**Section 800.340 Variance Procedures**

The Department shall grant a variance to a specific regulation when the operator or owner of a recreational area submits a request for such variance to the Department with drawings, specifications, documents, data, or calculations showing that the alternative methods or designs proposed will provide equivalent protection to that which would prevail under the promulgated regulation. The capability of the proposed variance to ensure protection equivalent to that provided by this Part shall be the basis for approval or denial of a variance. The Department shall notify the applicant in writing of its decision to either grant or deny the variance within 60 days of receipt of the request. A variance shall be requested and approved before the proposed activity can be implemented.

(Source: Amended at 14 Ill. Reg. 12663, effective July 20, 1990)