

CHAPTER 76

DRY CLEANING AND DYEING ESTABLISHMENTS

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76.01 DEFINITIONS. Subdivision 1. **Words, terms, and phrases.** Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of this chapter, shall be given the meanings subjoined to them.

Subdivision 2. **Dry cleaning or dry dyeing business.** A "dry cleaning or dry dyeing business" is the business of cleaning or dyeing cloth, clothing, feathers, or any sort of fabrics or textiles, or cleaning or dyeing by processes known as dry cleaning and dry dyeing. No person, firm, or corporation shall advertise as conducting a dry cleaning or dry dyeing business, or either, until such person, firm, or corporation shall have made application to the state fire marshal for permission to engage in such business and paid the fee hereinafter provided.

Subdivision 3. **Flammable liquid.** The term "flammable liquid" means any liquid which under operating conditions gives off vapor which, when mixed with air, is combustible and explosive, or any liquid with a flash point 187 degrees Fahrenheit (86 degrees Centigrade) closed cup tester. The flash point shall be determined with the Elliott, Abel, Abel Pensky, or the Tag closed cup testers, but the Tag closed cup tester (standardized by the United States bureau of standards) shall be authoritative in case of dispute. All tests shall be made in accordance with the methods adopted by the American society for testing materials.

[1921 c. 459 s. 1; 1937 c. 225 s. 1] (5984)

76.02 STATE FIRE MARSHAL TO APPROVE USE OF BUILDING. No building or establishment shall be used for the business of dry cleaning or dry dyeing or for the storage of inflammable or volatile substances for use in such business until an application for permission to do so shall have been filed with and approved by the state fire marshal and on blanks provided by him for that purpose.

[1921 c. 459 s. 2] (5985)

76.03 FEE. Upon the filing of every such application, the applicant shall pay to the state fire marshal a filing and inspection fee of \$10.00.

[1921 c. 459 s. 3] (5986)

76.04 INSPECTION; PERMIT. When any application is filed with the state fire marshal and the fee paid the state fire marshal, by himself, his deputies or assistants, shall make an inspection of such building, buildings, or establishments; and, if the same conform to the requirements of law and the rules which may be prescribed by the state fire marshal for such places, he shall issue a permit to the applicant for the conduct of such business, which permit shall extend until the first day of January next after the date of the issuing of same.

[1921 c. 459 s. 4] (5987)

76.05 RENEWAL OF PERMIT. The permits may be renewed, at any time within 30 days after the termination thereof by the filing of an application for such renewal and the payment of a fee of \$5.00 therefor; provided, the applicant for such renewal permit has complied with the provisions of this chapter, the laws of the

state of Minnesota, and the ordinances of the municipality where the business or establishment is located.

[1921 c. 459 s. 5] (5988)

76.06 PERMITS MUST BE EXHIBITED. All permits must be exhibited for inspection to the state fire marshal, or any of his deputies or assistants when the same are requested and no one except the person to whom the same are issued shall have the right to operate a business or establishment under any permit.

[1921 c. 459 s. 6] (5989)

76.07 PERMITS MAY BE REFUSED, SUSPENDED, OR REVOKED. Permits may be refused, suspended, or revoked by the state fire marshal for fraud in procuring the same, a violation of any law of the state or ordinance of the municipality in which the business is located, or a violation of any rule or regulation lawfully provided for the conduct of any business or establishment.

[1921 c. 459 s. 7] (5990)

76.08 BUILDINGS TO BE FIREPROOF. All buildings or establishments used or to be used for the purpose of the business of dry cleaning or dry dyeing shall be of fire-resisting design and construction and not to exceed three stories in height and shall be without basement, cellar, or open space below the ground floor, the workroom where all dry cleaning is done to be located on the ground floor. The building must also comply in all other respects with the provisions of this chapter. Fire-resisting construction is defined to consist of the use of fire-resisting material, as follows: brick, hollow tile, steel and concrete or reinforced concrete. Any building in which gasoline, naphtha, benzol, carbon bisulphide, or light petroleum or coal tar products are used in connection with a dry cleaning or dry dyeing business must be at least 15 feet from any other building or lot, except the building used for operating a dry cleaning or dry dyeing business, unless separated therefrom by an unpierced fire-wall. In no event shall more than two sides of the building have walls without openings. The roof of these buildings shall be of fire-resistive construction.

[1921 c. 459 s. 8; 1937 c. 225 s. 2] (5991)

76.09 CONSTRUCTION. All walls of such dry cleaning and dry dyeing buildings or establishments shall be of brick laid in cement mortar or of reinforced concrete not less than 12 inches in thickness or of stone laid in cement mortar not less than 16 inches in thickness or of other non-combustible and fire-resisting material constructed of a thickness of not less than 12 inches. The roof of the building shall be of fire-resistive construction. The construction specified in this section shall not apply to any building or establishment in which no flammable liquid, product or substance shall be present, handled, or used.

[1921 c. 459 s. 9; 1937 c. 225 s. 3] (5992)

76.10 FLOORS; UNDERGROUND PITS. There shall be no sewer connection with such dry cleaning and dry dyeing building or establishment and the floor of the same shall be of concrete construction laid not lower than the surface of the earth surrounding the wall and be pitched at such grade from all of its walls as to secure perfect drainage, flow of all liquids to the underground cement-lined pit or well on the outside of the building and of sufficient capacity below the level of the floor of the building to hold twice the quantity of liquids that may be used or kept in the building at any one time, the top of the pit or well to extend not less than 12 inches above the level of the floor of the building and to be provided with a tight-fitting cover and kept locked when not in use.

[1921 c. 459 s. 10] (5993)

76.11 WALLS VENTILATED. Ventilating apertures of size not less than 60 square inches in area shall be placed in the walls of dry cleaning and dry dyeing buildings at or near the level of the floor and spaced not over six feet apart from center to center; these openings shall be covered with two by two wire mesh, number 16 galvanized wire web, or its equal, and kept clear of all obstructions, and the ventilating apertures shall be so arranged as to completely change the air volume every three minutes while the plant is in operation. Other ventilating systems may be substituted for the above, which will completely change the air every three minutes while the plant is in operation, provided same are approved before constructed by the state fire marshal.

[1921 c. 459 s. 11; 1937 c. 225 s. 4] (5994)

76.12 WINDOWS AND SKYLIGHTS TO BE SCREENED. Skylights and windows must be of wired glass set in steel frames, skylights to be stationary and for lighting purposes only. All windows shall be so arranged as to close automatically,

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the automatic release to consist of fusible links which will melt at 120 degrees Fahrenheit. These windows shall be covered with 12 by 12 mesh, or equivalent brass wire screen, to prevent the entrance of sparks.

[1921 c. 459 s. 12] (5995)

76.13 FIRE-EXTINGUISHERS. As a means of fire extinguishment in any such buildings the same shall be equipped with a high pressure boiler of sufficient size and horse-power, this boiler to be located in a fireproof building at least ten feet from any building used for the purpose of dry cleaning or dry dyeing, the boiler to be connected with a two-inch steam supply pipe in the dry cleaning or dry dyeing room so installed as to give as nearly as possible an equal distribution of steam and so placed that the steam when turned in will immediately fill the entire room; these steam pipes shall be provided with perforations or jets of one-quarter inch in diameter equally spaced so that there is one opening to each 25 square feet of floor space; a standard globe valve shall be placed in the steam service line or lines connected to this perforated steam pipe outside of the building and to be accessible for operation in case of fire. The steam supply for these pipes shall be continually available for service while the plant is in operation and sufficient to completely fill the room space in less than one minute, and continue the flow of steam sufficient to keep the room space filled with steam for a period of at least 30 minutes.

This section shall not apply to any business or establishment where the dry cleaning or dry dyeing is accomplished by a non-flammable liquid, or liquids having a flash point exceeding 187 degrees Fahrenheit or 86 degrees Centigrade, product, or substance.

[1921 c. 459 s. 13; 1937 c. 225 s. 5] (5996)

76.14 STEAM AND HOT WATER PIPES, WINDOWS, DOORS, OR OTHER OPENINGS PROTECTED. All steam or hot water pipes must be protected by wire screen or otherwise so as to prevent contact of pipes and inflammable goods. All windows, doors, or other openings in the dry cleaning building or drying rooms within 100 feet of exposed openings or combustible structures or materials shall be provided with wired glass in metal frames, or fireproof shutters, doors, or covers. All doors shall be arranged for ready opening from either side in case of emergency.

[1921 c. 459 s. 14] (5997)

76.15 HAND FIRE-EXTINGUISHERS. One approved hand chemical extinguisher especially efficient for such conditions shall be provided for each 500 feet of floor space.

[1921 c. 459 s. 15] (5998)

76.16 CONSTRUCTION OF MACHINERY. All dry cleaning, washing, extracting, and redistilling shall be carried on in closed machines which shall be fluid-tight; the outside or shell of washers shall be made of metal, have hinged metal doors, and be arranged so that in case of an explosion the doors will automatically close; the inside or cylinder of the washers may be made of wood. The transfer of all liquids shall be through continuous piping, and all outlet or drain lines shall be drained by gravity to settling or storage tanks. No dry cleaning liquid shall be settled in any open or unprotected vessels or tanks. All piping and all metallic parts of each machine shall be properly grounded by at least No. 10 copper insulated wire to a water-pipe or other grounded device. Scrubbing and brushing may be performed in the dry cleaning rooms, but not more than one gallon of volatile fluid shall be used in any one container and shall be so used in a metallic pan or container, and this volatile substance shall be returned to the settling or storage tanks as soon as the brushing or cleaning operation is completed.

[1921 c. 459 s. 16] (5999)

76.17 SETTLING TANKS. Settling tanks shall be constructed, located, and vented essentially as given for the storage tanks. At the close of the day's operations all liquids contained in washers, extractors, stills, or otherwise, shall be returned to the stock of the settling tanks. The location of all tanks, buried or otherwise, and their contents and hazards shall be plainly marked by signs as approved by the state fire marshal.

[1921 c. 459 s. 17] (6000)

76.18 USE OF GASOLINE ENGINES FORBIDDEN IN CERTAIN CASES. No gas or gasoline engine, steam generator, or heating device, nor any electrical dynamo or motor, except such motors as have been approved as explosion-proof by the state fire marshal, shall be located, maintained, or used inside of, nor within a

distance of ten feet of any building used for the business of dry cleaning and dry dyeing, except that an electrical motor may be placed within such ten feet, but without a solid fireproof wall.

Any dry cleaning or dry dyeing business located in any village or city of the fourth class may install and maintain two two and one-half-gallon fire-extinguishers of anti-freezing liquid, to be approved by and installed as directed by the state fire marshal, in lieu of compliance with the provisions of section 76.13 provided for the extinguishment of fire in such business or establishment.

[1921 c. 459 s. 18; 1929 c. 402; 1931 c. 268] (6001)

76.19 [Duplicate of part of 76.18]

76.20 LIGHTING. The lighting of the building shall be secured only by keyless socket incandescent electric lights with globe or bulbs in vapor-proof receptacles, and all switches, cutoffs, or fuses used in the installation or operation of these lights shall be located and operated from the outside of the building. The interior electrical equipment must conform with the most advanced stage of the art at the time of installation.

[1921 c. 459 s. 19] (6002)

76.21 HEATING. The heating of the building shall be secured only by the use of steam or hot water systems.

[1921 c. 459 s. 20] (6003)

76.22 DRYING ROOMS. Drying rooms, if under the same roof as the dry cleaning and dry dyeing rooms, must be separated from these rooms by a fire-resistive wall; the entrance of these drying room or rooms shall be provided with standard, self-closing fire doors. Means for the ventilating of this drying room shall conform to the conditions provided in relation to dry cleaning and dry dyeing buildings, and the provision for the presence of steam jets for fire extinguishment must be complied with. If the drying room be a separate building, it must conform in all respects of construction and equipment to the conditions named relative to dry cleaning and dry dyeing buildings.

[1921 c. 459 s. 21] (6004)

76.23 STORAGE TANKS. All volatile substances received for use in the business of dry cleaning and dry dyeing shall be stored in steel tanks, the shell of which may not be less than three-sixteenths of an inch thick, the exterior of the tank to be coated with an approved rust preventative, and all joints in same shall be calked in an approved manner.

No storage tank shall be placed, constructed, or maintained under a public sidewalk or in a sidewalk area.

All these tanks shall be buried underground to such a depth as to secure a covering of earth of at least two feet above the top of the tank at the surface level of the ground.

All these tanks shall be provided with a vent-pipe not less than one inch in diameter, extending from the top of the tank to the outer air, and discharging at a point not less than two feet above the roof of the dry cleaning and dry dyeing building, and also be provided at the discharge end with an inverted "U" cap or gooseneck.

All these tanks must be provided with a filling pipe of not less than one inch in diameter, extending from the top of the tank shell to within one inch of the bottom of the tank. This filling pipe must be laid with inclination toward the tank to secure proper drainage; the intake end of the filling pipe shall be fitted with a controlling feed cock or valve, which shall be kept closed except while in use, and the intake end of the pipe above this cock or valve shall be provided with a screw cap secured in place by an iron or other metal chain, this screw cap to be securely screwed on the feed-pipe inlet when the same is not in use. Both the controlling cock or valve and the feed-pipe inlet must be enclosed in an iron box or hood set level or above the surface of the ground and kept securely locked when not in use; this feed-pipe inlet and controlling cock or valve shall in no case be located inside of any building.

All pipes connected to the storage tanks used in the dry cleaning and dry dyeing business must enter or be attached to same at their tops; service pipes carrying volatile substances from the storage tanks to the dry cleaning and dry dyeing machines or apparatus shall extend from the top of the tank shell, and the controlling cock or valve in the service pipes shall be kept closed when not in use.

[1921 c. 459 ss. 22, 23, 24, 25, 26, 27] (6005, 6006, 6007, 6008, 6009, 6010)

76.24 PUMPS. No volatile substances shall be carried or converted into the dry cleaning and dry dyeing buildings or any of its machines or apparatus or be returned to the storage tanks from these devices, except through service pipes as above described; the movement or transmission of these volatiles through such service pipes shall be secured by pumps or siphon only; the device to be located as to insure the return of all volatile substances remaining in the service pipes when delivery is shut off to the storage tanks by gravity.

[1921 c. 459 s. 28] (6011)

76.25 SEPARATE BUILDINGS FOR GAS. No carbon bisulphide, gasoline, naphtha, benzol or light petroleum or coal tar product used in the dry cleaning or dry dyeing business shall be distilled or redistilled in connection with the dry cleaning or dry dyeing business, except in a building of fireproof construction, which building must be located more than 15 feet from any other building or lot, except the buildings used in the dry cleaning and dry dyeing business, unless separated therefrom by an unpierced fire wall. In no event shall more than two sides of the building have walls without openings. The roof of the building shall be of fire-resistant construction.

[1921 c. 459 s. 29; 1937 c. 225 s. 6] (6012)

76.259 CERTAIN SECTIONS NOT APPLICABLE. The provisions of sections 76.08 to 76.14, 76.16 to 76.18, and 76.20 to 76.25 shall not apply to any dry cleaning or dry dyeing business exclusively using petroleum solvent having a flash point of 140 degrees Fahrenheit or above, determined in the manner provided in section 76.01, provided that dry cleaning systems in which such solvents are used shall be dry cleaning systems which conform to the regulations of the National Board of Fire Underwriters for Safeguarding Dry Cleaning and Dry Dyeing Plants published in its pamphlet No. 32 dated August 15, 1936, for the class designated therein as Class II and shall be completely equipped plants employing closed containers and circulating piping for washing, extracting, and purification of solvent and shall consist of washer or washers, extractor or extractors, drying tumbler or tumblers, cabinet or cabinets, filter or filters, still, pumps, solvent tanks and piping.

[1941 c. 299 s. 1] (6013)

76.26 APPLICATION. The provisions of this chapter shall not be held to apply to any building, business, or establishment now in use so as to cause the same to be rebuilt, remodeled, or repaired so as to conform to the provisions hereof, but should any building or establishment, or part thereof, be reconstructed, rebuilt, or repaired the same shall be so constructed, built, or repaired in conformity to the provisions hereof. Nothing in this chapter shall be held to in any manner limit the laws which provide against fire hazards in this state. Nothing in this section shall permit any person to operate a business or establishment mentioned in this chapter without first securing a license, as provided herein, for so doing, but the provisions of this section shall be given full consideration by the state fire marshal in issuing licenses to persons now engaged in the business.

[1921 c. 459 s. 30; 1941 c. 299 s. 1] (6013)

76.27. ABANDONED BUILDINGS. Should any building, business, or establishment of dry cleaning or dry dyeing be discontinued or not carried on in any building which does not conform to the provisions herein set forth for a period of 90 days the business shall be considered as having been abandoned and, before the same can again be carried on in this building, the building must be so constructed, repaired, or rebuilt as to conform to the provisions of this chapter.

The period of 90 days herein stated is not to be construed as such period when the plant is under construction or repair or operated in its regular capacity as a going business. Operation of the plant for short periods of time within the period of 90 days with the intent to evade the provisions of this section shall be considered as an attempt to interfere with the operation of this chapter.

[1921 c. 459 s. 31; 1937 c. 225 s. 7] (6014)

76.28 INSPECTION. All buildings, structures, pipes, storage tanks, electrical wiring, connections, and apparatus constructed and used in any dry cleaning and dry dyeing business shall be inspected and approved by the state fire marshal, or a deputy or assistant, before being used in the dry cleaning and dry dyeing business.

[1921 c. 459 s. 32] (6015)

76.29 VIOLATIONS; PENALTIES. Any person, being the owner, occupant, lessee, or agent, who shall violate any of the provisions of this chapter or fail to comply therewith, or who shall violate or fail to comply with any order or regulation made thereunder, within ten days, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, shall severally for each and every violation and non-compliance, respectively, be guilty of a misdemeanor; and, upon conviction thereof, fined for the first offense not less than \$10.00, nor more than \$200, and for the second offense not less than \$50.00, nor more than \$500, and imprisoned in a county jail or workhouse not to exceed six months.

[1921 c. 459 s. 33] (6016)

76.30 ENFORCEMENT. It shall be the duty of the state fire marshal, his deputies and assistants, to enforce the provisions of this chapter and he shall have the same power and authority in the enforcement of the provisions hereof as are given to the state fire marshal under the provisions of chapters 73 to 76.

They shall administer and enforce the laws relating to the construction, regulation, safety, and operation of dry cleaning and dry dyeing establishments; investigate, ascertain, declare, and prescribe what reasonable standards for the adoption of improvements or other means or methods, including the prescribing, modifying, and enforcement of reasonable orders pertaining thereto, necessary to prevent fires and explosions and for the protection and safety of employees and the public in dry cleaning and dry dyeing establishments not inconsistent with this chapter, and in particular provisions of section 76.26, but these requirements and regulations shall also be required of alterations and changes undertaken by existing dry cleaning and dry dyeing establishments.

[1921 c. 459 s. 34; 1937 c. 225 s. 8] (6017)

76.31 DISPOSITION OF FINES. All fees, penalties, or forfeitures collected by the state fire marshal, his deputies or assistants, under the provisions of this chapter shall be paid into the state treasury, credited to the state fire marshal fund, and disbursed in the same manner as other moneys in the fund are disbursed.

[1921 c. 459 s. 35; 1937 c. 225 s. 9] (6018)