

10A NCAC 09 .0604 SAFETY REQUIREMENTS FOR CHILD CARE CENTERS

- (a) In child care centers, potentially hazardous items, including power tools, nails, chemicals, propane stoves, lawn mowers, and gasoline or kerosene, whether or not intended for use by children, shall be stored in locked areas, removed from the premises, or otherwise inaccessible to children.
- (b) Firearms and ammunition are prohibited in a licensed child care center unless carried by a law enforcement officer.
- (c) When not in use, electrical outlets and power strips located in space used by children shall have safety outlets or be covered with safety plugs unless located behind furniture or equipment that cannot be moved by a child.
- (d) Electric fans shall be mounted out of the reach of children or shall be fitted with a mesh guard to prevent access by children.
- (e) All electrical appliances shall be used only in accordance with the manufacturer's instructions. For appliances with heating elements, such as bottle warmers, crock pots, irons, coffee pots, or curling irons, neither the appliance nor any cord shall be accessible to preschool-age children.
- (f) Electrical cords shall not be accessible to infants and toddlers. Extension cords, except as approved by the local fire inspector, shall not be used. Frayed or cracked electrical cords shall be replaced.
- (g) All materials used for starting fires, such as matches, lighters, and accelerants shall be kept in locked storage.
- (h) Children shall be in a smoke free and tobacco free environment. Smoking and the use of any product containing, made or derived from tobacco, including e-cigarettes, cigars, little cigars, smokeless tobacco, and hookah, shall not be permitted on the premises of the child care center, in vehicles used to transport children, or during any off premise activities. All smoking materials shall be kept in locked storage. For child care centers in an occupied residence that are licensed for 3 to 12 children when any preschool-age children are in care, or for 3 to 15 children when only school-age children are in care, the premises shall be smoke free and tobacco free during operating hours.
- (i) Signage regarding the smoking and tobacco restriction shall be posted at each entrance to the center and in vehicles used to transport children.
- (j) The operator shall notify the parent of each child enrolled in the center, in writing, of the smoking and tobacco restriction.
- (k) Fuel burning heaters, fireplaces, and floor furnaces, if applicable, shall be fitted with a protective screen attached to supports to prevent access by children and to prevent objects from being thrown into them.
- (l) Toxic plants shall be inaccessible to children. A list of toxic plants may be found on the Division's website at http://ncchildcare.nc.gov/pdf_forms/form16b_bb.pdf.
- (m) Air conditioning units shall be located so that they are not accessible to children or shall be fitted with a mesh guard to prevent objects from being thrown into them.
- (n) Gas tanks and gas or charcoal grills shall be inaccessible to children or shall be in a protective enclosure.
- (o) Cribs and playpens shall be placed so that the children occupying them shall not have access to cords or ropes, such as venetian blind cords.
- (p) Once a day, prior to initial use, the indoor and outdoor premises shall be checked for debris, vandalism, and broken equipment. Debris shall be removed and disposed of.
- (q) Plastic bags, toys, toy parts small enough to be swallowed, and materials that can be torn apart, such as foam rubber and styrofoam, shall not be accessible to children under three years of age. However, styrofoam plates and larger pieces of foam rubber may be used for supervised art activities and styrofoam plates may be used for food service. Jump ropes and rubber bands shall not be accessible to children under five years of age without adult supervision. Balloons shall be prohibited for children of all ages.
- (r) When non-ambulatory children are in care, a crib or other device shall be available for evacuation in case of fire or other emergency. The crib or other device shall be fitted with wheels in order to be moveable, have a reinforced bottom, and shall be able to fit through the designated fire exit. For centers that do not meet NC Building Code for institutional occupancy as described in 10A NCAC 09 .1301, and have an exit more than eight inches above grade, the center shall develop a written plan to ensure a safe evacuation of the crib or other device. The operator shall submit the plan to the Division for review. The Division shall approve the plan and shall require a demonstration of the center implementing the plan during a drill. During the required fire, lockdown, or shelter-in-place drills, an evacuation crib or other device shall be used in the manner described in the Emergency Preparedness and Response Plan as defined in 10A NCAC 09 .0607(c).
- (s) A First Aid kit shall be available on site and accessible to staff. Each staff member shall be aware of the location of the First Aid kit.
- (t) Fire drills shall be practiced monthly and records shall be maintained as required by 10A NCAC 09 .0302(d)(5).
- (u) A "shelter in place drill" or "lockdown drill" as defined in 10A NCAC 09 .0102 shall be conducted at least every three months and records shall be maintained as required by 10A NCAC 09 .0302(d)(8).

(v) In child care centers, biocontaminants shall be:

- (1) stored in locked areas;
- (2) removed from the premises;
- (3) inaccessible to children; or
- (4) shall be disposed of in a covered, plastic lined receptacle.

History Note: Authority G.S. 110-88; 143B-168.3;
Eff. January 1, 1991;
Amended Eff. January 1, 1996; November 1, 1991;
Temporary Amendment Eff. October 1, 1997;
Amended Eff. July 1, 2015; February 1, 2012; July 1, 2010; December 1, 2007; April 1, 2001;
July 1, 1998;
Temporary Amendment Eff. September 23, 2016;
Readopted Eff. October 1, 2017.