DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TECHNICAL SERVICES
ADMINISTRATIVE CODE

CHAPTER 580-3-22
MINIMUM STANDARDS FOR PHYSICAL FACILITIES

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580-3-22-.01 General Requirements.

The standards set forth in this regulation shall apply to various types of non-institutional care and services located in the community. In addition to the requirements in this section, programs must also comply with all other state laws and regulations as well as with local laws and ordinances administered by governmental entities having local jurisdiction.

(1) No person, partnership, corporation or association of persons shall operate a facility for the care or treatment of any kind of mental or emotional illness or services to persons with mental retardation or substance abuse services without being certified by DMH/MR Commissioner.

(2) If apartments or housing are operated by the provider as a residential program with on-site staff supervision, then they are subject to these rules.

(3) The current certificate must be returned within sixty (60) days to the Office of Certification Administration when a facility closes or no longer provides services.

(4) All building addresses shall be clearly displayed.

(5) DMH/MR Commissioner or designee may waive standards set forth in this regulation.

Author: DMH/MR Office of Life Safety and Technical Services
Statutory Authority: Code of Ala. 1975, §22-50-11.
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580-3-22-.02 Definitions.

(1) ADA Accessibility Guidelines for Buildings and Facilities (ADAAG) – Minimum guidelines for accessible design.

(2) Americans With Disabilities Act (ADA) – Legislation to extend civil rights protection to people with disabilities. This prohibits discrimination on the basis of disability in employment, State and local government services, public transportation, commercial facilities, and telecommunications.

(3) Authority Having Jurisdiction (AHJ) – A term commonly used in the NFPA 101 Life Safety Code. Herein, this shall be the Commissioner for the Alabama Department of Mental Health and Mental Retardation or his designee.

(4) Certificate – A document issued to the facility engaged in the care or treatment of mental or emotional illness or services to the persons with mental retardation or substance abuse services indicating compliance with DMH/MR Standards. The number of persons noted on the certificate for residential services includes only the number of persons allowed to reside in the facility. The number of persons noted on the day services certificate includes only the number of persons being served.

(5) Community Residential Facility (CRF) – Supervisedcommunity based facility providing Mental Illness, Mental Retardation or Substance Abuse Services involving lodging, health, social and daily living needs.

(6) Day Services Program (MIDS, MRDS, SADS) – Community based facility providing training or activities for those persons suffering from Mental Illness, Mental Retardation or Substance Abuse. These facilities include activity centers, work centers and outpatient centers and do not provide lodging for such people.

(7) DMH/MR – The State of Alabama Department of Mental Health and Mental Retardation.

(8) Existing Facility – A facility which is certified by DMH/MR prior to the effective date of this regulation.

(9) New Facility – Buildings or portions of buildings, new and existing, that are:

(a) Being certified for the first time.

(b) Providing a different service that requires a change in the type of certification.

(c) Being certified after the previous provider's certification has been revoked, suspended, or after the previous provider has voluntarily surrendered the certificate and the facility has not continuously operated for more than 30 days.

(10) NFPA - National Fire Protection Association.
Author: DMH/MR Office of Life Safety and Technical Services
Statutory Authority: Code of Ala. 1975, §22-50-11.
History: New Rule: Filed November 21, 2008; effective December 26, 2008.

580-3-22-.03 Inspection And Right Of Entry.

Day service programs may be inspected on an annual basis and residential facilities may be inspected on a semi-annual basis under routine circumstances. For the purpose of making such inspections, the inspector may enter, examine, review and survey at any reasonable time, rooms and other structures or buildings on or adjoining the premises.
Author: DMH/MR Office of Life Safety and Technical Services
Statutory Authority: Code of Ala. 1975, §22-50-11.
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580-3-22-.04 Notification Of Fire.

It is the responsibility of each person, partnership, corporation or association operating a certified facility to notify the Office of Life Safety and Technical Services in the event of a structural fire within 24 hours of the incident. The initial notification may be by telephone followed by a written notification which shall include an incident report and a copy of the local fire department report if such a report has been, or will be, prepared.
Author: DMH/MR Office of Life Safety and Technical Services

Statutory Authority: Code of Ala. 1975, §22-50-11.
History: Repealed and Replaced: Filed June 16, 1999; effective July 21, 1999. **Repealed and Replaced:** March 22, 2000; effective April 27, 2000. **Repealed:** Filed October 1, 2001; effective November 5, 2001 (Rule title - Definitions). **New Rule:** Filed November 21, 2008; effective December 26, 2008.

580-3-22-.05 Zoning.

Each facility type and location shall be in compliance with local zoning laws and be approved prior to obtaining certification of the facility.
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Statutory Authority: Code of Ala. 1975, §22-50-11.
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580-3-22-.06 Plans and Specifications.

(1) Plans and specifications for construction of or modifications to the physical facilities for which certification will be requested, or for modifications to existing certified facilities shall be submitted for review. Said plans and specifications shall be prepared in accordance with Code of Ala. 1975, Section 34-2-32.

(2) Plans for new construction must be approved and stamped by a licensed architect and a letter certifying compliance with applicable codes shall be submitted by the architect to the Office of Life Safety and Technical Services before Life Safety approval is considered.
Author: DMH/MR Office of Life Safety and Technical Services
Statutory Authority: Code of Ala. 1975, §22-50-11.
History: Repealed and Replaced: Filed June 16, 1999; effective July 21, 1999. **Repealed and Replaced:** March 22, 2000; effective April 27, 2000. **Repealed and Replaced:** October 1, 2001; effective November 5, 2001. Repealed **New Rule:** Filed November 21, 2008; effective December 26, 2008.

580-3-22-.07 Identification And Correction Of Life Safety And Technical Services Deficiencies.

The following sets forth a list of deficiencies the seriousness of which requires mandatory and time-limited action. Failure to take

corrective action within the prescribed times, unless action is waived or additional time to correct the deficiency is granted by the DMH/MR Commissioner or designee, may result in immediate decertification of the violating program/facility. Discrepancies are listed in order of severity, greater to lesser. This list of discrepancies is not exclusive. Absence of a particular discrepancy from the following does not preclude a finding by the DMH/MR Commissioner or designee that any particular condition, or a combination of any such conditions, with or without those listed, creates a serious threat to safety or welfare requiring immediate action by the DMH/MR Commissioner or designee, up to and including immediate decertification in accordance with the provisions of the Alabama Administrative Code, Section 580-3-23-.15(5).

(1) **CATEGORY "A" (24 hour repair and notification required).** Any identified deficiency noted on the Office of Life Safety and Technical Services inspection report requires notification of correction be provided to the DMH/MR Office of Certification Administration within 24 hours of identification. However, within the Commissioner's discretion or his designee's discretion, additional time may be granted for Category "A" deficiencies if it is determined by the Life Safety and Technical Services inspectors that it would be impossible to meet the 24 hour deadline (e.g. cannot get parts or labor duringthe required time frame), and reasonable measures have been taken (e.g., if necessary, temporary relocation to another facility) to protect the health and safety of residents while the deficiency is being corrected. The above list may not be all inclusive.

(a) Fire Alarm System showing trouble, silenced or out of service.

(b) Automatic Sprinkler System out of service.

(c) No water supply or non-potable water in house.

(d) If a facility, home, or apartment is subject to DMH/MR certification (see 580-3-22-.01(8) and 580-3-22-.13(1)), then hot water temperature shall not exceed 120 degrees Fahrenheit. Minimum hot water temperatures shall not fall below 110 degrees Fahrenheit.

(e) No electrical service in house.

(f) No heat or air causing the temperature to exceed or fall below DMH/MR requirements.

(g) Sewage back-up in house or in yard.

(h) In the event of a fire, consumers must be moved immediately. The local fire department and DMH/MR will determine when the facility is safe for occupancy.

(i) Loss of structure or roof to building.

(j) Gas leakage discovered at facility.

(k) Agency/operators refusal to correct any of the above problems.

(2) **CATEGORY "B" (10 day repair and notification required).** Any identified deficiency noted on the Office of Life Safety and Technical Services inspection report requires notification of correction be provided to the DMH/MR Office of Certification Administration within 10 days of identification. However, within the Commissioner's discretion or his designee's discretion, additional time may be granted for Category "B" deficiencies if it is determined by the Life Safety and Technical Services inspectors that it would be impossible to meet the 10-day deadline (e.g. cannot get parts during therequired time frame), and reasonable measures have been taken (e.g., if necessary, temporary relocation to another facility) to protect the health and safety of residents while the deficiency is being corrected. Any deficiency noted on the inspection report must have notification of correction sent to the DMH/MR Office of Certification Administration within 10 days of inspection. The above list may not be all inclusive.

(a) Fire Alarm System not serviced and tagged for current year.

(b) Automatic Sprinkler System not serviced and tagged for current year.

(c) Non- approved type gas/electric space heaters cited as deficiencies and not removed.

(d) A SECOND NOTICE for any non-1ife threatening deficiency.

(3) **CATEGORY "C" (30 day repair and notification required).** Any identified deficiency not listed under Category "A" or Category "B" noted on the Office of Life Safety and Technical Services inspection report requires notification of correction be provided to the DMH/MR Office of Certification Administration within 30 days of identification. However, within the Commissioner's discretion or his designee's discretion, additional time may be granted for Category "C" deficiencies if it is determined by the Life Safety and Technical Services inspectors that it would be impossible to meet the 30- day deadline (e.g. cannot get parts during the

required time frame), and reasonable measures have been taken (e.g., if necessary, temporary relocation to another facility) to protect the health and safety of residents while the deficiency is being corrected.

Author: DMH/MR Office of Life Safety and Technical Services
Statutory Authority: Code of Ala. 1975, §22-50-11.
History: New Rule: Filed November 21, 2008; effective December 26, 2008.

580-3-22-.08 Three Beds Or Less Residential Facility.

(1) These minimum standards are for Mental Illness, Mental Retardation and Substance Abuse Community Residential Facilities housing three or less residents. In addition to theseminimum standards, the most current edition of the NFPA 101, *Life Safety Code, One and Two Family Dwellings Chapter*, International Building Code and National Electrical Code shall also apply with the following exception: NFPA 101, Life Safety Code, Chapter 24.3.5 shall not apply because the International Residential Code Council has voted not to include sprinkler requirements for One and Two Family Dwellings.

(2) The facility cannot be occupied until the Commissioner issues a Temporary Operating Authority (TOA) granting temporary operating authority or certification based on compliance with the DMH/MR minimum standards. The above referenced type facility shall be classified by DMH/MR Minimum Physical Facility Standards as a Community Residential Facility. The facility shall include bedrooms, kitchen, dining room, living room, laundry, and other common areas under one roof.

(a) **FIRE SAFETY EQUIPMENT**

1. Electric smoke detectors shall be installed and connected to the electrical system (recommend battery backup) and must be connected in series so when one detector sounds all detectors will sound.

2. Smoke detectors shall be installed in the following locations:

(i) In other than existing dwellings (new construction), in all sleeping rooms;

(ii) In existing dwellings, outside of each separate sleeping area in the immediate vicinity of the sleeping rooms; and

(iii) On each level of the dwelling unit including basements.

3. Smoke detectors shall be mounted on ceilings where possible and only allowed on walls when impossible for ceiling mounting. Detectors on walls shall be mounted with top of detector not less than 4 inches nor more than 12 inches from the ceiling.

4. Smoke detectors shall not be located under or within 3 feet of ceiling fan blades or air supply diffusers or returns.

5. Portable fire extinguishers shall be installed, inspected, and maintained in accordance with NFPA 10, Standard for Portable Fire Extinguishers.

(i) A minimum of (1) 10 lb ABC in hallway and (1) 5 lb ABC fire extinguisher in kitchen shall be provided.

(ii) Size of fire extinguisher refers to Charge Weight.

(iii) Mount top of fire extinguisher 5 feet above floor.

(iv) A service tag shall be provided from a certified fire equipment service company for each fire extinguisher.

(v) Fire extinguishers must be visually checked, dated and initialed on rear of service tag each month by the facility operator.

6. Battery pack emergency lighting shall be installed in hallways or other locations as required for illuminating the paths of travel from areas of the facility to designated exits.

(i) Emergency lighting functional testing shall be conducted by the facility operator monthly for a period of not less than 30 seconds and annually for not less than 90 minutes.

(ii) The emergency equipment must remain fully operational for the duration of the test.

(iii) Written records of visual inspections and tests shall be kept by the facility operator for review by DMH/MR.

(b) **MAINTENANCE**

1. Facilities must be free of hazards, structurally sound and maintained throughout (e.g., sill, joist, pier, foundation, walls, roof and other areas).

2. Insulation in walls, floors and ceilings in any room, including utility rooms, closets and garages, must be covered with finished material.

(c) **ADA REQUIREMENTS**

1. The specifications in this rule make buildings and facilities accessible to and usable by people with such physical disabilities as the inability to walk, difficulty walking, reliance on walking aids, blindness and visual impairment, deafness and hearing impairment, incoordination, reaching and manipulation disabilities, lack of stamina, difficulty interpreting and reacting to sensory information, and extremes of physical size based generally upon adult dimensions (as cited by American National Standard, Accessible and Usable Building and Facilities, Council of American Building Officials CABO/ ANSI A117.1992).

2. Facilities housing physically disabled or non-ambulatory persons using or confined to a walker or wheelchair shall comply with Federal Guidelines for the accessibility for disabled persons. These requirements include complete bathing, toileting facilities, complete facility access and parking. Facilities must comply with ADA requirements for total access to and inside the facility.

(d) **MEANS OF EGRESS AND/OR ESCAPE**

1. In dwellings or dwelling units of two rooms or more, every sleeping room and every living area shall have not less than one primary means of escape and one secondary means of escape (Life Safety Code, One and Two Family Dwellings Chapter).

2. The primary means of escape shall be a door not less than 28 inches in width.

3. Doors on facilities with physically disabled persons must comply with ADA requirements.

4. Secondary means of escape shall be an unobstructed operable window directly leading outside which opens without the use of tools, keys or special effort. Burglar bars requiring a key shall not be used, but those which use a thumb type locking device may be used.

(i) Windows, including storm windows, shall provide a clear opening of not less than 5.7 square feet.

(ii) The width shall not be less than 20 inches and the height shall not be less than 24 inches.

(iii) The bottom of the window opening (sill) shall not be more than 44 inches above the floor.

(iv) The window shall be within 20 feet of grade.

(v) Windows with dimensions of 20" x 24" have a clear opening of 3.3 square feet. Therefore, either the height or width needs to exceed the minimum requirements to provide the required clear opening.

(vi) Existing facilities as defined herein (see 580-3-22-.02(8)) are exempt from the requirements of this section. All new construction will comply.

(e) **ROOM CEILINGS AND HALLWAYS**

1. The width of hallways shall be not less than 36 inches and the height not less than 7 feet 6 inches.

2. The height of room ceilings shall not be less than 7 feet 6 inches.

3. Existing facilities which fit the definition of this code will not be subject to the minimum ceiling height as stated above.

(f) **DOORS**

1. Doors in the path of travel to the means of escape shall be not less than 28 inches wide and not less than 6 feet 8 inches high.

2. Bathrooms and closet doors shall not be less than 24 inches wide.

3. Doors on facilities with physically disabled persons must comply with ADA standards.

4. Doors shall not have more than 2 locking devices.

(i) No double key dead bolt locks are allowed.

(ii) Keys shall be maintained by designated staff members at all times on the premises.

(g) **STAIRS**

1. Stairs serving as a required means of escape shall be of permanent fixed construction and shall havehandrails on both sides of the steps that are not less than 34 inches nor more than 38 inches above the surface of the tread.

2. In new construction, the minimum height of risers must be a minimum of 4 inches and maximum of 7 inches in height, and a minimum tread depth of 11 inches.

3. In existing construction, the maximum height of risers must be 8 inches and the minimum tread depth must be 9 inches. Stairs must be uniform in design.

(h) **PORCHES AND LANDINGS**

1. Porches and landings shall have guardrails not less than 42 inches high when any portion of the porch or landing equals or exceeds 24 inches above ground level.

2. Open guards, other than approved existing open guards, shall have rails or an ornamental pattern such that an object 4 inches in diameter is not able to pass through any opening up to a height of 34 inches.

(i) **SLEEPING ROOMS/SPACE**

1. Single occupancy bedrooms shall contain a minimum of 100 square feet of open floor space.

2. Each bedroom occupied by more than one person shall contain a minimum of 80 square feet of open floor space per occupant.

3. Closets cannot be included in these computations. There shall be a minimum of 36 inches between beds.

4. A permanent constructed closet or a sturdy enclosed wardrobe with drawer space shall be provided for individual belongings.

5. Mattresses and box springs shall be maintained in good repair.

6. Bedrooms shall be provided with window treatments such as mini blinds, drapes, curtains or other appropriate covering providing privacy and maintained in good condition.

(j) **SEPARATION OF ROOMS**

1. The laundry room shall be separated by a door or a wall from all food preparation or serving areas.

2. No bathroom shall open directly to any food preparation or serving area.

3. No bedroom shall open directly into a kitchen.

4. No bedroom shall have as its only access a door opening directly to or from another bedroom or bathroom.

(k) **SMOKING REGULATIONS**

1. Smoking is not allowed inside any facility.

2. Smoking is allowed only in designated exterior areas or on smoking porches which have ventilation. A nonflammable container shall be provided for disposal.

(l) **FLAMMABLES AND COMBUSTIBLES**

1. Flammable or combustible liquids shall not be stored inside the residential facility.

(m) **OPEN FLAME DEVICES**

1. No candles, incense, oil lamps or lanterns shall be allowed to be used inside any facility.

2. Facilities containing a fuel-burning appliance or fireplace or having an attached garage shall be equipped with carbon monoxide detectors.

(n) **FIRE EXIT DRILLS**

1. Unannounced fire exit drills shall be conducted on a monthly basis with one fire exit drill per quarter being conducted between the hours of 10:00 p.m. and 5:00 a.m. when residents are asleep.

2. Fire exit drills shall be initiated by using emergency equipment.

3. A log of fire exit drills shall be kept on the premises and available for review at each inspection. Fire exit drills shall contain the date the drill was conducted, time of day drill was conducted including AM/ PM, time taken to evacuateand clear the facility, number of people taking part in the drill and the signature of the person conducting the drill.

(o) **SEVERE WEATHER PLAN.** *A Severe Weather Plan*, approved by the program's executive director, will be developed for each site of the program and will be available for review.

(p) **COOLING/HEATING/VENTILATION**

1. Windows and doors used for ventilation shall have screens which are maintained in good condition.

2. If a facility, home, or apartment is subject to DMH/MR certification (see 580-3-22-.01(8) and 580-3-22.13(1)), then the air temperature within the facility shall be maintained between 70 and 80 degrees Fahrenheit measured at a distance of 3 feet above the floor.

3. Mechanical ventilation (exhaust fans) shall be provided in each bathroom.

4. Gas stoves and cook tops must be equipped with comparable sized hoods, filters, operable lights and exhaust fans with outdoor ventilation.

(i) Pilot lights on gas stoves and cook tops must be maintained and operable.

5. Electric stoves not vented to the exterior must have hoods, charcoal filters, fans and lights. Electric stoves vented to the exterior must have hoods, fans and lights.

6. Ceiling fans shall be installed to maintain a minimum clearance of 7 feet between the finished floor and the ceiling fan blades.

7. Smoke detectors shall not be located under nor within 3 feet of ceiling fan blades or air supply diffusers or returns.

8. No heater shall have exposed electric elements and shall be equipped with tip-over devices for automatic shutoff.

9. Fireplaces and fossil-fuel stoves (wood burning) shall have partitions or screens or other means to prevent burns.

(i) Fireplaces (excluding electric) shall be vented to the outside.

(ii) No unvented fuel heaters or gas logs are allowed.

(iii) Gas fireplaces shall have a remote gas shutoff within the room and not inside the fireplace.

10. Wood burning or gas logs cannot be used as a primary heat source.

(i) DMH/MR approval must be obtained for emergency use only on a case by case basis.

(ii) Emergency use of a fireplace as a primary heat source must be approved by DMH/MR. In its request the facility must represent, and be able to document, that the fireplace has been inspected and cleaned in the past 2 years.

(q) **APPLIANCE/ELECTRICAL/COMMUNICATION**

1. Facilities shall have equipment for the proper preparation and serving of food as determined by the size and functions of the facility.

2. Space and equipment shall be provided for receiving and storage, preparation, cooking, serving, dining and dishwashing.

3. Appliances shall be maintained clean and in working condition.

4. Non-operable appliances and/or equipment shall be repaired or removed from the premises.

5. Refrigerators shall be maintained at a constant temperature of 45 degrees Fahrenheit or below and freezers shall be maintained at a constant temperature of 0 degrees Fahrenheit or below.

(i) Thermometers shall be maintained inside refrigerators and freezers.

6. For all new construction, electrical outlets located within rooms containing a water source shall be GFCI type outlets or shall be connected to a GFCI breaker. Existingfacilities, as defined herein, shall have GFCI type outlets in kitchens and bathrooms, or the outlets in those rooms shall be connected to a GFCI breaker.

7. No extension cords shall be used as a permanent wiring source.

8. Multi-plug type electrical devices shall be equipped with an approved in-1ine surge protector or breaker.

9. For a new facility, a letter from a licensed electrician shall be provided stating that wiring, panels, and fixtures are safe and adequate, and installed in accordance with local, state and national electrical codes. The letter shall be on company letterhead with name, address, contact number and electrician license number. Facilities providing written documentation of code compliance from a state or local building official shall be exempt from this standard.

10. Electrical breaker/fuse panels shall contain interior cover plates and blank covers where breakers/fuses are missing.

11. Interior electrical breaker panels are required to have operational locks.

12. Breakers shall be labeled as to the location of the circuits.

13. Telephone service shall be provided in each facility.

(r) **WATER TEMPERATURE**

1. Heated water shall be supplied to each lavatory, shower, bathtub, kitchen sink, dishwasher, and clothes washer at the required minimum and maximum temperature.

2. Hot water temperature shall be maintained between 110 degrees and 120 degrees Fahrenheit in facilities.

(i) If the hot water temperature exceeds the maximum temperature of 120 degrees Fahrenheit on two (2) consecutive inspections, a scald guard or mixing valve shall be installed within thirty (30) calendar days of the date of the last inspection.

(s) **LIGHTING**

1. Lighting on the interior and the exterior of the facility shall have proper size and type light bulbs installed.

2. Light fixtures and lamps shall have shields, globes, protective tubes or shades in good condition.

3. Programs that are open in the hours of darkness must have adequate exterior lighting.

4. Lighting in exhaust vent hoods above kitchen stoves shall be the shatter resistant (Teflon coated) light bulbs or be protected with shields as provided by the hood manufacturer.

5. Resident rooms shall have general lighting with switches located at the interior side of the entrance door.

(t) **WATER SUPPLY**

1. Water supply shall be provided under pressure and obtained from an approved local water authority.

2. If a private water source is used, the operator of the facility shall obtain approval from the local health department to ensure safe location, construction, maintenance and operation of the system.

3. The water shall be tested annually and documentation maintained at the facility for review.

(u) **PLUMBING/SEWAGE**

1. Plumbing shall be functional and in good working order.

2. Sewage and liquid waste shall be disposed of in accordance with city, county, and state regulations.

(v) **CONTROL OF INSECTS/RODENTS.** Proper measures for year-round control of insects, rodents, and other outdoor vermin shall be taken.

(w) **ANIMALS**

1. Animals or pets which present no apparent threatto the health and safety of the residents or staff are permitted if they are properly housed, cared for and are not fed in the food preparation or serving areas of the residence.

2. Animals are required to receive annual inoculations.

3. Any animal that has at any time bitten any human being, or has a known or demonstrated propensity, or tendency, or disposition to attack, to cause injury, or otherwise threaten or endanger the safety of humans or other domestic animals shall not be maintained on the premises.

4. Animals commonly considered to be naturally wild, or those which are considered to be inherently dangerous to the health, safety and welfare of people are also forbidden on the premises.

(x) **SOLID WASTE**

1. Kitchen garbage shall be stored in approved containers with tops or lids in place at all times.

2. Garbage containers shall be cleaned and emptied on a frequent basis.

(y) **LAUNDRY**

1. Dryers shall be properly vented to the outdoors and provided with space blocks of proper size to prevent crimping of the exhaust hose.

2. Area behind washers and dryers shall be maintained in a clean manner.

(z) **BATHROOMS**

1. A minimum of 1 full bathroom, (toilet, lavatory, tub or shower) shall be provided for each 6 residents or portion thereof.

2. Bathrooms shall have access from a common area of the facility.

3. If a bathroom is located off a bedroom, only the residents of that bedroom will be allowed use of the bathroom.

4. Bathroom doors shall be not less than 24 inches wide.

5. Doors on facilities with physically disabled persons must comply with ADA standards.

(aa) **INTERIOR FINISH (FLOOR COVERINGS, WALLS, CEILINGS)**

1. Floor coverings, walls and ceilings shall be maintained free of dirt, holes and excessive stains.

2. Floor coverings shall be properly secured to sub-flooring.

3. Carpeting, if used as a floor covering, shall be properly installed, easily cleaned and maintained in good repair.

4. Carpeting is prohibited in kitchens and bathrooms.

(bb) **FURNITURE.** Broken furniture or furniture with torn upholstery must be repaired or discarded.

(cc) **FOOD PREPARATION/STORAGE**

1. All food shall be stored, prepared, distributed and served under sanitary conditions.

2. Store opened perishable foods inside sealed containers inside the refrigerator.

3. Store reclaimed cooking oil inside sealed containers.

4. Store opened dry goods inside sealed containers. Dry goods removed from original containers must be dated and properly labeled.

5. There shall be no open air thawing of frozen meats.

6. Do not store cooking and eating utensils or food products under kitchen sink.

7. Food items shall be stored at a height of atleast 6 inches above floor level.

8. Cleaning supplies shall be stored below food items.

(dd) **EXTERIOR**

1. Deteriorated wood on the exterior of a facility shall be replaced.

2. When exterior paint shows chipping and peeling, facility shall be painted or be covered with artificial siding.

3. Non-slab constructed facilities shall have underpinning and access doors shall be maintained in a closed position.

4. Ventilation openings on raised foundations shall have grills.

(ee) **OUTSIDE GROUNDS**

1. Exterior areas shall have proper drainage with no standing water, open sewage, sink lines or defects of this nature.

2. The area shall be kept clean and free of tall grass or weeds.

3. There shall be no discarding of cooking waste, mop water and hazardous materials on exterior grounds.

4. There shall be no unprotected wells, natural or man-made hazards or other obvious physical dangers (e.g. broken appliances, inoperable vehicles which do not have current license plates, broken furniture, rubbish, debris, etc.)

5. If a swimming pool is part of the facility, it shall be enclosed by a minimum 4 foot high fence with a locking gate. The pool shall be properly maintained and cleaned.

Author: DMH/MR Office of Life Safety and Technical Services
Statutory Authority: Code of Ala. 1975, §22-50-11.

History: New Rule: Filed November 21, 2008; effective December 26, 2008.

580-3-22-.09 Four To Sixteen Bed Residential Facility.

(1) These minimum standards are for Mental Illness, Mental Retardation and Substance Abuse residential services housing 4 to 16 residents. In addition to these standards, the most current edition of the NFPA 101, *Life Safety Code, Small Residential Board and Care Occupancy*, International Building Code and National Electrical Code shall apply.

(2) The facility cannot be occupied until the Commissioner issues a Temporary Operating Authority (TOA) granting temporary operating authority or certification based on compliance with the DMH/MR minimum standards. The above referenced type facility shall be classified by DMH/MR Minimum Physical Facility Standards as a Community Residential Facility. The facility shall include bedrooms, kitchen, dining room, living room, laundry, and other common areas under one roof.

(a) **FIRE SAFETY EQUIPMENT**

1. Fire alarm systems shall be installed, tested and maintained in accordance with NFPA 70, *National Electrical Code*, and NFPA 72, N*ational Fire Alarm Code*.

2. Electric smoke detectors/heat sensors shall be installed and connected to the electrical system (recommend battery backup) and shall be connected in series so when one detector sounds all detectors will sound.

3. Smoke detectors shall be installed in the following locations:

(i) In other than existing dwellings (new construction), in all sleeping rooms;

(ii) In existing dwellings, outside of each separate sleeping area in the immediate vicinity of the sleeping rooms; and

(iii) On each level of the dwelling unit including basements.

4. Smoke detectors shall be mounted on ceilings where possible and only allowed on walls when impossible for ceiling mounting. Detectors on walls shall be mounted with top of detector not less than 4 inches nor more than 12 inches from the ceiling.

5. Smoke detectors shall not be located under or within 3 feet of ceiling fan blades or air supply diffusers or returns.

6. When a required fire alarm system is out of service for more than 4 hours in a 24 hour period, DMH/MR shall be notified and an approved fire watch shall be provided for the entire period until the fire alarm system has been returned to service.

7. Automatic sprinkler systems shall be required in compliance with NFPA 101, Life Safety Code and installed and maintained in accordance with NFPA 13. Existing facilities as defined herein (see 580-3-22-.02(8)) are exempt from sprinkler system requirements. However, facilities which would be required to have such systems absent this exemption are required to have operable fire alarm systems or smoke detectors. Additionally, all new construction will comply with NFPA 101 and NFPA 13.

8. Portable fire extinguishers shall be installed, inspected, and maintained in accordance with NFPA 10, Standard for Portable Fire Extinguishers.

(i) A minimum of (1) 10 lb ABC in hallway and (1) 5 lb ABC fire extinguisher in kitchen shall be provided.

(ii) Size of fire extinguisher refers to Charge Weight.

(iii) Mount top of fire extinguisher 5 feet above the floor.

(iv) A service tag shall be provided from a certified fire equipment service company for each fire extinguisher.

(v) Fire extinguishers shall be visually checked, dated and initialed on rear of service tag each month by the facility operator.

9. Battery pack emergency lighting shall be installed in hallways or other locations as required for illuminating the paths of travel from areas of the facility to designated exits.

(i) Emergency lighting functional testing shall beconducted by the facility operator monthly for a period of not less than 30 seconds and annually for not less than 90 minutes.

(ii) The emergency equipment must remain fully operational for the duration of the test.

(iii) Written records of visual inspections and tests shall be kept by the facility operator for inspection by DMH/MR.

(b) **MAINTENANCE**

1. Facilities shall be free of hazards, structurally sound and maintained throughout (e.g., sill, joist, pier, foundation, walls, roof and other areas).

2. Insulation in walls, floors and ceilings in any room, including utility rooms, closets and garages, shall be covered with finished material.

(c) **ADA REQUIREMENTS**

1. The specifications in this rule make buildings and facilities accessible to and usable by people with such physical disabilities as the inability to walk, difficulty walking, reliance on walking aids, blindness and visual impairment, deafness and hearing impairment, incoordination, reaching and manipulation disabilities, lack of stamina, difficulty interpreting and reacting to sensory information, and extremes of physical size based generally upon adult dimensions (as cited by American National Standard, Accessible and Usable Building and Facilities, Council of American Building Officials CABO/ ANSI A117.1992).

2. Facilities housing physically disabled or non-ambulatory persons using a walker or confined to a wheelchair shall comply with Federal Guidelines for the accessibility for disabled persons. These requirements include complete bathing, toileting facilities, complete facility access and parking. Facilities must comply with ADA requirements for total access to and inside the facility.

(d) **MEANS OF EGRESS AND/OR ESCAPE**

1. In dwellings or dwelling units of two rooms or more, every sleeping room and every living area shall have one (1) primary means of escape (Life Safety Code, Residential Board and Care Occupancy).

2. The primary means of escape shall be a door no less than 32 inches in width. Doors on facilities with physically disabled persons shall comply with ADA Standards.

(e) **ROOM CEILINGS AND HALLWAYS**

1. The width of hallways shall be not less than 36 inches and the height not less than 7 feet 6 inches.

2. The height of room ceilings shall not be less than 7 feet 6 inches.

3. Existing facilities which fit the definition of this code will not be subject to the minimum ceiling height as stated above.

(f) **DOORS**

1. Doors in the path of travel to the means of escape shall be not less than 32 inches wide and not less than 6 feet 8 inches high.

2. Bathrooms and closet doors shall be not less than 24 inches wide.

3. Doors on facilities with physically disabled persons shall comply with ADA standards.

4. Doors shall not have more than 2 locking devices.

(i) No double key dead bolt locks are allowed.

(ii) Keys shall be maintained by designated staff members at all times on the premises.

(g) **STAIRS**

1. Stairs serving as a required means of egress shall be of permanent fixed construction and shall have handrails on both sides of the steps that are not less than 34 inches nor more than 38 inches above the surface of the tread.

2. In new construction, the minimum height of risers must be a minimum of 4 inches and maximum of 7 inches in height, and a minimum tread depth of 11 inches.

3. In existing construction, the maximum height of risers must be 8 inches and the minimum tread depth must be 9 inches.

4. Stairs must be uniform in design.

(h) **PORCHES AND LANDINGS**

1. Porches and landings shall have guardrails not less than 42 inches high when any portion of the porch or landing equals or exceeds 24 inches above ground level.

2. Open guards, other than approved existing open guards, shall have rails or an ornamental pattern such that an object 4 inches in diameter is not able to pass through any opening up to a height of 34 inches.

(i) **SLEEPING ROOMS/SPACE**

1. Single occupancy bedrooms shall contain a minimum of 100 square feet of open floor space.

2. Each bedroom occupied by more than one person shall contain a minimum of 80 square feet of open floor space per occupant.

3. Closets cannot be included in these computations.

4. There must be a minimum of 36 inches between beds.

5. A permanent constructed closet or a sturdy enclosed wardrobe with drawer space as residents may require shall be provided for individual belongings.

6. Bed linens shall be maintained in good condition and free of holes.

7. Mattresses and box springs shall be maintained in good repair.

8. Bedrooms shall be provided with window treatments such as mini blinds, drapes, curtains or other appropriate covering providing privacy and maintained in good condition.

(j) **SEPARATION OF ROOMS**

1. The laundry room shall be separated by a door or a wall from all food preparation or serving areas.

2. No bathroom shall open directly to any food preparation or serving area.

3. No bedroom shall open directly into a kitchen.

4. No bedroom shall have as its only access a door opening directly to or from another bedroom or bathroom.

(k) **SMOKING REGULATIONS**

1. Smoking is not allowed inside any facility.

2. Smoking is allowed only in designated exterior areas or on smoking porches which have ventilation. A nonflammable container shall be provided for disposal.

(l) **FLAMMABLES AND COMBUSTIBLES**

1. Flammable or combustible liquids shall not be stored inside the residential facility.

(m) **OPEN FLAME DEVICES**

1. No candles, incense, oil lamps or lanterns shall be allowed to be used inside any facility.

2. Facilities containing a fuel-burning appliance or fireplace or having an attached garage shall be equipped with carbon monoxide detectors.

(n) **FIRE EXIT DRILLS**

1. Unannounced fire exit drills shall be conducted on a monthly basis with one fire exit drill per quarter being conducted between the hours of 10:00 p.m. and 5:00 a.m. when residents are asleep.

2. Fire exit drills shall be initiated by using emergency equipment.

3. A log of fire exit drills shall be kept available for review at each inspection.

(i) Fire exit drills must contain the date the drillwas conducted, time of day drill was conducted including AM/PM, time taken to evacuate and clear the facility, number of people taking part in the drill and the signature of the person conducting the drill.

(o) **SEVERE WEATHER PLAN.** A Severe Weather Plan, approved by the program's executive director, will be developed for each site of the program and will be available for review.

(p) **COOLING/HEATING/VENTILATION**

1. Windows and doors used for ventilation shall have screens which are maintained in good condition.

2. If a facility, home, or apartment is subject to DMH/MR certification (see 580-3-22-.01(8) and 580-3-22.13(1)), then the air temperature within the facility shall be maintained between 70 and 80 degrees Fahrenheit measured at a distance of 3 feet above the floor.

3. Mechanical ventilation (exhaust fans) shall be provided in each bathroom.

4. Gas stoves and cook tops shall be equipped with comparable sized hoods, filters, operable lights and exhaust fans with outdoor ventilation.

(i) Pilot lights on gas stoves and cook tops must be maintained and operable.

5. Electric stoves not vented to the exterior must have hoods, charcoal filters, fans and lights. Electric stoves vented to the exterior must have hoods, fans and lights.

6. Ceiling fans shall be installed to maintain a minimum clearance of 7 feet between the finished floor and the ceiling fan blades.

7. Smoke detectors shall not be located under nor within 3 feet of ceiling fan blades or air supply diffusers or returns.

8. No heater shall have exposed electric elements and shall be equipped with tip-over devices for automatic shutoff.

9. Fireplaces and fossil-fuel stoves (wood burning)shall have partitions or screens or other means to prevent burns.

(i) Fireplaces shall be vented to the outside.

(ii) No unvented fuel heaters or gas logs are allowed.

(iii) Gas fireplaces shall have a remote gas shutoff within the room and not inside the fireplace.

10. Except in emergency situations noted in the following, wood burning or gas logs cannot be used as a primary heat source.

(i) DMH/MR approval must be obtained for emergency use only on a case by case basis.

(ii) Emergency use of a fireplace as a primary heat source must be approved by DMH/MR. In its request the facility must represent, and be able to document, that the fireplace has been inspected and cleaned in the past 2 years.

(q) **APPLIANCE/ELECTRICAL/COMMUNICATION**

1. Facilities shall have equipment for the proper preparation and serving of food as determined by the size and functions of the facility.

2. Space and equipment shall be provided for receiving and storage, preparation, cooking, serving, dining and dishwashing.

3. Appliances shall be maintained clean and in working condition.

4. Non-operable equipment shall be repaired or removed from the premises.

5. Refrigerators shall be maintained at a constant temperature of 45 degrees Fahrenheit or below and freezers shall be maintained at a constant temperature of 0 degrees Fahrenheit or below.

(i) Thermometers shall be maintained inside refrigerators and freezers.

6. For all new construction, electrical outletslocated within rooms containing a water source shall be GFCI type outlets or shall be connected to a GFCI breaker. Existing facilities, as defined herein, shall have GFCI type outlets in kitchens and bathrooms, or the outlets in those rooms shall be connected to a GFCI breaker.

7. No extension cords shall be used as a permanent wiring source.

8. Multi-plug type electrical devices shall be equipped with an approved in-1ine surge protector or breaker.

9. For a new facility, a letter from a licensed electrician shall be provided stating that wiring, panels, and fixtures are safe and adequate, and installed in accordance with local, state and national electrical codes. The letter shall be on company letterhead with name, address, contact number and electrician license number. Facilities providing written documentation of code compliance from a state or local building official shall be exempt from this standard.

10. Electrical breaker/fuse panels shall contain interior cover plates and blank covers where breakers/fuses are missing.

11. Interior electrical breaker panels are required to have operational locks.

12. Breakers shall be labeled as to the location of the circuits.

13. Telephone service shall be provided in each facility.

(r) **WATER TEMPERATURE**

1. Heated water shall be supplied to each lavatory, shower, bathtub, kitchen sink, dishwasher, and clothes washer at the required minimum and maximum temperature.

2. Hot water temperature shall be maintained between 110 degrees and 120 degrees Fahrenheit in facilities.

(i) If the hot water temperature exceeds the maximum temperature of 120 degrees Fahrenheit on two (2) consecutive inspections, a scald guard or mixing valve shall be installed within thirty (30) calendar days of the date of the lastinspection.

(s) **LIGHTING**

1. Lighting on the interior and the exterior of the facility shall have proper size and type light bulbs installed.

2. Light fixtures and lamps shall have shields, globes, protective tubes or shades in good condition.

3. Lighting in exhaust vent hoods above kitchen stoves shall be the shatter resistant (Teflon coated) light bulbs or be protected with shields as provided by the hood manufacturer.

4. Resident rooms shall have general lighting with switches located at the interior side of the entrance door.

(t) **WATER SUPPLY**

1. Water supply shall be provided under pressure and obtained from an approved local water authority.

2. If a private water source is used, the operator of the facility must obtain approval from the local health department to ensure safe location, construction, maintenance and operation of the system.

3. The water shall be tested annually and documentation maintained at the facility for review.

(u) **PLUMBING/SEWAGE** 1. Plumbing shall be functional and in good working order.

2. Sewage and liquid waste shall be disposed of in accordance with city, county, and state regulations.

(v) **CONTROL OF INSECTS/RODENTS.** Proper measures for year-round control of insects, rodents, and other outdoor vermin shall be taken.

(w) **ANIMALS**

1. Animals or pets which present no apparent threat to the health and safety of the residents or staff are permittedif they are properly housed, cared for and are not fed in the food preparation or serving areas of the residence.

2. Animals are required to receive annual inoculations.

3. Any animal that has at any time bitten any human being, or has a known or demonstrated propensity, or tendency, or disposition to attack, to cause injury, or otherwise threaten or endanger the safety of humans or other domestic animals shall not be maintained on the premises.

4. Animals commonly considered to be naturally wild, or those which are considered to be inherently dangerous to the health, safety and welfare of people are also forbidden on the premises.

(x) **SOLID WASTE**

1. Kitchen garbage shall be stored in approved containers with tops or lids in place at all times.

2. Garbage containers shall be cleaned and emptied on a frequent basis.

(y) **LAUNDRY**

1. Dryers shall be properly vented to the outdoors and provided with space blocks of proper size to prevent crimping of the exhaust hose.

2. Area behind washers and dryers shall be maintained in a clean manner.

(z) **BATHROOMS**

1. A minimum of 1 full bathroom, (toilet, lavatory, tub or shower) shall be provided for each 6 residents or portion thereof.

2. Bathrooms shall have access from a common area of the facility.

3. If a bathroom is located off a bedroom, only the residents of that bedroom will be allowed use of the bathroom.

4. Bathroom doors shall be not less than 24 incheswide.

5. Doors on facilities with physically disabled persons must comply with ADA standards.

(aa) **INTERIOR FINISH (FLOOR COVERINGS, WALLS, CEILINGS)**

1. Floor coverings, walls and ceilings shall be maintained free of dirt, holes and excessive stains.

2. Floor coverings shall be properly secured to sub-flooring.

3. Carpeting, if used as a floor covering, shall be properly installed, easily cleaned and maintained in good repair.

4. Carpeting is prohibited in kitchens and bathrooms.

(bb) **FURNITURE.** Broken furniture or furniture with torn upholstery shall be repaired or discarded.

(cc) **FOOD PREPARATION/STORAGE**

1. Store opened perishable foods inside sealed containers inside the refrigerator.

2. Store reclaimed cooking oil inside sealed containers.

3. Store opened dry goods inside sealed containers. Dry goods removed from original containers must be dated and properly labeled.

4. There shall be no open air thawing of frozen meats.

5. Do not store cooking and eating utensils or food products under kitchen sink.

6. Food items shall be stored at a height of at least six inches above floor level.

7. Cleaning supplies shall be stored below food items.

(dd) **EXTERIOR**

1. Deteriorated wood on the exterior of a facility shall be replaced.

2. When exterior paint shows chipping and peeling, facility shall be painted or be covered with artificial siding.

3. Non-slab constructed facilities shall have underpinning and access doors shall be maintained in a closed position.

4. Ventilation openings on raised foundations shall have grills.

(ee) **OUTSIDE GROUNDS**

1. Exterior areas shall have proper drainage with no standing water, open sewage, sink lines or defects of this nature.

2. The area shall be kept clean and free of tall grass or weeds.

3. There shall be no discarding of cooking waste, mop water and hazardous materials on exterior grounds.

4. There shall be no unprotected wells, natural or man-made hazards or other obvious physical danger (e.g. broken appliances, inoperable vehicles which do not have current license plates, broken furniture, rubbish, debris, etc.)

5. If a swimming pool is part of the facility, it shall be enclosed by a minimum 4 foot high fence with a locking gate. The pool shall be properly maintained and cleaned.

Author: DMH/MR Office of Life Safety and Technical Services
Statutory Authority: Code of Ala. 1975, §22-50-11.
History: New Rule: Filed November 21, 2008; effective December 26, 2008.

580-3-22-.10 Over Sixteen Bed Residential Facility.

(1) These minimum standards are for Mental Illness, Mental Retardation and Substance Abuse residential facilitieswith over 16 residents. In addition to these standards, the most current edition of the NFPA 101, *Life Safety Code, Large Residential Board and Care Occupancy*, International Building Code and National Electrical Code shall apply.

(2) The facility cannot be occupied until the Commissioner issues a Temporary Operating Authority (TOA) granting temporary operating

authority or certification based on compliance with the DMH/MR minimum standards. The above referenced type facility shall be classified by DMH/MR Minimum Physical Facility Standards as a Community Residential Facility.

(a) **FIRE SAFETY EQUIPMENT**

1. Fire alarm systems shall be installed, tested and maintained in accordance with NFPA 70, National Electrical Code, and NFPA 72, National Fire Alarm Code, to include Annunciator Panel and Emergency Forces Notification.

2. Electric smoke detectors/heat sensors shall be installed and connected to the electrical system (recommend battery backup) and must be connected in series so when one detector sounds all detectors will sound.

3. Smoke detectors shall be installed in the following locations:

(i) In other than existing dwellings (new construction), in all sleeping rooms;

(ii) In existing dwellings, outside of each separate sleeping area in the immediate vicinity of the sleeping rooms; and

(iii) On each level of the dwelling unit including basements.

4. Smoke detectors shall be mounted on ceilings where possible and only allowed on walls when impossible for ceiling mounting.

5. Detectors on walls shall be mounted with top of detector not less than 4 inches nor more than 12 inches from the ceiling.

6. Smoke detectors shall not be located under or within 3 feet of ceiling fan blades or air supply diffusers orreturns.

7. When a required fire alarm system is out of service for more than 4 hours in a 24 hour period, DMH/MR shall be notified and an approved fire watch shall be provided for the entire period until the fire alarm system has been returned to service.

8. Automatic sprinkler systems shall be required in compliance with NFPA 101, *Life Safety Code* and installed and maintained in accordance with NFPA 13. Existing

facilities as defined herein (see 580-3-22-.02(8)) are exempt from sprinkler system requirements. However, facilities which would be required to have such systems absent this exemption are required to have operable fire alarm systems or smoke detectors. Additionally, all new construction will comply with NFPA 101 and NFPA 13.

9. Portable fire extinguishers shall be installed, inspected, and maintained in accordance with NFPA 10, *Standard for Portable Fire Extinguishers*.

(i) A minimum of (1) 10 lb ABC in hallway and (1) 5 lb ABC fire extinguisher in kitchen shall be provided.

(ii) Size of fire extinguisher refers to Charge Weight.

(iii) Mount top of fire extinguisher 5 feet above floor.

(iv) A service tag shall be provided from a certified fire equipment service company for each fire extinguisher.

(v) Fire extinguishers must be visually checked, dated and initialed on rear of service tag each month by the facility operator.

10. Battery pack emergency lighting shall be installed in hallways or other locations as required for illuminating the paths of travel from areas of the facility to designated exits.

(i) Emergency lighting functional testing shall be conducted by the facility operator monthly for a period of not less than 30 seconds and annually for not less than 90 minutes.

(ii) The emergency equipment shall remain fully operational for the duration of the test.

(iii) Written records of visual inspections and tests shall be kept by the facility operator for inspection by DMH/MR.

(b) **MAINTENANCE**

1. Facilities must be free of hazards, structurally sound and maintained throughout (e.g., sill, joist, pier, foundation, walls, roof and other areas).

2. Insulation in walls, floors and ceilings in any room, including utility rooms, closets and garages, must be covered with finished material.

(c) **ADA REQUIREMENTS**

1. The specifications in this rule make buildings and facilities accessible to and usable by people with such physical disabilities as the inability to walk, difficulty walking, reliance on walking aids, blindness and visual impairment, deafness and hearing impairment, incoordination, reaching and manipulation disabilities, lack of stamina, difficulty interpreting and reacting to sensory information, and extremes of physical size based generally upon adult dimensions (as cited by American National Standard, Accessible and Usable Building and Facilities, Council of American Building Officials CABO/ ANSI A117.1992).

2. Facilities housing physically disabled or non-ambulatory persons using or confined to a walker or wheelchair shall comply with Federal Guidelines for the accessibility for disabled persons. These requirements include complete bathing, toileting facilities, complete facility access and parking. Facilities must comply with ADA requirements for total access to and inside the facility.

(d) **MEANS OF EGRESS**

1. These facilities shall have two separate exits provided on every story and accessible from every part of every story. (L*ife Safety Code, Large Residential Board and Care Occupancies*).

2. The primary means of egress shall be a door no less than 32 inches in width. Doors on facilities withphysically disabled persons must comply with ADA Standards.

3. Means of egress shall be marked with illuminated exit signs.

(e) **ROOM CEILINGS AND HALLWAYS**

1. The width of hallways shall be not less than 60 inches and the height not less than 7 feet 6 inches.

2. The height of room ceilings shall not be less than 7 feet 6 inches.

3. Existing facilities which fit the definition of this code will not be subject to the minimum ceiling height as stated above.

(f) **DOORS**

1. Doors in the path of travel to the means of egress shall be not less than 32 inches wide and not less than 6 feet 8 inches high.

2. Bathrooms and closet doors shall be not less than 24 inches wide.

3. Doors on facilities with physically disabled persons must comply with ADA standards.

4. Doors shall not have more than 2 locking devices.

(i) No double key dead bolt locks shall be allowed.

(ii) Keys shall be maintained by a designated staff members at all times on the premises.

(g) **STAIRS**

1. Stairs serving as a required means of egress shall be of permanent fixed construction and shall have handrails on both sides of the steps that are not less than 34 inches nor more than 38 inches above the surface of the tread.

2. In new construction, the minimum height of risers must be a minimum of 4 inches and maximum of 7 inches in height, and a minimum tread depth of 11 inches.

3. In existing construction, the maximum height of risers shall be 8 inches and the minimum tread depth shall be 9 inches.

4. Stairs shall be uniform in design.

(h) **PORCHES AND LANDINGS**

1. Porches and landings shall have guardrails not less than 42 inches high when any portion of the porch or landing equals or exceeds 24 inches above ground level.

2. Open guards, other than approved existing open guards, shall have rails or an ornamental pattern such that an object 4 inches in diameter is not able to pass through any opening up to a height of 34 inches.

(i) **SLEEPING ROOMS/SPACE**

1. Single occupancy bedrooms shall contain a minimum of 100 square feet of open floor space.

2. Each bedroom occupied by more than one person shall contain a minimum of 80 square feet of open floor space per occupant.

3. Closets cannot be included in these computations.

4. There shall be a minimum of 36 inches between beds.

5. A permanent constructed closet or a sturdy enclosed wardrobe with drawer space as residents may require shall be provided for individual belongings.

6. Bed linens shall be maintained in good condition and free of holes.

7. Mattresses and box springs shall be maintained in good repair.

8. Bedrooms shall be provided with window treatments such as mini blinds, drapes, curtains or other appropriate covering providing privacy and maintained in good condition.

(j) **FURNISHINGS, BEDDING, AND DECORATIONS.** Draperies, curtains, upholstered furniture and mattresses shallbe fire retardant in accordance with NFPA 101 Life Safety Code Chapter 10.

(k) **SEPARATION OF ROOMS**

1. The laundry room shall be separated by a door or a wall from all food preparation or serving areas.

2. No bathroom shall open directly to any food preparation or serving area.

3. No bedroom shall open directly into a kitchen.

4. No bedroom shall have as its only access a door opening directly to or from another bedroom or bathroom.

(l) **SMOKING REGULATIONS**

1. Smoking is not allowed inside any facility.

2. Smoking is allowed only in designated exterior areas or on smoking porches which have ventilation. A nonflammable container shall be provided for disposal.

(m) **FLAMMABLES AND COMBUSTIBLES**

1. Flammable or combustible liquids shall not be stored inside the residential facility.

(n) **OPEN FLAME DEVICES**

1. No candles, incense, oil lamps or lanterns shall be allowed to be used inside the facility.

2. Facilities containing a fuel-burning appliance or fireplace or having an attached garage shall be equipped with carbon monoxide detectors.

(o) **FIRE EXIT DRILLS**

1. Unannounced fire exit drills shall be conducted on a monthly basis with one fire exit drill per quarter being conducted between the hours of 10:00 p.m. and 5:00 a.m. when residents are asleep.

2. Fire exit drills shall be initiated by using emergency equipment.

3. A log of fire exit drills shall be kept available for review at each inspection. Fire exit drills shall contain the date the drill was conducted, time of day drill was conducted including AM/PM, time taken to evacuate and clear the facility, number of people taking part in the drill and the signature of the person conducting the drill.

(p) **SEVERE WEATHER PLAN.** A Severe Weather Plan, approved by the program's executive director, will be developed for each site of the program and will be available for review.

(q) **COOLING/HEATING/VENTILATION**

1. Windows and doors used for ventilation shall have screens which are maintained in good condition.

2. If a facility, home, or apartment is subject to DMH/MR certification (see 580-3-22-.01(8) and 580-3-22.13(1)), then the air temperature within the facility shall be maintained between 70 and 80 degrees Fahrenheit measured at a distance of 3 feet above the floor.

3. Mechanical ventilation (exhaust fans) shall be provided in each bathroom.

4. Commercial cooking equipment shall be provided and equipped in accordance with NFPA 96 (*Standards for Ventilation Control and Fire Protection of Commercial Cooking Operations*).

5. Ceiling fans shall be installed to maintain a minimum clearance of 7 feet between the finished floor and the ceiling fan blades.

6. Smoke detectors shall not be located under nor within 3 feet of ceiling fan blades or air supply diffusers or returns.

7. No heater shall have exposed electric elements and shall be equipped with tip-over devices for automatic shutoff.

8. Fireplaces and fossil-fuel stoves (wood burning) shall have partitions or screens or other means to prevent burns.

(i) Fireplaces shall be vented to the outside.

(ii) No unvented fuel heaters or gas logs are allowed.

(iii) Gas fireplaces shall have a remote gas shutoff within the room and not inside the fireplace.

9. Wood burning or gas logs cannot be used as a primary heat source.

(i) DMH/MR approval must be obtained for emergency use only on a case by case basis.

(ii) Emergency use of a fireplace as a primary heat source must be approved by DMH/MR. In its request the facility must represent, and be able to document, that the fireplace has been inspected and cleaned in the past 2 years.

(r) **APPLIANCE/ELECTRICAL/COMMUNICATION**

1. Facilities shall have equipment for the proper preparation and serving of food as determined by the size and functions of the individual facility.

2. Space and equipment shall be provided for receiving and storage, preparation, cooking, serving, dining and dishwashing.

3. Appliances shall be maintained clean and in working condition. Non-operable equipment shall be repaired or removed from the premises.

4. Refrigerators shall be maintained at a constant temperature of 45 degrees Fahrenheit or below and

freezers shall be maintained at a constant temperature of 0 degrees Fahrenheit or below.

(i) Thermometers shall be maintained inside refrigerators and freezers.

5. For all new construction, electrical outlets located within rooms containing a water source shall be GFCI type outlets or shall be connected to a GFCI breaker. Existing facilities, as defined herein, shall have GFCI type outlets in kitchens and bathrooms, or the outlets in those rooms shall be connected to a GFCI breaker.

6. No extension cords shall be used as a permanent wiring source.

7. Multi-plug type electrical devices shall be equipped with an approved in-1ine surge protector or breaker.

8. For a new facility, a letter from a licensed electrician shall be provided stating that wiring, panels, and fixtures are safe and adequate, and installed in accordance with local, state and national electrical codes. The letter shall be on company letterhead with name, address, contact number and electrician license number. Facilities providing written documentation of code compliance from a state or local building official shall be exempt from this standard.

9. Electrical breaker/fuse panels shall contain interior cover plates and blank covers where breakers/fuses are missing.

10. Interior electrical breaker panels are required to have operational locks.

11. Breakers shall be labeled as to the location of the circuits.

12. Telephone service shall be provided in each facility.

(s) **WATER TEMPERATURE**

1. Heated water shall be supplied to each lavatory, shower, bathtub, kitchen sink, dishwasher, and clothes washer at the required minimum and maximum temperature.

2. Hot water temperature shall be maintained between 110 degrees and 120 degrees Fahrenheit in facilities.

(i) If the hot water temperature exceeds the maximum temperature of 120 degrees Fahrenheit on two (2) consecutive inspections, a scald guard or mixing

valve shall be installed within thirty (30) calendar days of the date of the last inspection.

(t) **LIGHTING**

1. Lighting on the interior and the exterior of the facility shall have proper size and type light bulbs installed.2. Light fixtures and lamps shall have shields, globes, protective tubes or shades in good condition.

3. Resident rooms shall have general lighting with switches located at the interior side of the entrance door.

(u) **WATER SUPPLY**

1. Water supply shall be provided under pressure and obtained from an approved local water authority.

2. If a private water source is used, the operator of the facility shall obtain approval from the local health department to insure safe location, construction, maintenance and operation of the system.

3. The water shall be tested annually and documentation maintained at the facility for review.

(v) **PLUMBING/SEWAGE**

1. Plumbing shall be functional and in good working order.

2. Sewage and liquid waste shall be disposed of in accordance with city, county, and state regulations.

(w) **CONTROL OF INSECTS/RODENTS.** Proper measures for year-round control of insects, rodents, and other outdoor vermin shall be taken.

(x) **ANIMALS**

1. Animals or pets which present no apparent threat to the health and safety of the residents or staff are permitted if they are properly housed, cared for and are not fed in the food preparation or serving areas of the residence.

2. Animals are required to receive annual inoculations.

3. Any animal that has at any time bitten any human being, or has a known or demonstrated propensity, or tendency, or disposition to attack, to cause injury, or otherwise threaten or endanger the safety of humans or

other domestic animals shall not be maintained on the premises.4. Animals commonly considered to be naturally wild, or those which are considered to be inherently dangerous to the health, safety and welfare of people are also forbidden on the premises.

(y) **SOLID WASTE**

1. Kitchen garbage shall be stored in approved containers with tops or lids in place at all times.

2. Garbage containers shall be cleaned and emptied on a frequent basis.

(z) **LAUNDRY**

1. Dryers shall be properly vented to the outdoors and provided with space blocks of proper size to prevent crimping of the exhaust hose.

2. Area behind washers and dryers shall be maintained in a clean manner.

(aa) **BATHROOMS**

1. A minimum of 1 full bathroom, (toilet, lavatory, tub or shower) shall be provided for each 6 residents or portion thereof.

2. Bathrooms shall have access from a common area of the facility.

3. If bathroom is located off a bedroom, only the residents of that bedroom will be allowed use of the bathroom.

4. Bathroom doors shall be not less than 24 inches wide. Doors on facilities with physically disabled persons must comply with ADA standards.

(bb) **INTERIOR FINISH (FLOOR COVERINGS, WALLS, CEILINGS)**

1. Floor coverings, walls and ceilings shall be maintained free of dirt, holes and excessive stains.

2. Floor coverings shall be properly secured to sub-flooring.

3. Carpeting, if used as a floor covering, shall be properly installed, easily cleaned and maintained in good repair.

4. Carpeting is prohibited in kitchens and bathrooms.

(cc) **FURNITURE.** Broken furniture or furniture with torn upholstery must be repaired or discarded.

(dd) **FOOD PREPARATION/STORAGE**

1. Store opened perishable foods inside sealed containers inside the refrigerator.

2. Store reclaimed cooking oil inside sealed containers.

3. Store opened dry goods inside sealed containers. Dry good removed from original containers shall be dated and properly labeled.

4. There shall be no open air thawing of frozen meats.

5. Do not store cooking and eating utensils or food products under kitchen sink.

6. Food items are to be stored at a height of at least six inches above floor level.

7. Cleaning supplies shall be stored below food items.

(ee) **EXTERIOR**

1. Deteriorated wood on the exterior of a facility shall be replaced.

2. When exterior paint shows chipping and peeling, facility shall be painted or be covered with artificial siding.

3. Non-slab constructed facilities shall have underpinning and access doors shall be maintained in a closed position.4. Ventilation openings on raised foundations shall have grills.

(ff) **OUTSIDE GROUNDS**

1. Exterior areas shall have proper drainage with no standing water, open sewage, sink lines or defects of this nature.

2. The area shall be kept clean and free of tall grass or weeds.

3. There shall be no discarding of cooking waste, mop water and hazardous materials on exterior grounds.

4. There shall be no unprotected wells, natural or man-made hazards or other obvious physical danger (e.g. broken appliances, inoperable vehicles which do not have

current license plates, broken furniture, rubbish, debris, etc.)

5. If a swimming pool is part of the facility, it shall be enclosed by a minimum 4 foot high fence with a locking gate. The pool shall be properly maintained and cleaned.

Author: DMH/MR Office of Life Safety and Technical Services
Statutory Authority: Code of Ala. 1975, §22-50-11.
History: **New Rule:** Filed November 21, 2008; effective December 26, 2008.

580-3-22-.11 Day Programs.

(1) These minimum standards are for Mental Illness and Mental Retardation Day Programs. In addition to these standards, the most current edition of the NFPA 101, *Life Safety Code, Day-Care Occupancies*, International Building Code and National Electrical Code shall apply.

(2) The facility cannot be occupied until the Commissioner issues a Temporary Operating Authority (TOA) granting operating authority or certification based on compliance with the DMH/MR minimum standards. The above referenced type facilities shall be classified by DMH/MR Minimum Physical Facility Standards as Mental Illness Day Services or Mental Retardation Day Services.

(a) **FIRE SAFETY EQUIPMENT**

1. Fire alarm system shall be installed, tested and maintained in accordance with NFPA 70, *National Electrical code*, and NFPA 72, *National Fire Alarm Code*.

2. Portable fire extinguishers shall be installed, inspected, and maintained in accordance with NFPA 10, *Standard for Portable Fire Extinguishers*.

(i) A minimum of (1) 10 lb ABC in hallway and (1) 5 lb ABC fire extinguisher in kitchen shall be provided.

(ii) Size of fire extinguisher refers to Charge Weight.

(iii) Mount top of fire extinguishers 5 feet above the floor.

(iv) A service tag shall be provided from a certified fire equipment service company for each fire extinguisher.

(v) Fire extinguishers shall be visually checked, dated and initialed on rear of service tag each month by the facility operator.

3. Battery pack emergency lighting shall be installed in hallways or other locations as required for illuminating the paths of travel from areas of the facility to designated exits.

(i) Emergency lighting functional testing shall be conducted by the facility operator monthly for a period of not less than 30 seconds and annually for not less than 90 minutes.

(ii) The emergency equipment shall remain fully operational for the duration of the test.

(iii) Written records of visual inspections and tests shall be kept by the facility operator for inspection by the authority having jurisdiction.

(b) **MAINTENANCE**

1. Facilities must be free of hazards, structurally sound and maintained throughout (e.g., sill, joist, pier, foundation, walls, roof and other areas).2. Insulation in walls, floors and ceilings in any room, including utility rooms, closets and garages, must be covered with finished material.

(c) **ADA REQUIREMENTS**

1. The specifications in this rule make buildings and facilities accessible to and usable by people with such physical disabilities as the inability to walk, difficulty walking, reliance on walking aids, blindness and visual impairment, deafness and hearing impairment, incoordination, reaching and manipulation disabilities, lack of stamina, difficulty interpreting and reacting to sensory information, and extremes of physical size based generally upon adult dimensions (as cited by American National Standard, Accessible and Usable Building and Facilities, Council of American Building Officials CABO/ ANSI A117.1992).

2. Facilities serving physically disabled or non-ambulatory persons using or confined to a walker or wheelchair shall comply with Federal Guidelines for the accessibility for disabled persons. These requirements include toileting facilities, complete facility access and parking. Where bathing facilities are provided, they must comply with ADA standards. Facilities must comply

with ADA requirements for total access to and inside the facility.

(d) **MEANS OF EGRESS**

1. These facilities shall have two separate exits provided on every story and accessible from every part of every story. (*Life Safety Code, Day-Care Occupancies Chapter*).

2. The primary means of egress shall be a door no less than 32 inches in width.

3. Doors on facilities occupied by physically disabled persons shall comply with ADA Standards.

4. Every room or space normally subject to client occupancy, other than bathrooms, shall have not less than one operable window directly leading outdoors which opens without the use of tools, keys or special effort. Burglar bars requiring a key are not allowed, but those which use a thumb type locking device may be used. Existing facilities as defined herein (see 580-3-22-.02(8)) are exempt from this requirement. All new construction will comply with this standard.

(i) Windows, including storm windows, shall provide a clear opening of not less than 5.7 square feet.

(ii) The width shall be not less than 20 inches and the height shall be not less than 24 inches.

(iii) The bottom of the window opening (sill) shall be not more than 44 inches above the floor.

(iv) A window with dimensions of 20" x 24" has a clear opening of 3.3 Square feet. Therefore, either the height or width needs to exceed the minimum requirements to provide the required clear opening.

5. Means of egress shall be marked with illuminated exit signs.

(e) **RESTROOMS**

1. A minimum of 1 restroom, (toilet and lavatory) shall be provided for each 15 persons or portion thereof including staff.

2. Restrooms shall have access from a common area of the facility.

(f) **ROOM CEILINGS AND HALLWAYS**

1. The width of hallways shall be not less than 36 inches and the height not less than 7 feet 6 inches.

2. The height of room ceilings shall not be less than 7 feet 6 inches.

3. Existing facilities which fit the definition of this code will not be subject to the minimum ceiling height as stated above.

(g) **DOORS**

1. Doors in the path of travel of the means of egress shall be not less than 32 inches wide and not less than 6 feet 8 inches high.

2. Restrooms and closet doors shall be not less than 24 inches wide.

3. Doors on facilities with physically disabled persons must comply with ADA standards.

4. Doors shall not have more than 2 locking devices.

(i) No double key dead bolt locks are allowed.

(ii) Keys shall be maintained by designated staff members at all times on the premises.

5. Any door in a required means of egress from an area having an occupant load of 100 or more persons shall be provided with panic hardware.

(h) **STAIRS**

1. Stairs serving as a required means of egress shall be of permanent fixed construction and shall have handrails on both sides of the steps that are not less than 34 inches nor more than 38 inches above the surface of the tread.

2. In new construction, the minimum height of risers shall be a minimum of 4 inches and maximum of 7 inches in height, and a minimum tread depth of 11 inches.

3. In existing construction, the maximum height of risers shall be 8 inches and the minimum tread depth shall be 9 inches. Stairs shall be uniform in design.

(i) **PORCHES AND LANDINGS**

1. Porches and landings shall have guardrails not less than 42 inches high when any portion of the porch or landing equals or exceeds 24 inches above ground level.

2. Open guards, other than approved existing open guards, shall have rails or an ornamental pattern such that an object 4 inches in diameter is not able to pass through any opening up to a height of 34 inches.

(j) **SEPARATION OF ROOMS**

1. The laundry room shall be separated by a door or a wall from all food preparation or serving areas.

2. No bathroom shall open directly to any foodpreparation or serving area.

(k) **SMOKING REGULATIONS**

1. Smoking is not allowed inside any facility.

2. Smoking is allowed only in designated exterior areas or on smoking porches which have ventilation. A nonflammable container shall be provided for disposal.

(l) **FLAMMABLES AND COMBUSTIBLES**

1. Flammable or combustible liquids shall not be stored inside the facility.

(m) **OPEN FLAME DEVICES.** No candles, incense, oil lamps or lanterns shall be allowed to be used inside the facility.

(n) **FIRE EXIT DRILLS**

1. Unannounced fire exit drills shall be conducted monthly.

2. Fire exit drills shall be initiated by using emergency equipment.

3. A log of fire exit drills shall be kept available for review at each inspection.

(i) Fire exit drills shall contain the date the drill was conducted, time of day drill was conducted, time taken to evacuate and clear the facility, number of people taking part in the drill and the signature of the person conducting the drill.

(o) **SEVERE WEATHER PLAN.** A Severe Weather Plan, approved by the program's executive director, will be developed for each site of the program and will be available for review.

(p) **COOLING/HEATING/VENTILATION**

1. Windows and doors used for ventilation shall have screens which are maintained in good condition.

2. If a facility, home, or apartment is subject to DMH/MR certification (see 580-3-22-.01(8) and 580-3-22.13(1)), then the air temperature within the facility shall be maintainedbetween 70 and 80 degrees Fahrenheit measured at a distance of 3 feet above the floor.

3. Mechanical ventilation (exhaust fans) shall be installed in each bathroom.

4. Where commercial cooking equipment is provided, protection shall be in accordance with NFPA 96 (*Standards for Ventilation Control and Fire Protection of Commercial Cooking Operations*).

5. Approved domestic cooking equipment used for food warming or limited cooking shall not be required to be protected.

6. Gas stoves and cook tops shall be equipped with comparable size hoods, filters, operable lights and exhaust fans with outdoor ventilation.

(i) Pilot lights on gas stoves and cook tops shall be maintained and operable.

7. Electric stoves not vented to the exterior must have hoods, charcoal filters, fans and lights. Electric stoves vented to the exterior must have hoods, fans and lights.

8. Ceiling fans shall be installed to maintain a minimum clearance of 7 feet between the finished floor and the ceiling fan blades.

9. Smoke detectors shall not be located under nor within 3 feet of ceiling fan blades or air supply diffusers or returns.

10. No heater shall have exposed electric elements and shall be equipped with tip-over devices for automatic shutoff.

11. Fireplaces and fossil-fuel stoves (wood burning) shall have partitions or screens or other means to prevent burns.

(i) Fireplaces shall be vented to the outside.

(ii) No unvented fuel heaters or gas logs are allowed.

(iii) Gas fireplaces shall have a remote gas shutoffwithin the room and not inside the fireplace.

12. Wood burning or gas logs cannot be used as a primary heat source.

(i) DMH/MR approval must be obtained for emergency use only on a case by case basis.

(ii) Emergency use of a fireplace as a primary heat source must be approved by DMH/MR. In its request the facility must represent, and be able to document, that the fireplace has been inspected and cleaned in the past 2 years.

(q) **APPLIANCE/ELECTRICAL/COMMUNICATION**

1. Facilities shall have equipment for the proper preparation and serving of food as determined by the size and functions of the facility.

2. Space and equipment shall be provided for receiving and storage, preparation, cooking, serving, dining and dishwashing.

3. Appliances shall be maintained clean and in working condition.

4. Non-operable appliances and/or equipment shall be repaired or removed from the premises.

5. Refrigerators shall be maintained at a constant temperature of 45 degrees Fahrenheit or below and freezers shall be maintained at a constant temperature of 0 degrees Fahrenheit or below.

(i) Thermometers shall be maintained inside refrigerators and freezers.

6. For all new construction, electrical outlets located within rooms containing a water source shall be GFCI type outlets or shall be connected to a GFCI breaker. Existing facilities, as defined herein, shall have GFCI type outlets in kitchens and bathrooms, or the outlets in those rooms shall be connected to a GFCI breaker.

7. No extension cords shall be used as a permanent wiring source.

8. Multi-plug type electrical devices shall be equipped with an approved in-1ine surge protector or breaker.

9. For a new facility, a letter from a licensed electrician shall be provided stating that wiring, panels and fixtures are safe and adequate, installed in accordance with local, state and national electrical codes. The licensed electrician letter shall be on company letterhead with name, address, contact number and electrician license number. Facilities providing written documentation of code compliance from a state or local building official shall be exempt from this standard.

10. Electrical breaker/fuse panels shall contain interior cover plates and blank covers where breakers are missing.

11. Electrical breaker/fuse panels are required to have operational locks.

12. Breakers/fuses shall be labeled as to the location of the circuits.

13. Telephone service shall be provided in each facility.

(r) **WATER TEMPERATURE**

1. Heated water shall be supplied to each lavatory, shower, bathtub, kitchen sink, dishwasher, and clothes washer at the required minimum and maximum temperature.

2. Hot water temperature shall be maintained between 110 degrees and 120 degrees Fahrenheit in facilities containing bathing facilities.

(i) If the hot water temperature exceeds the maximum temperature of 120 degrees Fahrenheit on two (2) consecutive inspections, a scald guard or mixing valve shall be installed within thirty (30) calendar days of the date of the last inspection.

(s) **LIGHTING**

1. Lighting on the interior and the exterior of the facility shall have proper size and type light bulbs installed.2. Light fixtures and lamps shall have shields, globes, protective tubes or shades in good condition.

3. Lighting in domestic exhaust vent hoods above kitchen stoves shall be the shatter resistant (Teflon coated) light bulbs or be protected with shields as provided by the hood manufacturer.

(t) **WATER SUPPLY**

1. Water supply shall be provided under pressure and obtained from an approved local water authority.

2. If a private water source is used, the operator of the facility shall obtain approval from local health department to ensure safe location, construction, maintenance and operation of the system.

3. The water shall be tested annually and documentation maintained at the facility for review.

(u) **PLUMBING/SEWAGE**

1. Plumbing shall be functional and in good working order.

2. Sewage and liquid waste shall be disposed of in accordance with city, county, and state regulations.

(v) **CONTROL OF INSECTS/RODENTS.** Proper measures for year-round control of insects, rodents, and other outdoor vermin shall be taken.

(w) **SOLID WASTE**

1. Kitchen garbage shall be stored in approved containers with tops or lids in place at all times.

2. Garbage containers shall be cleaned and emptied on a frequent basis.

(x) **LAUNDRY**

1. Dryers shall be properly vented to the outdoors and provided with space blocks of proper size to prevent crimping of the exhaust hose.2. Area behind washers and dryers shall be maintained in a clean manner.

(y) **INTERIOR FINISH (FLOOR COVERINGS, WALLS, CEILINGS)**

1. Floor coverings, walls and ceilings shall be maintained free of dirt, holes and excessive stains.

2. Floor coverings shall be properly secured to sub-flooring.

3. Carpeting, if used as a floor covering, shall be properly installed, easily cleaned and maintained in good repair.

4. Carpeting is prohibited in kitchens and restrooms.

(z) **FURNITURE.** Broken furniture or furniture with torn upholstery shall be repaired or discarded.

(aa) **FOOD PREPARATION/STORAGE**

1. Store opened perishable foods inside sealed containers inside the refrigerator.

2. Store reclaimed cooking oil inside sealed containers.

3. Store opened dry goods inside sealed containers. Dry goods removed from original containers must be dated and properly labeled.

4. There shall be no open air thawing of frozen meats.

5. Do not store cooking and eating utensils or food products under kitchen sink.

6. Food items are to be stored at a height of at least 6 inches above floor level.

7. Cleaning supplies shall be stored below food items.

(bb) **EXTERIOR**

1. Deteriorated wood on the exterior of a facility shall be replaced.

2. When exterior paint shows chipping and peeling, facility shall be painted or be covered with artificial siding.

3. Non-slab constructed facilities shall have underpinning and access doors must be maintained in a closed position.

4. Ventilation openings on raised foundations shall have grills.

(cc) **OUTSIDE GROUNDS**

1. Exterior areas shall have proper drainage with no standing water, open sewage, sink lines or defects of this nature.

2. The area shall be kept clean and free of tall grass or weeds.

3. There shall be no discarding of cooking waste, mop water and hazardous materials on exterior grounds.

4. There shall be no unprotected wells, natural or man-made hazards or other obvious physical danger (e.g. broken appliances, inoperable vehicles which do not have current license plates, broken furniture, rubbish, debris, etc.)

5. If a swimming pool is part of the facility, it shall be enclosed by a minimum 4 foot high fence with a locking gate. The pool shall be properly maintained and cleaned.

Author: DMH/MR Office of Life Safety and Technical Services
Statutory Authority: Code of Ala. 1975, §22-50-11.
History: New Rule: Filed November 21, 2008; effective December 26, 2008.

580-3-22-.12 Substance Abuse Day Services.

(1) These minimum standards are for Substance Abuse Outpatient Programs and Opiate Replacement Programs. In addition to these standards, the most current edition of the NFPA 101, *Life Safety Code, Business Occupancies*, International Building Code and National Electrical Code shall apply.

(2) The facility cannot be occupied until the Commissioner issues a Temporary Operating Authority (TOA) granting temporary operating authority or certification based on compliance with the DMH/MR minimum standards. The above referenced facilities shall be classified by DMH/MR Minimum Physical Facility Standards as Substance Abuse Day Services.

(a) **FIRE SAFETY EQUIPMENT**

1. Fire alarm systems shall be installed, tested and maintained in accordance with NFPA 70, National Electrical code, and NFPA 72, National Fire Alarm Code where any one of the following conditions exists:

(i) The building is 2 or more stories in height above the level of exit discharge.

(ii) The occupancy is subject to 50 or more occupants above or below the level of exit discharge.

(iii) The occupancy is subject to 300 or more total occupants at any given time of the day.

2. Portable fire extinguishers shall be installed, inspected, and maintained in accordance with NFPA 10, *Standard for Portable Fire Extinguishers*.

(i) A minimum of (1) 10 lb ABC in hallway and (1) 5 lb ABC fire extinguisher in kitchen shall be provided.

(ii) Size of fire extinguisher refers to Charge Weight.

(iii) Mount top of fire extinguisher 5 feet above the floor.

(iv) A service tag shall be provided from a certified fire equipment service company for each fire extinguisher.

(v) Fire extinguishers shall be visually checked, dated and initialed on rear of service tag each month by the facility operator.

3. Battery pack emergency lighting shall be installed in hallways, pharmacy or other locations as requiredfor illuminating the paths of travel from areas of the facility to designated exits.

(i) Emergency lighting functional testing shall be conducted by the facility operator monthly for a period of not less than 30 seconds and annually for not less than 90 minutes.

(ii) The emergency equipment must remain fully operational for the duration of the test.

(iii) Written records of visual inspections and tests shall be kept by the facility operator for inspection by the authority having jurisdiction.

(b) **SEVERE WEATHER PLAN.** A Severe Weather Plan, approved by the program's executive director, will be developed for each site of the program and will be available for review.

(c) **MAINTENANCE**

1. Facilities must be free of hazards, structurally sound and maintained throughout (e.g., sill, joist, pier, foundation, walls, roof and other areas.).

2. Insulation in walls, floors and ceilings in any room, including utility rooms, closets and garages, must be covered with finished material.

(d) **ADA REQUIREMENTS**

1. The specifications in this rule make buildings and facilities accessible to and usable by people with such

physical disabilities as the inability to walk, difficulty walking, reliance on walking aids, blindness and visual impairment, deafness and hearing impairment, incoordination, reaching and manipulation disabilities, lack of stamina, difficulty interpreting and reacting to sensory information, and extremes of physical size based generally upon adult dimensions (as cited by American National Standard, Accessible and Usable Building and Facilities, Council of American Building Officials CABO/ ANSI A117.1992).

2. Facilities serving physically disabled or non-ambulatory persons using or confined to a walker or wheelchair shall comply with Federal Guidelines for the accessibility for disabled persons. These requirements include toileting facilities, complete facility access and parking.Where bathing facilities are provided, they must comply with ADA standards. Facilities must comply with ADA requirements for total access to and inside the facility.

(e) **MEANS OF EGRESS**

1. These facilities shall have 2 separate exits provided on every story and accessible from every part of every story (Life Safety Code, Business Occupancies).

2. A single exit shall be permitted for a room or area with a total occupant load of fewer than 100 persons if they meet the following criteria:

(i) The exit shall discharge directly to the outside at the level of exit discharge for the building.

(ii) The total distance of travel from any point, including travel within the exit, shall not exceed 100 ft.

(iii) Other exceptions may apply.

3. The primary means of egress shall be a door not less than 32 inches in width.

4. Doors on facilities with physically disabled persons must comply with ADA Standards.

5. Means of egress shall be marked with illuminated exit signs.

(f) **RESTROOMS**

1. A minimum of 1 restroom, (toilet and lavatory) shall be provided for each 15 persons or portion thereof including staff.

2. Restrooms must have access from a common area of the facility.

(g) **ROOM CEILINGS AND HALLWAYS**

1. The width of hallways shall be not less than 36 inches and the height not less than 7 feet 6 inches.

2. The height of room ceilings shall not be less than 7 feet 6 inches.3. Existing facilities which fit the definition of this code will not be subject to the minimum ceiling height as stated above.

(h) **DOORS**

1. Doors in the path of travel to the means of egress shall be not less than 32 inches wide and not less than 6 feet 8 inches high.

2. Restrooms and closet doors shall be not less than 24 inches wide.

3. Doors on facilities with physically disabled persons must comply with ADA standards.

4. Doors shall not have more than 2 locking devices.

(i) No double key dead bolt locks are allowed.

(ii) Keys shall be maintained by designated staff members at all times on the premises.

5. Any door in a required means of egress from an area having an occupant load of 100 or more persons shall be provided with panic hardware.

(i) **STAIRS**

1. Stairs serving as a required means of egress shall be of permanent fixed construction and shall have handrails on both sides of the steps that are not less than 34 inches nor more than 38 inches above the surface of the tread.

2. In new construction, the minimum height of risers must be a minimum of 4 inches and maximum of 7 inches in height, and a minimum tread depth of 11 inches.

3. In existing construction, the maximum height of risers must be 8 inches and the minimum tread depth must be 9 inches.

4. Stairs must be uniform in design.

(j) **SEPARATION OF ROOMS**

1. The laundry room shall be separated by a door or a wall from all food preparation or serving areas.

2. No bathroom shall open directly to any food preparation or serving areas.

(k) **PORCHES AND LANDINGS**

1. Porches and landings shall have guardrails not less than 42 inches high when any portion of the porch or landing equals or exceeds 24 inches above ground level.

2. Open guards, other than approved existing open guards, shall have rails or an ornamental pattern such that an object 4 inches in diameter is not able to pass through any opening up to a height of 34 inches.

(l) **SMOKING REGULATIONS**

1. Smoking is not allowed inside any facility.

2. Smoking is allowed only in designated exterior areas or on smoking porches which have ventilation. A nonflammable container must be provided for disposal.

(m) **FLAMMABLES AND COMBUSTIBLES**

1. Flammable or combustible liquids shall not be stored inside the facility.

(n) **OPEN FLAME DEVICES.** No candles, incense, oil lamps or lanterns shall be allowed to be used inside the facility.

(o) **COOLING/HEATING/VENTILATION**

1. Windows and doors used for ventilation shall have screens which are maintained in good condition.

2. If a facility, home, or apartment is subject to DMH/MR certification (see 580-3-22-.01(8) and 580-3-22.13(1)), then the air temperature within the facility shall be maintained between 70 and 80 degrees Fahrenheit measured at a distance of 3 feet above the floor.

3. Mechanical ventilation (exhaust fans) shall be provided in each bathroom.

4. Ceiling fans shall be installed to maintain a minimum clearance of 7 feet between the finished floor and the ceiling fan blades.

5. Do not locate smoke detectors under or within 3 feet of ceiling fan blades or air supply diffusers or returns.

6. No heater shall have exposed electric elements and shall be equipped with tip-over devices for automatic shutoff.

7. Fireplaces and fossil-fuel stoves (wood burning) shall have partitions or screens or other means to prevent burns.

(i) Fireplaces shall be vented to the outside.

(ii) No unvented fuel heaters or gas logs are allowed.

(iii) Gas fireplaces shall have a remote gas shutoff within the room and not inside the fireplace.

8. Wood burning or gas logs cannot be used as a primary heat source.

(i) DMH/MR approval must be obtained for emergency use only on a case by case basis.

(ii) Emergency use of a fireplace as a primary heat source must be approved by DMH/MR. In its request the facility must represent, and be able to document, that the fireplace has been inspected and cleaned in the past 2 years.

(p) **APPLIANCE/ELECTRICAL/COMMUNICATION**

1. For all new construction, electrical outlets located within rooms containing a water source shall be GFCI type outlets or shall be connected to a GFCI breaker. Existing facilities, as defined herein, shall have GFCI type outlets in kitchens and bathrooms, or the outlets in those rooms shall be connected to a GFCI breaker.

2. No extension cords shall be used as a permanent wiring source.

3. Multi-plug type electrical devices shall beequipped with an approved in-1ine surge protector or breaker.

4. For a new facility, a letter from a licensed electrician shall be provided stating that wiring, panels and fixtures are safe and adequate, installed in accordance with local, state and national electrical codes. The letter shall be on company letterhead with name, address, contact number and electrician license number. Facilities providing written documentation of code compliance from a state or local building official shall be exempt from this standard.

5. Electrical breaker/fuse panels shall contain interior cover plates and blank covers where breakers are missing.

6. Electrical breaker/fuse panels are required to have operational locks.

7. Breakers/fuses shall be labeled as to the location of the circuits.

8. Telephone service shall be provided in each facility.

(q) **LIGHTING**

1. Lighting on the interior and the exterior of the facility shall have proper size and type light bulbs installed and light fixtures and lamps shall have shields, globes, protective tubes or shades in good condition.

2. Lighting in domestic exhaust vent hoods above kitchen stoves shall be the shatter resistant (Teflon coated) light bulbs or be protected with shields as provided by the hood manufacturer.

(r) **WATER SUPPLY**

1. Water supply shall be provided under pressure and obtained from an approved local water authority.

2. If a private water source is used, the facility operator shall obtain approval from the local health department to ensure safe location, construction, maintenance and operation of the system.

3. The water shall be tested annually anddocumentation maintained at the facility for review.

(s) **PLUMBING/SEWAGE**

1. Plumbing shall be functional and in good working order.

2. Sewage and liquid waste shall be disposed of in accordance with city, county, and state regulations.

(t) **CONTROL OF INSECTS/RODENTS.** Proper measures for year-round control of insects, rodents, and other outdoor vermin shall be taken.

(u) **SOLID WASTE**

1. Kitchen garbage shall be stored in approved containers with tops or lids in place at all times.

2. Garbage containers shall be cleaned and emptied on a frequent basis.

(v) **INTERIOR FINISH (FLOOR COVERINGS, WALLS, CEILINGS)**

1. Floor coverings, walls and ceilings shall be maintained free of dirt, holes and excessive stains.

2. Floor coverings shall be properly secured to sub-flooring.

3. Carpeting, if used as a floor covering, shall be properly installed, easily cleaned and maintained in good repair.

4. Carpeting is prohibited in restrooms.

(w) **FURNITURE.** Broken furniture or furniture with torn upholstery shall be repaired or discarded.

(x) **EXTERIOR**

1. Deteriorated wood on the exterior of a facility shall be replaced.

2. When exterior paint shows chipping and peeling, facility shall be painted or be covered with artificial siding.3. Non-slab constructed facilities shall have underpinning and access doors shall be maintained in a closed position.

4. Ventilation openings on raised foundations shall have grills.

(y) **OUTSIDE GROUNDS**

1. Exterior areas shall have proper drainage with no standing water, open sewage, sink lines or defects of this nature.

2. The area shall be kept clean and free of tall grass or weeds.

3. There shall be no discarding of cooking waste, mop water and hazardous materials on exterior grounds.

4. There shall be no unprotected wells, natural or man-made hazards or other obvious physical danger (e.g. broken appliances, inoperable vehicles which do not have current license plates, broken furniture, rubbish, debris, etc.)

Author: DMH/MR Office of Life Safety and Technical Services
Statutory Authority: Code of Ala. 1975, §22-50-11.
History: New Rule: Filed November 21, 2008; effective December 26, 2008.

580-3-22-.13 Apartment And Individual Dwelling Units.

(1) The Department of Mental Health and Mental Retardation is continually working to de-stigmatize the public perception of those with disabilities. It is the mission of the Department of Mental Health and Mental Retardation to assist persons with mental illnesses, intellectual disabilities or substance use disorders to live in their communities without restrictions; therefore, the Office of Life Safety and Technical Services will not conduct life safety reviews in apartments or dwelling units leased or sub-1eased by individuals for use as their homes.

(2) These minimum standards are for Mental Illness, Mental Retardation and Substance Abuse Apartment dwelling units containing three or less residents. In addition to these minimum standards, the most current edition of the NFPA 101, *Life Safety Code, One and Two Family Dwellings Chapter*, International Building Code and National Electrical Code shall also apply. NFPA 101, Life Safety Code, Chapter 24.3.5 shall not apply because the International Residential Code Council has voted not to include sprinkler requirements for One and Two Family Dwellings.

(3) The facility cannot be occupied until the Commissioner issues a Temporary Operating Authority (TOA) granting temporary operating authority or certification based on compliance with the DMH/MR minimum standards. The above referenced type facility shall be classified by DMH/MR Minimum Physical Facility Standards as an Apartment Dwelling Unit.

(a) **FIRE SAFETY EQUIPMENT**

1. Electric smoke detectors shall be installed and connected to the electrical system (recommend battery backup) and must be connected in series so when one detector sounds all detectors will sound.

2. Smoke detectors shall be installed in the following locations:

(i) In other than existing dwellings (new construction), in all sleeping rooms;

(ii) In existing dwellings, outside of each separate sleeping area in the immediate vicinity of the sleeping rooms; and

(iii) On each level of the dwelling unit including basements.

3. Smoke detectors shall be mounted on ceilings where possible and only allowed on walls when impossible for ceiling mounting.

4. Detectors on walls shall be mounted with top of detector not less than 4 inches nor more than 12 inches from the ceiling.

5. Smoke detectors shall not be located under or within 3 feet of ceiling fan blades or air supply diffusers or returns.

6. Portable fire extinguishers shall be installed, inspected, and maintained in accordance with NFPA 10, Standard for Portable Fire Extinguishers.

(i) A minimum of (1) 10 lb ABC in hallway and (1) 5 lb ABC fire extinguisher in kitchen shall be provided.

(ii) Size of fire extinguisher refers to Charge Weight.

(iii) Mount top of fire extinguisher 5 feet above floor.

(iv) A service tag shall be provided from a certified fire equipment service company for each fire extinguisher.

(v) Fire extinguishers must be visually checked, dated and initialed on rear of service tag each month by the facility operator.

7. Battery pack emergency lighting shall be installed in hallways or other locations as required for illuminating the paths of travel from areas of the facility to designated exits.

(i) Emergency lighting functional testing shall be conducted by the facility operator monthly for a period of not less than 30 seconds and annually for not less than 90 minutes.

(ii) The emergency equipment must remain fully operational for the duration of the test.

(iii) Written records of visual inspections and tests shall be kept by the facility operator for review by DMH/MR.

(b) **MAINTENANCE**

1. Facilities must be free of hazards, structurally sound and maintained throughout (e.g., sill, joist, pier, foundation, walls, roof and other areas).

2. Insulation in walls, floors and ceilings in any room, including utility rooms, closets and garages, must be covered with finished material.

(c) **ADA REQUIREMENTS**

1. The specifications in this rule make buildings and facilities accessible to and usable by people with such physical disabilities as the inability to walk, difficulty walking, reliance on walking aids, blindness and visual impairment, deafness and hearing impairment, incoordination, reaching and manipulation disabilities, lack of stamina, difficulty interpreting and reacting to sensory information, and extremes of physical size based generally upon adult dimensions (as cited by American National Standard, Accessible and Usable Building and Facilities, Council of American Building Officials CABO/ ANSI A117.1992).

2. Facilities housing physically disabled or non-ambulatory persons using or confined to a walker or wheelchair shall comply with Federal Guidelines for the accessibility for disabled persons. These requirements include complete bathing, toileting facilities, complete facility access and parking. Facilities must comply with ADA requirements for total access to and inside the facility.

(d) **MEANS OF EGRESS AND/OR ESCAPE**

1. In dwellings or dwelling units of two rooms or more, every sleeping room and every living area shall have not less than one primary means of escape and one secondary means of escape (Life Safety Code, One and Two Family Dwellings Chapter).

2. The primary means of escape shall be a door not less than 28 inches in width.

3. Doors on facilities with physically disabled persons must comply with ADA requirements.

4. Secondary means of escape shall be an unobstructed operable window directly leading outside which opens without the use of tools, keys or special effort. Burglar bars requiring a key shall not be used, but those which use a thumb type locking device may be used.

(i) Windows, including storm windows, shall provide a clear opening of not less than 5.7 square feet.

(ii) The width shall not be less than 20 inches and the height shall be not less than 24 inches.

(iii) The bottom of the window opening (sill) shall be not more than 44 inches above the floor.

(iv) The window shall be within 20 feet of grade.

(v) *Windows with dimensions of 20" x 24" have a clear opening of 3.3 square feet. Therefore, either the height or width needs to exceed the minimum requirements to provide the required clear opening.*

(e) **ROOM CEILINGS AND HALLWAYS**

1. The width of hallways shall be not less than 36 inches and the height not less than 7 feet 6 inches.

2. The height of room ceilings shall not be less than 7 feet 6 inches.

3. Existing facilities which fit the definition of this code will not be subject to the minimum ceiling height as stated above.

(f) **DOORS**

1. Doors in the path of travel to the means of escape shall be not less than 28 inches wide and not less than 6 feet 8 inches high.

2. Bathrooms and closet doors shall be not less than 24 inches wide.

3. Doors on facilities with physically disabled persons must comply with ADA standards.

4. Doors shall not have more than 2 locking devices.

(i) No double key dead bolt locks are allowed.

(ii) Keys shall be maintained by designated staff members at all times on the premises.

(g) **STAIRS**

1. Stairs serving as a required means of escape shall be of permanent fixed construction and shall have handrails on both sides of the steps that are not less than 34 inches or more than 38 inches above the surface of the tread.

2. In new construction, the minimum height of risersmust be a minimum of 4 inches and maximum of 7 inches in height, and a minimum tread depth of 11 inches.

3. In existing construction, the maximum height of risers must be 8 inches and the minimum tread depth must be 9 inches.

4. Stairs must be uniform in design.

(h) **PORCHES AND LANDINGS**

1. Porches and landings shall have guardrails not less than 42 inches high when any portion of the porch or landing equals or exceeds 24 inches above ground level.

2. Open guards, other than approved existing open guards, shall have rails or an ornamental pattern such that an object 4 inches in diameter is not able to pass through any opening up to a height of 34 inches.

(i) **SLEEPING ROOMS/SPACE**

1. Single occupancy bedrooms shall contain a minimum of 100 square feet of open floor space.

2. Each bedroom occupied by more than one person shall contain a minimum of 80 square feet of open floor space per occupant.

3. Closets cannot be included in these computations. There shall be a minimum of 36 inches between beds.

4. A permanent constructed closet or a sturdy enclosed wardrobe with drawer space as residents may require shall be provided for individual belongings.

5. Mattresses and box springs shall be maintained in good repair.

6. Bedrooms shall be provided with window treatments such as mini blinds, drapes, curtains or other appropriate covering providing privacy and maintained in good condition.

(j) **SEPARATION OF ROOMS**

1. The laundry room shall be separated by a door or a wall from all food preparation or serving areas.

2. No bathroom shall open directly to any food preparation or serving area.

3. No bedroom shall open directly into a kitchen.

4. No bedroom shall have as its only access a door opening directly to or from another bedroom or bathroom.

(k) **SMOKING REGULATIONS**

1. Smoking is not allowed inside the bedroom.

2. A nonflammable container shall be provided for disposal of smoking debris.

(l) **FLAMMABLES AND COMBUSTIBLES.** Flammable or combustible liquids shall not be stored inside the apartment dwelling unit.

(m) **OPEN FLAME DEVICES**

1. No candles, incense, oil lamps or lanterns shall be allowed to be used inside any facility.

2. Facilities containing a fuel-burning appliance or fireplace or having an attached garage shall be equipped with carbon monoxide detectors.

(n) **FIRE EXIT DRILLS**

1. If there is staff assigned in the apartment dwelling unit, unannounced fire exit drills shall be conducted on a monthly basis with one fire exit drill per quarter being conducted between the hours of 10:00 p.m. and 5:00 a.m. when residents are asleep.

2. Fire exit drills shall be initiated by using emergency equipment.

3. A log of fire exit drills shall be kept on the premises and available for review at each inspection.

(i) Fire exit drills shall contain the date the drill was conducted, time of day drill was conducted including AM/PM, time taken to evacuate and clear the facility, number of people taking part in the drill and the signature of the personconducting the drill.

(o) **SEVERE WEATHER PLAN.** A Severe Weather Plan, approved by the program's executive director, will be developed for each site of the program and will be available for review.

(p) **COOLING/HEATING/VENTILATION**

1. Windows and doors used for ventilation shall have screens which are maintained in good condition.

2. If a facility, home, or apartment is subject to DMH/MR certification (see 580-3-22-.01(8) and 580-3-22.13(1)), then the air temperature within the facility shall be maintained between 70 and 80 degrees Fahrenheit measured at a distance of 3 feet above the floor.

3. Mechanical ventilation (exhaust fans) shall be provided in each bathroom.

4. Gas stoves and cook tops must be equipped with comparable sized hoods, filters, operable lights, and exhaust fans with outdoor ventilation.

(i) Pilot lights on gas stoves and cook tops must be maintained and operable.

5. Electric stoves not vented to the exterior must have hoods, charcoal filters, fans and lights. Electric stoves vented to the exterior must have hoods, fans and lights.

6. Ceiling fans shall be installed to maintain a minimum clearance of 7 feet between the finished floor and the ceiling fan blades.

7. Smoke detectors shall not be located under nor within 3 feet of ceiling fan blades or air supply diffusers or returns.

8. No heater shall have exposed electric elements and shall be equipped with tip-over devices for automatic shutoff.

9. Fireplaces and fossil-fuel stoves (wood burning) shall have partitions or screens or other means to prevent burns.

(i) Fireplaces (excluding electric) shall be vented to the outside.

(ii) No unvented fuel heaters or gas logs are allowed.

(iii) Gas fireplaces shall have a remote gas shutoff within the room and not inside the fireplace.

10. Wood burning or gas logs cannot be used as a primary heat source.

(i) DMH/MR approval must be obtained for emergency use only on a case by case basis.

(ii) Emergency use of a fireplace as a primary heat source must be approved by DMH/MR. In its request the facility must represent, and be able to document, that the fireplace has been inspected and cleaned in the past 2 years.

(q) **APPLIANCE/ELECTRICAL/COMMUNICATION**

1. Facilities shall have equipment for the proper preparation and serving of food as determined by the size and functions of the facility.

2. Space and equipment shall be provided for receiving and storage, preparation, cooking, serving, dining and dishwashing.

3. Appliances shall be maintained clean and in working condition.

4. Non-operable appliances and/or equipment shall be repaired or removed from the premises.

5. Refrigerators shall be maintained at a constant temperature of 45 degrees Fahrenheit or below and freezers shall be maintained at a constant temperature of 0 degrees Fahrenheit or below.

(i) Thermometers shall be maintained inside refrigerators and freezers.

6. For all new construction, electrical outlets located within rooms containing a water source shall be GFCI type outlets or shall be connected to a GFCI breaker. Existing facilities, as defined herein, shall have GFCI type outlets inkitchens and bathrooms, or the outlets in those rooms shall be connected to a GFCI breaker.

7. No extension cords shall be used as a permanent wiring source.

8. Multi-plug type electrical devices shall be equipped with an approved in-1ine surge protector or breaker.

9. For a new facility, a letter from a licensed electrician shall be provided stating that wiring, panels, and fixtures are safe and adequate, and installed in accordance with local, state and national electrical codes. The letter shall be on company letterhead with name, address, contact number and electrician license number. Facilities providing written documentation of code compliance from a state or local building official shall be exempt from this standard.

10. Electrical breaker/fuse panels shall contain interior cover plates and blank covers where breakers/fuses are missing.

11. Interior electrical breaker panels are required to have operational locks.

12. Breakers shall be labeled as to the location of the circuits.

13. Telephone service shall be provided in each facility.

(r) **WATER TEMPERATURE**

1. Heated water shall be supplied to each lavatory, shower, bathtub, kitchen sink, dishwasher, and clothes washer at the required minimum and maximum temperature.

2. Hot water temperature shall be maintained between 110 degrees and 120 degrees Fahrenheit in facilities.

(i) If the hot water temperature exceeds the maximum temperature of 120 degrees Fahrenheit on two (2) consecutive inspections, a scald guard or mixing valve shall be installed within thirty (30) calendar days of the date of the last inspection.

(s) **LIGHTING**

1. Lighting on the interior and the exterior of the facility shall have proper size and type light bulbs installed. Light fixtures and lamps shall have shields, globes, protective tubes or shades in good condition.

2. Lighting in exhaust vent hoods above kitchen stoves shall be the shatter resistant (Teflon coated) light bulbs or be protected with shields as provided by the hood manufacturer.

3. Apartment bedrooms shall have general lighting with switches located at the interior side of the entrance door.

(t) **WATER SUPPLY**

1. Water supply shall be provided under pressure and obtained from an approved local water authority.

2. If a private water source is used, the operator of the facility shall obtain approval from the local health department to ensure safe location, construction, maintenance and operation of the system.

3. The water shall be tested annually and documentation maintained at the facility for review.

(u) **PLUMBING/SEWAGE**

1. Plumbing shall be functional and in good working order.

2. Sewage and liquid waste shall be disposed of in accordance with city, county, and state regulations.

(v) **CONTROL OF INSECTS/RODENTS.** Proper measures for year-round control of insects, rodents, and other outdoor vermin shall be taken.

(w) **ANIMALS**

1. Animals or pets which present no apparent threat to the health and safety of the residents or staff are permitted if they are properly housed, cared for and are not fed in the food preparation or serving areas of the residence.

2. Animals are required to receive annualinoculations.

3. Any animal that has at any time bitten any human being, or has a known or demonstrated propensity, or tendency, or disposition to attack, to cause injury, or otherwise threaten or endanger the safety of humans or other domestic animals shall not be maintained on the premises.

4. Animals commonly considered to be naturally wild, or those which are considered to be inherently dangerous to the health, safety and welfare of people are also forbidden on the premises.

(x) **SOLID WASTE**

1. Kitchen garbage shall be stored in approved containers with tops or lids in place at all times.

2. Garbage containers shall be cleaned and emptied on a frequent basis.

(y) **LAUNDRY WITHIN DWELLING UNITS**

1. Dryers shall be properly vented to the outdoors and provided with space blocks of proper size to prevent crimping of the exhaust hose.

2. Area behind washers and dryers shall be maintained in a clean manner.

(z) **BATHROOMS**

1. A minimum of 1 full bathroom, (toilet, lavatory, tub or shower) shall be provided for each 6 residents or portion thereof.

2. Bathrooms shall have access from a common area of the facility.

3. If bathroom is located off a bedroom, only the residents of that bedroom will be allowed use of the bathroom.

4. Bathroom doors shall be not less than 24 inches wide.

5. Doors on facilities with physically disabled persons must comply with ADA standards.

(aa) **INTERIOR FINISH (FLOOR COVERINGS, WALLS, CEILINGS)**

1. Floor coverings, walls and ceilings shall be maintained free of dirt, holes and excessive stains.

2. Floor coverings shall be properly secured to sub-flooring.

3. Carpeting, if used as a floor covering, shall be properly installed, easily cleaned and maintained in good repair.

4. Carpeting is prohibited in kitchens and bathrooms.

(bb) **FURNITURE.** Broken furniture or furniture with torn upholstery must be repaired or discarded.

(cc) **FOOD PREPARATION/STORAGE**

1. Store opened perishable foods inside sealed containers inside the refrigerator.

2. Store reclaimed cooking oil inside sealed containers.

3. Store opened dry goods inside sealed containers. Dry good removed from original containers must be dated and properly labeled.

4. There shall be no open air thawing of frozen meats.

5. Do not store cooking and eating utensils or food products under kitchen sink.

6. Food items shall be stored at a height of at least 6 inches above floor level.

7. Cleaning supplies shall be stored below food items.

(dd) **EXTERIOR**

1. Deteriorated wood on the exterior of a facilityshall be replaced.

2. When exterior paint shows chipping and peeling, facility shall be painted or be covered with artificial siding.

3. Non-slab constructed facilities shall have underpinning and access doors shall be maintained in a closed position.

4. Ventilation openings on raised foundations shall have grills.

(ee) **OUTSIDE GROUNDS**

1. Exterior areas shall have proper drainage with no standing water, open sewage, sink lines or defects of this nature.

2. The area shall be kept clean and free of tall grass or weeds.

3. There shall be no discarding of cooking waste, mop water and hazardous materials on exterior grounds.

4. There shall be no unprotected wells, natural or man-made hazards or other obvious physical dangers (e.g. broken appliances, inoperable vehicles which do not have current license plates, broken furniture, rubbish, debris, etc.)

Author: DMH/MR Office of Life Safety and Technical Services

Statutory Authority: Code of Ala. 1975, §22-50-11.
History: New Rule: Filed November 21, 2008; effective December 26, 2008.

580-3-22-.14 Apartment Complexes.

Apartment complexes which are owned by providers shall adhere to the most current edition of the NFPA 101, L*ife Safety Code, Apartment Buildings Chapter*, International Building Code and National Electrical Code. Plans to construct new apartment complexes shall adhere to the NFPA 101, Life Safety Code, Apartment Buildings Chapter, International Building Code and National Electrical Code. These plans will be reviewed by the Office of Life Safety and Technical Services.

(1) **FIRE SAFETY EQUIPMENT**

(a) Apartment complex buildings shall be protected throughout with an approved, supervised automatic sprinkler system unless one of the following exceptions or met:

1. Exit door opening directly to the street or yard at ground level from each dwelling unit.

2. Direct access to an outside stair serving a maximum of two units located on the same floor from each dwelling unit.

3. Direct access to an interior stairs serving only that dwelling unit and separated form all other portions of the building by a fire barrier having a 1 hour resistance rating with no opening therein.

(b) Apartment complex buildings with more than three stories or more than 11 dwelling units shall be protected with a fire alarm system in accordance with Section 9.6, unless one of the following exceptions are met:

1. Each dwelling unit is separated from other contiguous dwelling units by a fire barrier of not less than 1 hour and where each dwelling unit has either it own independent exit or it own independent stairway or ramp discharging at grade.

2. Building protected by an automatic sprinkler system, not exceeding 4 stories in height and containing not more than 16 dwelling units.

(c) Electric smoke detectors shall be installed outside every sleeping area in the immediate vicinity of the

bedrooms and on all levels of the dwelling unit, including basements and in bedrooms of dwelling units unless apartment complex is protected throughout by an approved, supervised automatic sprinkler system.

(d) Smoke detectors shall be mounted on ceilings where possible and only allowed on walls when impossible for ceiling mounting. Detectors on walls shall be mounted with top of detector not less than 4 inches nor more than 12 inches from ceiling.

(e) Smoke detectors shall not be located under or within 3 feet of ceiling fan blades or air supply diffusers or returns.

(f) Portable fire extinguishers in accordance with Section 9.7.4.1 shall be provided in hazardous areas, unless the building is protected throughout with an approved supervised automatic sprinkler system.

(2) **MEANS OF EGRESS COMPONENTS**

(a) Any building that is protected throughout by an approved, supervised automatic sprinkler system install in accordance with Section 30.3.5., has four or fewer stories, and has not more than four dwelling units per story shall be permitted to have a single exit, provided that all of the following conditions apply:

1. The stairway is separated from the rest of the building by barriers having not less than a 1-hour fire resistance rating, with self-closing 1-hour fire door assemblies protecting all openings between the stairway enclosure and the building.

2. The stairway does not serve more than one-half story below the level of exit discharge.

3. All corridors serving as access to exits have a minimum 1-hour fire resistance rating.

4. There is not more than 35 ft of travel distance from the entrance door of any dwelling unit to an exit.

5. One-half-hour fire-rated horizontal and vertical separation between dwelling units is provided.

(b) Emergency lighting in accordance with Section 7.9 shall be provided in all buildings with 12 dwelling units, or of more than 3 stories in height, unless every dwelling unit has a direct exit to the outside of the building at grade level.

(c) Means of egress shall have signs in accordance with Section 7.10 in all buildings requiring more than one exit.

(3) **ROOM CEILINGS AND HALLWAYS**

(a) The width of hallways shall be not less than 36 inches and the height not less than 7 feet 6 inches.

(b) The height of room ceilings shall not be lessthan 7 feet 6 inches.

(c) Existing facilities which fit the definition of this code will not be subject to the minimum ceiling height as stated.

(4) **DOORS**

(a) Doors in the path of travel to the means of escape shall be not less than 28 inches wide and not less than 6 feet 8 inches high. Bathrooms and closet doors shall be not less than 24 inches wide.

(b) Doors on facilities with physically disabled persons must comply with ADA standards.

(c) Doors shall not have more than 2 locking devices.

1. No double key dead bolt locks are allowed.

(5) **STAIRS**

(a) Stairs serving as a required means of escape shall be of permanent fixed construction and shall have handrails on both sides of the steps that are not less than 34 inches nor more than 38 inches above the surface of the tread.

(b) In new construction, the minimum height of risers must be a minimum of 4 inches and maximum of 7 inches in height, and a minimum tread depth of 11 inches.

(c) In existing construction, the maximum height of risers must be 8 inches and the minimum tread depth must be 9 inches.

(d) Stairs must be uniform in design.

(6) **PORCHES AND LANDINGS**

(a) Porches and landings shall have guardrails not less than 42 inches high when any portion of the porch or landing equals or exceeds 24 inches above ground level.

(b) Open guards, other than approved existing open guards, shall have rails or an ornamental pattern such that an object 4 inches in diameter is not able to pass through anyopening up to a height of 34 inches.

Author: DMH/MR Office of Life Safety and Technical Services
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