



CODE WORKS!

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WINTER 2011

*****ATTENTION*****

Effective Monday, January 17, 2011 the Bureau's Boiler Division, Elevator Safety Division and Office of Land Survey and Remonumentation relocated from 6546 Mercantile Way in Lansing to the Okemos office located at 2501 Woodlake Circle, Okemos. The Okemos office is barrier-free, has free parking, and is open to walk-in customers from 8:00 a.m to 5:00 p.m.

****CODE UPDATES****

The following Michigan codes will take effect March 9, 2011:

2009 Building Code
2009 Residential Code
2009 Uniform Energy Code
2009 Rehabilitation Code for Existing Buildings

**BCC OFFICES CLOSED:
FEBRUARY 21**

WORDS FROM DIRECTOR IRVIN J. POKE, AIA

As many may have heard by now, Beth Hunter Aben is retiring. Her last day on the job will be March 31, 2011. Beth will conclude her state service as Deputy Director of the Bureau of Construction Codes after 35 years, of which 21 years were in the bureau. She started her career in state government as a clerk typist with the Secretary of State. Her hard work and dedication has led to her personal and professional growth.

When I came to the bureau in 1989, Beth was the administrative assistant to the executive director of the bureau. She was very organized and helpful in my understanding of the operation. She worked with all the division chiefs and administrative support to help achieve the mission of the bureau.

In 1992, Beth took a position as administrative assistant to Lowell Perry, director of the Department of Labor. While in that position she continued to advocate for the construction code program. She returned to the bureau in 1996 as an analyst with a focus on rules and personnel issues. She also learned the process and procedures regarding the complaint and performance evaluation process.

The Office of Administrative Services was created in 2001 and Beth became director of that office. She was charged with handling personnel transactions, rules, program efficiency reviews as well as Freedom of Information Act request processing. Beth served as an excellent resource in all these areas for the management staff in the bureau. Her devotion to customer service and belief in a strong but fair regulatory process led to becoming deputy director of the Bureau in 2008. As deputy she has assisted in the successful resolution of several legal actions, worked with the construction industry and promoted the bureau while being my right hand. I have found her counsel to be thoughtful and always valuable. She has at the appropriate times provided the mirror I needed to see my reflection in the decisions I've made. I will truly miss her as a deputy and as a person.

Beth, I wish you and your family well in the coming chapter of your life.

ELEVATOR SAFETY DIVISION

ELEVATOR INSTALLATION AND ALTERATION PERMITS, REFUNDS AND INVALID PERMITS

**By Cal Rogler, Chief
Elevator Safety Division**

As you are aware, Michigan Elevator Rule, R 408.7019 Fees, includes language regarding refunds for permits and when a permit becomes invalid. This information can be found under R 408.7019 (3), which states “A written request for a refund on a permit must be made within 1 year from the application date. An issued permit shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after work is commenced. A 1-time 180-day permit extension shall automatically be granted when a building permit for the same project remains valid.” This rule became effective July 7, 2008 and applied to all permits, including those which were approved before the July 7, 2008 date.

The Elevator Safety Division has many open permits and must work toward getting the permits properly closed. The rule provides a means to help accomplish that goal. As you can see in the section above, there is a one-time 180-day permit extension which is automatically granted when a building permit for the same project remains valid. The licensed elevator contractor must submit a written request for the 180-day extension with documentation of the validity of the building permit. This rule language is expected to address most if not all elevator installations in new buildings where construction delays may occur.

Elevator permit activity which is suspended or abandoned for a period of 180 days after the work has commenced will result in the permit becoming invalid. If the work is not completed the elevator contractor must obtain a new permit before any work could proceed. The new permit would require the entire installation or alteration to comply with the Michigan Elevator Rules in effect at the time of the new permit application. If special circumstances warrant, the permit may be reopened and the code in effect at the time the permit was originally issued would apply. A permit may only be reopened with my approval or the approval of the bureau’s director or deputy director. Once approval to reopen a permit is obtained, a \$75.00 administrative fee would also be required before the permit would be reopened.

As with all open permits, a final inspection and approval by a general elevator inspector is necessary to properly close a permit.

Note: R 408.7010 New, altered, or relocated elevators; use.

“Rule 10. A new, altered, or relocated elevator shall not be placed into service until it has been inspected by, and tested in the presence of, a general inspector, except as provided in section 15 of the act.”

If you have any questions or need additional information, please contact the Elevator Safety Division at (517) 241-9337.

BOARD AND COMMISSION MEETINGS

<u>Meeting</u>	<u>Date</u>	<u>Time</u>	<u>Location</u>
Barrier Free Design Board	Mar 11, May 13	9:30 am	Okemos – Conf Room 3
Board of Boiler Rules	Mar 8	9:30 am	Okemos – Conf Room 3
Construction Code Commission	Apr 6	9:30 am	Okemos – Conf Room 3
Electrical Administrative Board	Feb 24, May 26	9:30 am	Okemos – Conf Room 3
Elevator Safety Board	Mar 25	9:30 am	Okemos – Conf Room 3
Manufactured Housing Commission	Apr 21	10:00 am	Okemos – Conf Room 3
Board of Mechanical Rules	Feb 23, May 18	9:00 am	Okemos – Conf Room 3
State Boundary Commission	Feb 17	1:30 pm	Okemos – Conf Room 3
State Plumbing Board	Mar 1	10:00 am	Okemos – Conf Room 3

Dates and times are subject to change. Visit the [BCC website](#) for updates.

OFFICE OF LAND SURVEY AND REMONUMENTATION

MONUMENT PRESERVATION AND CONSTRUCTION PROJECT COLLABORATION

By Keith Lambert, Director

Office of Land Survey & Remonumentation (OLSR)

The State Survey and Remonumentation Act, 1990 PA 345, MCL 54.261-279, is a concerted effort to restore, rehabilitate or remonument the initial corner positions established and monumented by the original government surveyors. During the course of construction projects corners preserved under the Remonumentation Program or by professional surveyors in accordance with the Corner Recordation Act, 1970 PA 74, MCL 54.201-210d, may become damaged or removed.

PA 74 sets forth the requirements for perpetuating Public Land Survey System corners and placing them on public record within the county. Additionally, it outlines procedures and clearly identifies the parties responsible for the costs associated with replacing a damaged or removed corner; MCL 54.210d states,

“A person who defaces, destroys, alters, or removes a corner monument or reference monument is guilty of a misdemeanor and shall be punished by a fine of not more than \$1,000.00, or imprisonment for not more than 180 days, or both, and shall be responsible for the costs of reestablishment and replacement of the monument and filing of the corner record by a surveyor. A corner monument or reference monument may be temporarily removed for construction purposes if the corner is properly witnessed by a surveyor before removal. The monument shall be reset, rewitnessed, and refiled by a surveyor within 30 days after the completion of construction. A corner monument or reference monument shall not be temporarily removed for more than 1 year.”

Remonumentation funds should not be used to perpetuate an existing Remonumentation Program corner placed in harm's way when the responsible party is known. However, when a corner is found to be damaged or missing and the responsible party cannot be determined, limited remonumentation funds may be used to rehabilitate the corner as called for in the Remonumentation Model County Plan:

Appendix A – Items Eligible for Grant Funds, Item 5 states:

“Grant monies used to pay for installation of a marker for survey work which is a part of another public or private contract or work assignment . . . The county may furnish the

marker to be used or include the cost for it in the contract for monumentation. There are no other eligible costs for this type of corner monumentation.”

In instances when a corner has not been passed through the Remonumentation Program and is subject to destruction it is acceptable to use remonumentation funds to perpetuate the corner in accordance with program standards.

Information Memorandum No. 2, which was distributed to the county representatives, Michigan Department of Transportation, county road commissions, County Road Association, and others, discusses MDOT's “Special Provision for the Preservation and Perpetuation of Public Land Survey Corners.” Simply put, this special provision, identified in MDOT contracts as Pay Item, Monument Preservation, requires the perpetuation of PLSS corners within the project area in accordance with 1970 PA 74. Though MDOT has updated this provision several times since it was first introduced in November 1992, its purpose has remained constant and remains a standard pay item in all MDOT construction contracts.

Information Memorandum No. 2, goes on to recommend that “county road commissions include in their construction contracts a special surveying provision similar to MDOT's.” Furthermore, Information Memorandum No. 2 provides recommendations to the Remonumentation County Representatives how best to coordinate their remonumentation activities and communicate with MDOT and other local agencies.

Although MDOT and County Road Commissions were specifically mentioned in Information Memorandum No. 2, the principles and responsibilities discussed therein are expandable to any other agency or entity placing an existing corner in harm's way, e.g., municipalities, public utilities, drain commissions, etc. Collaboration between these groups before, during, and after their projects will both expedite the completion of the Remonumentation Program and reduce the overall expenses incurred by all parties.

Questions or information requests concerning this article may be directed to the OLSR at (517) 241-6321 or bccolstr@michigan.gov.

BUILDING DIVISION

MICHIGAN BUILDING AND RESIDENTIAL CODES AND THE APPLICABILITY OF THE APPENDICES

By Larry Lehman, Chief

Building Division

When the State of Michigan adopts the International Building Code through the administrative rules process many inquiries have been made as to the applicability of the appendices that are located at the end of the Michigan Building (MBC) and Residential (MRC) codes. The Michigan Building, Residential, and Rehabilitation codes are applicable throughout the State of Michigan under the authority vested by the Stille-DeRossett-Hale Single State Construction Code Act 230 of 1972, Section 4. Section 8a (1) of the act goes on to state, "This act and the code apply throughout the state."

The appendices that are included and excluded each code cycle are reviewed by the various Michigan code review committees and the department. Each is included when they are viewed as a necessary addition to the code to provide adequate safeguards for public safety, health, and general welfare from the built environment. They are also included when they are not in conflict with the laws of the State of Michigan. An example of a necessary appendix is MRC Appendix G, Swimming Pools, Spas and Hot Tubs. Without its inclusion in the code, adequate safeguards would not be in place for the safety of the public. An example of an appendix that is not included is MRC Appendix L, Permit Fees, because the authority for an

enforcing agency's fees and the technical criteria for how they determine their fees are vested in the Stille-DeRossett-Hale Single State Construction Code Act 230 of 1972, Section 22.

You can determine which appendices the State of Michigan has adopted, and which appendices we didn't adopt by reviewing the administrative rule number 401 of the various Michigan Building Code administrative rule sets. This rule is located inside the cover of the Michigan Building, Residential, and Rehabilitation code books below the Introduction. Rule 401 is also available on the [Bureau's website](#), under the Administrative Rules & Public Acts.



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

MICHIGAN CODES & RULES CURRENTLY IN EFFECT

Boiler Fees	09/04/2007
Boiler Rules - General	07/27/2009
Boiler Operators & Stationary Engineers Qualification & Registration Program Rules	07/30/2010
Building/Residential Codes (Part 4)	03/09/2011
Electrical Code (Part 8)	12/02/2009
Elevator Safety - General	06/21/2010
Manufactured Housing General Rules	09/02/2008
Mechanical Code	10/21/2010
Plumbing Code (Part 7)	08/20/2010
Rehabilitation Code	03/09/2011
Subdivisions of Land	06/16/2008
Uniform Energy Code	03/09/2011

FOR CODE/RULE UPDATES - Visit [BCC's website](#) to monitor updates on code review processes.

MECHANICAL DIVISION

HVAC LICENSE ENDORSEMENT

By Kevin Kalakay, Chief
Mechanical Division

This article is an attempt to clarify what work you may perform under the HVAC endorsement on your mechanical contractors license. First, it is necessary to give the definition of HVAC as defined in the Forbes Mechanical Contractors Act, 1984 PA 192, which reads as follows: "Heating, ventilating, and air conditioning" or "HVAC" means the application of equipment and systems to provide air conditioning for occupants of buildings and structures. HVAC does not include the installation of portable self-contained refrigeration equipment and window-type air conditioners of not more than 1-1/2 horsepower"

Since the definition states "equipment and systems," if you possess an HVAC endorsement on your license, you

may install the equipment and all components of the HVAC system including the duct, fuel piping, and the venting.

An HVAC endorsement does not allow you to perform service on HVAC equipment of any type. In order to perform service work, you must first obtain the proper service endorsement for the type of service work you desire to perform. A #5 (limited heating service) or #6 (unlimited heating service) endorsement is required to perform heating service, while a #7 (limited refrigeration and air conditioning service) or #8 (unlimited refrigeration and air conditioning) would be required for refrigeration and air conditioning service.

If you have any questions, you may contact the Mechanical Division at (517) 241-9325.

JOINT TRAINING EFFORT

The Code Officials Conference of Michigan (COCM) and the Bureau of Construction Codes met January 25th and January 26th for their second annual joint effort to provide educational and training programs to meet the requirements of the Building Officials and Inspectors Registration Act (1986 PA 54).

Classes were offered for building, electrical, mechanical, and plumbing officials, inspectors, and plan reviewers regarding specialized field information and the 2009 Building and Residential code updates. A slide show of the code update session is now available at the [bureau's website](#).

BOILER DIVISION

FLOW SENSING DEVICES ON FORCED FLOW BOILERS

By William Vallance, Chief
Boiler Division

ASME CSD-1 2006 paragraph CW-210 requires that in lieu of the requirements for low water cutoff in CW-100, a water tube or coil type boiler requiring forced circulation shall have an accepted safety control to prevent burner operation at a flow rate inadequate to protect the boiler against overheating at all allowable firing rates.

Commencing July 1, 2010, on newly installed water tube or coil type forced circulation boilers, the following are acceptable safety controls:

- 1) A paddle type flow switch listed and/or labeled by a nationally recognized testing agency.
- 2) The manufacturer's temperature differential system which senses the delta T between inlet and outlet, across the boiler, will shut off the burner when the delta T exceeds manufacturer's parameters. The manufacturer shall provide

detailed instructions for testing in the installation and/or instruction manual as required by CG-420.

Probe or float type low water cutoffs are no longer acceptable on new installations of forced circulation boilers, unless they have a definitive water line as referenced in CW-210(b).

The division issues over 200 installation violations each quarter for non-compliance with this one code. If you are a contractor and do not possess the ASME CSD-1 code book it would be well worth the investment to purchase the book so you will have the necessary code information.

Questions on these matters may be directed to the Boiler Division, (517) 241-9334.

ELECTRICAL DIVISION

2009 MICHIGAN RESIDENTIAL CODE ADOPTED

By **Dan O'Donnell, Chief**
Electrical Division

The 2009 Michigan Residential Code (MRC) has been adopted and is due to take effect on March 9, 2011. The MRC applies to all 1 & 2 family dwellings in the State of Michigan. The 2009 MRC is based on the 2009 International Residential Code (IRC) and electrical section Part VIII is based on the 2008 NEC (NFPA 70).

One of the more significant Michigan amendments in the MRC which differs largely from the 2008 NEC requirement is section E3902.11 which specifies arc-fault protection in 1& 2 family dwellings. The 2009 MRC keeps the requirement for arc-fault protection the same as it was in the 2006 MRC. The expanded requirement for arc-fault protection specified in the 2008 NEC is not enforceable on 1& 2 family dwelling units in the State of Michigan. The requirement for tamper-proof

receptacle outlets will be applicable to 1 & 2 family dwelling units as specified in E4002.14.

Appendix Q, which can be found towards the back of the 2009 MRC, is a cross reference between the 2009 MRC and the 2008 NEC codes. This appendix was updated for 2009 and reflects the corresponding NEC code articles accurately. Changes in the 2009 MRC are indicated by line next to the article that was changed or amended.

A copy of the 2009 MRC can be purchased on site from the Bureau of Construction Codes located at 2501 Woodlake Circle, Okemos, MI 48864 or on the [BCC website](#). If you have questions regarding the 2009 MRC you can contact the Electrical Division at (517) 241-9320.

PLAN REVIEW DIVISION

CHAPTER 17 - STRUCTURAL TESTS AND SPECIAL INSPECTIONS

By **George Herrity, Assistant Chief**
Plan Review Division

Chapter 17 of the 2009 Michigan Building Code is devoted to structural testing and inspections required in the construction of buildings and structures. This chapter is rarely referenced in the code and therefore is often overlooked. Section 1704.1.1 states that the permit applicant is to submit a statement of special inspections and tests prepared by the registered design professional in responsible charge as a condition of the permit issuance in accordance with Section 107. This section discusses construction documents, special inspections and structural reports (referring back to Chapter 17) and other data that are required to be submitted with each application for a permit. Section 110 discusses inspections primarily that are done by the building official, but directs you

to Chapter 17 for special inspections.

Chapter 17 governs the quality, workmanship, and requirements for building materials and the tests and inspections required of these materials. Therefore the reading and understanding of Chapter 17 is important for the design professional, contractor, and the building official. When construction documents are being formulated it is the registered design professional's responsibility to prepare a statement per Section 1705 that outlines inspections by the building official and special inspections and testing per Sections 1704, 1707, and 1708.

Questions on these matters may be directed to the Plan Review Division, (517) 241-9328.

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
Act 54 Registration (517) 241-9317
Electrical Division (517) 241-9320
Elevator Safety Division (517) 241-9337
Mechanical Division (517) 241-9325
Office of Land Survey & Remonumentation (517) 241-6321
(includes State Boundary Commission)
Plan Review Division (517) 241-9328
Plumbing Division (517) 241-9330

Facsimile Numbers:

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

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

PLUMBING DIVISION

PLUMBING LAW OBJECTIVES

By Robert Konyndyk, Chief

Plumbing Division

Recent licensing actions and questions to this office related to licensing responsibilities have prompted this article on several areas of licensing concern.

The Bureau of Construction Codes, along with the State Plumbing Board, has completed several licensing actions following the receipt of complaints, detailed licensing investigations, and formal administrative procedures. A list of these actions is available on the [BCC website](#). The Plumbing Division also resolves many concerns prior to formal complaint action.

The following items with brief summaries provide clarification on major areas of the State Plumbing Act, 2002 PA 733:

Companies and installers from out of state shall have valid Michigan licenses in order to contract and install plumbing within the state of Michigan. We are very fortunate to have adjoining states with licensing programs, but due to the differences in experience level requirements we do not have reciprocity agreements.

Only licensed journey and master plumbers may install plumbing as stated in Section 15. They may be assisted by registered apprentices. Apprentices shall not install plumbing without licensed plumbers on the job site.

Plumbing shall not be installed without a valid permit obtained by a licensed plumbing contractor in accordance with Sections 15 and 41. Plumbing contractors shall employ a full time master plumber or be a master plumber identified in the bureau's licensing program. Other individuals, whether licensed or not, shall not be in the business of plumbing (contracting) with customers. Unlicensed individuals or licensees doing work and seeking a licensed contractor to obtain permits for them is forbidden. The contractor is the entity controlling the financial aspects and business aspects while the master plumber is the expert in the code installation safety requirements.

Local code enforcement agencies must actively check individuals obtaining permits to verify they are either valid homeowners installing their own plumbing or the individual is a licensed plumbing contractor. Periodically we are informed of apprentices and past authorized master plumbers obtaining permits who are not licensed contractors. Therefore, even if individuals have received permits in the past, they should be requested to provide a copy of their current license to assure it is valid.

License and registration renewals take place in the first quarter of the year. It is extremely important for individuals to have their correct address on file in our office as required in Section 31.

Registered apprentices who have been in the trade for more than five years are required to take the journey examination in order to be reregistered as stated in Section 27.

Sections 23 and 25 provide for mandated code update training for licensed journey and master plumbers. We have notified these licensees by mail and they are expected to attend a 2009 Michigan Plumbing Code 5 hour update class. The class shall be completed by August 20, 2011, in order to avoid a hold on their license.

Please review the licensing law available on our web site. Our former laws, Act 222 of 1901 and Act 266 of 1929 along with the 2002 PA 733 are designed to protect the health, safety, and welfare of our citizens. We have every right to be proud of our profession, particularly as we see the industry change with its new products and areas of technical requirements such as backflow protection, medical gas installations, and now residential sprinklers.

Questions on these matters may be directed to the Plumbing Division, (517) 241-9330.

PROVIDING FOR MICHIGAN'S SAFETY
IN THE BUILT ENVIRONMENT

LICENSE EXAMINATION DATES

BCC ONLINE SERVICES

[Manufactured Home Affidavit of Affixture Online Lookup](#)
[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](#)

CIVIL SERVICE WEBSITE

[State Job Postings](#)

Code Works! is a quarterly publication of the Bureau of Construction Codes within the Department of Energy, Labor & Economic Growth.

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Beth Hunter Aben

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Hillary Cushman

Created under the authority of 1972 PA 230.

<u>Examination</u>	<u>Date</u>	<u>Location</u>	<u>Deadline</u>
Boiler Installer and Repairer	Mar 2,3	Okemos	Feb 4
Fire Alarm Spec. Tech./Sign Spec.	Mar 16	Okemos	Feb 15
Electrical-Journeyman	May 12	Lansing	Apr 14
Electrical-Master	May 12	Lansing	Apr 14
Electrical-Contractor	Mar 22 May 17	Lansing Lansing	Feb 22 Apr 19
Elevator Journeyperson	Mar 29 May 24	Okemos Okemos	Mar 8 May 3
Elevator Contractor/Cert. of Comp.	Mar 25	Okemos	Feb 25
Mechanical Contractor	Mar 8 Jun 14	Lansing Lansing	Feb 7 May 16
Plumbing - Contractor	Mar 23	East Lansing	
Plumbing - Master and Journey	Mar 2	East Lansing	

Dates and times are subject to change. Visit the [BCC website](#) for updates.

ATTENTION READERS!

In an attempt to reach more organizations and individuals involved in code inspections, we're asking for your help in getting the word out! If you know of an organization or individual that would benefit from the information posted in BCC's newsletter, please direct them to our website at www.michigan.gov/bcc. Then, click on the "Publications/Bulletins/ Interpretations/Advisories" link for more information on how to subscribe to and receive an electronic notification of when each quarterly newsletter is posted.



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