Chapter 3

305.2.3 Five or fewer children in a dwelling unit. A facility such as the above located within a dwelling unit and having five or fewer children receiving such day care shall be classified as a Group R-3 occupancy or shall comply with the International Residential Code. Where located within a detached one- or two-family dwelling or townhouse, the facility shall be permitted to be constructed in accordance with the Residential Code, provided that Section 420.1 is met, and accessibility is provided in accordance with the applicable provisions of Chapter 11 for the function served.

Chapter 4

420.11 Child care facilities within dwellings. Child care facilities located within dwellings, permitted by Chapter 3 to be constructed in accordance with the Residential Code, shall comply with either Section 420.11.1 or 420.11.2.

420.11.1 With automatic sprinkler system protection. An automatic sprinkler system in accordance with Section 903.3.1.3 shall be installed throughout the fire area of the dwelling where a child care facility is located.

420.11.2 Without automatic sprinkler system protection. Where an automatic sprinkler system is not installed throughout the fire area of the dwelling where a child care facility is located, all of the following shall be met:

1. All rooms where care is provided shall be located on a level of exit discharge.
2. No exit access path shall be located within 3 feet (914 mm) horizontally of any permanently installed cooking appliance, or be required to pass through a storage room, or through a room that can be locked to prevent egress.
3. Documentation shall be submitted to the building official which states that all licensure requirements have been met by the facility, and that the facility has been approved by the licensing authority. This documentation shall be included in the certificate of occupancy in accordance with Section 111.2, as applicable.