

Minnesota Department of Public Safety State Fire Marshal Division

Interagency Inspection Requests for DHS Licensed or Certified Child Care Facilities

This information sheet outlines the process of requesting a fire marshal inspection for DHS licensed or certified child care centers and licensed special family day care programs within a non-residential setting, including the necessary steps to be taken before an inspection request is submitted. Fire code inspections are required when applying for a child care license or certification, or when changes are made to existing licensed or certified programs. *This document does not apply to licensed family daycare programs within residential dwellings.*

Step 1: Finding a location

In most cases Minnesota Rules, Part 1800.5200, will require certified plans from a licensed design professional (architect or engineer) where any of the following conditions occur:

- New construction
- New additions to existing buildings
- Alternations to existing buildings
- A change in the occupancy classification of an existing building

It's recommended that care providers consult with a licensed design professional prior to purchasing a property or signing a lease agreement. The design professional can provide a code review analysis of a proposed site, giving the provider valuable information regarding the overall feasibility of a specific location and the scope of any necessary alterations based on the occupancy classification of the proposed child care center (Group E or Group I-4).

With some exceptions, the Minnesota State Fire Code (MSFC) and Minnesota Building Code (MBC) classify child care centers as follows:

- **Group E occupancy:** where care is provided for children 2.5 years of age or older, and the number of children under 2.5 years of age does not exceed 5.
- **Group I-4 occupancy:** where care is provided for more than 5 children under 2.5 years of age.

The State Fire Marshal Division (SFMD) does not provide consultation or pre-inspection services for proposed locations. SFMD's role in the licensing process is to conduct a fire and life safety inspection only when the location is ready for occupancy.

Step 2: Contact the local planning and zoning official

The local planning and zoning official should be contacted in order to confirm whether local zoning rules will permit a child care center at a specific location.



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Step 3: Determine whether the proposed location is within a building code jurisdiction

Although the Minnesota Building Code (MBC) is applicable state-wide, only those jurisdictions that adopt the MBC via ordinance will have a building department and building official who is charged with enforcement of the MBC.

If the proposed child care center is within a jurisdiction that has adopted the MBC, a permit application must be made to the local building official, along with certified design plans. The building official will then review the plans for code compliance and issue a construction permit where appropriate.

The [Minnesota State Building Code Jurisdiction Directory](#) can be used to determine whether a specific jurisdiction has adopted the building code.

Once all necessary work has been completed, the building official will issue a certificate of occupancy for the new child care program. In jurisdictions that have adopted the building code, an SFMD inspection will not be conducted until either a permanent or temporary certificate of occupancy has been issued.

Step 4: Contact the local fire code official

The local fire code official for the jurisdiction in which the care center is located should be contacted to determine whether they have specific permitting and plan review requirements for fire protection systems such as fire alarm and sprinkler systems. This step should not be confused with the process of requesting a fire code inspection in Step 5.

Step 5: Submit an inspection request to SFMD or the approved local fire inspector

Inspection requests for SFMD

In order to receive a fire marshal inspection, a DHS *Interagency Request for Fire Inspection* form must be completed and submitted to SFMD or an approved local fire inspector. This form, and instructions on how to complete the request, are only available through the licensing agency. A completed and signed [permission to inspect](#) form must also be included with the inspection request.

SFMD can only receive inspection requests by mail (no email), and all forms and fees must be submitted together in one package. Incomplete forms will cause delays in processing requests. Be sure to follow the instructions provided by the licensing agency. Any questions regarding how to complete the inspection request form should be addressed to the licensing agency.

Once received, requests will be processed and assigned to the appropriate deputy state fire marshal inspector. The deputy will then contact the provider to schedule the inspection appointment. Keep in mind that due to limited personnel and resources, it may take at least two weeks from the time a request is received/processed and an inspection is completed. Do not attempt to contact individual SMFD inspection staff directly. Questions regarding the status of inspection requests should be sent via email to: fire.code@state.mn.us



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Once a proposed location has been secured and the provider has met the necessary licensing steps, the licensing agency may work with the provider to submit an inspection request to SFMD even before all necessary steps have been completed. If this is done, a note should be included on the request form indicating the estimated date the facility will be ready for inspection. This practice can help reduce the time spent waiting for an inspection. If the site isn't ready for inspection by the time the deputy contacts the provider, an appointment can be scheduled at a future date.

Approved local inspectors

In most cases the inspection request will be submitted to SFMD. However in some cases the request must be submitted to an approved local fire inspector. Use this [interactive map](#) to determine whether a location has an approved local fire inspector.



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