



STATE OF WISCONSIN
 Department of Safety and
 Professional Services

**SPS 305, Licenses, Certifications and
 Registrations Code Petition for Variance**

Industry Services Division

1. Applicant Information		Customer # if known
Name		
Company Name		
City, State, Zip Code		
Contact Person		
Telephone Number	Fax Number	

2. State the code section being petitioned AND the specific condition or the issue you are requesting be covered under this petition for variance.

3. Reason why compliance with the code cannot be attained without the variance. _____

4. State your proposed means and rationale of providing equivalency as addressed by the code section petitioned.

5. List attachments to be considered as part of the petitioner's statements.

Petition is valid only if notarized, with seal affixed, and accompanied by fee Petitioner must be the credential applicant for a Comm 5 petition.

_____, being duly sworn, I state as petitioner that I have read the foregoing petition and it is true and that I am the person listed as applicant.

Petitioner's Signature	Subscribed and sworn to before me this date	Notary Public	My commission expires on
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Make checks payable to: Dept of Safety and Professional Services Attach check here.	TOTAL AMOUNT DUE	\$200.00
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Submit Petitions for Variance (SPS 305 Only) to:
 Industry Services Division Plan Entry Unit
 1400 E Washington Ave
 P.O. Box 7162
 Madison WI 53707-7162

SPS 305 Petition for Variance Instructions

In instances where exact compliance with a particular code requirement cannot be met or alternative processes are desired, Industry Services has a petition for variance process by which the division reviews and considers acceptance of alternatives which are not in strict conformance with the letter of the code, but which meet the intent of the code. **A variance is not a waiver from a code requirement.** The petitioner must **provide an equivalency which meets the intent** of the code section petitioned to obtain a variance. Documentation of the rationale for the equivalency is required. Failure to provide adequate information may delay the petition. If the proposed equivalency does not adequately meet the intent of the code, the variance will be denied. It should be noted that **a petition for variance does not take the place of any required applications, renewals, or fees.**

A copy of SPS 305 may be obtained from Document Sales, 608-266-3358 or 1-800-362-7253. Or, it can be found on the Internet: <http://commerce.wi.gov/SB/SB-DivCodesListing.html>

The division is unable to process petitions for variance that are not properly completed. Before submitting the application, the following items should be checked for completeness in order to avoid delays:

- Petitioner's name (typed or printed)
- Petitioner's signature
- The Petition for Variance application must be signed by the applicant or individual unless a Power of Attorney is submitted.
- Notary Public signature with affixed seal
- Analysis to establish equivalency
- Proper fee:
SPS 305, License, Certification, Registration - Fee \$200, Revision Fee \$100
(Revisions are accepted only for one year after action on original petition.)

Comm 5 petitions involving licensing or qualifications to take an exam based on holding a license from another state or under ordinances of any city, town, or village shall include the following:

- Proof of licensure
- Education transcripts from any apprentice program(s) or trade school(s) attended
- Complete chronological work history in appropriate trade
- Hours of experience with documentation of witnesses
- A complete copy of the state rule or local ordinance under which the license was issued
- For Manufactured Home Installers - course curriculum and testing information used to get the license showing SAA state equivalency to SPS 305.327(3)(a)3.

Priority Review: Industry Services staff will review Petitions for Variance at the earliest available date. Therefore, priority reviews are not generally available. In special circumstances, a section chief may permit a priority review. If earlier review is permitted by the section chief, the petition review fees will be doubled. Except for special cases, S&B will review and make a determination on a Petition for Variance within 30 business days of receipt of all documents and fees.