

DSS

Serving Children and Families

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STATE DIRECTOR

MARK SANFORD
GOVERNOR

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Dear Group Child Care Providers:

The State Fire Marshal's Rules and Regulations (SCRR) were officially revised on May 22, 2009, and will become effective on September 1, 2009. Facilities licensed prior to the effective date (existing facilities) will continue to follow the previous regulations, which are included below for reference. The term "Day Care" is the same as "Child Care" as referred to in SC State Laws.

The SCRR for new "Group Child Care" facilities is Chapter 71-8300 (Subarticle 1) and Chapter 71-8301.3.C (Subarticle 2) for existing facilities. The SCRR will be available after July 1, 2009 on the Office of State Fire Marshal Web site at:

<http://www.llr.state.sc.us/firemarshal.asp>

New facilities, which including previous facilities that have closed, facilities that have lost their DSS Child Care License or Registration, or have moved to a new location, will be required to meet the requirements of the currently adopted edition of the International Code Series. According to the International Building Code (2006), Section 305.2, the use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than five children older than 2-1/2 years of age, shall be classified as Group E occupancy.

SCRR Chapter 71-8301.3.A.2 states that "New Child Day Care Facilities and closed facilities that reopen caring for 6 or more children will be classified as Group E occupancy". These facilities must comply with the codes in effect at the time of licensure.

Please note that Group Child Care facilities licensed on or after September 1, 2009, will be required to meet Group E (Educational) occupancy requirements which are the same Fire Code requirements as for a Licensed or Registered Center. The old Regulation allowed Group Child Care to be classified as Residential (R-3).

EXISTING CHILD GROUP DAY CARE (71-8301.3.C)

1. Facilities providing care, maintenance, and supervision for seven (7) to twelve (12) children for less than twenty-four (24) hours but more than four (4) hours per day shall be classified as Group R-3 occupancy.
 - a. Group day care facilities shall be separated from other type occupancies (excluding owner residence) by a one (1) hour fire barrier constructed per the IBC.
 - b. Group day care facilities located in R-2 occupancies shall be located on the floor of exit discharge.

c. Each group day care facility occupied by clients shall have at least two (2) independent means of escape as defined in NFPA 101.

d. The doorway between the level of exit discharge and any floor below shall be equipped with a self-closing 1-1/2" solid core wood door or a labeled fire rated door with a twenty (20) minute or higher rating.

e. Group day care is prohibited in manufactured housing (mobile homes).

f. A fire plan describing what actions are to be taken by the staff in the event of a fire must be developed, posted, and copies made available to staff members and the local fire department. This plan shall note the location of all crib children under twenty-four (24) months of age.

g. A fire drill shall be conducted per the IFC for educational occupancies. Records of drills shall be maintained for a period of three (3) years and report the date, time, description, and evaluation of each drill.

h. At least one (1) portable fire extinguisher with a minimum classification of 2A:10BC shall be installed in cooking areas. The fire extinguishers shall be installed and maintained per NFPA 10.

i. All heating devices must be selected, used, and installed per the IFC, the manufacturer's recommendations, and listing conditions set by an approved testing laboratory.

j. Unvented gas heaters shall have an operating oxygen depletion device, an operating safety shutoff device, and means to protect clients from burns.

k. Fireplaces shall be equipped with fire screens, partitions, or other means to protect clients from burns.

l. Facilities with six (6) or more children under twenty-four (24) months of age shall comply with S.C. Reg. 71-8301.3(B) for "Facilities with Children Under 24 Months of Age."

m. Portable unvented fuel-fired heating equipment shall be prohibited in all group day cares.

Note: Existing facilities continue to be limited to no more than three (3) children 24 months old and younger based on S.C Reg. 71-8301.3 (B) unless they meet requirements for "Facilities with Children Under 24 Months of Age."

If you have any questions, please feel free to call our office at (803) 898-9020 or toll free at (800) 556-7445. We appreciate your continuing cooperation during this change.

Sincerely,

Cynthia S. Lara, Director, Child Care Licensing

cc: Leigh Bolick, Director, DSS Child Care Services
John Reich, Deputy Director, State Fire Marshal Office
Donald Wood, DSS Chief Fire Inspector, Fire, Life & Safety Office