Table of Contents

CHAPTER 10

ADMINISTRATIVE RULES FOR CERTIFICATION

OF CHILD CARE FACILITIES

FIRE STANDARDS FOR FAMILY CHILD CARE HOME

Section No.	Subject	Page No.
1	Authority and Purpose	10-1
2	Definitions	10-1
3	Smoke Alarms	10-2
4	Occupancy Use and Separation	10-3
5	Exits	10-3
6	Emergency Escape and Rescue Windows	10-4
7	Portable Fire Extinguishers	10-4
8	Storage	10-5
9	Heating Appliances	10-6
10	Electrical	10-6
11	Premises Identification	10-7
12	Fire Safety Plans	10-7
13	Emergency Evacuation Drills (Fire Drills)	10-8

CHAPTER 10

ADMINISTRATIVE RULES FOR CERTIFICATION

OF CHILD CARE FACILITIES

FIRE STANDARDS FOR FAMILY CHILD CARE HOME
Residential Classification

Section 1. **Authority and Purpose.**

(a) The fire standards for building and life safety shall be administered and enforced by the authority having jurisdiction designated by W.S. 35-9-101 through 35-9-130. For the purpose of these rules, the authority having jurisdiction is called the fire official. The fire official has the authority and responsibility to administer and enforce the adopted codes and/or laws of the jurisdiction, and to require technical assistance as needed.

(b) These requirements shall apply to all child care homes in the State of Wyoming in which children receive supervision or personal services for less than twenty-four (24) hours per day.

(c) The purpose of the fire inspection is to ensure compliance with minimum requirements that will provide a reasonable level of fire and life safety, property protection and public welfare from actual and potential hazards created by fire, explosions and other hazardous conditions. Actions taken on licenses due to non-compliance with these rules will be taken through the Department of Family Services as a result of the recommendations from the fire inspector.

(d) These fire standards are basic requirements. The fire official, after conducting an onsite fire inspection, may require correction of other fire hazards.

(e) A limited but reasonable time shall be allowed for compliance with any part of the code requirements.

(f) Child care homes certified prior to the effective date of these rules shall be maintained in accordance with the codes under which the facility was certified.

(g) New child care homes requesting certification shall comply with the currently adopted building, fire, electrical and mechanical codes of the jurisdiction.

Section 2. **Definitions.**

The following definitions shall apply in the interpretation of minimum fire and life safety requirements for child care homes.

(a) “Approved” pertains to materials, type of construction or appliances and refers to approval by the building or fire official as the result of investigation and tests conducted by that official or by reason of accepted principals and/or tests by nationally recognized authorities, technical or scientific organizations.

(b) "Building or Fire Official" means the authorized person serving as a designated employee, representative or agent of the governing authority and may be known as fire marshal, fire chief, fire prevention officer, chief fire prevention officer, chief of the bureau of fire prevention, fire prevention chief, fire inspector, building inspector, electrical inspector, building official or authority having jurisdiction.

(c) "Family Child Care Home" means a licensed child care facility in which care is provided for no more than ten (10) children in the primary residence of the provider and shall be classified as Residential.

(d) "Homemade Appliance" means an appliance which has been manufactured or constructed by an individual who is not normally in a business of manufacturing or constructing such appliances; and where such appliance has not been tested or evaluated by a nationally recognized testing laboratory and properly labeled. Such appliances are prohibited in child care homes.

(e) "Local Enforcement Jurisdiction" means the governing authority who has the responsibility to provide minimum fire and life safety requirements within their own jurisdiction as outlined in Wyoming Statute 35-9-121.

Section 3. **Smoke Alarms.**

(a) Smoke alarms (detectors) shall be installed and maintained as follows:

(i) On the ceiling or wall outside each separate sleeping area in the immediate vicinity of sleeping rooms.

(ii) In each room used for sleeping purposes.

(iii) In each story including basements and cellars.

(iv) Smoke alarms shall emit a signal when the batteries are low.

(v) In new construction, additions and alterations, required smoke alarms shall receive their primary power from the building wiring and shall be equipped with a battery backup.

(A) Wiring shall be permanent and without a disconnecting switch.

(B) Where more than one smoke alarm is required to be installed, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms.

(vi) The alarm shall be clearly audible in all sleeping rooms over background noise levels with all intervening doors shut.

(vii) Smoke alarms shall be tested every month at a minimum (once a week is highly recommended) and a record kept on premises and available to the fire official/Department of Family Services personnel.

(b) All child care facilities must install carbon monoxide detectors.

Section 4. **Occupancy Use and Separation.**

(a) The garage shall be separated from the child care home (residence) and its attic area by means of a minimum one-half (1/2) inch sheet rock applied to the garage side. This applies to applicants for licensure after the effective date of these rules.

(b) Door openings between the garage and the residence shall be equipped with either solid wood doors not less than 1-3/8 inches thick or solid or honeycomb core steel doors not less than 1-3/8 inches thick.

(c) Openings from a garage directly into a room used for sleeping purposes shall not be permitted.

Section 5. **Exits.**

The building or fire official, in accordance with the adopted building and fire codes, shall determine number of exits, placement and adequacy. General requirements are:

(a) A minimum of two (2) exits;

(i) A second exit may consist of a sliding glass patio door with approved landing, guardrails and handrails.

(ii) Windows and garages shall not be considered as an exit for this purpose;

(iii) An exit door is a side-hinged door and shall be at least 32” of clear width by 80” in height in new construction or as approved by the authority having jurisdiction in existing construction.

(b) Required exit access, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency.

(c) An exit shall be free from obstructions that would prevent its use, including the accumulation of snow and ice.

(d) Egress doors shall be readily openable from the inside without the use of a key or any special knowledge or effort, the door knob system shall be an “emergency exit feature type, no unlocking required”. Use of dead bolts, chains, night latches, manually operated flush bolts or surface bolts are not permitted during child care hours.

(e) The means of egress, including the exit discharge, shall be illuminated at all times the building is occupied.

(f) Porches, steps, stairs, landings and walkways shall be maintained in good repair and safe condition, and in compliance with the adopted code or as approved by the authority having jurisdiction.

(g) Guardrails shall be located along open-sided walking surfaces, mezzanines, stairways, ramps and landings and along glazed sides of stairways, ramps and landings which are located more than thirty (30) inches above the floor or grade below.

(h) Guardrails shall form a protective barrier not less than forty-two (42) inches high.

(i) Open guardrails shall have intermediate rails or balusters or ornamental patterns such that a three and a half (3 ½) inch diameter sphere cannot pass through any opening.

(j) Landings shall have a width not less than the width of the stairway or the width of the door, whichever is the greater. Landings shall have a length measured in the direction of travel of not less than thirty-six (36) inches.

(k) Basements must have two (2) approved exits with one leading directly to the outside.

Section 6. **Emergency Escape and Rescue Window.**

(a) Sleeping rooms shall have at least one (1) exterior emergency escape and rescue opening (may be a window or door unless the sleeping room is in a basement, then a door is required). Such opening shall open directly to the exterior.

(i) Emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet. The minimum net clear opening height shall be twenty-four (24) inches; the minimum net clear opening width shall be twenty (20) inches.

(ii) Emergency escape and rescue openings shall have the bottom of the clear opening not greater than forty-four (44) inches measured from the floor.

(iii) Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools.

Section 7. **Portable Fire Extinguishers.**

(a) Portable fire extinguishers shall be installed in child care homes. The fire official having jurisdiction shall approve the proper type and number of extinguishers. General rules are:

(i) At least one (1) fire extinguisher is required for each three thousand (3,000) square feet of floor area. Additional extinguishers may be required to make sure travel distance to an extinguisher is no more than seventy-five (75) feet from any location.

(ii) The rating of each fire extinguisher shall not be less than 2A-10:BC. (Look for this number on the extinguisher.)

(iii) The extinguisher shall be located in a conspicuous location where it will be readily accessible and immediately available for use. The location shall be along the normal path of travel.

(iv) Fire extinguishers shall not be obstructed or obscured from view.

(v) Fire extinguishers shall be installed on the hangers or brackets supplied. Hangers or brackets shall be securely anchored to the mounting surface in accordance with the manufacturer's installation instructions.

(vi) Fire extinguishers shall be installed so that the top is not more than five (5) feet above the floor. The clearance between the bottom of the extinguisher and the floor shall not be less than four (4) inches.

(vii) Fire extinguishers shall not be mounted or stored in cupboards or broom closets except if the location is properly signed with a sign approved by the fire inspector.

(viii) Fire extinguishers shall be inspected monthly by the provider and documentation of the inspection shall be kept.

(ix) New fire extinguishers shall be inspected and will have the annual service tag attached before the issuance of a license.

(x) Fire extinguishers shall be inspected and serviced annually according to NFPA Standard 10. Fire extinguishers shall have service tags attached showing date of service and who serviced it.

Section 8. **Storage.**

(a) Storage of combustible and flammable materials and liquids in buildings shall be orderly and separated from heaters or heating devices by distance or shielding so that ignition cannot occur and made inaccessible to children. No explosives of any type are allowed on the premises except for reloading powder when it is stored in the following manner.

(i) No black powder is allowed on the premises;

(ii) Reloading activities are prohibited during child care hours of operation; and

(iii) The reloading powder quantity shall not exceed the maximum necessary for reloading activities.

(b) Combustible materials shall not be stored in attic, under-floor, under exit stairways, and concealed spaces unless walls, floor and ceiling forming the storage area are protected on the

enclosed side by one-hour fire-resistive construction or the space is provided with an approved automatic fire sprinkler system.

(c) Trapdoors and access covers shall be kept closed at all times except when in use.

(d) Combustible storage shall not be stored in exits, hallways or stairways.

(e) Combustible materials shall not be suspended from any ceiling surface in any manner.

Section 9. **Heating Appliances.**

(a) Heating appliances shall be listed and approved and installed in accordance with the manufacturer's instructions, the adopted building code, fire code, fuel gas code, mechanical code and electrical code. All chimneys, smokestacks or similar devices from stoves, furnaces, fireboxes or boilers shall be installed or constructed in accordance with their listings and the above-mentioned codes.

(i) The fire official may require the furnace, boiler, fireplace or heating appliance to be inspected and/or serviced by a licensed serviceman.

(b) Furnaces shall be cleaned (including filter replacement) as often as necessary to prevent accumulation of lint and dust.

(c) Homemade heating appliances shall be removed from service.

(d) Heating appliances such as free standing and built in fireplaces shall have a non-combustible guard placed around the unit with a separation to prevent accidental burns.

Section 10. **Electrical.**

(a) All electrical wiring, equipment and appliances shall be installed and maintained in accordance with NFPA 70, National Electric Code.

(b) Special protective covers or tamper resistant outlets for all electrical outlets not in use shall be installed in all areas occupied by the children. All new construction and remodeled child care facilities must be fitted with tamper resistant outlets.

(c) Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.

(d) Extension cords and flexible cords shall not be used as a substitute for permanent wiring.

(e) Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact.

(f) Extension cords shall be used only with portable appliances.

(g) Extension cords shall be plugged directly into an approved receptacle, power tap or multiplug adapter and, except for approved multiplug extension cords, shall serve only one (1) portable appliance.

(h) The ampacity of the extension cords shall not be less than the rated capacity of the portable appliance supplied by the cord.

(i) Extension cords shall be maintained in good condition without splices, deterioration or damage.

(j) Extension cords shall be grounded when serving grounded portable appliances.

(k) Open junction boxes and open-wiring splices shall be prohibited. Approved covers shall be provided for all switch and electrical outlet boxes.

(l) All breakers or fuses in an electrical panel shall be legibly labeled and identified as to purpose or use on a circuit directory located on the face or inside the panel door.

Section 11. **Premises Identification.**

(a) New and existing buildings shall have approved address numbers, building numbers, or approved building identification. Numbers and/or identification shall:

(i) Be placed in a position to be plainly legible and visible from the street or road fronting the property;

(ii) Contrast with their background; and

(iii) Be a minimum of 4 inches high with a minimum stroke width of 0.5 inch.

Section 12. **Fire Safety and Evacuation Plans.**

(a) Fire safety plans shall include the following:

(i) The procedure for reporting a fire or other emergency;

(ii) The life safety strategy and procedures for notifying, relocating, or evacuating occupants;

(iii) Site plans indicating the following:

(A) A current list kept by the exit door of who is at the facility each day as well as emergency contact numbers. This list must be taken with the children during evacuation of the building; and

(B) The occupancy assembly point for both good and bad weather;

(iv) Floor plans identifying the locations of the following:

(A) Exits;

(B) Primary evacuation routes;

(C) Secondary evacuation routes; and

(D) Portable fire extinguishers.

(b) Employee Training and Response Procedures shall include the following:

(i) Employees shall be trained in the fire emergency procedures described in their fire evacuation and fire safety plans;

(ii) Employees shall receive training in the contents of fire safety and evacuation plans and their duties as part of new employee orientation and at least annually thereafter. Records shall be kept and made available to the fire official/Department of Family Services personnel upon request; and

(iii) Employees shall be trained in fire prevention, evacuation and fire safety in accordance with the following:

(A) Employees shall be familiarized with the fire alarm and evacuation signals, their assigned duties in the event of an alarm or emergency, evacuation routes, exterior assembly areas, and procedures for evacuation; and

(B) Employees shall be trained to know the locations and proper use of fire extinguishers.

Section 13. **Emergency Evacuation Drills (Fire Drills).**

(a) Emergency evacuation drills shall:

(i) Be held monthly;

(ii) Be planned and conducted by the provider or staff;

(iii) Require all occupants to participate;

(iv) Be conducted at different hours of the day or evening, at unexpected times and under varying conditions, to avoid distinction between drills and actual fires. Drills shall be held to simulate the unusual conditions that occur in case of fire; and

(v) Be initiated by activating the smoke alarm.

(b) Outdoor assembly areas shall be designated and shall be located a safe distance from the building being evacuated so as to avoid interference with fire department operations.

(i) As building occupants arrive at the assembly point, the responsible caregiver shall determine if all occupants have been successfully evacuated or have been accounted for.

(c) Records shall be maintained of required emergency evacuation drills and include the following information:

(i) Identity of the person conducting the drill;

(ii) Date and time of drill;

(iii) Notification method used;

(iv) Staff members on duty and participating;

(v) Number of occupants evacuated;

(vi) Special conditions simulated;

(vii) Problems encountered;

(viii) Weather conditions when occupants were evacuated; and

(ix) Time required to accomplish complete evacuation.

(d) No one shall reenter the premises until authorized to do so by the caregiver in charge.