

# Attachment to a Permit application involving a Custodial (Residential or Assisted Living) Care Facility



CITY OF DALLAS

The 2015 Edition of the International Building Code provides a definition for the use **“Custodial Care”** as follows:

**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 occupants who evacuate at a slower rate and/or who have mental and psychiatric complications. This type of care may include but not necessarily be limited to the following: Care facilities centers and Assisted Living Facilities.

The code also outlines new life safety requirements for an **“Custodial Care Facility”** as indicated on the attached page (Section 420). A permit is required to convert a Dwelling to Custodial Care Facility. This change in use may trigger a fire sprinkler requirement and other life safety requirements.

An applicant for a permit to convert a Dwelling to a Custodial Care Facility must execute this form attesting to any new or pre-existing conditions and facts pertaining to the business model with any conversion permit application. The code requirements are prospective for any new **“Custodial Care Facility”** or for any newly expanded **“Custodial Care Facility.”** Any change in the character of the use of the business, such as a change in the number of persons/residents or the capabilities of persons/residents may cause the building code requirements to be triggered, require a new permit and compliance with building and fire code requirements.

Please make the appropriate check mark for both the number of residents and the ability of the residents to respond to an emergency (check only one under each heading). If your space is an “Custodial Care Facility” and your DADS application lists the residents to be housed as follows:

NUMBER OF RESIDENTS RECEIVING CARE

- will house a maximum number of residents **not to exceed 5**; or,  
 will house **at least 6** residents for any amount of time but **will not exceed 16**.  
 will house **at least 17 or more** residents for any amount of time.

EXITING CAPABILITY OF RESIDENTS RECEIVING CARE

- at least **one** of the residents will be incapable of responding individually to an emergency  
 **all** the residents can respond individually and without assistance to an emergency

I certify that the location of the BU application is: \_\_\_\_\_ Suite \_\_\_\_\_  
(address) and the initial establishment of this use occurred under BU permit number \_\_\_\_\_.

I attest that the answers provided are accurate and understand that if changes are made to increase the number of patients and/or those incapable of self-preservation the facility must be made to comply with the currently adopted code.

\_\_\_\_\_  
Printed Name of Tenant/Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Tenant/Owner

Excerpted from the 2015 Edition of the *International Building Code*:

## **SECTION 420 - GROUPS I-1, R-1, R-2, R-3 AND R-4**

**420.1 General.** Occupancies in Groups I-1, R-1, R-2, R-3 and R-4 shall comply with the provisions of Sections 420.1 through 420.6 and other applicable provisions of this code.

**420.2 Separation walls.** Walls separating dwelling units in the same building, walls separating sleeping units in the same building and walls separating dwelling or sleeping units from other occupancies contiguous to them in the same building shall be constructed as fire partitions in accordance with Section 708.

**420.3 Horizontal separation.** Floor assemblies separating dwelling units in the same buildings, floor assemblies separating sleeping units in the same building and floor assemblies separating dwelling or sleeping units from other occupancies contiguous to them in the same building shall be constructed as horizontal assemblies in accordance with Section 711.

**420.4 Smoke barriers in Group I-1, Condition 2.** Smoke barriers shall be provided in Group I-1, Condition 2, to subdivide every story used by persons receiving care, treatment or sleeping and to provide other stories with an occupant load of 50 or more persons, into no fewer than two smoke compartments. Such stories shall be divided into smoke compartments with an area of not more than 22,500 square feet (2092 m<sup>2</sup>) and the distance of travel from any point in a smoke compartment to a smoke barrier door shall not exceed 200 feet (60 960 mm). The smoke barrier shall be in accordance with Section 709.

**420.4.1 Refuge area.** Refuge areas shall be provided within each smoke compartment. The size of the refuge area shall accommodate the occupants and care recipients from the adjoining smoke compartment. Where a smoke compartment is adjoined by two or more smoke compartments, the minimum area of the refuge area shall accommodate the largest occupant load of the adjoining compartments. The size of the refuge area shall provide the following:

1. Not less than 15 net square feet (1.4 m<sup>2</sup>) for each care recipient.
2. Not less than 6 net square feet (0.56 m<sup>2</sup>) for other occupants.

Areas or spaces permitted to be included in the calculation of the refuge area are corridors, lounge or dining areas and other low-hazard areas.

**[F] 420.5 Automatic sprinkler system.** Group R occupancies shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.2.8. Group I-1 occupancies shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.2.6. Quick response or residential automatic sprinklers shall be installed in accordance with Section 903.3.2.

**[F] 420.6 Fire alarm systems and smoke alarms.** Fire alarm systems and smoke alarms shall be provided in Group I-1, R-1, R-2 and R-4 occupancies in accordance with Sections 907.2.6, 907.2.8, 907.2.9 and 907.2.10, respectively. Single- or multiple-station smoke alarms shall be provided in Groups I-1, R-2, R-3 and R-4 in accordance with Section 907.2.11.