

## 5122-30-09 Maximum resident and household capacity.

(A) The department shall determine the maximum number of residents for which each facility shall be licensed and shall state the maximum number on the license issued to the facility. The maximum number of residents shall not exceed the number of residents as specified on the license.

(B) The maximum number of residents for which a facility is licensed shall be based on resident sleeping space, living space, adequate toilet, lavatory, and bathing facilities in accordance with rule [5122-30-14](#) of the Administrative Code.

(C) The maximum number of household members shall be based on the amount of living space and adequate toilet, lavatory, and bathing facilities for all household members in accordance with rule [5122-30-14](#) of the Administrative Code. The maximum number of household members refers to all persons living in the facility including residents, and others, including but not limited to: the operator, staff, family, and friends.

(D) Type 2 and 3 facilities shall notify the affiliating agency, in writing, prior to allowing any additional person(s) to reside in the facility for more than twenty-four hours.

(E) A residential facility shall not accept any person who does not meet written admission criteria as specified in paragraph (M)(2)(c) of rule [5122-30-04](#) of the Administrative Code.

(F) No residential facility serving children/adolescents shall admit adults, nor shall any residential facility serving adults admit children\adolescents.

R.C. [119.032](#) review dates: 01/03/2011 and 01/03/2016

Promulgated Under: [119.03](#)

Statutory Authority: [5119.22](#)

Rule Amplifies: [5119.22](#)

Prior Effective Dates: 5/10/79, 5/1/81, 1/1/00