

Washoe County Human Services Agency

Regulations for Child Care Facilities

Fire and Life Safety Requirements

SECTION 30 FIRE AND LIFE SAFETY REQUIREMENTS

- 30.1 Authority to inspect. The facility shall meet all fire and life safety standards. Fire department inspectors shall have authority to enter, for purposes of inspection or investigation, all child care facilities. The fire department representative has the authority to enforce Regulations applicable to the safe and proper operation of a child care facility.
- 30.2 Evacuation plan. Appropriate plans for removing the staff and children of a facility to a shelter within a building and for the evacuation of the facility in case of emergency must be conspicuously posted in a public place in the facility.
- *30.3 Emergency Disaster Plan. Each licensee shall develop an appropriate plan to ensure that the staff of his/her facility is prepared to respond to an emergency, including, without limitation, a fire or natural disaster and shelter in place event. The plan must, at a minimum, be reviewed on a quarterly basis during a meeting of the staff of the facility. Each licensee shall ensure that the plan is, at a minimum, evaluated annually and is changed as necessary.
- A. Each plan developed pursuant to Subsection 30.2 must include, without limitation:
1. The duties of the Director and staff;
 - *2. A procedure for removing staff and children to a shelter within a building of the facility if the staff and children are instructed to do so by emergency personnel, including specific information related to the plan for infants and toddlers and children with special needs or medical conditions;
 - *3. A procedure for evacuating the facility with necessary supplies to care for the children, to include medications and contact information of the parents/caregivers;
 4. A plan for transportation;
 5. A list of sites that may be used for relocation;
 6. A plan for the supervision of the children of the facility during the emergency;
 7. The manner in which children and staff from the facility will be accounted for during the emergency;
 8. The method for contacting emergency personnel, including, without limitation, the fire department, a law enforcement agency or any other appropriate authority; and
 - *9. A procedure for communication with parents and reunification of the children with their parents/caregivers.

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- B. Practice Drills. A facility shall hold a fire drill at least once every month and a drill for natural disasters at least once every three months.
 - C. The fire department inspector or his designee shall, at least annually:
 - 1. Enter and inspect every building or premises of each facility; and
 - 2. Observe and make recommendations regarding the drills conducted pursuant to Section 30.3.B.
 - D. Reports of the drills conducted pursuant to Section 30.3.B and the inspections concerning the fire safety at the facility conducted pursuant to Section 30.3.C must be maintained in a physical file at the facility and available for review at the facility by a parent of a child who attends the facility or a parent who is considering enrolling his child at the facility for at least two years after the date of inspection.
- 30.4 Summary of standards. The following is a summary of the applicable standards for building, fire, and life safety requirements. If a caregiver desires more information concerning the standards, he should communicate with the fire department having jurisdiction in that area.
- A. All child care facilities must comply with all applicable requirements of the currently adopted Building Code, Electrical Code, Plumbing Code, and Fire Code.
 - B. Mobile home family child care facilities must comply with all applicable requirements for construction and safety contained in the National Mobile Home Construction and Safety Act of 1974 (42 U.S.C. SS5401 et seq.) and state and local tie-down requirements for such facilities.
 - C. All facilities must comply with all applicable requirements of the currently adopted Life Safety Code, environmental health codes, and zoning codes. In the event of conflict between state and local codes, the more stringent code shall apply.
 - D. Facilities in existence at the time of the passage of these Regulations may have their existing use or occupancy continued if such use or occupancy was legal at the time of the passage of these Regulations. Existing facilities shall have one year to comply with this Section.
 - E. Only the ground floor of any building shall be used by children, and shall have not less than two unobstructed remote exits, one of which shall lead directly to the outside. Basement areas which meet inspection requirements may be used as play areas only, provided that there are two means of egress, one of which leads directly to the outside.
- Exception:** Family child care homes shall comply with the current adopted Building Code for exiting purposes.

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1. Upon request, a waiver of Section 30.4.E may be granted by mutual agreement of the Fire Marshal having jurisdiction and the Director of the Washoe County Human Services Agency. Waiver procedure is outlined in Section 36.
- F. The occupant load for which means of egress shall be provided for any floor shall be the maximum number of persons intended to occupy that floor but not more than one person for each 3.3 square meters (35 square feet) of net floor area used by the children, exclusive of unusable space such as kitchens, halls, stairs, offices, bathrooms, and storage areas.
- G. Except in family child care homes, exits to hallways or to the outside from rooms used by children shall not be less than 92.3 centimeters (36 inches) wide and 2.0 meters (6 feet 8 inches) in height. Exit doors shall swing in the direction of exit travel and be clearly marked when serving ten or more children. In facilities with an occupancy load of more than 100, the major closing doors shall be equipped with panic hardware. Exits shall be illuminated in accordance with the requirements of the currently adopted Building Code, or with any County or City code, whichever is more stringent.
- H. Egress doors shall be easily opened from the egress side without the use of a key or special knowledge or effort. Door handles, pulls, latches, locks, and other opening devices on doors shall not require tight grasping, tight pinching, or twisting of the wrist to operate. The method of operation shall be obvious, even in darkness.
- I. The number, size, type, and placement of portable fire extinguishers shall be designated by the local fire authority having jurisdiction. Fire alarm systems, where required, shall be installed in accordance with applicable standards.
- J. All licensed child care homes and facilities shall have operable smoke detectors. Detectors shall be installed in accordance with the currently adopted Building Code, Fire Code, and NFPA 72.
- K. All mobile home child care facilities shall be inspected by the local fire authority having jurisdiction which shall determine on a case-by-case basis the fire protection needs of the facility. In making this determination the fire inspector shall consider the number of children to be cared for, the proposed hours of operation, and the construction of the mobile home including the flame spread rating, and the adequacy of exiting including windows from child occupied rooms.
- L. All child care facilities providing care for five or more children between the hours of 12 midnight and 6 a.m. shall contain an automatic fire extinguishing system approved by the local fire authority having jurisdiction. The system shall be electrically interconnected to a monitored fire alarm system.
- M. Any area used for general storage, boiler or furnace rooms, or fuel storage shall be separated from other parts of the building with construction having not less than a one-hour fire resistant rating. In areas where the authority having jurisdiction determines

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that areas do not present a severe hazard, such as in kitchens, smoke detectors may be used in lieu of one hour separations.

- N. Air conditioning, ventilating, heating, cooking, and other service equipment shall be in accordance with the currently adopted Life Safety Code and Electrical Code. The electrical wiring shall be sized to provide for the load in accordance with the Electrical Code. Receptacles and outlets serviced by extension cord type wiring are prohibited. Electrical appliances shall be grounded. Receptacle outlets shall be protected in all areas occupied by children.
- O. Any heaters in spaces occupied by children shall be separated by partitions, wire screens, or protective metal guards (no combustible materials) in such a manner that children cannot poke or place articles inside of heaters or on the heating element. Portable heaters are not allowed. Un-vented room heaters shall not be permitted. Oil and gas fired room heaters shall be installed in accordance with the applicable standards listed in the currently adopted Life Safety Code. A guard shall be provided to protect the children from hot surfaces and open flames. No furnishings and decorations of an explosive or highly flammable character shall be used. Windows shall not be obstructed by wrought iron bars or similar barriers.

30.5 Other safety requirements. The following safety requirements shall apply to all child care facilities:

- A. Porches, walkways, and play areas which are elevated shall have barriers to prevent falls. Handrails shall be provided on stairs where there are more than three steps in any one flight of stairs and the stairs shall be kept clean. Stairs, walkways, ramps, and porches shall have nonskid surfacing.
- B. All flammable materials, including fuel, pressurized cans, cleaning fluids and supplies, polishes and matches shall be stored in designated cabinets or storage facilities accessible only to authorized persons. The construction of such facilities shall be in accordance with the provisions of nationally recognized standards. There shall be no more than one gallon of flammable liquid in an approved safety container allowed on the premises.
- C. Lead paint shall not be used in redecorating. Paint coatings in older buildings converted to child care facilities shall be checked to assure the absence of a hazardous quantity of lead.
- D. The use of candles with an exposed flame shall not be allowed except as used for educational purposes and maintained under control of supervising adults.
- E. Waste baskets and other waste containers used indoors shall be made of noncombustible and non-fusible materials.

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- F. Trash collection receptacles and burning facilities shall be covered and separated from child play areas.
 - G. Ground areas shall be well drained, surfaced where necessary, and free from depressions in which water may stand.
 - H. The storage, collection, and disposal of garbage shall be conducted so as to control nuisance conditions. Garbage shall be kept in tight fitting containers and removed at least weekly.
 - I. Handrails, landings, and safety gates shall be provided as required by the appropriate authority having jurisdiction.
 - J. Exterior building openings shall be screened when necessary during seasonal insect periods, with the exception of required fire exits.
 - K. All rooms shall be adequately ventilated and all rooms, corridors, halls, stairs, and porches shall be adequately lighted.
 - L. Furniture, equipment, and toys shall be sturdily constructed without sharp edges or hazardous materials.
 - M. All painted surfaces accessible to children shall be free of toxic materials.
 - N. Interior finish shall be Class II in corridors and hallways and Class III in rooms or areas. Where an approved automatic fire extinguishing system is provided, the flame-spread classification rating may be reduced one classification but in no case shall the classification be greater than Class III.
 - O. Exotic or dangerous animals are prohibited from the premises of a child care facility.
 - P. Electrical devices or electrical appliances which are accessible to children must be stored in a manner in which they are not located near any type of water source, including, without limitation, any sink, tub, shower area or wading pool.
 - Q. Any heating units, including without limitation, hot water heating pipes and baseboard heaters, with a surface temperature that is hotter than 100 degrees Fahrenheit must be covered by a nonflammable barrier, permanent guard, or shield, in order to ensure those heating units are inaccessible to children.
- 30.6 Weapons in a child care facility. As referenced in NRS 202.265, except as otherwise provided in this Section, a person shall not carry or possess weapons while on the property of a child care facility or while in a vehicle of a child care facility.
- A. The following weapons are prohibited:

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1. An explosive or incendiary device;
 2. A dirk, dagger or switchblade knife;
 3. A nunchaku or trefoil;
 4. A blackjack or billy club or metal knuckles;
 5. A pistol, revolver or other firearm; or
 6. Any device used to mark any part of a person with paint or any other substance.
- B. This Section does not prohibit the possession of a weapon on the property of a child care facility:
1. By a peace officer;
 2. By a school security guard;
 3. By a person designated by the child care facility to carry or possess the weapon as allowable per NRS 202.265; or
 4. If the child care facility is located in the home of a natural person so long as the person resides in the home and the person complies with any laws governing the possession of such a weapon.
 - a) Weapons and ammunition must be stored under lock and key and/or in a manner that they are inaccessible to children.
 - b) The provisions of the Section only apply to a child care facility located in the home of a natural person only during the normal business hours of the facility.