



Date: September 15, 2023

DQA Numbered Memo 23-003
Replaces 17-005

To: Community-Based Residential Facilities

From: David Soens, Life Safety Fire Authority
Bureau of Education Services and Technology

Via: Otis Woods, Administrator
Division of Quality Assurance

Kenneth Brotheridge, Director
Bureau of Assisted Living

Construction Requirements for New 'Class-C' CBRF Structures

This memorandum replaces memorandum 17-005 with updated regulatory references. The position of the Department of Health Services remains consistent regarding the purpose of this memorandum to provide information regarding the minimum fire safety requirements for new Community-Based Residential Facility (CBRF) licensure, as these requirements relate to the application of the Wisconsin Commercial Building Code (WCBC). CBRFs are licensed according to Wis. Admin. Code ch. DHS 83. Commercial structures are designed to the requirements in the WCBC.

Background

The WCBC adopts and modifies the International Building Code (IBC). Chapter 3 of the IBC classifies commercial buildings in relation to use and occupancy. Depending on the number of people being cared for, and the extent of their physical condition, CBRFs will typically be classified I-2, I-1, R-4, or R-3. In addition, a small CBRF serving five to eight persons can be constructed to the Uniform Dwelling Code standards in Wis. Admin. Code chs. SPS 320 to 325. The following outlines how the definitions within Wis. Admin. Code ch. DHS 83 align with a specific use classification within the Wis. Admin. Code § IBC.

According to Wis. Admin. Code § DHS 83.04(2)(d), (e), and (f):

(d) *Class C ambulatory (CA)*. A class C ambulatory CBRF serves only residents who are ambulatory but one or more of whom are not mentally capable of responding to a fire alarm by exiting the CBRF without any help or verbal or physical prompting.

(e) *Class C semi-ambulatory (CS)*. A class C semi-ambulatory CBRF serves only residents who are ambulatory or semi-ambulatory, but one or more of whom are not physically or mentally capable of responding to a fire alarm by exiting the CBRF without help or verbal or physical prompting.

(f) *Class C non-ambulatory (CNA)*. A class C non-ambulatory CBRF serves residents who are ambulatory, semi-ambulatory or non-ambulatory, but one or more of whom are not physically or mentally capable of responding to a fire alarm by exiting the CBRF without help or verbal or physical prompting.

IBC Group I-2 occupancies serve buildings and structures with persons who are not capable of self-preservation.

According to Wis. Admin. Code § IBC:

- *IBC Chapter 2 Custodial Care*. Custodial care includes persons receiving care who have the ability to respond to emergency situations and evacuate at a slower rate and/or have mental and psychiatric complications.
- *IBC Chapter 2 Medical Care*. Medical Care involves medical or surgical procedures, nursing, or for psychiatric purposes.
- *IBC § 308.3* Institutional Group I-1 occupancy shall include buildings, structures, or portions thereof for more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised environment and receive *custodial care*.
- *IBC § 308.4* Institutional Group I-2 occupancy shall include buildings and structures used for *medical care* on a 24-hour basis for more than five persons who are incapable of self-preservation.
- *IBC § 308.4.1.1 Group I-2 Condition 1*. This occupancy condition shall include facilities that provide nursing and medical care but do not provide emergency care, surgery, obstetrics, or in-patient stabilization units for psychiatric or detoxification, including but not limited to nursing homes and foster care facilities.
- *IBC § 308.4.1.2 Group I-2 Condition 2*. This occupancy condition shall include facilities that provide nursing and medical care and could provide emergency care, surgery, obstetrics, or in-patient stabilization units for psychiatric or detoxification, including but not limited to hospitals.

Position

Class-C CBRFs of nine or more beds (e.g., commercial size, seeking licensure in a new structure) must be designed and approved as an **IBC Group I-2 Condition 1**.

Questions

Direct questions about the content of this memo to the DQA Life Safety Fire Authority at (608) 266-8016 or David.Soens@wisconsin.gov.