

licensed by the Department of Human Services under chapter 9502 for no more than ten children at one time of which no more than six are under school age, and must meet Group R, Division 3 occupancy requirements.

Subp. 12. Group day care home. "Group day care home" means any residence or portion of a residence licensed by the Department of Human Services under chapter 9502 for no more than 14 children at any one time, and must meet Group R, Division 3 occupancy requirements.

Subp. 12a. International residential code (IRC) occupancy classifications. International residential code (IRC) occupancy classifications are as follows:

IRC-1 single-family dwellings;

IRC-2 two-family dwellings;

IRC-3 townhouses; and

IRC-4 accessory structures:

A. garages;

B. storage sheds; and

C. similar structures.

Subp. 13. Mandatory terms. "Mandatory terms" include "must" and "shall," which have the same meaning.

Subp. 14. Manufactured home. "Manufactured home" has the meaning given in Minnesota Statutes, section [327.31](#), subdivision 3, and for the purpose of determining occupancy separations, is considered a Group IRC-1 occupancy.

Subp. 15. Master plan. "Master plan" is a plan that has been reviewed for code compliance by the building official and stamped "Reviewed for Code Compliance."

Subp. 16. Mayor and city council. "Mayor" and "city council" mean governing body whenever they appear in the code.

Subp. 17. Municipality. "Municipality" means a city, county, or town; the University of Minnesota; or the state of Minnesota for public buildings and state licensed facilities.

Subp. 18. Outpatient clinic. "Outpatient clinic" means a building or part of a building used to provide, on an outpatient basis, surgical treatment requiring general anesthesia, kidney dialysis, or other treatment that would render patients incapable of unassisted self-preservation under emergency conditions. "Outpatient clinic" includes outpatient surgical centers, but does not include doctors' and dentists' offices or clinics for the practice of medicine or the delivery of primary care. Outpatient clinics must meet Group B occupancy requirements.

Subp. 19. 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.

Subp. 20. Recyclable materials. "Recyclable materials" means materials that are separated from mixed municipal solid waste for the purpose of recycling, including paper, glass, plastic, metals, automobile oil, and batteries. Refuse-derived fuel or other material that is destroyed by incineration is not a recyclable material.

Subp. 21. Recycling. "Recycling" means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

Subp. 22. Residential hospice facility. "Residential hospice facility" means a facility located in a residential area that directly provides 24-hour residential and support services in a home-like setting for one to 12 persons who have been diagnosed as terminally ill with a probable life expectancy of under one year. A residential hospice facility must meet IBC Group R-4 occupancy requirements.

Subp. 23. Supervised living facility. "Supervised living facility" means a facility in which there is provided supervision, lodging, meals, and according to the rules of the Minnesota Department of Human Services and the Minnesota Department of Health, counseling and developmental habilitative or rehabilitative services to persons with developmental disabilities, chemically dependent, adult mentally ill, or physically disabled.

A. "Class A-1 supervised living facility" means a supervised living facility for ambulatory and mobile persons who are capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions for six or fewer persons, and must meet Group R, Division 3 occupancy requirements.

B. "Class A-2 supervised living facility" means a supervised living facility for ambulatory and mobile persons who are capable of taking appropriate action for self-preservation under emergency conditions as determined by program licensure provisions for seven to 16 persons, and must meet Group R, Division 4

occupancy requirements. Facilities with more than 16 persons must meet Group I-1 occupancy requirements.

C. "Class B-1 supervised living facility" means a supervised living facility for ambulatory, 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 for six or fewer persons, and must meet Group R, Division 3 occupancy requirements.

D. "Class B-2 supervised living facility" means a supervised living facility for ambulatory, 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 for seven to 16 persons, and must meet Group R, Division 4 occupancy requirements.

E. "Class B-3 supervised living facility" means a supervised living facility for ambulatory, 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 for over 16 persons, and must meet Group I, Division 2 occupancy requirements.

Subp. 24. State building official. "State building official" means the person who, under the direction and supervision of the commissioner, administers the code.

Subp. 25. State licensed facilities. "State licensed facilities" means a building and its grounds that are licensed by the state as a hospital, nursing home, supervised living facility, free-standing outpatient surgical center, or correctional facility.

Subp. 26. State-owned buildings. "State-owned buildings" means buildings and structures financed in whole or in part by state funds that are under the exclusive jurisdiction and custodial control of one or more state department or agency.

Statutory Authority: *MS s 16B.59; 16B.61; 16B.64; 326B.101; 326B.106; 326B.13*

History: *27 SR 1471; ; L 2005 c 56 s 2; L 2007 c 140 art 1 s 1; art 4 s 61; art 13 s 4; 32 SR 5*

Published Electronically: *February 19, 2009*

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700 State Office Building, 100 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155 ♦ Phone: (651) 296-2868 ♦ TTY: 1-800-627-3529 ♦ Fax: (651) 296-0569