

**MINNEAPOLIS FIRE DEPARTMENT  
FIRE PREVENTION BUREAU POLICY # 1 - 1  
FIRE CODE ENFORCEMENT**

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**ISSUE:**

Identify the sections of the fire code that apply only to new buildings or facilities, or to changes of occupancy type. Those sections do not apply to existing conditions unless it is determined that there is a distinct hazard.

**CODE REQUIREMENTS:**

1. *Administration, operational and maintenance provisions of the MSFC apply to new and existing conditions, systems and operations. (MSFC 102.2)*
2. *Construction and design provisions apply only to structures, facilities and conditions arising after the adoption of the code or to conditions that are not legally in existence at the time of adoption of the code. In some cases the code specifically indicates that it applies to existing conditions. Any fire code provision may be applied when the chief or fire marshal determine that a condition is a distinct hazard. (MSFC 102.1)*

**PROBLEM:**

The code does not always clearly state when specific provisions are to be applied to existing conditions.

**ACCEPTABLE COMPLIANCE:**

1. All existing conditions and systems are to be maintained.
2. The following MSFC sections apply only to new conditions, new buildings or facilities, or changes in occupancy or use unless the chief or fire marshal determine that there is a distinct hazard or unless it is determined that the equipment or process was not legally installed.
  - Chapter #5: 503, 508.1 through 508.5.1 and 509.
  - Chapter #6: 603,604,608 through 611.
  - Chapter #9: 903.2 through 903.4, 905.1 through 905.10, 907.2 through 907.2.2.24, 907.5, 907.9 through 907.12, 907.14, 907.15, 909, 910.2 through 910.5.5.
  - Chapter #10: 1003 through 1025.
  - Chapter #12: 1208.2 & 1208.3.
  - Chapter #19: 1904.3, 1907.3, 1908.7 and 1909.5.
  - Chapter #20: 2003.4, 2003.10 and 2003.11.
  - Chapter #21: 2106.1 and 2106.2.
  - Chapter #22: 2206.2.1 (2206.1.1 monitoring requirements are required), 2206.2.2 through 2206.2.4 and 2206.5.
  - Chapter #23: 2306.1 through 2306.8, 2307.2, 2308.2 and 2308.4.
  - Chapter #27: 2703.2.3, 2703.8, 2704.2.2, 2704.7, 2705.1.5, 2705.2.1.4, 2705.2.2.5, 2705.3.5 and 2705.3.7.
  - Chapter #34: The secondary containment required in 3403.4 applies only to new conditions in the following sections. 3404.3.3, 3404.3.8.2, 3404.4.3, 3405.3.7.5.3, 3405.3.7.6.3 and 3406.5.1.5.
  - Chapter #40: 4004.1.4 and 4004.1.6.