

Fire
and
Life Safety
in
Adult Foster
Homes

Origin and purpose

This booklet has been adapted from materials developed by the Department of Oregon State Police, Office of the State Fire Marshal. It has been updated as applicable by the Department of Human Services Seniors and People with Disabilities Division (SPD). It is intended for use by adult foster homes in Oregon.

Developing and practicing an evacuation plan is vitally important to adult foster home residents. This guide will assist development of an emergency evacuation plan for each adult foster home. Because each home is different, each plan will be unique, but the general guidelines are the same.

For specific questions or concerns regarding fire and life safety in your home, please contact your local fire authority and the American Red Cross serving your area.

For comments or questions regarding Seniors and People with Disabilities Adult Foster Home Program, please contact your local office or call 1-800-232-3020.

TABLE OF CONTENTS

Chapter 1 – *Why Conduct Pre-Fire Planning*

Introduction	4
How Residents May React to Fire	6

Chapter 2 – *How to Conduct Pre-Fire Planning*

Evacuation Drills	8
Fire Protection Plan	9
Basic Guide for Fire Safety	10
Fire Detection/Alerting and Extinguishers	13
Emergency Exiting and Corridors	13

Chapter 3 – *How to React in a Fire*

Four Basic Steps for Fire Emergencies	14
Responsibilities of the Person or Persons Discovering a Fire	14
Remove and Evacuate the Resident and Close the Door	14
Assess the Fire	15
Upon Arrival of the Fire Department	15

Chapter 4 – *Laws and Rules*

State of Oregon Revised Statute Chapter 443, 2009 Edition for Residential Care; Adult Foster Homes; Hospice Programs	16
State of Oregon Revised Statute Chapter 476, 2009 Edition for State Fire Marshal; Protection from Fire Generally	18
State of Oregon Revised Statute Chapter 479, 2009 Edition for Protection of Building from Fire; Electrical Safety Law	20

Oregon Fire Code – Appendix L

Section L 101 – General	26
Section L 102 – Definitions	26
Section L 103 – Construction.....	27
Section L 104 – Exits and Emergency Egress.....	28
Section L 105 – Flame Spread and Smoke Density	29
Section L 106 – Smoke Alarms.....	29
Section L 107 – Portable Fire Extinguishers.....	30
Section L 108 – Heating Equipment	30
Section L 109 – Electrical Equipment and Wiring	30
Section L 110 – Emergency Procedures	31
Section L 111 – Special Hazards.....	32
Oregon State Fire Marshal memo - Surge Protectors.....	33
Oregon Administrative Rules for Adult Foster Homes	37
Fire Drill and Evacuation Record	50
Woodstove/Fireplace Safety Checklist.....	51
Foster Home Self-Inspection Guide	54

Chapter 1, Why Conduct Pre-Fire Planning

INTRODUCTION

The United States has one of the highest fire death and injury rates in the world. Fire – in the form of flames and smoke – is the second leading cause of accidental death in the home.

Approximately 4,000 people die each year in home fires. Every year there are more than 500,000 residential fires serious enough to be reported to fire departments. More than 90 percent of residential fire deaths and injuries result from fires in one- and two-family houses and apartments. Property losses exceed \$4 billion annually, and the long-term emotional damage to victims and their loved ones is incalculable.

In 2009, 13 people in Oregon lost their lives in fires and 186 were injured. The damage to property is estimated to be \$113 million. Almost all of these deaths could have been prevented had residents known what hazards to look for and if smoke alarms had been properly installed and functioning.

To escape becoming a statistic, it is vitally important to remember that **fire safety is a race against time**. Besides burn injuries, the products of combustion (heat, smoke and toxic gases) rapidly produce unconsciousness and then death.

Time is critical. The longer the intervals between the time that the fire starts, the time it is discovered and the alarm is sounded, and the longer the interval between sounding of the alarm and the containment of the fire, the less chance there is for ensuring life safety. All residents must be trained to seek safety on their own accord in an actual fire emergency.

Achieving life safety through rapid evacuation of the building is the paramount concern. Resident training in evacuation procedures is of the greatest importance.

Life safety from fire is attained by minimizing the chance of a fire starting and by minimizing the fire's ability to spread once it starts. The adult foster home operator has the ultimate responsibility for achieving and maintaining a fire-safe home. The provider must promote and practice fire prevention every day and must build and maintain the home in a manner that will practically rule out the possibility of fire spreading through the structure.

The provider must understand the problems of achieving a fire-safe environment by:

1. Knowing the nature of the fire.
2. Knowing each resident in terms of his/her mental and physical abilities.
3. Being familiar with the probable reactions of the residents to a fire emergency.
4. Recognizing the impact of time on both the fire and the resident.
5. Pre-planning the emergency.
6. Most important, being knowledgeable and practicing good **fire prevention** procedures.

This booklet is intended to be a helpful resource in these areas.

HOW RESIDENTS MAY REACT IN A FIRE

Foster home residents may have reduced ability to react in the event of a fire.

- ✓ Physical disabilities that may limit a resident's ability to react include impaired vision, impaired hearing and restricted mobility.
- ✓ Mental confusion or disorientation may also be a factor.

A resident with reduced hearing may not be able to hear a regular smoke alarm.

- ✓ Due to the hearing loss the person may misunderstand or confuse instructions and directions given by those who come to his/her aid.
- ✓ Residents with vision problems may be unable to see details in dim light.
- ✓ Either condition makes escape in a fire more difficult.

Reactions to principal fire products — heat, smoke, and toxic gases may vary:

- ✓ Depending on the individual's physical condition, degree of activity and exposure time, each resident will react differently.
- ✓ Heat not only inflicts burns; when heat is inhaled it damages the respiratory tract.
- ✓ The combination of smoke, toxic gases and heat create breathing difficulties and contribute to oxygen depletion, which causes disorientation and may cause death.
- ✓ In addition to potentially causing death, smoke reduces visibility, thereby blocking escape routes and hindering rescue attempts.

Additional factors may contribute to the fire problem.

- ✓ A resident may actually start a fire through careless or intentional acts, and may have illogical or irrational reactions to fire emergencies.
- ✓ Residents discovering a fire have been known to ignore it, to be transfixed by it, or to seek refuge or escape without notifying anyone else of the fire's existence.
- ✓ Some residents may try to control a fire despite disabilities that prevent or limit their success.
- ✓ Since a resident's room may contain his/her only significant material possessions, the resident may be reluctant to leave the room when the alarm is sounded. This is especially true if the danger is not readily apparent.
- ✓ The resident may even refuse to leave when directly threatened by a fire, requiring removal by force. The resident may try to return to the fire scene unless supervised.

It is your responsibility as the provider to understand, address and plan for the physical and psychological factors relating to the residents' inability or reluctance to react in a timely manner. You must be able to assist the residents to safely evacuate very quickly.

It is also your responsibility to provide orientation to residents and caregivers within 24 hours of their arrival at your home. It is important that everyone in your home understand his or her role in vacating the home in an emergency.



Chapter 2, How to Conduct Pre-Fire Planning

EVACUATION DRILLS

All residents must participate in at least one unannounced evacuation (fire) drill every 90 days.

- ✓ At least one drill each 12 months must be held during normal sleeping hours.
- ✓ Documentation of the required drills must be made at the time of the drills. You may use the suggested form found at the back of this booklet. ORS 443.760 (See Section IV, Laws and Rules) states that all occupants must evacuate to a point of safety in three minutes.

Drills should not place residents at potential for harm. For residents who would require substantial assistance, you may use a substitute person of similar weight and size to represent the resident. Substitutes should demonstrate the same limitations as the resident, if any, and should respond as the resident would in an emergency. An evacuation plan will be required for any resident in a foster home who cannot or will not respond to an evacuation drill.

- ✓ Extra training may help the resident respond or will teach all caregivers how to accomplish the evacuation if the resident is bedbound and unable to participate.
- ✓ A resident will be taught to respond to a fire alarm and how to properly exit the home within 24 hours of arrival at the facility.

It is extremely important that evacuation drills be taken seriously by the foster home's staff.

- ✓ The time required to evacuate everyone and any assistance needed must be accurately recorded.
- ✓ This time frame will be the most reliable tool used by staff to determine the amount and frequency of training needed for each individual resident.
- ✓ The documentation of drills must be kept for three years and be available during an inspection.

FIRE PROTECTION PLAN

A fire protection plan should be developed for each facility. A fire protection plan should consider the ability of the residents, individually and as a group, to respond to an emergency. The plan also determines the amount of assistance needed to evacuate everyone in the home.

Your plan should incorporate, but is not limited to:

- ✓ Staffing
 - Days;
 - Nights;
 - Weekends;
 - Holidays.
- ✓ Residents
 - Number of residents in the home;
 - Abilities and disabilities of each resident;
 - Others who reside in the home.
- ✓ Building and fire suppression features
 - Type of construction and doors and partitions that can be used to confine a fire;
 - Sprinkler and fire detection system and the maintenance of the systems after installation.
- ✓ Exits/escape routes
 - Identification of all exits, including at least two escape routes from all sleeping locations within the residence;
 - Determination of the distance to exits and doors;
 - Determination of a safe location outside the residence for everyone to meet.

- ✓ Emergency notification
 - Method of notifying the fire department;
 - Determination of location from which you can transmit an alarm.
- ✓ Temporary shelter
 - Provisions for an alternative emergency shelter if a fire or other disaster occurs.

Plans should be reviewed frequently and adjusted for change of residents, change in resident conditions, changes in staff and changes in the structure of the home.

BASIC GUIDE FOR FIRE SAFETY CHECKS

Supplemental home heating equipment

- ✓ Woodstoves
 - Ensure wood-burning stoves and fireplaces are properly installed, in compliance with building codes, maintained according to manufacturers' instructions, and cleaned regularly.
 - Never burn trash in a woodstove. This could cause the stove to become overheated.
 - Do not use gasoline or other flammable liquids to start the woodstove fire.
 - Keep all flammable liquids out of the house and combustible materials (including furniture) at least three feet away from the woodstove.
- ✓ Heaters
 - Ensure that oxygen-consuming heating devices are vented and installed in accordance with Oregon Mechanical Specialty Code.
 - Keep all flammable liquids and combustible materials away from the heating appliance.
- ✓ Portable electrical heaters
 - Keep at least three feet from all combustible materials or as per the manufacturer's instructions.
 - Do not use extension cords, including power strips, with portable electric heaters.

- Place heater on the floor only, not on cabinet counters, tables or other small surfaces.
- Do not use heaters to dry articles of clothing, shoes or other combustible materials.
- Portable electrical heaters must have a tip over automatic shut off device and must be UL listed or approved.

Smoking

- ✓ Allowed in designated areas only, **never in any sleeping area.**
- ✓ Safety ashtrays should always be used.
- ✓ Cigarettes must be extinguished when discarded.
- ✓ Ashtrays should be emptied in covered metal containers or disposed of in a safe outside location.
- ✓ Smoking must not be permitted in areas where oxygen is used or stored.
- ✓ Whenever possible, purchase furniture that is designed to reduce the likelihood of furniture fire from cigarettes.
 - Much of the furniture manufactured today has significantly greater resistance to ignition by cigarettes or any other heat source than upholstered furniture manufactured 10 to 15 years ago.
 - This is particularly true of furniture manufactured to comply with the requirements of the Upholstered Furniture Action Council's (UFAC) Voluntary Action Program.
 - Such upholstered furniture may be identified by the gold colored tag on the furniture item.
 - The legend on the front of the tag in red letters states: "Important Consumer Safety Information from UFAC."
 - Look for fabrics made predominantly from thermoplastic fibers (nylons, polyester, acrylic, olefin). They resist ignition better than cellulosic fabrics (rayon or cotton). In general, the higher the thermoplastic content, the greater the resistance to ignition.

Combustible material storage

- ✓ Combustible materials stored in the residence should be orderly.
- ✓ Material should not be stored in fuel-burning or heat-producing areas.

- ✓ Waste and trash should be removed regularly.

Oxygen

- ✓ When in use, cylinders are secured on a stable dolly.
- ✓ Caps should be on cylinders when not in use.
- ✓ When not in use, cylinders should be adequately secured to prevent being knocked over and stored in a well ventilated area.
- ✓ Oxygen cylinders should not be used or stored in rooms where woodstoves, fireplaces or open flames are located.

Electrical

- ✓ Extension cords cannot be used as permanent wiring.
- ✓ No spliced or frayed cords should be used.
- ✓ Multiple connections for cords must not be in use.
- ✓ Proper sized light bulbs should be used.
- ✓ Circuits should not be overloaded (panels/wiring excessively warm to touch).
- ✓ Ground fault interrupters (GFIs) should be installed in both kitchen and bath areas within six feet of water source.

Equipment

- ✓ Range hood and filters should be kept free of grease.
- ✓ Dryer lint screens should be cleaned after every load.
- ✓ Dryer hoses and area behind and on sides of dryer should be kept clear of all accumulated lint.

Flammable and combustible liquids

- ✓ Combustible and flammable liquids should be stored in the labeled original containers or safety containers as outlined by the Oregon Fire Code.
- ✓ Combustible and flammable liquids should be stored in limited amounts.
- ✓ Proper ventilation should be provided.
- ✓ Liquids should be located proper distance from open flame.
- ✓ Acids and chemicals should be safely stored.

FIRE DETECTION/ALERTING AND EXTINGUISHERS

Smoke alarms

- ✓ Alarms should be tested monthly using the test button.
- ✓ Replace batteries in accordance with the manufacturers' instructions.
- ✓ Smoke alarms 10 years old or older must be replaced with new alarms that have a 10-year battery and a hush button.
- ✓ Follow the manufacturers' instructions about cleaning your smoke alarm.
 - Excessive dust, grease or other material in the alarm may cause it to operate abnormally.
 - Vacuum the grill work and interior of your alarm.

Fire extinguishers

- ✓ Portable fire extinguishers should be fully charged and serviced annually.
- ✓ At least one 2A-10BC fire extinguisher must be visible and readily accessible for each floor of the residence including basement.

EMERGENCY EXITING AND CORRIDORS

- ✓ Each sleeping room will have at least one operable window for use as a secondary means of escape or rescue.
- ✓ Windows used as a secondary egress must have a clear opening of 5.7 square feet or 821 square inches.
 - Minimum opening height of 22 inches
 - Minimum opening width of 20 inches
 - Sill height of not more than 44 inches above the floor
- ✓ An exception may be granted by the licensing agency with approval from the fire authority having jurisdiction when a window's egress has a clear opening of not less than 60 inches or 720 square inches with sill heights of not more than 48 inches.
- ✓ Corridors/exit ways must be free of obstructions.
- ✓ Exit doors cannot be stuck or blocked to prevent egress.
- ✓ At least one plug-in rechargeable flashlight will be readily accessible on each occupied floor of the home.

Chapter 3, How to React to a Fire

FOUR BASIC STEPS FOR FIRE EMERGENCIES

The purpose of the fire procedure is to protect the lives of all persons residing in the adult foster home. The fire procedure is designed to provide training to ensure prompt and effective action of foster care providers.

The term R.A.C.E. is an easy way to remember the four basic steps for fire emergencies.

Step 1 – **R**escue the resident from the area of the fire.

Step 2 – **A**larm initiation; call or direct another to call 911.

Step 3 – **C**onfine the fire by closing the door if possible.

Step 4 – **E**xtinguish the fire if it is small enough for you to handle.

RESPONSIBILITIES OF THE PERSON OR PERSONS DISCOVERING A FIRE

Immediately call for help. Calling aloud provides for both the immediate aid of any endangered person and the transmission of an alarm. If a smoke detector has not activated, shout a warning to others. Total evacuation of the home must be started at this time.

REMOVE THE RESIDENT AND CLOSE THE DOOR.

The first priority is to rescue those residents immediately exposed to the fire. Once the room is vacated, the door should be closed tightly to confine smoke, heat, and toxic gases and limit the spread of fire.

All residents, occupants and the provider(s) must immediately go to a point of safety outside of the building. A provider should stay with the residents at the point of safety in order to prevent the residents from panicking or returning into the home.

ASSESS THE FIRE

Determine the appropriate action, such as closing the door or extinguishing the fire if you feel capable and confident that the fire is small enough to extinguish easily.

Call 911. Close all doors if possible.

UPON ARRIVAL OF THE FIRE DEPARTMENT

The senior fire authority and the provider will coordinate plans for the residents' safety.



Chapter 4, Laws and Rules

STATE OF OREGON REVISED STATUTE

CHAPTER 443 - 2009 EDITION

Residential Care; Adult Foster Homes; Hospice Programs

443.755 Entry and inspection of homes; access to residents; inspection report; fire inspection. (1) The licensing agency staff shall be permitted access to enter and inspect all licensed adult foster homes. The licensing agency shall be permitted access to enter and inspect any unlicensed adult foster home upon the receipt of an oral or written complaint, or in case the agency itself has cause to believe that an adult foster home is operating without a license or there exists a threat to the health, safety or welfare of any resident. The licensing agency staff shall be permitted access to the residents of adult foster homes in order to interview residents privately and to inspect residents' records.

(2) The state or local fire inspectors shall be permitted access to enter and inspect adult foster homes regarding fire safety upon request of the licensing agency.

(3)(a) The licensing agency shall provide to each licensed adult foster home in the state in writing in clear concise language readily comprehensible by the average person a copy of the inspection report of the most recent inspection of that home conducted by the agency.

(b) The provider shall post the inspection report in the entry or equally prominent place and shall, upon request, provide a copy of the information to each resident of, or person applying for admission to, the home, or the legal representative, guardian or conservator of the resident or applicant. [1983 c.629 §6; 1985 c.663 §6; 1991 c.960 §6; 2009 c.595 §791k]

443.760 Application of single family dwelling code requirements to home; rules; evacuation requirement; lease rate. (1) Adult foster homes that are certified as residential homes as defined in ORS 197.660 shall meet all state and local building, sanitation, utility and fire code requirements applicable to single family dwellings. However, by rule, the licensing agency may adopt more stringent standards upon a finding that there is a significant health or safety threat to residents that necessitates a standard not imposed on other single family dwellings.

(2) In adopting more stringent standards, the licensing agency shall consult with the Department of Consumer and Business Services and the office of the State Fire Marshal to insure adequate evacuation of residents.

(3) As used in this section, “adequate evacuation” means the ability of a provider to evacuate all residents from the dwelling within three minutes.

(4) If a licensed provider rents or leases the premises where the adult foster home is located, the lessor shall charge a flat rate for the lease or rental. [1993 c.146 §1; 1995 c.180 §4; 2009 c.595 §791L]

CHAPTER 476 - 2009 EDITION

State Fire Marshal; Protection from Fire Generally

476.030 Powers and duties of marshal and deputies generally; rules; exemption of certain governmental subdivisions; inspection of adult foster homes. (1) The State Fire Marshal shall enforce all statutes, and make rules relating to:

(a) The prevention of fires.

(b) The storage and use of combustibles and explosives.

(c) The maintenance and regulation of structural fire safety features in occupied structures and overseeing the safety of and directing the means and adequacy of exit in case of fire from factories, asylums, hospitals, churches, schools, halls, theaters, amphitheaters, all buildings, except private residences, which are occupied for sleeping purposes, and all other places where large numbers of persons work, live or congregate from time to time for any purpose except that structural changes shall not be required in buildings built, occupied and maintained in conformity with state building code regulations applicable at the time of construction.

(d) Standards for equipment used for fire protection purposes within this state including standard thread for fire hose couplings and hydrant fittings.

(2) The State Fire Marshal and deputies shall have such powers and perform such other duties as are prescribed by law.

(3) If, in the opinion of the State Fire Marshal, a governmental subdivision of the state has enacted adequate regulations generally conforming to state and national standards concerning fire prevention, fire safety measures and building construction requirements for safety, and if the governmental subdivision provides reasonable enforcement of its regulations, the State Fire Marshal may exempt the area subject to such regulation either partially or fully from the statutes, rules and regulations administered by the State Fire Marshal. Prior to adoption of any such exemption, the State Fire Marshal may request from the Department of Public Safety Standards and Training consideration of and recommendations regarding the exemption. The exemption may extend for a two-year period, and may be renewed from time to time, but may be canceled by the State Fire Marshal following 30 days' written notice if the State Fire Marshal finds that the governmental subdivision's regulations or enforcement thereof are not reasonably sufficient. The governmental subdivision shall furnish a copy of such regulations to the State Fire Marshal and shall file with the State Fire Marshal any amendment thereto within 30 days before the effective date of such amendment. The State Fire Marshal shall designate a person or division within such governmental subdivision

as an approved authority for exercising functions relating to fire prevention, fire safety measures and building construction. Upon request of a local official having enforcement responsibility and a showing of unusual fire hazard or other special circumstances, the State Fire Marshal shall make investigation and appropriate recommendations.

(4) The State Fire Marshal may investigate or cause an investigation to be made to determine the probable cause, origin and circumstances of any fire and shall classify such findings as the State Fire Marshal may find appropriate to promote fire protection and prevention.

(5) The State Fire Marshal shall provide training in fire safety inspection to the Department of Human Services, area agencies, the Oregon Health Authority, community mental health programs, developmental disabilities programs and designees of the Long Term Care Ombudsman. If an adult foster home has been inspected by the Department of Human Services, the Oregon Health Authority, an area agency, a community mental health program or a developmental disabilities program and the agency conducting the inspection reasonably believes that the adult foster home is not in compliance with applicable fire safety rules, the agency conducting the inspection may request the State Fire Marshal to inspect or cause an inspection to be made. If a designee of the Long Term Care Ombudsman, in the course of visiting an adult foster home, believes that the adult foster home is not in compliance with applicable fire safety rules, the designee shall report the problem to the appropriate agency to request a fire safety inspection by the office of the State Fire Marshal or by a designated representative of the office of the State Fire Marshal.

(6) Upon the request of the Department of Human Services, the Oregon Health Authority, an area agency, a community mental health program or a developmental disabilities program, the State Fire Marshal shall inspect or cause an inspection to be made to determine if the adult foster home is in compliance with rules jointly adopted by the Department of Human Services and the State Fire Marshal establishing fire safety standards for adult foster homes.

(7) As used in subsections (5) and (6) of this section:

(a) "Adult foster home" has the meaning given that term in ORS 443.705.

(b) "Area agency" has the meaning given that term in ORS 410.040.

(c) "Community mental health program" means a program established under ORS 430.620 (1)(b).

(d) "Developmental disabilities program" means a program established under ORS 430.620 (1)(a). [Amended by 1957 c.265 §1; 1963 c.523 §5; 1965 c.602 §1; part renumbered as part of 476.010; 1967 c.417 §1; 1973 c.667 §16; 1977 c.821 §3; 1985 c.118 §2; 1985 c.726 §18; 1989 c.696 §1; 1993 c.185 §25; 1997 c.13 §1; 1997 c.853 §40; 2001 c.900 §206; 2009 c.595 §976]

CHAPTER 479 - 2009 EDITION

Protection of Buildings from Fire; Electrical Safety Law

479.250 Definitions for ORS 479.250 to 479.305. As used in ORS 479.250 to 479.305, unless the context requires otherwise:

(1) “Door knock alerting device” or “door knock device” means an approved electronic unit that alerts an occupant who is hard of hearing of a knock on the door of the sleeping room that the person who is hard of hearing is occupying.

(2) “Dwelling unit” means a structure or part of a structure providing complete, independent living facilities for one or more persons including permanent provisions for sleeping, eating, cooking and sanitation.

(3) “Hotel” means any building containing six or more guest rooms that are rented, hired out or made available on a regular basis for sleeping purposes but are not used as a primary residence.

(4) “Landlord” means the owner, lessor or sublessor of the rental dwelling unit or guest room in the building of which it is a part.

(5) “Lodging house” is any building or portion thereof containing not more than five guest rooms that are made available for sleeping purposes in exchange for compensation paid in money, goods, labor or other tender but are not used as a primary residence.

(6) “Smoke alarm” means a self-contained single or multiple station detection device for products of combustion other than heat that conforms to the state building code and rules of the State Fire Marshal and that is listed by Underwriters Laboratories or any other nationally recognized testing laboratory. “Smoke alarm” includes but is not limited to devices listed under UL 217 (1998). “Smoke alarm” may include two or more single station units wired to operate in conjunction with each other.

(7) “Smoke alarm for persons who are hard of hearing” means an approved smoke alarm that, when activated by smoke or products of combustion, produces an audible and a visual warning. The visual warning shall produce a light signal sufficient to warn a person who is hard of hearing of the presence of fire or smoke.

(8) “Smoke detector” means a device that is not self-contained, that detects products of combustion other than heat, that is intended for use in conjunction with a central control panel, that conforms to the state building code and rules of the State Fire Marshal and that is listed by Underwriters Laboratories or any other nationally recognized testing laboratory. “Smoke detector” includes but is not limited to devices listed under UL 268 (1998).

(9) “State building code” shall have the meaning for that term provided under ORS 455.010.

(10) “Tenant” means a person entitled to occupy a dwelling unit on a rental or lease basis. [1979 c.642 §1; 1989 c.247 §1; 1999 c.307 §1; 2007 c.70 §272; 2007 c.71 §156]

479.255 Smoke alarm or smoke detector required in certain structures; alarms and devices for persons who are hard of hearing. (1) Every dwelling unit regulated under ORS chapter 90, every lodging house and every hotel guest room shall contain an approved and properly functioning smoke alarm or smoke detector, installed in accordance with the state building code and rules of the State Fire Marshal.

(2) A hotel shall provide no fewer than one smoke alarm for persons who are hard of hearing and one door knock device for each 75, or fraction thereof, rooms of the hotel that are regularly used for sleeping.

(3) If a person renting a room in a hotel requests a room with a smoke detector or a smoke alarm for persons who are hard of hearing and a door knock device, the landlord shall:

(a) Install a portable smoke alarm for persons who are hard of hearing and a door knock device; or

(b) Provide the person with a room in which a smoke detector or smoke alarm for persons who are hard of hearing and a door knock device have been permanently installed.

(4) The landlord may require a guest to pay a refundable deposit if the landlord provides the smoke alarm for persons who are hard of hearing under subsection (3)(a) of this section.

(5) A hotel shall provide a printed notice of the requirements of subsection (3) of this section, posted conspicuously at the place of registration or in each guest room. [1979 c.642 §2; 1989 c.247 §2; 1999 c.307 §2; 2007 c.70 §273]

479.257 Design features required for certain smoke alarms; rules. (1) Not later than January 1, 2002, every smoke alarm installed in a dwelling unit regulated under ORS chapter 90, a lodging house or a hotel guest room, as required under ORS 479.255, shall contain the features described in ORS 479.297 (1) and (2).

(2) The State Fire Marshal by rule may exempt hotels with sprinkler fire suppression systems from the requirements of this section. [1999 c.307 §2a]

Note: 479.257 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 479 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

479.258 Provision of notice of smoke alarm or smoke detector requirements for persons who are hard of hearing; rules. A landlord shall provide notice of the requirements of ORS 479.250 to 479.258, 479.280 and 479.295 in a form and manner as specified by rule by the State Fire Marshal. [1989 c.247 §4]

479.260 Transfer of dwelling unit or lodging house without smoke alarm or smoke detector prohibited. (1) A person may not convey fee title to any real property that includes a dwelling unit or lodging house, or transfer possession of any dwelling unit or lodging house pursuant to a land sale contract, unless there is installed in the dwelling unit or lodging house a smoke detector or the required number of approved smoke alarms, installed in accordance with the state building code and rules of the State Fire Marshal adopted under ORS 479.295. The smoke alarms required by this subsection must meet the requirements of ORS 479.297.

(2)(a) A person may not convey ownership or transfer possession of any manufactured dwelling, as defined in ORS 446.003, unless there is installed in the manufactured dwelling the required number of approved smoke alarms or smoke detectors, installed in accordance with the state building code or with the federal manufactured dwelling construction and safety standards adopted under ORS 446.155.

(b) A smoke alarm installed in a manufactured dwelling that is resold by a person other than the manufacturer or authorized dealer must meet the requirements of ORS 479.297. [1979 c.642 §3; 1997 c.647 §5; 1999 c.307 §§3,4; 2003 c.655 §78]

479.265 Action for unlawful transfer of dwelling unit; damages; attorney fees. Any purchaser or transferee of a dwelling unit who is aggrieved by a violation of ORS 479.260 may bring an individual action in an appropriate court to recover actual damages or \$50, whichever is greater. In any action brought by a person under this section, the court may award to the prevailing party, in addition to the relief provided in this section, reasonable attorney fees at trial and on appeal and costs. Actions brought under this section must be commenced within one year of the date of sale or transfer. Notwithstanding the provisions of this section, violation of ORS 479.260 does not affect the transfer of the title, ownership or possession of the dwelling unit. [1979 c.642 §4; 1981 c.897 §56; 1995 c.618 §77; 2003 c.655 §79]

479.270 Owner of rental dwelling unit to supply, install and maintain smoke alarm or smoke detector; instructions for testing to be provided. (1) The owner

of any rental dwelling unit or the owner's authorized agent shall be responsible for supplying, installing and maintaining the required smoke alarms or smoke detectors and shall provide a written notice containing instructions for testing of the devices. The notice shall be given to the tenant at the time the tenant first takes possession of the premises.

(2) The duty of the owner or authorized agent of the owner to maintain the required smoke alarms or smoke detectors, including providing working batteries, arises only:

(a) Prior to the beginning of every new tenancy when the tenant first takes possession of the premises; and

(b) During the tenancy upon written notice from the tenant of any deficiency, not including replacing dead batteries, as provided in ORS 479.275.

(3) Supplying and maintaining a smoke alarm or smoke detector under ORS 479.250 to 479.305 shall be considered a habitable condition under ORS 90.320. [1979 c.642 §5; 1993 c.369 §19; 1999 c.307 §6]

479.275 Tenant of rental dwelling unit to test smoke alarm or smoke detector and replace dead batteries. It shall be the responsibility of the tenant of any rental dwelling unit to perform such tests on the smoke alarms or smoke detectors located in a part of the dwelling unit that the tenant is entitled to occupy to the exclusion of others as are recommended by the manufacturer's instructions and immediately notify, in writing, the owner or authorized agent of any deficiencies. Testing intervals shall not exceed six months. It shall also be the responsibility of the tenant during the tenancy to replace any dead batteries, as needed. [1979 c.642 §6; 1981 c.309 §2; 1993 c.369 §20; 1999 c.307 §7]

479.280 Lack of properly operating smoke alarm or smoke detector; complaint; investigation; citation. (1) If a rental dwelling unit is not equipped with the required smoke alarm or smoke detector, or if the smoke alarm or smoke detector is not operating properly and the owner or the owner's authorized agent has not installed a properly operating smoke alarm or smoke detector within 10 days after receiving written notice from the tenant of the deficiency, the tenant may file a complaint with the State Fire Marshal or the appropriate official charged with the duty of providing fire protection services within the local jurisdiction.

(2) Upon receipt of a complaint filed under subsection (1) of this section, the State Fire Marshal or the appropriate local fire official shall investigate the alleged violation of ORS 479.250 to 479.305. If the State Fire Marshal or appropriate local fire official finds that the landlord has failed to install a properly operating smoke alarm or smoke detector in the unit under investigation, the State Fire Marshal or

local fire official may issue a citation which shall substantially conform to the requirements for a citation under ORS chapter 153.

(3) In the absence of a complaint from the tenant, the State Fire Marshal or an appropriate local fire official may initiate the citation process by presenting the owner with a written notice of the deficiency and specifying a period of not less than 10 days for compliance.

(4) If the State Fire Marshal or appropriate local fire official finds that the landlord of a hotel or lodging house has failed to comply with the requirements of ORS 479.255 (2) or (3), the State Fire Marshal or local fire official may issue a citation which shall substantially conform to the requirements for a citation under ORS chapter 153. [1979 c.642 §7; 1981 c.309 §1; 1989 c.247 §6; 1999 c.307 §8; 1999 c.1051 §135]

479.285 Owner to maintain and test certain smoke alarms and smoke detectors. Where the smoke alarm or smoke detector is located in a common area of a lodging house, the owner or the owner's authorized agent shall be responsible for maintenance of the required smoke alarm or smoke detector and for performing such tests as are recommended by the manufacturer and is not required to provide notice of instructions under ORS 479.270. Testing intervals shall not exceed six months. [1979 c.642 §8; 1993 c.369 §21; 1999 c.307 §9]

479.290 Certain persons not liable for damages resulting from mechanical failure of smoke alarm or smoke detector. The owner, owner's authorized agent, tenant, contract seller or contract purchaser of a dwelling unit shall not be held liable in any civil action for damages for death or injury to persons or property resulting from the mechanical failure of a smoke alarm or smoke detector required under ORS 479.250 to 479.305. [1979 c.642 §9; 1999 c.307 §10]

479.295 State Fire Marshal to adopt rules setting standards and providing for implementation of certain laws governing smoke alarms and smoke detectors. Notwithstanding the provisions of ORS 476.030, the State Fire Marshal shall adopt, by rule:

(1) Standards for the installation and maintenance of smoke alarms and smoke detectors as the State Fire Marshal considers necessary to carry out the purposes of ORS 479.250 to 479.305; and

(2) Standards for the implementation of ORS 479.250 to 479.305 and 479.990 (5). [1979 c.642 §10; 1989 c.247 §5; 1999 c.307 §11; 2001 c.411 §22]

479.297 Smoke alarms; required equipment; exemptions. (1) All ionization smoke alarms sold in this state that are solely battery-operated shall be packaged with a 10-year battery.

(2) All ionization smoke alarms sold in this state shall include a “hush” mechanism that allows a person to temporarily disengage the alarm for a period of not more than 15 minutes.

(3) The provisions of this section do not apply to:

(a) Smoke alarms specifically designed for persons who are hard of hearing;

(b) Smoke alarms sold in this state for shipment out of state; or

(c) Smoke alarms sold for installation in recreational vehicles, commercial vehicles, railroad equipment, aircraft, marine vessels or manufactured dwellings.

(4) The sale of a recreational vehicle, commercial vehicle, railroad equipment, aircraft, marine vessel or new manufactured dwelling containing a smoke alarm does not constitute sale of a smoke alarm. [1997 c.647 §2,3; 1999 c.307 §12; 2007 c.70 §274]

479.300 Removing or tampering with smoke alarm or smoke detector

prohibited. No person shall remove or tamper with a properly functioning smoke alarm or smoke detector installed in conformance with ORS 479.250 to 479.305.

This prohibition includes removal of working batteries. [1979 c.642 §11; 1993 c.369 §22; 1999 c.307 §13]

OREGON FIRE CODE – APPENDIX L

ADULT FOSTER HOMES

The provisions contained in this appendix are adopted by the State for inspection purposes as per Oregon Revised Statute 476.030(6).

SECTION L 101 GENERAL

L 101.1 Scope. The purpose of Appendix L is to provide a reasonable degree of safety to persons occupying adult foster homes by outlining minimum requirements necessary for continued licensing of the home.

SECTION L 102 DEFINITIONS

L 102.1 Definitions. For the purpose of this appendix, certain terms are defined as follows:

ADULT FOSTER HOME (AFH). Any family home or facility in which residential care is provided in a home like environment to five or fewer persons who are not related to the provider by blood or marriage. ORS 443.705

EMERGENCY ESCAPE AND RESCUE OPENING. An operable exterior window, door or similar device that provides a means of escape and access for rescue in the event of an emergency. 2008 Oregon Residential Specialty Code.

MEANS OF EGRESS. Is a continuous and unobstructed path of vertical and horizontal egress travel from any occupied portion of a building or structure to a public way. A means of egress consists of three separate and distinct parts:

1. The exit access.
2. The exit.
3. The exit discharge.

2010 Oregon Fire Code and 2008 Oregon Residential Specialty Code.

PROVIDER. As defined in ORS 443.705 means any person operating an adult foster home and includes a certified resident manager. “Provider” does not include the owner or lessor of the building in which the adult foster home is located or the owner or lessor of the land on which the adult foster home is situated unless the owner or lessor is also the operator of the adult foster home.

RESIDENT. Any personage age 18 or older who receives room, board, care and services in an adult foster home.

RESIDENTIAL CARE. Residential care means the provisions of room and board and services that assist the resident in activities of daily living, such as assistance with bathing, dressing, grooming, eating, medication management, money management or recreation.

SELF-PRESERVATION. Self-preservation is the ability of building occupants to reach an approved predetermined point of safety without physical assistance from staff. Self-preservation may be accomplished with the aid of technical devices or assistance animal. 2010 Oregon Structural Specialty Code.

SECTION L 103 CONSTRUCTION

L 103.1 General buildings. Construction of general buildings shall be of sound construction, meeting all applicable state and local codes for fire and life safety in effect at the time of construction.

L 103.2 Mobile home. Mobile home units must have been built since 1976 and designed for use as a home rather than a travel trailer. The units shall have a manufacturer’s label permanently affixed to the unit which states it meets the requirements of the Department of Housing and Urban Development (HUD) or the authority having jurisdiction.

SECTION L 104

EXITS AND EMERGENCY EGRESS

L 104.1 Exits. All adult foster homes shall have approved exits, the use of which is within the capabilities of the persons the homes are to serve.

1. Every sleeping room shall have at least one operable window or door approved for emergency escape or rescue. Windows must have a minimum net clear opening of 5.7 square feet (0.53m²) or 821 square inches (529 676mm²). The minimum net clear opening height dimensions of windows shall be 24 inches (559 mm). The minimum net clear opening width of windows shall be 20 inches (508 mm). Where windows are provided as a means of egress, they shall have a sill height of not more than 44 inches (1118 mm) above the floor.

Exception: Windows with a clear opening of not less than 5 square feet (0.46 m²) or 720 square inches (464 515 mm²) with sill heights of 44 inches (1219 mm) may be accepted when approved by the authority having jurisdiction.

2. Exterior exit doors shall have latching knob hardware. All doors in the means of egress shall have an obvious method of operation. The means of egress shall be maintained clear and unobstructed. Hasp, sliding bolt, hood and double-key dead bolts shall not be permitted.
3. Only ambulatory residents capable of self-preservation shall be housed on a second floor or in a basement.
4. Hallways and exit ways shall be a minimum 36 inches (914 mm) wide or as approved by the authority having jurisdiction.
5. Split-level homes shall be evaluated according to accessibility, emergency egress and evacuation capability of residents.
6. Lifts or elevators shall not be used as a substitute for a resident's capability to ambulate stairs.
7. Permanently attached ladders, rope and chain ladders and other devices shall not be used as a substitute for an emergency escape or rescue.

**SECTION L 105
FLAME SPREAD AND SMOKE DENSITY**

L 105.1 Flame Spread. The maximum flame spread classification of finished materials used on interior walls and ceilings in sleeping rooms and exit ways shall not exceed 200.

L 105.2 Smoke development index. Smoke development index shall not be greater than 450.

**SECTION L 106
SMOKE ALARMS**

L 106.1 Location. Smoke alarms shall be installed in each sleeping room, adjacent hallways, common living areas, basements and in two-story homes at the top of each stairway.

L 106.2 Connections. All alarms shall be connected to a sounding device or interconnected to other alarms to provide, when actuated, an alarm which is audible in all sleeping rooms.

L 106.3 Hearing impaired. If an occupant is hearing impaired, a smoke alarm(s) for hearing impaired shall be provided.

L 106.4 Power source. Smoke alarms may be battery operated when installed in existing buildings. In new construction, smoke alarms shall receive their primary power from the building wiring.

L 106.5 Installation. All smoke alarms shall be approved and shall be installed in accordance with manufacturer's instructions and the Oregon Residential Specialty Code as adopted by OAR 918-480-005 or other nationally recognized standards.

L 106.6 Testing and maintenance. The facility shall test and maintain all smoke alarms as required by manufacturer's instructions.

SECTION L 107 PORTABLE FIRE EXTINGUISHERS

L 107.1 Fire extinguishers. At least one 2-A:10-B:C rated-fire extinguisher shall be visible and readily accessible in a location on each floor, including basements, and maintained in accordance with the Oregon Fire Code, Section 906.

SECTION L 108 HEATING EQUIPMENT

L 108.1 Equipment. Heating equipment, including wood stoves, shall be installed according to manufacturer's specifications and in accordance with applicable fire and safety codes, and under permit where applicable.

L 108.2 Screens. Approved and listed protective glass screens or metal mesh screens anchored top and bottom shall be required on fireplaces and solid-fuel-burning appliances.

L 108.3 Unvented heaters. Unvented oil, gas or kerosene heaters shall not be used.

L 108.4 Electric heaters. Sealed electric transfer heaters may be used when approved by the fire code official.

1. Portable electric heaters shall be listed and labeled.
2. Portable electric heaters shall not be used with electrical extension cords.
3. Portable electric heaters shall be plugged directly into an approved receptacle.

SECTION L 109 ELECTRICAL EQUIPMENT AND WIRING

L 109.1 Equipment and wiring. Electrical equipment and wiring shall be in accordance with Chapter 6 of the Oregon Fire Code and other nationally recognized standards. The use of UL approved relocateable power taps with circuit breaker protection is permitted.

SECTION L 110 EMERGENCY PROCEDURES

L 110.1 Evacuation procedures. An emergency evacuation procedure shall be developed, posted and practiced with occupants. Drills shall be held at least once every 90 days with at least one drill practice per year occurring during sleeping hours.

L 110.2 Records. Drill records shall be maintained for three years and include date, time of day, length of time to evacuate the facility, and names of residents requiring assistance.

L 110.3 New residents. Within 24 hours of arrival, new residents shall be shown how to respond to a fire alarm and how to exit from the facility in an emergency.

L 110.4 Evacuation. Providers shall be required to demonstrate the ability to evacuate all residents from the facility within 3 minutes to a point of safety which is exterior to, and away from, the structure, and has access to a public way. If the facility fails to meet this requirement, the authority having jurisdiction shall notify the licensing authority.

L 110.5 Floor plans. The provider shall provide, keep updated and post a floor plan containing room size, location of each resident's sleeping room, resident manager or provider's sleeping room, fire exits, smoke alarms, fire extinguishers and escape routes.

L 110.6 Emergency lighting. There shall be, on each floor, including the basement of the facility, at least one plug-in rechargeable flashlight, readily accessible, or other approved emergency lighting.

SECTION L 111 SPECIAL HAZARDS

L 111.1 Hazardous material storage. Flammable and combustible liquids and hazardous materials shall be safely and properly stored in the original labeled container or in an approved and listed safety container in accordance with the Oregon Fire Code.

L 111.2 Oxygen. Medical oxygen cylinders in service or storage shall be adequately secured in accordance with the Oregon Fire Code to prevent cylinders from falling or being knocked over.

I 111.3 Ignition sources. Areas where oxygen cylinders are used or stored shall be posted NO SMOKING. In accordance with the Oregon Fire Code, oxygen cylinders shall not be used or stored in rooms where wood stoves, fireplaces or open flames are located.

I 111.4 Smoking. Smoking regulations shall be adopted to allow smoking only in designated areas. Smoking shall be prohibited in sleeping rooms and upon upholstered crevasse furniture. Ashtrays shall be of noncombustible materials.





Important Information about Surge Protectors

(updated 10/12/07)

Most modern businesses and homes are supplied with 220-volt power systems. Heavy draw appliances such as air conditioners, dryers, and electric stoves operate on 220-volts and are not protected by surge protectors. Other appliances operate on 110-volts. These include computers, microwaves, stereo equipment and TV sets. These items are often used with surge protectors.

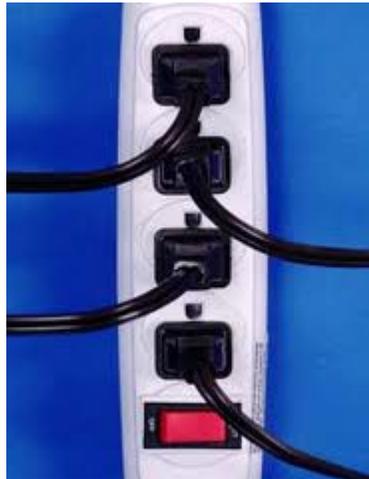
The normal voltage flow will range from 110-117 volts. Surge Protectors are designed to trap the voltage that exceeds those limits. Excessive voltage occurs due to power spikes. When these spikes occur for a sufficient duration, this activates the trapping device, a Metal Oxide Varistor (MOV), located in the surge protector. The MOV is the heart of surge suppressors. The role of the MOV is to divert surge current. However, MOVs wear out with use. As more surges are diverted, the MOVs life span shortens, and failure becomes imminent. There is no forewarning or visual indication given - just failure. And while failing, they can reach very high temperatures, and actually start fires.

Most surge protectors will continue to function as a power strip, even though the surge trap mechanism may have been destroyed by the power spike. This presents two possible dangers:

- 1) If another power surge should occur, it can damage the equipment or appliances that are plugged into this surge protector.
- 2) If sufficient voltage passes through the surge protector due to a second power spike, a resistant short may have been formed, allowing heating to occur and a fire to ignite.

When buying this equipment, look for a surge protector with an indicator light that tells you if the protection components are functioning. All MOVs will burn out after repeated power surges. Without an indicator light, you have no way of knowing if your protector is still functioning properly.

Unfortunately due to manufacturing differences, the light may be "on" or "off" during proper operation. It is important to review the operating instructions provided with the surge protector.



Every year, thousands of fires result from surge protectors, power strips and electrical cords. Listed below are some suggestions to help prevent a possible fire from igniting.

- **USE ONLY SURGE PROTECTORS OR POWER STRIPS THAT HAVE AN INTERNAL CIRCUIT BREAKER.** These units will trip the breaker if the power strip is over loaded or shorted to prevent overheating and fire.
- Any surge protector or power strip that has frayed wires, or has a unit that is not working properly, replace them immediately.
- Surge protectors, power strips, or extension cords are not a substitute for permanent wiring.
- If at any time the surge protector or power strip is hot to the touch remove and replace the unit. The electrical load for this strip should be evaluated for overloading.
- Do not plug a surge protector or power strip into an existing surge protector or power strip. This practice is called "daisy chaining" or "piggy backing" and can lead to serious problems.
- The Underwriters Laboratory (UL) label must never be removed from the unit. On the underside of the casing, there should be the manufacturer's name and the name of the testing lab where the unit was tested.
- Do not locate a surge protector or power strip in any area where the unit would be covered with carpet, furniture, or any other item that will limit or prevent air circulation.
- Do not locate a surge protector in a moist environment.
- All surge protectors or power strips need to be UL approved. Be sure that the product is listed as a **TRANSIENT VOLTAGE SURGE SUPPRESSOR**. This means that it meets the criteria for UL 1449, UL's minimum performance standard for surge suppressors. There are a lot of power strips listed by UL that have no surge protection components at all. They are listed only for their performance as extension cords. On a UL listed surge protectors, you will find a couple of ratings. Look for:
 - Clamping voltage. This tells you what voltage will cause the MOVs to conduct electricity to the ground line. A lower clamping voltage indicates better protection. There are three levels of protection in the UL rating - 330 V, 400 V and 500 V. Generally, a clamping voltage more than 400V is too high.
 - Energy absorption/dissipation. This rating, given in joules, tells you how much energy the surge protector can absorb before it fails. A higher number indicates greater protection. Look for a protector that is at least rated at 200 to 400 joules. For better protection, look for a rating of 600 joules or more.

- Response time. Surge protectors don't kick in immediately; there is a very slight delay as they respond to the power surge. A longer response time tells you that your computer (or other equipment) will be exposed to the surge for a greater amount of time. Look for a surge protector that responds in less than one nanosecond.

Visually inspect all surge protectors or power strips on a regular basis to ensure that they are not damaged or showing signs of wear or damage. During the visual inspection, ensure that the plug is fully engaged in their respective outlets. The surge protector or power strips should always have either a polarized plug with one of the blades being larger than the other one or a three-prong grounded plug. Never use a three to two prong adapter to power the unit. Surge protectors or power strips should have a cord of no more than 6 feet in length. When the surge protector or plug strip is not in use, unplug the cord from the power source.

ADULT FOSTER HOME ADMINISTRATIVE RULES

(Effective July 1, 2010)

411-050-0445 Facility Standards

(Amended 7/1/2010)

In order to qualify for or maintain a license, an adult foster home must comply with the following provisions:

(1) GENERAL CONDITIONS.

(a) Each adult foster home must meet all applicable local business license, zoning, building, and housing codes, and state and local fire and safety regulations for a single family residence.

(b) **INTERIOR AND EXTERIOR PREMISES.** The building and furnishings must be clean and in good repair. The interior and exterior premises must be well maintained and accessible according to the individual needs of the residents. There must be no accumulation of garbage, debris, rubbish, or offensive odors. Walls, ceilings, and floors must be of such character to permit washing, cleaning, or painting, as appropriate.

(c) Adequate lighting, based on the needs of the individual, must be provided in each room, stairway, and exit way. Incandescent light bulbs and florescent tubes must be protected with appropriate covers.

(d) **TEMPERATURE.** The heating system must be in working order. Areas of the home used by residents must be maintained at a comfortable temperature. Minimum temperatures during the day will be no less than 68 degrees, no higher than 85 degrees, and no less than 60 degrees during sleeping hours. Variations from the requirements of this rule must be based on resident care needs or preferences and must be addressed in their individual care plan.

(A) During times of extreme summer heat, the licensee must make reasonable effort to keep the residents comfortable using ventilation, fans, or air conditioning. Precautions must be taken to prevent resident exposure to stale, non-circulating air.

(B) If the facility is air-conditioned, the system must be functional and the filters must be cleaned or changed as needed to ensure proper maintenance.

(C) If the licensee is unable to maintain a comfortable temperature for residents during times of extreme summer heat, air conditioning or another cooling system may be required.

(e) **COMMON USE AREAS.** Common use areas for the residents must be accessible to all residents. There must be at least 150 square feet of common living space and sufficient furniture in the home to accommodate the recreational and socialization needs of all the occupants at one time. Common space may not be located in an unfinished basement or garage unless such space was constructed for that purpose or has otherwise been legalized under permit. There may be additional space required if wheelchairs are to be accommodated. An additional 40 square feet of common living space shall be required for each day care person, room and board occupant, or relative receiving care for remuneration that exceeds the limit of five.

(f) **SAFETY BARRIERS.** Swimming pools, hot tubs, spas, saunas, and stairways, as appropriate, must also be equipped with safety barriers and devices designed to prevent injury.

(g) **VIDEO MONITORS.** Use of video monitors detracts from a home-like environment and licensees may not use them in any area of the home that would violate a resident's privacy unless requested by the resident.

(2) SANITATION.

(a) NON-MUNICIPAL WATER SOURCE. A public water supply must be utilized if available. If a non-municipal water source is used, the licenser, a sanitarian, or a technician from a certified water-testing laboratory must collect a sample annually. The water sample must be tested at the licensee's expense for coliform bacteria and action taken to ensure potability. Test records must be retained for three years.

(b) Septic tanks or other non-municipal sewage disposal system must be in good working order.

(c) Garbage and refuse must be suitably stored in readily cleanable, rodent-proof, covered containers, pending weekly removal.

(d) VENTILATION. All doors and windows that are used for ventilation must have screens in good condition.

(3) BATHROOMS. Bathrooms must:

(a) Provide individual privacy and have a finished interior with a door which opens to a hall or common-use room. No person must have to walk through another person's bedroom to get to a bathroom;

(b) Have a mirror, a window that opens or other means of ventilation, and a window covering for privacy;

(c) Be clean and free of objectionable odors (See also Commodes and Incontinence Garments, OAR 411-050-0444(3)(a));

(d) Have bathtubs, showers, toilets, and sinks in good repair. A sink must be located near each toilet, and a toilet and sink must be available for the resident's use on each floor with resident rooms. There must be at least one toilet, one sink, and one bathtub or shower for each six household occupants

(including residents, day care persons, room and board occupants, licensee, and licensee's family);

(e) Have hot and cold water at each bathtub, shower, and sink in sufficient supply to meet the needs of the residents;

(f) Have nonporous surfaces for shower enclosures. Glass shower doors, if applicable, must be tempered safety glass, otherwise, shower curtains must be clean and in good condition and non-slip floor surfaces must be provided in bathtubs and showers;

(g) Have grab bars for each toilet, bathtub, and shower to be used by resident's for safety, and have barrier-free access to toilet and bathing facilities; and

(h) Have adequate supplies of toilet paper and soap supplied by the licensee. Residents must be provided with individual towels and washcloths, which, are laundered in hot water at least weekly or more often if necessary. Residents must have appropriate racks or hooks for drying bath linens. If individual hand towels are not provided, roller-dispensed hand towels or paper towels in dispenser must be provided for residents' use.

(4) BEDROOMS.

(a) Bedrooms for all household occupants must:

(A) Have been constructed as a bedroom when the home was built, or remodeled under permit;

(B) Be finished with walls or partitions of standard construction which go from floor to ceiling;

(C) Have a door which opens directly to a hallway or common use room without passage through another bedroom or common bathroom;

(D) Be adequately ventilated, heated, and lighted with at least one window that opens which meets fire safety regulations (see section (5)(e) of this rule);

(E) Be at least 70 square feet of usable floor space for one resident or 120 square feet for two residents excluding any area where a sloped ceiling does not allow a person to stand upright; and

(F) Have no more than two persons per room. (See also OAR 411-050-0408(4) pertaining to children's bedrooms.)

(b) Licensees, resident managers, other caregivers, or family members may not sleep in areas designated as living areas, nor share bedrooms with residents.

(c) There must be an individual bed at least 36 inches wide for each resident consisting of a mattress and springs, or equivalent, in good condition. Cots, rollaways, bunks, trundles, daybeds with restricted access, couches, and folding beds may not be used for residents. Each bed must have clean bedding in good condition consisting of a bedspread, mattress pad, two sheets, a pillow, a pillowcase, and blankets adequate for the weather. Waterproof mattress covers must be used for incontinent residents. Day care persons may use a cot or rollaway bed if bedroom space is available which meets the requirements of section (4)(a) of this rule. Resident beds may not be used by day care persons.

(d) Each resident's bedroom must have sufficient separate, private dresser and closet space for his or her clothing and personal effects including hygiene and grooming supplies. Residents must be allowed to keep and use reasonable amounts of personal belongings and have private, secure storage space. Drapes or shades for windows must be in good condition and allow privacy for residents.

(e) Residents who are non-ambulatory, have impaired mobility, or are cognitively impaired must have bedrooms with a safe, second exit to the

ground. Residents with bedrooms above or below the ground floor must demonstrate their capability for self-preservation.

(f) Resident bedrooms must be in close enough proximity to the licensee or caregiver in charge to alert him or her to nighttime needs or emergencies, or the bedrooms must be equipped with a call bell or intercom. Intercoms may not violate the resident's right to privacy and must have the capability of being turned off by the resident or at the resident's request.

(5) SAFETY.

(a) Buildings must meet all applicable state and local building, mechanical, and housing codes for fire and life safety. The home may be inspected for fire safety by the State Fire Marshal's Office at the request of the licensing authority or Division staff using the standards in these rules, as appropriate.

(b) HEAT SOURCES. Heating in accordance with manufacturer's specifications and electrical equipment, including wood stoves and pellet stoves, must be installed in accordance with all applicable fire and life safety codes. Such equipment, including fireplaces, must be in good repair, used properly, and be well maintained according to the recommended maintenance schedule of the manufacturer or a qualified inspector.

(A) Licensees who do not have a permit verifying proper installation of an existing woodstove or pellet stove must have it inspected by a qualified inspector, Certified Oregon Chimney Sweep Association member, or Oregon Hearth Products Association member and follow their recommended maintenance schedule.

(B) Fireplaces must have approved and listed protective glass screens or metal mesh screens anchored to the top and bottom.

(C) The installation of a non-combustible, heat-resistant safety barrier may be required to be installed 36 inches around woodstoves to

prevent residents with ambulation or confusion problems from coming in contact with the stove.

(D) Unvented, portable oil, gas, or kerosene heaters are prohibited. Sealed electric transfer heaters or electric space heaters with tip-over, shut-off capability may be used when approved by the authority having jurisdiction.

(c) Extension cord wiring and multi-plug adaptors may not be used in place of permanent wiring.

(d) Hardware for all exit doors and interior doors must have simple hardware that may not be locked against exit and must have an obvious method of operation. Hasps, sliding bolts, hooks and eyes, and double key deadbolts are not permitted. Homes with one or more residents who have impaired judgment and are known to wander away from their place of residence must have an activated alarm system to alert a caregiver of an unsupervised exit by a resident.

(e) Bedrooms must have at least one window or exterior door that readily opens from the inside without special tools and which provides a clear opening of not less than 821 square inches (5.7 sq. ft.), with the least dimensions not less than 22 inches in height or 20 inches in width. Sill height may not be more than 44 inches from the floor level or there must be approved steps or other aids to the window exit that may be used by residents. Windows with a clear opening of not less than 5.0 square feet or 720 square inches with sill heights of 48 inches may be accepted when approved by the State Fire Marshal or designee.

(f) CONSTRUCTION. Interior and exterior doorways used by residents must be wide enough to accommodate wheelchairs and walkers if used by residents. Interior and exterior stairways must be unobstructed, equipped with handrails, and appropriate to the condition of the residents. (See also section (5)(r) of this rule)

(A) Buildings must be of sound construction with wall and ceiling flame spread rates at least substantially comparable to wood lath and plaster or better. The maximum flame spread of finished materials may not exceed Class III (76-200) and smoke density may not be greater than 450. If more than 10 percent of combined wall and ceiling areas in a sleeping room or exit way is composed of readily combustible material such as acoustical tile or wood paneling, such material must be treated with an approved flame retardant coating. Exception: Buildings supplied with an approved automatic sprinkler system.

(i) MANUFACTURED HOMES. Manufactured home (formerly mobile homes) units must have been built since 1976 and designed for use as a home rather than a travel trailer. The unit must have a manufacturer's label permanently affixed on the unit itself which states the unit meets the requirements of the Department of Housing and Urban Development (HUD). The required label must read as follows:

"As evidenced by this label No. ABC000001, the manufacturer certifies to the best of the manufacturer's knowledge and belief that this mobile home has been inspected in accordance with the requirements of the Department of Housing and Urban Development and is constructed in conformance with the Federal Mobile Home Construction and Safety Standards in effect on the date of manufacture. See date plate."

(ii) If such a label is not evident and the licensee believes the unit meets the required specifications, the licensee must take the necessary steps to secure and provide verification of compliance from the manufacturer.

(iii) Mobile homes built since 1976 meet the flame spread rate requirements and do not have to have paneling treated with a flame retardant coating.

(B) STRUCTURAL CHANGES. The licensee must notify the Division in writing at least 15 calendar days prior to any remodeling, renovations, or structural changes in the facility that require a building permit. Such activity must comply with building and housing codes and fire and safety regulations applicable to a single-family residence. The licensee must forward to the Division within 30 calendar days of completion copies of all required permits and inspections, an evacuation plan, and a revised floor plan. (See sections (5)(m) and (5)(p) of this rule)

(g) FIRE EXTINGUISHERS. At least one fire extinguisher with a minimum classification of 2A-10BC must be in a visible and readily accessible location on each floor, including basements, and be checked at least once a year by a qualified person who is well versed in fire extinguisher maintenance. All recharging and hydrostatic testing must be completed by a qualified agency properly trained and equipped for this purpose.

(h) SMOKE ALARMS. Smoke alarms must be installed in accordance with the manufacturer's instructions in each bedroom, in hallways or access areas that adjoin bedrooms, the family room or main living area where residents congregate, any interior designated smoking area, and in basements. In addition, in multi-level homes, smoke alarms must be installed at the top of all stairways. Ceiling placement of smoke alarms is recommended. Alarms must be equipped with a device that warns of low battery when battery operated or with battery back-up if hard wired. Bedrooms used by hearing-impaired occupants who may not hear the sound of a regular smoke alarm must be equipped with an additional smoke alarm that has visual or vibrating capacity.

(i) All smoke alarms must contain a sounding device or be interconnected to other alarms to provide, when actuated, an alarm that is audible in all

sleeping rooms. The alarms must be loud enough to wake occupants when all bedroom doors are closed. Intercoms and room monitors may not be used to amplify alarms.

(j) The licensee must maintain smoke alarms and fire extinguishers in functional condition. If there are more than two violations in maintaining battery operated alarms in working condition, the Division may require the licensee to hard wire the alarms into the electrical system.

(k) **COMBUSTIBLES AND FIREARMS.** Flammables, combustible liquids, and other combustible materials must be safely and properly stored in their original, properly labeled containers or safety containers and secured in areas to prevent tampering by residents or vandals. Firearms must be stored, unloaded, in a locked cabinet. The firearms cabinet must be located in an area of the home that is not accessible to residents. Ammunition must be secured in a locked area separate from the firearms.

(l) **HAZARDOUS MATERIALS.** Cleaning supplies, medical sharps containers, poisons, insecticides, and other hazardous materials must be properly stored in their original, properly labeled containers in a safe area that is not accessible to residents, food preparation and food storage areas, dining areas, and medications.

(m) **EVACUATION PLAN.** An emergency evacuation plan must be developed, and revised as necessary to reflect the current condition of the residents in the home. The plan must be rehearsed with all occupants.

(n) **ORIENTATION TO EMERGENCY PROCEDURES.** Within 24 hours of arrival, any new resident or caregiver must be shown how to respond to a smoke alarm, shown how to participate in an emergency evacuation drill, and receive an orientation to basic fire safety. New caregivers must also be oriented in how to conduct an evacuation.

(o) **EVACUATION DRILL.** Evacuation drills must be held at least once every 90 calendar days, with at least one per year conducted while the

residents are in bed. Records of drills must be maintained according to OAR 411-050-0444(6)(a)(G). Licensees and all other caregivers must be able to demonstrate the ability to evacuate all occupants from the facility to the closest point of safety, which is exterior to and away from the structure, and has access to a public sidewalk or street within three minutes or less. If there are problems in demonstrating this evacuation time, conditions may be applied to the license which include but are not limited to reduced capacity of residents, additional staffing, or increased fire protection. Continued problems shall be grounds for revocation or non-renewal of the license.

(p) FLOOR PLAN. The licensee must develop a current and accurate floor plan that indicates:

(A) The size of rooms;

(B) Which rooms are to be resident bedrooms and which are to be caregiver bedrooms;

(C) The location of all the exits on each level of the home, including emergency exits such as windows;

(D) The location of wheelchair ramps, if applicable;

(E) Where the fire extinguishers and smoke alarms are located; and

(F) The planned evacuation routes.

(q) Licensees may not place residents, who are unable to walk without assistance or not capable of self-preservation, in a bedroom on a floor without a second ground level exit. (See also section (4)(e) of this rule)

(r) Stairs must have a riser height of between 6 to 8 inches and tread width of between 8 to 10.5 inches. Lifts or elevators are not an acceptable substitute for resident's capability to ambulate stairs (See also section (5)(f) of this rule).

(s) EXIT WAYS. All exit ways must be barrier free and the corridors and hallways must be a minimum of 36 inches wide or as approved by the authority having jurisdiction. Interior doorways used by residents must be wide enough to accommodate wheelchairs and walkers if used by residents. Any bedroom window or door identified as an exit must be free of obstacles that would interfere with evacuation.

(t) RAMPS. There must be at least one wheelchair ramp from a minimum of one exterior door if non-ambulatory persons are in residence. Wheelchair ramps must comply with the Americans with Disabilities Act (ADA), have non-skid surfaces, handrails, and have a maximum slope of 1 inch rise in each 12 inches of distance. The maximum rise for any run must be 30 inches. Licensees may need to bring existing ramps into revised compliance if necessary to meet the needs of new residents or current residents with increased care needs.

(u) EMERGENCY EXITS. There must be a second safe means of exit from all sleeping rooms. Providers whose sleeping rooms are above the first floor may be required to demonstrate an evacuation drill from that room, using the secondary exit, at the time of licensure, renewal, or inspection.

(v) Adult foster homes located more than five miles distance from the nearest fire station or those of unusual construction characteristics may be required to have a complete fire alarm system meeting the requirements of the National Fire Prevention Association (NFPA) 72 with approved automatic reporting to the local jurisdiction providing fire protection.

(w) There must be at least one plug-in, rechargeable flashlight in good functional condition available on each floor for emergency lighting.

(x) Smoking regulations must be in accordance with the Oregon Indoor Clean Air Act, OAR 333-015-0025 to 333-015-0090. If smoking is allowed in a home, the licensee must adopt house policies that restrict smoking to designated areas. Smoking is prohibited in any bedroom including that of residents, licensee, resident manager, any other caregiver, occupant, or

visitor, any room where oxygen is used and anywhere flammable materials are stored. Ashtrays of noncombustible material and safe design must be provided in areas where smoking is permitted.

(y) Providers whose homes are located in areas where there is a danger of natural disasters which require rapid evacuation such as forest fires, flash floods, or tsunami waves must be aware of community resources for evacuation assistance.

Stat. Auth.: ORS 410.070

Stats. Implemented: ORS 443.738

Fire and life safety issues which present an imminent danger to the health, safety or welfare of the residents must be corrected no later than 24 hours after receiving notice of the violation. The licenser must re-inspect the adult foster home after the 24 hour period to determine if the violation(s) has/have been corrected.

IF A PROVIDER FAILS TO CORRECT THE PROBLEM IN THE TIME GIVEN, A SANCTION CAN BE IMPOSED UP TO AND INCLUDING LICENSE REVOCATION.

Conducting your fire drill should not be upsetting.
 Regular practice allows residents to become familiar with the procedure so
 they are prepared should an emergency occur.

Adult Foster Home Fire Drill and Evacuation Record

Date: _____ Time: _____ a.m. m. Drill: _____ Alarm: _____

Residents on the premises:	Response time:	Staff participating:
		Location of simulated fire:
		Total evacuation time:

* Indicates the resident needed assistance to evacuate

Comments: _____

 Signature of staff member

Date: _____ Time: _____ a.m. m. Drill: _____ Alarm: _____

Residents on the premises:	Response time:	Staff participating:
		Location of simulated fire:
		Total evacuation time:

* Indicates the resident needed assistance to evacuate

Comments: _____

 Signature of staff member

WOODSTOVE/FIREPLACE SAFETY CHECKLIST

The purpose of this checklist is to summarize basic requirements. For additional information, contact your local Building Codes Division or Fire Department.

Preliminary Items

- Read all instructions and this checklist before buying, installing or using a woodstove or fireplace insert.
- Choose your stove carefully. Purchase the proper size and quality. A tested and listed stove is recommended.
- Obtain a permit for new installations or changes.
- Notify your insurance company.
- Make sure the stove location does not block exits, doors, or windows.
- Install your stove according to code and make sure you have the installation inspected.
- All professional installers must be registered with the Oregon State Builders Board.
- Make sure your home has smoke detectors and a fire extinguisher.
- Use your owner's manual: Read it. Follow it. Keep it.

Equipment – Masonry Chimney

Be sure the chimney.....

- is properly constructed masonry in perfect condition.
- has adequate clearance through the structure.
- is lined.

Installation – Masonry Chimney

- Hire a registered masonry contractor to construct or repair your masonry chimney.

Equipment – Factory Built Metal Chimney

Be sure your factory built metal chimney....

- Is tested for residential use (listed by Underwriters' Laboratory or other independent testing lab).
- Is damage-free, without dents, warps, or cracks.

Installation – Woodstove

Be sure...

- Clearances to combustibles from the front, side, and rear of the stove must be at least 36 inches.
- If clearances are less than 36 inches, combustible surfaces must be protected by sheet metal, 28-gauge or heavier (or other approved non-combustible material) spaced one inch from the wall and one inch off the floor.
- The stove must be placed on a non-combustible floor or on approved floor protection material.
- Floor protection is 15 inches from the front and 12 inches from the sides and rear of the stove.
- If the woodstove is listed, install it according to the manufacturer's instructions in the owner's guide.
- If the woodstove is unlisted, it cannot be used.***

Installation – Factory Built Chimney -- Be sure....

- Your factory built metal chimney installed strictly according to the manufacturer's instructions.
- There is at least a 2 inch clearance from the outside of the chimney to any combustible material (such as rafters plywood, roofing, etc.) all the way along its path through the structure.
- The chimney extends at least three feet above the roof and at least two feet higher than anything within ten feet.
- There are 3 inches of clearance to attic and wall insulation such as fiberglass, cellulose, etc.
- Required clearances exist through attics and other concealed spaces where most fires start.

Installation – Chimney Connector (Stovepipe)

Be sure....

- Chimney connector (stovepipe) extending through any combustible surface such as a ceiling or wall has proper protection.
- The stovepipe run is as short and straight as possible.
- Each stovepipe joint is fastened with 3 sheet metal screws or approved fasteners.
- If the stovepipe clearance is less than 18 inches, combustible surfaces are properly protected.

Use and maintenance

- Discuss the proper operating procedures with the installer and/or dealer.
- Call building and fire officials to inspect the installation.
- Make sure movable combustibles (chairs, curtains, firewood, etc.) are kept at least 3 feet away from the stove.
- Burn seasoned wood only.
- Keep gasoline and other flammable liquids out of the house. NEVER use gasoline, lantern fuel, kerosene, lighter fluid, or similar liquids to start or “freshen” a fire in the stove.
- Burn small, hot fires to reduce creosote accumulations.
- Clean and inspect the chimney at least twice a year.
- Use a metal container with a tight fitting lid for removal of ash. Take outside to a safe place.

FOSTER HOME SELF-INSPECTION GUIDE

Name of Home: _____ Date: _____

Address: _____

Provider: _____ # of Residents: _____

Inspected By: _____ Agency: _____

Yes No (Yes=OK, No=Needs Correction)

Plan Your Escape

- Orient your caregivers
- Orient your residents
- Orient any other persons residing in the home

Exterior of the Building

- Address plainly visible, driveway marked
- Windows free of trees, bushes and other obstructions
- Access for people with disabilities
- Mobile home has required HUD label

Entry Way

- Entry way clear and unobstructed
- Approved stair railings and ramps
- Approved locks
- Exit areas made of combustible materials treated with intumescent paint

Bedrooms

- Residents in a bedroom above the ground level are fully ambulatory and can exit without assistance
- Secondary emergency egress provided (windows meet acceptable size)
- Windows open easily from the inside

- Smoke detectors correctly installed in bedrooms, hallways adjoining bedrooms, and congregate area
- Smoke detectors are audible in all sleeping areas
- No smoking in any bedrooms

Heating Equipment

- Woodstoves and furnaces properly installed, with approved permits
- Woodstoves, fireplaces and furnaces properly maintained
- Fireplaces have screen or glass doors that close properly at top and bottom
- Combustibles kept clear of all heat producing appliances, including water heaters
- Space heaters are sealed electric transfer with tip-over shut-off
- Dryer lint traps clean
- Water heaters have pressure release valve

Electrical

- Appliance cords and plugs are in good condition
- Extension cords or multi-plug adapters are approved fuse type and not used in lieu of permanent wiring
- Ground Fault Interrupters (GFI) installed in bath and kitchen areas within 6 feet of water source.
- Adequate lighting provided in exit ways and stairs
- Rechargeable flashlight available

Smoking

- Matches and lighters stored properly away from confused, disoriented residents
- Smoking only in designated smoking area
- Adequate safety ashtrays provided
- Contents of ashtrays disposed of in separate containers or a safe outside location
- Area where oxygen is used or stored posted "NO SMOKING"

General Fire Safety

- One 2A:10BC fire extinguisher on each floor readily visible and easily accessible
- Fire extinguishers serviced yearly
- Smoke detectors are in functional condition
- A fire safety plan, including floor plan, is posted
- Record of fire drills involving all occupants are maintained
- Provider can conduct evacuation of all occupants within 3 minutes
- House address and phone number are posted by phone for emergencies
- Written emergency procedures are available to all caregivers
- Oxygen cylinders are adequately secured to prevent being knocked over

Flammable Liquids/Chemicals

- Quantities are limited to amount needed for cleaning and maintenance
- Are stored in original containers made for the storage of such items

Other Hazards Noted

Description:

- _____
- _____
- _____
- _____
- _____

PRACTICE! PRACTICE! PRACTICE!



500 Summer Street NE
Salem, Oregon 97301