

4664.0370 BUILDING CLASSIFICATION.

Subpart 1. **Building classification.** Notwithstanding the Minnesota State Building Code and the Minnesota State Fire Code, new construction and existing buildings converted to residential hospice facility use must:

A. meet the requirements for Group R, Division 3 occupancy, if serving five or less persons, or Group R, Division 4 occupancy, if serving six to 12 persons, under the International Building Code as incorporated by reference under chapter 1305;

B. meet the requirements of NFPA 101 (Life Safety Code), 1997 edition, chapter 22, section 22-2, for small facilities housing persons with impractical evacuation capability. The Life Safety Code is incorporated by reference under part 4664.0380, subpart 2; and

C. if serving five or less persons, be protected throughout by an approved automatic sprinkler system designed and installed according to NFPA 13D or NFPA 13R, which are incorporated by reference under part 4664.0380, subpart 2.

Subp. 2. **New construction, additions, and major modifications.** "New construction," as used in this part and part 4664.0360, means the erection of new buildings or the alterations of or additions to existing buildings commenced on or after September 26, 2004. Additions to and major modifications of existing residential hospice facilities must conform to new construction standards. Compliance of existing facilities with new construction shall be for the areas involved and to the extent that the existing structure will permit, provided the health, safety, and welfare of the patients will not be adversely affected.

Subp. 3. **Existing residential hospice facilities.** Residential hospice facilities licensed before September 26, 2004, are deemed to be in compliance with the physical plant requirements for new construction.

Subp. 4. **Existing building.** An existing building converted to a residential hospice facility must comply with new construction standards.

Subp. 5. **Fines.** For each violation of the following subparts, the stated fine shall be assessed:

A. subpart 1, \$500;

B. subpart 2, \$500; and

C. subpart 4, \$500.

Statutory Authority: *MS s 144A.752*

History: *28 SR 1639*

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