



Johnson County, Kansas

Home Daycare

Handbook

2019 Edition



INTRODUCTION

The Fire Departments of Johnson County have the responsibility to ensure the places we live, work and congregate are safe and free of fire and life safety hazards. Fire departments typically do not inspect and regulate one- or two- family dwellings once the dwelling is occupied. When a resident plans to establish and operate a home daycare within a one- or two- family dwelling, this becomes a change in use of the dwelling and then, by adopted state and local legislation, requires the local FD to ensure the home is free of fire and life safety hazards.

To aid in ensuring home daycare providers understand the basic requirements for establishing a home daycare in their dwellings, the Johnson County Fire Departments have created this document on the **minimum requirements**. This document is to be used as a basic checklist for determining your home's level of safety. This document is not all-inclusive because different homes and jurisdictions may require additional safety measures. It is **HIGHLY RECOMMENDED** that each provider reach out to your local fire department to obtain any additional requirements established based on local adopted codes.

FIRE DEPARTMENT RESPONSIBILITY

In an effort to establish the minimum home daycare requirements in Johnson County, the local fire departments continue to work with County and State Departments of Health and Environment personnel on the initial applications and annual renewals. Local fire departments work directly with the Office of the Kansas State Fire Marshal (OKSFM). In most cases for home daycare inspections, the local fire departments can and will, conduct the OKSFM required initial inspection. This is done through an agreement each local department has with the OKSFM. The OKSFM does not require an annual inspection of a home daycare after the initial inspection. The requirement for annual inspections of home daycares after the initial inspection has been established as the best practice of the Johnson County fire departments in order to ensure the fire and life safety practices continue year after year for each home daycare.

HOME DAYCARE PROVIDER RESPONSIBILITY

In an effort to help home daycare providers understand their part in the success of their home daycare inspections, the following items can be used as a guideline. The home daycare providers are responsible for contacting the Johnson County Department of Health and Environment, local city staff and local fire department to notify them of their intentions to open a home daycare. The home daycare provider is responsible for ensuring all fire inspections are scheduled and conducted prior to the expiration of any temporary or issued licenses by the State or local municipality. Daycare providers are responsible to maintain a record of all daycare inspections and drills. The daycare provider is responsible to ensure all fire and life safety practices are established, implemented and maintained in his/her dwelling throughout the timeframe of the home daycare.

MINIMUM FIRE AND LIFE SAFETY CODE REQUIREMENTS

The home daycare provider is responsible to confirm the following requirements are followed in his/her home daycare setting to ensure a safe fire and life safety environment.

Home daycares can only be in one- or two- family dwellings.

Any occupancy other than a one- or two- family dwelling shall follow the requirements set forth for a commercial daycare center and preschool per the local jurisdictional adopted International Fire Code (IFC).

Two (2) ways out, exit remoteness and exit pathways

All areas within a one- or two- family dwelling intended for use as part of the home daycare shall have a minimum of two (2) ways out of the area to the exterior of the dwelling. The only exception to this is a bathroom. The exit routes must lead to a place of safety outside of the home. The exits must allow all occupants to safely get out of the home within four (4) minutes. The inspector may during any inspection require the provider to perform a fire drill to show that all the occupants can exit the home within the four (4) minute required time through all ways out.

When rescue windows are used as an exit, the inspector can require during any inspection the occupant to demonstrate knowledge and capability on how to operate and work all the window hardware to make the appropriate opening for safe exiting. The two (2) required exits cannot be next to each other. The two (2) exits must be at least half the distance of the floor space away from each other.

EXAMPLE – If the level used for the daycare is 100' long, the exits would need to be at least 50' apart.

The two (2) ways out of each area cannot exit through a garage, storage room or other hazardous areas as determined by the fire department. A kitchen in a home daycare is usually not considered a hazardous area unless it contains a large amount of combustibles.

RESCUE WINDOWS

In some occupancies, there is a need for emergency escape and rescue windows. Because these windows often times take the place of a normal exit door, it is important to remember that the means of egress from a rescue/ventilation or escape window does not end at the window. There must be a way to safely get from the window to a place of safety. Be sure to monitor and maintain landscaping, fences and outdoor storage that may block or prevent evacuation. Minimum clear opening must equal or exceed 5.7 square feet or 821 square inches. For additional information, see the OKSFM Fire Fact 034 Rescue Windows.

EXTERIOR DOORS

During the hours of operations, all exterior exit doors must be easily opened from the inside. Any locks or latches that would restrict the ability to open the door with one single motion are prohibited.

INTERIOR DOORS

In order to keep children from being trapped in a room, all interior doors such as closets, bathrooms or bedrooms must be able to be opened. Interior doors with locks need to have a key or tool easily accessible or hung next to the door to open the door in the event the door becomes locked with a child inside. For closets containing any items or hazards to the children, a residential lock set shall be used on these doors and shall be secured when children are present.

EXIT PATHWAYS

All exit hallways, stairs and other egress pathways must be clear of any obstructions. This includes furnishings, lamps, decorations and clutter. The provider is required to verify all the exit paths are free of tripping hazards or other objects that could cause delays in exiting during an emergency.

Minimum requirements for floor levels used for home daycare purposes.

PLEASE CHECK WITH YOUR LOCAL FIRE DEPARTMENT FOR LOCALLY AMENDED REQUIREMENTS.

Main floor exit requirements

One of the required exits from the main floor shall lead you directly to the outside. All the occupants should be able to walk or crawl to this exit and get outside the home. The second exit may be another door or a compliant rescue window that provides an exit path to the ground level.

Basement exit requirements

Home daycares that utilize a basement for the daycare operation can use the stairs leading to the main floor level as one of the exit pathways. The second exit pathway can be a compliant rescue window that leads directly to the outside and continues to ground level, or a door that leads directly to the outside.

Second floor exit requirements

A second floor is any floor more than twelve (12) feet above ground level or more than six (6) feet above the floor below.

Home daycares that utilize a second floor for the home daycare operation can use the stairs leading to the main floor level as one of the exit pathways. The second exit can be a compliant rescue window or door that leads to the outside. In some jurisdictions, second floor windows or doors used for the second exit pathway are required to lead to a deck or platform. PLEASE CONTACT YOUR LOCAL FIRE DEPARTMENT FOR MORE INFORMATION ON THIS REQUIREMENT.

Home daycares cannot be located on any floor above a second floor.

SMOKE ALARM REQUIREMENTS for home daycares

Smoke alarms must be installed and maintained on every level of a home, in each sleeping area and one just outside of the sleeping areas. The smoke alarms must be powered by the homes electrical system or be powered by battery power. Smoke alarms with batteries must have their batteries replaced once every year unless the smoke alarm has a long life lithium battery. Battery replacement and a monthly smoke alarm test must be properly documented and the documents must be available for the fire inspector to review upon request.

Smoke alarms more than (10) years old must be replaced per the manufacturer recommendations and the replacements must be capable of interconnection. Smoke alarms that are hardwired only must be replaced with a smoke alarm that has a battery back up after the ten (10) life expectancy is met.

INTERCONNECTED SMOKE ALARMS

Home daycares that use the second floor or a basement level as part of the area utilized for daycare purposes must have interconnected smoke alarms. Interconnected smoke alarms can be hardwired, wireless or battery powered. All the smoke alarms must activate when any one of the smoke alarms is tested or goes into an alarm stage.

Existing home daycares prior to 2013 can continue to use battery operated smoke alarms as long as they are maintained per the manufacturer's recommendations and replaced after 10 years with interconnected smoke alarms.

PLEASE CONTACT YOUR LOCAL FIRE DEPARTMENT FOR MORE INFORMATION ON THIS REQUIREMENT.

EMERGENCY DRILLS AND DOCUMENTATION

Fire and tornado drills are required to be practiced and properly documented. Fire and tornado drills shall be practiced at different times throughout the day and during different weather conditions so the participants can be ready and understand challenges created in different situations. Fire and tornado drills should be performed from any part of the home used for daycare activities. At your annual fire department inspections, the provider could be required to perform a fire or tornado drill in the presence of the inspector.

In a real fire emergency, always call 911 from a cell phone or neighbor's house once everyone is out of the house. Never re-enter the home for any reason once you are outside. Leave the fire extinguishment to the fire department.

FIRE DRILL

- Must be conducted once a month.
- The smoke alarm test button must be used to start the drill.
- Must be properly documented with the time of day, evacuation time and number of people involved.
- Must be able to evacuate the home in less than four (4) minutes to a meeting place.
- Must be able to account for all persons who were in the home.
- Once you exit the home, **STAY OUT.**

TORNADO DRILL

- Must be conducted during the months of April through September.
- Must be properly documented with the time of day and number of people involved.
- Must be able to account for all persons who were in the home.

ELECTRICAL OUTLETS

All unused electrical outlets in a home daycare approved area must be tamper-resistant receptacles or be covered with a child resistant protective cover to shield a child from an accidental electrical shock. This requirement includes electrical outlets that are higher up on walls and on countertops.

HEATING DEVICES

All natural gas, propane gas, kerosene, or wood burning heating devices must be properly vented to the exterior. The use of unvented heaters in a home daycare are prohibited. A heating device must have a non-combustible protective barrier to prevent children from being able to get close enough to a heat-producing device to be burned. A protective barrier shall be used for gas and wood burning fireplaces, furnaces, floor heaters and water heaters when the device is in use and even when the device is not in use.

If you have any questions please contact your local fire department.

Fire Department Contacts

Olathe Fire Department

913-971-7900

Leawood Fire Department

(913) 681-6788 x 13

Shawnee Fire Department

913-742-6101

Consolidated Fire District #2

913-432-1105 x 408

Lenexa Fire Department

913-888-6380

Overland Park Fire Department

913-888-6066

Jo. Co. Fire District #2

913-592-3926

Jo. Co. Fire District #1

913-782-7635

Northwest Consolidated Fire District

913-583-3886