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Day Care Fire Inspection Fees & Local Fire Code Inspector Approval Information Sheet

Revised: February 18, 2010

During the 2002 Legislative Session, a new law was passed allowing fees to be collected for fire inspections of day care facilities and requiring the state fire marshal to approve local fire code inspectors who conduct these inspections. **This law took effect on August 1, 2002.**

The complete text of this law is printed below with a further explanation provided below.

Minnesota Statute 245A.151, Fire Marshal Inspection

When licensure under this chapter requires an inspection by a fire marshal to determine compliance with the State Fire Code under section 299F.011, a local fire code inspector approved by the state fire marshal may conduct the inspection. If a community does not have a local fire code inspector or if the local fire code inspector does not perform the inspection, the state fire marshal must conduct the inspection. A local fire code inspector or the state fire marshal may recover the cost of these inspections through a fee of no more than \$50 per inspection charged to the applicant or license holder. The fees collected by the state fire marshal under this section are appropriated to the commissioner of public safety for the purpose of conducting the inspections.

Day care inspection fee information sheet continued...

When licensure under this chapter requires an inspection by a fire marshal to determine compliance with the 2007 Minnesota State Fire Code (MSFC) under section 299F.011...

This chapter refers to Minnesota Statute 245A, HUMAN SERVICES LICENSING, which is The Department of Human Services (DHS) primary authority for licensing. Family Day Care, Group Family Day Care and Child Day Care Centers are required by this chapter to be licensed. Compliance with the MSFC is a part of that licensing process.



....a local fire code inspector approved by the state fire marshal may conduct the inspection.

For the purposes of this statute, the State Fire Marshal defines local fire code inspector as an employee of a city, or duly organized fire department, whose primary responsibility is the enforcement of the fire code through an inspection program.

For the purposes of this statute, “approved” means that the city or fire department is willing to conduct these inspections of day care facilities, and will send at least one representative to at least one day care inspection training session conducted by the State Fire Marshal.

If a community does not have a local fire code inspector or if the local fire code inspector does not perform the inspection, the state fire marshal must conduct the inspection.

Self-explanatory.

A local fire code inspector or the state fire marshal may recover the cost of these inspections through a fee of no more than \$50 per inspection charged to the applicant or the license holder.

The charging of a fee is at the discretion of the inspecting agency. The State Fire Marshal Division will charge a \$50 fee for both the initial inspection, and any follow-up inspections.

The following applies only to the State Fire Marshal.

The fees collected by the state fire marshal under this section are appropriated to the commissioner public safety for the purposes of conducting the inspection.

The Department of Public Safety, State Fire Marshal Division **will not accept personal checks** for payment of the fee. Payment must be in the form of a money order or cashiers check made payable to DPS – State Fire Marshal. The fee must also be attached to the inspection request sent to the State Fire Marshal. Requests received by the State Fire Marshal without the fee attached will be returned to the sender.

Questions should be directed to Ryan Whiting, Supervisor of the day care inspection program at 612-219-7125 or to Ryan.Whiting@state.mn.us.