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4658.4000 PREPARATION OF PLANS; NEW CONSTRUCTION.

Architectural and engineering plans and specifications for new construction must be prepared and signed by architects and engineers who are registered in Minnesota and in accordance with the requirements by the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, and Interior Design.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4005 APPROVAL OF PLANS; NEW CONSTRUCTION.

Preliminary plans and final working drawings and specifications for proposed construction must be submitted to the commissioner of health for review and approval. Preliminary plans must be approved before the preparation of final working drawings is undertaken. Final working drawings and

specifications must be approved before construction is begun.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

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4658.4010 PRELIMINARY PLANS; NEW CONSTRUCTION.

Preliminary plans must be drawn to scale, show basic dimensions, and indicate the general layout and space arrangement of the proposed building or area and must include a site plan when applicable. Plans must indicate assignments of rooms and areas, and must show bed capacities and fixed equipment.

The plans should include consideration for future expansion of a nursing home by consideration of the site, orientation of the structure on the site, parking, and resident, dietary, and laundry areas. If a laundry is not contemplated initially, provision must be made for its possible future location.

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4658.4015 FINAL PLANS; NEW CONSTRUCTION.

Final architectural plans and specifications must include elevations and sections through the building showing types of construction, and must indicate dimensions and assignments of rooms and areas, room finishes, door types and hardware, elevations and details of nurses' stations, utility rooms, toilets and bathing areas, and large-scale layouts of dietary and laundry areas. Plans must show location of fixed equipment and sections and details of elevators, chutes, and other conveying systems. Fire walls and smoke partitions must be indicated. The roof plan must show all mechanical installations. The site plan, if applicable, must indicate the proposed and existing buildings, topography, roadways, walks, and utility service lines.

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**4658.4020 FINAL MECHANICAL AND ELECTRICAL PLANS; NEW
CONSTRUCTION.**

Final mechanical and electrical plans and specifications must address the complete layout and type of all installations, systems, and equipment to be provided according to this chapter. Heating plans must include heating elements, piping, thermostatic controls, pumps, tanks, heat exchangers, boilers, breeching, and accessories. Ventilation plans must include room air quantities, ducts, fire and smoke dampers, exhaust fans, humidifiers, and air handling units. Plumbing plans must include a fixtures and equipment fixture schedule; water supply and circulating piping, pumps, tanks, riser diagrams, and building drains; the size, location, and elevation of water and sewer services; and the building fire protection systems. Electrical plans must include fixtures and equipment, receptacles, switches, power outlets, circuits, power and light panels, transformers, and service feeders. Plans must show location of nurse call signals, telephones, fire alarm stations and detectors, and emergency lighting.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4025 START OF CONSTRUCTION; NEW CONSTRUCTION.

The department must be notified in writing within seven days after beginning construction. Unless construction is begun within one year after approval of final working drawings and specifications, the drawings must be resubmitted for renewal of review and approval.

All construction must be executed according to the approved final plans and specifications. Subsequent construction changes addressed by this chapter must be approved by the department before the changes are made.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4030 FINAL INSPECTION; NEW CONSTRUCTION.

The department must be notified at least 30 days before the completion of construction so that arrangements can be made for a final inspection by the department and by the state fire marshal. Completion means the entire construction, equipment, staffing patterns, and services. Mechanical and electrical systems must be completed and tested for performance and safety in accordance with specifications and state requirements before new construction can be licensed and residents admitted.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4035 PLAN SAFEKEEPING; NEW CONSTRUCTION.

At least one set of complete plans of the entire facility, including changes resulting from remodeling or alterations, must be kept on file in the nursing home.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4040 SITE; NEW CONSTRUCTION.

A nursing home must be so located as to protect at all times the health, comfort, and safety of residents. The factors in selecting the site for a new nursing home must include the following:

- A. Public utilities must be available.
- B. The water supply must be obtained from an approved public water supply system. If none is available, water must be obtained from a water supply system whose location, construction, and operation complies with parts [4720.0010](#) to [4720.4600](#) and, where applicable, parts [4725.0050](#) to [4725.7450](#). Plans and specifications for a private water supply system must be approved before construction of the system or the nursing home is started.

C. Sewage and other liquid wastes must be discharged into an approved public sewer system where available. If none is available, sewage must be collected, treated, and disposed of in a sewage disposal system which is designed, located, constructed, and operated according to chapter 7080. Plans and specifications for a private sewage disposal system must be approved before construction of the system or the nursing home is started.

D. The site must be no closer than 300 feet to the right-of-way of a railroad main line or to the property line of industrial developments which are nuisance-producing or hazardous to health under state or local law.

E. The site must not be located within 85 feet of underground or 300 feet of aboveground storage tanks or warehouses containing flammable liquids.

F. The site must be publicly accessible to fire department services, medical services, and community activities.

G. The topography must provide good natural drainage and not be subject to flooding.

H. Adequate all-weather roads and walks must be

provided within the lot lines to the primary entrance and the service entrance, including employees' and visitors' parking at the site.

I. The primary entrance must be accessible for the elderly and individuals with disabilities.

J. The site must include space for outdoor activities.

STAT AUTH: MS s [115.03](#); [115.55](#); [115.56](#); [144A.04](#); [144A.08](#)

HIST: 21 SR 196; 24 SR 426

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4658.4090 PENALTIES FOR PLANS; NEW CONSTRUCTION RULE VIOLATIONS.

Penalty assessments for violations of parts [4658.4000](#) to [4658.4040](#) shall be assessed on a daily basis and are as follows:

A. parts [4658.4000](#) to [4658.4035](#), \$100; and

B. part [4658.4040](#), \$200.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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**4658.4100 RESIDENTS' BEDROOM REQUIREMENTS, CAPACITIES; NEW
CONSTRUCTION.**

At least five percent of the rooms must be designed for single person occupancy (one bed), and must have private toilet rooms. No room may have more than two beds. No toilet room may be shared by more than two bedrooms.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4105 BEDROOM DESIGN; NEW CONSTRUCTION.

Subpart 1. **Design.** Each bedroom must be designed and

equipped for adequate nursing care, comfort, and privacy of residents, including full visual privacy of residents.

Subp. 2. **Usable floor area.** The usable floor area and the arrangement and shape of the bedroom must provide space for furnishings, for the free movement of residents with physical handicaps, and for nursing procedures. "Usable floor area" does not include spaces occupied by toilet rooms, vestibules, permanently installed wardrobes, lockers, closets, or heating units. The usable floor area per bed must be at least 100 square feet per resident in double bedrooms, and at least 120 square feet in single bedrooms.

Subp. 3. **Access to exit.** Each bedroom must have direct access to an exit corridor.

Subp. 4. **Bedroom shape.** The shape of the bedroom must allow for the capability of a bed arrangement that provides at least three feet of floor space at both sides and the foot end of each bed.

Subp. 5. **Window.** Each bedroom must have at least one window to the outdoors.

Subp. 6. **Window area.** The window area must not be less than one-eighth of the required usable floor area, and the

window sill must not be higher than two feet six inches above the floor. The entire window area must face an open outdoor space not less than 30 feet deep, and must provide an unobstructed angle of vision within this space of not less than 65 degrees. The 30-foot-deep open outside space must be measured perpendicular to the plane of the window. The 65 degree unobstructed angle of vision must include the perpendicular bisector of the window. Figure #1 illustrates these requirements:

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here. No h/s

Subp. 7. **Floor at grade level.** Each bedroom must have a floor at or above grade level. An energy conservation berm as detailed in the diagram below is permitted. The following three diagrams illustrate acceptable methods of compliance with this subpart.

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here. No h/s

Subp. 8. **Distance from nurses' station.** Bedrooms must be located not more than 140 feet from the nurses' station.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4110 BEDROOM DOORS; NEW CONSTRUCTION.

Subpart 1. **Written policy.** A nursing home must develop a written policy regarding the use of locks on bedroom doors. The policy must address whether or not doors can be locked while the resident is in the room.

Subp. 2. **Door locks.** All bedroom door locks must permit exit from the room by a simple operation without the use of a key. All locks must be openable with a master key which is located at each nurses' station.

Subp. 3. **Door.** The door to the corridor must be of fire-resistive construction in accordance with the Minnesota State Building Code, open into the bedroom, and have a nominal width of 44 inches. Bedroom doors must not open directly to an area where services are provided.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4115 CLOTHES WARDROBE OR CLOSET; NEW CONSTRUCTION.

A nursing home must provide each resident with individual wardrobe or closet space in the resident's bedroom with clothes racks and shelves accessible to the resident. Locks may be provided, with keys for the residents when a pass key is available at the nurses' station.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4120 HANDRAILS AND CORRIDORS; NEW CONSTRUCTION.

Subpart 1. **Handrails.** Securely anchored, durable handrails must be provided on both sides of corridors used by

residents. If a length of corridor space between doorways is 60 inches or less, a handrail is not necessary for that portion of the corridor. The handrails must be mounted at a height of 32 to 34 inches to the top of the handrail. The handrail must be a round or oval section, 1-1/2 to two inches in diameter, and the clear distance between the handrail and wall must be 1-1/2 inches. The handrail must be designed to provide the means for a full hand grip around the handrail. Wall bracket supports must be provided at least six feet on center, and the mounted brackets must be capable of supporting a load of not less than 250 pounds. The following two diagrams illustrate two acceptable handrails.

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Subp. 2. **Corridor width.** The unobstructed width of all corridors in resident areas must be at least eight feet. All exits must comply with the Minnesota State Building Code.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4125 NURSING AREA; NEW CONSTRUCTION.

Subpart 1. **Nurses' station.** At least one nurses' station must be provided per resident floor. A nurses' station may serve more than one nursing area on the same floor if the maximum distance from resident bedrooms does not exceed that required in part [4658.4105](#), subpart 8. The nurses' station must be equipped to receive resident calls through a communication system from resident rooms and toilet and bathing facilities.

Subp. 2. **Location.** Each nursing station must be located to provide for observation of corridors, residents, and resident calls. Private space must be provided for charting, storage of charts and supplies, and medicine preparation. The medication preparation area may be within the nurses' station or the clean utility room. Each nurses' station must contain facilities for cleanup and handwashing.

Subp. 3. **Staff toilet.** A separate staff toilet room must be provided near the nurses' station.

Subp. 4. **Clean utility room.** A clean utility room must be provided within each nursing area. The clean utility room must contain a sink with institutional fittings. Cabinets and

shelving must be provided for the storage of materials and supplies.

Subp. 5. **Soiled utility room.** A separate soiled utility room must be provided within each nursing area. It must contain handwashing facilities and a clinical service sink for disposal of waste materials and the cleanup of soiled linen and utensils. Cabinets and shelving must be provided for the storage of materials and supplies.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

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4658.4130 NOURISHMENT AREA; NEW CONSTRUCTION.

Subpart 1. **Equipment.** A nourishment area must be provided for serving between-meal refreshments. It may serve more than one nursing area, and may be located contiguous to a dayroom. The nourishment area must be provided with a work counter and sink, storage cabinets, and a refrigerator. The equipment may be residential-type equipment as long as the nourishment area is

not used as part of the dietary department.

Subp. 2. **Range disconnect switch.** If the nourishment area includes an electric range that is accessible to the residents, a key-operated disconnect switch, with indicator light, must be provided for that range. The disconnect switch and indicator light must be readily accessible for staff.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

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4658.4135 TOILET ROOMS AND SANITARY FIXTURES; NEW CONSTRUCTION.

Subpart 1. **Design and equipment.** Toilet rooms for residents, personnel, and the public must be designed and equipped according to part [4658.4145](#), except as noted in this part. A nursing home must have at least one toilet and one sink for four beds, and at least one shower or tub for 20 beds, excluding toilets for personnel or the public, and toilets in central bathing and other service areas. At least one toilet room must be designed and equipped according to part [4658.4150](#)

and available for public use. Each toilet room must include a sink. All sinks must be provided with hot and cold water.

Subp. 2. **Showers and tubs.** There must be at least one shower and one tub in each nursing home.

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HIST: 21 SR 196

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4658.4140 PROVISION OF RESIDENT TOILET ROOMS; NEW CONSTRUCTION.

Each resident toilet room must be directly accessible from the bedroom. A toilet room may serve two bedrooms, but no more than four beds, if residents are of the same sex. Hinged doors must swing out, or must be double acting and provided with an emergency-type release stop. Privacy door locks must be of a type which can be opened by staff in an emergency. Sliding doors must be surface mounted. Folding doors and pocket doors are prohibited.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4145 TOILET ROOM LAYOUT; NEW CONSTRUCTION.

Layout:

A. The door opening must have a clear opening of at least 32 inches. Hinged doors must swing out, or must be double acting and provided with an emergency-type release stop.

B. The center of the toilet must be located 18 inches from the side wall and there must be at least three feet of unobstructed space in front of the bowl. No basic interior room dimension may be less than 42 inches.

C. The toilet must be mounted at a height of not less than 17 inches nor more than 19 inches above the floor, measured to the top of the seat. The bowl must be elongated with an open-front seat.

D. Flush valves must be a quiet operating type.

E. The paper holder must be securely anchored on the side wall near the toilet, six inches above the seat, and six to 12 inches in front of the seat with both dimensions measured to the center of the holder.

F. A vertical grab bar, at least 18 inches long, must be provided on the side wall near the toilet. The low end must be mounted at a height of ten inches above the toilet seat and at a distance of 12 inches in front of the seat. A grab bar on each side of the toilet is recommended.

G. Grab bars must have an outside diameter of 1-1/4 to 1-1/2 inches, and must provide a clearance of 1-1/2 inches between the grab bar and the wall. Grab bars must be securely anchored to sustain a load of 250 pounds for five minutes.

H. The sink, with or without a counter top, must be mounted at a height of 32 to 34 inches above the floor, measured to the top edge.

I. A towel bar must be provided at a height of 42 to 44 inches above the floor. It must be a horizontal grab bar.

J. A shelf large enough to accommodate a resident's personal toilet accessories must be provided, unless space is

provided by a suitable sink or a counter.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4150 HANDICAPPED ACCESSIBLE TOILET ROOMS; NEW CONSTRUCTION.

Layout:

A. Toilet rooms for wheelchair users must be arranged to allow movement for the frontal, oblique, and lateral angle approach.

B. The door opening must have a clear opening of at least 32 inches, and must be located within an area in front of the toilet. Hinged doors must swing out, or must be double acting and be provided with an emergency-type release stop. Privacy door locks must be of a type which can be opened by staff in an emergency.

C. The center of the toilet must be located 18 inches

from the side wall and there must be at least four feet of unobstructed space in front of the bowl. All basic interior room dimensions must be at least 66 inches.

D. The toilet must be mounted at a height of 17 to 19 inches above the floor, measured to the top of the seat. The bowl must be elongated with an open front seat.

E. Flush valves must be a quiet operating type.

F. The paper holder must be securely anchored on the side wall near the toilet, 19 to 25 inches above the floor, and six to 12 inches in front of the seat with both dimensions measured to the center of the holder.

G. An L-shaped grab bar, each leg at least 18 inches long, must be provided, securely anchored on the side wall near the toilet. The low end of the vertical leg must be mounted at a height of ten inches above the toilet seat and at a distance of 12 inches in front of the seat, and the horizontal grab bar must extend toward the back wall.

H. A horizontal grab bar must be mounted on the wall at the rear of the toilet at a height of 33 to 36 inches above the floor. The grab bar must be at least 36 inches long.

I. Grab bars must have an outside diameter of 1-1/4 to 1-1/2 inches, and must provide a clearance of 1-1/2 inches between the grab bar and the wall. Grab bars must be securely anchored to sustain a load of 250 pounds for five minutes.

J. The sink, with or without a counter top, must be accessible and must not interfere with general wheelchair movements. It must be mounted at a height of 34 inches above the floor, measured to the top edge, and must provide a vertical clearance of at least 27 inches for knee space. A standard-type sink which meets these conditions is acceptable.

K. A towel bar must be provided at a height of 42 to 44 inches. It must be a horizontal grab bar.

L. If a mirror is provided, and is mounted flush to the wall, the bottom of the mirror must be placed at a height of 36 inches and the top at a height of at least 66 inches. Tilting mirrors are allowed provided they are mounted to meet the needs of the residents.

M. A shelf large enough to accommodate a resident's personal toilet accessories must be provided at a height of 32 to 36 inches, unless space is provided by a suitable sink or a counter.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4155 CENTRAL BATHING AREA; NEW CONSTRUCTION.

Subpart 1. **Fixtures.** Bathing fixtures must be provided in accordance with part [4658.4135](#).

Subp. 2. **General requirements.**

A. In bathing areas with more than one fixture, each bathtub or shower area must be provided with privacy curtains or wall dividers.

B. If a toilet is located within an open area with multiple bathing fixtures, the toilet area must be provided with privacy curtains or stall partitions.

C. All bathtub and shower areas must be designed for assisted bathing.

D. The bathing area must have direct access to a toilet room or space without going through the general corridor, and the toilet room or space must allow space for assistance of residents according to part [4658.4150](#).

E. Bathtubs and showers must be provided with a nonslip bottom or floor surface and at least one grab bar, securely anchored, must be provided at each fixture.

F. If towel bars are provided, they must be horizontal grab bars, securely anchored.

G. A bar soap holder, if provided, must be without handles and recessed.

H. The door or doors to the bathing area must have privacy door locks. Hinged doors must swing out, or they must be double acting and be provided with an emergency-type release stop.

Subp. 3. **Shower areas.**

A. Central showers must not be less than 48 inches by 48 inches, or 54 inches by 42 inches with the long side open, without a curb, and with a 32-inch high splash protection.

B. The shower area must have controls located near the splash protection for easy reach by both resident and attendant. A flexible hose hand shower must be provided.

C. A vertical, nonslip grab bar, 24 inches long, must be provided at the shower and at the shower entrance location. The low end of the grab bar must be 36 inches above the floor. Horizontal grab bars inside the wet areas must be mounted at a height of 54 inches above the floor.

Subp. 4. **Bathtub areas.**

A. The location of the tub and the design of the central bathing area must allow a minimum of four feet of clearance around the working areas of the tub.

B. A pedestal used to elevate a standard-type bathtub must be provided with a finished cleanable surface, and include a toe space.

C. A flexible hose hand shower must be provided.

D. Horizontal or vertical grab bars must be located in proximity to the tub in order to accommodate safe use of the tub and the requirements of the bathing program, including drying of residents. These grab bars must be either

wall-mounted or part of the tub design and construction.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4160 DRINKING FOUNTAINS; NEW CONSTRUCTION.

Refrigerated drinking fountains must be provided in resident areas, the recreational or activities area, and in or near the dining area.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4165 HANDWASHING FACILITIES; NEW CONSTRUCTION.

Handwashing facilities must be available for persons

providing services to residents. Single-service towels must be available at all times. Use of a common towel is prohibited.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4170 STORAGE; NEW CONSTRUCTION.

Subpart 1. **Equipment and supplies.**

A. A storage room or rooms must be provided in each nursing area.

B. Total storage area within the nursing home for the storage of equipment and supplies must be provided in the amount of at least 15 square feet per bed including space for the storage of:

(1) clean items and supplies in a clean utility room;

(2) supplies and equipment for the activities program;

(3) supplies and equipment in the barber and beauty shop room;

(4) wheelchairs, walkers, and other adaptive equipment; and

(5) bulk paper products.

C. Space for storage of food and linens must be provided in addition to the required storage area in item B.

Subp. 2. **Housekeeping supplies.** An area for the storage of housekeeping supplies and equipment must be provided in each janitor's closet.

Subp. 3. **Yard maintenance equipment and supplies.** Separate enclosed storage space for the storage of yard maintenance equipment and supplies must be provided outside the nursing home.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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4658.4175 JANITOR'S CLOSET; NEW CONSTRUCTION.

A janitor's closet must be provided for each resident floor or nursing area.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

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4658.4180 ROOM LABELING; NEW CONSTRUCTION.

All bedrooms must be labeled using a system of numbers.
All service rooms must be labeled.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

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**4658.4190 PENALTIES FOR RESIDENT AREAS; NEW CONSTRUCTION RULE
VIOLATIONS.**

Penalty assessments for violations of parts [4658.4100](#) to [4658.4180](#) shall be assessed on a daily basis and are as follows:

- A. part [4658.4100](#), \$150;
- B. part [4658.4105](#), subpart 1, \$200;
- C. part [4658.4105](#), subpart 2, \$150;
- D. part [4658.4105](#), subparts 3 to 5, \$200;
- E. part [4658.4105](#), subpart 6, \$150;
- F. part [4658.4105](#), subpart 7, \$200;
- G. part [4658.4105](#), subpart 8, \$150;
- H. part [4658.4110](#), subpart 1, item A, \$100;

- I. part [4658.4110](#), subpart 1, item B, \$500;
- J. part [4658.4110](#), subpart 2, \$200;
- K. part [4658.4115](#), \$150;
- L. part [4658.4120](#), \$200;
- M. part [4658.4125](#), subpart 1, \$150;
- N. part [4658.4125](#), subparts 2 and 3, \$200;
- O. part [4658.4130](#), subpart 1, \$150;
- P. part [4658.4130](#), subpart 2, \$200;
- Q. part [4658.4135](#), \$150;
- R. part [4658.4140](#), \$150;
- S. part [4658.4145](#), items A to E, \$150;
- T. part [4658.4145](#), items F and G, \$200;
- U. part [4658.4145](#), items H to J, \$150;

- V. part [4658.4150](#), items A to F, \$150;
- W. part [4658.4150](#), items G to I, \$200;
- X. part [4658.4150](#), items J to M, \$150;
- Y. part [4658.4155](#), subpart 2, items A to D, \$150;
- Z. part [4658.4155](#), subpart 2, items E and F, \$200;
- AA. part [4658.4155](#), subpart 2, items G and H, \$150;
- BB. part [4658.4155](#), subpart 3, items A and B, \$150;
- CC. part [4658.4155](#), subpart 3, item C, \$200;
- DD. part [4658.4155](#), subpart 4, items A to C, \$150;
- EE. part [4658.4155](#), subpart 4, item D, \$200;
- FF. part [4658.4160](#), \$150;
- GG. part [4658.4165](#), \$150;
- HH. part [4658.4170](#), \$150;

II. part [4658.4175](#), \$150; and

JJ. part [4658.4180](#), \$50.

STAT AUTH: MS s [144A.04](#); [144A.08](#)

HIST: 21 SR 196

Current as of 01/19/05