



Ohio Administrative Code

Rule 5101:2-13-04 Building department inspection and fire inspection for a licensed family child care provider.

Effective: October 29, 2021

(A) What are the type A home requirements for building inspections?

(1) Licensed type A homes shall be inspected by the local building department having jurisdiction.

Building inspections shall be obtained:

(a) At the time of application for a child care license.

(b) At the time a type A home requests a license amendment for a change of location, including a temporary change of location.

(c) Prior to the use of any areas of the structure not previously inspected for child care use.

(d) At the time of any major repair, modification, or alteration of any existing structure presently being used for a type A home but prior to the continued use of modified or altered parts of the structure. A major repair, modification or alteration includes:

(i) Cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support or the removal or change of any required means of escape, or rearrangement of parts of the structure affecting the exit requirements.

(ii) Addition to, alteration of, replacement or relocation of any gas, oil, water, soil, waste or vent piping, electrical wiring or heating, ventilating or air-conditioning equipment.

(iii) Any modification that would otherwise need a plan approval as required by the rules of the Ohio board of building standards.

(2) The licensed type A home provider shall abide by any stipulations or limitations that are noted on the building inspection report.



(3) The building department inspection shall be documented on a form set forth by the board of building standards and be available on-site for review.

(4) The licensed type A home provider shall provide documentation that the type A home license is not prohibited by the local zoning board.

(B) What are the type A home requirements for a fire inspection and approval?

(1) Licensed type A homes shall secure a fire inspection and written approval from the state fire marshal or the local fire safety inspector for the municipality or township having jurisdiction. The type A home shall abide by any stipulations or limitations set forth in the written documentation by the state fire marshal or the local fire safety inspector.

(2) The fire inspection and approval needs to be obtained for a licensed type A home:

(a) At the time of initial application for a family child care license.

(b) At the time of a family child care license amendment when requesting a change of location, including a temporary change of location.

(c) At least once annually within each twelve months from the date of the last fire approval report.

(d) Prior to the use of any areas of the structure not previously inspected and approved for use for type A home care.

(e) Prior to caring for infants and non-ambulatory children of any age other than on the first floor of the type A home.

(C) What are the type B home building requirements?

(1) Space is to be approved by the county agency prior to the use of any area of the structure not previously inspected and approved for use.



(2) The type B home provider is to notify the county agency in OCLQS, if the provider wants to utilize or structurally modify any space not previously inspected and approved for use.

(3) Rooms or spaces higher than the second floor of the structure are not to be used for child care.

(D) What requirements does a licensed type B home provider need to ensure fire safety?

A licensed type B home shall have:

(1) The emergency exit features and operational conditions listed in appendix A to this rule.

(2) At least one underwriters laboratories (UL) or factory mutual laboratories (FM) smoke alarm located in the basement and on each level of the licensed type B home. The licensed type B home provider shall place, install, test and maintain smoke alarms in accordance with manufacturer's recommendations.

(3) At least one working UL or FM portable fire extinguisher, not expired, in the licensed type B home which shall have a minimum rating of 1A:10BC in the kitchen where food is provided for child care or cooking area.

(4) All electrical connections made in junction boxes properly covered. Electrical extension cords shall not be used as permanent wiring.

(E) What are the requirements for flammable and combustible materials and substances on-site at the licensed type B home?

If a licensed type B home provider has items such as, but not limited to, gasoline, kerosene, propane and other fuels, the materials shall be stored in accordance with the storage requirements listed in appendix B to this rule.

(F) Can a licensed type B home provider use heaters?



If vented gas, oil, or wood-fired heaters are used, a nonflammable guard shall be provided for each heater, stove or fireplace to protect the children from hot surfaces and open flames.

(1) No unprotected open flame, such as fireplaces, oil lamps or candles, shall be allowed to burn in the home while care is being provided.

(2) Unvented fuel-fired heaters shall not be used while child care is being provided.