

9555.9730 PHYSICAL PLANT AND SPACE REQUIREMENTS.

Subpart 1. [Repealed, 18 SR 2748]

Subp. 2. **Determination of occupancy code.** The occupancy code requirements for a center shall be determined according to the Minnesota State Fire Code adopted under chapter 7511.

Subp. 3. **Signal system in restrooms.** Restrooms used by participants must be equipped with a mechanism that participants can use to signal staff members by light or by sound if participants need assistance.

Subp. 4. **Usable space requirements.** The licensed capacity of a center shall be limited by the amount of indoor space available for use by participants. The total indoor space available for use by participants must equal at least 40 square feet for each day care participant and each day care staff member present at the center. When a center is located in a multifunctional organization, the center may share common space with the multifunctional organization if the required space available for use by participants is maintained while the center is operating. In determining the square footage of usable indoor space available, a center must not count:

- A. hallways, stairways, closets, offices, restrooms, and utility and storage areas;
- B. more than 25 percent of the space occupied by furniture or equipment used by participants or staff; or
- C. in a multifunctional organization, any space occupied by persons associated with the multifunctional organization while participants are using common space.

Subp. 5. **Private space.** The usable indoor space available to a center must include a room or an area that can be used as private space for providing personal hygiene services or social services to participants.

Subp. 6. **Equipment and furnishings.** Each center shall provide the equipment and furnishings in items A to E:

- A. a sturdy, nonfolding chair for each participant who does not require or prefer a wheelchair;
- B. stable tables that are accessible to all participants and staff and accommodate dining and program activity needs;
- C. age appropriate games, books, crafts, and other materials to implement daily program activities;
- D. one cot, couch, or recliner per eight participants; and
- E. one television set, AM/FM radio, phonograph, or tape player.

Subp. 7. **Temperature.** A minimum temperature of 70 degrees Fahrenheit must be maintained in indoor areas used by participants.

Subp. 8. **Ventilation.** Outside doors and windows which are used for ventilation must be screened in summer months.

Subp. 9. [Repealed, 18 SR 2748]

Statutory Authority: *MS s 14.386; 14.388; 245A.09*

History: *11 SR 2165; 18 SR 2748; 30 SR 585*

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