

481—60.4(135C) Waivers.

60.4(1) Procedures in rule 481—57.2(135C) for requesting a waiver are incorporated by reference as part of this chapter.

60.4(2) Waivers are limited to the specific project under consideration and do not establish a precedent for similar acceptance in other cases. The type of license, occupancy, and function of the building will be considered with respect to a request for waiver. In specific cases, waivers may be granted by the director after the following conditions are met:

a. The design and planning for the specific property offer improved or compensating features that provide equivalent desirability and utility;

b. Alternate or special construction methods, techniques, and mechanical equipment offer equivalent durability, utility, safety, structural strength and rigidity, sanitation, and odor control; protection from corrosion, decay and insect attack; and quality of workmanship; and

c. The health, safety or welfare of any resident is not endangered.

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