299F.0115 EXEMPTION FOR MEMBERS OF FEDERALLY RECOGNIZED TRIBES.

(a) The state fire marshal may issue building-specific waivers from the State Fire Code if there is conflict with a federally recognized Tribe's religious beliefs, traditional building practices, or established teachings. Individual members of federally recognized Tribes, direct lineal descendents of federally recognized Tribes, and organizations of members of federally recognized Tribes may apply for these waivers.

(b) Waivers may only be granted for the following types of buildings:

(1) traditional residential buildings that will be used solely by an individual applicant's household or an organizational applicant's members;

(2) meeting houses; and

(3) one-room educational buildings.

(c) To obtain a waiver, an applicant must apply to the state fire marshal on a form established by the state fire marshal. The application must:

(1) identify the building the waiver will apply to;

(2) identify the Tribe the applicant is a member of; and

(3) declare that requirements of the State Fire Code conflict with religious beliefs, traditional building practices, or established teachings of the identified Tribe, which the applicant adheres to.

(d) Any building for which a waiver is granted may not be sold or leased until:

(1) the building is brought into compliance with the version of the State Fire Code in force at the time of the sale or lease; or

(2) the prospective buyer or lessee to which the building is being sold or leased to obtains a waiver under this section for the building.

History: *1Sp2021 c 11 art 2 s 17*