

7511.0202 SECTION 202, GENERAL DEFINITIONS.

IFC Section 202 is amended by adding or amending definitions to read:

ADULT DAY CARE CENTER. A facility, licensed by the Department of Human Services under Minnesota Rules, parts 9555.9600 to 9555.9730, that provides a program of adult day care services to functionally impaired adults for periods of less than 24 hours per day in a setting other than a participant's home or the residence of the facility's operator.

AISLE. See Section 1002.1.

AUTHORITY HAVING JURISDICTION. Any municipal fire code official serving a particular jurisdiction or the state fire marshal or any of their authorized representatives.

BUILDING CODE. The Minnesota State Building Code adopted pursuant to Minnesota Statutes, section 326B.106, subdivision 1.

CHIEF. See FIRE CHIEF.

CORRIDOR. See Section 1002.1.

DECORATIVE MATERIALS. Combustible materials used for decorative effects such as curtains; draperies; streamers; surface coverings applied over building interior finishes for decorative, acoustical or other effect; cloth; cotton batting; paper; plastics; vegetation; hay; split bamboo; straw; vines; leaves; trees; moss; and similar materials used for decorative effect. Decorative materials do not include educational materials that are displayed in an approved manner, ordinary window shades, floor coverings, interior finish materials used as surface coverings (See Chapter 8 for regulations of such materials) and materials 1/28 inch (0.9 mm) or less in thickness applied directly to a noncombustible backing.

FAMILY ADULT DAY SERVICES. A program providing services for up to eight functionally impaired adults for less than 24 hours per day in the license holder's primary residence in accordance with Minnesota Statutes, section 245A.143. This includes programs located in residences licensed by the Department of Human Services for adult foster care, provided not more than eight adults, excluding staff, are present in the residence at any time.

FAMILY DAY CARE HOME. A residence, licensed by the Department of Human Services under Minnesota Rules, parts 9502.0315 to 9502.0445, in which no more than ten children at any one time receive care, maintenance and supervision by other than their relatives or legal guardians for less than 24 hours per day.

FIRE CHIEF. The chief officer of the fire department serving the jurisdiction or the chief's authorized representatives. For purposes of enforcing this code, the term fire chief also includes the state fire marshal and the state fire marshal's representatives.

GROUP DAY CARE HOME. A residence, licensed by the Department of Human Services under Minnesota Rules, parts 9502.0315 to 9502.0445, in which at least 11 but not more than 14 children receive care, maintenance and supervision by other than their relatives or legal guardians for less than 24 hours per day.

GUEST ROOM. A room or rooms used or intended to be used for sleeping purposes. Every 100 square feet of superficial floor area in a dormitory shall be considered to be a guest room.

JURISDICTION. Any municipality, district, or other political subdivision adopting this code for use in its jurisdictional area.

JURISDICTIONAL AREA. The territory of the municipality, district, or other political subdivision adopting this code.

MECHANICAL CODE. The Minnesota State Mechanical Code as adopted pursuant to Minnesota Statutes, section 326B.106.

MUNICIPALITY. Any statutory or home rule charter city, county or town meeting the requirements of Minnesota Statutes, section 368.01, subdivision 1, the University of Minnesota, or the state for public buildings.

OCCUPANCY CLASSIFICATION. This definition is amended by modifying the definitions of Educational Group E; Institutional Groups I-1 and I-2; Institutional Group I-4; and Residential Groups R-1, R-3 and R-4, to read:

Educational Group E. Educational Group E occupancy includes any building used for educational purposes through the 12th grade by six or more persons for more than 12 hours per week or four hours in any one day.

Child day care. The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than five children older than 2-1/2 years of age shall be classified as an E occupancy.

Adult day care. An adult day care center serving more than five ambulatory and mobile persons who are capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions shall be classified as an E occupancy. See part 7510.3675 for the protection requirements for facilities serving both participants who are capable and not capable of taking appropriate action for self-preservation.

Institutional Group I.

Group I-1. This occupancy shall include buildings, structures, or parts thereof housing more than 16 persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to,

the following: residential board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers and convalescent facilities. A facility such as the above with five or fewer persons shall be classified as Group R-3. A facility such as the above housing at least six and not more than 16 persons, shall be classified as Group R-4.

Group I-2. This occupancy shall include buildings and structures used for medical, surgical, psychiatric, nursing or custodial care on a 24-hour basis for more than five persons who are not capable of self-preservation. This group shall include, but not be limited to, the following: hospitals, nursing homes (both intermediate-care facilities and skilled nursing facilities), mental hospitals and detoxification facilities. A facility such as the above with five or fewer persons shall be classified as Group R-3.

Child care facility. A child care facility that provides care on a 24-hour basis to more than five children 2-1/2 years of age or less shall be classified as Group I-2.

Group I-4, Day care facilities. This group shall include buildings and structures occupied by persons of any age who receive custodial care for less than 24 hours by individuals other than parents or guardians, relatives by blood, marriage, or adoption, and in a place other than the home of the person cared for. A facility such as the above with five or fewer persons shall be classified as Group R-3. Places of worship during religious functions are not included.

Adult care facility. A facility that provides accommodations for less than 24 hours for more than five unrelated adults and provides supervision and personal care services shall be classified as Group I-4.

Exception: Where the occupants are capable of responding to an emergency situation without physical assistance from the staff the facility shall be classified as Group A-3.

Child care facility. A facility that provides supervision and personal care on less than a 24-hour basis for more than five children 2-1/2 years of age or less shall be classified as Group I-4.

Exception: A child day care facility which provides care for more than five but no more than 100 children 2-1/2 years or less of age, when the rooms where such children are cared for are located on the level of exit discharge and each of these child care rooms has an exit door directly to the exterior, shall be classified as Group E.

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. Residential occupancies shall include the following:

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

Boarding houses (transient)

Hotels (transient)

Motels (transient)

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

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 (not transient)

Convents

Dormitories

Fraternalities and sororities

Hotels (not transient)

Monasteries

Motels (not transient)

Vacation time-share properties

Congregate living facilities with 16 or fewer occupants are permitted to comply with construction that complies with the requirements for 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:

Buildings that do not contain more than two dwelling units

Adult facilities that provide accommodations for five or fewer persons of any age for less than 24 hours

Child care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours

Congregate living facilities with 16 or fewer persons

Adult and child care facilities

R-4. Residential occupancies shall include buildings arranged for occupancy as residential care/assisted living facilities including more than five but not more than 16

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

OUTPATIENT CLINIC. A building or part thereof used to provide, on an outpatient basis, surgical treatment requiring general anesthesia or other treatment of patients that would render them incapable of unassisted self-preservation under emergency conditions. This would include outpatient surgical centers and kidney dialysis units, but does not include doctors' and dentists' offices or clinics for the practice of medicine or the delivery of primary care.

PERFORMANCE-BASED DESIGN. An engineering approach to design elements of a building based on agreed-upon performance goals and objectives, engineering analysis and quantitative assessment of alternatives against the design goals and objectives using accepted engineering tools, methodologies and performance criteria.

POWER TAP. A device that is connected to an electrical receptacle, has built-in overcurrent protection and allows connection of one or more electrical plugs to supply electricity to other devices and equipment.

REQUIRED BY THE FIRE CHIEF. Determined by the fire chief to be directly related to safeguarding life and property from the hazards of fire, and uniform for each class or kind of building, structure or property covered.

RESIDENTIAL HOSPICE FACILITY. A facility located in a residential area that directly provides 24-hour residential and support services in a home-like setting for not more than 12 persons who have been diagnosed as terminally ill with a probable life expectancy of under one year.

ROOM. A space or area bounded by any obstructions over 6 feet in height which at any time enclose more than 80 percent of the perimeter of the area. In computing the unobstructed perimeter, openings less than 3 feet in clear width and less than 6 feet 8 inches high shall not be considered. Aisles and corridors shall not be construed to form rooms.

STATE FIRE MARSHAL. The Minnesota state fire marshal or the state fire marshal's authorized representatives.

SUPERVISED LIVING FACILITY. A facility in which supervision, lodging, meals, and, in accordance with the rules of the Department of Human Services and the Department of Health, counseling and developmental habilitative or rehabilitative services are provided to persons who are chemically dependent, adult mentally ill, or physically or developmentally disabled.

Class A-1 supervised living facility. A supervised living facility for six or fewer ambulatory or mobile disabled persons who are capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions.

Class A-2 supervised living facility. A supervised living facility for more than six ambulatory or mobile disabled persons who are capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions.

Class B-1 supervised living facility. A supervised living facility for six or fewer ambulatory or nonambulatory, mobile or nonmobile persons who are not mentally or physically capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions.

Class B-2 supervised living facility. A supervised living facility for seven to 16 ambulatory or nonambulatory, mobile or nonmobile persons who are not mentally or physically capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions.

Class B-3 supervised living facility. A supervised living facility for 17 or more ambulatory or nonambulatory, mobile or nonmobile persons who are not mentally or physically capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions.

Statutory Authority: *MS s 299F.011*

History: *L 2005 c 56 s 2; 32 SR 10; L 2007 c 140 art 4 s 61; art 13 s 4*

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