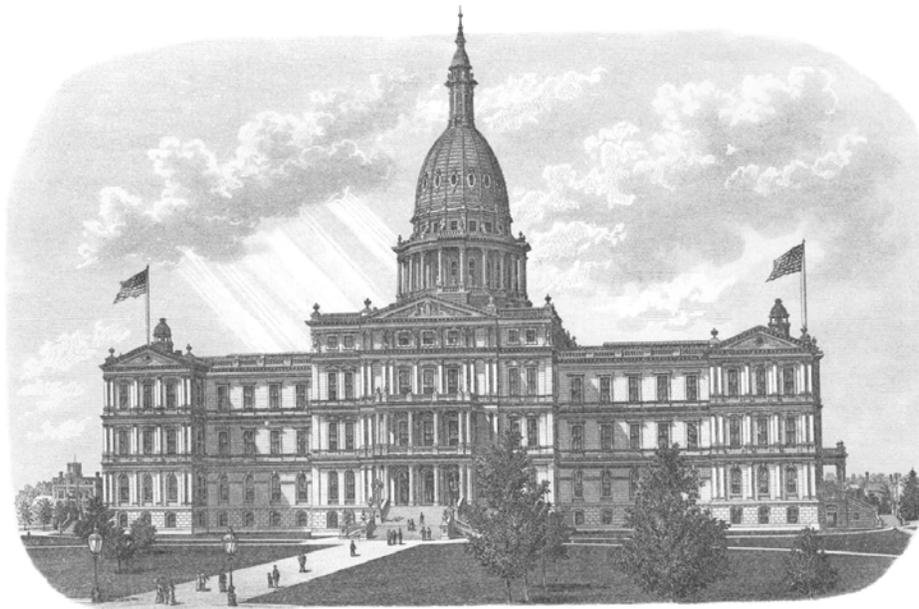


Michigan Register

Issue No. 2– 2016 (Published February 15, 2016)



GRAPHIC IMAGES IN THE MICHIGAN REGISTER

COVER DRAWING

Michigan State Capitol:

This image, with flags flying to indicate that both chambers of the legislature are in session, may have originated as an etching based on a drawing or a photograph. The artist is unknown. The drawing predates the placement of the statue of Austin T. Blair on the capitol grounds in 1898.

(Michigan State Archives)

PAGE GRAPHICS

Capitol Dome:

The architectural rendering of the Michigan State Capitol's dome is the work of Elijah E. Myers, the building's renowned architect. Myers inked the rendering on linen in late 1871 or early 1872. Myers' fine draftsmanship, the hallmark of his work, is clearly evident.

Because of their size, few architectural renderings of the 19th century have survived. Michigan is fortunate that many of Myers' designs for the Capitol were found in the building's attic in the 1950's. As part of the state's 1987 sesquicentennial celebration, they were conserved and deposited in the Michigan State Archives.

(Michigan State Archives)

East Elevation of the Michigan State Capitol:

When Myers' drawings were discovered in the 1950's, this view of the Capitol – the one most familiar to Michigan citizens – was missing. During the building's recent restoration (1989-1992), this drawing was commissioned to recreate the architect's original rendering of the east (front) elevation.

(Michigan Capitol Committee)

Michigan Register

Published pursuant to § 24.208 of
The Michigan Compiled Laws



Issue No. 2— 2016

(This issue, published February 15, 2016, contains
documents filed from January 15, 2016 to February 1, 2016)

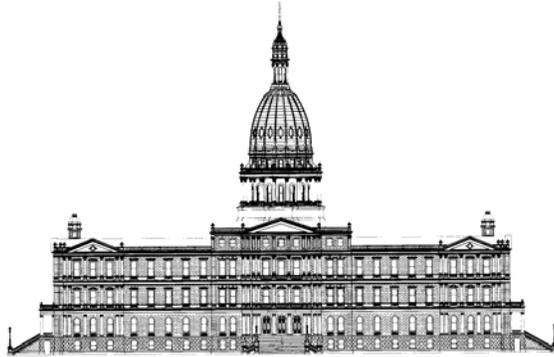
Compiled and Published by the
Office of Regulatory Reinvention

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Mike Zimmer, Director, Licensing and Regulatory Affairs; **Deidre O’Berry**, Administrative Rules Specialist for Operations and Publications.

Rick Snyder, Governor



Brian Calley, Lieutenant Governor

PREFACE

PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The Office of Regulatory Reform publishes the *Michigan Register*.

While several statutory provisions address the publication and contents of the *Michigan Register*, two are of particular importance.

24.208 Michigan register; publication; cumulative index; contents; public subscription; fee; synopsis of proposed rule or guideline; transmitting copies to office of regulatory reform.

Sec. 8.

(1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

- (a) Executive orders and executive reorganization orders.
- (b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.
- (c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.
- (d) Proposed administrative rules.
- (e) Notices of public hearings on proposed administrative rules.
- (f) Administrative rules filed with the secretary of state.
- (g) Emergency rules filed with the secretary of state.
- (h) Notice of proposed and adopted agency guidelines.
- (i) Other official information considered necessary or appropriate by the office of regulatory reform.
- (j) Attorney general opinions.
- (k) All of the items listed in section 7(m) after final approval by the certificate of need commission under section 22215 of the public health code, 1978 PA 368, MCL 333.22215.

(2) The office of regulatory reform shall publish a cumulative index for the Michigan register.

(3) The Michigan register shall be available for public subscription at a fee reasonably calculated to cover publication and distribution costs.

(4) If publication of an agency's proposed rule or guideline or an item described in subsection (1)(k) would be unreasonably expensive or lengthy, the office of regulatory reform may publish a brief synopsis of the proposed rule or guideline or item described in subsection (1)(k), including information on how to obtain a complete copy of the proposed rule or guideline or item described in subsection (1)(k) from the agency at no cost.

(5) An agency shall electronically transmit a copy of the proposed rules and notice of public hearing to the office of regulatory reform for publication in the Michigan register.

4.1203 Michigan register fund; creation; administration; expenditures; disposition of money received from sale of Michigan register and amounts paid by state agencies; use of fund; price of Michigan register; availability of text on internet; copyright or other proprietary interest; fee prohibited; definition.

Sec. 203.

- (1) The Michigan register fund is created in the state treasury and shall be administered by the office of regulatory reform. The fund shall be expended only as provided in this section.
- (2) The money received from the sale of the Michigan register, along with those amounts paid by state agencies pursuant to section 57 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.257, shall be deposited with the state treasurer and credited to the Michigan register fund.
- (3) The Michigan register fund shall be used to pay the costs of preparing, printing, and distributing the Michigan register.
- (4) The department of management and budget shall sell copies of the Michigan register at a price determined by the office of regulatory reform not to exceed the cost of preparation, printing, and distribution.
- (5) Notwithstanding section 204, beginning January 1, 2001, the office of regulatory reform shall make the text of the Michigan register available to the public on the internet.
- (6) The information described in subsection (5) that is maintained by the office of regulatory reform shall be made available in the shortest feasible time after the information is available. The information described in subsection (5) that is not maintained by the office of regulatory reform shall be made available in the shortest feasible time after it is made available to the office of regulatory reform.
- (7) Subsection (5) does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under subsection (5).
- (8) The office of regulatory reform shall not charge a fee for providing the Michigan register on the internet as provided in subsection (5).
- (9) As used in this section, "Michigan register" means that term as defined in section 5 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.205.

CITATION TO THE MICHIGAN REGISTER

The *Michigan Register* is cited by year and issue number. For example, 2001 MR 1 refers to the year of issue (2001) and the issue number (1).

CLOSING DATES AND PUBLICATION SCHEDULE

The deadlines for submitting documents to the Office of Regulatory Reinvention for publication in the *Michigan Register* are the first and fifteenth days of each calendar month, unless the submission day falls on a Saturday, Sunday, or legal holiday, in which event the deadline is extended to include the next day which is not a Saturday, Sunday, or legal holiday. Documents filed or received after 5:00 p.m. on the closing date of a filing period will appear in the succeeding issue of the *Michigan Register*.

The Office of Regulatory Reinvention is not responsible for the editing and proofreading of documents submitted for publication.

Documents submitted for publication should be delivered or mailed in an electronic format to the following address: MICHIGAN REGISTER, Office of Regulatory Reinvention, Ottawa Building – Second Floor, 611 W. Ottawa Street, Lansing, MI 48909.

RELATIONSHIP TO THE MICHIGAN ADMINISTRATIVE CODE

The *Michigan Administrative Code* (1979 edition), which contains all permanent administrative rules in effect as of December 1979, was, during the period 1980-83, updated each calendar quarter with the publication of a paperback supplement. An annual supplement contained those permanent rules, which had appeared in the 4 quarterly supplements covering that year.

Quarterly supplements to the Code were discontinued in January 1984, and replaced by the monthly publication of permanent rules and emergency rules in the *Michigan Register*. Annual supplements have included the full text of those permanent rules that appear in the twelve monthly issues of the *Register* during a given calendar year. Emergency rules published in an issue of the *Register* are noted in the annual supplement to the Code.

SUBSCRIPTIONS AND DISTRIBUTION

The *Michigan Register*, a publication of the State of Michigan, is available for public subscription at a cost of \$400.00 per year. Submit subscription requests to: Office of Regulatory Reinvention, Ottawa Building – Second Floor, 611 W. Ottawa Street, Lansing, MI 48909. Checks Payable: State of Michigan. Any questions should be directed to the Office of Regulatory Reinvention (517) 335-8658.

INTERNET ACCESS

The *Michigan Register* can be viewed free of charge on the Internet web site of the Office of Regulatory Reinvention: www.michigan.gov/orr.

Issue 2000-3 and all subsequent editions of the *Michigan Register* can be viewed on the Office of Regulatory Reinvention Internet web site. The electronic version of the *Register* can be navigated using the blue highlighted links found in the Contents section. Clicking on a highlighted title will take the reader to related text, clicking on a highlighted header above the text will return the reader to the Contents section.

Mike Zimmer, Director
Licensing and Regulatory Affairs

2016 PUBLICATION SCHEDULE

Issue No.	Closing Date for Filing or Submission Of Documents (5 p.m.)	Publication Date
1	January 15, 2016	February 1, 2016
2	February 1, 2016	February 15, 2016
3	February 15, 2016	March 1, 2016
4	March 1, 2016	March 15, 2016
5	March 15, 2016	April 1, 2016
6	April 1, 2016	April 15, 2016
7	April 15, 2016	May 1, 2016
8	May 1, 2016	May 15, 2016
9	May 15, 2016	June 1, 2016
10	June 1, 2016	June 15, 2016
11	June 15, 2016	July 1, 2016
12	July 1, 2016	July 15, 2016
13	July 15, 2016	August 1, 2016
14	August 1, 2016	August 15, 2016
15	August 15, 2016	September 1, 2016
16	September 1, 2016	September 15, 2016
17	September 15, 2016	October 1, 2016
18	October 1, 2016	October 15, 2016
19	October 15, 2016	November 1, 2016
20	November 1, 2016	November 15, 2016
21	November 15, 2016	December 1, 2016
22	December 1, 2016	December 15, 2016
23	December 15, 2016	January 1, 2017
24	January 1, 2017	January 15, 2017

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**ADMINISTRATIVE RULES
FILED WITH THE SECRETARY OF STATE**

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reinvention shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

** * **

(f) Administrative rules filed with the secretary of state.”

ADMINISTRATIVE RULES

DEPARTMENT OF HEALTH AND HUMAN SERVICES

BUREAU OF DISEASE CONTROL, PREVENTION AND EPIDEMIOLOGY

TRANSPORTATION AND DISPOSITION OF DEAD BODIES

Filed with the Secretary of State on January 28, 2016

These rules become effective 7 days after filing with the Secretary of State.

(By authority conferred on the department of health and human services by section 2226 of 1978 PA 368, MCL 333.2226, section 2233 of 1978 PA 368, MCL 333.2233; by section 2678 of 1978 PA 368, MCL 333.2678; and by Executive Reorganization Orders No. 2015-1 and No. 2015-4.)

R 325.1, R 325.2, R 325.3, and R 325.4 are added to the Michigan Administrative Code as follows:

R 325.1 Preparation and transportation of bodies dead from certain causes; permission for public funeral.

Rule 1. (1) The bodies of those who have died of diphtheria, meningococcal infections, plague, poliomyelitis, scarlet fever, or smallpox shall not be transported or accepted for transportation unless they have been prepared for shipment by being thoroughly embalmed and disinfected by arterial and cavity injection with an accepted embalming fluid. This preparation must be effected by an embalmer licensed with the state of Michigan.

(2) When bodies are transported under this rule, notice must be sent by the shipping embalmer to the health officer of the jurisdiction where the body is to be received, advising the date and time of arrival.

(3) Public funerals may be conducted, provided that prior permission is obtained from the local health officer. When permission is granted, persons in isolated areas may be released for the purpose of accompanying the body to a funeral home, church, or cemetery, provided that they do all of the following:

(a) Use a separate car or means of conveyance.

(b) Remain in a separate room or separate from the public and avoid proximity to others in attendance.

(c) Return to the area or isolation and remain there until premises are released from isolation and quarantine.

R 325.2 Transportation of certain bodies in sound shipping cases; preparation for shipment; burial-transit or disinterment permit.

Rule 2. Bodies dead from a cause not named in R 325.1 that will reach their destination within 48 hours from the time of death, or are addressed to the demonstrator of anatomy of a medical college or for other demonstration purposes, may be received for transportation when encased in a sound shipping case. If the body is not so addressed or cannot reach its destination within 48 hours it must be prepared for shipment as described in R 325.1. When dead bodies are shipped

by common carrier, a burial-transit or disinterment permit shall be securely fastened upon the outside box, and a duplicate of the permit shall be supplied by the funeral director to the person escorting the body, or, if there is no escort, a duplicate of the permit shall be mailed to the receiving funeral director.

R 325.3 Burial-transit permit.

Rule 3. The Michigan department of health and human services may authorize a registrars, mortuary science, and funeral director licensees to have full authority to make out and sign a new burial-transit permit where a dead human body is transferred beyond the destination point as given on the burial-transit permit which accompanies the body. The same applies to cases where bodies are placed in a cemetery vault and transferred at some later date. The original burial-transit permit which accompanies the body must be given to the registrar, mortuary science, or funeral director licensee before a new burial-transit permit is made by the person authorizing the transfer. The person issuing the new permit must indicate the point of destination on the original burial-transit permit. When a mortuary science or funeral director licensee issues a new burial-transit permit, the original burial-transit permit must be filed within 72 hours with the registrar in whose jurisdiction the transfer was made.

R 325.4 Removal of body from incorporated or unincorporated area; death or stillbirth certificate; burial-transit permit; duty of county clerk.

Rule 4. (1) When a mortuary science or funeral director licensee is called upon to remove a body from an incorporated or unincorporated area, the mortuary science or funeral director licensee may remove the body for the purpose of caring for it but must file a completed death or stillbirth certificate and secure a burial-transit permit within 72 hours from the local registrar of the incorporated or unincorporated area in which the death occurred.

(2) If a death occurs in an unincorporated area, when a Sunday or a holiday or both, or when an immediate internment, cremation, or shipment makes it impossible to obtain a burial-transit permit by mail, a mortuary science or funeral director licensee may issue a burial-transit permit to him or herself, provided that the envelope in which the completed death or stillbirth certificate is mailed to the county clerk in whose jurisdiction the death occurred is postmarked within the 72 hours after the death occurred.

(3) If for any other reason a burial-transit permit has not been received by mail in time for the interment, cremation, or shipment, the mortuary science or funeral director licensee may issue a burial-transit permit to him or herself, provided that the envelope in which the completed death or stillbirth certificate was mailed to the county clerk in whose jurisdiction the death occurred is postmarked within the 72 hours after the death occurred.

(4) When a county clerk receives a death or stillbirth certificate from his or her primary registration district by mail, he or she shall enter on the certificate, as the date of filing, the date on which the certificate or certificates were received and shall also enter beneath the date of filing the postdate appearing on the envelope in which the certificate or certificates arrived.

**PROPOSED ADMINISTRATIVE RULES,
NOTICES OF PUBLIC HEARINGS**

MCL 24.242(3) states in part:

“... the agency shall submit a copy of the notice of public hearing to the Office of Regulatory Reform for publication in the Michigan register. An agency's notice shall be published in the Michigan register before the public hearing and the agency shall file a copy of the notice of public hearing with the Office of Regulatory Reform.”

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(d) Proposed administrative rules.

(e) Notices of public hearings on proposed administrative rules.”

PROPOSED ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CONSTRUCTION CODE

Draft November 11, 2015

Filed with the Secretary of State on

These rules take effect 120 days after filing with Secretary of State

(By authority conferred on the director of the department of licensing and regulatory affairs by section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4 and 2011-4, MCL 445.2011, 445.2025 and 445.2030)

R 408.30901a, R 408.30912a, R 408.30923a, R 408.30928a, R 408.30935a, R 408.30936a, R 408.30945a, R 408.30946, and R 408.30948, of the Michigan Administrative Code are amended and R 408.30915a, R 408.30916, R 408.30018a, R 408.30947, and R 408.30948a are rescinded as follows:

PART 9A. MECHANICAL CODE

AMENDMENTS AND ADDITIONS TO BASIC MECHANICAL CODE

R 408.30901a International mechanical code; adoption by reference.

Rule 901a. The provisions of the international mechanical code, ~~2012~~**2015** edition, except for sections 102.10, 102.11, 103.2, 103.4, **106.1.1, 106.1.2**, 106.5.1 to 106.5.3, 107.2.5 to 107.2.5.3, 109.2 to 109.7, ~~1011 to 1011.2~~, 1101.10, and appendix B govern the construction, alteration, relocation, demolition, use, and occupancy of buildings and structures. With the exceptions noted, the code is adopted in these rules by reference. All references to the International Building Code, International Residential Code, International Energy Conservation Code, National Electrical Code, International Mechanical Code, and International Plumbing Code mean the Michigan Building Code, Michigan Residential Code, Michigan ~~Uniform~~ Energy Code, Michigan Electrical Code, Michigan Mechanical Code, and Michigan Plumbing Code respectively. The code is available for inspection at the ~~Okemos office of the Michigan department of licensing and regulatory affairs, bureau of construction codes~~ **Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, 611 W. Ottawa St., 1st Floor Ottawa Building, Lansing, MI 48933**. The code may be purchased from the International Code Council, ~~through our the bureau's website at~~ **www.michigan.gov/bcc**, 500 New Jersey Avenue, N.W. 6th Floor, Washington, D.C. 20001, or from the Michigan ~~Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, 2501 Woodlake Circle, Okemos, Michigan~~ at a cost as of the time of adoption of these rules of ~~\$71.00~~ **\$76.00** each.

R 408.30912a Enclosed parking garages.

Rule 912a. Section 404.1 of the code is amended to read as follows:

404.1. Enclosed parking garages. Mechanical ventilation systems for enclosed parking garages are not required to operate continuously where the system is arranged to operate automatically upon detection of carbon monoxide (CO) not to exceed 25 parts per million (ppm) and nitrogen dioxide (NO₂) not to exceed 3 ppm by approved automatic detection devices. ~~Upon activation such systems shall operate for 30 minutes.~~

404.1.1 Testing. Testing of detection devices shall be per manufacturer’s installation instructions. All detectors shall be calibrated per the manufacturer’s instructions at an interval not to exceed 1 year.

R 408.30915a ~~Scope of article; adoption by reference~~ **Rescinded.**

~~Rule 915a. Section 601.1 of the code is amended to read as follows:~~

~~601.1. The provisions of this article govern the construction, installation, alteration, maintenance, and repair of duct systems. Duct systems shall be in compliance with the provisions of the code, the provisions of NFPA 90A-2012 and NFPA 90B-2012, the standards of the national fire protection association, and the provisions of air conditioning contractors of America (ACCA) manual D-2009, manual J-2006, manual N-2009, and manual Q-1990, as listed in chapter 15.~~

R 408.30916 ~~Duct construction~~ **Rescinded.**

~~Rule 916. Table 603.4 of the code is amended to read as follows:~~

~~TABLE 603.4
DUCT CONSTRUCTION MINIMUM SHEET METAL
THICKNESSES FOR SINGLE DWELLING UNITS~~

DUCT SIZE	GALVANIZED		Approximate Aluminum B&S Gauge
	Minimum thickness (inches)	Equivalent galvanized gauge no	
Round ducts and enclosed rectangular ducts 14" or less Over 14"	0.013	30	26
	0.016	28	24
Exposed rectangular ducts 14" or less Over 14"	0.016	28	24
	0.019	26	22

R 408.30918a ~~Registers, grilles, and diffusers~~ **Rescinded.**

~~Rule 918a. Section 603.18.2 of the code is amended to read as follows:~~

~~603.18.2. Prohibited locations. Diffusers, registers, and grilles shall be prohibited in the floor or its upward extension within toilet and bathing rooms required by the Michigan building code to have smooth, hard, nonabsorbent surfaces.~~

~~Exception: Dwelling units. Within dwelling units, floor registers may be located in a room or space containing water closets, but shall be located a minimum of 3 feet from the water closet.~~

R 408.30923a Equipment installation.

Rule 923a. Sections 301.10.1 is added to the code and section 309.1 of the code is amended to read as follows:

301.10.1. Electrical disconnect. The mechanical contractor shall ensure that all equipment have an electrical disconnect switch on, or immediately adjacent to, the equipment.

309.1. Occupiable space heating system. Interior spaces intended for human occupancy shall be provided with heating facilities capable of maintaining a minimum room temperature of 68 degrees Fahrenheit at a point 3 feet above the floor and 2 feet from exterior walls at the design temperature. The installation of portable space heaters shall not be used to achieve compliance with this section.

Exception:

1. Interior spaces where the primary purpose is not associated with human comfort.
2. **Group F, H, S, and U occupancies.**

R 408.30928a Solid fuel burning equipment.

Rule 928a. Sections 901.5, 929.0, and 929.1 are added to the code to read as follows:

901.5 Solid fuel burning equipment. Solid fuel burning equipment shall be listed and labeled in accordance with section 301.4, **of the code and** installed in accordance with the manufacturer's ~~installation~~ instructions, and NFPA 211-~~2011~~**2013** requirements.

929.0 Solid fuel hydronic heaters.

929.1 Solid fuel hydronic heaters ~~must~~ **shall** be listed and labeled, or approved by the code official in accordance with the Michigan mechanical code section 105, or have certificate of acceptability issued by the Michigan construction code commission.

R 408.30935a Commercial kitchens; ventilation.

Rule 935a Sections 506.1, 506.3.6, 507.1, and ~~507.9~~**507.2.6**, of the code are amended and sections 507.16.1.1 is added to the code to read as follows:

506.1. Ventilation requirements for commercial kitchens. Commercial kitchen hood ventilation ducts and exhaust equipment shall be in compliance with NFPA-96-~~2011~~**2014**, **which is** the standard of the national fire protection association listed in chapter 15 **of the code**.

506.3.6 Grease duct clearances. Grease duct systems and exhaust equipment serving a type I hood shall have clearances to combustibles as required by NFPA-96-~~2011~~**2014**, as listed in chapter 15 **of the code**.

Exception: Listed and labeled factory-built commercial kitchen grease ducts and exhaust equipment installed in accordance with section 304.1 of the code.

507.1 General. ~~Commercial kitchen exhaust hoods shall comply with the requirements of this section and NFPA 96-2011, as listed in chapter 15. Hoods shall be type I or type II and shall be designed to capture and confine cooking vapors and residues.~~

~~Exceptions:~~

~~1. Factory built commercial exhaust hoods which are tested in accordance with UL 710-2007, as listed in chapter 15, listed, labeled, and installed in accordance with section 304.1 shall not be required to comply with sections 507.4, 507.7, 507.11, 507.12, 507.13, 507.14, and 507.15 of the code.~~

~~2. Factory built commercial cooking recirculating systems which are tested in accordance with UL 710B-2011, as listed in chapter 15, listed, labeled, and installed in accordance with section 304.1 of the code shall not be required to comply with sections 507.4, 507.5, 507.7, 507.12, 507.13, 507.14, and 507.15 of the code. Spaces in which these systems are located shall be considered to be kitchens and shall be ventilated in accordance with table 403.3. For the purpose of determining the floor area required to be ventilated, each individual appliance shall be considered as occupying not less than 100 square feet.~~

~~3. Net exhaust volumes for hoods may be reduced during no-load cooking conditions, where engineered or listed multi-speed or variable-speed controls automatically operate the exhaust system to maintain capture and removal of cooking effluents as required. Reduced volumes shall not be below that required to maintain, capture, and remove effluents from the idle cooking appliances that are operating in a standby mode.~~ **Commercial kitchen exhaust hoods shall comply with the requirements of this subrule and NFPA 96-2014. Hoods shall be type I or type II and shall be designed to capture and confine cooking vapors and residues. A type I or type II hood shall be installed at or above all commercial cooking appliances in accordance with sections 507.2 and 507.3 of the code. When a cooking appliance under a single hood requires a type I hood, a type I hood shall be installed. When a type II hood is required, a type I or type II hood shall be installed. When a type I hood is installed, the installation of the entire system, including the hood, ducts, exhaust equipment, and makeup air system, shall comply with the requirements of sections 506, 507, 508, and 509 of the code.**

Exceptions:

1. Factory-built commercial exhaust hoods that are listed and labeled in accordance with UL 710, and installed in accordance with section 304.1 of the code, shall not be required to comply with sections 507.1.5, 507.2.3, 507.2.5, 507.2.8, 507.3.1, 507.3.3, 507.4, and 507.5 of the code.

2. Factory-built commercial cooking recirculating systems that are listed and labeled in accordance with UL 710B and installed in accordance with section 304.1 of the code, shall not be required to comply with sections 507.1.5, 507.2.3, 507.2.5, 507.2.8, 507.3.1, 507.3.3, 507.4, and 507.5 of the code. Spaces in which these systems are located shall be considered kitchens and shall be ventilated in accordance with table 403.3.1.1. For the purpose of determining the floor area required to be ventilated, each appliance shall be considered as occupying not less than 100 square feet (9.3 m²).

3. When cooking appliances are equipped with integral down-draft exhaust systems and ~~such~~ these appliances and exhaust systems are listed and labeled for the application in accordance with NFPA 96-2014, a hood shall not be required at or above these appliances.

~~507.9507.2.6. Clearances for type I hood. A type I hood shall be installed with clearances from combustibles as required by NFPA-96-20112014 as listed in chapter 15 of the code.~~

507.16.1.1 Smoke test. The field test identified in section 507.16.1 of the code shall be conducted in accordance with the smoke testing procedures established by the bureau of construction codes, which are available at no cost from the bureau's ~~web site~~ **website at www.michigan.gov/bcc, or, from the Michigan Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, ~~2501 Woodlake Circle, Okemos, Michigan, 48864~~ **611 W. Ottawa St., 1st Floor Ottawa Building, Lansing, MI 48933.****

R 408.30936a Scope of article.

Rule 936a. Sections 1001.2 is added to the code and section 1004.3 of the code is amended to read as follows:

1001.2. Boilers. In addition to the other provisions of the code, this article governs the installation, alteration, and repair of water heaters and boilers. The installation of boilers shall be in compliance with the provisions of this code and the Michigan boiler code.

~~1004.3. Working clearance. Clearance shall be maintained around boilers, generators, heaters, tanks, and related equipment and appliances so as to permit inspection, servicing, repair, replacement, and visibility of all gauges. When boilers are installed or replaced, clearances shall~~

~~be provided to allow access for inspection, maintenance, and repair. Passageways around all sides of the boiler shall have an unobstructed width of not less than 24 inches (610 mm), unless otherwise approved.~~

R 408.30945a Ventilation; exhaust.

Rule 945a. Sections 501.3, 504.4, ~~and 504.8~~ **504.8.2, 504.10, and 505.3** of the code are amended to read as follows:

~~501.2.1.1~~**501.3** Exhaust discharge. ~~Exhaust air shall not be directed onto walkways. Exhaust openings shall not terminate within 3 feet of a ventilated section in a soffit. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a public nuisance and not less than the distances specified in section 501.3.1 of the code. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic or a crawl space, be directed onto walkways, or terminate within 3 feet of a ventilated section in a soffit.~~

Exceptions:

- 1. Whole-house ventilation-type attic fans shall be permitted to discharge into the attic space of dwelling units that have private attics.**
- 2. Commercial cooking recirculating systems.**
- 3. When installed in accordance with the manufacturer's instructions and when mechanical or natural ventilation is otherwise provided in accordance with chapter 4 of the code, listed and labeled domestic ductless range hoods shall not be required to discharge to the outdoors.**

504.4 Exhaust installation. Dryer exhaust ducts for clothes dryers shall terminate on the outside of the building, shall not terminate within 3 feet of a ventilated section in a soffit, and shall be equipped with a back draft damper. Screens shall not be installed at the duct termination. Ducts shall not be connected or installed with sheet metal screws or other fasteners that will obstruct the exhaust flow. Clothes dryer exhaust ducts shall not be connected to a vent connector, vent, or chimney. Clothes dryer exhaust ducts shall not extend into or pass through ducts or plenums.

504.8.2 Duct installation. Dryer exhaust ducts shall be supported at 4 foot (1,219 mm) intervals and secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Ducts shall not be joined with screws or similar fasteners that protrude into the inside of the duct.

~~504.8~~ **504.10** Common exhaust systems for clothes dryers located in multistory structures. **When** a common multistory duct system is designed and installed to convey exhaust from multiple clothes dryers, the system shall be engineered by a registered design professional and installed in accordance with the Michigan building **construction** codes.

505.3 Common exhaust systems for domestic kitchens located in multistory structures. When a common multistory duct system is designed and installed to convey exhaust from multiple domestic kitchens, the system shall be engineered by a registered design professional and installed in accordance with the Michigan building construction codes.

R 408.30946 Alterations and repairs.

Rule 946. Section 1001.3 is added to the code to read as follows:

1001.3. **Alterations and repairs.** Alterations and repairs to boilers shall be in accordance with the Michigan boiler act, 1965 PA 290, MCL 408.751 to ~~MCL~~408.776.

R 408.30947 ~~Standards.~~ **Rescinded.**

~~Rule 947. Section 1004.1 of the code is amended to read as follows:~~

~~1004.1. (1) Oil fired boilers and their control systems shall be listed and labeled in accordance with UL726-1995 (R2011).~~

~~(2) Gas fired boilers and their control systems shall be listed and labeled in accordance with ANSI Z21.13-2010 or UL795-2006.~~

~~(3) Electric boilers and their control systems shall be listed and labeled in accordance with UL834.~~

~~(4) Boilers shall be installed in accordance with the requirements of ASME CSD-1-2009 and as applicable constructed to ASME boiler and pressure vessel code, sections I or IV; as referenced in chapter 15.~~

~~(5) Boiler controls and safety devices shall be assembled, installed, maintained, and operated in accordance with ASME CSD-1.~~

~~(6) Solid fuel fired boilers shall be listed and labeled in accordance with UL 2523-2009.~~

R 408.30948 Boiler safety devices.

Rule 948. Section ~~1006.6.1~~ **1006.1.1** is added **to the code** and 1006.7 of the code is amended to read as follows:

~~1006.6.1~~**1006.1.1** Safety and safety relief inlets. The opening or connection between the boiler and any safety or safety relief valve shall have at least the area of the valve inlet.

1006.7. **Boiler safety devices.** Boilers shall be equipped with controls and limit devices as required by ASME, CSD-1-~~2009~~**2012**, and the manufacturer's installation instructions, and the conditions of the listing. All controls and safety devices shall be tested and maintained in accordance with ASME code CSD-1-~~2009~~**2012**.

R 408.30948a ~~Gauges~~ **Rescinded.**

~~Rule 948a. Sections 1010.1 and 1010.2 are of the code is amended to read as follows:~~

~~1010.1 Hot water boiler gauges. Every hot water boiler shall have a pressure gauge and a temperature gauge, or a combination pressure and temperature gauge. The scale on the dial of the pressure or altitude gage shall be not less than approximately 1-1/2 nor more than approximately 3-1/2 the pressure at which the safety relief valve is set.~~

~~1010.1.2 . Pressure and temperature gauge. A thermometer shall be installed and may be in combination with the pressure gauge. The thermometer shall at all times indicate the temperature of the water in the boiler or near the outlet.~~

~~1010.2 Steam boiler gauges. Every steam boiler shall have a water-gauge glass and a pressure gauge. The scale on the dial of the gauge shall be graduated to not less than 30 psi and not more than 60 psi.~~

NOTICE OF PUBLIC HEARING

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
NOTICE OF PUBLIC HEARING

Construction Code – Part 9A – Mechanical Code (ORR# 2015-025 LR)
Construction Code – Part 7 – Plumbing Code (ORR# 2015-026 LR)
Construction Code – Part 4 – Building Code (ORR# 2015-032 LR)
Michigan Rehabilitation Code for Existing Buildings (ORR# 2015-036 LR)

The Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, will hold a public hearing on Tuesday, March 15, 2016, at 9:00 a.m. in Ottawa Building, Upper Level, Conference Room 3, 611 W. Ottawa Street, Lansing, MI 48933. Please come early and bring your driver's license, as you will need to check in with the security desk and be escorted to the conference room. The Part 9A Mechanical, Part 7 Plumbing, Part 4 Building and Michigan Rehabilitation Code for Existing Building Rules are proposed to be effective 120 days after filing with the Secretary of State.

The public hearing is being held to receive public comments on the proposed amendments to the administrative rules noted above. Testimony will be taken for each rule set in the order the rules are listed above. Individuals who are not present during testimony for a particular rule set will be provided an opportunity to testify after final testimony on the Michigan Rehabilitation Code for Existing Building Rules.

The proposed revisions to Part 9A Mechanical Code rules will adopt the 2015 edition of the International Mechanical Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the Department under the authority of Section 4 of 1972 PA 230, MCL 125.1504 and Executive Reorganization order Nos. 2003-1, 2008-20 and 2011-4, MCL 445.2011, 445.2025 and 445.2030.

The proposed revisions to Part 7 Plumbing Code rules will adopt the 2015 edition of the International Plumbing Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the Department under Section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4 and 2011-4, MCL 445.2011, 445.2025 and 445.2030.

The proposed revisions to Part 4 Building Code rules adopt the 2015 edition of the International Building Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the Department under Section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4 and 2011-4, MCL 445.2011, 445.2025 and 445.2030.

The proposed revisions to the Michigan Rehabilitation Code for Existing Building rules adopt the 2015 edition of the International Existing Building Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the

Department under Section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4, and 2011-4, MCL 445.2011, 445.2025 and 445.2030. The proposed rules will be published in the February 15, 2016, Michigan Register. Copies of the proposed amendments to the Michigan Part 9A Mechanical, Michigan Part 7 Plumbing, Michigan Part 4, and the Michigan Rehabilitation Code for Existing Building Rules may be obtained for a fee of \$3.00 each by submitting a check or money order made payable to the State of Michigan, to the Bureau at the address below. You may download a free copy of the proposed amendments by visiting the Bureau's website at www.michigan.gov/bcc. The amendments are located under "What's New" on the front page of the website.

Oral or written comments may be presented in person at the hearing on March 15, 2016, or submitted in writing by mail, email, or facsimile no later than 5:00 p.m., March 15, 2016, to the address stated below. If your presentation at the public hearing is in written form, please provide a copy to the Rules Specialist, at the conclusion of your testimony at the hearing.

Department of Licensing and Regulatory Affairs
Bureau of Construction Codes
Office of Management & Administrative Services
P.O. Box 30254
Lansing, MI 48909
Telephone (517) 241-6312
Facsimile (517) 241-9570
matsumotos@michigan.gov

The meeting site and parking are accessible. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional services (such as materials in alternative format) in order to participate in the meeting should call Hillary Cushman at (517) 335-2972 (voice) at least 14 days prior to the hearing. LARA is an equal opportunity employer/program.

PROPOSED ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CONSTRUCTION CODE

Draft December 21, 2015

Filed with the Secretary of State on

These rules take effect 120 after filed with the Secretary of State

(By authority conferred on the director of the department of licensing and regulatory affairs by section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4 and 2011-4 MCL 445.2011, 445.2025, and 445.2030)

R 408.30701, R 408.30715, R 408.30721, R 408.30730, R 408.30731, R 408.30735, R 408.30758, R 408.30791, and R 408.30792 of the Michigan Administrative Code are amended, R 408.30713, R 408.30724, R 408.30763a, and R 408.30786 are rescinded to the Code as follows:

PART 7. PLUMBING CODE

AMENDMENTS AND ADDITIONS TO BASIC PLUMBING CODE

R 408.30701 Applicable code.

Rule 701. Rules governing the installation, replacement, alteration, relocation, and use of plumbing systems or plumbing materials shall be those contained in the international plumbing code, ~~2012~~**2015** edition, including appendices **A, B, C, D, E, F, G,** and ~~HF~~, except for sections 102.10, 102.11, 103.4, **103.4.1, 106.1.1, 106.1.2**, 106.6.1, 106.6.2, 106.6.3, 107.2.5, 107.2.5.1, 107.2.5.2, 107.2.5.3, 109.2 to 109.7, 312.1.1, **404.2, 404.3**, 602.3 to 602.3.5.1, 608.17 to 608.17.8, ~~708.3.2, 708.3.6~~, 712.3.3.1, 712.3.3.2, 716.1 to 716.4, 717.1 to 717.8, 1106.3, 1106.6, 1301 to 1304.4.2, 1401 to 1403.2.1 and tables ~~406.2(2)~~, 1106.3, and 1106.6. With the exceptions noted, the code is adopted in these rules by reference. All references to the International Building Code, International Residential Code, International Energy Conservation Code, International Electrical Code, International Mechanical Code, and International Plumbing Code mean the Michigan Building Code, Michigan Residential Code, Michigan ~~Uniform~~-Energy Code, Michigan Electrical Code, Michigan Mechanical Code, and Michigan Plumbing Code respectively. The code is available for inspection at the ~~Okemos~~**Lansing** office of the Michigan department of licensing and regulatory affairs, bureau of construction codes. The code may be purchased from the International Code Council, **through the bureau's website at www.michigan.gov/bcc** ~~500 New Jersey Avenue, N.W., 6th Floor, Washington, D.C. 20001, or from the Michigan Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, 2501 Woodlake Circle, Okemos, Michigan,~~ at a cost as of the time of adoption of these rules of ~~\$71.00~~ **\$76.00** each.

R 408.30715 Permits.

Rule 715. Sections 106.4, 106.5.3, and 106.5.4 of the code are amended to read as follows:

106.4. By whom application is made.

(1) Application for a permit shall be made by a plumbing contractor licensed in accordance with ~~pursuant to~~ 2002 PA 733, MCL 338.3511 to 338.3569.

Exceptions:

1. Water service permits.
2. Building sewer and private sewer permits.
3. Minor repair.

(2) A plumbing contractor shall do both of the following:

(a) Be active in the business of serving the public as a plumbing contractor in a county, city, village, or township in this state.

(b) Operate 1 or more branches in this state bearing the same firm name, where a licensed master plumber is in charge and has the responsibility of supervision at each branch. The names of the authorized master plumbers representing a firm shall be on record with the state plumbing board.

(3) To become a plumbing contractor, an applicant shall file an application on a form furnished by the state plumbing board and file with the board at ~~Okemos~~**Lansing**, Michigan. An incomplete application will be returned to the applicant.

106.5.3. Expiration. Each permit issued by the code official under the provisions of the code shall expire by limitation and become null and void if the work authorized by ~~such~~**this** permit is not commenced within 180 days from the date of such permit, or if the work authorized by ~~such~~**this** permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before ~~such~~**this** work may be recommenced, the permit shall be reinstated if the code has not changed. If the code has changed and the work was not started, a new permit shall be first obtained for such work, provided no changes have been made or will be made in the original construction document for ~~such~~**this** work and provided further that ~~such~~**the** suspension or abandonment has not exceeded 1 year.

106.5.4. Extensions. Any permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. No permit shall be extended more than once.

R 408.30713 ~~Vertical conductors and leaders~~**Rescinded**.

~~Rule 713. Section 1106.2 and table 1106.2(1) of the code is amended to read as follows:~~

~~1106.2 Vertical conductors and leaders shall be sized for the maximum projected roof area, in accordance with Table 1106.2.~~

TABLE 1106.2
SIZE OF VERTICAL CONDUCTORS AND LEADERS

DIAMETER OF LEADER (inches) ^a	HORIZONTALLY PROJECTED ROOF AREA (square-feet)											
	Rainfall rate (inches per hour)											
	1	2	3	4	5	6	7	8	9	10	11	12
2	2,880	1,440	960	720	575	480	410	360	320	290	260	240
3	8,800	4,400	2,930	2,200	1,760	1,470	1,260	1,100	980	880	800	730
4	18,400	9,200	6,130	4,600	3,680	3,070	2,630	2,300	2,045	1,840	1,675	1,530

5	34,600	17,300	11,530	8,650	6,920	5,765	4,945	4,325	3,845	3,460	3,145	2,880
6	54,000	27,000	17,995	13,500	10,800	9,000	7,715	6,750	6,000	5,400	4,910	4,500
8	116,000	58,000	38,660	29,000	23,200	19,315	16,570	14,500	12,890	11,600	10,545	9,600

For SI: 1 inch = 25.4 mm, 1 square foot = 0.0929 m².

a. Sizes indicated are the diameter of circular piping. This table is applicable to piping of other shapes provided the cross-sectional shape fully encloses a circle of the diameter indicated in this table.

R 408.30721 Required tests.

Rule 721. Section 309.3 and 312.1 of the code is amended and section 312.3 is added to read as follows:

309.3. Flood hazard areas subject to high-velocity wave action. Structures located in flood hazard areas subject to high-velocity wave action shall meet the requirements of section 309.2. The plumbing systems, pipes, and fixtures shall not be mounted on or penetrate through walls intended to break away under flood loads.

312.1. Required tests. The permit holder shall make the applicable tests prescribed in sections 312.2 to 312.10.2 to determine compliance with the code. The permit holder shall give reasonable advance notice to the code official when the plumbing work is ready for testing. The equipment, material, power, and labor necessary for the inspection and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in this rule. All plumbing system piping shall be tested with either water or, for piping systems other than plastic, by air. After the plumbing fixtures have been set and their traps filled with water, the entire drainage system shall be submitted to final tests. The code official shall require the removal of any cleanouts if necessary to ascertain if the pressure has reached all parts of the system.

Exception: Drainage and vent low pressure air tests for plastic piping systems shall be acceptable as prescribed in section 312.3 of the code.

312.3 Drainage and vent air test. An air test shall be made by forcing air into the system until there is a uniform gauge pressure of 5 psi (34.5 kPa) or sufficient to balance a 10-inch (254 mm) column of mercury. This pressure shall be held for a test period of not less than 15 minutes. Any adjustments to the test pressure required because of changes in ambient temperatures or the seating of gaskets shall be made before to the beginning of the test period.

R 408.30724 ~~Piping~~**Rescinded.**

~~Rule 724. Section 1114.1.4 of the code is amended to read as follows:~~

~~1114.1.4. Discharge piping shall meet the requirements of section 1102.2, 1102.3, or 1102.4 and shall include a gate valve and a full flow check valve. Pipe and fittings shall be the same size as, or larger than, pump discharge tapping.~~

R 408.30730 Sewer required.

Rule 730. Section 701.2 of the code is amended and section 701.9 is added to read as follows:

701.2. Sewer required. Every building in which plumbing fixtures are installed and all premises having drainage piping shall be connected to a public sewer, where available, or an approved private sewage disposal system.

701.9. Connections. Direct connection of a steam exhaust, blowoff, or drip pipe shall not be made with the building drainage system. Waste water where discharged into the building drainage system shall be at a temperature not greater than 140°F (60°C). Where higher temperatures exist, approved cooling methods shall be provided.

R 408.30731. Laundries.

Rule 731. ~~Section~~ Sections 1002.6 and 1003.6 of the code is/are amended to read as follows:

1002.6. Building traps. Building (house) traps shall be prohibited, except where local conditions necessitate these traps. Building traps shall be provided with a cleanout and a relief vent or fresh air intake on the inlet side of the trap. The size of the relief vent or fresh air intake shall not be less than ½ the diameter of the drain to which the relief vent or air intake connects. The relief vent or fresh air intake shall be carried above grade and shall be terminated in a screened outlet located outside the building.

1003.6. Laundries. Commercial laundries shall be equipped with an interceptor with a wire basket or similar device, removable for cleaning, that prevents passage into the drainage system of solids 0.5 inch (12.7 mm) or larger in size, string, rags, buttons, or other materials detrimental to the public sewage system.

R 408.30735 Hot water supply required.

Rule 735. Section 607.1 of the code is amended to read as follows:

607.1. Where required. (1) In residential occupancies, hot water shall be supplied to all plumbing fixtures and equipment utilized for bathing, washing, culinary purposes, cleansing, laundry, or building maintenance. In nonresidential occupancies, hot water shall be supplied for culinary purposes, cleansing, laundry, or building maintenance purposes. In nonresidential occupancies, hot water or tempered water shall be supplied for bathing and washing purposes. Tempered water shall be supplied through a water temperature limiting device that conforms to ASSE 1070, ~~as referenced in chapter 13 of the code,~~ and shall limit the tempered water to a maximum of 110 degrees Fahrenheit (43 degrees Celsius). This provision ~~shall~~ **does not** supersede the requirement for protective shower valves in accordance with section 424.3 of the code.

(2) Tempered water shall be supplied to bathing and hand washing facilities in the occupancies identified in ~~subdivisions (a) to (h) of this subrule~~ **the following** by individual water temperature limiting devices to individual fixtures:

- (a) Elementary schools.
- (b) Child care centers.
- (c) Day care centers.
- (d) Nurseries.
- (e) Adult group homes.
- (f) Adult congregate homes.
- (g) Children's camps.
- (h) At accessible plumbing fixtures.

R 408.30758 Minimum number of fixtures.

Rule 758. Sections 403.1 and 403.3.1 and Table 403.1 of the code are amended to read as follows:

403.1. Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Table 403.1. Types of occupancies not shown in Table 403.1 shall be considered individually by the code official. The number of occupants shall be determined in accordance with the Michigan building code. Occupancy classification shall be determined in accordance with the Michigan building code.

Exceptions:

1. The actual number of occupants determined by a supporting affidavit from the owner or agency.
2. Hand washing sinks in food service establishments shall be provided in accordance with regulation no. 553, food establishments, R 285.553.1 to R 285.553.26 of the Michigan department of agriculture **and rural development**.
3. Toilet facilities for public swimming pools shall be provided in accordance with public swimming pools, R 325.2111 to R 325.2199 of the Michigan department of environmental quality.
4. Toilet facilities for child care center, day care center, and nursery school facilities shall be provided in accordance with child day care licensing – child care centers, ~~R 400.5101 to R 400.5940~~**R 400.8101 to R 400.8840** of the Michigan department of **licensing and regulatory affairshuman services**.
5. Toilet facilities for children’s camps shall be provided in accordance with children’s and adult foster care camps, R 400.11101 to R ~~400.11319~~**400.11413** of the Michigan department of ~~human services~~ **licensing and regulatory affairs**.

403.3.1. Access. The route to the public toilet facilities required by section 403.3 shall not pass through kitchens, storage rooms, or closets. Access to the required facilities shall be from within the building. All routes shall comply with the accessibility requirements of the Michigan building code. The public shall have access to the required toilet facilities at all times that the building is occupied.

TABLE 403.1
MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES^a
 (See Sections 403.1.1 and 403.2)

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS (URINALS SEE SECTION 419.2)		LAVATORIES		BATHTUBS/ SHOWERS	DRINKING FOUNTAIN ^{a,f} (SEE SECTION 410.1)	OTHER
				MALE	FEMALE	MALE	FEMALE			
1	Assembly	A-1 ^d	Theaters and other buildings for the performing arts and motion pictures	1 per 125	1 per 65	1 per 200			1 per 500	1 service sink
		A-2 ^d	Nightclubs, bars, taverns, dance halls, and buildings for similar purposes	1 per 40	1 per 40	1 per 75			1 per 500	1 service sink
			Restaurants, banquet halls and food courts	1 per 75	1 per 75	1 per 200			1 per 500	1 service sink
		A-3 ^d	Auditoriums without permanent seating, art galleries, exhibition halls, museums, lecture halls, libraries, arcades, and gymnasiums	1 per 125	1 per 65	1 per 200			1 per 500	1 service sink
			Passenger terminals and transportation facilities	1 per 500	1 per 500	1 per 750			1 per 1,000	1 service sink
			Places of worship and other religious services.	1 per 150	1 per 75	1 per 200			1 per 1,000	1 service sink
		A-4	Coliseums, arenas, skating rinks, pools, and tennis courts for indoor sporting events and activities	1 per 75 for the first 1,500 and 1 per 120 for the remainder exceeding 1,500	1 per 40 for the first 1,520 and 1 per 60 for the remainder exceeding 1,520	1 per 200	1 per 150		1 per 1,000	1 service sink

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		A-5 ⁱ	Stadiums, amusement parks, bleachers, and grandstands for outdoor sporting events and activities	1 per 75 for the first 1,500 and 1 per 120 for the remainder exceeding 1,500	1 per 40 for the first 1,520 and 1 per 120 for the remainder exceeding 1,520	1 per 200	1 per 150	1 per 1,000	1 service sink
		A-5	Outdoor educational and municipal venues not larger than 3,000 spectators	1 per 125	1 per 65	1 per 200	1 per 150	1 per 1,000	1 service sink
2	Business	B	Buildings for the transaction of business, professional services, other services involving merchandise, office buildings, banks, light industrial, and similar uses	1 per 25 for the first 50 and 1 per 50 for the remainder exceeding 50	1 per 40 for the first 80 and 1 per 80 for the remainder exceeding 80			1 per 100	1 service sink ^g
3	Educational	E	Educational facilities	1 per 50	1 per 50			1 per 100	1 service sink
4	Factory and industrial	F-1 and F-2	Structures in which occupants are engaged in work fabricating, assembly assembling , or processing of products or materials	1 per 100	1 per 100	(see Section 411)		1 per 400	1 service sink
5	Institutional	I-1	Residential care	1 per 10	1 per 10	1 per 8		1 per 100	1 service sink
		I-2	Hospitals, ambulatory nursing home patients, care recipient	1 per room ^c	1 per room ^c	1 per 15		1 per 100	1 service sink per floor
			Employees, other than residential care ^b	1 per 25	1 per 35			1 per 100	
			Visitors, other than residential care	1 per 75	1 per 100			1 per 500	

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		I-3	Prisons ^b	1 per cell	1 per cell	1 per 15	1 per 100	1 service sink
			Reformatories, detention centers, and correctional centers ^b	1 per 15	1 per 15	1 per 15	1 per 100	1 service sink
			Employees ^b	1 per 25	1 per 35	-	1 per 100	-
		I-4	Adult day care and child care	1 per 15	1 per 15	1	1 per 100	1 service sink

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS (URINALS SEE SECTION 419.2)		LAVATORIES		BATHTUBS/ SHOWERS	DRINKING FOUNTAIN ^{e,f} (SEE SECTION 410.1)	OTHER
				MALE	FEMALE	MALE	FEMALE			
6	Mercantile	M	Retail stores, service stations, shops, salesrooms, markets, and shopping centers	1 per 500		1 per 750		-	1 per 1000	1 service sink ^g
7	Residential	R-1	Hotels, motels, boarding houses (transient)	1 per sleeping unit		1 per sleeping unit		1 per sleeping unit		1 service sink
		R-2	Dormitories, fraternities, sororities, and boarding houses (not transient)	1 per 10		1 per 10		1 per 8	1 per 100	1 service sink
		R-2	Apartment house	1 per dwelling unit		1 per dwelling unit		1 per dwelling unit	-	1 kitchen sink per dwelling unit; 1 automatic clothes washer connection per 20 dwelling units
		R-3	Congregate living facilities with 16 or fewer persons	1 per 10		1 per 10		1 per 8	1 per 100	1 service sink

		R-3	One and two family dwellings 1 - and -2 family dwellings and lodging houses with 5 or fewer guestrooms	1 per dwelling unit	1 per dwelling unit	1 per dwelling unit	-	1 kitchen sink per dwelling unit; 1 automatic clothes washer connection per dwelling unit
		R-4	Congregate living facilities with 16 or fewer persons	1 per 10	1 per 10	1 per 8	1 per 100	1 service sink
8	Storage ^h	S-1 S-2	Structures for the storage of goods, warehouses, storehouse, and freight depots. Low and Moderate Hazard.	1 per 100	1 per 100	See Section 411	1 per 1,000	1 service sink

- a. The fixtures shown are based on 1 fixture being the minimum required for the number of persons indicated or any fraction of the number of persons indicated. The number of occupants shall be determined by the *International Building Code*.
- b. Toilet facilities for employees shall be separate from facilities for inmates or patients.
- c. A single-occupant toilet room with 1 water closet and one lavatory serving not more than 2 adjacent patient sleeping units shall be permitted where such room is provided with direct access from each patient room and with provisions for privacy.
- d. The occupant load for seasonal outdoor seating and entertainment areas shall be included when determining the minimum number of facilities required.
- e. The minimum number of required drinking fountains shall comply with Table 403.1 and Chapter 11 of the International Building Code.
- f. Drinking fountains are not required for an occupant load of 15 or fewer.
- g. For business and mercantile occupancies with an occupant load of 15 or fewer, service sinks shall not be required.
- h. Structures not designed for occupants or as an employee’s regular working area, are not required to have toilet facilities.
- i. Water closets and lavatories in adjacent school buildings may be included in the required minimum fixture count, if they are located within a 500-foot walking distance to the stadium. Signage for the location of these rest rooms is required.**

R 408.30763a ~~Tempered water for public hand washing facilities.~~ **Rescinded.**

~~Rule 763a. Section 416.5 is added to the code to read as follows:
416.5. Tempered water for public hand washing facilities. Tempered water shall be delivered from lavatories and group wash fixtures located in public toilet facilities in accordance with section 607.1. Tempered water shall be delivered through an approved water temperature limiting device that conforms to ASSE 1070 or CSA B125.3.~~

R 408.30786 ~~Sizing of secondary drains~~**Rescinded.**

~~Rule 786. Section 1108.3 of the code is amended to read as follows:
1108.3. Sizing of secondary drains. Secondary, or emergency, roof drain systems shall be sized in accordance with section 1106 based on the rainfall rate for which the primary system is sized in tables 1106.2 and 1106.3. Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by section 1101.7. Scuppers shall not have an opening dimension of less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system.~~

R 408.30791 Definitions.

Rule 791. (1) Section 202 of the code is amended to amend the definition of code official and add the definitions of the act and plumbing contractor.

(2) "Act" means 1972 PA 230, MCL 125.1501 and known as the Stille-DeRossett-Hale single state construction code act.

(3) "Code official" means the person appointed and employed by a governmental subdivision charged with the administration and enforcement of the state code or codes and registered in accordance with the requirements of 1986 PA 54, MCL 338.2301 to 338.2313.

(4) "Plumbing contractor" means a person who is licensed in accordance with 2002 PA 733, MCL 338.3511 to 338.3569.

~~"Plumbing systems" includes the water distribution pipes; plumbing fixtures and traps; water-treating or water-using equipment; soil, waste, and vent pipes; and building drains; in addition to their respective connections, devices and appurtenances with a structure or premises; and water services, sanitary and storm sewers serving such structure or premises.~~

R 408.30792 Food utensils, dishes, pots and pans sinks.

Rule 792. Section 802.1.8 of the code is amended to read as follows:

802.1.8. Food utensils, dishes, pots and pans sinks. Sinks used for the washing, rinsing, or sanitizing of utensils, dishes, pots, pans, or service ware where used in the preparation, serving, or eating of food shall discharge indirectly through an air gap or an air break to the drainage system.

Exception: ~~When required, a hydromechanical grease interceptor connected to the washing sink, or wash compartment shall be directly connected to the drainage system~~ **When required, a washing sink or wash compartment shall be directly connected to a hydromechanical grease interceptor. The outlet of a hydromechanical grease interceptor shall directly connect to the sanitary drainage system.**

NOTICE OF PUBLIC HEARING

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
NOTICE OF PUBLIC HEARING

Construction Code – Part 9A – Mechanical Code (ORR# 2015-025 LR)
Construction Code – Part 7 – Plumbing Code (ORR# 2015-026 LR)
Construction Code – Part 4 – Building Code (ORR# 2015-032 LR)
Michigan Rehabilitation Code for Existing Buildings (ORR# 2015-036 LR)

The Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, will hold a public hearing on Tuesday, March 15, 2016, at 9:00 a.m. in Ottawa Building, Upper Level, Conference Room 3, 611 W. Ottawa Street, Lansing, MI 48933. Please come early and bring your driver's license, as you will need to check in with the security desk and be escorted to the conference room. The Part 9A Mechanical, Part 7 Plumbing, Part 4 Building and Michigan Rehabilitation Code for Existing Building Rules are proposed to be effective 120 days after filing with the Secretary of State.

The public hearing is being held to receive public comments on the proposed amendments to the administrative rules noted above. Testimony will be taken for each rule set in the order the rules are listed above. Individuals who are not present during testimony for a particular rule set will be provided an opportunity to testify after final testimony on the Michigan Rehabilitation Code for Existing Building Rules.

The proposed revisions to Part 9A Mechanical Code rules will adopt the 2015 edition of the International Mechanical Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the Department under the authority of Section 4 of 1972 PA 230, MCL 125.1504 and Executive Reorganization order Nos. 2003-1, 2008-20 and 2011-4, MCL 445.2011, 445.2025 and 445.2030.

The proposed revisions to Part 7 Plumbing Code rules will adopt the 2015 edition of the International Plumbing Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the Department under Section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4 and 2011-4, MCL 445.2011, 445.2025 and 445.2030.

The proposed revisions to Part 4 Building Code rules adopt the 2015 edition of the International Building Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the Department under Section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4 and 2011-4, MCL 445.2011, 445.2025 and 445.2030.

The proposed revisions to the Michigan Rehabilitation Code for Existing Building rules adopt the 2015 edition of the International Existing Building Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the

Department under Section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4, and 2011-4, MCL 445.2011, 445.2025 and 445.2030. The proposed rules will be published in the February 15, 2016, *Michigan Register*. Copies of the proposed amendments to the Michigan Part 9A Mechanical, Michigan Part 7 Plumbing, Michigan Part 4, and the Michigan Rehabilitation Code for Existing Building Rules may be obtained for a fee of \$3.00 each by submitting a check or money order made payable to the State of Michigan, to the Bureau at the address below. You may download a free copy of the proposed amendments by visiting the Bureau's website at www.michigan.gov/bcc. The amendments are located under "What's New" on the front page of the website.

Oral or written comments may be presented in person at the hearing on March 15, 2016, or submitted in writing by mail, email, or facsimile no later than 5:00 p.m., March 15, 2016, to the address stated below. If your presentation at the public hearing is in written form, please provide a copy to the Rules Specialist, at the conclusion of your testimony at the hearing.

Department of Licensing and Regulatory Affairs
Bureau of Construction Codes
Office of Management & Administrative Services
P.O. Box 30254
Lansing, MI 48909
Telephone (517) 241-6312
Facsimile (517) 241-9570
matsumotos@michigan.gov

The meeting site and parking are accessible. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional services (such as materials in alternative format) in order to participate in the meeting should call Hillary Cushman at (517) 335-2972 (voice) at least 14 days prior to the hearing. LARA is an equal opportunity employer/program.

PROPOSED ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE CONSTRUCTION CODE

Draft January 12, 2016

Filed with the Secretary of State on
These rules take effect 120 days after filing with the Secretary of State

(By authority conferred on the director of the department of licensing and regulatory affairs by section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4 and 2011-4, MCL 445.2011, 445.2025, and 445.2030)

R 408.30401, R 408.30403, R 408.30415a, R 408.30418, R 408.30419, R 408.30421, R 408.30427, R 408.30428, R 408.30429, R 408.30430, R 408.30441, R 408.30445, R 408.30446, R 408.30447, R 408.30451c, R 408.30452, R 408.30459, and R 408.30497 of the Michigan Administrative Code are amended and R 408.30413, R 408.30416, R 408.30420, R 408.30429a, R 408.30432, R 408.30437, R 408.30448, and R 408.30475 are rescinded as follows:

PART 4. BUILDING CODE

R 408.30401 Applicable code.

Rule 401. The provisions of the international building code, ~~2012~~**2015** edition, including appendices F, G, and H, except for sections 104.8, 109.2 to 109.6, 114.3, 415.8.2.2 to 415.8.2.9, 415.8.3, **903.2.8.3.1, 903.2.8.3.2, 903.2.8.4**, ~~table 1608.2,~~ 2902 to 2902.5, Table 2902.1, 3006.5, the definition of "agricultural building" in section 202, the definition of "recreational vehicle" in Appendix G, and, ~~IECC-2012~~**2015**, ~~IEBC-2012~~**2015**, ~~IMC-2012~~**2015**, ~~IPC-2012~~**2015**, ~~IPSDC-2012~~**2015**, ~~NFPA 70-2011~~**2014**, listed in chapter 35, govern the construction, alteration, relocation, demolition, use, and occupancy of buildings and structures, and, with exceptions noted, the international building code is adopted by reference in these rules. All references to the International Building Code, International Residential Code, International Energy Conservation Code, National Electrical Code, International Existing Building Code, International Mechanical Code, and International Plumbing Code mean the Michigan Building Code, Michigan Residential Code, Michigan ~~Uniform~~ Energy Code, Michigan Electrical Code, Michigan Rehabilitation Code for Existing Buildings, Michigan Mechanical Code, and Michigan Plumbing Code respectively. The code is available for inspection at the ~~Okemos office of the~~ Michigan Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, **611 W. Ottawa St., 1st Floor Ottawa Building Lansing, MI 48933**. The code may be purchased from the International Code Council, **through the bureau's website at www.michigan.gov/bcc**, 500 New Jersey Avenue, N.W., ~~6th Floor, Washington, D.C. 20001~~, or from the Michigan Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, ~~2501 Woodlake Circle, Okemos, Michigan 48864~~, at a cost as of the time of adoption of these amendatory rules of ~~\$120.00~~**\$128.00**.

R 408.30403 Residential group R-3.

Rule 403. Sections 310.5 and 310.5.1, **903.3.8.1, and 903.3.8.5** are amended and 903.2.8.3 is added to the code to read as follows:

310.5. Residential group R-3. Residential occupancies where the occupants are primarily permanent in nature and not classified as group R-1, R-2, R-4, or I, including any of the following:

(a) Adult foster care family homes or adult foster care small group homes licensed per the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737, that provide accommodations for 6 or fewer persons receiving care.

(b) Buildings that do not contain more than 2 dwelling units.

(c) Boarding houses (nontransient) with 16 or fewer occupants.

(d) Boarding houses (transient) with 10 or fewer occupants.

(e) Congregate living facilities (nontransient) with 16 or fewer occupants.

(f) Congregate living facilities (transient) with 10 or fewer occupants.

(g) Foster family homes licensed under the child care organizations act, 1973 PA 116, MCL ~~722.112~~**722.111** to 722.127a, that provide care for not more than 4 minor children.

(h) Foster care family group homes licensed under the child care organizations act, 1973 PA 116, MCL ~~722.112~~**722.111** to 722.127a, that provide care for more than 4 but fewer than 7 minor children.

310.5.1. Care facilities within a dwelling. Care facilities that are located within a single-family dwelling may comply with the Michigan residential code if 1 of the following conditions is met:

(a) Adult foster care family homes or adult foster care small group homes for 6 or fewer persons receiving care that are within a single-family dwelling and licensed in accordance with the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737.

(b) Family child care homes licensed under the child care organizations act, 1973 PA 116, MCL ~~722.112~~**722.111** to 722.127a, that provide care for fewer than 7 minor children.

(c) Group child care homes licensed under the child care organizations act, 1973 PA 116, MCL ~~722.112~~**722.111** to 722.127a, that provide care for more than 6 but not more than 12 minor children.

(d) Foster family homes licensed per the child care organizations act, 1973 PA 116, MCL ~~722.112~~**722.111** to 722.127a, that provide care for not more than 4 minor children.

(e) Foster care family group homes licensed per the child care organizations act, 1973 PA 116, MCL ~~722.112~~**722.111** to 722.127a, that provide care for more than 4 but fewer than 7 minor children.

903.2.8.3. Child care organizations. An automatic sprinkler system installed in accordance with section 903.3.1.3 shall be permitted in child care organizations that are within a single-family dwelling and licensed in accordance with the child care organizations act, 1973 PA 116, MCL ~~722.112~~**722.111** to 722.127a, as follows:

(a) Foster family homes licensed under the child care organizations act, 1973 PA 116, MCL ~~722.112~~**722.111** to 722.127a, that provide care for more than 4 but fewer than 7 minor children.

(b) Foster care family group homes licensed under the child care organizations act, 1973 PA 116, MCL ~~722.112~~**722.111** to 722.127a, that provide care for more than 4 but fewer than 7 minor children.

(c) Family child care homes licensed under the child care organizations act, 1973 PA 116, MCL ~~722.112~~**722.111** to 722.127a, that provide care for fewer than 7 minor children.

(d) Group child care homes licensed under the child care organizations act, 1973 PA 116, MCL ~~722.112~~**722.111** to 722.127a, that provide care for more than 6 but not more than 12 minor children.

903.3.8.1. Number of sprinklers. Limited area sprinkler systems shall not exceed 20 sprinklers.

903.3.8.5. Calculations. Hydraulic calculations in accordance with NFPA 13 shall be provided to demonstrate that the available water flow and pressure are adequate to supply all sprinklers installed with discharge densities corresponding to the hazard classification.

R 408.30413 ~~Vapor retarders.~~**Rescinded.**

Rule 413. Section 1405.3 of the code is amended to read as follows:

~~1405.3. Vapor retarders. Class I or II vapor retarders shall be provided on the interior side of frame walls in zones 5, 6, 7, 8 and marine 4.~~

~~Exceptions:~~

~~1. Class III vapor retarders shall be installed on the interior side of frame walls when insulating sheathing having a class I or II perm rating is installed on the exterior side of the wall.~~

~~2. Class I or II vapor retarders shall not be installed on the interior side of either of the following:~~

~~a. Frame basement walls.~~

~~b. The below grade portion of any frame wall.~~

~~3. Construction where moisture or its freezing will not damage the materials.~~

R 408.30415a Definitions.

Rule 415a. The definitions of act, agricultural or agricultural purposes, and source point are added and the definitions of building, building inspector, building official, high-rise building, registered design professional, and structure in section 202 of the code are amended to read as follows:

202. Definitions.

“Act” means 1972 PA 230, MCL 125.1501 to 125.1531 and known as the Stille-DeRossett-Hale single state construction code act.

“Agricultural or agricultural purposes” means of, or pertaining to, or connected with, or engaged in agriculture or tillage which is characterized by the act or business of cultivating or using land and soil for the production of crops for the use of animals or humans, and includes, but is not limited to, purposes related to agriculture, farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry.

~~“Air impermeable insulation” means an insulation having air permeance equal to or less than 0.02 L/s m² at 75 Pa. pressure differential tested according to ASTM E 2178 or E 283.~~

“Attic, uninhabitable with limited storage” means uninhabitable attics with limited storage are those where the minimum clear height between joists and rafters is 42 inches or greater, 42 inches high by 24 inches in width, or greater, within the plane of the trusses, or where there are not two or more adjacent trusses with web configurations capable of accommodating an assumed rectangle.

“Attic, uninhabitable without storage” means uninhabitable attics without storage are those where the maximum clear height between joists and rafters is less than 42 inches, or where there are not ~~two~~ two or more adjacent trusses with web configurations capable of accommodating an assumed rectangle 42 inches high by 24 inches in width or greater, within the plane of the trusses.

"Building" means a combination of materials, whether portable or fixed, forming a structure affording a facility or shelter for use or occupancy by persons, animals, or property. The term does not include a building incidental to the use for agricultural purposes of the land on which the building is located if it is not used in the business of retail trade. The term shall be construed as though followed by the words "or part or parts of the building and all equipment in the building" unless the context clearly requires a different meaning.

~~"Building inspector" means the person who is appointed and employed by a governmental subdivision, who is charged with the administration and enforcement of the state codes specified in R 408.30499, and who is registered in compliance with 1986 PA 54, MCL 338.2301 to 338.2313.~~

~~"Building official" means the person who is appointed and employed by a governmental subdivision, who is charged with the administration and enforcement of the state codes specified in R 408.30499, and who is registered in accordance with the requirements of 1986 PA 54, MCL 338.2301 to 338.2313 as found in 1972 PA 230, MCL 125.1501 to 125.1531 and known as the Stille-DeRossett- Hale single state construction code act, means an individual who is employed by a governmental subdivision and is charged with the administration and enforcement of the code and who is registered in compliance with the building officials and inspectors registration act, 1986 PA 54, MCL 338.2301 to 338.2313. a building official may also be an employee of a private organization.~~

"High-rise building" means a building with an occupied floor located more than 55 feet (1 6764 mm) above the lowest level of fire department vehicle access.

"Registered design professional" means an individual who is licensed under, 1980 PA 299, MCL 339.101 to 339.2919.

"Structure" means that which is built or constructed, an edifice or building of any kind, or a piece of work artificially built up or composed of parts joined together in some definite manner. Structure does not include a structure incident to the use for agricultural purposes of the land on which the structure is located and does not include works of heavy civil construction, including without limitation, any of the following:

- (a) A highway.
- (b) A bridge.
- (c) A dam.
- (d) A reservoir.
- (e) A lock.
- (f) A mine.
- (g) A harbor.
- (h) A dockside port facility.
- (i) An airport landing facility.
- (j) A facility for the generation, or transmission, or distribution of electricity.

Structure shall be construed as though followed by the words "or part or parts of the structure and all equipment in the structure," unless the context clearly indicates otherwise.

"Source point" is defined in **section 4 of 1972 PA 230, MCL 125.1504d.**

~~R 408.30416 Area and height increases~~**Rescinded.**

~~Rule 416. Section 406.3.6 of the code is amended to read as follows:~~

~~406.3.6. Area and height increases. The allowable area and height of open parking garages shall be increased in accordance with the provisions of this section. Garages with sides open on 3/4 of the building perimeter are permitted to be increased by 25% in area and 1 tier in height.~~

Garages with sides open around the entire building perimeter are permitted to be increased 50% in area and 1 tier in height. For a side to be considered open under the provisions of this rule, the total area of openings along the side shall not be less than 50% of the interior area of the side at each tier, and such openings shall be equally distributed along the length of the tier.

~~Allowable tier areas in table 406.3.5 shall be increased for open parking garages constructed to heights less than the table maximum. The gross tier area of the garage shall not exceed that permitted for the higher structure. At least 3 sides of each such larger tier shall have continuous horizontal openings not less than 30 inches (762 mm) in clear height extending for at least 80% of the length of the sides, and no part of such larger tier shall be more than 200 feet (60 960 mm) horizontally from such an opening. In addition, each such opening shall face a street or yard accessible to a street with a width of at least 30 feet (9 144 mm) for the full length of the opening, and standpipes shall be provided in each such tier.~~

~~Open parking garages of type II construction, with all sides open, shall be unlimited in allowable area where the height does not exceed 75 feet (22 860 mm). For a side to be considered open, the total area of openings along the side shall not be less than 50% of the interior area of the side at each tier, and such openings shall be equally distributed along the length of the tier. All portions of tiers shall be within 200 feet (60 960 mm) horizontally from such openings.~~

R 408.30418 Maximum floor area allowances per occupant.

Rule 418. Table 1004.1.2 of the code is amended to read as follows:

Table 1004.1.2
MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

FUNCTION OF SPACE	FLOOR AREA IN SQ. FT. PER
Agricultural building	300 gross
Aircraft hangars	500 gross
Airport terminal	
Baggage claim	20 gross
Baggage handling	300 gross
Concourse	100 gross
Waiting areas	15 gross
Assembly	
Gaming floors (keno, slots, etc.)	11 gross
Exhibit Gallery and Museum	30 net
Assembly with fixed seats	See section 1004.7 1004.4
Assembly without fixed seats	
Concentrated (chairs only-not fixed)	7 net
Standing space	5 net
Unconcentrated (tables and chairs)	15 net
Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas	7 net
Business areas	100 gross

Courtrooms-other than fixed seating areas	40 net
Day care	35 net
Dormitories	50 gross
Educational Classroom area	20 net
Shops and other vocational room areas	50 net
Locker rooms	15 gross
Exercise rooms	50 gross
H-5 Fabrication and manufacturing areas	200 gross
Industrial areas	100 gross
Institutional areas Inpatient treatment areas	240 gross
Outpatient areas	100 gross
Sleeping areas	120 gross
Kitchens, commercial	200 gross
Library Reading rooms	50 net
Stack area	100 gross
Mall buildings-covered and open	See Section 402.8.2
Locker rooms	50 gross
Mercantile	60 gross
Areas on other floors	30 gross
Basement and grade floor areas	
Storage, stock, shipping areas	300 gross
Parking garages	200 gross
Residential	200 gross
Skating rinks, swimming pools Rink and pool	50 gross
Decks	15 gross
Stages and platforms	15 net
Accessory storage areas, mechanical equipment room	300 gross
Warehouses	500 gross

For SI: 1 square foot = 0.0929 m²

R 408.30419 Toilet room requirements.

Rule 419. Sections 1210.1, **is amended and** 1210.5, **1210.4**, and 1210.6 are ~~amended~~**added** to the code to read as follows:

1210.1. Required fixtures. The number and type of plumbing fixtures provided in any occupancy shall comply with the Michigan plumbing code.

1210.4. Toilet room location. Toilet rooms shall not open directly into a room used for the preparation of food for service to the public.

1210.5. Baby changing stations. A building or structure that has baby changing stations in the women's restrooms shall have baby changing stations in the men's restrooms.

1210.6. Directional signage. Directional signage indicating the route to the public facilities shall be posted in accordance with section 3107 of the international building code. Signage shall be located in a corridor or aisle at the entrance to the facilities for customers and visitors.

R 408.30420 ~~Ventilation~~Rescinded.

~~Rule 420. Sections 1203.1, 1203.2 and Table 1607.1 is amended are amended and 1203.2.2 and table 1203.2.2 are added to the code to read as follows:~~

~~–1203.1. General. Buildings shall be provided with natural ventilation in accordance with section 1203.4 or with mechanical ventilation in accordance with the Michigan mechanical code.~~

~~–1203.2. Attic spaces. Enclosed attics and enclosed rafter spaces formed where ceilings are applied directly to the underside of roof framing members shall have cross ventilation for each separate space by ventilation openings protected against the entrance of rain and snow. Blocking and bridging shall be arranged so as not to interfere with the movement of air. An airspace of not less than 1 inch (25 mm) shall be provided between the insulation and the roof sheathing. The net free ventilating area shall not be less than 1/150 of the area of the space ventilated.~~

~~–Exceptions:~~

~~–1. The net free cross ventilation area may be reduced to 1/300 provided that not less than 50% and not more than 80% of the required ventilating area provided by ventilators located in the upper portion of the space to be ventilated at least 3 feet (914 mm) above eave or cornice vents with the balance of the required ventilation provided by eave or cornice vents.~~

~~–2. The net free cross ventilation area may be reduced to 1/300 where a Class I or II vapor retarder is installed on the warm in winter side of the ceiling.~~

~~–3. Attic ventilation shall not be required when in climate zones 5A through 7, as defined in chapter 13, sufficient insulation is installed to maintain the monthly average temperature of the condensing surface above 45 degrees Fahrenheit (7 degrees Celsius). The condensing surface is defined as either the structural roof deck or the interior surface of an air impermeable insulation applied in direct contact with the underside or interior of the structural roof deck. For calculation purposes, an interior temperature of 68 degrees Fahrenheit (20 degrees Celsius) is assumed. The exterior temperature is assumed to be the monthly average outside temperature, or when the conditions outlined in section 1203.2.2 are met.~~

~~–4. 1203.2.2 Unvented attic and unvented enclosed rafter assemblies. Unvented attic assemblies (spaces between the ceiling joists of the top story and the roof rafters) and unvented enclosed rafter assemblies (spaces between ceilings that are applied directly to the underside of roof framing members [rafters] and the structural roof sheathing at the top of the roof framing members[rafters]) shall be permitted if all the following conditions are met:~~

~~–1. The unvented attic space is completely contained within the building thermal envelope.~~

~~–2. No interior Class I vapor retarders are installed on the ceiling side (attic floor) of the unvented attic assembly or on the ceiling side of the unvented enclosed rafter assembly.~~

~~–3. Where wood shingles or shakes are used, a minimum ¼ inch (6 mm) vented air space separates the shingles or shakes and the roofing underlayment above the structural sheathing.~~

~~–4. In climate zones 5A, 6A, and 7, any air impermeable insulation shall be a class II vapor retarder, or shall have a class III vapor coating or covering in direct contact with the underside of the insulation.~~

~~–5. Either items 5.1, 5.2, or 5.3 shall be met, depending on the air permeability of the insulation directly under the structural roof sheathing.~~

- ~~–5.1. Air-impermeable insulation only. Insulation shall be applied in direct contact with the underside of the structural roof sheathing.~~
- ~~–5.2. Air-permeable insulation only. In addition to the air-permeable insulation installed directly below the structural sheathing, rigid board or sheet insulation shall be installed directly above the structural roof sheathing as specified in table 1203.2.2 for condensation control.~~
- ~~–5.3. Air-impermeable and air-permeable insulation. The air-impermeable insulation shall be applied in direct contact with the underside of the structural roof sheathing as specified in Table 1203.2.2 for condensation control. The air-permeable insulation shall be installed directly under the air-impermeable insulation.~~
- ~~–5.4. Where preformed insulation board is used as the air-impermeable insulation layer, it shall be sealed at the perimeter of each individual sheet interior surface to form a continuous layer.~~

Table 1203.2.2
INSULATION FOR CONDENSATION CONTROL

CLIMATE ZONE	MINIMUM RIGID BOARD ON AIR-IMPERMEABLE INSULATION R-VALUES ^a
5A	R-20
6A	R-25
7	R-30

a. Contributes to but does not supersede the requirements in chapter 13

TABLE 1607.1
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS, L°, AND
MINIMUM CONCENTRATED LIVE LOADS^g

Occupancy or use	Uniform (psf)	CONCENTRATED (lbs.)
1. Apartments (see residential)	=	=
2. Access floor systems		
— Office use	50	2,000
— Computer use	100	2,000
3. Armories and drill rooms	150 ^m	=
4. Assembly areas		
— Fixed seats (fastened to floor)	60 ^m	
— Follow spot, projections and control rooms	50	=
— Lobbies	100 ^m	
— Movable seats	100 ^m	
— Stage floors	150 ^m	
— Platforms (assembly)	100 ^m	
— Other assembly areas	100 ^m	
5. Balconies and decks ^h	Same as occupancy served	=
6. Catwalks	40	300
7. Cornices	60	=
8. Corridors		

— First floor	100	=
— Other floors	Same as occupancy served except as indicated	
9. Dining rooms and restaurants	100 ^m	=
10. Dwellings (see residential)	=	=
11. Elevator machine room grating — (on area of 2 inches by 2 inches)	=	300
12. Finish light floor plate construction — (on area of 1 inch by 1 inch)	=	200
13. Fire escapes	100	
— On single family only	40	=
14. Garages (passenger vehicles only)	40 ^m	Note a
— Trucks and buses		See Section 1607.7
15. Handrails, guards and grab bars		See Section 1607.8
16. Helipads		See Section 1607.6
17. Hospitals		
— Corridors above first floor	80	1,000
— Operating rooms, laboratories	60	1,000
— Patient rooms	40	1,000
18. Hotels (see residential)	=	=
19. Libraries		
— Corridors above first floor	80	1,000
— Reading rooms	60	1,000
— Stack rooms	150 ^{b,m}	1,000
20. Manufacturing		
— Heavy	250 ^m	3,000
— Light	125 ^m	2,000
21. Marquees	75	=
22. Office buildings		
— Corridors above first floor	80	2,000
— File and computer rooms shall — be designed for heavier loads — based on anticipated occupancy	=	=
— Lobbies and first-floor corridors	100	2,000
— Offices	50	2,000
23. Penal institutions		
— Cell blocks	40	=
— Corridors	100	
24. Recreational uses:		
— Bowling alleys, poolrooms and — similar uses	75 ^m	
— Dance halls and ballrooms	100 ^m	
— Gymnasiums	100 ^m	=
— Reviewing stands, grandstands and — bleachers	100 ^{e,m}	
— Stadiums and arenas with fixed seats		

— (fastened to floor)	60 ^{e,m}	
25. Residential		
— One and two family dwellings		
— Uninhabitable attics without storage ⁱ	10	
— Uninhabitable attics with storage ^{j,k}	20	
— Habitable attics and sleeping areas ^k	30	=
— All other areas	40	
— Hotels and multifamily dwellings		
— Private rooms and corridors serving them	40	
— Public rooms ^m and corridors serving them	100	
26. Roofs		
— All roof surfaces subject to maintenance workers		300
— Awnings and canopies:		
— Fabric construction supported by a skeleton structure	5 nonreducible	
— All other construction	20	
— Ordinary flat, pitched, and curved roofs (that are not occupiable)	20	
— Where primary roof members are exposed to a work floor, at single panel point of lower chord of roof trusses or any point along primary structural members supporting roofs:		
— Over manufacturing, storage warehouses, and repair garages		2,000
— All other primary roof members		300
— Occupiable roofs:		
— Roof gardens	100	
— Assembly areas	100 ^m	
— All other similar areas	Note 1	Note 1
27. Schools		
— Classrooms	40	1,000
— Corridors above first floor	80	1,000
— First floor corridors	100	1,000
28. Scuttles, skylight ribs and accessible		
— Ceilings	=	200
29. Sidewalks, vehicular drive ways and yards, subject to trucking	250 ^{d,m}	8,000 ^e
30. Stairs and exits		
— One and two family dwellings	40	300 ^f
— All other	100	300 ^f
31. Storage warehouses (shall be designed		

— for heavier loads if required for anticipated storage)		=
— Heavy	250 ^{ms}	
— Light	125 ^{ms}	
32. Stores		
— Retail		
— First floor	100	1,000
— Upper floors	75	1,000
— Wholesale, all floors	125 ^{ms}	1,000
33. Vehicle barriers	See Section 1607.8.3	
34. Walkways and elevated platforms (other than exitways)	60	=
35. Yards and terraces, pedestrians	100 ^{ms}	=

For SI: 1 inch = 25.4 mm, 1 square inch = 645.16 mm²;

— 1 square foot = 0.0929 m²;

— 1 pound per square foot = 0.0479 kN/m²; 1 pound = 0.004448 kN;

— 1 pound per cubic foot = 16 kg/m³.

a. Floors in garages or portions of buildings used for the storage of motor vehicles shall be designed for the uniformly distributed live loads of Table 1607.1 or the following concentrated loads: (1) for garages restricted to passenger vehicles accommodating not more than nine passengers, 3,000 pounds acting on an area of 4.5 inches by 4.5 inches; (2) for mechanical parking structures without slab or deck that are used for storing passenger vehicles only, 2,250 pounds per wheel.

b. The loading applies to stack room floors that support nonmobile, double faced library book stacks, subject to the following limitations:

— 1. The nominal bookstack unit height shall not exceed 90 inches;

— 2. The nominal shelf depth shall not exceed 12 inches for each face; and

— 3. Parallel rows of double faced book stacks shall be separated by aisles not less than 36 inches wide.

c. Design in accordance with ICC 300.

d. Other uniform loads in accordance with an approved method containing provisions for truck loadings shall also be considered where appropriate.

e. The concentrated wheel load shall be applied on an area of 4.5 inches by 4.5 inches.

f. The minimum concentrated load on stair treads shall be applied on an area of 2 inches by 2 inches. This load need not be assumed to act concurrently with the uniform load.

g. Where snow loads occur that are in excess of the design conditions, the structure shall be designed to support the loads due to the increased loads caused by drift buildup or a snow design determined by the building official (see Section 1608).

h. See Section 1604.8.3 for decks attached to exterior walls.

i. This live load need not be assumed to act concurrently with any other live load requirements.

j. The live load need only be applied to those portions of the joists or truss bottom chords where both of the following conditions are met:

— i. The attic area is accessible from an opening not less than 20 inches in width by 30 inches in length that is located where the clear height in the attic is a minimum of 30 inches; and

— ii. The slopes of the joists or truss bottom chords are no greater than two units vertical in 12 units horizontal.

~~—The remaining portions of the joists or truss bottom chords shall be designed for uniformly distributed concurrent live load of not less than 10 lb./ft².~~

~~k. Attic spaces served by stairways other than the pull-down type shall be designed to support the minimum live load specified for habitable attics and sleeping rooms.~~

~~l. Areas of occupiable roofs, other than roof gardens and assembly areas, shall be designed for appropriate loads as approved by the building official. Unoccupied landscaped areas of roofs shall be designed in accordance with Section 1607.12.3.~~

~~m. Live load reduction is not permitted unless specific exceptions of Section 1607.10 apply.~~

R 408.30421 Emergency escape and rescue.

Rule 421. Sections ~~1024.1~~**1025.1** and ~~1029.1~~**1030.1** of the code are amended and ~~1014.2.2~~**1016.2.2** is added to read as follows:

~~1014.2.2~~**1016.2.2.** Group E. Egress from classrooms in group E occupancies shall be limited to pass through 1 intervening space before reaching an exit access door leading directly to a corridor or an exit.

~~1024.1~~**1025.1.** General. Approved luminous egress path markings delineating the exit path shall be provided in buildings with an occupied floor located more than 75 feet (16 764 mm) above the lowest level of fire department vehicle access of groups A, B, E, I, M, and R-I occupancies in accordance with sections 1024.1 to 1024.5.

~~1029.1~~**1030.1.** General. In addition to the means of egress required by this chapter, provisions shall be made for emergency escape and rescue in group R as applicable in section 101.2, classrooms greater than 250 feet² (23.2 m²) in group E, and group I-1 occupancies. Basements and sleeping rooms below the fourth story above grade plane shall have at least 1 exterior emergency escape and rescue opening in accordance with this section. Where basements contain 1 or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. The opening shall open directly into a public street, public alley, yard, or court.

Exceptions:

1. In other than group R-3 occupancies as applicable in section 101.2, buildings equipped throughout with an approved automatic sprinkler system in accordance with section 903.3.1.1 or 903.3.1.2.

2. In other than group R-3 occupancies as applicable in section 101.2, sleeping rooms provided with a door to a fire-resistance-rated corridor having access to 2 remote exits in opposite directions.

3. The emergency escape and rescue opening may open onto a balcony within an atrium in accordance with the requirements of section 404, provided the balcony provides access to an exit and the dwelling unit or sleeping unit has a means of egress that is not open to the atrium.

4. Basements with a ceiling height of less than 80 inches (2 032 mm) shall not be required to have emergency escape and rescue openings.

5. High-rise buildings in accordance with section 403.

6. Emergency escape and rescue openings are not required from basements, classrooms, or sleeping rooms which have an exit door or exit access door that opens directly into a public street, public alley, yard, egress court, or to an exterior exit balcony that opens to a public street, public alley, yard, or egress court.

7. Basements without habitable spaces and having not more than 200 square feet (18.6 square meters) in floor area shall not be required to have emergency escape and rescue openings.

R 408.30427 Barrier free design for buildings, structures, and improved areas.

Rule 427. Sections 1101.2 and 1109.8 of the code are amended and section ~~1103.2.16~~ **1103.2.15** is added to the code to read as follows:

1101.2. Design. Buildings and facilities shall be designed and constructed to be accessible in accordance with 1966 PA 1, MCL 125.1351 to 125.1356, this code, and ICC/ANSI A 117.1, except sections 611 and 707.

~~1103.2.16~~**1103.2.15**. Military, fire service, and police facilities. Housing, bathing, toilet, training, and storage areas intended for use and occupancy exclusively by military, fire service, police, or security personnel required to be physically agile are not required to be accessible.

1109.8. Lifts. Platform (wheelchair) lifts may be a part of a required accessible route in new construction where indicated in items 1 to 10. Platform (wheelchair) lifts shall be installed in accordance with the Michigan elevator code, R 408.7001 to R 408.8695.

~~(1)~~**1**. An accessible route to a performing area and speakers' platforms. ~~in occupancies in group A.~~

~~(2)~~**2**. An accessible route to wheelchair spaces required to comply with the wheelchair space dispersion requirements of sections 1108.2.2 to ~~1108.2.5~~**1108.2.6**.

~~(3)~~**3**. An accessible route to spaces that are not open to the general public with an occupant load of not more than 5.

~~(4)~~**4**. An accessible route within a dwelling or sleeping unit.

~~(5)~~**5**. ~~An accessible route to wheelchair seating spaces located in outdoor dining terraces in A-5 occupancies where the means of egress from the dining terraces to a public way are open to the outdoors.~~**An accessible route to jury boxes and witness stands; raised courtroom stations including judges' benches, clerks' stations, bailiffs' stations, deputy clerks' stations and court reporters' stations; and to depressed areas such as the well of the court.**

~~(6)~~**6**. ~~An accessible route to jury boxes and witness stands; raised courtroom stations including judges' benches, clerks' stations, bailiffs' stations, deputy clerks' stations, and court reporters' stations; and to depressed areas such as the well of the court.~~**An accessible route to load and unload areas serving amusement rides.**

~~(7)~~**7**. ~~An accessible route to load and unload areas serving amusement rides.~~**An accessible route to play components or soft contained play structures.**

~~(8)~~**8**. ~~An accessible route to play components or self-contained play structures.~~**An accessible route to team or player seating areas serving areas of sport activity.**

~~(9)~~**9**. ~~An accessible route to team or player seating areas serving areas of sport activity.~~**An accessible route instead of gangways serving recreational boating facilities and fishing piers and platforms.**

~~(10)~~**10**. An accessible route where existing exterior site constraints make use of a ramp or elevator infeasible.

R 408.30428 Structural integrity.

Rule 428. Section ~~1614.1~~**1615.1** of the code is amended to read as follows:

~~1614.1~~**1615.1** . General. Buildings with an occupied floor 75 feet (22 860 mm) or more in height above the lowest level of fire department vehicle access and assigned to risk category III or IV shall comply with the requirements of this section. Frame structures shall comply with the requirements of section 1615.3. Bearing wall structures shall comply with the requirements of section 1615.4.

R 408.30429 High-rise buildings.

Rule 429. Sections 403.1, ~~and~~ 403.5.4, 907.2.1.3, and ~~907.6.3.2~~ **907.6.4.2** of the code are amended to read as follows:

403.1. Applicability. The provisions of this section shall apply to buildings having the occupied floors located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

Exception: The provisions of this section shall not apply to the following buildings and structures:

1. Airport traffic control towers in accordance with section 412 of the code.
2. Open parking garages in accordance with section ~~406.3~~ **406.5** of the code.
3. Buildings with an occupancy in group A-5 in accordance with section ~~303.1~~ **303.6** of the code.
4. ~~Low hazard special~~ **Special** industrial occupancies in accordance with section 503.1.1 of the code.
5. ~~Buildings with an occupancy in group H-1, H-2, or H-3 in accordance with section 415 of the code.~~ **Buildings with any of the following:**

5.1. A group H-1 occupancy

5.2. A group H-2 occupancy in accordance with section 415.8, 415.9.2, 415.9.3, or 426.1

5.3. A group H-3 occupancy in accordance with section 415.8.

6. Existing buildings having occupied floor levels not more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access where the local unit of government complies with both of the following:

6.1. The local unit of government has a municipal fire department with an ISO rating of 3 or lower, employing a full-time career firefighting staff.

6.2. The governing body of the local unit of government has passed a resolution affirming the use of this exception and filed that resolution with the department of ~~energy, labor, and economic growth~~ **licensing and regulatory affairs**, bureau of construction codes.

403.5.4. Smokeproof exit enclosures. Every required stairway serving floors more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall comply with sections 909.20 and ~~1022.9~~ **1023.10** of the code.

~~907.2.13. High-rise buildings. Buildings having floors used for human occupancy located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system and an emergency responder radio coverage system in accordance with section 907.2.13.2 of the code.~~

~~Exceptions:~~

~~1. Airport traffic control towers in accordance with sections 412 and 907.2.22 of the code.~~

~~2. Open parking garages in accordance with section 406.3 of the code.~~

~~3. Buildings with an occupancy in group A-5.~~

~~4. Low hazard special occupancies in accordance with section 503.1.1 of the code.~~

~~5. Buildings with an occupancy in group H-1, H-2, or H-3 in accordance with section 415 of the code.~~

~~6. In group I-1 and I-2 occupancies, the alarm shall sound at a constantly attended location and general occupant notification shall be broadcast by the emergency voice or alarm communication system.~~

~~907.6.3.2. High-rise buildings. In buildings used for human occupancy that have floors located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access, a~~

~~separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:~~

- ~~1. Smoke detectors.~~
- ~~2. Sprinkler water flow devices.~~
- ~~3. Manual fire alarm boxes.~~
- ~~4. Other approved types of automatic fire detection devices or suppression systems.~~

R 408.30429a Compliance ~~Rescinded~~.

~~Rule 429a. Sections 3412.1 and 3412.2 of the code are amended to read as follows:~~

~~3412.1. Compliance. The provisions of this section are intended to maintain or increase the current degree of public safety, health, and general welfare in existing buildings while permitting repair, alteration, addition, and change of occupancy without requiring full compliance with chapters 2 to 33 of the code, or sections 3401.3 to 3407, except where compliance with other provisions of the code is specifically required in this section.~~

~~Exception: Buildings made to comply with the provisions of the Michigan rehabilitation code for existing buildings, R 408.30551 to R 408.30577, shall be deemed to comply with the requirements of the code.~~

~~3412.2. Applicability. Structures existing before November 6, 1974, in which work involving additions, alterations, or changes of occupancy shall be made to conform to the requirements of this section or the provisions of sections 3402 to 3406 of the code.~~

~~The provisions in sections 3412.2.1 to 3412.2.5 of the code shall apply to existing occupancies that will continue to be, or are proposed to be, in groups A, B, E, F, M, R, S, and U. These provisions shall not apply to buildings that have occupancies in group H or I.~~

R 408.30430 Liquefied petroleum gas distribution facilities.

~~Section 415.7.2 and 415.6.3~~ **415.7.3** of the code ~~is~~ **are** amended to read as follows:

415.7.2. Flammable and combustible liquids. The storage, handling, processing, and transporting of flammable and combustible liquids shall be in accordance with the Michigan mechanical code, R 408.30901 to R 408.30998, and the international fire code listed in chapter 35, and the requirements of the Michigan rules for the storage and handling of flammable and combustible liquids, R 29.4101 to R 29.5516.

~~415.6.3~~ **415.7.3. Liquefied petroleum gas distribution facilities. The design and construction of propane, butane, propylene, butylene, and other liquefied petroleum gas distribution facilities shall conform to the applicable provisions of the Michigan liquefied petroleum gas code, R 29.3801 to R 29.4035. The storage and handling of liquefied petroleum gas systems shall conform to the international fire code listed in chapter 35. The design and installation of piping, equipment, and systems that utilize liquefied petroleum gas shall be in accordance with the international fuel gas code listed in chapter 35. Liquefied petroleum gas distribution facilities shall be ventilated in accordance with the Michigan mechanical code, R 408.30901 to R 408.30998, and the requirements of the Michigan rules for the storage and handling of flammable and combustible liquids, R 29.4101 to R 29.5516.**

R 408.30432 Flammable and combustible liquids ~~Rescinded~~.

~~Rule 432. Section 415.6.2 of the code is amended to read as follows:~~

~~415.6.2. Flammable and combustible liquids. The storage, handling, processing, and transporting of flammable and combustible liquids shall be in accordance with the Michigan~~

~~mechanical code, R 408.30901 to R 408.30998, and the international fire code listed in chapter 35, and the requirements of the Michigan rules for the storage and handling of flammable and combustible liquids, R 29.4101 to R 29.5516.~~

R 408.30437 ~~Masonry heater clearance~~**Rescinded.**

~~Rule 437. Section 2112.5 of the code is amended to read as follows:~~

~~2112.5. Masonry heater clearance. Combustible materials shall not be placed within 36 inches (914 mm) of the outside surface of a masonry heater in accordance with NFPA 211-2010 chapter 12, paragraph 12.6 (clearances for solid fuel burning appliances), and the required space between the heater and combustible material shall be fully vented to permit the free flow of air around all heater surfaces.~~

~~Exceptions:~~

~~1. When the masonry heater wall thickness is at least 8 inches thick of solid masonry and the wall thickness of the heat exchange channels is at least 5 inches thick of solid masonry, combustible materials shall not be placed within 4 inches of the outside surface of a masonry heater. A clearance of at least 8 inches shall be provided between the gas-tight capping slab of the heater and a combustible ceiling.~~

~~2. Masonry heaters listed and labeled in accordance with UL 1482 and installed in accordance with the manufacturer's instructions.~~

R 408.30441 Consumer fireworks facilities.

Rule 441. Sections 307.5.1, 415.1.1, ~~425.1427.1~~, 509.4.2.2, 907.2.5.1, 910.2.3, and ~~1030.11031.1~~ of the code are added to read as follows:

307.5.1. High-hazard group H-3. Consumer fireworks 1.4G (class C common) Consumer fireworks 1.4G facilities shall meet the requirements of this code and those requirements of this code and those requirements referenced in section ~~425.1427.1~~.

415.1.1. Consumer fireworks facilities 1.4 G (class C common) consumer fireworks 1.4 G facilities shall be designed and constructed in accordance with NFPA 1124 as referenced by the Michigan fireworks safety act, 2011 PA 256, MCL 28.451 to 28.471.

~~425.1427.1~~. Consumer fireworks (1.4G) facilities. The items in buildings used for the retail sale of consumer fireworks shall be designed and constructed in accordance with NFPA 1124, as referenced by the Michigan fireworks safety act, 2011 PA 256, MCL 28.451 to 28.471 as follows:

- (a) Means of egress.
- (b) Storage rooms.
- (c) Fire alarms.
- (d) Smoke control.
- (e) Automatic sprinkler systems.

509.4.2.2. Consumer fireworks (1.4G) facilities storage rooms. Storage rooms in consumer fireworks (1.4G) facilities used for the retail sale of consumer fireworks shall be designed and constructed in accordance with the code for the manufacture, transportation, storage, and retail sales of fireworks and pyrotechnic articles, NFPA 1124, as referenced by the Michigan fireworks safety act, 2011 PA 256, MCL 28.451 to 28.471.

907.2.5.1. Consumer fireworks (1.4G) facilities fire alarms. Fire alarm systems in consumer fireworks (1.4G) facilities used for the retail sale of consumer fireworks storage shall be designed and constructed in accordance with the code for the manufacture, transportation,

storage, and retail sales of fireworks and pyrotechnic articles, NFPA 1124, as referenced by the Michigan fireworks safety act, 2011 PA 256, MCL 28.451 to 28.471.

910.2.3. Consumer fireworks (1.4G) facilities smoke and heat vents. Smoke and heat vents in consumer fireworks (1.4G) facilities used for the retail sale of consumer fireworks storage shall be designed and constructed in accordance with the code for the manufacture, transportation, storage, and retail sales of fireworks and pyrotechnic articles, NFPA 1124, as referenced by the Michigan fireworks safety act, 2011 PA 256, MCL 28.451 to 28.471.

~~1030-1031.1.~~ **1031.1.** Consumer fireworks (1.4G) facilities means of egress. The means of egress in consumer fireworks (1.4G) facilities used for the retail sale of consumer fireworks means of egress shall be designed and constructed in accordance with the code for the manufacture, transportation, storage, and retail sales of fireworks and pyrotechnic articles, NFPA 1124, as referenced by the Michigan fireworks safety act, 2011 PA 256, MCL 28.451 to 28.471.

R 408.30445 Automatic sprinkler systems.

Rule 445. Section 903.2.11.3 of the code is amended to read as follows:

903.2.11.3. Buildings more than 30 feet (9144 mm) in height. An automatic sprinkler system shall be installed throughout a building that has a floor level which has an occupant load of 30 or more occupants and which is located 30 feet (9144 mm) or more above the lowest level of fire department vehicle access.

Exceptions:

~~1. Airport control towers.~~

~~21.~~ Open parking structures.

~~32.~~ Occupancies in group F-2.

~~4-3.~~ Existing buildings having occupied floor levels not more than 55 feet (16764 mm) in height above the lowest level of fire department vehicle access, where the local unit of government complies with the following parameters:

~~4-3.1.~~ The local unit of government having a municipal fire department with an ISO rating of 3 or lower, employing a full-time career fire fighting staff.

~~4-3.2.~~ The governing body of the local unit of government has passed a resolution affirming the use of this exception and filed that resolution with the department of ~~energy, labor, and economic growth~~ **licensing and regulatory affairs**, bureau of construction codes .

R 408.30446 Smoke alarm locations.

Rule 446. Sections ~~907.2.11.5~~ **907.2.11.8** and ~~907.2.11.5-1907.2.11.8.1~~ are added to the code as follows:

~~907.2.11.5~~ **907.2.11.8.** Smoke alarm locations in existing buildings constructed before November 6, 1974. Within each dwelling unit or sleeping unit, a single-station smoke alarm shall be installed in all of the following locations:

(1) In each sleeping room or each area directly outside the sleeping room.

(2) On each floor level including the basement level.

For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than 1 full story below the upper level.

~~907.2.11.5-1907.2.11.8.1.~~ **907.2.11.8.1.** Equipment requirements. The required equipment for smoke alarms shall consist of the following:

(1) Installation. Smoke alarm devices shall be listed and installed in accordance with the manufacturer's installation requirements, the provisions of the code, and the provisions of NFPA

72 as listed in chapter 35.

(2) Power Source. The equipment shall be operable by power from 1 of the following primary sources:

(a) The building wiring provided the wiring is served from a commercial source and is equipped with a battery backup. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

(b) A non-rechargeable battery able to power the smoke alarm in the normal condition for a life of 5 years.

(c) A rechargeable battery, with proper charging, able to power the alarm for a life of 5 years.

(d) A commercial use alarm system with battery backup listed and approved in accordance with the commercial fire warning equipment provisions of NFPA 72, as adopted by reference in this rule.

(3) Audible Alarm Notification. The activation of the alarm signal shall produce a sound that is audible in all occupiable dwelling areas.

(4) Testing and Maintenance. The owner of a dwelling unit, in which required or optional fire detection or fire protection systems equipment is installed, shall be responsible for the proper operation, testing, and maintenance of the equipment in accordance with the manufacturer's instructions included with the equipment. The occupant of rental dwelling units shall be responsible for the periodic operational testing and periodic cleaning of the installed equipment within the rental unit in accordance with the testing instructions provided in the manufacturer's instructions for the equipment. If the system fails, breaks, or is out of service, it shall be repaired and functional within 30 days.

Exception: Smoke alarms and devices installed in buildings constructed before November 6, 1974 where an installation was approved by the appropriate enforcing agency under regulations in effect at the time of the installation shall be considered to comply with the provisions of the code.

R 408.30447 Smokeproof enclosures.

Rule 447. Section ~~1022.10~~**1023.11** of the code is amended to read as follows:

~~1022.10~~**1023.11**. Smokeproof enclosures. In buildings required to comply with section 403 or 405 of the code, each of the exits of a building that serves stories where the floor surface is located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access or more than 30 feet (9 144 mm) below the level of exit discharge serving such floor levels shall be a smokeproof enclosure or pressurized stairway in accordance with section 909.20 of the code.

R 408.30448 Electrical **Rescinded**.

Rule 448. Sections 2701.1, 2702.1, and 2702.2.6 of the code are amended to read as follows:

~~2701.1~~ Scope. This chapter governs the electrical components, equipment, and systems used in buildings and structures covered by the code. Electrical components, equipment, and systems shall be designed and constructed in accordance with the Michigan electrical code, R 408.30801 to R 408.30880.

~~2702.1~~ Installation. Emergency and standby power systems required by this code or the international fire code shall be installed in accordance with this code, NFPA 110 and 111 and the Michigan electrical code, R 408.30801 to R 408.30880.

~~2702.2.6~~ Accessible means of egress platform lifts. Standby power in accordance with this section and the Michigan elevator code, R 408.7001 to R 408.8695, shall be provided for

~~platform lifts that are part of an accessible means of egress in accordance with section 1007.5 of the code.~~

R 408.30451c. Flood loads.

Rule 451c. ~~Sections~~**Section** 1612.3.1 ~~and 1612.4~~ of the code ~~are~~**is** amended and 1612.4.1, 1612.4.2,

~~1612.4.3, 1612.4.4, and 1612.4.5~~ **are**~~is~~ added to the code to read as follows:

1612.3.1. Alternate flood hazard provisions. Absent the adoption of a flood hazard map and supporting data, flood hazard areas as determined by the state under its administration of the Part 31, floodplain regulatory authority of the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106, shall become the basis for regulation of floodplain development within the community and section 1612 shall apply to buildings and structures within those areas.

1612.4.1. Minimum requirements for buildings and structures. All of the following are in addition to the requirements of ASCE 24:

(1) Buildings and structures in flood hazard areas subject to high velocity wave action (zone V) shall be in compliance with the requirements of ASCE 24 for such flood hazard areas.

(2) The lowest floors of structure category II buildings and structures shall be at or above the elevation specified in ASCE 24 or 1 foot (305 mm) above the design flood elevation, whichever is higher.

(3) The lowest floors of structure category III and IV buildings and structures in flood hazard areas not subject to high velocity wave action (zone A) shall be at or above the elevation specified in ASCE 24 or 1 foot (305 mm) above the 500-year flood elevation, whichever is higher. For the purpose of this requirement, the 500-year flood elevation is the elevation of flooding having a 0.2% chance of being equaled or exceeded in any given year.

(4) Dry floodproofing for structure category II buildings and structures shall extend to or above the elevation specified in ASCE 24 or 1 foot (305 mm) above the design flood elevation, whichever is higher.

(5) Dry floodproofing for structure category III and IV buildings and structures shall extend to or above the elevation specified in ASCE 24 or 1 foot (305 mm) above the 500- year flood elevation, whichever is higher. For the purpose of this requirement, the 500-year flood elevation is the elevation of flooding having a 0.2% chance of being equaled or exceeded in any given year.

(6) The interior floor or finished ground level of under-floor spaces and crawlspaces shall comply with section 1805.1.2.1 of this code.

R 408.30452 Flood hazard areas.

Rule 452. ~~Section 3403.2 of the code is amended and section~~ **Section** 1612.3.3 is added to read as follows:

~~3403.2. Flood hazard areas. Both of the following apply to buildings and structures in flood hazard areas established in section 1612.3:~~

~~(1) All additions shall be in compliance with the flood design requirements for new construction.~~

~~(2) If an addition constitutes substantial improvement of the existing structure, as defined in section 1612.2, all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design.~~

1612.3.3. Alternate flood hazard area determinations. Absent the adoption of a flood hazard map and supporting data, flood hazard areas as determined by the state under its administration of the part 31, floodplain regulatory authority of the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106, shall become the basis for regulation of flood hazard area development and the flood load provisions of this code shall apply to buildings and structures within those areas.

R 408.30459 Elevators.

Rule 459. Sections ~~1007.4~~ **1009.4** and 1607.9.1 of the code are amended to read as follows:

~~1007.4~~**1009.4.** Elevators. To be considered part of an accessible means of egress, an elevator shall be in compliance with the emergency operation and signaling device requirements of the Michigan elevator code, R 408.7001 to R 408.8695.

1607.9.1. Elevators. Elevator loads shall be increased by 100% for impact and the structural supports shall be designed within the limits of deflection prescribed by the Michigan elevator code, R 408.7001 to R 408.8695.

R 408.30475 Existing structures **Rescinded**.

~~Rule 475. Sections 3411.1, 3411.4 3411.6, 3411.7, 3411.8.2, 3411.8.3 and 3412.6.14 of the code are amended to read as follows:~~

~~–3411.1. Scope. The provisions of sections 3411.2 to 3411.9 of the code apply to the maintenance, change of occupancy, additions, and alterations to existing buildings, including those identified as historic buildings in accordance with 1966 PA 1, MCL 125.1351 to 125.1356.~~

~~–Exception: Type B dwelling or sleeping units required by section 1107 are not required to be provided in existing buildings and facilities.~~

~~–3411.4. Change of occupancy. Unless technically infeasible, section 3411.6 of the code shall be applied in accordance with 1966 PA 1, MCL 125.1351 to 125.1356.~~

~~–3411.6. Alterations. A building, facility, or element that is altered shall comply with the applicable provisions in chapter 11 of the code and ICC/ANSI A117.1 listed in chapter 35, unless technically infeasible. When compliance with this section is technically infeasible, then the alteration shall provide access to the maximum extent technically feasible.~~

~~–Exceptions:~~

~~–1. The altered element or space is not required to be on an accessible route, unless required by section 3411.7 of the code.~~

~~–2. Accessible means of egress required by chapter 10 of the code are not required to be provided in existing buildings and facilities.~~

~~–3. Buildings, structures, or improved areas which exist on or before the effective date of these rules and which are in compliance with the code at the time of the issuance of the certificate of occupancy unless the alteration specifically modifies an area covered by sections 3411.7 to 3411.9.4 of the code.~~

~~–4. The alteration to type A individually owned dwelling units within a group R-2 occupancy shall meet the provision for a type B dwelling unit and shall comply with the applicable provisions in chapter 11 and ICC/ANSI A 117.1 as listed in chapter 35.~~

~~–3411.7. Alterations affecting an area containing a primary function. When an alteration affects the accessibility to, or contains an area of primary function, then the route to the primary function area shall be accessible. The accessible route to the primary function shall include accessible toilets and drinking fountains serving the area of the primary function.~~

~~–Exceptions:~~

~~1. This section does not apply to alterations limited solely to windows, hardware, operating controls, electrical outlets, and signs.~~

~~2. This section does not apply to alterations limited solely to mechanical systems, electrical systems, the installation or alteration of fire protection systems, and the abatement of hazardous materials.~~

~~3. This section does not apply to alterations undertaken for the primary purpose of increasing the accessibility of an existing building, facility, or element.~~

~~3411.8.2. Elevators. Altered elements of existing elevators shall comply with the Michigan elevator code, R 408.7001 to R 408.8695 and ICC/ANSI A 117.1 as listed in chapter 35. Such elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.~~

~~3411.8.3. Platform lifts. Platform (wheelchair) lifts complying with ICC/ANSI A 117.1 and installed in accordance with the Michigan elevator code, R 408.7001 to R 408.8695 shall be permitted as a component of an accessible route.~~

~~3412.6.14. Elevator control. Evaluate the passenger elevator equipment and controls that are available to the fire department to reach all occupied floors. Elevator recall controls shall be provided in accordance with the Michigan elevator code, R 408.7001 to R 408.8695. Under the categories and occupancies in table 3412.6.14, determine the appropriate value and enter that value into table 3412.7 of the code under safety parameter 3412.6.14, elevator control, for fire safety, means of egress and general safety. The values shall be zero for a single-story building.~~

R 408.30497 Signs.

Appendix H101.1.1 is added to the code and H111.1 of the code is amended to read as follows:

H101.1.1. Local ordinances. A governmental subdivision that has sign regulations governing the placement, location, size, height, or setback from public right of ways shall govern such items.

~~H111.1. Materials. Wall signs shall be constructed of materials consistent with building materials governed by the type of construction as provided in chapter 6 of the code for the building or structure. Wall signs exceeding 40 square feet (3.72 m²) in area shall be constructed of metal or other approved noncombustible material, except for nailing rails and except as provided in sections H106.1.1 and H107.1 of the code.~~

NOTICE OF PUBLIC HEARING

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
NOTICE OF PUBLIC HEARING

Construction Code – Part 9A – Mechanical Code (ORR# 2015-025 LR)
Construction Code – Part 7 – Plumbing Code (ORR# 2015-026 LR)
Construction Code – Part 4 – Building Code (ORR# 2015-032 LR)
Michigan Rehabilitation Code for Existing Buildings (ORR# 2015-036 LR)

The Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, will hold a public hearing on Tuesday, March 15, 2016, at 9:00 a.m. in Ottawa Building, Upper Level, Conference Room 3, 611 W. Ottawa Street, Lansing, MI 48933. Please come early and bring your driver's license, as you will need to check in with the security desk and be escorted to the conference room. The Part 9A Mechanical, Part 7 Plumbing, Part 4 Building and Michigan Rehabilitation Code for Existing Building Rules are proposed to be effective 120 days after filing with the Secretary of State.

The public hearing is being held to receive public comments on the proposed amendments to the administrative rules noted above. Testimony will be taken for each rule set in the order the rules are listed above. Individuals who are not present during testimony for a particular rule set will be provided an opportunity to testify after final testimony on the Michigan Rehabilitation Code for Existing Building Rules.

The proposed revisions to Part 9A Mechanical Code rules will adopt the 2015 edition of the International Mechanical Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the Department under the authority of Section 4 of 1972 PA 230, MCL 125.1504 and Executive Reorganization order Nos. 2003-1, 2008-20 and 2011-4, MCL 445.2011, 445.2025 and 445.2030.

The proposed revisions to Part 7 Plumbing Code rules will adopt the 2015 edition of the International Plumbing Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the Department under Section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4 and 2011-4, MCL 445.2011, 445.2025 and 445.2030.

The proposed revisions to Part 4 Building Code rules adopt the 2015 edition of the International Building Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the Department under Section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4 and 2011-4, MCL 445.2011, 445.2025 and 445.2030.

The proposed revisions to the Michigan Rehabilitation Code for Existing Building rules adopt the 2015 edition of the International Existing Building Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the

Department under Section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4, and 2011-4, MCL 445.2011, 445.2025 and 445.2030. The proposed rules will be published in the February 15, 2016, Michigan Register. Copies of the proposed amendments to the Michigan Part 9A Mechanical, Michigan Part 7 Plumbing, Michigan Part 4, and the Michigan Rehabilitation Code for Existing Building Rules may be obtained for a fee of \$3.00 each by submitting a check or money order made payable to the State of Michigan, to the Bureau at the address below. You may download a free copy of the proposed amendments by visiting the Bureau's website at www.michigan.gov/bcc. The amendments are located under "What's New" on the front page of the website.

Oral or written comments may be presented in person at the hearing on March 15, 2016, or submitted in writing by mail, email, or facsimile no later than 5:00 p.m., March 15, 2016, to the address stated below. If your presentation at the public hearing is in written form, please provide a copy to the Rules Specialist, at the conclusion of your testimony at the hearing.

Department of Licensing and Regulatory Affairs
Bureau of Construction Codes
Office of Management & Administrative Services
P.O. Box 30254
Lansing, MI 48909
Telephone (517) 241-6312
Facsimile (517) 241-9570
matsumotos@michigan.gov

The meeting site and parking are accessible. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional services (such as materials in alternative format) in order to participate in the meeting should call Hillary Cushman at (517) 335-2972 (voice) at least 14 days prior to the hearing. LARA is an equal opportunity employer/program.

PROPOSED ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CONSTRUCTION CODE

Draft October 12, 2015

Filed with the Secretary of State on
These rules take effect 120 days after filing with the Secretary of State

(By authority conferred on the director of the department of licensing and regulatory affairs by section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008- and 2011-4, MCL 445.2011, 445.2025 and 445.2030)

R 408.30551, R 408.30558, R 408.30559, R 408.30561, R 408.30565a, R 408.30566, R 408.30575, and R 408.30577 of the Michigan Administrative Code are amended and R 408.30563 and R 408.30569 are rescinded to read as follows:

REHABILITATION CODE

R 408.30551 Applicable code.

Rule 551. The international existing building code, ~~2012~~**2015** edition, including appendix A and resource A, hereinafter referred to as "the code," is adopted by reference, as provided in MCL 24.232, as the "Michigan rehabilitation code for existing buildings" with the exception of sections 104.8, 108.2 to 108.6, 114.3, 705.1.1 to 705.2, 806.2, ~~806.3~~, and Appendix B and C, and as otherwise noted in these rules. The international existing building code, ~~2012~~**2015** edition is available for inspection at the ~~Okemos office~~ of the Michigan Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, ~~2501 Woodlake Circle, Okemos, Michigan~~ **48864611 W. Ottawa Street, 1st Floor Ottawa Building, Lansing, Michigan 48933**. ~~The code may be purchased or from the International Code Council, through the bureau's website at www.michigan.gov/bcc, 500 New Jersey Avenue, N.W., 6th Floor, Washington, D.C. 20001, at a cost as of the time of adoption of these rules of \$76.00~~**\$81.00**.

R 408.30558 Preliminary meeting.

Rule 558. Section ~~104.2.1~~ **104.2.2** of the code is amended as follows:

~~104.2.1~~**104.2.2**. Preliminary meeting. When requested by the owner or owner's agent, the building official shall meet with the owner or the owner's agent to discuss plans for the proposed work or change of occupancy before the application for a construction permit in order to establish the specific applicability of the provisions of this code. The building official shall notify the appropriate fire official of the meeting.

Exception: Repairs, and alterations level 1.

R 408.30559 Preliminary review.

Rule 559. Section ~~404.2.2104.2.3~~ is added to the code to read as follows:

~~404.2.2104.2.3.~~ Preliminary review. When a building permit is required by the code, the owner or owner's agent may request a review of preliminary construction documents to determine compliance with this code.

R 408.30561 Accessibility.

Rule 561. Sections 410.1, 410.6, 410.7, 410.8.2 and 410.8.3 of the code are amended as follows:

410.1. Scope. A building, facility, or element that has a change in use group or occupancy load or alteration shall comply in accordance with the requirements of the utilization of public facilities by physically limited, 1966 PA 1, MCL 125.1351 to 125.1356 and the Michigan building code, R 408.30401 to R 408.30499.

410.6. Alterations. A building, facility, or element that is altered shall comply with the applicable provisions in chapter 11 of the Michigan building code and ICC/A117.1 listed in chapter 16, unless technically infeasible. When compliance with this section is technically infeasible, then the alteration shall provide access to the maximum extent technically feasible.

Exceptions:

(1) The altered element or space is not required to be on an accessible route, unless required by section 410.7 of the code.

(2) Accessible means of egress required by chapter 10 of the Michigan building code are not required to be provided in existing buildings and facilities.

(3) Buildings, structures, or improved areas which exist on or before the effective date of these rules and which are in compliance with the code at the time of the issuance of the certificate of occupancy unless the alteration specifically modifies an area covered by sections 410.6 to 410.8 of the code.

(4) The alteration to type A individually owned dwelling units within a group R-2 occupancy shall meet the provisions for a type B dwelling unit and shall comply with the applicable provisions in chapter 11 of the Michigan building code and ICC/A 117.1 listed in chapter 16.

410.7. Alterations affecting an area containing a primary function. Where an alteration affects the accessibility to, or contains an area of, primary function, the route to the primary function area shall be accessible. The accessible route to the primary function area shall include toilet facilities ~~and~~ drinking fountains serving the area of primary function.

Exceptions:

(1) This provision does not apply to alterations limited solely to windows, hardware, operating controls, electrical outlets, and signs.

(2) This provision does not apply to alterations limited solely to mechanical systems, electrical systems, installation or alteration of fire protection systems, and abatement of hazardous materials.

(3) This provision does not apply to alterations undertaken for the primary purpose of increasing the accessibility of an existing building, facility, or element.

(4) This provision does not apply to altered areas limited to type B dwelling and sleeping units.

410.8.2. Elevators. Altered elements of existing elevators shall comply with the Michigan elevator code, R 408.7001 to R 408.8695. Such elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.

410.8.3. Platform lifts. Platform (wheelchair) lifts complying with ICC/A 117.1 listed in chapter 16, and installed in accordance with the Michigan elevator code, R 408.7001 to R 408.8695 shall be permitted as a component of an accessible route.

R 408.30563 ~~Fire flow requirements~~ Rescinded.

~~Rule 563. Section 106.1.1 is added to the code to read as follows:~~

~~106.1.1. Fire flow requirements. The application for permit shall be accompanied by an evaluation of the available fire flow at the building utilizing the existing fire hydrants on the site, public streets, and adjacent sites in accordance with the provisions of the international fire code.~~

R 408.30565a Smoke alarm reference codes.

Rule 565a. Sections 402.5, ~~403.6~~**403.10**, 804.4.3, and 1104.1 of the code are amended as follows:

402.5. Smoke alarms in existing portions of a building. Where an addition is made to a building or structure of a group R or I-1 occupancy, the existing building shall be provided with smoke alarms in accordance with the Michigan building code.

~~403.6~~**403.10**. Smoke alarms. Individual sleeping units and individual dwelling units in group R and I-1 occupancies shall be provided with smoke alarms in accordance with the Michigan building code.

804.4.3. Smoke alarms. Individual sleeping units and individual dwelling units in any work area in group R and I-1 occupancies shall be provided with smoke alarms in accordance with the Michigan building code.

Exception: Interconnection of smoke alarms outside of the work area shall not be required.

1104.1. Smoke alarms in existing portions of a building. Where an addition is made to a building or structure of a group R or I-1 occupancy, the existing building shall be provided with smoke alarms as required by the Michigan building code or the Michigan residential code as applicable.

R 408.30566 Smoke alarm locations.

Rule 566. Sections ~~501.4~~**501.3** and ~~501.4.1~~**501.3.1** are added to the code as follows:

~~501.4~~**501.3**. Smoke alarm locations in existing buildings constructed before November 6, 1974. Within each dwelling unit or sleeping unit, a single-station smoke alarm shall be installed in the following locations:

- (1) In each sleeping room or each area directly outside the sleeping room.
- (2) On each floor level including the basement level.

For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than 1 full story below the upper level.

~~501.4.1~~**501.3.1**. Equipment Requirements. The required equipment for smoke alarms consist of the following:

(1) Installation. Smoke alarm devices shall be listed and installed in accordance with the provisions of this code, the manufacturers installation requirements, and the provisions of NFPA 72 as listed in chapter 16.

(2) Power Source. The equipment shall be operable by power from 1 of the following primary sources.

(a) The building wiring provided that such wiring is served from a commercial source and is equipped with a battery backup. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

(b) A non-rechargeable battery that is capable of operating the smoke alarm in the normal condition for a life of 5 years.

(c) A rechargeable battery, with proper charging, able to power the alarm for a life of 5 years and shall be automatically recharged by an AC circuit of the commercial light and power source.

(d) A household or commercial use alarm system with battery backup listed and approved in accordance with the household and commercial fire warning equipment provisions of NFPA 72, as adopted by reference in this rule.

(3) Audible Alarm Notification. The activation of the alarm signal shall produce a sound that is audible in all occupiable dwelling areas.

(4) Testing and Maintenance. The owner of a dwelling unit, in which required or optional fire detection or fire protection systems equipment is installed, shall be responsible for the proper operation, testing, and maintenance of the equipment in accordance with the manufacturer's instructions included with the equipment. The occupant of rental dwelling units shall be responsible for the periodic operational testing and periodic cleaning of the installed equipment within the rental unit in accordance with the testing instructions provided in the manufacturer's instructions for the equipment. If the system fails, breaks, or is out of service, it shall be repaired and functional within 30 days.

Exception: Smoke alarms and devices installed in buildings constructed before November 6, 1974 where an installation was approved by the appropriate enforcing agency under regulations in effect at the time of the installation shall be considered to comply with the provisions of the code.

R 408.30569 Michigan Uniform Energy Code Reference Codes Rescinded.

~~Rule 569. Sections 707.1, 811.1, 908.1, and 1106.1 of the code are amended as follows:~~

~~707.1. Minimum requirements. Level 1 alterations to existing buildings or structures are permitted without requiring the entire building or structure to comply with the energy requirements of the Michigan uniform energy code or Michigan residential code. The alterations shall conform to the energy requirements of the Michigan uniform energy code, parts 10 and 10a, as they relate to new construction only.~~

~~811.1. Minimum requirements. Level 2 alterations to existing buildings or structures are permitted without requiring the entire building or structure to comply with the energy requirements of the Michigan uniform energy code, parts 10 and 10a. The alterations shall conform to the energy requirements of the Michigan uniform energy code, parts 10 and 10a, as they relate to new construction only.~~

~~908.1. Minimum requirements. Level 3 alterations to existing buildings or structures are permitted without requiring the entire building or structure to comply with the energy requirements of the Michigan uniform energy code, parts 10 and 10a. The alterations shall conform to the energy requirements of the Michigan uniform energy code, parts 10 and 10a, as they relate to new construction only.~~

~~1106.1. Minimum requirements. Additions to existing buildings shall conform to the energy requirements of the Michigan uniform energy code, parts 10 and 10a, as they relate to new construction.~~

R 408.30575 High-rise buildings.

Rule 575. Sections ~~406.1, 602.3, 702.4, and 902.1~~ of the code are amended and sections 406.2, 406.3, and 702.5 are added to the code to read as follows:

~~406.1. Replacement glass. The installation or replacement of glass shall be as required for new installations.~~

~~406.2. Replacement window opening control devices. In group R-2 or R-3 buildings containing dwelling units, window opening control devices complying with ASTM F2090 shall be installed where an existing window is replaced and where all the following apply to the replacement window:~~

~~1. The window is operable.~~

~~2. The window replacement includes replacement of the sash and the frame.~~

~~3. The top of the sill of the window opening is at a height less than 36 inches (915 mm) above the finished floor.~~

~~4. The window will permit openings that will allow passage of a 4-inch diameter (102 mm) sphere when the window is in its largest opened position.~~

~~5. The vertical distance from the top of the sill of the window opening to the finished grade or other surface below, on the exterior of the building, is greater than 72 inches (1829 mm).~~

~~The window opening control device, after operation to release the control device allowing the window to fully open, shall not reduce the minimum net clear opening area of the window unit to less than the area required by section 1029.2.~~

~~Exceptions:~~

~~1. Operable windows where the top of the sill of the window opening is located more than 75 feet (22.86 m) above the finished grade or other surface below, on the exterior of the room, space or building, and that are provided with window fall prevention devices that comply with ASTM F2006.~~

~~2. Operable windows with openings that are provided with window fall prevention devices that comply with ASTM F2090.~~

~~406.3. Replacement window emergency escape and rescue openings. Where windows are required to provide emergency escape and rescue openings in group R-2 and R-3 occupancies, replacement windows shall be exempt from the requirements of sections 1029.2, 1029.3 and 1029.5 provided the replacement window meets the following conditions:~~

~~1. The replacement window is the manufacturer's largest standard size window that will fit within the existing frame or existing rough opening. The replacement window shall be permitted to be of the same operating style as the existing window or a style that provides for an equal or greater window opening area than the existing window.~~

~~2. The replacement of the window is not part of a change of occupancy.~~

~~602.3. Glazing. Replacement glazing shall be as required for new installations. Replacement glazing in hazardous locations shall comply with the safety glazing requirements of the international building code or international residential code as applicable.~~

~~Exception: Glass block walls, louvered windows, and жалюзи repaired with like materials.~~

702.4. Window opening control devices. In group R-2 or R-3 buildings containing dwelling units, window opening control devices complying with ASTM F2090 shall be installed where an existing window is replaced and where all the following apply to the replacement window:

1. The window is operable;

2. The window replacement includes replacement of the sash and the frame;

3. In group R-2 or R-3 buildings containing dwelling units, the top of the sill of the window opening is at a height less than 36 inches (915 mm) above the finished floor, or in one- and two-family dwellings and townhouses regulated by the international residential code, the top of the sill of the window opening is at a height less than 24 inches (610 mm) above the finished floor;

4. The window will permit openings that will allow passage of a 4-inch diameter (102 mm) sphere when the window is in its largest opened position; and

5. The vertical distance from the top of the sill of the window opening to the finished grade or other surface below, on the exterior of the building, is greater than 72 inches (1829 mm).

The window opening control device, after operation to release the control device allowing the window to fully open, shall not reduce the minimum net clear opening area of the window unit to less than the area required by the international building code.

Exceptions:

1. Operable windows where the top of the sill of the window opening is located more than 75 feet (22.86 m) above the finished grade or other surface below, on the exterior of the room, space or building, and that are provided with window fall prevention devices that comply with ASTM F2006.

2. Operable windows with openings that are provided with window fall prevention devices that comply with ASTM F2090.

~~702.5. Emergency escape and rescue openings. Where windows are required to provide emergency escape and rescue openings in group R-2 and R-3 occupancies, replacement windows shall be exempt from the requirements of sections 1029.2, 1029.3, and 1029.5 of the international building code provided the replacement window meets the following conditions:~~

~~1. The replacement window is the manufacturer's largest standard size window that will fit within the existing frame or existing rough opening. The replacement window shall be for an equal or greater window opening area than the existing window.~~

~~2. The replacement of the window is not part of a change of occupancy.~~

902.1. High-rise buildings. Any building having 1 or more occupied floors located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall comply with the requirements of sections 902.1.1 and 902.1.2.

Exception: The provisions of sections 902.1.1 and 902.1.2 shall apply to buildings having occupied floor levels more than 75 feet above the lowest level of fire department vehicle access where the local unit of government has complied with the provisions of section 403.1 of the Michigan building code, exception 6.

R 408.30577 Applicability.

Rule 577. Sections 806.1 and 906.1 are added to the code and 1401.2 and 1401.2.5 of the code are amended as follows:

806.1. General. A building, facility, or element that is altered shall comply with section .410.

906.1. General. A building, facility, or element that is altered shall comply with section 410.

1401.2. Applicability. Structures existing before November 6, 1974, in which there is work involving additions, alterations, or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of chapters 5 to 13 of the code. The provisions in sections 1401.2.1 to 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in groups A, B, E, F, **I-2**, M, R, and S. This rule shall not apply to buildings with occupancies in group H or **I-1, I-3, or I-4**.

1401.2.5. Accessibility requirements. All portions of the buildings proposed for change of occupancy shall conform to the accessibility provisions of section 410.

NOTICE OF PUBLIC HEARING

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BUREAU OF CONSTRUCTION CODES
NOTICE OF PUBLIC HEARING

Construction Code – Part 9A – Mechanical Code (ORR# 2015-025 LR)
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The public hearing is being held to receive public comments on the proposed amendments to the administrative rules noted above. Testimony will be taken for each rule set in the order the rules are listed above. Individuals who are not present during testimony for a particular rule set will be provided an opportunity to testify after final testimony on the Michigan Rehabilitation Code for Existing Building Rules.

The proposed revisions to Part 9A Mechanical Code rules will adopt the 2015 edition of the International Mechanical Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the Department under the authority of Section 4 of 1972 PA 230, MCL 125.1504 and Executive Reorganization order Nos. 2003-1, 2008-20 and 2011-4, MCL 445.2011, 445.2025 and 445.2030.

The proposed revisions to Part 7 Plumbing Code rules will adopt the 2015 edition of the International Plumbing Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the Department under Section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4 and 2011-4, MCL 445.2011, 445.2025 and 445.2030.

The proposed revisions to Part 4 Building Code rules adopt the 2015 edition of the International Building Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the Department under Section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4 and 2011-4, MCL 445.2011, 445.2025 and 445.2030.

The proposed revisions to the Michigan Rehabilitation Code for Existing Building rules adopt the 2015 edition of the International Existing Building Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the

Department under Section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4, and 2011-4, MCL 445.2011, 445.2025 and 445.2030. The proposed rules will be published in the February 15, 2016, Michigan Register. Copies of the proposed amendments to the Michigan Part 9A Mechanical, Michigan Part 7 Plumbing, Michigan Part 4, and the Michigan Rehabilitation Code for Existing Building Rules may be obtained for a fee of \$3.00 each by submitting a check or money order made payable to the State of Michigan, to the Bureau at the address below. You may download a free copy of the proposed amendments by visiting the Bureau's website at www.michigan.gov/bcc. The amendments are located under "What's New" on the front page of the website.

Oral or written comments may be presented in person at the hearing on March 15, 2016, or submitted in writing by mail, email, or facsimile no later than 5:00 p.m., March 15, 2016, to the address stated below. If your presentation at the public hearing is in written form, please provide a copy to the Rules Specialist, at the conclusion of your testimony at the hearing.

Department of Licensing and Regulatory Affairs
Bureau of Construction Codes
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(2016 SESSION)

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

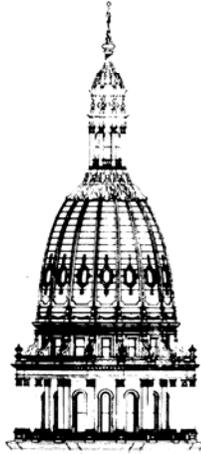
(i) Other official information considered necessary or appropriate by the Office of Regulatory Reform.”

The following table cites administrative rules promulgated during the year 2000, and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).

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**ADMINISTRATIVE RULES
ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2015 SESSION)**

Mich. Const. Art. IV, §33 provides: “Every bill passed by the legislature shall be presented to the governor before it becomes law, and the governor shall have 14 days measured in hours and minutes from the time of presentation in which to consider it. If he approves, he shall within that time sign and file it with the secretary of state and it shall become law . . . If he does not approve, and the legislature has within that time finally adjourned the session at which the bill was passed, it shall not become law. If he disapproves . . . he shall return it within such 14-day period with his objections, to the house in which it originated.”

Mich. Const. Art. IV, §27, further provides: “No act shall take effect until the expiration of 90 days from the end of the session at which it was passed, but the legislature may give immediate effect to acts by a two-thirds vote of the members elected to and serving in each house.”

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.

(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.”

2016 Michigan Public Acts Table

Legislative Service Bureau
Legal Division, Statutory Compiling and Law Publications Unit
124 W. Allegan, Lansing, MI 48909

February 9, 2016
Through PA 8 of 2016

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
1	4983		Yes	1/26	1/26	4/25/16	Natural resources; fishing; entrance into state-operated public boating access sites and certain state parks on free fishing weekends; allow free of charge. (Rep. B. Rendon)
2	4604		Yes	1/26	1/26	2/25/16	Natural resources; soil and erosion; soil erosion and sedimentation permit process; provide exemption for certain agricultural practices. (Rep. B. Roberts)
3	5220		Yes	1/29	1/29	1/29/16	Appropriations; supplemental; distribution of certain appropriated revenue from the state general fund to department of health and human services; provide for. (Rep. P. Phelps)
4	4459		Yes	2/2	2/2	2/2/16	Traffic control; driver license; emergency contact information encoded in driver license; allow. (Rep. P. Lucido)
5	4460		Yes	2/2	2/2	2/2/16	State; identification cards; emergency contact information on state identification card; provide for. (Rep. P. Lucido)
6	4535		Yes	2/2	2/2	5/2/16	Weapons; licensing; requirement to obtain a license to purchase, carry, possess, use, or transport a pistol; exempt law enforcement officers. (Rep. L. Theis)
7		0232	Yes	2/2	2/2	2/2/16	Use tax; definitions; definition of auto dealer; modify. (Sen. D. Robertson)
8		0233	Yes	2/2	2/2	2/2/16	Sales tax; definitions; definition of auto dealer; modify. (Sen. D. Robertson)

- * - I.E. means Legislature voted to give the Act immediate effect.
- ** - Act takes effect on the 91st day after sine die adjournment of the Legislature.
- *** - See Act for applicable effective date.
- + - Line item veto.
- ++ - Pocket veto.
- # - Tie bar.