

**1305.0310 SECTION 310 RESIDENTIAL GROUP R.**

IBC section 310 and its subsections are amended to read as follows:

**310.1 Residential Group R.** Residential Group R includes, among others, the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I. This group shall not include buildings regulated by chapter 1309, the International Residential Building Code (IRC). However, the licensed uses specified in Sections 310.5 and 310.6, as amended by this part, are applicable to a building constructed in accordance with the IRC that houses a use that is required to be licensed.

**310.2 Definitions.** The following terms are defined in chapter 2:

Boarding house

Congregate living facility

Dormitory

Group home

Personal care service

Transient

**310.3 Residential Group R-1.** R-1 Residential occupancies containing sleeping units where the occupants are primarily transient in nature, including:

Bed and breakfast facilities with six or more guest rooms. A facility with fewer than six guest rooms shall be classified as a Group R-3 occupancy.

Boarding houses (transient) with more than ten occupants

Congregate living facilities (transient) with more than ten occupants

Hotels (transient)

Motels (transient)

**310.4 Residential Group R-2.** R-2 Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, including:

Apartment houses

Boarding houses (nontransient) with more than 16 occupants

Congregate living facilities (nontransient) with more than 16 occupants

Convents

Dormitories

Fraternities and sororities

Hotels (nontransient)

Monasteries

Motels (nontransient)

Vacation timeshare properties

**310.5 Residential Group R-3.** R-3 Residential occupancies where the occupants are primarily permanent in nature and not classified as R-1, R-2, R-4, or I including:

Assisted living

Boarding care homes

Boarding houses (nontransient) with 16 or fewer occupants

Boarding houses (transient) with 10 or fewer occupants

Care facilities that provide accommodations for five or fewer persons receiving care

Congregate living facilities (nontransient) with 16 or fewer occupants

Congregate living facilities (transient) with ten or fewer occupants

Dwelling units in mixed occupancy buildings

Family adult foster homes

Foster care

Housing with services establishment

Residential hospice with five or fewer occupants

In new construction, Group R-3 occupancies shall meet the requirements for building durability of chapter 1309, the International Residential Building Code, parts 1309.0402; 1309.0406, subpart 2; 1309.0702, subpart 2; 1309.0703, subpart 2a; 1309.0703, subpart 9, items A, B, and C; 1309.0903; and 2012 IRC section R703.8.1.

**310.5.1 Care facilities within a dwelling.** Section 310.5.1 is deleted in its entirety.

**310.6 Residential Group R-4.** This occupancy shall include buildings, structures, or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care. The persons receiving care are capable of self-preservation. This group shall include the following:

Alcohol and drug centers

Assisted living

Boarding care homes

Congregate care facilities

Group homes

Halfway houses

Housing with services establishment (including those that provide assisted living services)

Residential board and care facilities

Residential hospice with 12 or fewer occupants

Social rehabilitation facilities

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code.

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

**History:** *20 SR 2290(NO. 43); 27 SR 1474; 32 SR 7; L 2007 c 140 art 4 s 61; art 13 s 4; L 2008 c 337 s 64; 39 SR 1605*

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