

1305.0308 [Repealed, 27 SR 1474]

1305.0308 INSTITUTIONAL GROUP I.

Subpart 1. **IBC section 308.2.** IBC section 308.2 and its subsections are amended to read as follows:

308.2 Institutional Group I-1. This occupancy shall include buildings, structures, or portions thereof for more than 16 persons who reside on a 24-hour basis in a supervised environment and receive custodial care services. Examples of this group include the following:

- Alcohol and drug centers
- Assisted living
- Boarding care homes
- Congregate care facilities
- Convalescent facilities
- Group homes
- Halfway houses
- Housing with services establishment
- Residential board and care facilities
- Social rehabilitation facilities
- Supervised living facilities Class A-2

(Subsections 308.2.1, 308.2.2, and 308.2.3 remain unchanged.)

308.2.4 Five or fewer persons receiving custodial care. A facility with five or fewer persons receiving custodial care shall be classified as Group R-3.

Subp. 2. **IBC section 308.3.** IBC section 308.3 and subsection 308.3.2 are amended to read as follows:

308.3 Institutional Group I-2. This occupancy shall include buildings and structures used for medical care on a 24-hour basis for more than five persons who are incapable of self-preservation. Examples of this group include the following:

- Detoxification facilities
- Foster care facilities
- Hospitals
- Nursing homes

Psychiatric hospitals

Supervised living facilities Class B-3

(Subsections 308.3.1, 308.3.1.1, and 308.3.1.2 remained unchanged.)

308.3.2 Five or fewer persons receiving care. A facility with five or fewer persons receiving care consistent with Group I-2 occupancies shall be classified as Group R-3.

Subp. 3. [Repealed, 39 SR 1605]

Subp. 4. **IBC section 308.5.** IBC section 308.5 and its subsections are amended to read as follows:

308.5 Group I-4, day care and day services facilities. This group includes buildings and structures occupied by more than five persons of any age who receive custodial care for fewer than 24 hours per day by persons other than parents or guardians, relatives by blood, marriage, or adoption, and in a place other than the home of the person receiving care. This group shall include but not be limited to the following:

Adult day services

Child day care

308.5.1 Classification as Group E. Day care and day services uses shall be classified as Group E occupancies subject to sections 308.5.1.1 through 308.5.1.3.

308.5.1.1 Adult day services centers serving only persons capable of self-preservation.

Adult day services centers serving only persons who, without assistance, are capable of self-preservation under emergency conditions shall be classified as Group E.

308.5.1.2 Adult day services centers serving both persons capable and persons not capable of self-preservation. Adult day services centers shall be classified as Group E where all of the following conditions apply:

- a. At least one person served but not more than 50 percent of persons served require assistance with self-preservation under emergency conditions.
- b. The rooms in which the adults are cared for are located on the level of exit discharge serving such rooms, with all exits discharging directly to grade without intervening stairs. Each exit discharge shall provide an accessible route, without stairs, to the public way or safe dispersal area in accordance with the exception to Section 1028.5.
- c. The day services center is protected with an automatic fire alarm system consisting of automatic smoke detection in all corridors and at the top of all stairways, and automatic detection in boiler and furnace rooms, kitchens, storage rooms, custodial closets, laundry and soiled linen rooms, and other hazardous areas.

308.5.1.3 Child day care. A child day care facility shall be classified as Group E where all of the following conditions apply:

- a. The facility provides care for more than five but not more than 100 children 2-½ years or less of age.
- b. The rooms in which the children are cared for are located on the level of exit discharge serving such rooms.
- c. Each room providing day care has an exit door directly to the exterior.

(Subsections 308.5.2 and 308.5.3 remain unchanged.)

308.5.4 Five or fewer persons receiving care in a dwelling unit. Adult day services or child day care within a dwelling unit and having five or fewer persons receiving custodial care shall be classified as a Group R-3 occupancy. Where the adult day services or child day care is located in a one- or two-family dwelling or townhouse, the dwelling: (1) shall be constructed in accordance with either this chapter or Minnesota Rules, chapter 1309, the Minnesota Residential Code; and (2) shall be equipped with an automatic sprinkler system when required by Section 903.2.8.

Statutory Authority: *MS s 16B.37; 16B.59 to 16B.76; 326B.02; 326B.101 to 326B.194*

History: *32 SR 7; L 2007 c 140 art 4 s 61; art 13 s 4; L 2008 c 337 s 64; 39 SR 1605; 44 SR 609*

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