

2920.1100 VARIANCE OR WAIVER OF SPECIFIC RULE.

Subpart 1. **Granting of variance or waiver.** The granting of a variance or waiver under this part does not constitute a precedent for any other community correctional facility. The commissioner shall grant a variance or waiver of a specific rule, if, in the licensing procedure or enforcement of the standards the commissioner finds that:

A. to require a particular adult community-based residential correctional facility to comply strictly with one or more of the provisions will result in undue hardship;

B. the facility is otherwise in compliance with this chapter;

C. the facility substantially complies with specific conditions the commissioner deems necessary for the protection of health, safety, and welfare of the residents and it does not have a substantially negative effect on public safety.

Subp. 2. **Variance or waiver review.** Variances or waivers must be reviewed during the on-site inspection to determine if the variances or waivers should be continued.

Statutory Authority: *MS s 241.021*

History: *9 SR 1655; 36 SR 635*

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