Indiana Migrant Day Care/Nursery Fire Safety Code Amendments

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ARTICLE 24. SUPPLEMENTARY FIRE SAFETY RULES

Rule 1. Migrant Day Care Nursery Fire Safety Code

675 IAC 24-1-1 Title, purpose, availability
Authority: IC 12-17.2-2-9
Affected: IC 16-19-3-4; IC 22-13-2-2

Sec. 1. (a) Title. This rule (675 IAC 24-1) shall be known as the Migrant Day Care Nursery Fire Safety Code, and shall be published by the fire and building services department for general use and distribution under that title. Whenever the term "this code" is used throughout this rule (675 IAC 24-1) it shall mean the Migrant Day Care Nursery Fire Safety Code.

(b) Purpose. The purpose of this code is to establish minimum fire safety requirements for migrant day care nurseries. This code, combined with the rules of the department of public welfare (470 IAC), and the rules of the state board of health (410 IAC) forms the complete package of regulations for migrant day care nurseries.

(c) Availability. This rule (675 IAC 24-1) is available for purchase from the Fire and Building Services Department, 1099 North Meridian Street, Suite 900, Indianapolis, Indiana 46204 *[Current address is the Department of Fire and Building Services, Indiana Government Center-South, 302 West Washington Street, Indianapolis, Indiana 46204.]. (Fire Prevention and Building Safety Commission; 675 IAC 24-1-1; filed Oct 20, 1987, 12:45 pm: 11 IR 937; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530)*

675 IAC 24-1-2 Scope, enforcement
Authority: IC 12-17.2-2-9
Affected: IC 16-19-3-4; IC 22-13-2-2

Sec. 2. (a) Scope. This code applies to migrant day care nurseries and is adopted under IC 12-3-2-3.5 *[IC 12-3 was repealed by P.L.2-1992, SECTION 897, effective February 14, 1992.]*, taking into consideration that exempted centers operate in donated space, provide care for less than one hundred twenty (120) days during the calendar year and provide care only to children from migrant families.

(b) Enforcement. This code shall be enforced by the state fire marshal through his deputies. *(Fire Prevention and Building Safety Commission; 675 IAC 24-1-2; filed Oct 20, 1987, 12:45 pm: 11 IR 938; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530)*

675 IAC 24-1-3 Definitions
Authority: IC 12-17.2-2-9
Affected: IC 16-19-3-4; IC 22-13-2-2

Sec. 3. For the purpose of this code (675 IAC 24-1), the following terms shall have the meaning indicated.

"Building systems" means the group of interacting, interrelated or interdependent elements forming the collective building.

"Commission" means the Indiana fire prevention and building safety commission.

"Egress" means a way out or exit.

"Exempted center" means a day nursery that:

(1) is operated under the federally funded Head Start Program (42 U.S.C. 9831 et seq.) and the Texas Migrant Council;

(2) provides services for children from migrant worker families;

(3) is operated during a single period of less than one hundred twenty (120) consecutive days during a calendar year.

"Exit" means a continuous and unobstructed means of egress to a public way and shall incude intervening aisles, doors, doorways, corridors, exterior exit balconies, ramps, stairways, smokeproof enclosures, horizontal exits, exit passageways, exit courts and yards.

"Grade" (adjacent ground elevation) means the lowest point of elevation of the finished surface of the ground, paving or sidewalk between the building and a line five (5) feet from the building. *(Fire Prevention and Building Safety Commission; 675 IAC 24-1-3; filed Oct 20, 1987, 12:45 pm: 11 IR 938; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530)*

675 IAC 24-1-4 Inspections

Authority: IC 12-17.2-2-9

Affected: IC 16-19-3-4; IC 22-13-2-2

Sec. 4. The state fire marshal shall cause exempted centers to be inspected a minimum of once each year. *(Fire Prevention and Building Safety Commission; 675 IAC 24-1-4; filed Oct 20, 1987, 12:45 pm: 11 IR 938; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530)*

675 IAC 24-1-5 Additional regulations

Authority: IC 12-17.2-2-9

Affected: IC 16-19-3-4; IC 22-13-2-2

Sec. 5. All exempted centers shall comply with the requirements of this code, as well as the Indiana fire prevention code (675 IAC 22-2), the Indiana flammable and combustible liquids and gases code (675 IAC 22-1), the Indiana building code (675 IAC 13-2 *[675 IAC 13-2 was repealed filed Feb 15, 1989, 5:00 p.m.: 12 IR 1552, eff Apr 3, 1989.]*), and any other applicable rules of the commission. *(Fire Prevention and Building Safety Commission; 675 IAC 24-1-5; filed Oct 20, 1987, 12:45 pm: 11 IR 938; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530)*

675 IAC 24-1-6 Location of exempted center

Authority: IC 12-17.2-2-9

Affected: IC 16-19-3-4; IC 22-13-2-2

Sec. 6. The exempted center shall be located, within the building, on the floor or portion of the building closest to grade level.

EXCEPTIONS: The exempted center may be located one (1) floor above or below the level closest to grade level:

(1) if the building is equipped throughout with an automatic fire suppression system; or

(2) if the building is equipped throughout with a smoke detection system located in the corridors and interconnected to a manual fire alarm system; or

(3) if the staff ratio (of staff members to children in particular age groups) is double the ratio required by the department of public welfare.

(Fire Prevention and Building Safety Commission; 675 IAC 24-1-6; filed Oct 20, 1987, 12:45 pm: 11 IR 938; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530)

675 IAC 24-1-7 Egress requirements

Authority: IC 12-17.2-2-9

Affected: IC 16-19-3-4; IC 22-13-2-2

Sec. 7. (a) A minimum of two (2) exits, other than elevators, are required when the number of occupants in any exempted center or portion thereof, used by children ages 0-2, is at least seven (7), and for children ages 3-6 is at least sixteen (16). Exits shall be located a distance apart, equal to but not less than one-half (1/2) of the length of the maximum overall diagonal dimension of the area to be served, measured in a straight line between exits. This distance may be decreased to one-third (1/3) if the building is equipped throughout with a supervised sprinkler system. See Table 8-A *[sic., Table 7-A]*.

(b) Exit doors shall meet the following requirements:

(1) Exit doors shall swing in the direction of exit travel when serving an occupancy of fifty (50) or more.

(2) Exit doors shall be openable from the inside without the use of a key or any special knowledge or effort.

(3) There shall be a floor or landing on each side of the exit door of a sufficient width to allow uninterrupted egress.

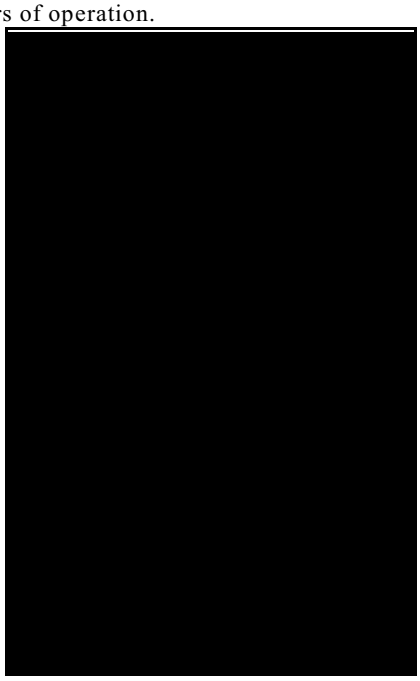
(4) Exit doors shall be so marked that they are readily distinguishable from the adjacent construction.

(c) Exit signs shall meet the following requirements:

(1) Exit signs shall be installed over exits and where otherwise necessary to clearly indicate the direction of egress.

(2) The color and design of lettering, arrows and other symbols on exit signs shall be in high contrast with their background. Words on the sign shall be in block letters six inches (6") in height with a stroke of not less than three-fourths inch (3/4").

(d) The means of egress from the exempted center shall be provided with a light having an intensity of a one (1) foot candle at floor level, at all times, during hours of operation.



(Fire Prevention and Building Safety Commission; 675 IAC 24-1-7; filed Oct 20, 1987, 12:45 pm: 11 IR 938; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530)

675 IAC 24-1-8 Cooking equipment

Authority: IC 12-17.2-2-9

Affected: IC 16-19-3-4; IC 22-13-2-2

Sec. 8. All cooking equipment employing flammable liquids of an appreciable depth (greater than one-fourth inch (1/4") (0.64 cm.)) shall be protected with a hood and an automatic extinguishing system in accordance with NFPA standard 96 as adopted by the commission (675 IAC 13-1-17 *[675 IAC 13-1-17 was repealed filed Aug 26, 1992, 5:00 p.m.: 16 IR 62, eff Nov 1, 1992.]*). Portable fire extinguishers shall be provided in accordance with NFPA standard 10 as adopted by the commission (675 IAC 22-2-13 *[675 IAC 22-2-13 was repealed filed Nov 15, 1990, 2:00 p.m.: 14 IR 739.]*). *(Fire Prevention and Building Safety Commission; 675 IAC 24-1-8; filed Oct 20, 1987, 12:45 pm: 11 IR 939; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530)*

675 IAC 24-1-9 Flammable and combustible liquids

Authority: IC 12-17.2-2-9

Affected: IC 16-19-3-4; IC 22-13-2-2

Sec. 9. (a) Storage and use of flammable or combustible liquids shall be limited to that required for maintenance and cooking.

(b) Not more than ten (10) gallons of flammable or Class II combustible liquids shall be stored in the exempted center unless in a secured, approved storage cabinet or inside a secured, approved storage area. *(Fire Prevention and Building Safety Commission; 675 IAC 24-1-9; filed Oct 20, 1987, 12:45 pm: 11 IR 939; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530)*

675 IAC 24-1-10 Fire extinguishers

Authority: IC 12-17.2-2-9

Affected: IC 16-19-3-4; IC 22-13-2-2

Sec. 10. (a) The child caring area of the exempted center shall be protected with a minimum of two (2) 2-A rated portable fire extinguishers.

(b) The cooking area of the exempted center shall be protected with a minimum of one (1) 5-B:C rated portable fire extinguisher. *(Fire Prevention and Building Safety Commission; 675 IAC 24-1-10; filed Oct 20, 1987, 12:45 pm: 11 IR 939; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530)*

675 IAC 24-1-11 General fire safety

Authority: IC 12-17.2-2-9

Affected: IC 16-19-3-4; IC 22-13-2-2

Sec. 11. (a) The building, building systems and appliances used therein shall be maintained in a manner which does not constitute a distinct hazard to life or property.

(b) Combustible and flammable waste materials shall not be allowed to accumulate in or around the center.

(c) Storage, handling and disposal of combustible or flammable material shall be handled in accordance with the Indiana fire prevention code (675 IAC 22-2).

(d) Appliances which are designed to produce heat (stoves, furnaces, etc.) and their associated apparatus shall be subjected to regular cleaning and maintenance so as not to create a fire hazard. *(Fire Prevention and Building Safety Commission; 675 IAC 24-1-11; filed Oct 20, 1987, 12:45 pm: 11 IR 940; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530)*

675 IAC 24-1-12 Fire drills

Authority: IC 12-17.2-2-9

Affected: IC 16-19-3-4; IC 22-13-2-2

Sec. 12. (a) Fire drills shall be held in the exempted center, at least once during each month of operation.

(b) The first fire drill shall be held within the first five (5) days of operation of the center and, when possible, in conjunction with the local fire chief.

(c) The evacuation shall be triggered by the sounding of a fire alarm or, when there is no fire alarm in the building, by another audible alarm (such as the ringing of a hand held bell).

(d) Fire drills shall include complete evacuation of all persons in the exempted center and the assembling of said persons at a designated area outside of the building.

(e) All staff members shall be familiar with the fire drill procedure and the method by which the fire department will be contacted in case of fire.

(f) A record of all fire drills shall be kept on the premises and the person in charge of the exempted center shall keep written reports containing the following information:

(1) Time of drill.

(2) Date of drill.

(3) Weather conditions when occupants are evacuated.

(4) Number of occupants evacuated.

(5) Total time for evacuation.

(6) Any other information relevant to the drill.

(Fire Prevention and Building Safety Commission; 675 IAC 24-1-12; filed Oct 20, 1987, 12:45 pm: 11 IR 940; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530)

675 IAC 24-1-13 Notification of fire department

Authority: IC 12-17.2-2-9

Affected: IC 16-19-3-4; IC 22-13-2-2

Sec. 13. Prior to the first day of operation, the person in charge of the exempted center shall, in writing, notify the local fire chief of all the following:

(1) Address of the exempted center.

(2) Area of building being used by the center.

(3) Dates of operation including days of week.

(4) Time of operation.

(5) Method by which the fire department will be contacted in case of fire.

(6) Number of children.

(7) Date and time of first fire drill.

(Fire Prevention and Building Safety Commission; 675 IAC 24-1-13; filed Oct 20, 1987, 12:45 pm: 11 IR 940; readopted filed Sep 11, 2001, 2:49 p.m.: 25 IR 530)

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