

# BULLETIN

SPRING 2007

WWW.MICHIGAN.GOV/BCC



A PUBLIC HEARING TO HEAR TESTIMONY ON PROPOSED AMENDMENTS TO BUILDING/ RESIDENTIAL CODE AND REHABILITATION CODE RULES IS SCHEDULED FOR MAY 31, 2007 AT 9:30 A.M. IN THE FORUM ROOM AT THE MICHIGAN LIBRARY AND HISTORICAL CENTER, 702 W. KALAMAZOO STREET, LANSING, MICHIGAN 48909.

## STATE HOLIDAYS OFFICES CLOSED:

MAY 28

JULY 4

## DIRECTOR'S COLUMN - HENRY L. GREEN RECORDKEEPING - WHY?

Recently, I presented a program at the Code Officials Conference of Michigan Spring Meeting on Recordkeeping. I presented this program as a long time building inspector/official reported to me that no one had prepared or offered a definitive program on recordkeeping and the reasons recordkeeping is important.

In researching for this program, I was able to uncover information through the Department of History, Arts and Libraries who is responsible for the preservation of state records and archiving. Additionally, information provided through the Michigan Municipal League and Michigan Township Association assisted in setting the basis for recordkeeping.

I was also able to find information on why we need to keep records of building construction. Beyond the obvious reasons, we should also keep records for the historical record. To serve as the basis for information in any actions, to provide insight into any building failure or performance issue, or to assist in the emergency rescue efforts, it is equally important to think about how these records serve societal needs. What if building plans and records were not preserved in the past? We would not have a sense of our history as it relates to the built environment. Historically, records have offered a view into our culture, our rites, and our lives. The preservation of building records offers a greater insight into our understanding of how we lived, what we found of value and how our society viewed our very lives.

Great Architects such as Louis Sullivan and Frank Lloyd Wright designed some of our most magnificent structures. Without the plans and design documents, we would not have been able to chronicle the intricacies of the designs or how the various design elements were shaped to form the buildings which have been a vital part of our American skylines and fabric.

Just as important are the public records (permit files and inspections records) that set in place an account for these buildings. Often we overlook the value of the records. It is equally important to understand how the construction standards applied in the construction process. This has afforded building scientists and researchers the opportunity to review the performance of building materials, methods and products. This offers the ability to evaluate new materials based on the history and performance of materials to measure new products.

So when you are asked why you should preserve the records, keep in mind what you save today may assist in the development of our tomorrows.

A copy of the COCM Presentation Paperwork and Record Keeping as Required by PA 230 is available on our website at [www.michigan.gov/bcc](http://www.michigan.gov/bcc).

(The COCM Presentation follows the last page of this Bulletin)

# BOILER DIVISION

---

## BOILER REPAIR PERMITTING AND AUTHORIZATION "R" STAMP PROGRAM

By Robert Aben, Chief  
Boiler Division

Effective with new boiler rules that went into effect November 6, 2006, R 408.4024 adopts the 2004 edition with the 2005 addenda of the National Board Inspection Code (NBIC) for repairs and alterations. Most of the repair rules contained in part 6 of the boiler rule book have been rescinded. However, not all rules were rescinded; therefore, it is imperative to review the new book carefully to not miss anything.

All repairs and alterations to boilers shall be conducted in accordance with the requirements of the NBIC. R 408.4024 now requires that licensed individuals who intend to repair power boilers or make alterations to any boiler must be in the employ of a company accredited by the National Board of Boiler and Pressure Vessel Inspectors to repair boilers. This is usually referred to in the industry as the R Stamp Program.

A repair licensee is required to secure a permit to repair a boiler prior to commencing work, and if the repair is to a power boiler or is an alteration to any boiler, the company must also complete the documentation required by the NBIC at the completion of the work.

The NBIC also addresses repairs of a routine nature which was previously addressed in R 408.4627.

And finally, section 18 of the boiler law allows a repair to commence prior to issuance of a permit, if the repair is an emergency and is authorized by a licensed inspector.

Questions should be directed to the Boiler Division at (517) 241-9334.

# BUILDING DIVISION

---

## MICHIGAN REHABILITATION CODE FOR EXISTING BUILDINGS

By Larry Lehman, Chief  
Building Division

Many questions are asked of this Bureau related to the applicability of the Michigan Rehabilitation Code for Existing Buildings (MRCEB), and when it should be or can be used. The MRCEB adopts by reference the International Existing Building Code, published by the International Code Council. The first version of the MRCEB was adopted October 31, 2002; subsequently, the current version was adopted with the other Michigan codes effective February 29, 2004. As part of the family of single state codes, it is effective statewide without local amendment. The MRCEB establishes minimum regulations for existing buildings using prescriptive and performance-related provisions. It is founded on broad-based principles intended to encourage the use and reuse of existing buildings while requiring reasonable upgrades and improvements.

Some of the most frequently asked questions are the following:

1. Does our municipality have to formally adopt by reference the MRCEB?

Answer: No, all enforcing agencies signed a notice of intent form agreeing to enforce the Michigan codes as required by the Stille-DeRossett-Hale Single State Construction Code Act at the prescribed time of implementation, or subsequently had an ordinance approved for its adoption.

2. Who decides when to use MRCEB for existing buildings?

Answer: The choice of codes for existing buildings is that of the building owner or their authorized agent. The building owner and their professional designer should compare the provisions of the MRCEB with the Michigan Building Code and Michigan Residential Code and evaluate which code makes the most sense for their specific building.

3. Are there any uses of existing buildings that cannot use the MRCEB?

Answer: Section 1201.2 of the MRCEB states in part, the provisions of this rule shall not apply to buildings with occupancies in group H (High-Hazard) and I (Institutional), it cannot be used for High Hazard and Institutional Groups.

4. Can the MRCEB be used for existing buildings constructed later than November 6, 1974?

Answer: Yes, the November 6, 1974, date makes reference to the date the state code originally became effective. Buildings constructed prior to this date may not have been built to any code.

5. Can the MRCEB be used for additions to existing buildings?

Answer: Yes, Chapter 9 of the MRCEB covers additions.

Questions may be directed to the Building Division at (517) 241-9317.

[\(The COCM Presentation follows the last page of this Bulletin\)](#)

# ELECTRICAL DIVISION

---

## BONDING SEPARATELY DERIVED SYSTEMS BONDING

### JUMPER LOCATION

By **Virgil Monroe, Chief**  
**Electrical Division**

Section 250.30(A) of the Michigan Electrical Code requires a separately derived ac [alternate current] system that is grounded to comply with Section 250.30(A)(1) through (6). (A)(1) gives the location where the bonding jumper must be installed.

(A)(1) states, "...except as permitted by Section 250.24(A)(3), this connection shall be at any point on the separately derived system from the source to the first system disconnecting means or overcurrent device. ...the point of connection shall be the same as the grounding electrode conductor as required in Section 230.30(A)(2)."

Simply stated, the bonding jumper may be installed at the

source of a separately derived system (transformer, generator, etc.) or at the first system disconnecting means or overcurrent device. However, the location where the bonding jumper is installed must be the same as the connection point of the grounding electrode conductor.

Exception No. 1 permits the installation of a bonding jumper at both the source of the separately derived system and at the first system disconnecting means or overcurrent device providing that the installation of a bonding jumper at both points does not establish a parallel path for the grounded circuit conductor.

Questions should be directed to the Electrical Division at (517) 241-9320.

# ELEVATOR SAFETY DIVISION

---

## ELEVATOR ANNUAL CERTIFICATE OF OPERATION

By **Calvin W. Rogler, Chief**  
**Elevator Safety Division**

After the elevator inspector has completed the annual inspection of an elevator, the paperwork is submitted to the Elevator Safety Division. An invoice is then generated for the inspection and the certificate fees and is sent to the listed certificate holder (Owner). Payment of the invoice generates a "Certificate of Operation" to be printed at the end of the month and is then sent to the certificate holder.

For many years, the Elevator Safety Division required the "Certificate of Operation" to be posted in the elevator car. In that way, inspectors and anyone using the elevator could be assured the elevator had an up-to-date "Certificate of Operation" as required by the Michigan Elevator Rules.

Currently, the Elevator Safety Division does not require posting of the "Certificate of Operation" in the elevator car. We require the certificate to be kept onsite and to be made available to anyone requesting to see it.

The reasons for this change in policy were two-fold. First,

an increase in vandalism had resulted in the "Certificate of Operation" being defaced or removed from many elevators. This, of course, required the owner to purchase another certificate and repost it in the elevator car. The added expense and bother was compounded by the fact that in many instances, the new certificate would just as quickly be damaged or removed it as soon as it was reposted. Second, with the advances in technology within the Elevator Safety Division, it has become very easy for staff to quickly check the status of any elevator. A person concerned with the inspection status of an elevator may get that information very easily. The serial number can be found on an identification plate, which is required to be posted within the elevator car. The serial number is all the information needed to search for the status of the "Certificate of Operation". Someone concerned may obtain the serial number in the elevator, call the division and obtain the current status of the "Certificate of Operation" for that specific elevator.

If you have questions or concerns with regards to an elevator "Certificate of Operation", please call the Elevator Safety Division at (517)-241-9337.

(The COCM Presentation follows the last page of this Bulletin)

# MECHANICAL DIVISION

---

## NOTICE - MECHANICAL LICENSEES

By **Tennison Barry, Chief**  
**Mechanical Division**

New boiler rules became effective November 6, 2006 that may affect your work as a Mechanical Licensee with category 5 or 6 on your license. R 408.4027 (Rule 27) of the boiler rules adopts the American Society of Mechanical Engineers (ASME) Standard CSD-1 for the installation, maintenance and testing of controls and safety devices on automatically fired boilers. CSD-1 requires the boiler owner to establish maintenance and test schedules for their boilers. Boiler Rule 27 specifically requires the boiler owner to have the controls and safety devices tested annually by an individual in possession of a mechanical license with a category 5 or 6 authorization. Category 5 for

boilers up to 1,000,000 btu/hr input and category 6 for boilers with inputs greater than 1,000,000. CSD-1 is not applicable to boilers with inputs greater than 12,500,000.

As a result of this rule change, ASME Standard CSD-1 becomes a required body of knowledge for mechanical licensees licensed for servicing gas fired appliances. Future applicants for this mechanical license category will be tested on ASME Standard CSD-1 as part of the examination for their license.

Questions should be directed to the Mechanical Division at (517) 241-9325.

# PLAN REVIEW DIVISION

---

## IRVIN J. POKE RECEIVES AIA OF MICHIGAN RESIDENT'S AWARD

By **Beth Aben, Director**  
**Office of Administrative Services**

Irvin J. Poke, Chief of the bureau's Plan Review Division was presented the President's Award from AIA Michigan on Friday, April 20, 2007.

The AIA Michigan President's Award is presented in recognition of outstanding contributions to the advancement of the built environment by an influential architect in the education or corporate fields.

Irvin attended Cass Technical High School which began his path to the architectural field. He received his Bachelor of Science in Architecture degree from the University of Detroit in 1975. He began his professional career as a Project Manager for Nathan Johnson and Associates before becoming a project administrator for the Department of Management and Budget.

In 1989, he accepted the position of Chief of the Plan Review Division in the Bureau, and he continues to head that office today. During his tenure with the bureau, Irvin has seen many changes and was instrumental in implementing the statewide construction codes in 2001. He oversees all areas of plan review, including, building, electrical, manufactured housing, mechanical, and plumbing, as well as oversight responsibility for the construction of school buildings, barrier free design review, complaints and technical hearings. Irvin has represented the State of Michigan for several years at national code hearings and has provided countless hours of training to

architects, engineers, and both local and state officials to assure public safety throughout Michigan. He has been recognized numerous times over the years by individuals and groups for his service on behalf of the State of Michigan.

Bureau Director Henry L. Green thanks Irvin for his service and dedication to the bureau, the architectural field and the State of Michigan and congratulates Irvin on this most prestigious award.



"I was shocked when I received the call informing me that I was selected for the award. I had no idea that I was being considered, and it is a humbling experience to be recognized by my peers."

(The COCM Presentation follows the last page of this Bulletin)

# OFFICE OF LAND SURVEY AND REMONUMENTATION

## LAND DIVISION ACT – APRIL 1, 2007 – REDIVISION RIGHTS ARE HERE FOR SOME BUT NOT ALL CHILD PARCELS (PART I)

By Maynard Dyer, Director

Office of Land Survey & Remonumentation (OLS&R)

On March 31, 1997, 1996 PA 591 amended and renamed the “Subdivision Control Act” to “Land Division Act” 1967 PA 288, MCL 560.101 et seq. The Land Division Act (LDA) provided division rights to a parent parcel or parent tract that legally existed and defined by continuous ownership on the effective day of the amendment, March 31, 1997. The number of resulting parcels that may be created without recording a subdivision plat is based on its total acreage. The amendment also provided for future redivision rights of the smaller parcels created by division and/or exempt split of the larger parent 10 years after it is created separate from its parent and its legal description is recorded at the county register of deeds. Redivision rights will accrue to some “child parcels” as soon as April 1, 2007. Many questions come to mind when considering the re-division provisions of the Land Division Act.

“Division” is defined as partitioning or splitting of a parcel or tract of land ... for purposes of sale, lease of more than one year or of building development..... Section 102(d), MCL 560.102(d).

“Exempt Split” is defined as partitioning or splitting of a parcel or tract of land ... that does not result in 1 or more parcels of less than 40 acres or the equivalent ..... Section 102(e), MCL 560.102(e).

The Land Division Act provides in section 108(5), MCL 560.108(5):

A parcel or tract created by an exempt split or a division is not a new parent parcel or parent tract and may be further partitioned or split without being subject to the platting requirements of this act if all of the following requirements are met:

- (a) Not less than 10 years have elapsed since the parcel or tract was recorded.
- (b) The partitioning or splitting results in not more than the following number of parcels, whichever is less:
  - (i) Two parcels for the first 10 acres or fraction thereof in the parcel or tract plus 1 additional parcel for each whole 10 acres in excess of the first 10 acres in the parcel or tract.
  - (ii) Seven parcels or 10 parcels if one of the resulting parcels under this subsection comprises not less than 60% of the area of the parcel or tract being partitioned or split.
  - (iii) The partitioning or splitting satisfies the requirements of section 109.

This section requires two elements to be satisfied before redivision rights ripen; a parcel or tract must be created by an exempt split or by a division of the parent parcel or parent tract, and the description of that resulting parcel or tract must be recorded at the register of deeds for not less than 10 years. The issue of redivision

rights of parcels resulting from redivision can be put off for another 9 years, although there will be redivision rights for those parcels also, based on current statute. Only the simplest of factual conditions are considered for this discussion.

When does the 10 year clock begin for the parcel or parcels retained by the proprietor?

A retained parcel/tract is the parcel that results from conveyance of a part or parts of the parent parcel or tract. It is what is left over after the owner of the parent parcel or tract has conveyed whatever parts they desire and are consistent with the LDA. It is created at the point the owner of the parent wants to keep that land or when the owner of the parent conveys the next to last parcel/tract remaining in the parent. The ten year clock starts upon the conveyance of all land in the parent parcel or parent tract that isolates the remainder parcel(s) from any other part of the parent and its description has been recorded at the register of deeds. Both the creation of the parcel or tract by the owner and the description of that parcel or tract recorded at the county register of deeds for not less than 10 years are required before redivision rights ripen.

When does the 10 year clock begin for a parcel created by an exempt split or a division?

A resulting parcel that is not a part of a tract is created by sale, lease of more than one year or by building development. Not less than ten years after its creation and not less than ten years after its description is recorded at the register of deeds, whichever is later, redivision rights ripen for the resulting parcel. A survey does not create a parcel by division or exempt split as those terms are defined in the LDA. Approval for land division under Sections 108 and 109 of the LDA does not create resulting parcels by division or exempt split as defined in the act. The issuance of parcel ID numbers by an assessor does not create resulting parcels by division or exempt split as those terms are used in the act.

When does the 10 year clock begin for a parcel created by an adjacent parcel transfer?

An adjacent parcel transfer was determined not to be either a division or an exempt split. *Sotelo vs. Township of Grant*, 470 Mich. 95. Since redivision rights accrue specifically to parcels created by an exempt split or a division, an adjacent parcel transfer would not accrue redivision rights.

Part II of this article will be published in the next edition of the bulletin and will address additional issues as we move into the realm of unused division rights available as some redivision rights ripen.

**(The COCM Presentation follows the last page of this Bulletin)**

Questions should be directed to OLS&R at (517) 241-6321.

# OFFICE OF LOCAL GOVERNMENT AND CONSUMER SERVICES

## PROPERLY LICENSED? SHOULD YOU SECURE A PERMIT?

By Scott Fisher, Director

### Office of Local Government & Consumer Services (OLGCS)

Many who work in the construction industry are probably familiar with the licensing laws that are administered and enforced by the Bureau of Construction Codes. As a licensee, you may want to review your particular licensing law to assure your familiarity with the requirements governing your practice and profession.

A number of individuals registered as apprentices or licensed as journeypersons believe it is appropriate to contract for work without being licensed as a contractor. Others who are licensed as a contractor believe it is permissible to secure permits for other persons or entities.

Over the past several years, OLGCS has investigated a number of cases of alleged licensing infractions. These cases have involved a variety of situations, none more prevalent than the improper use of a license or securing permits without being properly licensed.

In many of these cases, administrative action has been initiated against the licensee, resulting in fines, licensing sanctions and revocation. It is important to note that a person who performs work for which they do not have the applicable license may be subject to felony charges and prosecuted for receiving money under false pretenses.

A licensee must have a contractor's license to contract for work. A more common and generic reading of the licensing laws for construction trade would define contracting as providing goods and services for monetary consideration. In other words, receiving money for work and/or materials is contracting.

Contractors are required to perform the work under permits they have secured. Securing permits for others is an offense under all of the bureau's licensing laws.

If you have questions, please contact the respective licensing division within the Bureau.

## BOARD AND COMMISSION MEETINGS

<u>Meeting</u>	<u>Date</u>	<u>Time</u>	<u>Location</u>
Barrier Free Design Board	May 18	9:30 am	Okemos - Suite 116
	July 20	9:30 am	Okemos – Conf Room 3
Board of Boiler Rules	June 12	9:30 am	Okemos – Conf Room 3
Construction Code Commission	July 11	9:30 am	Okemos – Conf Room 3
Electrical Administrative Board	June 1, Aug 3	9:30 am	Okemos – Conf Room 3
Elevator Safety Board	June 8, Aug 17	9:30 am	Okemos – Conf Room 3
Manufactured Housing Commission	June 20, Aug 15	10:00 am	Okemos – Conf Room 3
Board of Mechanical Rules	May 23, July 25	9:00 am	Okemos – Conf Room 3
State Plumbing Board	June 5	10:00 am	Okemos – Conf Room 1
	July 18	8:15 am	Escanaba - UP State Fairgrounds

## BCC CONTACT INFORMATION

### Telephone Numbers:

Administration (517) 241-9302  
Office of Administrative Services (517) 335-2972  
Office of Management Services (517) 241-9313  
Boiler Division (517) 241-9334  
Building Division (517) 241-9317  
Electrical Division (517) 241-9320  
Elevator Safety Division (517) 241-9337  
Mechanical Division (517) 241-9325  
Office of Local Government & Consumer Services (517) 241-9347  
Office of Land Survey & Remonumentation (517) 241-6321  
Plan Review Division (517) 241-9328  
Plumbing Division (517) 241-9330

### Facsimile Numbers:

Administration & Office of Administrative Services (517) 241-9570  
Office of Management Services & Plumbing Div. (517) 373-8547  
Building, Electrical, Mechanical & Plan Review Div. (517) 241-9308  
Office of Land Survey & Remonumentation, Boiler & Elevator Safety Divisions (517) 241-6301

### Mailing Addresses:

P.O. Box 30254 (Codes: general correspondence)  
P.O. Box 30255 (Codes: permits, licenses, and other documents containing payment)  
P.O. Box 30704 (Office of Land Survey & Remonumentation)  
Lansing, Michigan 48909

(The COCM Presentation follows the last page of this Bulletin)

# PLAN REVIEW DIVISION

---

## PREMANUFACTURED UNIT REPAIRS

**By Irvin Poke, AIA, Chief  
Plan Review Division**

Units constructed under the Michigan Premanufactured Units program must comply with all the requirements for construction permits. All work performed on and for them after they leave the plant must also comply with licensing laws. A manufacturer that makes repairs or corrections to construction may do so only under the appropriate permit. Those performing the work must also have the appropriate license.

Once the unit leaves the factory, any work done must be under a permit, even if the work is a repair or correction of work originally done in the factory. The manufacturer's personnel may not do the work unless they are properly licensed for said work. The Premanufactured Units program does not waive the permit and licensing requirements. However, any exemption in the code from permits and exemptions in the

licensing laws are applicable to work being done.

Questions may be directed to the Plan Review Division at (517) 241-9328.



# PLUMBING DIVISION

---

## PLUMBING CODE UPDATE CLASS PREPARATION

**By Robert Konyndyk, Chief  
Plumbing Division**

The Bureau of Construction Codes, Plumbing Division has begun the code update training class process required by the State Plumbing Act, (the act). The act, 2002 PA 733, Sections 23 (2) and 25 (2) requires master and journey plumbers to complete approved code update classes within 12 months after the plumbing code changes. It is anticipated the codes will be updated in late fall. The State Plumbing Board has stated the update classes shall cover the portions of the State Plumbing Act and all changes from the 2003 to 2006 Michigan Plumbing Code and Michigan Residential Code (Plumbing chapters). The class will again be 5 hours in length.

The code update class process starts with individuals desiring to become instructors submitting applications and completing a code update summary outline form. The Plumbing Division will provide the form to all interested trainers, and the

instructors will be required to summarize each code change on the provided form. The outline form is organized to combine several similar topics and provide the students with an organized overview to aid in their understanding of the code changes.

All student attendees shall be provided with a course outline, which they can use to take notes during the class. Further information to licensees regarding the allowable time completion for license renewal will be provided in a later bulletin edition.

The last code update was well received and organized by all individuals. The bureau and citizens of our state appreciate the cooperation and dedication to our licensing profession.

Questions may be directed to Robert Konyndyk, Plumbing Division at (517) 241-9330.

[\(The COCM Presentation follows the last page of this Bulletin\)](#)

## BCC ONLINE SERVICES

[Online License Search](#)  
[Disciplinary Action Report](#)  
[Easy Access to Permit & License Verification](#)  
[Statewide Search for Subdivision Plats](#)  
[Statewide Search for Remonumentation Data](#)  
[County Remonumentation Data Entry](#)  
[Building System Approval Reports](#)  
[Online Code Training Series](#)

## BCC QUICK LINKS

[Online Permitting](#)  
[Online License Renewals](#)  
[Codes & Standards Order Form](#)  
[Statewide Jurisdiction List](#)  
[Local School Construction Enforcement List](#)  
[Product Approvals](#)

The Bulletin is a quarterly publication of the Bureau of Construction Codes within the Department of Labor & Economic Growth.

### Editor in Chief

Henry L. Green

### Editor:

Beth Hunter Aben

Created under the authority of  
1972 PA 230.

# LICENSE EXAMINATION DATES

<u>Examination</u>	<u>Date</u>	<u>Location</u>	<u>Deadline</u>
Boiler Installer and Repairer	June 6, 7	Okemos	May
	Sept 5, 6	Okemos	Aug 3
Boiler National Board	June 12	Okemos	May 4
	Sept 11	Okemos	Aug 3
Electrical/Fire Alarm/Sign Contractor	May 24	Escanaba	Apr 26
	June 22	Okemos	May 25
	July 24	Okemos	June 26
	Aug 21	Okemos	July 24
Fire Alarm Spec. Tech./Sign Spec.	July 19	Okemos	June 21
Electrician - Journeyperson	May 23	Escanaba	Apr 25
	June 18, 19, 20	Okemos	May 21
Electrician - Master	May 24	Escanaba	Apr 26
	June 21	Okemos	May 24
Elevator - Contractor/Cert. of Comp.	June 8	Okemos	May 18
	Aug 17	Okemos	July 27
Elevator Journeyperson	May 15	Okemos	Apr 24
	July 17	Okemos	June 26
Mechanical Contractor	June 5	Lansing	May 7
	Aug 28	Escanaba	July 31
Plumbing - Contractor	June 13	East Lansing	
	July 19	Escanaba	
Plumbing - Master and Journey	June 6	East Lansing	
	July 19	Escanaba	

Dates and times are subject to change. Visit the BCC website for updates.

Providing for  
Michigan's Safety in the  
Built Environment

(The COCM Presentation follows the last page of this Bulletin)

# Michigan Department of Labor & Economic Growth Bureau of Construction Codes

## Paperwork and Record Keeping





Code Official Conference of Michigan  
Paperwork and Record Keeping as required by PA 230  
Program #13733  
3 Hours - Administration  
Henry L. Green, 0001  
April 2, 2007

# Purpose

Document that which  
is current



Retain a record of  
things past for posterity

# What are Records?

- ***Permanent***
- Temporary
- ***Public***
- Non Public



Public Record means a writing prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created.”

§ 2(e), Act 442 of 1976

# What is a Permanent Record ?

- *Permanent Records* are those which documents certain activities consummated as a legal mandate.
  - *Applications for Permits*
  - *Permits*
  - *Plan Review Records*
  - *Inspection Records*
  - *Violation Notices*
  - *Correction Orders*
  - *Certificate of Occupancy*
  - *Meeting Notes (Boards of Appeal, Project Mtgs.)*



# Maintenance of Records

- Public Act 230, 1972 notes:  
“The enforcing agency shall maintain all official records and documents relating to applications for permits, inspection records, including correction notices, orders to stop construction, and certificates of occupancy.”



A hand is visible on the left side of the image, pointing towards the blueprints. The blueprints are partially visible, showing architectural drawings and text.

# Records Retention

“The application for a building permit shall be filed with the enforcing agency and the application and any other writing prepared, owned, used, in the possession of, or retained by the enforcing agency in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. An application shall not be removed from the custody of the enforcing agency after a building permit has been issued.”

Section 10(5) PA 230, 1972

# What Records are Required?

- Section 104.7 of the Michigan Building Code  
“The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.”

A hand is visible on the left side of the slide, pointing towards the text. The hand is resting on a document that appears to be a blueprint or technical drawing, with various lines and text visible. The background of the slide is a light blue gradient.

# Freedom of Information Act

- Act 442, Public Acts of 1976

“An Act to provide for public access to certain public records of public bodies . . . .”

- Public Body

“. . . a body in the executive branch of state government . . . , A county, city, township, village, . . . , or agency thereof.”

A hand is visible on the left side of the slide, pointing towards the text. The hand is resting on a document that appears to be a technical drawing or blueprint, with various lines and text visible. The background of the slide is a light blue gradient.

# Freedom of Information Act

“Sec. 1. (1) This act shall be known and may be cited as the “freedom of information act”.

(2) It is the public policy of this state that all persons, except those persons incarcerated in state or local correctional facilities, are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees, consistent with this act.

The people shall be informed so that they may fully participate in the democratic process.”

Section 1 PA 442, 1976

A hand is visible on the left side of the slide, pointing towards the text. The hand is resting on a document that appears to be a set of blueprints or technical drawings, with various lines and text visible. The background of the slide is a light blue gradient.

# Freedom of Information Act

“(iiv) A county, city, township, village, intercounty, intercity, or regional governing body, council, school district, special district, or municipal corporation, or a board, department, commission, council, or agency thereof.

(iv) Any other body which is created by state or local authority or which is primarily funded by or through state or local authority.”

Section 2(d) PA 442, 1976

# How Long are Records Required?

- General Retention Schedules

Cover records that are common to a particular type of local government agency, . . . , may not address every single record that a agency may have in its possession.

- Agency Specific Schedule

Any record not covered by a approved general schedule cannot be destroyed without the authorization of an approved agency-specific schedule. This would include only unique records named on the schedule.

# Retention Schedules

“A record that is required to be kept by a public officer in the discharge of duties imposed by law, that is required to be filed in a public office, or that is a memorial of transaction of a public officer made in the discharge of a duty, is the property of this state and shall not be disposed of, mutilated or destroyed except as provided by law”

Michigan Historical Commission  
Section 5 PA 271, 1913, MCLA 399.5

# Township Retention Schedules

## MTA Record Retention General Schedule #10

- Approved July 1, 1997
- Building Department
  - Application . . . . . Life of structure plus 7 years
  - Architectural Plans . . . . . Permanent
  - Building Plans (Comm.) . . . . . Permanent
  - Non Commercial . . . . . Life plus 7 years
  - Certificate of Occupancy . . . . . Life plus 7 years
  - Permits Applications . . . . . Life plus 7 years
  - Reports . . . . . Life plus 7 years
  - Site Plans . . . . . Permanent

# Municipal Retention Schedules

## Michigan Municipal League

- Building Department

- Permit Applications . . . . . Current + 1 year
- Building Plans (Comm.) . . . Life of Structure
- Non Commercial . . . . . 10 years
- Reports . . . . . Permanent
- Permit Log Books . . . . . Permanent
- Board Minutes . . . . . Current + 1 year \*  
Permanent

\* When Permanent copy is retained by Clerk's office

# Consistent Practices

## Permit Application

“Except as otherwise provided in the code, before construction of a building or structure, the owner, or the owner's builder, architect, engineer, or agent, shall submit an application in writing to the appropriate enforcing agency for a building permit. The application shall be on a form prescribed by the commission and shall be accompanied by payment of the fee established by the enforcing agency.”

Section 10(1), PA 230, 1972

# Consistent Requirements

A close-up photograph of a person's hand pointing with their index finger towards a set of architectural blueprints. The blueprints show various lines, shapes, and text, typical of a site plan or building layout. The hand is positioned on the left side of the frame, and the blueprints are spread out on a surface.

“The application shall contain a detailed statement in writing, verified by affidavit of the person making it, of the specifications for the building or structure, and full and complete copies of the plans drawn to scale of the proposed work. A site plan showing the dimensions, and the location of the proposed building or structure and other buildings or structures on the same premises, shall be submitted with the application.”

Section 10(1), PA 230, 1972

# Building Permit Application

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section R106.1.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the building official.

# Permit Application

Building Permit Application  
 Michigan Department of Labor & Economic Growth  
 Bureau of Construction Codes / Building Division  
 P.O. Box 30255, Lansing, MI 48909  
 517-241-9317  
 www.michigan.gov/bcc

120

B 2006 B

Authority: 1972 PA 230  
 Completion: Mandatory to obtain permit  
 Penalty: Permit cannot be issued

Applicant to Complete All Items in Sections I, II, III, IV V and VI  
 Note: Separate Applications Must be Completed for Plumbing, Mechanical and Electrical Work Permits

I. Project Information			
PROJECT NAME		ADDRESS	
NAME OF CITY, VILLAGE OR TOWNSHIP IN WHICH JOB IS LOCATED		COUNTY	ZIP CODE
<input type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Township OF:			
BETWEEN		AND	
II. Identification			
A. Owner or Lessee			
NAME		ADDRESS	
CITY	STATE	ZIP CODE	TELEPHONE NUMBER (Include Area Code)
B. Architect or Engineer			
NAME		ADDRESS	
CITY	STATE	ZIP CODE	TELEPHONE NUMBER (Include Area Code)
LICENSE NUMBER		EXPIRATION DATE	
C. Contractor			
NAME		ADDRESS	
CITY	STATE	ZIP CODE	TELEPHONE NUMBER (Include Area Code)
BUILDERS LICENSE NUMBER		EXPIRATION DATE	
FEDERAL EMPLOYER ID NUMBER OR REASON FOR EXEMPTION			
WORKERS COMP INSURANCE CARRIER OR REASON FOR EXEMPTION			
MISC EMPLOYER NUMBER OR REASON FOR EXEMPTION			
III. Type of Improvement and Plan Review			
A. Type of Improvement			
<input type="checkbox"/> 1. NEW BUILDING <input type="checkbox"/> 3. ALTERATION <input type="checkbox"/> 5. DEMOLITION <input type="checkbox"/> 7. FOUNDATION ONLY <input type="checkbox"/> 9. RELOCATION <input type="checkbox"/> 2. ADDITION <input type="checkbox"/> 4. REPAIR <input type="checkbox"/> 6. MOBILE HOME SET-UP <input type="checkbox"/> 8. PREMANUFACTURE <input type="checkbox"/> 10. SPECIAL INSPECTION			
B. Plan Review Required			
Plans must be submitted with an Application for Plan Examination and the appropriate fee before a permit can be issued, except as listed below.			
Plans are not required for alterations and repair work determined by the building official to be of a minor nature.			
Plans and specifications are required for all other building types and shall be prepared by or under the direct supervision of an architect or engineer licensed pursuant to 1980 PA 299 and shall bear that architect's or engineer's seal and signature.			
Plan Review Submission No. _____			

A hand is visible on the left side of the slide, pointing towards the text. The hand is resting on a set of architectural blueprints, which are partially visible at the bottom left corner. The blueprints show various lines and shapes, typical of a technical drawing.

# Plan Review Record

“The enforcing agency shall examine an application for a building permit. If the application conforms to this act, the code and the requirements of other applicable laws and ordinances, the enforcing agency shall approve the application and issue a building permit to the applicant. An application shall be granted, in whole or in part, or denied within 10 business days, except that in case of an unusually complicated building or structure, action shall be taken within 15 business days.”

Section 11(1) PA 230, 1972

A hand is visible on the left side of the image, pointing towards the blueprints. The blueprints are partially visible, showing technical drawings and text.

# Plan Review Record

“Failure by an enforcing agency to grant, in whole or in part, or deny an application within these periods of time shall be deemed a denial of the application for purposes of authorizing the institution of an appeal to the appropriate board of appeals. The enforcing agency shall approve changes in plans and specifications previously approved by it, if the changes require approval and if the plans and specifications when so changed remain in conformity with law.”

Section 11(1) PA230, 1972

# What to include?

## Building permit application:

- (a) The occupational license number of the applicant and the expiration date of the occupational license.
- (b) One of the following:
  - (i) The name of each carrier providing worker's disability compensation insurance
  - (ii) The reasons for exemption from the requirement to be insured
- (c) One of the following:
  - (i) The employer identification number, if required
  - (ii) The reasons for exemption from the requirement
- (d) One of the following:
  - (i) The Michigan employment security commission, if required
  - (ii) If not required, the reasons for exemptions from the requirement



# Building Permit

“If the application conforms to this act, the code and the requirements of other applicable laws and ordinances, the enforcing agency shall approve the application and issue the building permit to the applicant.”

Section 11, PA 230, 1972

# Building Permit

## BUILDING PERMIT

Michigan Department of Labor & Economic Growth  
Bureau of Construction Codes  
P.O. Box 30254  
Lansing, MI 48909  
Authority: 1972 PA 230

DATE: 03/26/2007      PERMIT NO: B024818  
COUNTY: 82 WAYNE      CONST TYPE: DEM  
LOCATION:   
CITY:  
OWNER:

IT IS THE RESPONSIBILITY OF THE APPLICANT TO REQUEST INSPECTIONS  
TO REQUEST AN INSPECTION FOLLOW THE INSTRUCTIONS BELOW

1. Call the inspection number listed below.

INSPECTION NO: (248) 476-3762

2. Leave the following information:

Name  
Permit number  
Job location (address, city or township, and county)  
Specific information to access the job location  
Conditions of access to the building  
Your phone number  
Type of inspection desired

Name  
Address  
City, State, Zip

SQUARE FOOTAGE: 1200

USE GROUP:

CONSTRUCTION TYPE: 2B

### PERMIT FEE CALCULATION

BUILDING FEE  
ADDITIONAL INSPECTIONS - 0  
ADMINISTRATIVE BASE FEE  
TOTAL PERMIT FEE PAID

This permit is subject to the 2003 Michigan Building Code and 2003 Michigan Residential Code

The Department of Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

# Notice of Code Violation

“If construction is being undertaken contrary to a building permit, this act, or other applicable laws or ordinances, the enforcing agency shall give written notice to the holder of the building permit, or if a permit has not been issued then to the person doing the construction, notifying him of the violation of this act, or other applicable laws and ordinances, and to appear and show cause why the construction should not be stopped.”

Section 12(3), PA 230, 1972



A close-up photograph of a person's hand pointing with their index finger towards a set of architectural blueprints. The blueprints are spread out on a surface, showing various lines and text. The hand is positioned on the left side of the frame, with the finger pointing towards the center. The background is a light blue gradient.

# Notice of Code Violation

“The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.”

Section 113.2 MBC



A close-up photograph of a person's hand pointing with their index finger towards a set of architectural blueprints. The blueprints are spread out on a surface, showing various lines and text. The hand is positioned on the left side of the frame, with the finger pointing towards the center.

# Construction Board of Appeals

“ . . . an interested person, or the person's authorized agent, may appeal in writing to the board of appeals. The board of appeals shall hear the appeal and render and file its decision with a statement of reasons for the decision with the enforcing agency from whom the appeal was taken not more than 30 days after submission of the appeal. . . A copy of the decision and statement of the reasons for the decision shall be delivered or mailed, before filing, to the party taking the appeal.”

Section 14(1) PA 230, 1972

# Construction Board of Appeals

“A record of decisions made by the board of appeals, properly indexed, and any other writing prepared, owned, used, in the possession of, or retained by the board of appeals in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976.”

Section 14(4) PA 230, 1972



“A board of appeals may attach in writing any condition in connection with the granting of a variance that in its judgment is necessary to protect the health, safety and welfare of the people of this state. The breach of a condition shall automatically invalidate the variance and any permit, license and certificate granted on the basis of it. In no case shall more than minimum variance from the code be granted than is necessary to alleviate the exceptional, practical difficulty.”

Section 15(2) PA 230, 1972

# Certificate of Occupancy

A certificate of use and occupancy shall be issued by the enforcing agency when the work covered by a building permit has been completed in accordance with the permit, the code and other applicable laws and ordinances.

Section 13, PA 230, 1972



# Certificate of Occupancy

After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified. The name of the building official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

# Certificate of Occupancy



**Certificate of Occupancy Request**  
 Michigan Department of Labor & Economic Growth  
 Bureau of Construction Codes  
 Building Division  
 P.O. Box 30254, Lansing, MI 48909  
 Telephone: 517-241-9317 / Fax: 517-241-9308  
[www.michigan.gov/bcc](http://www.michigan.gov/bcc)

Authority: 1972 PA 230 Completion: Voluntary Penalty: Certificate of Occupancy will not be issued	The Department of Labor and Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.
---	--

A new building or a building that is altered shall not be used or occupied until a Certificate of Occupancy is issued by the code official.

The permit holder or their authorized agent must request a Certificate of Occupancy upon the completion of the project. This request may be verbal, however, it is recommended that a written request be sent in, which includes the building, electrical, mechanical, plumbing, boiler and elevator permit numbers, the plan review submission number and the Bureau of Fire Services project number (for Schools only).

A Certificate of Occupancy cannot be issued until all fees are paid, permits are finalized and the work covered by a building permit has been completed in accordance with the permit, the code, and other applicable laws and ordinances.

If an electrical, mechanical, plumbing, boiler or elevator permit, plan review submission or Fire Services project is not required write "not applicable" on the request form in the appropriate space.

BUILDING PERMIT NO.	ELECTRICAL PERMIT NO.
MECHANICAL PERMIT NO.	PLUMBING PERMIT NO.
BOILER PERMIT NO.	ELEVATOR PERMIT NO.
PLAN REVIEW SUBMISSION NO. (If Applicable)	BUREAU OF FIRE SERVICES PROJECT NO. (If Applicable)
PERMIT APPLICANT'S ADDRESS	JOB LOCATION
APPLICANT'S SIGNATURE	DATE
TELEPHONE NUMBER (8:00 AM - 5:00 PM) (Include Area Code)	



# Other Documents

- Meeting Notes
- Internal Memorandums
- Letters
- E-mail Communications



# RECAP

- Records are **REQUIRED**
- Records are **PERMANENT**
- Subject to FOIA
- Maintained per Record Retention Schedule
  - Townships Schedule
  - Cities and Villages Schedule

# RECAP

- RECORDS
  - Permit Application
  - Plan Review Record
  - Permit
  - Notice of Code Violation and Correction Orders
  - Stop Work Orders
  - Test , Acceptance , & Special Inspection Reports
  - Construction Board of Appeals Records
  - Certificate of Occupancy
  - Other Documents
    - Meeting Notes
    - Written Communications

A hand is visible on the left side of the slide, pointing towards the list of recommended reading. The hand is resting on a document that appears to be a set of blueprints or technical drawings, with some lines and text visible. The background of the slide is a light blue gradient.

# Recommended Reading

- Building Department Administration
  - Robert E. O'Bannon
- Legal Aspects of Code Administration
- Stille-DeRossett-Hale Single State Construction Code Act
- Freedom of Information Act
- Your local Records Retention Schedule
- The Michigan Township Record Retention General Schedule
- The Records Management Handbook: Guidelines and Approved Retention and Disposal Schedules for Cities and Villages
- [www.michigan.gov/recordsmanagement/](http://www.michigan.gov/recordsmanagement/)

# Questions

Michigan Department of Labor and Economic Growth  
Bureau of Construction Codes

P.O. Box 30254

Lansing, MI 48909

(517) 241-9302

(517) 241-9570 (fax)

[www.michigan.gov/bcc](http://www.michigan.gov/bcc)

[hlgreen@michigan.gov](mailto:hlgreen@michigan.gov)