



Lake Havasu City Fire Department Fire Prevention Division

2330 McCulloch Blvd. N.
Lake Havasu City, AZ 86403
Phone: (928) 855-1141 www.lhcaz.gov

FD Specification #26 **2018 IFC, Ch. 4 & 9**
Standards for Child Day Care Facilities, Group Homes, & Dwellings

9/01/2021
Page 1 of 5

OVERVIEW

History has revealed that without proper adult supervision, children's lives are easily endangered when their immediate environment and surroundings are not deemed safe. According to the National Fire Protection Association (NFPA), Child Daycare related fatalities and injuries result most often when fire hazards are not identified and where children are not properly supervised.

The Lake Havasu City Fire Department (LHCFD) conducts initial and periodic fire and life safety inspections of childcare facilities, group homes, and home occupation day care dwellings, to identify and eliminate hazards and educate staff members about methods to keep children safer.

PURPOSE

To provide fire and life safety requirements and necessary information for persons operating Child Day Care Facilities, Child Day Care Group Homes and Home Occupation Day Care dwelling units, and for persons inquiring about regulations before beginning day care operations within LHC.

SCOPE

This specification includes standards for all types of child day care locations including Day Care Facilities and Child Care Small Group Homes, as defined by the Arizona Department of Health Services, Bureau of Child Care Licensing. It also includes inspection oversight standards for non-state regulated Home Occupation Day Care dwelling units with less than five (5) qualifying children, which is required where the day care operates for profit and a LHC business license is required.

DEFINITIONS

1. **Arizona Department of Health Services (ADHS), Bureau of Child Care Licensing (BCCL):** Means the State authority which licenses and monitors health and childcare providers throughout Arizona and whose mission is to protect the health and safety of Arizonans by providing information, establishing standards, and licensing and regulating health and childcare services. ADHS CCFL
2. **Authority Having Jurisdiction (AHJ):** Means a legal entity (Federal, State or Local), such as a Building Official or Fire Code Official, that has statutory authority for enforcing codes and standards or for approving equipment, materials, and installations, or procedures. IFSTA
3. **Capacity:** Means the maximum number of enrolled children authorized by the ADHS to be present at a childcare facility or group home during hours of operation. AAC R9-3-101
4. **Child:** Means any person through the age of 14. A.R.S. 36-881.A.1

5. **Child Care:** Means the care, supervision and guidance of a child or children, unaccompanied by a parent, guardian, or custodian, on a regular basis, for periods of less than 24 hours per day, in a place other than the child's or the children's own home(s). ADHS BCCL
6. **Child Care Center:** Means the same as a Child Care Facility. ADHS BCCL
7. **Child Care Facility:** Means any facility in which childcare is regularly provided for compensation for five or more children not related to the proprietor. ARS § 36-881(3) (*See also: Group E, Day Care Facilities & Institutional Group 1-4, Day Care Facilities IFC*)
8. **Child Care Group Home:** Means a residential facility in which childcare is regularly provided, for compensation, for periods of less than twenty-four hours per day for not less than five children but no more than ten children through the age of twelve years. ARS §36-897(1) (*See also: Group E, Day Care Facilities, five 5 or fewer children in a dwelling unit.*) IFC
9. **Child Day Care Home:** Means the same as Child Care Group Home. LHCFD
10. **Child Day Care Facility:** Means the same as Child Care Facility. LHCFD
11. **Designated Agent:** Means an individual who is authorized by an applicant or certificate holder to receive communications from the ADHS, including legal service of process, and to file or sign documents on behalf of the applicant or certificate holder. AAC R9-3-101
12. **Dwelling:** A building that contains one or two dwelling units used, intended, or designed to be used, rented, leased, or let for living purposes. ICC (*See also: Home Occupation Day Care*)
13. **Facility:** Means the same as "**Child Care Facility**" in A.R.S. §36-881. AAC R9-5-101
14. **Facility Director:** Means an individual who is designated by a licensee as the individual responsible for the daily onsite operation of a facility. AAC R9-5-101
15. **Facility Premises:** Means property that is: 1) Designated for a license by the applicant; 2) Licensed for childcare services by ADHS under A.R.S. Title 36, Ch. 7.1, Article 1. AAC R9-5-101
16. **Fire Code Official.** Means the Fire Chief or other designated authority (such as the Fire Marshal and Fire Inspectors) charged with the administration and enforcement of the adopted fire code. ICC
17. **Group E Day Care Facilities:** Means buildings and structures or portions thereof occupied by more than five children older than 2-1/2 years of age who receive educational, supervision or *personal care services* for less than 24 hours per day. ICC
 - a. **Within places of worship:** Means rooms and spaces within places of worship providing such care during religious functions shall be classified as part of the primary occupancy.
 - b. **Five or fewer children:** Means a facility having five or fewer children receiving such care shall be classified as part of the primary occupancy.
 - c. **Five or fewer children in a dwelling unit:** Means facility such as the above within a dwelling unit and having five or fewer children receiving such care shall be classified as a **Group R-3** occupancy or shall comply with the *International Residential Code*.

18. **Home Occupation Day Care:** Means operating a home child day care business within a dwelling, and providing non-medical care, with supervision for five (5) or less qualifying children, for less than 24 hours per day. LHC BLD
19. **Infant:** Means a child 12 months of age or younger. AAC R9-3-101
20. **Institutional Group 1-4, Day Care Facilities:** Means buildings and structures occupied by more than five persons of any age who receive custodial care for less than 24 hours by persons other than parents or guardians, relatives by blood, marriage, or adoption, and in a place other than the home of the person cared for. ICC
Classification as Group E. A Child Day Care Facility that provides care for more than 5 but no more than 100 children 2½ years or less of age, where the rooms in which the children are cared for are located on a *level of exit discharge* serving such rooms and each of these child care rooms has an *exit* door directly to the exterior, are classified as Group E.
21. **International Code Council (ICC):** Means the nonprofit association that provides a wide range of building safety solutions including product evaluation, accreditation, certification, codification, and training. It develops model codes [e.g. **International Building Code (IBC)** and **International Fire Code IFC**] and standards used worldwide to construct safe, sustainable, affordable, and resilient structures. ICC
22. **Premises:** Means the buildings where childcare services are provided and the surrounding property, including any structures on the property that can be enclosed by a single unbroken boundary line that does not encompass property owned or leased by another person. AAC R9-3-101
23. **Qualifying Children:** Means all children receiving supervised day care, and for compensation, other than the facility owner's children and foster children. Children in the facility, who are not receiving supervised care for compensation are not counted as qualifying children. LHCFD
24. **Residential Group R-3:** Means residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including: Buildings that do not contain more than two *dwelling units*. Includes dwelling units having five or fewer children receiving day care. ICC
25. **Residence:** Means a dwelling, such as a house, used for human habitation. AAC R9-3-101
26. **Staff Member:** Means an individual who works providing childcare services, regardless of whether compensation is received by the individual in return for providing childcare services, and includes a provider. AAC R9-3-101
27. **Toddler:** Means a child 12 to 36 months old (2½ years), derived from "to toddle," which means to walk unsteadily, typical of children of this age. Wiki

LICENSES

Child Day Care Facilities as required by the ADHS BCCL, and pursuant to A.R.S. § 36-897.06(E), require AZ State licensure prior to operating day care service within an approved facility other than a private single family residence.

Child Day Care Group Homes as required by the ADHS BCCL, and pursuant to A.R.S. §36-891 (F), AZ State licensure is required prior to operating day care service within a private single family residence.

All Day Care Providers, which provide organized day care services, are required to obtain and maintain a LHC Business License, as required by the Lake Havasu City Business Licensing Division, regardless of the capacity of qualified children supervised.

REQUIREMENTS & PROCEDURE

1. Apply for and obtain an **AZ State Child Care License** through the ADHS BCCL and post the license near the main entry of the Day Care Facility, Day Care Group Home, or Home Occupancy Day Care dwelling. <https://www.azdhs.gov/documents/licensing/childcare-facilities/providers/applications/how-do-i-license-a-child-care-center.pdf>
2. Apply for, to ultimately obtain, a **Lake Havasu City Business License** through the LHCBD and post the license near the main entry of the Child Day Care Facility, Child Day Care Group Home or Home Occupancy Day Care dwelling unit. <https://www.lhcaz.gov/business-license>

NOTE 1: New buildings and occupancies used as Day Care Facilities or Group Homes may require an approved automatic fire sprinkler system per **IFC §903.1 Automatic Sprinklers, Where Required** installed per the standards of NFPA 13, **13D** or 13R.

NOTE 2: All new Group I-4 occupancies, and in existing buildings with a change in occupancy used as Group E Day Care Facilities with occupant loads greater than 30 persons, require an approved Manual Fire Alarm System per **IFC §907.2.3 Fire Alarm & Detection Systems, Where Required, Group E**. Existing Group E Day Care Facilities shall comply with **IFC §1103.71 Fire Alarm Systems in Group E** occupancies.

3. Review **LHCFD Specification #26 Standards for Child Day Care Facilities, Group Homes, and Dwelling Units** and prepare your day care for inspection. <https://www.lhcaz.gov/fire-department/fire-code>

NOTE 1: Group I-4 means of egress. Group I-4 facilities, rooms or spaces where care is provided for more than 10 children that are 2½ years of age or less, shall have access to not less than two exits or exit access doorways.

NOTE 2: Home Occupation Day Care dwellings with four (4) or less qualifying children are exempt from State licensure but are held to the same standards as Child Care Group Homes.

4. Review and prepare to meet the requirements in the corresponding checklist, for either Child Day Care Facilities or Child Day Care Small Group Homes, as applicable.
5. The designated agent, or a staff member, shall contact the local AHJ (LHCFD) to schedule a LHC Business License **Fire Clearance Inspection** of the facility premises prior to opening a day care by calling **(928) 855-1141**.

REFERENCES

1. **Arizona Department of Health Services – Child Care Group Homes.** Arizona Administrative Rules – Title 9 Health Services, Ch. 3 ADHS Child Care Group Homes, Article 5 *Physical Environment Standards* and §R9-3-504 *Fire Safety, Gas Safety, and Emergency Standards*. https://apps.azsos.gov/public_services/Title_09/9-03.pdf
2. **Arizona Department of Health Services – Child Care Facilities.** AZ Administrative Rules, Title 9 Health Services, Ch. 5 ADHS Child Care Facilities, Article 6 *Physical Plant of a Facility* including §R9-5-605: *Fire and Safety*. https://apps.azsos.gov/public_services/Title_09/9-05.pdf
3. **Lake Havasu City Business Licensing Division (LHC BLD).** <https://www.lhcaz.gov/business-license>
4. 2018 International Fire Code (IFC), including IFC Ch. 4 *Emergency Planning & Preparedness* and IFC Ch. 9 *Fire Protection Systems*. https://codes.iccsafe.org/content/IFC2012/chapter-4-emergency-planning-and-preparedness?site_type=premium

Note: This FD Specification is intended to be a guide only. Where conflicts exist between this document and the applicable codes and standards, the above references must supersede. For detailed physical environment standards and fire safety requirements, review the corresponding **LHCFD Fire & Life Safety Checklist Addendums**. <https://www.lhcaz.gov/fire-department/fire-code>

APPROVED: 
Scott Hartman, Fire Marshal

DATE: 09/01/2021