
NAU Guideline for Code Variance Requests

Purpose

This guideline is intended to provide direction for submitting requests for a variance from regulations:

- In accordance with the International Fire Code (IFC) sections 104.9 & 104.8,
- and in accordance with the International Building Code (IBC) sections 104.11 thru 104.11.2 & 104.10,
- and in accordance with Northern Arizona University Technical Standards (NAUTS).

Please be advised that a variance request may also be submitted if the following is discovered at a later time:

- Issuance of an inspection approval shall not be construed as an approval of a violation of the provisions of the Northern Arizona University (NAU) adopted codes or NAU Technical Standards.

Scope

Requests for a variance shall be evaluated by the NAU Fire Marshal (NAUFM) staff and Lead Building Inspector (NAULBI) staff, to ensure the proposed design, use, or operation satisfactorily complies with the intent of the IFC, IBC with related codes and NAU Technical Standards (NAUTS), as adopted by Northern Arizona University (NAU). Additionally, the alternative means and methods that are being proposed will be evaluated to determine they are at least equivalent to that prescribed in the IFC, IBC with related codes and the NAU Technical Standards in quality, strength, effectiveness, fire resistance, durability and safety.

Submittal Requirements

1. General Requirements

All requests for a variance from a requirement in the NAU Technical Standards or the IFC or IBC shall only be prepared and submitted by a Arizona licensed design professional. All submittals prepared by a professional engineer or licensed architect shall be wet stamped, signed and shall include their appropriate license number(s).

The applicant shall provide the following information, in writing, with complete and adequate copies of the appropriate plans & documents necessary to clearly evaluate the project:

A. Identify relevant project information:

- 1)** The project name, project number, contact person and phone number
- 2)** The relevant person's names and phone numbers.

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3) Other specific information identifying the project will be required (e.g., specific location, floor number, room number, plan page with gridlines, copies of applicable drawings and construction documents, copies of inspection reports, etc.)

B. Identify the code section numbers or reference the specific requirement for which the modification or installation is requested (e.g., International Fire Code (IFC) ###.###, NAU Technical Standards ###, etc.).

C. Provide a background statement to identify, explain or otherwise detail the situation causing the request for a variance.

D. Detail the alternative measures as part of the variance proposal and how they establish equivalency to those prescribed in the code (IBC 104.10, 104.11) and/or NAU Technical Standards. In addition, may also require research reports (IBC 104.11.1) and Tests (IBC 104.11.2) The report shall also include the NAUFM and NALBI concerns and the issues as identified above.

2. Engineering Evaluation

If the NAUFM, NAULBI, or their established designee determines that a peer review or other engineering evaluation by a licensed professional engineer is necessary, it shall be performed and reported by a firm or individual that has been approved by the NAU Project Manager, NAUFM and NALBI staff. The applicant may be responsible for all costs associated with the preparation and submittal of the variance and any requested peer review, evaluation, research or other outside consultation.

3. Submittal Process

A. At least five (5) copies of the variance proposal letter (or variance request form) and other supporting information will be required. Submit (2) copies to the NAUFM, and (2) copies to the NALBI, and two (2) copy directly to the NAU Project Manager.

B. Variance requests will be evaluated. All such requests are evaluated on a case by case basis. Approval of the request is based upon several factors, including, but not limited to:

- The level of equivalency achieved (as described under “Scope” in this guideline),
- The effect of the variance and other related conditions or issues that will be beneficial or not beneficial in the best interests of the University (for example, such as but not limited to: fire and emergency response, adverse means of egress conditions, site conditions, maintenance and durability issues, etc.)

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- All evaluations will be performed in the context of the specific project being reviewed.

C. If the variance proposal provides an equivalent level of protection considering all related conditions and issues pertaining to the project, the NAUFM, NALBI, and NAU Project Manager will issue a response letter granting approval. The variance must be approved by the NAUFM and NALBI, and always include the NAU Project Manager (therefore, at least three approval letters must be obtained before proceeding with the work.) Such approval may be conditional upon implementation of additional requirements listed in the variance response letter that were not part of the original variance proposal. Approval is granted only for the specific project under review and the conditions for approval shall not be construed as applicable to any other project nor should any approval be considered to establish any precedent for future variance approvals.

D. In the event that the variance proposal does not provide an equivalent level of protection, the request will be denied and a response letter (or variance request form with the “Not Approved” box marked) will be issued to this effect. Should the applicant submit a different variance request for this project or choose to revise and resubmit the previously denied request, additional variance review fees will apply. To facilitate the evaluation process, include any previously denied variance proposals when submitting a revised variance request.

E. Upon completion of the evaluation, the variance response letter and a copy of the applicant’s variance proposal, or the completed and approved variance request form, will be electronically delivered to the designated requestor or available to be picked up by calling the designated NAU Project Manager. Should evaluation of the variance proposal require time and resources beyond the standard allotted for this activity, additional time and materials fees may be applied. These additional fees must be paid when the applicant picks up the variance response letter and/or form.

F. The approved variance proposal and response letters, or the variance request form, must be copied on the plans prior to plan approval. Retain a copy of the variance proposal and response at the project site at all times. This documentation may be required for review by the designated NAU inspector at the time of inspection or any other authorized NAU person. All approved variances shall require an inspection approval.