

SECTION 310 RESIDENTIAL GROUP R

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 or when not regulated by the *International Residential Code* in accordance with Section 101.2. 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)

Congregate living facilities (transient) with 10 or fewer occupants are permitted to comply with the construction requirements for Group R-3.

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)
- Convents
- Dormitories
- Fraternities and sororities
- Hotels (nontransient)
- Live/work units
- Monasteries
- Motels (nontransient)
- Vacation timeshare properties

Congregate living facilities with 16 or fewer occupants are permitted to comply with the construction requirements for Group R-3.

Group R-2 occupancies providing 21 or more housing units for low-income elderly, which are financed in whole or in part by the federal or state fund, shall contain a multiservice room adequate in size to seat all the tenants (ORS 455.425). The multiservice room shall include adjacent toilet facilities for both sexes; a service area with a kitchen sink, countertop and upper and lower cabinets; and a storage room sized to store tables, chairs or benches and janitorial supplies and tools. The multiservice room and accessory rooms shall be accessible to disabled persons (see Chapter 11).

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

- Buildings that do not contain more than two *dwelling units*.

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

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

Congregate living facilities with 16 or fewer persons.

Adult foster homes as defined in ORS Chapter 443, or family child care homes (located in a private residence) as defined in Section 310.2.

Adult foster homes and family child care homes that are within a single-family dwelling are permitted to comply with the *Residential Code* in accordance with Section 101.2.

A Group R-3 residential occupancy, subject to licensure by the state, where personal care is administered for five or fewer persons, whose occupants may require assisted self-preservation shall be classified as a Group SR-3 occupancy and shall comply with the provisions of Appendix SR.

Lodging houses, as defined in this section, are permitted to comply with the *Residential Code* in accordance with Section 101.2.

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 or shall comply with the *International Residential Code* provided the building is protected by an *automatic sprinkler system* installed in accordance with Section 903.2.8.

A Group R-4 residential occupancy shall include buildings, structures or parts thereof housing more than five, but not more than 16 persons, on a 24-hour basis because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care.

A Group R-4 residential occupancy, or portion thereof, subject to licensure by the state, where personal care is administered for more than five, but not more than 16 persons, whose occupants may require assisted self-preservation shall be classified as a Group SR-4 occupancy and shall comply with the provisions of Appendix SR.

310.2 Definitions. The following words and terms shall, for the purposes of this section and as used elsewhere in this code, have the meanings shown herein.

ADULT FOSTER HOME. See ORS 443.705 and 443.725.

BOARDING HOUSE. A building arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit.

CONGREGATE LIVING FACILITIES. A building or part thereof that contains sleeping units where residents share bathroom and/or kitchen facilities.

DORMITORY. A space in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group, under joint occupancy and single management, as in college dormitories or fraternity houses.

FAMILY CHILD CARE HOME. (Licensed by Oregon Child Care Division under ORS 657A) Includes certified family child care homes (located in homes licensed for 16 or fewer children) and registered family child care homes (located in homes licensed for 10 or fewer children).

LODGINGHOUSE. Any building or portion thereof containing not more than five guest rooms where rent is paid in money, goods, labor or otherwise. The total number of guests shall not exceed 16.

PERSONAL CARE. See Section 102 of Appendix SR.

TRANSIENT. Occupancy of a *dwelling unit* or *sleeping unit* for not more than 30 days.

Adult foster homes are regulated by ORS 443.705 through 443.825, which are not part of this code but are reproduced in part here for the reader's convenience:

443.705(1) "Adult foster home" means any family home or facility in which residential care is provided in a homelike environment for five or fewer adults who are not related to the provider by blood or marriage.

443.725 License required; resident manager required; when other resident staff required.

(1) Every provider of adult foster care shall be licensed with the Department of Human Services before opening or operating an adult foster home caring for adult residents.

(2) A provider must live in the home that is to be licensed or hire a resident manager to live in the home.

(3) There must be a provider, resident manager or substitute caregiver on duty 24 hours per day in an adult foster home under the jurisdiction of the Department of Human Services.

Family child care homes and group child care homes located in a private residence are regulated by ORS 657A.280 and 657A.330, which are not part of this code but are reproduced in part here for the reader's convenience:

657A.250 Definitions for ORS 657A.030 and 657A.250 to 657A.450. As used in ORS 657A.030 and 657A.250 to 657A.450, unless the context requires otherwise:

(2) "Certification" means the certification that is issued under ORS 657A.280 by the Child Care Division to a family child care home, child care center or other child care facility.

(3) "Child" means a child under 13 years of age or a child under 18 years of age who has special needs or disabilities and requires a level of care that is above normal for the child's age.

(4) Subject to ORS 657A.440, "child care" means the care, supervision and guidance on a regular basis of a child unaccompanied by a parent, guardian or custodian, provided to a child during a part of the 24 hours of the day, in a place other than the child's home, with or without compensation.

(5) "Child care facility" means any facility that provides child care to children, including a day nursery, nursery school, child care center, certified or registered family child care home or similar unit

operating under any name, but not including any:

(a) Facility providing care that is primarily educational, unless provided to a preschool child for more than 4 hours a day.

(b) Facility providing care that is primarily supervised training in a specific subject, including but not limited to dancing, drama, music or religion.

(c) Facility providing care that is primarily an incident of group athletic or social activities sponsored by or under the supervision of an organized club or hobby group.

(d) Facility operated by:

(A) A school district as defined in ORS 332.002;

(B) Political subdivision of this state; or

(C) A governmental agency.

(D) Residential facility licensed under ORS 443.400 to 443.455.

(e) Babysitters.

(f) Facility operated as a parent cooperative for no more than 4 hours a day.

(g) Facility providing care while the child's parent remains on the premises and is engaged in an activity offered by the facility or in other nonwork activity.

(10) "Registration" means the registration that is issued under ORS 657A.330 by the Child Care Division to a family child care home where care is provided in the family living quarters of the provider's home.

(11) "School age" means of an age eligible to be enrolled in the first grade or above and, during the months of summer vacation from school, means of an age eligible to be enrolled in first grade or above in the next school year.