 6 AMBULATORY PERSONS**

2001 California Building Code
R Division 2.2 (R-2.2): *Residentially-based, licensed facilities accommodating more than six ambulatory clients. This division may include non-ambulatory clients and shall not exceed six non-ambulatory clients... Licensing categories that may use this classification include, but are not limited to: Adult Residential Facilities, Residential Care Facilities for the Elderly, Group Homes, Community Treatment Facilities and Social Rehabilitation Facilities.*

1998 California Building Code
R Division 2.2 (R-2.2): *Residentially-based, licensed facilities accommodating more than six ambulatory clients. This division may include non-ambulatory clients and shall not exceed six non-ambulatory clients... Licensing categories that may use this classification include, but are not limited to: Adult Residential Facilities, Residential Care Facilities for the Elderly, Group Homes, Community Treatment Facilities and Social Rehabilitation Facilities.*

1991 California Building Code
R Division 2.2 (R-2.2): *Residential care-facilities for the elderly (each accommodating more than six non-ambulatory clients.*

Or

I Division 2 (I-2): Nursing homes for ambulatory patients *where medical care is provided,* homes for ambulatory children six years of age or over *where medical care is provided, protective social care facilities where medical care is provided or homes with ambulatory guests where medical care is provided and similar buildings and honor farms and conservation camps housing inmates who are not restrained* [each accommodating more than five persons *(for SFM) six persons].*

1988 Uniform Building Code with 1989 Amendments (Title 24)
I Division 2 (I-2): Nursing homes *and aged homes* for ambulatory patients, homes for *ambulatory* children six years of age or over, *protective social care facilities or homes with ambulatory guests, and similar buildings and honor farms and conservation camps housing*

inmates who are not restrained [each accommodating more than five persons *(for SFM) six persons]*.

1985 Uniform Building Code with Title 24 Amendments (1988 Supplement)

I Division 2 (I-2): Nursing Homes and aged homes for ambulatory patients, homes for ambulatory children six years of age or over, protective social care facilities or homes with ambulatory guests, and similar buildings. (Each occupancy accommodating more than six persons).

1979 Uniform Building Code with Title 24 Amendments

I Division 2 (I-2): Nursing homes for ambulatory patients, homes for children six years of ages or over (each accommodating more than six persons).

Or

D Division 3 (D-3): Occupancies housing more than 6 ambulatory persons on the premises not including employees or relatives.

For the purposes of this chapter D2 occupancies shall include any home or facility for the housing of any person ages 18 through 64 when such person is referred to or placed within such home or facility for protective social care and supervisory services by any governmental agency and shall include but are not limited to those commonly referred to as "certified family care homes," "out-of-home placement facilities," and "halfway houses".

EXCEPTION: Any facility classified by these regulations as a Group I, Division 1, 1A, 2, or 2A Occupancy or any Group C Occupancy.

1971 Title 19

No related occupancy classification found.

2001 CBC	1998 CBC	1991 CBC		1988 UBC with T24 Amendments	1985 UBC with T24 Amendments	1979 UBC with T24 Amendments		1971 Title 19
R-2.2	R-2.2	R-2.2	I-2	I-2	I-2	I-1	D-3	Not Used

R-3 OCCUPANCIES – RESIDENTIAL FACILITIES

2001 California Building Code

R Division 3 (R-3): Dwellings *and those dwellings used for large family day-care homes (as defined in Chapter 2, Section 205)* and lodging houses, *Licensing categories that may use this classification include, but are not limited to: Adult Day-care Facilities, Family Day-care Homes, Adult Day-support Center, Day-care Center for Mildly Ill Children, Infant Care Center and School Age Child Day-care Center.*

Note: Chapter 2, Section 205: Large Family Day Care Home: is a provider's own home licensed to provide day care for periods less than 24 hours per day for nine to 14 persons, including children under the age of 10 years who reside at the home.

Small Family Day Care Home: is a home which provides family day care to eight or fewer children, including children under the age of 10 years who reside at the home, in the providers own home, for periods of less than 24 hours per day. Small family day-care homes are exempted from state fire- and life-safety regulations other than those state and local standards applicable to Group R, Division 3 Occupancies [See Health and Safety Code, Section 13143(b).]

1998 California Building Code

R Division 3 (R-3): Dwellings *used for large family day-care homes (as defined in Chapter 2, Section 205)* and lodging houses, *Licensing categories that may use this classification include, but are not limited to: Adult Day-care Facilities, Family Day-care Homes, Adult Day-support*

Center, Day-care Center for Mildly Ill Children, Infant Care Center and School Age Child Day-care Center.

NOTE: Chapter 2, Section 205: Definition is the same as listed above.

1991 California Building Code

R Division 3 (R-3): Dwellings, *dwellings used for large family day-care homes (as defined in Chapter 4, Section 405)* and lodging houses

Note: Chapter 4, Section 405: Large Family Day Care Home: is a home licensed in accordance with the provision of Health and Safety Code Section 1597.54, which provides family day care to seven to 12 children, inclusive, including children under the age of 10 years who reside at the home, in the provider's own home, for periods of less than 24 hours per day.

Small Family Day Care Home: is a home which provides family day care to six or fewer children, including children under the age of 10 years who reside at the home, in the providers own home, for periods of less than 24 hours per day. Small family day-care homes are exempted from state fire- and life-safety regulations other than those state and local standards applicable to Group R, Division 3 Occupancies [See Health and Safety Code, Section 13143(b).]

1988 Uniform Building Code with 1989 Amendments (Title 24)

R Division 3 (R-3): Dwellings, *dwellings used for large family day-care homes (as defined in Chapter 4, Section 405)* and lodging houses

NOTE: Chapter 4, Section 405: Definition is the same as listed above for the 1991 CBC.

1985 Uniform Building Code with Title 24 Amendments (1988 Supplement)

R Division 3 (R-3): Dwellings and lodging houses, dwellings used for large and small family day care homes.

1979 Uniform Building Code with Title 24 Amendments

E Division 3 (E-3) Any building used for day care purposes for more than six children.

1971 Title 19

C Occupancy (C): Group C occupancy means any building or portion thereof used for public, private or parochial school or day care purposes, involving assemblage for instruction, education care or recreation, and not classed in Group A or B occupancies.

2001 CBC	1998 CBC	1991 CBC	1988 UBC with T24 Amendments	1985 UBC with T24 Amendments	1979 UBC with T24 Amendments	1971 Title 19
R-3	R-3	R-3	R-3	R-3	E-3	C

- **E-3 DAY CARE OCCUPANCIES**

2001 California Building Code

E Division 3 (E-3): Any *nonresidential* building or portion thereof used for day-care purposes for more than six *children*/persons. *Any residential building used for day-care purposes for more than 14 persons. Licensing categories that may use this category include: Adult Day Care Facilities, Family Day Care Homes, Day Care Centers, Adult Day Support Center, Day Care Center for Mildly Ill Children, Infant Care Center, School-Age Child Care Centers.*

1998 California Building Code

E Division 3 (E-3): Any *nonresidential* building or portion thereof used for day-care purposes for more than six *children*/persons. *Any residential building used for day-care purposes for more than 14 persons. Licensing categories that may use this category include: Adult Day Care Facilities, Family Day Care Homes, Day Care Centers, Adult Day Support Center, Day Care Center for Mildly Ill Children, Infant Care Center, School-Age Child Care Centers.*

1991 California Building Code

E Division 3 (E-3): Any *nonresidential* building used for day-care purposes for more than six *children*/persons. *Any residential building used for day-care purposes for more than 12 persons.*

1988 Uniform Building Code with 1989 Amendments (Title 24)

E Division 3 (E-3): Any *nonresidential* building used for day-care purposes for more than six *children*/persons. *Any residential building used for day-care purposes for more than 12 persons.*

1985 Uniform Building Code with Title 24 Amendments (1988 Supplement)

Any nonresidential building used for day-care purposes for more than six persons. Any residential building used for day-care purposes for more than 12 persons.

1979 Uniform Building Code with Title 24 Amendments

E Division 3 (E-3) Any building used for day care purposes for more than six children.

1971 Title 19

C Occupancy (C): Group C occupancy means any building or portion thereof used for public, private or parochial school or day care purposes, involving assemblage for instruction, education care or recreation, and not classed in Group A or B occupancies.

2001 CBC	1998 CBC	1991 CBC	1988 UBC with T24 Amendments	1985 UBC with T24 Amendments	1979 UBC with T24 Amendments	1971 Title 19
E-3	E-3	E-3	E-3	E-3	E-3	C

- **R-6.1 OCCUPANCIES – RESIDENTIAL FACILITIES FOR MORE THAN 6 NONAMBULATORY PERSONS**

2001 California Building Code

R Division 6.1 (R-6.1): *those Division 6 Occupancies with more than six non-ambulatory residents.*

Group R-6 Occupancies shall be residential group care facilities which provide care and/or supervisory services. Restraint shall not be practiced in these facilities. Such residential group car facilities are limited to halfway houses such as community correctional centers, community correction reentry centers, community treatment programs, work furlough programs, and alcoholism or drug abuse recovery or treatment facilities. (CBC 2001 Chapter 3A, Appendix)

1998 California Building Code

R Division 6.1 (R-6.1): *those Division 6 Occupancies with more than six non-ambulatory residents.*

Group R-6 Occupancies shall be residential group care facilities which provide care and/or supervisory services. Restraint shall not be practiced in these facilities. Such residential group car facilities are limited to halfway houses such as community correctional centers, community correction reentry centers, community treatment programs, work furlough programs, and alcoholism or drug abuse recovery or treatment facilities. (1998 CBC Chapter 3A, Appendix)

1991 California Building Code

R Division 6.1 (R-6.1): *those Division 6 Occupancies with more than six non-ambulatory residents.*

Group R-6 Occupancies shall be residential group care facilities which provide care and/or supervisory services. Restraint shall not be practiced in these facilities. Such residential group car facilities are limited to halfway houses such as community correctional centers, community correction reentry centers, community treatment programs, work furlough programs, and alcoholism or drug abuse recovery or treatment facilities. (State Chapter 12A, Appendix)

1988 Uniform Building Code with 1989 Amendments (Title 24)

I Division 1 (I-1):): Nurseries for the full-time care of children under the age of six [each accommodating more than five *(for SFM) six* persons]

Hospitals, sanitariums, nursing homes *and aged homes* with non-ambulatory patients, *protective social-care facilities or homes with non-ambulatory guests*, and similar buildings (each accommodating more than five, *(for SFM) six* persons.}

1985 Uniform Building Code with Title 24 Amendments (1988 Supplement)

I Division 1 (I-1): Nurseries for the full-time care of children under the age of six. Hospitals, sanitariums, nursing homes and ages homes with non-ambulatory patients, protective social care facilities or homes with non-ambulatory guests, and similar building. (Each occupancy accommodating more than six persons.)

1979 Uniform Building Code with Title 24 Amendments

D Division 1 (D-1): Occupancies housing more than 6 non-ambulatory persons on the premises not including employees or relatives.

For the purposes of this chapter D1 occupancies shall include any home or facility for the housing of any person ages 18 through 64 when such person is referred to or placed within such home or facility for protective social care and supervisory services by any governmental agency and shall include but are not limited to those commonly referred to as "certified family care homes," "out-of-home placement facilities," and "halfway houses".

EXCEPTION: Any facility classified by these regulations as a Group I, Visision1, 1A, 2, or 2A Occupancy or any Group C Occupancy.

1971 Title 19

No related occupancy classification found.

2001 CBC	1998 CBC	1991 CBC	1988 UBC with T24 Amendments	1985 UBC with T24 Amendments	1979 UBC with T24 Amendments		1971 Title 19
R-6.1	R-6.1	R-6.1	I-1	I-1	I-1	D-1	Not Used

- **R-6.2 OCCUPANCIES – RESIDENTIAL FACILITIES FOR MORE THAN 6 AMBULATORY PERSONS**

2001 California Building Code

R Division 6.2 (R-6.2): *those Division 6 Occupancies with more than six ambulatory residents.*

Group R-6 Occupancies shall be residential group care facilities which provide care and/or supervisory services. Restraint shall not be practiced in these facilities. Such residential group car facilities are limited to halfway houses such as community correctional centers, community correction reentry centers, community treatment programs, work furlough programs, and alcoholism or drug abuse recovery or treatment facilities. (CBC 2001 Chapter 3A, Appendix)

1998 California Building Code

R Division 6.2 (R-6.2): *those Division 6 Occupancies with more than six ambulatory residents.*

Group R-6 Occupancies shall be residential group care facilities which provide care and/or supervisory services. Restraint shall not be practiced in these facilities. Such residential group car facilities are limited to halfway houses such as community correctional centers, community correction reentry centers, community treatment programs, work furlough programs, and alcoholism or drug abuse recovery or treatment facilities. (1998 CBC Chapter 3A, Appendix)

1991 California Building Code

R Division 6.2 (R-6.2): *those Division 6 Occupancies with more than six ambulatory residents.*

Group R-6 Occupancies shall be residential group care facilities which provide care and/or supervisory services. Restraint shall not be practiced in these facilities. Such residential group car facilities are limited to halfway houses such as community correctional centers, community correction reentry centers, community treatment programs, work furlough programs, and alcoholism or drug abuse recovery or treatment facilities. (State Chapter 12A, Appendix)

1988 Uniform Building Code with 1989 Amendments (Title 24)

I Division 2 (I-2): Nursing homes *and aged homes* for ambulatory patients, homes for *ambulatory* children six years of age or over, *protective social-care facilities or homes with ambulatory guests, and similar buildings and honor farms and conservation camps housing inmates who are not restrained* [each accommodating more than five, *(for SFM) six* persons.]

1985 Uniform Building Code with Title 24 Amendments (1988 Supplement)

I Division 2 (I-2): Nursing homes and aged homes for ambulatory patients, homes for ambulatory children six years of age or over, protective social-care facilities or homes with ambulatory guests, and similar buildings and honor farms and conservation camps housing inmates who are not restrained (each occupancy accommodating more than six persons.)

1979 Uniform Building Code with Title 24 Amendments

D Division 3 (D-3): Occupancies housing more than 6 ambulatory persons on the premises not including employees or relatives.

For the purposes of this chapter D3 occupancies shall include any home or facility for the housing of any person ages 18 through 64 when such person is referred to or placed within such home or facility for protective social care and supervisory services by any governmental agency and shall include but are not limited to those commonly referred to as "certified family care homes," "out-of-home placement facilities," and "halfway houses".

EXCEPTION: Any facility classified by these regulations as a Group I, Visision1, 1A, 2, or 2A Occupancy or any Group C Occupancy.

1971 Title 19

No related occupancy classification found.

2001 CBC	1998 CBC	1991 CBC	1988 UBC with T24 Amendments	1985 UBC with T24 Amendments	1979 UBC with T24 Amendments		1971 Title 19
R-6.2	R-6.2	R-6.2	I-2	I-2	I-2	D-3	Not Used

- **R-6.1A OCCUPANCIES – RESIDENTIAL FACILITIES FOR 6 OR LESS NONAMBULATORY PERSONS**

2001 California Building Code

R Division 6.1A (R-6.1A): *those Division 6 Occupancies with six or less non-ambulatory residents.*

Group R-6 Occupancies shall be residential group care facilities which provide care and/or supervisory services. Restraint shall not be practiced in these facilities. Such residential group car facilities are limited to halfway houses such as community correctional centers, community correction reentry centers, community treatment programs, work furlough programs, and alcoholism or drug abuse recovery or treatment facilities. (CBC 2001 Chapter 3A, Appendix)

1998 California Building Code

R Division 6.1A (R-6.1A): *those Division 6 Occupancies with six or less non-ambulatory residents.*

Group R-6 Occupancies shall be residential group care facilities which provide care and/or supervisory services. Restraint shall not be practiced in these facilities. Such residential group car facilities are limited to halfway houses such as community correctional centers, community correction reentry centers, community treatment programs, work furlough programs, and alcoholism or drug abuse recovery or treatment facilities. (1998 CBC Chapter 3A, Appendix)

1991 California Building Code

R Division 6.1A (R-6.1A): *those Division 6 Occupancies with six or less non-ambulatory residents.*

Group R-6 Occupancies shall be residential group care facilities which provide care and/or supervisory services. Restraint shall not be practiced in these facilities. Such residential group car facilities are limited to halfway houses such as community correctional centers, community correction reentry centers, community treatment programs, work furlough programs, and alcoholism or drug abuse recovery or treatment facilities. (State Chapter 12A, Appendix)

1988 Uniform Building Code with 1989 Amendments (Title 24)

I Division 1A (I-1A): *Nurseries for the full-time care of children under the age of six, but not including "infants" as defined in Section 410, hospitals, sanitariums, nursing homes and aged homes with non-ambulatory patients, protective social care facilities or homes with non-ambulatory guests, and similar buildings (each accommodating six or less persons).*

1985 Uniform Building Code with Title 24 Amendments (1988 Supplement)

I Division 1A (I-1A): Nurseries for the full-time care of children under the age of six, but not including "infants" as defined in Section 2-410:

Hospitals, sanitariums, nursing homes and aged homes with non-ambulatory patients, protective social care facilities or homes with non-ambulatory guests, and similar buildings (each accommodating six or less persons),

1979 Uniform Building Code with Title 24 Amendments

D Division 2 (D-2): Occupancies housing 6 or less non-ambulatory persons on the premises not including employees or relatives.

For the purposes of this chapter D2 occupancies shall include any home or facility for the housing of any person ages 18 through 64 when such person is referred to or placed within such home or facility for protective social care and supervisory services by any governmental agency and shall include but are not limited to those commonly referred to as "certified family care homes," "out-of-home placement facilities," and "halfway houses".

EXCEPTION: Any facility classified by these regulations as a Group I, Visision1, 1A, 2, or 2A Occupancy or any Group C Occupancy.

1971 Title 19

No related occupancy classification found.

2001 CBC	1998 CBC	1991 CBC	1988 UBC with T24 Amendments	1985 UBC with T24 Amendments	1979 UBC with T24 Amendments		1971 Title 19
R-6.1A	R-6.1A	R-6.1A	I-1A	I-1A	I-1A	D-2	Not Used

- **R-6.2A OCCUPANCIES – RESIDENTIAL FACILITIES FOR 6 OR LESS AMBULATORY PERSONS**

2001 California Building Code

R Division 6.2A (R-6.2A): *those Division 6 Occupancies with six or less ambulatory residents.*

Group R-6 Occupancies shall be residential group care facilities which provide care and/or supervisory services. Restraint shall not be practiced in these facilities. Such residential group car facilities are limited to halfway houses such as community correctional centers, community correction reentry centers, community treatment programs, work furlough programs, and alcoholism or drug abuse recovery or treatment facilities. (CBC 2001 Chapter 3A, Appendix)

1998 California Building Code

R Division 6.2A (R-6.2A): *those Division 6 Occupancies with six or less ambulatory residents.*

Group R-6 Occupancies shall be residential group care facilities which provide care and/or supervisory services. Restraint shall not be practiced in these facilities. Such residential group car facilities are limited to halfway houses such as community correctional centers, community correction reentry centers, community treatment programs, work furlough programs, and alcoholism or drug abuse recovery or treatment facilities. (1998 CBC Chapter 3A, Appendix)

1991 California Building Code

R Division 6.2A (R-6.2A): *those Division 6 Occupancies with six or less ambulatory residents.*

Group R-6 Occupancies shall be residential group care facilities which provide care and/or supervisory services. Restraint shall not be practiced in these facilities. Such residential group car facilities are limited to halfway houses such as community correctional centers, community correction reentry centers, community treatment programs, work furlough programs, and alcoholism or drug abuse recovery or treatment facilities. (State Chapter 12A, Appendix)

1988 Uniform Building Code with 1989 Amendments (Title 24)

I Division 2A (I-2A): *Nursing homes and aged homes for ambulatory patients, homes for ambulatory children six years of age or over, protective social-care facilities or homes with ambulatory guests, and similar buildings (each occupancy accommodating six or less persons), but not including "infants" as defined in Section 410.*

1985 Uniform Building Code with Title 24 Amendments (1988 Supplement)

I Division 2A (I-2A): Nursing homes and aged homes for ambulatory patients, homes for ambulatory children six years of age or over, protective social-care facilities or homes with ambulatory guests, and similar buildings each occupancy accommodating six or less persons, but not including "infants" as defined in Section 2-410.

1979 Uniform Building Code with Title 24 Amendments

D Division 4 (D-4): Occupancies housing 6 or less ambulatory persons on the premises not including employees or relatives.

For the purposes of this chapter D4 occupancies shall include any home or facility for the housing of any person ages 18 through 64 when such person is referred to or placed within such home or facility for protective social care and supervisory services by any governmental agency and shall include but are not limited to those commonly referred to as "certified family care homes," "out-of-home placement facilities," and "halfway houses".

EXCEPTION: Any facility classified by these regulations as a Group I, Visision1, 1A, 2, or 2A Occupancy or any Group C Occupancy.

1971 Title 19

No related occupancy classification found.

2001 CBC	1998 CBC	1991 CBC	1988 UBC with T24 Amendments	1985 UBC with T24 Amendments	1979 UBC with T24 Amendments		1971 Title 19
R-6.2A	R-6.2A	R-6.2A	I-2A	I-2A	I-2A	D-4	Not Used

**See Occupa...

...mparison Table on Next Page**

Occupancy Comparison Table

2001 CBC	1998 CBC	1991 CBC		1988 UBC w/T24 1989 Amendments	1985 UBC w/T24 Amendments	1979 UBC w/T24 Amendments		1971 Title 19
I-1.1	I-1.1	I-1.1		I-1	I-1	I-1		D-2
I-1.2	I-1.2	I-1.2		No Specific Classification: I-1 or I-2 or B-2	No Specific Classification: I-1, I-2 or B-2	No Specific Classification: I-2 or I-2 or B-2		No Classification
I-2	I-2	I-2		I-2	I-2	I-2		D-3
R-2.1	R-2.1	R-2.1	I-1.1	I-1	I-1	I-1	D-1	No Classification
R-2.1.1	R-2.1.1	R-2.1A	I-1.1A	I-1A	I-1A	I-1A	D-2	No Classification
R-2.2.1	R-2.2.1	R-2.2.1	I-2.2A	I-2A	I-2A	I-2A	D-4	No Classification
R-2.3	I-1.1	I-1.1		No Classification	No Classification	No Classification		No Classification
R-2.3.1	R-2.1.1	I-1.1A		No Classification	No Classification	No Classification		No Classification
R-2.2	R-2.2	R-2.2	I-2	I-2	I-2	I-1	D-3	No Classification
R-3	R-3	R-3		R-3	R-3	E-3		C
E-3	E-3	E-3		E-3	E-3	E-3		C
R-6.1	R-6.1	R-6.1		I-1	I-1	D-1		No Classification
R-6.2	R-6.1	R-6.1		I-2	I-2	D-3		No Classification
R-6.1A	R-6.1A	R-6.1A		I-1A	R-6.1A	D-2		No Classification
R-6.2A	R-6.2A	R-6.2A		I-2A	I-2A	D-4		No Classification

ANNEX-XII

Glossary

DEFINITIONS – CALIFORNIA DEPARTMENT OF SOCIAL SERVICES – COMMUNITY LICENSING DIVISION

Adult Day Care Facilities – Adult Day Care Facilities (ADCF) are facilities of any capacity that provide programs for frail elderly developmentally disabled and/or mentally disabled adults in a day care setting.

Adult Day Support Centers – Adult Day Support Centers (ADSC) provide a community-based group program designed to meet the variety of social and related services in a protective setting on less than 24-hour basis.

Adult Residential Facilities (ARF) – Adult Residential Facilities (AFR) are facilities of any capacity that provide 24-hour non-medical care for adults age 18 through 59, who are unable to provide for their own daily needs. Adults may be physically handicapped, developmentally disabled, and/or mentally disabled.

Foster Family Agencies and Certified Family Homes – Foster Family Agencies (FFA) provide placement of Foster Children in Certified Family Homes (CFH). Certified Family Homes are similar to Foster Family Homes (FFH) except that the CFH's are certified rather than licensed by the State.

Foster Family Homes – Foster Family Homes (FFH) provide 24-hour care and supervision in the licensee's family residence for no more than six children. Care is provided to children who are mentally disabled, developmentally disabled, or physically handicapped, children who have been removed from their home because of neglect or abuse, and children who require special health care needs and supervision as a result of such disabilities.

Group Homes – Group Homes are facilities of any capacity and provide 24-hour non-medical care and supervision to children in a structured environment. Group Homes provide social, psychological, and behavioral programs for troubled youths.

Residential Care Facilities for the Chronically Ill – Residential Care Facilities for the Chronically Ill (RCFCI) are facilities with a maximum licensed capacity of 25, where care and supervision is provide to adults who have Acquired Immune Deficiency Syndrome (AIDS) or the Human Immunodeficiency Virus (HIV).

Residential Care Facilities for the Elderly (RCFE) – Residential Care Facilities for the Elderly (RCFE) provide care, supervision and assistance with activities of daily living, such as bathing and grooming. They may also provide incidental medical services under special care plans. The facilities provide services to persons 60 years of age and over and persons under 60 with compatible needs. RCFE's may also be known as assisted living facilities, retirement homes and board and care homes. The facilities require varying levels of personal care and protective supervision.

Small Family Homes – Small Family Homes (SFH) provide 24-hour-a-day care in the licensee's family residence for six or fewer children who are mentally disabled, developmentally disabled, or physically handicapped, and who require special care and supervision as a result of such disabilities.

Social Rehabilitation Facilities – A Social Rehabilitation Facility is any facility that provides 24-hour-a-day non-medical care and supervision in a group setting to adults recovering from mental illnesses, who temporarily need assistance, guidance, or counseling.

Transitional Housing Placement Program – The Transitional Housing Placement Program provides care and supervision for children at least 17 years of age participating in an independent living arrangement.

DEFINITIONS – CALIFORNIA DEPARTMENT OF HEALTH SERVICES LICENSING & CERTIFICATION PROGRAM

Adult Day Health Center– Provides an alternative to institutionalization for older, impaired persons or others with function impairments who are capable of living at home with the aid of appropriate health care or rehabilitative and social services.

Congregate Living Health Facilities – Small residential home, which provides impatient care, including specified basic services for terminally ill or catastrophic and severely disabled patients. The primary need for LHF residents is for availability of skilled nursing care on a recurring, intermittent, extended or continuous basis. The care is generally less intense than that provided in General Acute Care Hospital but more intense than that provided in Skilled Nursing Facility/Nursing Facility. See Annex-VII for additional information.

Intermediate Care Facility/Drug Dependent (ICF/DD) – Nursing – Small residential home for Drug Dependent clients needing nursing care (6 to 15 beds)

Intermediate Care Facility/Drug Dependent (ICF/DD) – Habilitative – Small residential home for Drug Dependent clients needing habilitative care (6 to 15 beds)

ANNEX-XIII

State Agency Contacts

Office of the State Fire Marshal
1131 S Street
P.O. Box 944246
Sacramento, CA 94244-2460
(916) 445-8200
www.sfm.fire.ca.gov

The State Fire Marshal is responsible for adopting regulations for residential care facilities that are subject to the regulations addressed in this handbook. They are also responsible for enforcing those regulations in unincorporated areas where there is no fire enforcement authority. Further, they provide clarification and code interpretations relative to regulations for residential care facilities.

California Department of Social Services Community Care Licensing Division
744 P Street
Sacramento, CA 95814
www.ccld.ca.gov

This branch of the Department of Social Services is the agency that licenses the majority of residential care facilities including R-2's, E-3's, R-3 (Large Family Day Cares) as well as some R6's. They submit their inspection request (850 form) to the local AHJ in order to receive a fire clearance for the facility as a condition of licensing it to operate.

California Department of Health Services
Licensing and Certification
1615 Capitol Avenue
P.O. Box 997416, MS 3301
Sacramento, CA 95899-7416
(916) 327-2445
www.dhs.ca.gov

The Department of Health Services licenses residential care facilities that participate in the Medicare/Medicaid program. As a condition of certification, a facility must meet both NFPA #101, 2000 Edition, as well as the California SFM Standards that relate to the facility. While the NFPA #101 inspection will be conducted by DHS staff, the inspection related to SFM standards will be conducted by the local fire authority placing the facility in the R-2 Occupancy that it most nearly resembles.

Department of Alcohol and Drugs Programs
1700 K Street
Sacramento, CA 94814
www.adp.ca.gov

The Department of Alcohol and Drug Programs licenses all alcohol and drug abuse rehabilitation and recovery facilities. In this program, the AHJ gets the 850 directly from the provider and not from the licensing agency. These facilities are categorized as Group R-6 Occupancies.

California Department of Corrections
(916) 445-7682
www.corr.ca.gov

The Department of Corrections will license those facilities such as community correctional centers, community correction re-entry centers, etc. These are programs were state inmates are placed in community facilities prior to being released. They will also be categorized as Group R-6 Occupancies.

California Department of Education
1430 N. Street
Sacramento, CA 95814
www.cdc.ca.gov

There may be instances were the Department of Education may license a facility may ask for a fire clearance of a day-care facility that may have structured educational aspects. This would be a small facility and would not be categorized as a school. These facilities are rare and we have not had any in the last few years. However, be aware that the Department of Education has the ability to ask for a fire clearance if needed.

ANNEX-XIV

Acknowledgements

This document is the result of the combined efforts of the following individuals:

Gale Bate, Code Resource
Joseph Garcia, Division Chief Office of the State Fire Marshal
Gini Krippner, Division Chief Office of the State Fire Marshal (Retired)
Patrick Stranahan, Inspector San Francisco Fire Department
Greg Lake, Supervising Inspector Sacramento Metropolitan Fire District
Kent Miller, Deputy Fire Marshal Stockton Fire Department
Lorin Neyer, Fire Marshal Office of Statewide Health Planning and Development
Rick D. Terry, Division Chief/Fire Marshal San Ramon Valley Fire Protection District
Rocque Yballa, Fire Marshal Central County Fire Department

PROOF OF SERVICE BY MAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento, and I am over the age of 18 years and not a party to the within action. My place of employment is 4320 Auburn Blvd., Suite 2000, Sacramento, CA 95841.

On February 16th, 2006 I served the **COMMENTS ON DRAFT STAFF ANALYSIS BY SACRAMENTO METROPOLITAN FIRE DISTRICT,** *Fire Safety Inspections of Care Facilities,* 01-TC-16

by placing a true copy thereof in an envelope addressed to each of the persons listed on the mailing list attached hereto, and by sealing and depositing said envelope in the United States mail at Sacramento, California, with postage thereon fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed this 16th day of February, 2006 at Sacramento, California.

Linda Kochler

Declarant

Executive Director
California Firefighter's Association
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Sacramento, CA 95816

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Department of Finance (A-15)
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