BUREAU OF CONSTRUCTION CODES

OVERVIEW

Revised – May 2011
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Introduction

The purpose of the Bureau of Construction Codes (BCC) is to ensure that Michigan's built environment and the systems within are sound, safe and sanitary; building users' health, safety and welfare are protected; and that, through a coordinated program of prevention, code compliance, investigation and training, there is consistent application of standards.

The bureau issues permits and provides inspections in the area of building, boiler, electrical, elevator, mechanical, plumbing and manufactured housing. Inspections and monitoring visits are also performed on-site at premanufactured unit facilities.

The bureau is also responsible for examination and licensing in the fields of boiler, electrical, elevator, mechanical, and plumbing as well as licensing of manufactured home communities, installers/servicers and retailers, and investigates consumer complaints against these licensees.

The bureau reviews and approves local ordinances for approval to administer and enforce state construction codes. The bureau also reviews and processes complaints relating to local administration and enforcement of codes and conducts performance evaluations at the request of the local unit of government or when complaints cannot be resolved and conducts necessary audits of manufactured housing communities.

The bureau registers code officials and inspectors in the area of building, electrical, mechanical, plumbing, and plan review as required by 1986 PA 54. The law also provides authority for the bureau to approve instructors, courses, and tests for education and training programs.
History of the Bureau

The development and enforcement of construction codes has been around for thousands of years, and for the last century conducted at the local level in Michigan. Since January 1, 1973, the enforcement has been consolidated at the state level for consistency, safety, and efficiency along with the responsibility for code development and enforcement in the built environment, housing these activities within the Department of Licensing and Regulatory Affairs, Bureau of Construction Codes.

Originally, the bureau was organized on January 1, 1973, in the Department of Labor. The Electrical and Plumbing Divisions were immediately transferred from the Department of Licensing and Regulation.

In January 1974, the bureau established the Plan Review Division and later that year established the Mechanical and Building Divisions. The Barrier Free Design Division was created in October of 1979 and subsequently moved into the bureau's Plan Review Division, where it continues to be housed today.

Almost 10 years later, to promote economic and efficient administration and operation, General Office Order 1980-13 transferred the Boiler, Elevator Safety and Ski-Carnival Divisions from the Bureau of Safety and Regulation. All prescribed statutory powers, duties and functions of the Board of Boiler Rules, Elevator Safety Board, Ski Area Safety Board and Carnival-Amusement Safety Board were also transferred.

A few months later, with Executive Order 1980-1a, the Ski-Carnival Division, the Ski Area Safety Board and the Carnival-Amusement Safety Board were transferred to the Department of Licensing and Regulation, now the Bureau of Commercial Services.

To provide an effective means of directing, monitoring, and controlling the bureau's financial and certain operational practices, the Office of Management Services was created in January 1988. The office assures consistent financial reporting and issues building, electrical, mechanical and plumbing permits. The Boiler and Elevator Safety Divisions continue to issue their respective permits.

Effective May 15, 1996, Executive Order 1996-2, transferred the bureau from the Department of Labor to the newly formed Department of Consumer and Industry Services (CIS). The formation of CIS reorganized and combined several agencies to consolidate licensing, permitting and registration functions into one principal department.

In 1997 a new division, the Office of Local Government and Consumer Services (OLGCS), was established to handle consumer complaints against individuals and businesses engaged in trades and occupations that the bureau licenses. OLGCS also investigates complaints against a local unit of government's enforcement of the Act and rules.
The bureau assumed additional responsibilities in October 2000 when the Manufactured Housing, Enforcement, and Land Development Divisions were transferred from the Corporation and Securities Bureau. The manufactured housing and enforcement responsibilities were incorporated into the Building Division and the OLGCS while the land development functions were maintained and moved into the bureau and renamed the Office of Land Survey and Remonumentation, within the bureau.

On December 23, 2002, the law regulating authority over kindergarten through 12th grade, public and nonpublic school building construction, governed by 1937 PA 306 was amended by PA 628 of 2002. With that amendment, the bureau assumed responsibility for the administration and enforcement of construction, remodeling, or reconstruction of school buildings in Michigan that are covered by bond issues that were approved by the Department of Treasury after July 1, 2003.

In March 2003, Governor Granholm merged the Office of Fire Safety with the Bureau of Construction Codes in the Department of Consumer and Industry Services – forming the Bureau of Construction Codes and Fire Safety.

On December 7, 2003, by an executive reorganization order, the governor transferred to the department and bureau certain functions of the State Fire Marshal Division and the Fire Fighters Training Council.

To address the safety and security of Michigan residents, the role of Michigan’s fire service in the state’s emergency management and homeland security efforts was reassessed and reevaluated as a result of Executive Directive 2005-10. Thus, on June 22, 2006, Governor Granholm signed a package of bills creating the Bureau of Fire Services, transferring the State Fire Marshal, Fire Fighters Training Council and all related fire safety programs from the Bureau of Construction Codes.

On June 18, 2007, the State Boundary Commission was transferred to the Bureau’s Office of Land Survey and Remonumentation. The Commission is responsible for adjudicating all city and village incorporations, all city, village and township consolidations, and certain types of annexations from a township to a city.

In April 2010, the Office of Local Government and Consumer Services was abolished and its work functions were reassigned to the Building Division and the Office of Administrative Services.
Current Bureau Responsibilities

Administration
Houses the offices of the bureau director, deputy director, and the Construction Code Commission.

Office of Administrative Services (OAS)
The Office of Administrative Services (OAS) handles promulgation of rules, publication of the bureau’s newsletter, media coordination, duties related to the Americans with Disabilities Act, personnel oversight, and performs good moral character reviews. OAS also includes investigation of consumer licensing complaints, local code program evaluation services, processing of ordinances from local units of government, processing of Applications to Administer and Enforce, and assistance and guidance to local units of government and their code enforcement programs throughout the state.

Office of Management Services (OMS)
The OMS is responsible for the bureau budget, internal controls, inspection data collection, performance reporting, forms, document management, Freedom of Information Act requests, permitting, code book sales, design, production and maintenance of the bureau’s internet website.

Office of Land Survey and Remonumentation (OLS&R)
The OLS&R ensures an orderly and consistent review of subdivision plats, conducts final review of plat maps, administers the statewide program of monumenting and remonumenting the original U.S. government public land survey property controlling corners and handles related questions. The division also provides staff support to the State Boundary Commission.

Boiler Division
The Boiler Division is responsible for issuing boiler permits, examination and licensing of boiler installers, repairers, and inspectors, conducting inspections of boiler installations and repairs and inspections of existing boilers and boiler accident investigations. The division also provides staff support to the Board of Boiler Rules and handles code questions and boiler code book sales.

Building Division
The Building Division provides building code administration, enforcement and inspection services. They also provide building inspections for manufactured housing communities, issue manufactured housing licenses and provide staff support to the Manufactured Housing Commission. They are also responsible for installer/servicers, retailers and manufacturers, administrative action relative to these functions and ordinance reviews for manufactured housing communities. The division also registers code inspectors and approves instructors and training programs for code inspectors.

Note: Builder Licenses are not issued through this agency. Please contact the Bureau of Commercial Services at 517-373-8376 (license/renewals); 517-241-9202
Electrical Division
The Electrical Division is responsible for issuing electrical permits, the examination and licensing and renewals of licenses of master and journey electricians, apprenticeship registration, fire alarm specialty technicians, sign specialists, electrical contractors, sign specialty contractors, and fire alarm contractors. Electrical inspectors conduct inspections of electrical wiring and installations. The division also provides staff support to the Electrical Administrative Board and handles electrical code questions.

Elevator Safety Division
The Elevator Safety Division is responsible for issuing elevator permits, the examination and licensing and renewals of elevator journeypersons and contractors, inspections of elevators, escalators, and dumbwaiters, complaint investigations and reporting of elevator accidents. The division also provides staff support to the Elevator Safety Board, handles elevator code questions and elevator code book sales.

Mechanical Division
The Mechanical Division is responsible for issuing mechanical permits, the examination, licensing and renewals of mechanical contractors as well as inspections of mechanical installations and repairs. The division also provides staff support to the Board of Mechanical Rules and handles code questions --i.e., furnaces, HVAC (heating and air conditioning), duct work, solar heating, fire suppression, refrigeration, hydronics, solid fuel, gas piping and venting, process piping and connections to underground and above ground tanks.

Plan Review Division
The Plan Review Division has responsibility for the review of building, electrical, mechanical, plumbing, and manufactured housing community plan reviews; all barrier free design exception requests and provides staff support to the Barrier Free Design Board. The division also reviews premanufactured unit plans and compliance assurance manuals.

Plumbing Division
The Plumbing Division is responsible for issuing plumbing permits, the examination, licensing and renewals of licenses of plumbing contractors, apprenticeship registration, and master and journey plumbers and for the inspection of plumbing installations and repair. The division also provides staff support to the State Plumbing Board and handles plumbing code questions--i.e. plumbing fixtures, water distribution, sanitary and storm lines.
Evolution of Construction Codes in Michigan

Until 1972, establishing and enforcing highly technical standards for construction in Michigan was left entirely to the local governing bodies – more than 1,200 political subdivisions.

In 1968, Governor George Romney established by executive order the Michigan Commission on Housing Law Revision. The commission was charged to make legislative recommendations concerning the amendment of the Michigan Housing Law, 1917 PA 167. The commission's report was released in December 1969, and identified the large number of jurisdictions that were responsible for establishing and enforcing construction codes, which retarded necessary housing construction in Michigan. Other problems identified in the construction code process included:

- A majority of the state was not covered by construction codes. Substantial construction was being undertaken with no assurance that the buildings met any basic safety standards.

- A lack of uniformity of construction standards from community to community led to inconsistent construction and materials, which also led to the lack of testing, evaluation and acceptance of new products and construction methods. Additionally, the testing, evaluation and acceptance process was expensive, cumbersome, and discouraged research and development in the construction field.

- A lack of a procedure for the approval of premanufactured homes and modular units. At that time, the plumbing and electrical divisions inspected units at the factory, but when they arrived on site, they were completely inspected a second time. This often required dismantling of the unit. And, the units had to meet a varying array of similar, but distinct, building code requirements from where they were constructed to where they finally were erected.

- Construction requirements, except in the larger cities, were developed by groups of construction code officials at the national level with little representation from Michigan construction officials – those familiar with Michigan’s climate and environmental challenges.

In order to solve these problems, the Housing Law Commission recommended the repeal of the Housing Law and the establishment of the State Construction Code Act (CCA) as 1972 PA 230.

The commission also recommended the establishment of a Construction Code Commission (CCC) to consist of members technically skilled and experienced in all areas of the construction industry.
The report also recommended that the plumbing, electrical, elevator, boiler, and fire boards would continue all licensing functions and draft the portion of the state construction code related to their trade. The commission would have final responsibility for the content of the state construction code. However, the State Fire Marshal, the State Fire Safety Board, the Elevator Safety Board and the Board of Boiler Rules were not included in the final version of the act. The major responsibility of the commission was to issue rules that would constitute a state construction code.

With respect to the administration of the code, the Housing Law Commission recommended that this be left with local government. The commission recommended that the county be the unit of government primarily responsible for administration of the code and cities, villages, and townships could agree to enforce the codes. The commission's reasoning was that principal responsibility for code enforcement matters should be left in local hands with the state's role limited to those subjects where uniform action was highly desirable or where expertise was not available except in the larger cities.

When the proposed legislation finally became law on January 1, 1973, most of the Housing Law Commission's recommendations were accepted. The law included provisions for the approval of products and new methods of construction; procedures for premanufactured units to be built to the state code and inspected at the factory; provisions for the adoption of state codes; and provisions for units of government to enforce the code. It set forth provisions for approval of plans; issuance of permits; inspection of construction; and, appeals and variances. It also set forth provisions for enforcement assistance from the state.

The governor had the authority to appoint the 10-member Construction Code Commission. Later the commission was expanded to 17 members.

The state construction code commission consists of the State Fire Marshal or an employee of the Bureau of Fire Services as designated by the State Fire Marshal and a designee of the chairpersons of the Barrier Free Design Board, the Electrical Administrative Board, the State Plumbing Board, and the Board of Mechanical Rules, who shall be permanent members, and 12 residents of the state to be appointed by the governor with the advice and consent of the senate. Appointed members of the commission include 1 person from each of the fields of industrial management, architecture, professional engineering, building contracting, organized labor, premanufactured building, and 3 members representing municipal building inspection; 2 persons from the general public; and a licensed residential builder. A member of the commission shall be appointed for a term of 2 years, except that a vacancy shall be filled for the unexpired portion of the term.

Ideally, the Housing Law Commission had envisioned the state construction code as the only construction code in effect throughout the state. However, the Housing Law Commission recognized that many political subdivisions had adopted other codes. The Construction Code Act, therefore, provided that any political subdivision could elect to
not have the state code in effect in their jurisdiction. But, to ensure that the residents were fully protected by a complete and current set of construction regulations, any unit of government making that election would be required to adopt a nationally recognized code with only such amendments reasonable in light of unusual conditions in the area.

Initially, many of the counties assumed responsibility for building codes, particularly in southeastern Michigan.

To address all the problems with confused lines of enforcement, the Department of Labor, working with the legislature went to work to amend the act to provide for state enforcement of the codes and require that state-owned facilities be built to state codes, inspected and approved.

Act 371 of 1980 went into effect on December 30, 1980. The act addressed the major concerns with local government code enforcement by placing the primary responsibility with the Bureau of Construction Codes. However, the act also allowed local units of government to continue enforcement of codes already in effect if they chose to do so—or they could transfer responsibility back to the state. It established provisions to require new enforcing agencies to seek approval from the Construction Code Commission prior to assuming additional or different codes. The act also mandated code updates every three years to coincide with the national code change cycle. Further, the act placed sole responsibility for inspections of state-owned buildings under the jurisdiction of the bureau. The act also provided an amendment to authorize the Construction Code Commission to direct a performance evaluation of a local enforcing agency administering and enforcing the act and rules. A state construction code fund was established under the act, mandating deposit of applicable fees for the operation of the bureau.

Later, 1999 PA 245, updated the Construction Code Act to create consistency and increase the safety and security of Michigan’s built environment.

Taking effect on December 28, 1999, the public act changed the name from the Construction Code Act of 1972 to the Stille-DeRossett-Hale Single State Construction Code Act. The new title reflects that a governmental subdivision may no longer elect to exempt itself from certain parts of the Act and the state construction code by adopting and enforcing a nationally recognized model code.

The state construction code consists of the Michigan Residential Code, the Michigan Building Code, the Michigan Electrical Code, the Michigan Mechanical Code, the Michigan Plumbing Code, as well as the Michigan Uniform Energy Code and the Premanufactured Unit Rules.

All governmental subdivisions administering and enforcing a nationally recognized model code other than the code established by Act 245 of 1999, had to indicate on a Notice of Intent Form, whether the governmental subdivision would now administer and enforce the state construction code. If the city, village, or township chooses not to
enforce the code, the state would provide enforcement, unless the county within which
the governmental subdivision is located has submitted a Notice of Intent to continue to
administer and enforce the Act and the state construction code.

The director of the Department of Licensing and Regulatory Affairs or the director's
authorized representative has the sole statutory authority to promulgate rules, a
responsibility previously held by the Construction Code Commission.

The history of construction code enforcement in Michigan reflects the goal achieved of a
single state code being objectively administered by, not a bureaucracy, but a
streamlined staff of professional and technically skilled building safety professionals.

In 2002, 1937 PA 306 was amended to place the review and enforcement of public and
nonpublic, school building construction in the Bureau of Construction Codes. This new
authority involves reviewing plans for proposed construction; and performing the
inspections required before a Certificate of Occupancy may be issued.

Another section of the amendment to 1937 PA 306 directs that, “A certificate of
occupancy shall not be issued by the appropriate code enforcement agency until a
certificate of approval has been issued under the Fire Prevention Code, (1941 PA 207)".
Public Acts & Rules Enforced by the Bureau

Barrier Free Design Board General Rules R 125.1001 - 125.1026
Board of Boiler Rules General Rules R 408.4001- 408.5507
Board of Mechanical Rules Licensing Examination Rules R 338.901 - 338.914
Boundary Commission Rules R123.1 – 123.75
Building Officials, Plan Reviewers, and Inspectors R 408.30001 - 408.30055
Construction Code - Part 1 - Administration and Enforcement R 408.30101 - 408.30121
Construction Code - Part 2 - Permits, Inspections, and Fees R 408.30201 - 408.30221
Construction Code - Part 3 - Appeal Boards and Hearings R 408.30301 - 408.30316
Construction Code - Part 4 - Building Code – R 408.30401 – 408.30547
Construction Code - Part 6 - Mobile Home Code - Rescinded R 408.30601 - 408.30636
Construction Code - Part 7 - Plumbing Code R 408.30701 - 408.30796
Construction Code - Part 8 - Electrical Code R 408.30801 - 408.30880
Construction Code - Part 9A- Mechanical Code R 408.30901a - 408.30998a
Construction Code - Part 11 - Premanufactured Units R 408.31101 - 408.31194
Michigan Rehabilitation Code for Existing Buildings R 408.30551 - R 408.30577
Electrical Administrative Board General Rules R 338.1001a - 338.1099
Elevator Safety Board General Rules R 408.7001 - 408.8695
Manufactured Housing Commission General Rules R 125.1101 - 125.3069
Survey and Remonumentation General Rules R 54.201 - 54.210
State Plumbing Board Licenses R 338.921 - 338.932
Boiler Act – 1965 PA 290
Boundary Commission Act – 1968 PA 191
Building Officials and Inspectors Registration Act – 1986 PA 54
Charter Township Act – 1947 PA 359
Construction of School Buildings Act – 1937 PA 307
Electrical Administrative Act – 1956 PA 217
Elevator Safety Board – 1967 PA 227
Elevator Licensing – 1976 PA 333
Forbes Mechanical Contractors Act – 1984 PA 192
Home Rule City Act – 1909 PA 279
Home Rule Village Act – 1909 PA 278
Land Division Act – 1967 PA 288
Mobile Home Commission Act – 1987 PA 96
Plumbing – 1929 PA 266
State Plumbing Act – 2002 PA 733
State Survey and Remonumentation Act – 1990 PA 345
Utilization of Public Facilities by Physically Limited – 1966 PA 1
Code Enforcement Index

BOILER CODE ENFORCEMENT INDEX


January 26, 1991 Amended to update fees for licenses, permits, certificates, and inspections.

April 20, 1995 Amended to adopt the 1992 edition of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, with Michigan amendments.


September 4, 2007 Amended to update fees for examinations, licensing, renewal, permit, certificate and inspection fees.

BUILDING CODE ENFORCEMENT INDEX


<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 1, 1987</td>
<td>Amended to include new Barrier Free Design Requirements.</td>
</tr>
<tr>
<td>March 14, 2006</td>
<td>Amended to include smoke alarm locations in existing buildings constructed before November 6, 1974.</td>
</tr>
</tbody>
</table>

**ELECTRICAL CODE ENFORCEMENT INDEX**

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>November 12, 1977</td>
<td>Amended to adopt the 1975 National Electrical Code, with Michigan amendments.</td>
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</table>


September 6, 1995  Amended to adopt the National Electrical Code, 1993 edition, with Michigan amendments.


December 7, 1999  Amended to adopt the National Electrical Code, 1999 edition, with Michigan amendments.

February 29, 2004  Amended to adopt the National Electrical Code, 2002 edition, with Michigan amendments.

November 23, 2007  Amended to adopt the National Electrical Code, 2005 edition, with Michigan amendments.

December 2, 2009  Amended to adopt the National Electrical Code, 2008 edition, with Michigan amendments.

ELEVATOR CODE ENFORCEMENT INDEX

July 1, 1938  Amended to adopt the 1937 American Society of Mechanical Engineers Code, with Michigan amendments.

January 30, 1957  Amended to adopt the 1955 American Society of Mechanical Engineers A17.1 and 1956 National Fire Protection Association 70, with Michigan amendments.

February 14, 1968  Amended to adopt the 1965 American Society of Mechanical Engineers A17.1 and A17.2, with Michigan amendments.
<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
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<tbody>
<tr>
<td>May 9, 1973</td>
<td>Amended to adopt the 1971 American Society of Mechanical Engineers A17.1 and 1972, A17.1a addenda, with Michigan amendments.</td>
</tr>
<tr>
<td>June 27, 1981</td>
<td>Amended to adopt the 1978 American Society of Mechanical Engineers A17.1, 1979 A17.1a addenda and A17.2, with Michigan amendments.</td>
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<tr>
<td>April 10, 1982</td>
<td>Amended to adopt the 1978 National Fire Protection Association 70, with Michigan amendments.</td>
</tr>
<tr>
<td>April 10, 1985</td>
<td>Amended to adopt the 1981 American Society of Mechanical Engineers A17.1, 1982 A17.1a addenda and A17.2, with Michigan amendments.</td>
</tr>
</tbody>
</table>


July 7, 2008  Amended to update the fee schedules for elevator licenses, permits, certificates, and inspections.


ENERGY CONSERVATION IN NEW BUILDING DESIGN ENFORCEMENT INDEX


December 16, 1981  Amended to include a prohibition of free standing pilots on equipment.


March 31, 1999  Amended to adopt the most current standards, with Michigan Amendments, Michigan Uniform Energy Code Rules.


### MECHANICAL CODE ENFORCEMENT INDEX

<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
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</thead>
<tbody>
<tr>
<td>September 6, 1995</td>
<td>Amended to adopt the BOCA National Mechanical Code, 1993 edition, with Michigan amendments.</td>
</tr>
<tr>
<td>July 31, 2001</td>
<td>Amended to adopt the International Mechanical Code, 2000 edition, with Michigan amendments.</td>
</tr>
<tr>
<td>December 3, 2007</td>
<td>Amended to adopt the International Mechanical Code, 2006 edition, with Michigan amendments.</td>
</tr>
<tr>
<td>October 21, 2010</td>
<td>Amended to adopt the International Mechanical Code, 2009 edition, with Michigan Amendments.</td>
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</table>

### MICHIGAN REHAB CODE FOR EXISTING BUILDINGS

<table>
<thead>
<tr>
<th>Date</th>
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<tbody>
<tr>
<td>March 14, 2006</td>
<td>Amended to adopt smoke alarm locations in existing buildings constructed before November 6, 1974.</td>
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## MICHIGAN RESIDENTIAL CODE

<table>
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<tbody>
<tr>
<td>March 14, 2006</td>
<td>Amended to adopt smoke alarm locations in existing buildings constructed before November 6, 1974.</td>
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## PLUMBING CODE

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March 1, 1999  1997 International Plumbing Code, with Michigan amendments.


January 24, 2008  Amended to adopt the International Plumbing Code, 2006 edition, with Michigan amendments.

August 20, 2010  Amended to adopt the International Plumbing Code, 2009 edition, with Michigan amendments.

PREMANUFACTURED UNIT RULES


March 1, 1984  Amended to clarify certain provisions.

June 1, 2004  Amended to include requirements for approval of third party plan review agencies; suspension or revocation; hearing; appeal.

April 1, 2006  Amended to include relocation and reuse of used modular classrooms; standards and requirements

SUBDIVISION OF LAND RULES

June 16, 2008  Amended to update by promulgating as rules established guidelines, reflecting statutory changes to certificate forms, and reflecting executive order directives.