

Vang, Mai (CI-StPaul)

From: Shaff, Leanna (CI-StPaul)
Sent: Tuesday, August 23, 2016 10:53 AM
To: Moermond, Marcia (CI-StPaul); Vang, Mai (CI-StPaul)
Subject: FW: 2149 Edgcumbe Rd -Appeal of Child Care Licensing Inspection

Today's appeal

From: Perucca, James (CI-StPaul)
Sent: Tuesday, August 23, 2016 10:50 AM
To: Shaff, Leanna (CI-StPaul) <leanna.shaff@ci.stpaul.mn.us>
Cc: Perucca, James (CI-StPaul) <james.perucca@ci.stpaul.mn.us>
Subject: 2149 Edgcumbe Rd -Appeal of Child Care Licensing Inspection

To Whom it May Concern,

The Child Care Center at 2149 Edgcumbe Rd, St Paul, MN is currently Licensed as a Group E (Educational) Child Day Care.

Mr. Iwan Wigetyng of the Edgcumbe Montessori wishes to increase the number of children ages 6 weeks to 16 months from 7 infants to 14 infants. This would result in an Change in Occupancy (from Group E Educational to Group I-4 Intuitional. It would also require the addition of a Fire Sprinkler System throughout the building, with exceptions noted in the following explanation.

(*Please note, the increase in fire protection is a requirement driven by the number of people who are incapable of self-preservation.)

The Center is licensed for a total of 49 Children, with an unusual exception of 7 infants (age 6 weeks to 16 months). This exception occurred as result of a Licensing Inspection during the middle 1990's.

The Center has been continually licensed for 7 infants. The Minnesota Department of Human Services Chad Kratzke, Human Services Licensor Supervisor is aware of the situation and has approved of the current continuous use. This is noted because it is outside the definition of a Group E Child Care Center.

The following information is from the Minnesota State Fire Marshal Division Child Care Center Information Sheet. The requirements outlined apply to preschool, Head Start, Child Day Care Centers and similar programs. The information provides an overview of major Code requirements that apply to these type of occupancies.

Group E (Educational) Child Care is the use of a building for educational, supervision or personal care services for more than five children **older** than 2 ½ years of age.

Group I-4 (Intuitional) Child Care is for educational, supervision or personal care services for more than five children 2 ½ years of age **or less.**

This means that Child Care Center will be classified as Group E occupancies with the exception of those providing care for more than five children 2 ½ years of age of less. These facilities shall be classified as Group I-4.

(Exception: A Child Care Center which provides care for more than 5, but not more than 100 children 2 ½ year of less of age, when the rooms where such children are cared for are located on the level of exit discharge and each of these child care rooms has an exit door directly to the exterior, shall be classified as a Group E Occupancy.)

-The 2149 Edgcombe Rd Child Care is located in a 1950's constructed Educational wing of a church (Assembly). It has two levels, neither at the level of exit discharge or with direct access to the exterior from Child Care rooms.

The following are the requirements for Fire Alarm Systems and Fire Sprinkler Systems for Group E and I-4 Child Care Occupancies.

Required Fire Alarm Systems –Group E Child Care Centers. Group E Child Care Centers Having an occupant load of 50 or more shall be provided with an approved fire alarm system. (MSFC 07 Section 907.2.3 & 907.3.2)

-This Child Care Center has an Fire Alarm system throughout the building.

Required Fire Sprinkler Systems –Group E Child Care Centers. An automatic sprinkler system shall be provided throughout all Group E fire Areas greater than 20,00SF in area. An automatic sprinkler system shall also be provided for every Group E area below the level of exit discharge. (MSFV 07 Section 903.2.2)

Group I-4 Child Care Centers. An automatic sprinkler system shall be provided throughout all buildings containing a Group I-4 Child Care Center.

(Exception: Where each classroom or care area has at least one exterior exit door at ground level.)

-This Child Care Center does not have an automatic sprinkler system, nor does the classrooms have exterior exit doors.

The Section noted on Mr. Wijetyng's Appeal is in reference to Section 2 –“Special Exiting Provisions for Young Children”. Here, it addresses where different age groups of children may be located and the Fire Protection systems required. This Section deals with the location of classrooms, floor level, and the limiting use of the affected room or space dependent of grade level. The footnote to this Section states that, “For the purposes of Section 2.1, pupils from the second grade down are considered on grade level.” It does not apply to any other Section.

To conclude, the Department of Human Services requires the Minnesota State Fire Marshal or it's designee to perform a Fire Inspection for all new Child Care facilities and for a proposed Change of Occupancy. DHS must not grant a license until written approval of compliance with the State Fire Code has been received from the Fire Marshal with jurisdiction. In addition, a Change of Use would need approved from the City of St Paul Building Official and Plan Review.

Mr. Wigetyng has applied to the Minnesota Department of Human Services for an increase in the number of children 6 weeks to 16 months from 7 to 14. This would initiate a Change in Use from an Educational Occupancy to an I-4 Institutional Occupancy. This would also require the added protection of a Fire Sprinkler System. The only exception to the Sprinkler System requirement is direct access from the classroom effected to the exterior at grade.

Mr. Wijetyng's Appeal in reference to Section 2 of the MSFM Child Care Center Information Sheet speaks to location of classrooms and their use by children of different age groups and does not apply to the Change in Use and Fire Safety requirements associated with that change.

Sincerely,

Jim Perucca



Jim Perucca

Fire Safety Inspector II

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