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DQA Memo 25-002  
Replaces Memo 23-003

To: Community-Based Residential Facilities

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

Via: Alfred Johnson, Deputy Administrator  
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## Construction Requirements for New 'Class-C' CBRF Structures

This memorandum replaces memorandum 23-003 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 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.

**According to Wis. Admin. Code § IBC:**

- *IBC Chapter 2 Custodial Care*. 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 and psychiatric complications.
- *IBC Chapter 2 Incapable of Self-Preservation*. Persons who, because of age, physical limitations, mental limitations, chemical dependency or medical treatment, cannot respond as an individual to an emergency situation.
- *IBC Chapter 2 Medical Care*. Care involving medical or surgical procedures, nursing or for psychiatric purposes.
- *IBC § 308.2* 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 § 308.3* 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 § 308.3.1.1 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 § 308.3.1.2 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.

IBC Group I-2 occupancies serve buildings with persons who are incapable of self-preservation.

**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](mailto:David.Soens@wisconsin.gov).