

**2945.0120 INTENDED USE AND NONCOMPLIANCE.**

Subpart 1. **Intended use.** A facility should be used only for classifications for which it is intended. This chapter does not regulate a Class IV municipal lockup facility or municipal police facility that:

- A. includes an administrative processing area used to detain a person for up to four hours;
- B. for a municipal police facility only, is specifically designed to be nonresidential;
- C. has audio capacity, visual capacity, or both;
- D. is normally not locked except for routine security reasons; and
- E. is used long enough for identification, transfer arrangements, or release of a detained person to a responsible person.

Subp. 1a. **Rule compliance.**

A. A Class I municipal lockup facility must comply with rules governing adult detention facilities under chapter 2911.

B. A Class II or III municipal lockup facility must comply with 100 percent of the following rules unless specifically excluded under that rule:

- (1) part 2945.0130, subpart 3;
- (2) part 2945.0510, subpart 1;
- (3) part 2945.0530, subparts 2, 3, 4, 5, and 6;
- (4) part 2945.1000, subparts 2 and 3;
- (5) part 2945.2100;
- (6) part 2945.2510, subpart 2;
- (7) part 2945.2520, subpart 1;
- (8) part 2945.2530, subparts 3 and 6;
- (9) part 2945.2540, subpart 2;
- (10) part 2945.2550, subparts 1 and 4;
- (11) part 2945.3420;
- (12) part 2945.3430;
- (13) part 2945.4700, subpart 1;
- (14) part 2945.4710, subpart 2;

- (15) part 2945.4740, subpart 3;
- (16) part 2945.4750;
- (17) part 2945.5400;
- (18) part 2945.5430, subparts 1, 4, and 5;
- (19) part 2945.5450, subparts 1 and 4, item B;
- (20) part 2945.5455;
- (21) part 2945.5460;
- (22) part 2945.5470; and
- (23) part 2945.5490, subparts 3, 6, 9, and 10.

C. A Class II or III municipal lockup facility must comply with at least 90 percent of parts 2945.0120 to 2945.5490 that are not listed in item B or do not specifically exclude that type of facility. For each rule part, every subpart, item, and subitem is counted as a separate regulatory standard toward the required percentage totals.

Subp. 2. **Noncompliance; unsafe, unsanitary, or illegal conditions.** When conditions do not substantially conform to subpart 1a, or where specific conditions endanger the health, welfare, or safety of detainees or staff, the facility's use is restricted according to Minnesota Statutes, section 241.021, subdivision 1, or legal proceedings to condemn the facility will be initiated according to Minnesota Statutes, section 641.26 or 642.10.

**Statutory Authority:** *MS s 241.021*

**History:** *17 SR 711; 39 SR 1203*

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