

## Chapter Ind 60

### CHILD DAY CARE FACILITIES

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**Ind 60.001 Scope.** The requirements of this chapter shall apply to all public and private day care centers accommodating children, including all buildings, or parts of buildings, used as child day care facilities. Chapter Ind 60 shall not apply to public schools defined in s. 115.01 (1), Stats., or private schools defined in s. 121.51 (3), Stats., or to short-time programs (i.e., Boy Scouts, Girl Scouts, Sunday schools, etc.).

(1) Part I of this chapter is general requirements applicable to all child day care facilities within the scope of chapter Ind 60.

(2) Part II of this chapter is applicable to day care centers serving 4 to 8 children.

(3) Part III of this chapter is applicable to day care centers serving 9 or more children.

(4) Chapters Ind 50 through Ind 53 are applicable for general and structural design requirements.

**History:** Cr. Register, October, 1974, No. 226, eff. 11-1-74.

**Ind 60.01 Definitions.** (1) **DAY CARE CENTER.** Any place which receives at any one time for compensation 4 or more children under the age of 7 years, for care and supervision, for less than 24 hours a day for more than 10 days a month, without the attendance of a parent, relative or legal guardian.

**History:** Cr. Register, October, 1974, No. 226, eff. 11-1-74.

#### Part I GENERAL REQUIREMENTS

**Ind 60.10 Occupancy separation.** (1) Where centers are located in conjunction with an assembly hall or a hazardous occupancy, the-

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quirements of sections Ind 54.50 (2) and Ind 55.05, respectively, shall be applicable. If there is no requirement, a one-hour fire-resistive separation shall be provided.

(a) Day care facilities in a church or school building need not comply with the requirements of this section provided all other occupancy requirements are complied with; i.e., the fire wall requirement may be waived if more stringent requirements of chapter Ind 55 or chapter Ind 56 are complied with.

(b) Private garages attached to day care centers serving 4-8 children shall be separated by a one-hour fire-resistive wall.

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74.

**Ind 60.11 Capacity of buildings.** (1) The occupant load shall be the maximum number of children intended to occupy that floor, but not more than one child per 35 square feet of net floor area. Licensing limitations of the department of health and social services may supersede this requirement.

Note: The minimum staff-to-child ratio shall meet the requirements of PW-CY 40.12 of the department of health and social services, which is as follows:

Age	Minimum number of staff to children
0-1 years	1 to 3 children
1-2 years	1 to 4 children
2-2½ years	1 to 6 children
2½-3 years	1 to 8 children
3-4 years	1 to 10 children
4-5 years	1 to 12 children
5 years or over	1 to 16 children

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74.

**Ind 60.12 Doors.** (1) All exit doors, and all doors along the path of travel to an exit, shall meet the requirements of section Ind 51.15 with the following exceptions:

(a) The width of all required exit doors may be reduced to 2 feet 8 inches in existing buildings not accommodating more than 8 children.

(b) All such doors used by not more than 25 persons need not swing outward.

(c) All such doors in centers serving 20 or less children need not be provided with illuminated exit signs.

(2) Every closet door latch shall be such that children can open the door from inside the closet.

(3) Every toilet room door lock shall be designed to permit opening of the locked door from the outside in an emergency, and the opening device shall be readily accessible to the staff.

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74; cr. (1) (d), Register, December, 1977, No. 264, eff. 1-1-78; r. (1) (a), renum. (1) (b) to (d) to be (1) (a) to (c), Register, January, 1980, No. 289, eff. 2-1-80; am. (1) (c), Register, May, 1980, No. 293, eff. 6-1-80.

**Ind 60.13 Windows and outside openings.** (1) All classrooms and areas used for instruction, study or sleeping purposes shall be provided with vision panels or windows facing directly upon a street, alley, or

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History: Cr. Register, October, 1974, No. 226, eff. 11-1-74.

**Ind 60.31 Exiting.** (1) Each floor shall have not less than 2 exits. All required exits shall lead directly, or through an enclosed stairway, to the outside.

(2) The exits shall be located to provide the best possible means of egress.

(3) Travel distance measured along safe passageways between:

(a) Any point in a sleeping room or suite and an exit access door of that room or suite shall not exceed 50 feet;

(b) Any room door intended as an exit access and an exit shall not exceed 50 feet;

(c) Any point in a room or suite and an exit shall not exceed 100 feet.

(4) The travel distances in (3) above shall be reduced by 50% for children under the age of 30 months.

(5) The travel distances in (3) above may be increased by 50 feet in buildings completely equipped with an automatic sprinkler system. No increase in travel distance is permitted for children under the age of 30 months.

(6) Children under the age of 30 months shall be restricted to the first floor, as determined in section Ind 51.02 (4), or to ground floors provided with 2 means of egress directly to grade.

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74; am. (4), (5) and (6) Register, December, 1977, No. 264, eff. 1-1-78.

**Ind 60.32 Required exit width.** The total required exit width from a building level shall be in accordance with the requirements of sections Ind 51.15 (6) and Ind 51.16 (3).

(2) If horizontal exits (section Ind 51.19) are provided for any floor, the number of persons accommodated on such floor may be increased at the rate of 100 persons for each 40 inches of width of such exits, provided such increase shall not exceed 100% of the number of persons accommodated by the stairways.

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74; r. and recr. Register, December, 1974, No. 228, eff. 1-1-75.

**Ind 60.33 Passageways.** (1) The minimum unobstructed width of corridors and passageways shall be determined in the same manner as specified for stairways and exits in section Ind 60.32. The minimum width shall be not less than 3 feet 8 inches.

(2) The minimum passageway width shall not be less than 3 feet in existing buildings proposed to be used as day care centers, provided the capacity of the day care center does not exceed 40 persons.

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74.

**Ind 60.34 Stair and shaft enclosure.** (1) All stairs and vertical shafts serving 3 or more floor levels shall comply with section Ind 51.02

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(11) and Table 51.03-A. All required stair enclosures must lead to the outside without interruptions.

(2) No storage closets shall be placed under any stairway, platform or landing. A room may be placed under a stairway or stair landing of 2-hour fire-resistive construction, or better, provided such room does not have combustible material or hazardous equipment stored or operated therein. The door to such room shall be a self-closing, solid, flush type wood door, 1¾ inches in thickness, or better.

**History:** Cr. Register, October, 1974, No. 226, eff. 11-1-74.

**Ind 60.35\* Fire extinguishers.** (1) Portable fire extinguishers suitable for Class B fires shall be installed in kitchens and cooking areas, and extinguishers suitable for Class A fires shall be installed throughout the remainder of the center.

**TABLE 60.35**

Basic Minimum Extinguisher Rating for Area Specified	Maximum Travel Distance to Extinguishers (feet)	Area to be Protected per Extinguisher (square feet)
1A	75	3,000
2A	75	6,000
3A	75	9,000
4A	75	11,250
6A	75	11,250

**History:** Cr. Register, October, 1974, No. 226, eff. 11-1-74.

**Ind 60.36 Fire alarm systems.** (1) Every building accommodating more than 20 children shall be provided with a fire alarm system complying with the requirements of section Ind 51.24.

(a) \* Exception. Buildings used for other purposes prior to occupancy as a day care center shall be provided with an approved fire alarm system. The department will accept fire alarm systems complying with the requirements of NFPA standard No. 72A, Local Protective Signaling Systems, or portable alarms approved by the department.

**History:** Cr. Register, October, 1974, No. 226, eff. 11-1-74.

**Ind 60.37 Hazardous areas.** (1) Hazardous areas, including boiler or furnace rooms, fuel storage, maintenance shops, woodworking shops, painting areas, and laundries having gas- or oil-fired units with a maximum aggregate input of 37,000 Btu or more, shall be separated from other parts of the building by construction having not less than a one-hour fire-resistive rating. All openings shall be protected by ¾-hour self-closing doors in buildings of 3 stories or less in height. Enclosures shall have a 2-hour fire-resistive rating with 1½-hour "B" label doors in buildings more than 3 stories in height. If the hazard is severe, automatic sprinklers shall be provided in addition to the fire-resistive enclosure when deemed necessary by the department.

**History:** Cr. Register, October, 1974, No. 226, eff. 11-1-74.

**Ind 60.38 Exit and emergency lighting.** (1) **EXIT LIGHTS.** All required exit doors and exit stairways in day care centers serving more

\*See Appendix A for further explanatory material.

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than 20 children shall be plainly marked by a red, illuminated, translucent exit sign bearing the word EXIT or OUT in plain letters not less than 5 inches high.

(2) EMERGENCY POWER SOURCE. All illuminated exit signs shall be supplied from an emergency source recognized by Wis. Adm. Code chapter E 700, Vol. 2, Wisconsin State Electrical Code.

**History:** Cr. Register, October, 1974, No. 226, eff. 11-1-74; am. (1), Register, May, 1980, No. 293, eff. 6-1-80.