



R-3.1 Residential Care Facility Requirements

R-3.1 Occupancies are residentially-based licensed facilities accommodating six or less residents, regardless of ambulatory status.

Prior to licensing by the Community Care Licensing Division, prospective licensees must obtain a fire clearance for the facility from the Fire Department.

The Fire Department encourages residential care facilities owners or their representatives to contact the Fire Department as soon as possible in the process of converting a house to a residential care facility or of making modifications to existing facilities. Owners can request an office meeting to review a property's floor plan before committing to a particular house or operational change. The owner can also request a pre-licensing inspection – discussed below – to obtain a full, detailed list of modifications required by the code.

Inspections

A “**pre-licensing inspection**” is a site visit requested by the owner/operator in which the fire inspector provides consultation and interpretation of fire safety regulations, and notifies the facility owner/operator in writing of the specific corrections that need to be made in order to obtain a fire clearance approval.

1. The City of Livermore charges a fee of \$642 for Pre-Licensing Inspections.
2. The City of Pleasanton charges a fee of \$458 for Pre-Licensing Inspections.
3. Make checks payable to the Livermore-Pleasanton Fire Department (no cash please).
4. All fees and inquiries should be directed to the Fire Prevention Bureau at 3560 Nevada Street, Pleasanton, CA 94566, (925) 454-2362.

A “**fire clearance inspection**” is a site visit in which the fire inspector reviews the facility and at the end of the inspection completes and returns the state 850 form to the licensing agency– either with the fire clearance granted or denied. There is no charge for a fire clearance inspection. If the fire clearance cannot be granted, the fire inspector will provide the owner/operator with a list of deficiencies. The fire inspector will not hold the 850 form for a re-inspection inspection. However, a “**fire clearance inspection**” can be changed to a “**pre-licensing inspection**” at the request of the owner/operator. In this case, the 850 form will not be immediately returned to Community Care Licensing. The applicant must:

- Pay the pre-licensing inspection fee prior to the next fire clearance inspection, and
- Call for a fire clearance inspection within 30 days of the initial inspection

The fire inspector will then conduct the fire clearance inspection and at that time return the 850 form with the fire clearance granted or denied to Community Care licensing. If the second inspection does not take place within 30 days, the 850 form with the fire clearance denied will be returned to Community Care licensing.

Site Plan

A site plan shall be submitted prior to pre-inspections and fire clearance inspections that shows the following:

- Property lines
- Adjoining street(s)
- Building walls
- Doors
- Stairs and ramps
- Room usage
- Number and type of residents (ambulatory, non-ambulatory, bed-ridden)
- If the building is more than one story, identify where the residents will be located.
- Fences and gates

Permits and Fees

The Fire Department does not charge a fee for the issuance of a fire clearance finding. The Fire Department does charge a fee for pre-inspections. This fee is charged at the cities' hourly rate at the end of the project.

Owners/operators need to obtain and comply with local Building Department construction permit requirements, including those for structural, ramp, electrical, plumbing, mechanical, or window and door modifications.

Before Calling for a Fire Clearance

- Furniture must be in place for the fire clearance inspection.
- Building permits must be finalized by the Building Division, unless prior approval is obtained from both the Building Division and the Fire Department.
- The facility must comply with the requirements listed below. This is a list of requirements specific to R-3.1 facilities and of commonly encountered general safety issues – it is not a list of all possible hazards that could prevent a fire clearance from being given.

Call 925-454-2307 to schedule a pre-inspection or fire clearance. Call by 9:00 AM at least two working days ahead of time (e.g. call Monday for a Wednesday inspection). Specify the date desired and whether you prefer a morning or afternoon visit.

General Safety Provisions

Addressing: Address numbers shall be posted on the building and shall be visible from the street. The numbers shall contrast with their background. Numbers shall be a minimum of 4-inches high with a minimum stroke width of 0.5-inches. CFC 505.1

Fire Extinguisher: A fire extinguisher with a minimum classification of 2A:10B:C shall be mounted in a conspicuous and unobstructed location. The top of the extinguisher shall be between three and five feet above finished floor level. (Title 19, 3.29(d)).

Electrical: Electrical wiring and equipment must be in compliance with code requirements. CFC 605.5

Open Flames: Open flames are not allowed in R-3.1 occupancies, except for permanently installed gas appliances such as stoves, ovens and fireplace fixtures. CFC 308.5

Pools and spas: Pools and spas at residential care facilities are not subject to California Building Code or Residential Code requirements for pool and spa security. They are instead subject to the provisions of the

Department of Social Services regulations (H&SC 115926). For residential care facilities for the elderly, Title 22 Section 87307(e) states that “facilities providing services to residents who have physical or mental disabilities shall assure the inaccessibility of fishponds, wading pools, hot tubs, swimming pools, or similar bodies of water, when not in active use by residents, through fencing, covering or other means”.

Type of Building Construction

One-hour fire resistant construction is required throughout the building when any of the following conditions exist (CBC 435.3.2):

- Non-ambulatory clients are housed above the first floor, or
- The building is more than two stories, or
- There are more than 3,000 square feet above the first story

Automatic Fire Sprinklers

Automatic fire sprinklers are required when any of the following conditions exist. An NPFA 13D system is allowed (CFC 903.2.8 as adopted by the State of California).

- Housing more than one bedridden client.
- Housing non-ambulatory clients above the first floor.
- Housing clients above the second floor.

Alarm Systems

A fire alarm single pull station and bell is not required in new R-3.1 occupancies licensed facilities after January 1, 2008.

Smoke Alarms:

Locations: Smoke alarms shall install in accordance with the manufacturers specifications and shall be installed and maintained regardless of occupant load at all of the following locations (CBC 907.2.7.2):

- a. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms
- b. In each room used for sleeping purposes.
- c. In each story within a dwelling unit, including basements, but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than 1 full story below the upper level
- d. In addition to the above, smoke alarms shall be provided throughout the habitable areas of the dwelling unit except kitchens.

Power Source: In new construction and in *newly* classified R-3.1 occupancies and any R-3.1 occupancy with one or more bedridden patients, required smoke alarms shall receive their primary power from building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for over current protection. A dedicated

circuit is not required. Battery back-up or other secondary power source is required. (CBC 907.2.11.2.2 and 907.2.11.2.6)

Interconnection: In new construction and in *newly* classified R-3.1 occupancies and any R-3.1 occupancy with one or more bedridden patients, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. (CBC 907.2.11.2.2 and 907.2.11.2.5)

Sound Level: Where audible appliances are installed to provide signals for sleeping areas, they shall have a sound level at least 15 dB above the average ambient sound level or 5 dB above the maximum sound level having a duration of at least 60 seconds or a sound level of at least 75 dBA, whichever is greater measured at the pillow level in the occupiable area, using the A-weighted scale (dBA). (CFC 907.2.1.1)

Hearing Impaired: In Group R-3.1 Protective Social Care Facilities which house persons who are hearing impaired, the facility shall be provided with notification appliances for the hearing impaired installed in accordance with NFPA 72 and which shall activate upon initiation of the fire alarm system or the smoke alarms. (CBC Section 907.5.2.3.4)

Definition of Protective Social Care: *The housing and care of any person of any age when such person is referred to or placed within such home or facility for care and supervision services by any governmental agency.*

Carbon Monoxide Alarms

All residences containing a fossil fuel-burning heater or appliance, fireplace or attached garage shall be equipped with single station carbon monoxide alarms. The carbon monoxide alarms shall be listed as complying with UL 2034 and shall be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions. Alarms in building built before January 1, 2011 do not have to be interconnected and can be solely battery operated or plug-in type with battery back-up where no construction is taking place. They shall be installed outside each sleeping area and on every level. (CBC 915.1 and CFC 1103.9).

Power Source: In new construction and in *newly* classified R-3.1 occupancies (after 7/1/2011 for single family homes and duplexes, and 1/1/13 for multi-family homes such as apartment buildings), required carbon monoxide alarms shall receive their primary power from building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for over current protection. Existing R-3.1 occupancies may install battery operated alarms. (CFC 915.4.1)

Interconnection: In new construction and in *newly* classified R-3.1 occupancies (after 7/1/2011 for single family homes and duplexes, and 1/1/13 for multi-family homes such as apartment buildings) the carbon monoxide alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the carbon monoxide alarms in the dwelling unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. (CFC 915.4.4)

Bedridden Locations:

Location: bedrooms for bedridden clients shall not be located above or below the first story. CBC 435.3.2

Temporarily Bedridden: Clients who become temporarily bedridden may continue to be housed on any story. In general, Temporary is defined as an illness that last 14 days or less. CBC 435.3.2

Definition of Temporary: *Reference Health and Safety Code Section 1569.72*

Interior Wall Finish for Bedridden: Interior wall and ceiling finish in Group R-3.1 housing bedridden clients shall comply with interior wall ceiling finish requirements specified for Group I-2 occupancies in Table 803.9. CBC 435.6.1

Exiting

R-3.1 Occupancies are subject to standard Building Code requirements for residential occupancies, and to additional requirements.

There shall be a minimum of two exits from the dwelling. CBC 435.8.2.1

Egress through adjoining dwelling units is not allowed. CBC 435.8.3.1

Exits shall not pass through kitchens (does not include kitchens that do not form separate rooms by construction), garages, storerooms, or closets and shall not pass through more than one intervening room. CBC 435.8.4

Bedrooms for non-ambulatory residents (CBC 435.8.3.2) shall conform to **ONE** of the following:

- (1) Egress through a hallway or area into a bedroom in the immediate area which has an exit directly to the exterior and the corridor / hallway is constructed consistent with the dwelling unit interior walls. The hallway shall be separated from common areas by a solid wood door not less than 1-3/8 inch in thickness, maintained self-closing or shall be automatic closing by actuation of a smoke detector installed in accordance with CBC 716.5.9
- (2) Egress through a hallway which has an exit directly to the exterior. The hallway shall be separated from the rest of the house by a wall constructed consistent with the dwelling unit interior walls and opening protected by a solid wood door not less than 1-3/8 inch in thickness, maintained self-closing or shall be automatic closing by actuation of a smoke detector installed in accordance with CBC 716.5.9
- (3) Direct exit from the bedroom to the exterior shall be of a size as to permit the installation of a door not less than 3 feet in width and not less than 6 feet 8 inches in height. When installed, doors shall be capable of opening at least 90 degrees and shall be so mounted that the clear width of the exit way is not less than 32 inches.
- (4) Egress through an adjoining bedroom which exits to the exterior. No privacy locks on bedroom doors are allowed if the exit path goes through an adjoining bedroom. **This configuration is generally not allowed by the state licensing agency.**

Bedrooms for bedridden

R-3.1 occupancies with more than one bedridden client (does not include temporarily bedridden) shall be provided with automatic fire sprinklers. (CBC 903.2.8)

R-3.1 containing one bedridden client and not provided with automatic fire sprinklers shall conform to **ALL** of the following (CBC 435.8.3.3):

- (1) The bedridden client shall have a direct exit to the exterior of the residence from the sleeping room.
- (2) Doors to a bedridden client's sleeping room shall be self-closing positive latching 1-3/8-inch solid wood door and shall be provided with a gasket so installed as to provide a seal where the door meets the jam on both sides and across the top. Doors shall be maintained self-closing or shall be automatic closing by actuation of a smoke alarm.
- (3) A bedridden client's sleeping room interior door(s) shall not have a night latch, dead bolt, security chain or any similar locking device installed in accordance with CBC chapter 10.
- (4) The exterior exit door to a bedridden client's sleeping room shall be operable from both the interior and the exterior of the residence.
- (5) Every required exit doorway from a bedridden client's sleeping room shall be not less than 36-inches in width and not less than 6-feet, 8-inches in height. Doors shall be capable of opening at least 90 degrees and shall have a clear width of exit way not less than 32-inches.

Basement Exits

One exit is required to grade level when basements are accessible to clients (CBC435.8.9)

Exit Doors

Doors shall comply with CBC Chapter 10 as well as CBC Section 435. (CBC 435.8.1)

Egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort. CBC 1010.1.9

Exception: Doors from individual dwelling or sleeping units of Group R occupancies having an occupant load of 10 or less are permitted to be equipped with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or special tool. Does not apply to a bedridden bedroom in a building without automatic fire sprinkler system.

A sliding glass door can be used as an exterior exit doorway as long as it is openable from the inside and outside and the clear width of the exit way is not less than 32 inches. In order to provide a 32-inch clear opening, a 6-foot or larger door will be necessary. (CBC 435.8.3)

Floor Separations:

When non-ambulatory clients are housed above the first floor, the first floor shall be provided with non-rated smoke partition at stairs to prevent smoke travel between floors. Such partitions shall have construction equal to ½ inch gypsum board on one side of wall framing when residents are housed above the first floor. CBC 425.8.7

Exceptions: Floor separations are not required:

- When there is at least one exterior exit from floors occupied by clients.
- In occupancies provided with automatic fire sprinklers.

Door openings in floor separations shall be protected by tight fitting solid wood core doors at least 1-3/8 inch thick. Doors shall be positive latching, smoke gasketed and shall be automatic closing by activation of a smoke detector. Glazing shall not exceed 1296 square inches, with no dimension greater than 54 inches. CBC 435.8.7.1

Egress Security

Delayed egress locks are permitted if complying with all parts of CBC Section 1010.1.9.7 (435.8.10)

Grounds of a Residential Care for the Elderly serving Alzheimer's clients may be fenced and gates therein equipped with locks, provided safe dispersal areas are located not less than 50-feet from the buildings. Dispersal areas shall be sized to provide an area of not less than 3-square feet per occupant dispersal areas unless they comply with egress requirements. CBC 435.8.8

Change in Level

Occupancies housing non-ambulatory clients, changes in level up to 0.25-inch may be vertical without edge treatment. Changes in level between 0.25-inch and 0.5-inch shall be beveled with a slope no greater than 1 unit vertical in 2 units horizontal (50 percent slope). Changes in level greater than 0.5-inch shall be accomplished by means of a ramp. CBC 435.8.5 This requirement does not apply to stairs.

Stairways

Occupancies may continue to use existing stairways (**except for winding and spiral stairways which are not permitted as a required means of egress**) provided the stairs have a maximum rise of 8-inches (203 mm) with a minimum run of 9-inches (229 mm). The minimum stairway width may be 30-inches (762 mm). CBC 425.8.6.2

Ramps:

Interior ramps, when provided, must meet the requirements in CBC Section 1012, including but not limited to the following requirements:

- The slope of the ramp shall not be steeper than one unit vertical in 12 units horizontal with a minimum clear width of three feet. (*For example, a six-inch drop from a landing would require a six-foot long ramp*). The slope measured perpendicular to the direction of travel shall not exceed 1-in-48 (2% slope).
- The rise for any ramp run shall be 30 inches maximum.
- Landings shall be at least as wide as the other egress components it serves. Landings must be at least 36 inches long.
- Ramps shall have a non-skid surface.
- Handrails shall be provided on each side of the ramp for ramps with a rise exceeding 6 inches shall have handrails on both sides. Handrails shall comply with CBC Section 1014

- The clearance between handrails or other projections shall not be less than 36 inches.
- Headroom shall not be less than 80 inches.
- The top of guardrails shall not be less than 34-inches and not more than 38-inches. CBC 1013

If exterior ramps are to be voluntarily provided to accommodate clients and their exiting needs, this section can be utilized to determine proper ramp design criteria. Consult your local Building Official for appropriate permits and inspections prior to installing exterior ramping.