

**Section 435 Special Provisions for Licensed 24-Hour Care Facilities in a Group R-2.1, R-3.1, R-4 [SFM]****435.1 Scope**

The provisions of this section shall apply to 24-hour care facilities in a Group R-2.1, R-3.1 or R-4 occupancy licensed by a governmental agency.

**435.2 General**

The provisions in this section shall apply in addition to general requirements in this code.

**435.2.1**

Restraint shall not be practiced in a Group R-2.1, R-3.1 or R-4 Occupancies.

**Exception:** Occupancies which meet all the requirements for a Group I-3 Occupancy.

**435.2.2**

Pursuant to Health and Safety Code Section 13133, regulations of the state fire marshal pertaining to occupancies classified as Residential Facilities (RF) and Residential Care Facilities for the Elderly (RCFE) 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 which is inconsistent with these regulations. 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 may 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.

**Exception:** Local regulations relating to roof coverings in facilities licensed as a residential care facility for the elderly (RCFE) per Health and Safety Code Section 13133.

**435.3 Building Height and Area Provisions****435.3.1**

Group R-2.1, R-3.1 and R-4 shall be constructed in accordance with Table 503.

**435.3.2 Limitations Six or Less Clients**

Group R-3.1 occupancies where nonambulatory clients are housed above the first story, having more than two stories in height or having more than 3,000 square feet (279 m<sup>2</sup>) of floor area above the first story shall not be of less than one-hour fire-resistance-rated construction throughout.

In Group R3.1 occupancies housing a bedridden client, the 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-3.1 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.

**435.3.3 Limitations Seven or More Clients**

Group R-4 occupancies where nonambulatory clients are housed above the first story and there is more than 3,000 square feet (279 m<sup>2</sup>) of floor area above the first story or housing more than 16 clients above the first story shall be constructed of not less than one-hour fire-resistance-rated construction throughout.

**435.3.4 Nonambulatory Elderly Clients**

Group R-4 occupancies housing nonambulatory elderly clients shall be of not less than one-hour fire-resistance-rated construction throughout.

**435.4 Type of Construction Provisions****435.4.1**

Group R-2.1, occupancies are not permitted in nonfire-resistance-rated construction, see Health and Safety Code Section 13131.5.

**435.5 Fire-Resistance-Rated Construction Provisions****435.5.1 Smoke Barriers Required**

Group R-2.1 and R-4 occupancies licensed as a Residential Care Facility (RCF) with individual floor areas over 6,000 square feet (557 m<sup>2</sup>) per floor, shall be provided with smoke barriers, constructed in accordance with Section 709.

Group R-2.1 occupancies housing bedridden clients shall be provided with smoke barriers constructed in accordance with Section 709 regardless of the number of clients.

When smoke barriers are required, the area within a smoke compartment shall not exceed 22,500 square feet (2090 m<sup>2</sup>) nor shall its travel distance exceed 200 feet (60 960 mm). Such smoke barriers shall divide the floor as equally as possible.

**435.5.2 Smoke Partitions**

Group R-2.1 occupancies where smoke partitions are required, framing shall be covered with noncombustible materials having an approved thermal barrier with an index of not less than 15 in accordance with FM 4880, UL 1040, NFPA 286 or UL 1715.

**435.5.3 Independent Egress**

At least two means of egress shall be provided from each smoke compartment created by smoke barriers. Means of egress may pass through adjacent compartments provided it does not return through the smoke compartment from which means of egress originated.

**435.6 Interior Finish Provisions****435.6.1 Interior Wall and Ceiling Finish**

Group R-3.1 occupancies housing a bedridden client shall comply with interior wall and ceiling finish requirements specified for Group I-2 occupancies in Table 803.9.

**435.6.2 Safety Padding**

Padding material used on walls, floors and ceilings in Group I and R-2.1 occupancies shall be of an approved type tested in accordance with the procedures established by State Fire Marshal Standard 12-8-100, Room Fire Test for Wall and Ceiling Materials, California Code of Regulations, Title 24, Part 12.

**435.7 Fire Protection System Provisions****435.7.1 Automatic Sprinkler Systems in Group R-2.1, R-3.1 and R-4 Occupancies**

An automatic sprinkler system shall be installed where required in Section 903.

**435.7.2 Fire Alarm Systems in Group R-2.1 and R-4 Occupancies**

An approved fire alarm system shall be installed where required in Section 907.

**435.7.3 Smoke Alarms in Groups R-2.1, R-3.1 and R-4 Occupancies**

Smoke alarms shall be installed where required in Section 907.2.11.2.

**435.7.4 Hearing Impaired**

See Section 907.5.2.3.5.

**435.8 Means of Egress Provisions****435.8.1 General**

In addition to the general means of egress requirements of Chapter 10, this section shall apply to Group R-2.1, R-3.1 and R-4 occupancies.

**435.8.2 Number of Exits****435.8.2.1**

Group R-2.1, R-3.1 and R-4 occupancies shall have a minimum of two exits.

**Exception:** Ancillary use areas or occupancies shall have egress as required by Section 1021.

**435.8.3 Egress Arrangements****435.8.3.1**

Egress through adjoining dwelling units shall not be permitted.

**435.8.3.2 Group R-3.1 Occupancies Housing Non-Ambulatory Clients**

In a Group R-3.1 occupancy, bedrooms used by nonambulatory clients shall have access to at least one of the required exits which shall conform to one of the following:

1. Egress through a hallway or area into a bedroom in the immediate area which has an exit directly to the exterior and the corridor/hallway is constructed consistent with the dwelling unit interior walls. The hallway shall be separated from common areas by a solid wood door not less than  $1\frac{3}{8}$  inch (35 mm) in thickness, maintained self-closing or shall be automatic closing by actuation of a smoke detector installed in accordance with Section 716.5.9.
2. Egress through a hallway which has an exit directly to the exterior. The hallway shall be separated from the rest of the house by a wall constructed consistent with the dwelling unit interior walls and opening protected by a solid wood door not less than  $1\frac{3}{8}$  inch (35 mm) in thickness, maintained self-closing or shall be automatic closing by actuation of a smoke detector installed in accordance with Section 716.5.9.
3. Direct exit from the bedroom to the exterior 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, 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).
4. Egress through an adjoining bedroom which exits to the exterior.

**435.8.3.3 Group R-3.1 Occupancies Housing Only One Bedridden Client**

In Group R-3.1 occupancies housing a bedridden client and not provided with an approved automatic sprinkler system, all of the following shall apply:

1. In Group R-3.1 occupancies housing a bedridden client, a direct exit to the exterior of the residence shall be provided from the client sleeping room.
2. Doors to a bedridden client's sleeping room shall be of a self-closing, positive latching  $1\frac{3}{8}$  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 716.5.9.
3. Group R-3.1 occupancies housing a bedridden client, 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 Chapter 10.
4. The exterior exit door to a bedridden client's sleeping room shall be operable from both the interior and exterior of the residence.
5. Every required exit doorway from a bedridden client sleeping room 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).

**Note:** A sliding glass door can be used as an exterior exit doorway as long as it is operable from the inside and outside and the clear width of the exit way is not less than 32 inches (813 mm).

**435.8.3.4 Intervening Rooms**

A means of exit shall not pass through more than one intervening room. A means of egress shall not pass through kitchens, storerooms, closets, garages or spaces used for similar purposes.

**Exception:** Kitchens which do not form separate rooms by construction.

**435.8.4 Corridors****435.8.4.1**

Unless specified by Section 435.8.4, corridors serving Group R-2.1 and Group R-4 occupancies shall comply with Section 1018.1.

In Group R-2.1 occupancies 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.

**435.8.4.2**

The minimum clear width of a corridor shall be as follows:

1. Group R-2.1 occupancies shall have 60 inches (1524 mm) on floors housing nonambulatory clients and 44 inches (1118 mm) on floors housing only ambulatory clients.
2. Group R-4 occupancies shall have 44 inches (1118 mm) on floors housing clients.

**Exceptions:**

1. Corridors serving an occupant load of 10 or less shall not be less than 36 inches (914 mm) in width.
2. Corridors serving ambulatory persons only and having an occupant load of 49 or less shall not be less than 36 inches (914 mm) in width.

**435.8.4.3**

In a Group R-2.1 and Group R-4 occupancies having smoke barriers, cross-corridor doors in corridors 6 feet (1829 mm) or less in width shall have, as a minimum, a door 36 inches (914 mm) in width.

**435.8.5 Changes in Level**

In Group R-3.1 occupancies housing nonambulatory clients interior changes in level up to 0.25 inch (6 mm) may be vertical and without edge treatment. Changes in level between 0.25 inch (6 mm) and 0.5 inch (12.7 mm) shall be beveled with a slope no greater than 1 unit vertical in 2 units horizontal (50 percent slope). Changes in level greater than 0.5 inch (12.7 mm) shall be accomplished by means of a ramp.

**435.8.6 Stairways****435.8.6.1**

Group R-2.1 and Group R-4 occupancies housing more than six nonambulatory clients above the first floor shall be provided with two vertical exit enclosures. Stairway enclosures shall be in compliance with Section 1022. Exceptions to Section 1022 shall not apply in facilities licensed as a 24-hour care facility.

**435.8.6.2**

Group R-3.1 occupancies 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 (203 mm) with a minimum run of 9 inches (229 mm). The minimum stairway width may be 30 inches (762 mm).

**435.8.7 Floor Separation**

Group R-3.1 occupancies with non-ambulatory clients housed above the first floor shall be provided with a non-fire resistance constructed floor separation at stairs which will prevent smoke migration between floors. Such floor separation shall have equivalent construction of 0.5 inch (12.7 mm) gypsum wallboard on one side of wall framing.

**Exceptions:**

1. Occupancies with at least one exterior exit from floors occupied by clients.
2. Occupancies provided with automatic fire sprinkler systems complying with Chapter 9.

**435.8.7.1 Doors Within Floor Separations**

Doors within such floor separations shall be tight fitting solid wood at least  $1\frac{3}{8}$  inches (35 mm) in thickness. Door glazing shall not exceed 1296 square inches (32 918 mm<sup>2</sup>) with no dimension greater than 54 inches (1372 mm). Such doors shall be positive latching, smoke gasketed and shall be automatic-closing by smoke detection.

**435.8.8 Fences and Gates**

Grounds of a Residential Care Facility for the Elderly serving Alzheimer clients may be fenced and gates therein equipped with locks, provided safe dispersal areas are located not less than 50 feet (15 240 mm) from the buildings. Dispersal areas shall be sized to provide an area of not less than 3 square feet (0.28 m<sup>2</sup>) per occupant. Gates shall not be installed across corridors or passageways leading to such dispersal areas unless they comply with egress requirements.

**435.8.9 Basement Exits**

One exit is required to grade level when the basement is accessible to clients.

**435.8.10 Delayed Egress Locks**

See Section 1010.1.9.7.

**435.9 Request for Alternate Means of Protection for Facilities Housing Bedridden Clients**

Request for alternate means of protection shall apply to Sections 435 through 435.9. 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-3.1 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 that facility or any other facility.

**435.10 Temporarily Bedridden Clients**

*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 Group R-2.1, R-3.1 or R-4 occupancies classified as Residential Care Facilities 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 with jurisdiction of the estimated length of time the resident will retain his or her bedridden status in the facility.*