

Minnesota Department of Public Safety State Fire Marshal Division

Child Daycare Center / Adult Day Services Center Information

Purpose

This fire safety information sheet provides a summary of the major code requirements based on the 2020 Minnesota State Fire Code (MSFC) and the 2020 Minnesota State Building Code (MSBC) that apply to:

- child daycare centers,
- special family childcare in non-residential buildings,
- preschool and head-start programs and
- adult daycare centers

This sheet does not contain all requirements that may apply. These occupancies are required to be designed by a design professional in accordance with Minnesota Statute 326.2 and Minnesota Rules 1800.5200.

This information sheet does not apply to licensed care in a home (Residential).

Prospective providers must contact the state DHS Licensors and apply for licensing prior to requesting the fire inspection required under MS 245A.

Occupancy Classifications

Care Center code requirements are determined by the occupancy classification they fall in. Please read carefully to determine where your care center fits within the different classifications.

Classification of Adult Day Services Centers (Non-Residential)

- **Educational (E) Occupancy**- 6 or more occupants- but have no more than 50% of the occupants who are not capable of self-preservation. See MSFC 8102 for additional requirements.
 - Sprinkler System when area exceeds 12,000 square feet or is located on a floor other than a level of exit discharge [MSFC 903.2.3]
 - Fire Alarm and Detection if services are provided to participants not capable of self-preservation [MSFC 8102.1.3]
 - Portable Fire Extinguisher required in accordance with MSFC Section 906.
- **Institutional (I-4) Occupancy**- 6 or more occupants, all may – or may not be capable of self-preservation.
 - Sprinkler System required unless area meets exception where every care room is provided with an exit at the level of exit discharge [MSFC 903.2.6].
 - Portable Fire Extinguisher required in accordance with MSFC Section 906.



MSFC 8102.1.3 Centers Serving Participants both Capable and Not Capable of Self Preservation

Centers serving a population that includes both participants who are capable and participants who are not capable of taking appropriate action for self-preservation under emergency conditions shall meet the occupancy requirements for Group I-4 or E occupancy. Should the facility become an E occupancy, the center shall meet ALL the requirements set forth below (not applicable for I-4 occupancies):

- **Population** – Not more than 50% of the center’s licensed capacity shall be made up of participants who are not capable of taking appropriate action for self-preservation under emergency conditions.
- **Fire Alarm and Detection** – The center shall be protected with a complete automatic fire detection system consisting of automatic smoke detection in all corridors and at the top of all stairways and automatic detection in boiler rooms, furnace rooms, kitchens, storage rooms, janitor’s closets, laundry rooms and other hazardous areas. In building equipped with manual fire alarm systems, the manual fire alarm and automatic detection systems shall be electrically interconnected.
- **Evacuation Time** – The center shall demonstrate the ability to evacuate the entire population of the center within three minutes.

Existing Adult Daycare Centers (Constructed prior to March 31, 2020)

Existing Adult Daycare centers are required to meet the minimum requirements specified in the 2020 MSFC for existing buildings. Compliance with previous editions of the MSFC may be considered as an acceptable alternative. Any change in capacity or use may trigger compliance with the requirements for NEW buildings.

Classification of Child Daycare Centers (Non-Residential)

- **E Occupancy Child Daycare Center** – Provide care for more than five children older than 2 ½ years of age for less than 24 hours a day
OR
- Provide care for more than five but not more than 100 children 2 ½ years or less of age **when** each room in which the children are cared for are located on the level of exit discharge serving such rooms **and** each room providing day care has an exit door directly to the exterior. [MSFC 202]
 - Sprinkler System when area exceeds 12,000 square feet or is located on a floor other than a level of exit discharge [MSFC 903.2.3]
 - Fire Alarm system if occupant load is 50 or more [MSFC 907.2.3].
 - Portable Fire Extinguisher required in accordance with MSFC Section 906.
- **I-4 Occupancy Child Daycare Center** – Provide care for more than five children of any age for less than 24 hours a day. [MSFC 202]
 - Sprinkler System required unless area meets exception where every care room is provided with an exit at the level of exit discharge [MSFC 903.2.6].
 - Fire Alarm System is required [MSFC 907.2.6.4].
 - Portable Fire Extinguisher required in accordance with MSFC Section 906.

Use the design matrix found at the following link to determine fire sprinkler system, fire alarm system and exiting requirements for Child Daycare Centers: <http://dps.mn.gov/divisions/sfm/programs-services/inspections/Documents/Child-daycare-in-commercial-settings-matrix.xlsx>

Existing Child Daycare Centers (Constructed prior to March 31, 2020)

Existing Child Daycare centers are required to meet the minimum requirements specified in the 2020 MSFC for existing buildings. Compliance with previous editions of the MSFC may be considered as an acceptable alternative. Any change in capacity or use may trigger compliance with the requirements for NEW buildings.

General Fire Safety Provisions – (Applies to new and existing unless noted otherwise)

- **Combustible Waste Materials** – Combustible waste material creating a fire hazard shall not be allowed to accumulate in buildings. [MSFC 304.1] Dumpsters must be outside and at least 5 feet from combustible walls or openings. [MSFC 304.3.3]
- **Fire Apparatus Access Roads** – For all newly constructed buildings, approved fire apparatus access roads shall be provided and maintained. [MSFC 503]
- **Water Supply** – For newly constructed buildings, an approved water supply capable of providing the required fire flow for fire protection shall be provided. [MSFC 507]
- **Kitchen Cooking Equipment** – Commercial cooking equipment that produces grease-laden vapors shall be equipped with a Type I ventilation hood and duct system meeting the requirements of the Minnesota Mechanical Code. [MSFC 608] Type I ventilation systems and commercial cooking equipment that produce grease-laden vapors shall be equipped with an approved fire-suppression system. [MSFC 904.2.2]
- **Premise Identification** – Approved numbers or addresses shall be placed on all buildings in such manner to be clearly visible and legible using a contrasting color from the street or road fronting the property. Rural fire number or address signs are acceptable. [MSFC 505.1]
- **Storage of Combustible Materials** – Storage shall be orderly. Storage shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur [MSFC 315.3]. Storage shall be maintained at least 2 feet below the ceiling in non sprinklered areas, or at least 18 inches below sprinkler head deflectors where present [MSFC 315.3.1].
- **Mechanical Equipment, Boiler and Furnace Rooms** – Storage shall be neat and orderly and arranged to provide immediate access to equipment. Clearances between equipment and storage shall be at least 36 inches, or as required by the manufacturer, whichever is greater [MSFC 315.3.3.1].
- **Electrical Vaults and Equipment Rooms** – Electrical vaults and rooms or areas solely dedicated to main electrical distribution equipment shall not contain storage.
- **Fueled Equipment** – Fueled equipment shall not be stored, operated or repaired within a building with the exception of:
 - Rooms constructed for such use in accordance with the Minnesota State Building Code [MSBC]
 - The storage of equipment utilized for maintenance purposes in approved locations where the aggregate fuel capacity of the stored equipment does not exceed 10 gallons and the building is equipped throughout with an approved fire sprinkler system [MSFC 313.1]

The fire code official is authorized to require removal of fueled equipment from locations where the presence is determined by the official to be hazardous [MSFC Section 313.1.1].

- **Storage in Exits** – Combustible materials shall not be stored within exits or exit enclosures [MSFC 315.3.2]
- **Attic and Concealed Space Storage** – Attic, under floor and concealed spaces used for storage of combustible materials shall be protected on the storage side as required for 1-hour fire-resistance rated construction unless such areas are protected by approved fire sprinkler systems. Openings shall be protected by assemblies that are self-closing and are of noncombustible construction or solid wood core not less than 1 ¾ inches in thickness. Storage shall not be placed on exposed joists [MSFC 315.3.4].
- **Fire Safety and Evacuation Plans** – An approved fire safety and evacuation plan shall be prepared and maintained [MSFC Section 403 and 404]. Emergency evacuation drills shall be conducted at least monthly and documented [MSFC 405 and Table 405.2].

Means of Egress

- **I-4 Occupancy Daycare Centers** – Access to at least two exits shall be provided for rooms or spaces where care is provided for more than 10 people of any age (room or space exceeds 350 square feet).
- **E Occupancy Daycare Centers** Access to at least two exits shall be provided for rooms or spaces where care is provided for more than 10 children that are 2 ½ years of age or less and for rooms or spaces where care is provided for more than 49 persons over 2 ½ years of age.
- Means of egress in existing daycare centers that comply with codes that were in effect at the time of construction or comply with MSFC Section 1104 may be considered as complying if, in the opinion of the code official, they do not constitute a distinct hazard [MSFC 1104]. **Any change in capacity or use may trigger compliance with the requirements for NEW buildings.**
- **Occupant Load** – The occupant load of a room or space is determined by dividing its area by 35 [MSFC Table 1004.5]
- **Common Path of Egress Travel** – The means of egress shall be such that the maximum travel distance from any point within a building to a point where two separate and distinct paths of egress travel are available shall not exceed 75 feet [MSFC Table 1006.2.1]
- **Exit Access Travel Distance** - Exits shall be located so that the maximum length of exit access travel, measured from any point within a building to an exit or the entrance of an exit component along the natural and unobstructed path of egress travel, shall not exceed the following distances listed in MSFC Table 1017.2.
 - **E Occupancy** – 200 feet without sprinklers or 250 feet with sprinkler system
 - **I-4 Occupancy** – 150 feet without sprinklers or 200 feet with sprinkler system
- **Locks and Latches** - Exit doors shall be openable from the egress side without the use of a key or special knowledge or effort [MSFC 1010.1.9]. Door handles, pulls, latches, locks and other operating devices on doors shall only require a single operation to release the door from the egress side [MSFC 1010.1.9.1].
- **Panic and Fire Exit Hardware** – Exit doors serving group E occupancies with an occupant load of 50 or more require any locking or latching hardware to be panic hardware. [MSFC 1010.1.10].
- **Means of Egress Illumination** – The means of egress in all buildings shall be illuminated at all times the building is occupied and must be provided with a backup power supply [MSFC 1008 and MSFC 1104].

- **Means of Egress Identification** – Exit and exit access doors shall be marked by approved exit signs readily visible from any direction of egress travel in rooms or areas requiring more than one exit or exit access. Exit signs shall be placed such that no point in an exit access corridor is more than 100 feet from the nearest visible exit sign. Exit signs shall be internally or externally illuminated at all times and shall have an approved back-up power source [MSFC 1013 and MSFC 1104].
- **Means of Egress Obstructions** – Obstructions shall not be placed in the required width of the means of egress and the required capacity of the means of egress system shall not be diminished along the path of egress [MSFC 1031].
- **Other Means of Egress Requirements** – For all other egress requirements such as but not limited to doors, exit width, dead end corridors, egress through intervening spaces refer to MSBC Chapter 10.
- **Fire Resistive Construction** – Required fire resistive construction and occupancy separation shall be in accordance with the 2020 MSBC and maintained in accordance with the 2020 MSFC.
- **Interior Finish** – All interior finish products (including padded crash mats attached to walls) shall comply with the requirements of MSFC Chapter 8.
- **Interior Decorative Materials** – Artwork and teaching materials shall be limited on corridors walls of un-sprinklered child care centers to not more than 20 percent of the wall area or in sprinklered child care centers to not more than 50 percent of the corridor walls. Artwork and teaching materials in child care center classrooms shall be limited to not more than 50 percent of the wall area of the room [MSFC 807.5.2].

Carbon Monoxide Detection

Carbon monoxide detection shall be installed in all NEW Group E and Group I-4 occupancies where:

- The classroom or sleeping room contains a fuel-burning appliance [MBC 915.1.2].
- The classroom or sleeping room is served by a fuel-burning, forced-air furnace [MBC 915.1.3].
- In buildings containing fuel-burning appliances [MBC 915.1.4] except when:
 - There are no communicating openings between the room containing the fuel-burning appliance and the classroom or sleeping room, or
 - There is a carbon monoxide detector on the ceiling of the room containing the fuel-burning appliance.
- In buildings with attached, private garages unless there are no communicating openings between the garage and classroom, sleeping room or such rooms are located more than 1-story above or below the garage [MBC 915.1.5].

Carbon monoxide detection shall be located within:

- Sleeping rooms or within 10 feet of sleeping rooms if no fuel-burning appliances are present in the room or if the sleeping room is not served by a fuel-burning, forced-air appliance [MBC 915.2.2].
- Classrooms [MBC 915.2.3].

Carbon monoxide alarms shall:

- Be hardwired into the buildings wiring with battery backup [MBC 915.4.1].
- Listing in accordance with UL 2034 [MBC 915.4.2].
- Carbon monoxide detection systems permitted [MBC 915.5].