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EXCESS OR HAZARDOUS STORAGE IN DWELLINGS

Minnesota Statutes and the Minnesota State Fire Code (MSFC) regulate excess or hazardous storage, accumulation of trash or excess belongings in residential dwellings as listed below. An excessive accumulation of storage in dwellings can cause extreme fire loading, entrapment of victims or firefighters, difficulty in extricating medical patients and extraneous hazards to neighbors, occupants and emergency personnel.

A municipal or town attorney should be contacted regarding authority to enter a home or apartment for purposes of enforcing the fire code or Minnesota Statutes.

In apartment buildings, the tenant or the building owner can grant access. The apartment tenant must be given reasonable notice prior to entry (MN Stat 504B.211).

Minnesota Statute 463.16 allows jurisdictions to order the repair or removal of hazardous conditions. If the owner fails to comply, 463.161 grants abatement authority to the jurisdiction and 463.151 allows the jurisdiction to remove hazards at the owner's expense.

Minnesota State Fire Code sections that may pertain to excess or hazardous storage in buildings are as follows:

MN State Fire Code (MSFC) 102.1(3) states: *The construction and design provisions of this code shall apply to: Existing structures, facilities and conditions that, in the opinion of the code official, constitute a distinct hazard to life and property.*

MSFC 110.1.1 further defines unsafe conditions as: *Structures or existing equipment that are or hereafter become unsafe or deficient because of inadequate means of egress or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition.*

MSFC 304.1 states: *Combustible waste materials creating a fire hazard shall not be allowed to accumulate in buildings or structures or upon premises.*

104.3 Right of entry. Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the fire code official has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of this code which make the building or premises unsafe, dangerous or hazardous, the fire code official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the fire code official by this code. If such building or premises is occupied, the fire code official shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the fire code

official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the fire code official has recourse to every remedy provided by law to secure entry.

315.2 Storage in buildings. Storage of combustible materials in buildings shall be orderly. Storage shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur.

315.2.1 Ceiling clearance. Storage shall be maintained 2 feet (610 mm) or more below the ceiling in nonsprinklered areas of buildings or a minimum of 18 inches (457 mm) below sprinkler head deflectors in sprinklered areas of buildings. Where more restrictive clearances between sprinkler head deflectors and storage are required by the sprinkler listing or NFPA 13, the more restrictive clearances shall apply.

315.2.2 Means of egress. Combustible materials shall not be stored in exits or exit enclosures.

315.2.3 Equipment rooms. Combustible storage in boiler rooms, mechanical rooms, electrical equipment rooms and elevator equipment rooms shall be in accordance with sections 315.2.3.1 through 315.2.3.2. Storage not in conformance with these sections shall be removed or the condition abated. For purposes of sections 315.2.3 through 315.2.3.5, storage does not include materials necessary for the construction, maintenance, or operation of the equipment.

315.2.3.1 Boiler rooms. Storage in boiler and furnace rooms shall be neat and orderly. Access to electrical panels shall be maintained in accordance with Section 605.3. At least 36 inches (914 mm) shall be maintained for access to equipment. Combustible storage in boiler and furnace rooms shall be in accordance with Section 315.2.3.1.1 or 315.2.3.1.2.

315.2.3.1.1 Boiler rooms with equipment at 400,000 BTU's per hour input or less. Combustible storage is allowed in boiler and furnace rooms equipped throughout with an approved automatic fire-extinguishing system and where the fuel-fired equipment is 400,000 BTU's per hour input or less. No combustible storage shall be within 36 inches (914 mm) of fuel-fired equipment.

315.2.3.1.2 Boiler rooms with equipment over 400,000 BTU's per hour input. Combustible storage is allowed in boiler and furnace rooms equipped throughout with an approved automatic fire-extinguishing system and where the fuel-fired equipment exceeds 400,000 BTU's per hour input. No storage shall be within 10 feet (3048 mm) of the boiler.

315.2.3.2 Mechanical rooms. Combustible storage is allowed in mechanical rooms with or without fuel-fired equipment when equipped throughout with an approved automatic fire-extinguishing system. Storage shall be neat and orderly. A 3-foot aisle shall be maintained to all equipment. No storage shall be allowed within 3 feet of fuel-fired equipment. Access to electrical service panels shall be maintained per Section 605.3.

315.2.3.3 Electrical equipment rooms. No combustible storage or any other type of storage shall be allowed in electrical distribution equipment rooms.

There are other Minnesota Statutes and Minnesota State Fire Code sections that may apply depending on hazards found.