

4660.1200 NEW CONSTRUCTION SITE.

A care facility shall be so located as to promote at all times the health, comfort, and safety of patients and residents. The factors included in selecting the site for a new facility shall be as follows in items A to L.

A. Public utilities shall be available and such services provided for power and light.

B. The water supply shall be obtained from an approved public water supply system where such is available; otherwise, water shall be obtained from a water supply system, the location, construction, and operation of which is approved by the commissioner of health. Plans and specifications for a private water supply system shall be approved before construction of the system or the facility is started.

C. Sewage and other liquid wastes shall be discharged into an approved public sewerage system where such a system is available; otherwise, the sewage shall be collected, treated, and disposed of in a sewage disposal system which is approved by the commissioner of health and the Minnesota Pollution Control Agency. Plans and specifications for a private sewage disposal system shall be approved before construction of the system or the facility is started.

D. The site shall be away from insect-breeding swamps and shall 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. The site shall not be contiguous to or in immediate view of a cemetery or a funeral home.

E. The site shall be located within five miles of a municipality and in an area which has a written contract with the municipality providing fire department service, or a written contract with the municipality to provide the services of an approved organized fire department to which an alarm can be sent by telephone or other suitable alarm sending device.

F. The site shall not be located within 85 feet of underground or 300 feet of above-ground storage tanks or warehouses containing flammable liquids used in connection with a service station, garage, bulk plant, or marine terminal or bottling plant of liquefied petroleum gas installation.

G. The topography shall be such that good natural drainage is available, and that the site is not subject to flooding.

H. Adequate all-weather roads and walks shall be provided within the lot lines to the main entrance and the service entrance, including employees' and visitors' parking at the site.

I. Grading to one primary entrance shall allow for access for the elderly and persons with physical disabilities.

J. The site shall include space for outdoor activities.

K. Community activities shall be accessible, and there shall be a maintained public access to the site.

L. Medical services shall be readily available, and the location shall be such that employees can be recruited.

Statutory Authority: *MS s 144.56; 144A.02 to 144A.08*

History: *L 1977 c 305 s 39; L 2005 c 56 s 2*

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