

# City of Riverside

Building & Safety Division

Phone: (951) 826-5697

[www.riversideca.gov](http://www.riversideca.gov)



## ❖ BUILDING CODE REQUIREMENTS FOR CHILD DAY CARE ❖

The purpose of this document is to provide the user with a basic level of knowledge concerning the applicable regulations contained in the California Code of Regulations (Title 24) which are applicable to new Child Day Care facilities or where a change of occupancy or use is applicable. Please be advised that this document does not address all possible regulations applicable to all possible scenarios, but rather is intended as a springboard for further investigation by an experienced design professional. No guarantee as to the completeness or accuracy of this document, either implied or expressed, is intended.

***What type of Child Day Care is your facility?*** This is the first, and most basic question to be answered because the codes contain differing regulations depending on the type of Child Day Care to be provided. There are several basic categories of Child Day Care discussed in the California Building Code (CBC). Review the facility types listed below and determine which one applies to your facility.

### **Assembly Group A-3 Religious Educational Rooms** (CBC 303.1 Exception 5, 305.1, 308.5, 508.2)

These are Child Day Care rooms associated with religious education (i.e. Church services). The CBC establishes that as long as the Child Day Care rooms do not exceed 10% of the floor area of the story, they shall be considered to be an integral part of the A-3 Church occupancy and will not need to meet other requirements in the code, provided;

- There are less than 100 occupants per room
- The care is directly related to the religious facility's educational program

### **Residential Group R-3 Large Family Day Care Homes** (CBC 310.2 and 445)

These are Child Day Care facilities which are within a provider's own home and:

- Are licensed to provide day care
- Operate for less than 24 hours per day
- Care for 9 to 14 persons (including children under 10 who reside in the home)

These types of Day Care facilities must meet a few special requirements, including, but not limited to:

- Have single-station residential type smoke alarms located throughout the dwelling.
- Have at least 1 manual fire alarm device.
- Have a portable 2A10BC fire-extinguisher.
- Properly enclose any open gas-fired water heater or furnace as to prevent children from making contact.

### **Residential Group R-3 Small Family Day Care Homes** (CBC 310.2)

These are Child Day Care facilities which are within a provider's own home and:

- Operate for less than 24 hours per day.
- Care for 8 or fewer children (including children under 10 who reside in the home).

These types of Day Care facilities are considered to be Single Family Dwellings and are not required to meet any of the special requirements of the Large Family Day Care Homes.

### **Residential Group R-2 or R-3 Home School** (CBC 305.1 Exception)

These include residences used as a home school for the children who normally reside at the residence. These types of uses continue to be classified as a Dwelling and no other special requirements apply.

### **Institutional Group I-4 Child Day Care** (CBC Section 308.5.2)

These are Child Day Care facilities which exhibit the following characteristics:

- There are more than 6 children under the age of 2 years of age being cared for.
- The care is for less than a 24-hour basis.
- Rooms used for day care purposes are not at ground level (i.e. 2<sup>nd</sup> floor and above or in basement).
- Rooms used for child day care purposes do not have a door that exits directly to the exterior of the building.

### **Institutional Group I-2 Child Day Care** (CBC Section 308.3.1)

These are Child Day Care facilities which exhibit the following characteristics:

- There are more than 6 children under the age of 2 years of age being cared for.
- The care on a 24-hour basis.

***Please note that the requirements applicable to an Institutional Group "I-2" and "I-4" Child Day Care facilities are generally the most restrictive of all the Child Day Care types of facilities.***

### **Educational Group E Child Day Care** (CBC Section 305 and 308.5.2 Exception)

These are perhaps the most common types of commercial Child Day Care facilities and exhibit the following characteristics:

- There are more than 6 children being cared for.
- There are no more than 100 children under the age of 2 years of age being cared for.
- The care is for persons through the 12<sup>th</sup> grade.
- The care is for less than a 24-hour basis.
- The care is for more than 12 hours per week or more than 4 hours per day.
- Rooms used for day care purposes must be at ground level (i.e. 1<sup>st</sup> floor). See CBC 442.4 Exceptions 1 thru 3.6 for exceptions where Group E Day Care can be above or below grade level.
- Each room used for day care purposes must have at least 1 door that exits directly to the exterior of the building.

**THE FOLLOWING INFORMATION ILLUSTRATES THE VARIOUS  
CODE REQUIREMENTS APPLICABLE TO  
EDUCATIONAL GROUP E CHILD DAY CARE FACILITIES**

**ALLOWABLE AREA AND FIRE SEPARATIONS**

- CBC Section 503 and Table 503 establish the maximum allowable size of the Child Day Care area within the building. This will depend on the Type of Construction, the percentage of street or open space frontage, the presence, or lack thereof, of automatic fire sprinklers, and the Occupancy classification and size of any other tenant spaces in the same building. As a rule of thumb, if the Child Care space exceeds 6,000 square feet in overall area, a design professional will need to evaluate these factors to determine if the proposed use is in compliance with the code relative to the building size. Keep in mind that the 6,000 square foot limit has numerous variables and may not be universally applicable to all situations.
- CBC Section 508 and Table 508.4 establish the requirements that will apply when the Child Day Care facility is located within the same building as other uses or tenants. Under most mixed use scenarios, a fire-resistive wall will be required to be constructed between the Child Day Care facility and other tenants in the same building.

**FIRE SPRINKLERS / FIRE ALARM / FIRE & LIFE SAFETY**

- CBC Section 903.2.3 establishes that automatic fire sprinklers will be required to be retrofitted in an existing building if the overall area of the Child Day Care facility fire area exceeds 12,000 square feet or if the Child Day Care facility is not on the first floor (ground level). All new buildings in the City of Riverside are required to be provided with automatic fire sprinkler systems, however many of the older buildings are not provided with automatic fire sprinkler systems.
- CBC Section 903.2.6 establishes that automatic fire sprinklers will be required to be installed in all Group “1-2” or “1-4” Child care or Day care facilities.
- CBC Section 907.2.3 establishes that a monitored fire alarm system (manual and automatic) will be required in any Group “E” Child Day Care facility.
- CBC Section 442.4 establishes that a Group “E” Child Day Care facility be located on the first floor (ground level) of a building, unless the building is provided with a number of special life-safety features.

**EXITS**

- CBC Section 442.1 requires that Educational Group E Day Care facilities provide at least one of the required exits open to a pedestrian walkway which extends from the exit door to the public street or sidewalk and that such walkway be at least 20' in width.
- CBC Table 1004.1.1 establishes a factor of 35 square feet per occupant to be used to determine the calculated occupant load which is used in determining the applicable requirements of the Building Code. This calculated occupant load should not be confused with the maximum number of children that a facility is approved to care for, as the two numbers may be quite varied.
- CBC Section 1006.1 establishes that all exit pathways must be illuminated at a minimum of 1 foot-candle per square foot and emergency lighting with battery backup (or standby generator) shall be provided.
- CBC Section 1008.1.1 establishes that the minimum clear width of all exit doorways must be at least 32” (with the door open to a 90 degree position). This translates to a 36” door.

- CBC Section 1008.1.2 establishes that doors must swing in the direction of exit travel when the calculated occupant load of the Child Day Care room or facility is 50 or more persons.
- CBC Section 1008.1.10 establishes that Panic Hardware is required on the exit doors when the calculated occupant load of the Child Day Care facility is 50 or more persons.
- CBC Section 1011.1 establishes that illuminated exit signage is required in Child Day Care facilities so as to be readily visible by occupants.
- CBC Table 1018.1 establishes that corridors within Child Day Care facility having an occupant load over 10 persons are required to be 1-hour fire rated. Numerous exceptions apply to various occupancies. See CBC Table 1018.1 for more information.
- CBC Table 1021.1 and Table 1021.1 footnote "e" establish that a minimum of 2 exits are required from the Child Day Care facility (or from any room therein) when the calculated occupant load is more than 10 persons.

### **DISABLED ACCESS**

CBC Section 3406 and Section 1134B.2 establishes that when an alteration or change of occupancy occurs in an existing building, certain disabled access features must be incorporated into the building or space as an integral part of the re-use or remodel project. The following disabled access features would generally need to be upgraded to meet current disabled access requirements:

- The primary entrance to the Child Day Care facility.
- The path of travel to the Child Day Care and related areas within the building.
- At least one toilet facility for each sex. If disabled accessible toilet facilities are not available in the Child Day Care facility, then other disabled accessible toilet facilities which are located on the same property and within 200 feet of the Child Day Care facility may be considered if they are usable by the Child Day Care facility. When this option is approved, then appropriate signage must be installed at the location of the non-compliant toilet facilities to identify the location of the disabled accessible toilet facilities (1115B.1 Exception).
- Disabled accessible parking spaces and a path of travel to the primary entrance.
- Public telephones and/or drinking fountains (if provided).

Please note that there are numerous specific dimensions that must be met in order to comply with the various disabled access requirements. There are too many to list in this document, nevertheless some of the more substantive are listed below:

- Accessible doors are to be openable with a push or pull force of no more than 5 pounds (unless the door is part of a fire-rated assembly).
- Accessible door opening hardware is to be mounted at a height between 30 inches to 44 inches above the floor.
- Accessible doors are to provide a clear opening width of 32 inches with the door opened to a 90 degree position. Generally, this means that a 36 inch door is required.
- Strike side clearance at accessible doors is required to be a minimum of 18 inches at interior doors and 24 inches at exterior doors.
- Landings at doors or ramps and the handicapped parking space and loading zone shall not exceed 2% slope in any direction.
- Sloping surfaces within the accessible Path of Travel are not to exceed 5% in the direction of travel (unless an accessible ramp is provided) and not to exceed 2% cross-slope.

- The bottom 10 inches of accessible doors are to be provided with smooth surface on the push side of the door.
- CBC Table 1115B-1 contains Suggested Alternate Dimensions for Accessible Toilet Facilities for Children.

**Exemption from the Disabled Accessible requirements (CBC Section 1134B) are only applicable if the following conditions are met:**

- The total valuation of the improvements to the building (over a 3 year span of time) is less than \$128,410.86 (adjusted annually).
- At least 20% of the total valuation of the improvements to the building is spent on disabled accessible upgrades and improvements.
- A Disable Access Hardship Request Form must be completed and submitted to the Building and Safety Division for review and consideration.

### **MINIMUM PLUMBING FACILITIES**

CPC Table 4-1 establishes that the following plumbing facilities will be provided for Child Day Care facilities:

- At least one toilet facility for each sex shall be provided with the following fixtures:
  - Toilets:
    - 1 - 40 children (male and female) = 2 toilets (one for each sex)
    - 41 – 100 children (male and female) = 4 toilets (two for each sex)
    - Over 100 children (male and female) = add 2 toilets (one for each sex) for each additional 100 children, or portion thereof.
      - Note: Urinals are not considered as usable plumbing fixtures in Child Day Care facilities.
  - Lavatories:
    - 1 - 50 children (male and female) = 2 Lavatories (one for each sex)
    - 51 – 100 children (male and female) = 4 Lavatories (two for each sex)
    - Over 100 children (male and female) = add 2 Lavatories (one for each sex) for each additional 100 children, or portion thereof.
- Drinking Fountains
  - 1 handicapped accessible Hi-Low drinking fountain required if the number of children in the facility exceeds 30.

### **LICENSED DESIGN PROFESSIONAL – PREPARATION OF PLANS**

Education Code Section 17320 – 17336 applies to any building used for educational purposes through the 12<sup>th</sup> grade (including Group E and Group I-4 child day care occupancies) by 50 or more persons. These provisions require such uses to comply with the Private Schools Building Safety Act of 1986. The Law specifically exempts wood framed buildings of less than 2,000 square feet in total area. Thus, if the building is not wood framed or if it is over 2,000 square feet in area, the law requires, among other things, that:

- All plans must be prepared by a California licensed Architect or Engineer
- Structural observations, (aka: site inspections) be performed by the Architect or Engineer of Record (in addition to the regular inspections by the City's Inspectors.

*General Limitations of this Document. Be aware that this informational document is applicable to those Child Day Care facilities that are limited to a maximum of 100 children. If the facility will care for over 100 children, other provisions may apply. You are encouraged to employ the expertise of a design professional that is experienced in this area at the earliest possible time, regardless of the occupant load being considered for the Child Day Care facility.*