§ 7114. Authority to Modify the Code.

Whenever there are practical difficulties involved in carrying out the provisions of this code, the building safety official, at the request of the permit applicant, shall recommend to the Building Safety Code Review Board a grant of modification for the permit applicant's individual case, provided the building safety official shall first find that a special individual reason makes conformity to the strict letter of this code impractical, and that the modification is in conformity with the intent and purpose of this code and that such modification does not lessen any fire or flood protection requirements or will not detrimentally affect the structural integrity designed to be achieved by the provisions of this code or of any regulation adopted under the authority of this code. The details of any action granting modifications shall be recorded and entered in the files of the Building Safety Division.

Source: PL 6-45, § 1 (§ 7114); amended by PL 8-7, § 4.

Commission Comment: Executive Order 94-3, the "Second Reorganization Plan of 1994" (effective August 23, 1994), reorganized the Commonwealth government executive branch, changed agency names and official titles and effected numerous other revisions. According to Executive Order 94-3, § 401(e) **[Section 401 VACATED by PL 11-47, § 2]**:

> **Section 401. Development Appeals Board. [Section 401 VACATED by PL 11-47, § 2]**
>
> . . . .
>
> (e) The Coastal Resources Appeals Board and the Building Safety Code Review Board are abolished and their functions transferred to the Development Appeals Board.

The full text of Executive Order 94-3 is set forth in the Commission comment to 1 CMC § 2001.