



## California State Fire Marshal **CODE INTERPRETATION**

Date Issued	December 3, 2018	Interpretation	18-006
Topic	Large Family Day Care-Classified as an I-4 occupancy		
Code Section(s)	2016 CBC §308.1, 308.6, 305.2		
Requested by	Laurie Furstenfeld Child Care Law Center		
Date Received	February 21, 2018		

### **Question 1:**

When are large family child care homes classified as I-4?

### **Response 1:**

The main difference between a large family day care and a Group I-4 is the need for custodial care.

A large family day care is for 9 – 14 persons who do not require custodial care. When the number of clients exceed 6 that require custodial care, the occupancy would then be classified as Group I-4.

#### **Reference:**

**CBC 308.6** A large family day care home is classified as an I-4 occupancy when the number of children that are in custodial care that are not related by blood, marriage or legal adoption exceeds 6 in number and is not located in the home of the clients cared for less than 24 hours per day.

*Custodial care is defined in the California Building Code 2016 Edition as “Assistance with day to day living tasks, such as assistance with cooking, taking medication, bathing, using toilet facilities, and other tasks of daily living. Custodial care includes persons receiving care who have the ability to respond to emergency situations and evacuate at a slower rate and / or who have mental or psychiatric complications.”*

*DAY-CARE HOME LARGE FAMILY. A provider's own home which is licensed to provide day care for periods less than 24 hours per day for 9 to 14 persons, including children under the age of 10 years who reside at the home.*

### **Question 2:**

How many non-ambulatory children does a large family child care home need to have to be classified as I-4 and not R-3?

**Response 2:** When the number of children exceed 6.  
Refer to the answer in Question #1.