Maximum Occupant Load for a Day Care Facility

**Code:** 2012 Building Code  
**Section:** 305.2, 308.5 and 310.1  
**Date:** July 17, 2012

**Question:**
What is the maximum occupant load for a Day Care Facility?

**Answer:**
The maximum occupant load for a Day Care Facility is based on the age of the clients and the occupancy type of the facility.

- **Residential Group R-3:**
  - Adult Care facilities – five or fewer persons of any age, excluding staff
  - Child Care facilities – eight or fewer persons with no more than five that are of preschool age, excluding staff. (Section 310.1)
- **Residential Group R-4 (Any age):**
  - More than five but not more than 16 occupants, excluding staff. (Section 310.1)
- **Education Group E:**
  - 6 to 100 children preschool aged $2^{1/2}$ years or less (Section 310.1)
  - More than 5 children $2^{1/2}$ years through 12th Grade (Section 305.2)
- **Institutional Group I-4:**
  - Adult Care facilities – six or more (Section 308.5.1).
  - Child Care facilities – six or more (Section 308.5.2).

**Keywords:**
Day Care, Occupant Load, Age