

Licensed Residential Care Facilities

For Fire Inspectors



Course Objectives

- Scopes of Fire Departments and Licensing for responsibilities for Residential Care Facilities & local authority.
- An understanding of the historical aspect of these types of occupancies including pertinent laws and legislative intent.
- An understanding of the various categories of Residential Care Facilities.
- An understanding of the various requirements applicable to the different levels of care.
- Code Application/Inspection techniques for new and existing facilities including pre-inspection.



Residential Care

Pretest

Pretest

- An R-2.1 occupancy is defined as a facility that houses more than more than six non-ambulatory clients and a limited number of bedridden.
- A group R-4 occupancy can have more than 6 ambulatory clients, but not more than 16. This may include a maximum of 6 non-ambulatory or bedridden clients.
- A group R-3.1 occupancy can house up to 2 bedridden clients in a non-sprinklered facility.
- It is the responsibility of the Director of Social Services to ensure the clients are classified correctly on the STD 850 Fire Clearance form.
- Local ordinances as well as state regulations can be enforced by the local AHJ on R-2.1, R-4, and R-3.1 facilities.

Pretest

- A pre-inspection that is requested by a potential licensee must be conducted by the primary fire authority if they think it is necessary.
- An 850 Fire Clearance request issued to the primary fire enforcing agency by Community Care Licensing shall be completed within a 60-day time frame by law.
- The authority to enforce regulations of the State Fire Marshal are given to the local AHJ through local ordinance.
- A fee of \$100.00 may be assessed to an R-3.1 occupancy for an annual inspection.
- If an R-3.1 occupancy is sprinklered, none of the 4 non-ambulatory egress arrangements in Chapter 4 must be met.



History

Prior to 1980 - Institutions to care for the mentally or physically disabled were the “norm”

Dorm Style Buildings




Separated by type of malady



Campus Style Facilities



- 
- 1998 – Bedridden were introduced into Residential Care Facilities due to the combination with I-1A/2A's & Hospice
- 2001 – SB1896-Ortiz, Bedridden allowed in RCF
- 2005 – SFM creates emergency regulations to allow a single bedridden client in 6 or less facility without sprinklers
- 2007 – Adoption of I-Codes and Bedridden allowed in all facilities
- 2011 - Sprinklers required in all newly constructed single-family dwellings.





Health & Safety Code

- 1500
 - Residential Care Laws
- 13000
 - Enforcement Responsibilities
 - OSFM
 - Local Fire Departments

Health & Safety Code

§ 1569

- *This chapter shall be known and may be cited as the California Residential Care Facilities for the Elderly Act; Added by statute in 1985, Chapter 1127 Sec 3*
- *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.*
- *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.*

Health & Safety Code

§ 1569 Definitions

- “Care and supervision” includes assistance with taking medications, money management, or personal care.
- “Department” means the State Department of Social Services.
- “Director” means the Director of Social Services.
- “License” means a basic permit to operate a residential care facility for the elderly.

Health & Safety Code

§ 1566 Definitions

- **Residential Facility (RF)** shall mean any family home, group care facility, or similar facility determined by the director of Social Services, 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. (H&S Code 1502(b) & H&S 13133) (CBC Ch.2)
- **Residential Care Facility for the Elderly (RCFE)** shall mean a facility with a housing arrangement chosen voluntarily by persons 60 years of age or older, or their authorized representative. It may include persons under 60 if approved by DSS. (H&S Code 1569.2) (CBC Ch.2)
- **“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. (H&S Code 1566.2)

Definitions

- **Restraint** – shall mean the physical retention of a person within a room, cell or holding facility by any means, or within a building by means of locked doors. (CBC Chapter 2)
- Restraint shall not be practiced in licensed facilities classified as Group R-2.1, R-3.1, R-4

Health & Safety Code

§ 1566.2

Taxes, Fees, Charges...

- *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.*
- *Local government may charge any applicable fee they would charge in any other single-family dwelling.*
- *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 that serve six or fewer persons, except for fees authorized pursuant to Section 13235 (Pre-Inspection Fees).*

Health & Safety Code

§ 1566.3 Zoning

- **Residential Care Facilities** – “Six or fewer persons” does not include the licensee or members of the licensee’s family or persons employed as facility staff.
- *Use of a family dwelling for purposes of a residential facility serving six or fewer persons, **shall not constitute a change of occupancy.***
- *Local Ordinances do not apply. (Title 19 §1.07)*
- *Restricts local government from adopting any zoning ordinance for six or less unless they are identical to those of other residential-type structures.*

Health & Safety Code

§ 1566

- *The determination of ambulatory, non-ambulatory or bedridden status of persons shall be made by the Director of Social Services.*

- *“Temporary Illness” means any illness which persists for 14 days or less*

- *Bedridden can remain in an RCFE in excess of 14 days if the following are met.*
 - *Facility notifies the Department*
 - *The facility notifies the local fire authority within 48 hours*



H&S 1569.35

- Any person may request an investigation of an RCFE facility,
- The Department shall make an on-site inspection within 10 days.

H&S 1569.73

Facility Hospice Waiver

- A hospice care waiver will allow terminally ill residents to stay in the facility that is their home until their death occurs, or their needs can no longer be met within the scope of the license.
- No waiver request will be approved unless the facility demonstrates the ability to meet the care and supervision needs of terminally ill residents and states a willingness to provide additional care staff if required by the hospice care plan.

Health & Safety Code

§ 13131.5

RCFE Building Standards (more than six)

- *Hannigan Bill... wrote building standards into regulations.*
- *Mandated enforcement, no alternate means or methods may be applied.*
- *Prescriptive building requirements.*

Health & Safety Code

§ 13146.5

Local Enforcement Responsibility

- *Designates local fire department as enforcing agency in more than six facilities.*
- *Local government can designate who enforces SFM regulations in typical single-family dwellings used for care and supervision.*

Health & Safety Code

§ 13133

Local Ordinances

- *The State Fire Marshal shall develop and adopt regulations establishing new occupancy classification and safety standards*
- *No City, County, shall adopt or enforce any ordinance or local rule that are inconsistent with the adopted building regulations*

Health & Safety Code

§ 13143

State Fire Marshal

- Writes Regulations For The Protection of Life And Property
- Shall provide interpretations for the regulations they write
- SFM Shall Prepare and Conduct Training Sessions (13144.5)



Health & Safety Code

§ 13145 & 13146

Enforcement

- The State Fire Marshal, the Chief of any City or County or District shall enforce their respective area's building standards relating to fire and panic safety adopted by the SFM
- Enforcement shall be by Local AHJ or State Fire Marshal in unincorporated areas of the state



Local Fire Authority Responsibility



Local Fire Authority Responsibility

- They are agents of the State Fire Marshal to enforce regulations (H&S Code 13146)
- Assist the applicant with facility Pre-Inspections when requested (Form 9092)
- Local building authority may be involved in the construction permit process
- Perform inspections to verify compliance with applicable CBC regulations in order to issue a Fire Safety Clearance (Form 850)



PRE-INSPECTION

Pre-Inspection

- Can be used **by any licensing agency**
- Needs to state what the applicant is requesting:
 - Ambulatory, Non-Ambulatory or Bedridden
 - Number of clients
- Take a written list of the requirements for the requested occupancy

Pre-Inspection

- 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 pre-inspection of the facility prior to the final fire clearance approval. (H & S Code 13235 (a))

Pre-Inspection

- At the time of the pre-inspection, 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 equal to, but not exceeding, the actual cost of the pre-inspection services may be charged for the pre-inspection of a facility.

FIRE PRE-INSPECTION/CONSULTATION REQUEST

NOTE: Complete and submit this form and payment of fee, to the Fire Authority responsible for inspecting your facility. **DO NOT** send to Community Care Licensing.

I hereby request the Fire Authority having jurisdiction to survey my property for compliance with the fire and life safety provisions required for licensing as a:

- Community Care Facility (Health & Safety Code Section 1502)
- Residential Care Facilities for the Chronically III (Health and Safety Code Section 1568.072)
- Residential Care Facility for Elderly (Health & Safety Code Section 1569.2)
- Child Day Care Facility (Health & Safety Code Section 1596.750)

with a capacity of:

- 25 or less clients
- 26 or more clients

Number of Non-ambulatory _____

A fee equal to but not exceeding, the actual cost of the pre-inspection service may be charged. (Health and Safety Code Section 13235)

FACILITY NAME _____

ADDRESS _____

CITY _____ ZIP _____

OWNER/CONTACT _____ TELEPHONE NUMBER _____

SIGNED _____ DATE _____

For Fire Authority Use Only

Request/Fee Received	____/____/____	By _____
Fee To Accounting	____/____/____	By _____
Inspection Date	____/____/____	By _____
850 Received	____/____/____	
Cleared	____/____/____	By _____

FILE # _____ OCCUPANCY GROUP _____



Fire Clearance Std. 850



Fire Clearance Std. 850

- Top of form is to be completed by Community Care Licensing for residential and childcare facilities
- List number and ambulatory status of clients
- Include floor and site plans for current and future reference
- List rooms by number on floor plans

Fire Clearance Std. 850

- Verify Building Permits for all construction
- Facility must be in compliance with the California Building Code, year facility is licensed
- Explain special conditions and attach separate piece of paper if necessary
- Complete and send the form to the requesting agency
- Include a copy of the approved floor plan with the completed 850 form

Fire Clearance Std. 850

- 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 pre-licensure inspection by the State Department of Social Services, whichever is later. (H & S Code 13235 (b))

Fire Clearance Std. 850

New Facility

- Applicable requirements for RCF's found in 2022 CBC Sections 420 and 435
- In 2022 Codes, specific requirements are found in Section 435

Existing Occupancy

- Existing occupancies remain under the code cycle they were approved under
Do not get rid of your old code books

FIRE SAFETY INSPECTION REQUEST

STD. 850 (REV. 10-94)

See instructions on reverse.

AGENCY CONTACT'S NAME Jane Doe		TELEPHONE NUMBER (916) 555-1212	REQUEST DATE 04/07/09	PROGRAM
EVALUATOR'S NAME Letsplan Ahead, LPA		REQUESTING AGENCY FACILITY NUMBER 1230003567		REQUEST CODE 3
LICENSING AGENCY NAME AND ADDRESS	Department of Social Services Community Care Licensing 2525 Natomas Park Drive, Ste 270 Sacramento, CA 95833-2931			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	
1	2	4	4	1	0	6
FACILITY NAME My Home						LICENSE CATEGORY RCE
STREET ADDRESS (Actual Location) 1234 Anystreet Road						NUMBER OF BUILDINGS 1
CITY Yourtown, CA 95826						RESTRAINT NONE
FACILITY CONTACT PERSON'S NAME Ima Niceperson (530) 555-1212						HOURS 24/7
SPECIAL CONDITIONS						

TO BE COMPLETED BY INSPECTING AUTHORITY

FIRE AUTHORITY NAME AND ADDRESS				CLEARANCE/DENIAL CODE 1A	
THEBEST FIRE DISTRICT 1233 FIREHOUSE DRIVE YOURTOWN, CA 95628				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) <i>Maria Fuego</i>	TELEPHONE NUMBER (916) 987-6543	CFIRS NUMBER 34000	OCCUPANCY CLASS R-3.1		
INSPECTION DATE 04/08/09	INSPECTOR'S SIGNATURE (Typed or Printed) #1234 <i>Maria Fuego</i>				
EXPLAIN DENIAL OR LIST SPECIAL CONDITIONS BEDRIDDEN APPROVAL FOR BEDROOM 5 ONLY, NON-AMBULATORY APPROVAL FOR BEDROOMS 1,2, AND 5 ONLY, AMBULATORY APPROVED FOR ALL BEDROOMS					



Occupancies and Their Requirements

Based on 2022 CBC and CFC

R-2.1 Occupancies



Group R-2.1 Occupancy

- R2.1 – Shall include buildings, structures or parts thereof housing clients, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services. This occupancy may contain more than six non-ambulatory and/or bedridden clients (CBC 310.3.1)

R-2.1 Limitations

Restraint shall not be practiced.

(CBC 435.2.1)



Group R-2.1 Occupancy

- Allowable building height and square footage found in –Tables 504.3, 504.4, 506.2
- Smoke barriers – Required when exceeding 6,000 sq. ft. CBC 435.5.1
- Sprinklers – NFPA 13 throughout CBC 903.2.8
- Licensed Group R-2.1 occupancies shall be provided with an approved manual and automatic fire alarm system. CBC 907.2.9.4
- Single and multiple station smoke alarms shall be installed in accordance with CFC Section 907.2.11

Group R-2.1 Occupancy

- More than 6 non-ambulatory, elderly clients shall be provided with an approved manual and automatic fire alarm system CBC 907.2.9.4
- Corridors must be rated when more than 6 occupants. (CBC Table 1020.1)
- *Corridor door closers in patient rooms not required in sprinklered buildings. (CBC 435.8.4.1)*

Group R-2.1 Occupancy

- Corridor widths must be 60” on floors housing non-ambulatory clients & 44” for ambulatory clients (CBC 435.8.4.2.)
- Corridors shall be continuous from the point of entry to an exit, and shall not be interrupted by intervening rooms (CBC 1020.6)
- This occupancy must have a minimum of two exits (CBC 435.8.6.1)
- Enclosed stairwells required if housing more than 6 non-ambulatory clients above first floor (CBC 435.8.6.1)

Group R-2.1 Occupancy

- Delayed egress allowed as per 1010.2.13
 - Must meet all requirements
 - Locking system must open after 15 seconds of physical effort to exit and produce audible signal
 - Egress path from any point shall not pass through more than one delayed egress system
 - Locking system deactivate upon fire alarm activation or power loss
 - Locking system shall be deactivated at approved location

Group R-2.1 Occupancy

- California Code of Regulations, Title 19, Division 1, Chapter 8. Exits, exit lights, fire alarm sending stations, wet standpipe hose cabinets, and fire extinguisher locations shall not be concealed, in whole or in part, by any decorative material.











Group R-2.1 Occupancy

- Both exit and floor level exit signs are required (CBC 1013.1 and 1013.7)
- Approved path marking shall be installed at floor level or no higher than 8" above the floor level in all interior rated exit corridors of unsprinklered facilities (CBC1013.8)
- Egress illumination must be provided under both normal and emergency power. (CBC 1008.2, 1008.3.5)
- Fire extinguishers shall be provided based on CCR Title 19 Chapter 3

R-4 Occupancies



R-4 Occupancies

- Shall include buildings, structures or portions thereof for more than 6 ambulatory clients, **but not more than 16 persons**, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care; persons receiving care are capable of self preservation. This occupancy **may include a maximum of 6 non-ambulatory or bedridden clients** see special provisions in section 435 (CBC 310.5)

R-4 Limitations

Restraint shall
not be
practiced.

(CBC 435.2.1)



R-4 Occupancies

CBC 435.3

- Allowable building height and area found in Table 504.3
- Limitations:
 - In Group R-4 occupancies where seven or more non-ambulatory clients are housed above the first story and there is more than 3,000 square feet of area above the first story OR
 - housing not more than 16 clients above the first story, the building shall be constructed of not less than one-hour fire-resistance rated construction throughout.(CBC 435.3.3)

R-4 Occupancies

- Facilities housing non-ambulatory ELDERLY clients shall be of not less than one-hour fire-resistance-rated construction throughout. (CBC 435.3.3)
- Smoke barriers are required if the individual floor areas exceed 6,000 sq. ft. (CBC 435.5.1)
- An automatic sprinkler system shall be installed in accordance with Section 903.3.1.2 as amended in Chapter 35 (CBC 435.7.1)

R-4 Occupancies

- A manual fire alarm system-CBC 907.2.11.2.6
- Single or Multiple station smoke alarms-CBC 907.2.11.2
- Interconnection-CBC 907.2.11.5
- Power Source-CBC 907.2.11.6

Egress

- Shall have a minimum of two exists (CBC 435.8.2)
- Egress through adjoining dwelling units shall not be permitted. (CBC 435.8.3.1)

R-4 Occupancies

- Corridors must meet CBC 1020. Clear width must be 44 inches on floors housing eleven or more clients; 36 inches if 10 or less (CBC 435.8.4.2)
- If housing more than six nonambulatory clients above the first floor you shall provide two vertical exit enclosures built in accordance with (CBC 435.8.6.1)

R-4 Occupancies

- Facilities serving Alzheimer clients maybe fenced & gates equipped with locks, provided safe dispersal areas are located not less than 50 feet from the buildings and are sized to provide an area of not less than 3 square feet per occupant. (CBC 435.8.8)
- Delayed egress locks are allowed if complying with CBC 1010.2.13 (CBC 435.8.10)



R-3.1 Occupancies

R-3.1 Occupancies

- Facilities licensed by a governmental agency for a residentially based 24-hour care facility providing accommodations for six or fewer clients of any age. Construction as defined for an R-3 except as otherwise provided for by CBC 435, special provisions. (CBC 310.4.1)

R-3.1 Limitations

Restraint shall
not be
practiced.

(CBC 435.2.1)



R-3.1 Occupancy

CBC 435.3

- Group R-2.1, R-3.1 and R-4 shall be constructed in accordance with Table 504.3.
 - Where non-ambulatory clients are housed above the first story, having more than two stories in height or having more than 3,000 square feet of floor area above the first story shall not be of less than 1-hour fire-resistance-rated construction throughout.
 - *Bedridden clients sleeping room shall not be located above or below the first story.*
 - *Exception: Clients who become bedridden as a result of a temporary illness. CBC 435.3.2*

R-3.1 Occupancy

- An automatic sprinkler system shall be installed in accordance with CBC 903. (CBC 435.7.1)
- Smoke alarms shall be installed where required in Section CBC 907.2.11.2 (CBC 435.7.3)
- Hearing Impaired-See CBC 907.5.2.3.4

R-3.1 Occupancy

- Smoke Alarms in new construction, and in newly classified Group R-3.1 occupancies required smoke alarms shall receive their primary power from the building wiring and be equipped with a battery backup. (CBC 907.2.11.2.3)
- Where more than one smoke alarm is required to be installed within a dwelling unit the smoke alarms shall be interconnected so that the activation of one alarm will activate all of the alarms in the unit. (CBC 907.2.11.2.3)
- In facilities housing bedridden clients, such alarm signal shall be audible throughout the facility at a minimal level of 15 db above ambient noise. (CBC 907.2.11.2.3)

R-3.1 Occupancy

- Portable fire extinguishers shall be installed in group A, B, E, F, H, I, L, M, R-1, R-2, R-2.1, R-3.1 and R-4 and S occupancies. (CBC 906.1)
- Portable fire extinguishers shall be selected and installed in accordance with California Code of Regulations Title 19, Division 1, Chapter 3 (CBC 906.2)

R-3.1 Occupancy

- In addition to the general means of egress requirements of CBC chapter 10, shall have a minimum of two exits. (435.8.2.1)
- Egress through adjoining dwelling units shall not be permitted. (CBC 435.8.3.1)
- A means of exit shall not pass through more than one intervening room. Shall not pass through kitchens, storerooms, closets, garages or spaces used for similar purposes. (CBC 435.8.3.4)
- Existing stairways may continue to be used provided the stairs (except for winding and spiral stairways which are not permitted as a required means of egress) have a maximum rise of 8" & a minimum run of 9". Minimum stairway width may be 30 inches. (CBC 435.8.6.2)

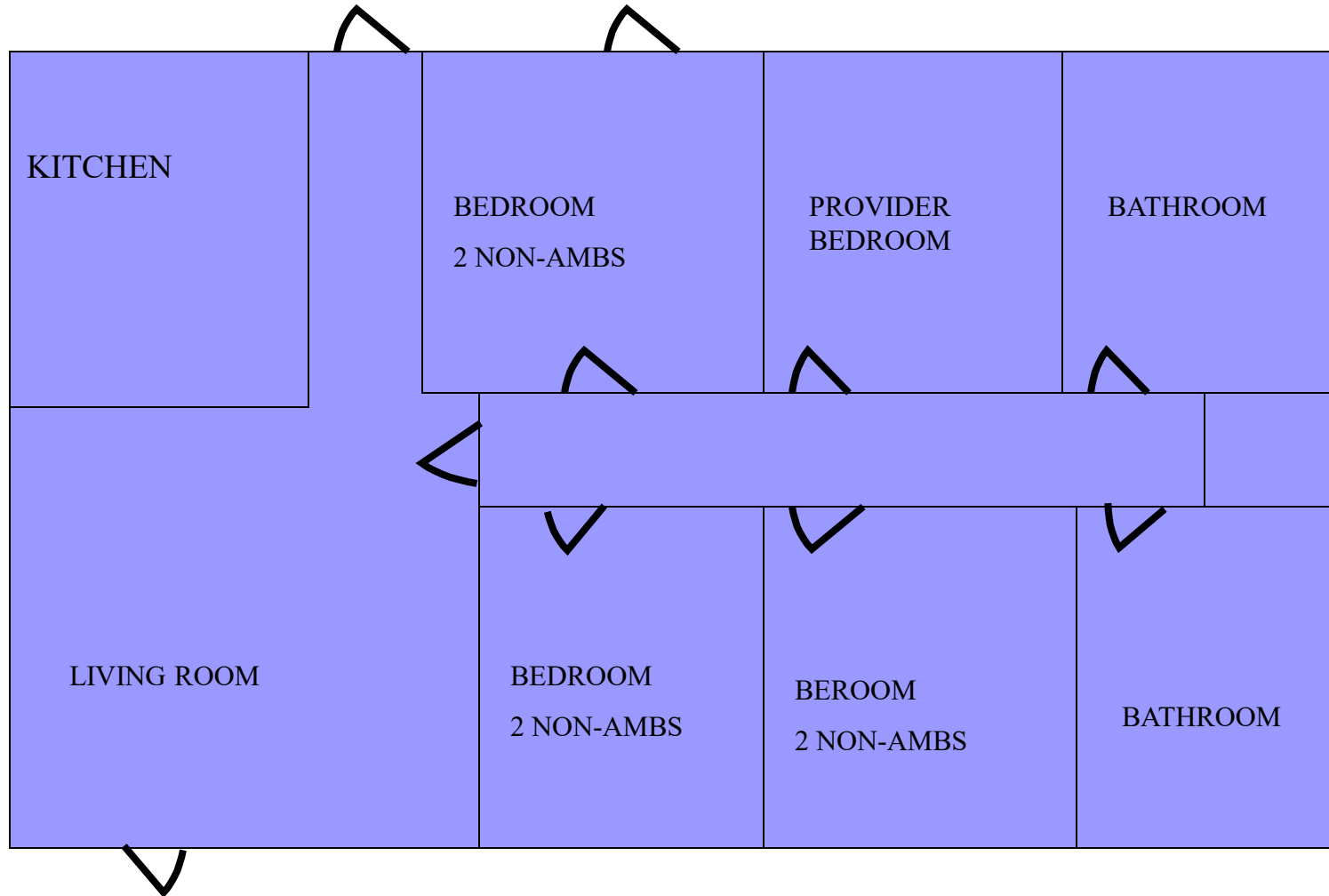
R-3.1 Occupancy

- When housing non-ambulatory clients above the first floor a non-fire resistance constructed floor separation at stairs which will prevent smoke migration between floors shall be provided . (CBC 435.8.7)
 - Unless at least one exterior exit from floors occupied by clients is provided (and)
 - Facility is provided with automatic fire sprinkler systems complying with Chapter 9.
- Doors within such floor separations shall be tight fitting solid wood at least 1-3/8 in thickness, positive latching, smoke gasketed and automatic self-closing by smoke detection, (CBC 435.8.7.1)

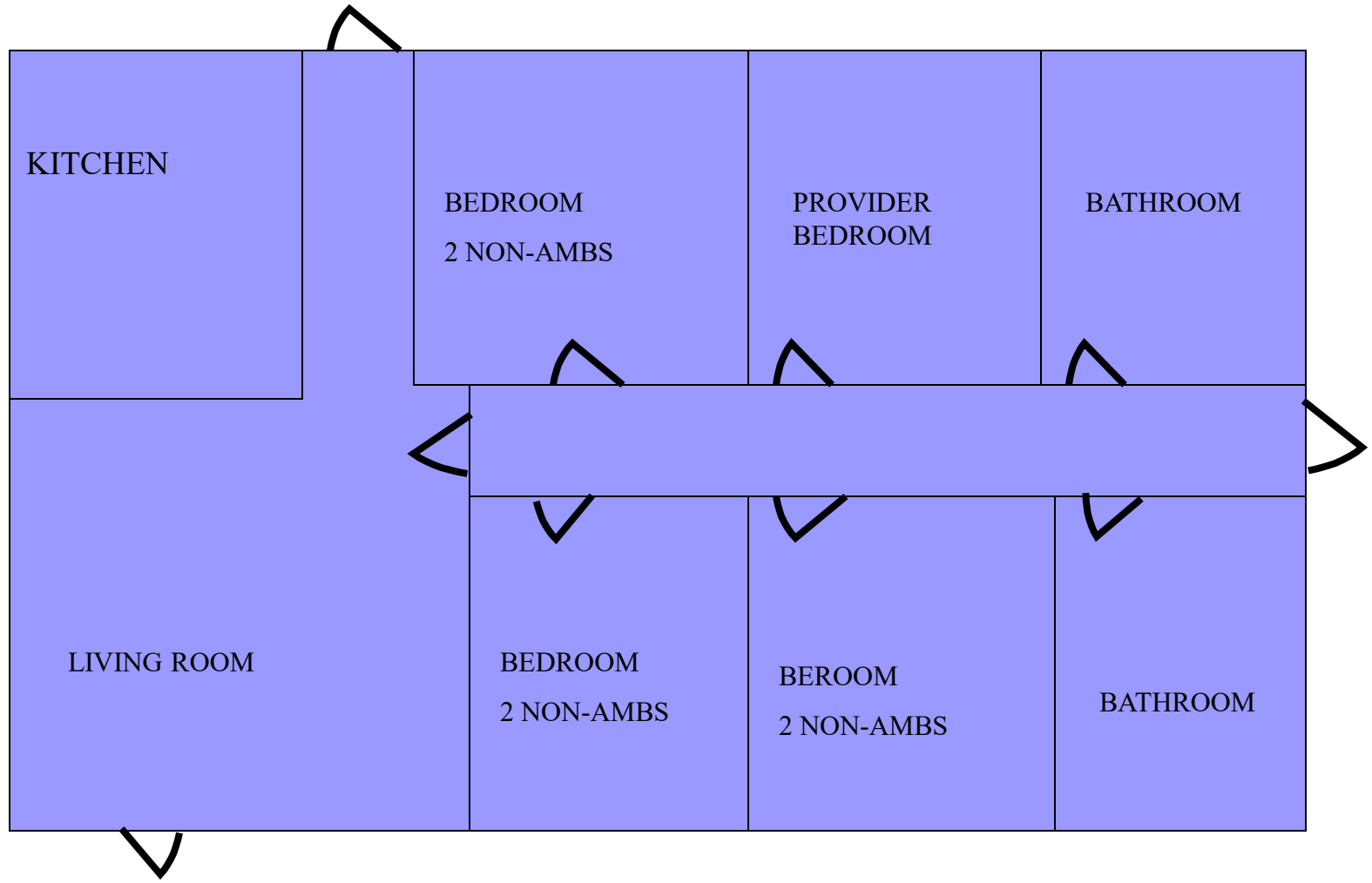
R-3.1 Occupancy

- Bedrooms used by nonambulatory clients shall have access to at least one of the required exits:
 - Egress through a hallway or area into a bedroom in the immediate area which has an exit directly to the exterior.
 - Egress through a hallway which has an exit directly to the exterior
 - Direct exit from the bedroom to the exterior
 - Egress through an adjoining bedroom which exits to the exterior. (435.8.3.2)

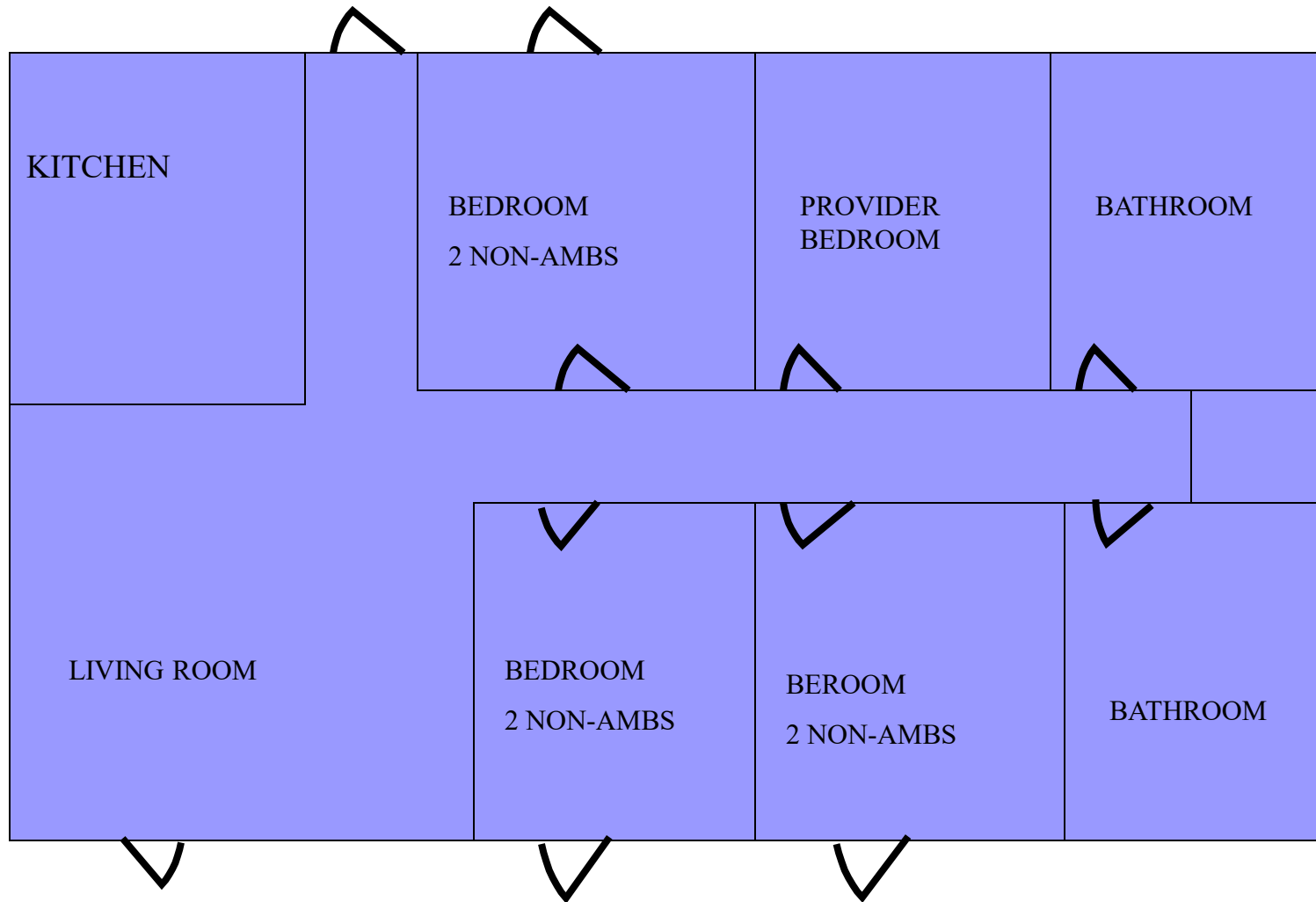
FROM ROOM TO HALLWAY TO ROOM & OUT



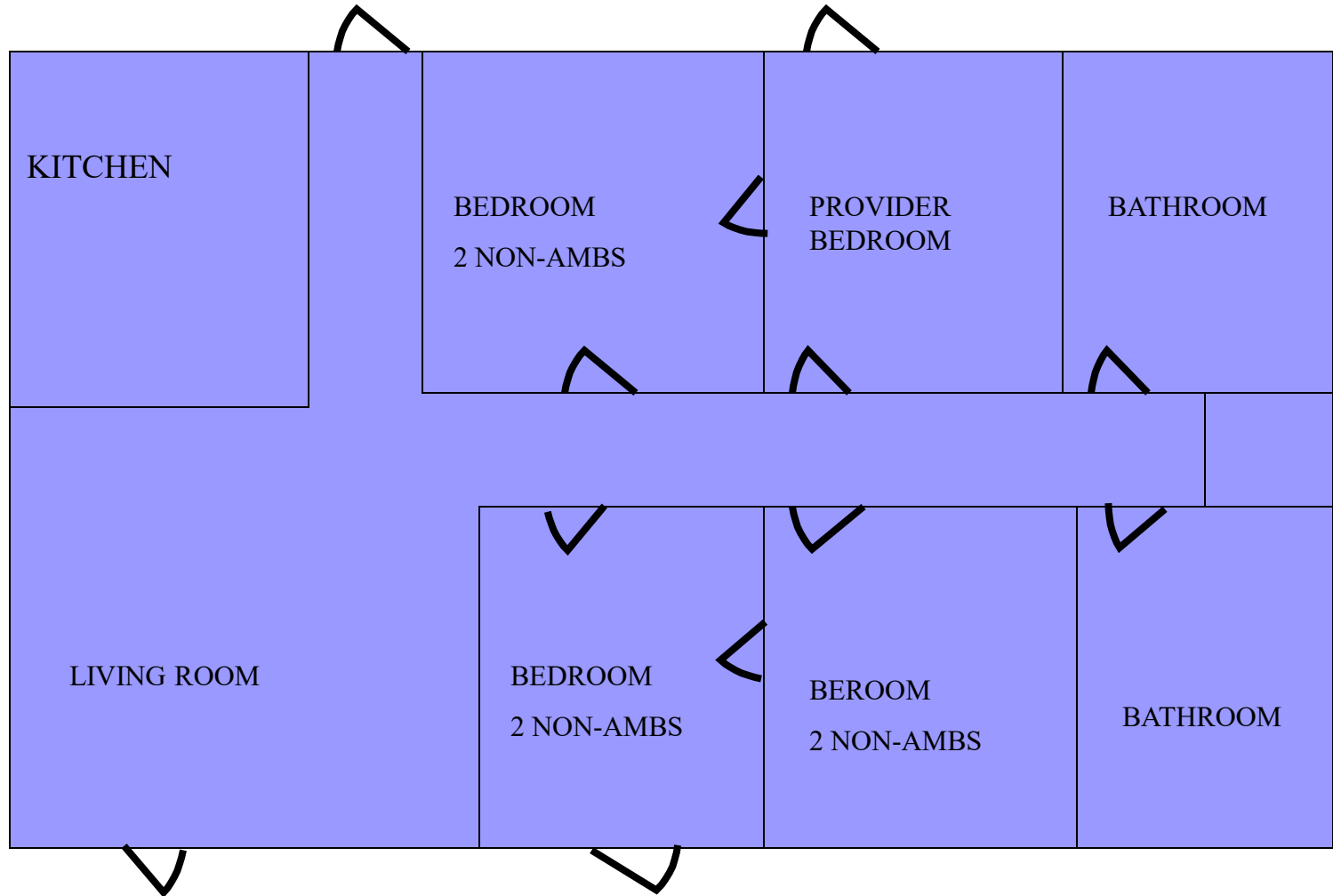
FROM ROOM TO HALLWAY TO OUTSIDE



DIRECT EXITS TO EXTERIOR



FROM ROOM TO ROOM TO OUTSIDE



R-3.1 Occupancy

- Housing a bedridden client without automatic sprinkler system
- A direct exit to the exterior of the residence shall be provided from the client sleeping room
- Doors to a bedridden client's sleeping room shall be:
 - Self-closing
 - Positive latching
 - 1 3/8-inch solid wood door or 20-minute fire rated
 - Smoke gasket
 - Doors shall be maintained self-closing or shall be automatic closing by actuation of a smoke alarm in accordance with Section 716.5.9

R-3.1 Occupancy

- **Housing a bedridden client without automatic sprinkler system** (continued)
 - Shall not have a night latch, dead bolt, security chain or any similar locking device on any interior door
 - Exterior exit door shall be operable from both the interior and exterior
 - Every required exit doorway from the sleeping room shall be 3 wide and 6' 8" high 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 (CBC 435.8.3.3)
 - 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

R-3.1 Occupancy

- Facilities serving Alzheimer clients maybe fenced & gates equipped with locks, provided safe dispersal areas are located not less than 50 feet from the buildings and are sized to provide an area of not less than 3 square feet per occupant. (CBC 435.8.8)
- Delayed egress locks are allowed if complying with CBC 1010.1.9.7 (CBC 435.8.10)

R-3.1 Occupancy

- Doors and hardware for these occupancies have no additional requirements in CBC 435. California Residential Code require the egress door to be side-hinged, not less than 32” wide and 78” in height. Egress doors shall be readily openable from inside the dwelling without the use of a key or special knowledge or effort. (R311.2)

Questions

■ Code interpretations

http://osfm.fire.ca.gov/codeinterpretation/codeinterpretation_byOccupancy

- Is lever hardware required on exterior exit doors? **No** #00-019
- When a SFD is converted to a care home does an existing back door that is 28" wide have to be changed to 36" to qualify as the second exit? **No** #02-050

Questions

- Can sprinklers be used for 1-hour construction by substitution? **No** # 08-047
- Can sprinklers mitigate the need for non-ambulatory exiting from a “more than one” bedridden facility? **No** # 08-047
- Can sprinklers be used to mitigate the need for the second exit from 2nd floors housing non-ambulatory clients? **No** # 08-047

Exiting From Small Facilities Exercise

- In the next three slides, you will be shown a residential floor plan which could be used as an R3.1 Occupancy. You will be asked to verbally provide one of the four previously discussed means of egress from the non-ambulatory bedrooms. You can choose any one of the four.







EXERCISE

I am assisting in an RCFE license application and experiencing problems

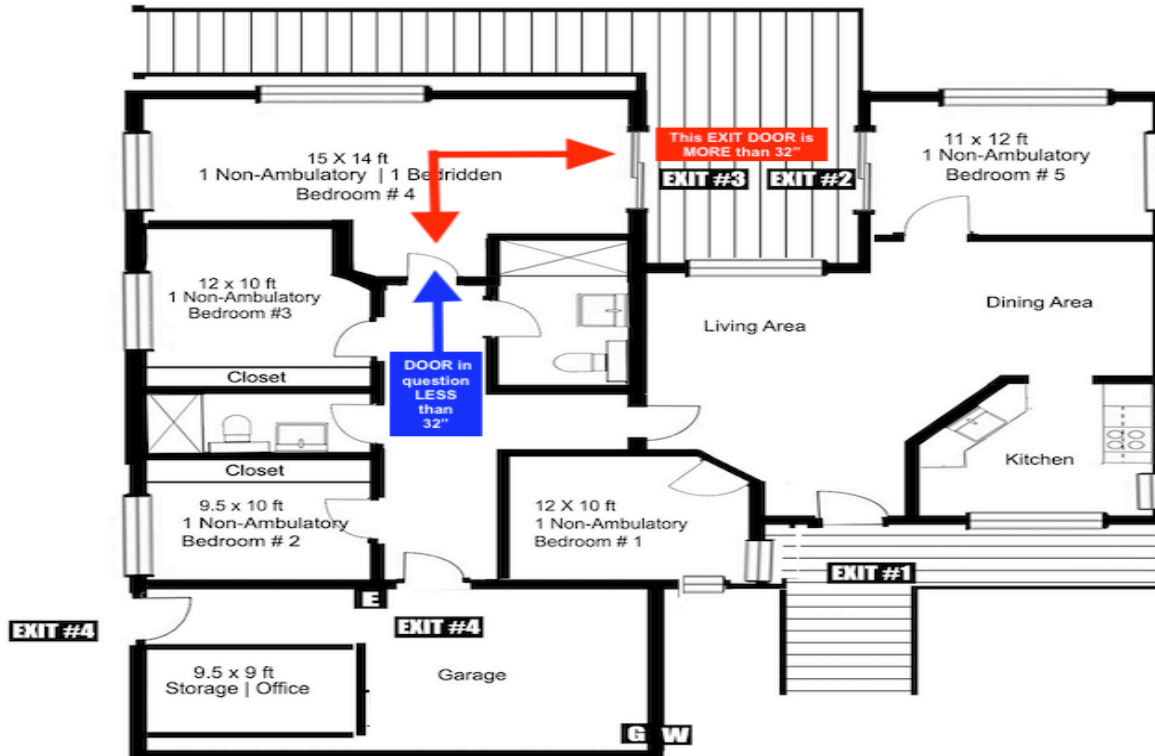
I was wondering if the city fire dept can issue an exemption or just grandfather the size of the door for an RCFE licensed for 6 non ambulatory.

The home has been a facility for over 15 years and was just issued a fire clearance in 2020. However, due to a change of licensee, it underwent a re-inspection with the fire department in May,2022. The application was for 6 non- ambulatory with 1 bedridden . The fire department consultant denied the fire clearance indicating a list of items including the requirement to install 3 additional sprinkler heads in the extension area. The extension had been there over 15 years and fire clearance was never an issue. Regardless, my client complied with all the items on the list.

*The City permit & approval took 4 months and finally, sprinklers were installed and was approved by the fire department consultant last week. **However, this time, the consultant raised a new issue of the door size requiring it to be 32".** He again denied fire clearance due to this new item not included in his review in May.*

Clarify the standard definition of an "exit door or exit doorway."

The Fire Chief responded sighting section 435.8.3.3 item #5. However, they are considering the bedroom door an "exit doorway" since it goes to the room that has an exterior door exit to the backyard. We have a French door with more than 32" width going to the backyard but the door going to that bedroom # 4 is not. (See attached lay-out).



NOTE: This home is equipped with AUTOMATIC FIRE SPRINKLERS.

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 1-3/8 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 nches (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).*

Internet References:

- **Health and Safety Code**

www.leginfo.legislative.ca.gov

- **State Fire Marshal**

www.osfm.fire.ca.gov

- **Department Of Social Services (CDSS)**

<https://secure.dss.ca.gov/CareFacilitySearch/>

- **File Complaint to CDSS**

<https://www.cdss.ca.gov/inforesources/CCLD-Complaint-Hotline>

- CCLD Complaint Hotline
- **IF YOU SEE SOMETHING, LET US NO!**
- To file a complaint regarding a state licensed community care facility or childcare facility, call or contact us using the options below:
- Phone: 844-LET US NO (844-538-8766)
- You can also email us at letusno@dss.ca.gov or use our [online complaint webpage](#).



Questions

Post Test

- If an R-3.1 facility is equipped with fire sprinklers, are any of the non-ambulatory exiting requirements in CBC 435.8.3.2 still required?
- A minimum of three exits are required in an R-3.1 facility; front door, back door, and a direct exit from any client room.
- An automatic sprinkler system is required to be installed in all new R-3.1 facilities.
- Group R-2.1 occupancies are not permitted in non-fire-resistance rated construction.
- 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 is not less than 32 inches.

Post Test

- Local ordinances as well as state regulations can be enforced by the local AHJ on R-2.1, R-4, and R-3.1 facilities.
- It is not the responsibility of the local AHJ to enforce State Fire Marshal Regulations.
- A group R-4 occupancy can have more than 6 ambulatory clients, but not more than 16. This may include a maximum of 6 non-ambulatory or bedridden clients.
- An R-2.1 occupancy may contain more than six non-ambulatory and/or bedridden clients
- Use of a family dwelling for purposes of a residential facility serving six or fewer persons, shall not constitute a change of occupancy.

Contacts

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