



CODE WORKS!

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Summer 2013

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I have been contacted by a number of building officials and several elected executives regarding the use of revenue generated by an enforcing agency. The question has been “may that revenue be used for zoning, property maintenance, or housing operation if they are part of the code enforcement department?” The answer is no. Section 22 of 1972 PA 230, MCL 125.1522(1) provides the authority for a governmental subdivision to establish “reasonable fees.” The section clearly states that “fees shall be intended to bear a reasonable relation to the cost, including overhead, to the governmental subdivision ... of an enforcing agency...” The subsection continues to state “The legislative body of the governmental subdivision shall only use the fees generated under this section for the operation of the enforcing agency or the construction board of appeals, or both, and shall not use the fees for any other purpose.”

Section 2 of 1972 PA 230, MCL 125.1502a(1)(s), states “Enforcing agency means the governmental agency that, in accordance with section 8a or 8b, is responsible for administration and enforcement of the code within a governmental subdivision. However, for the purposes of section 19, enforcing agency means the agency in a governmental unit principally responsible for the administration and enforcement of applicable construction regulations.” Subsection MCL 125.1502a(1)(k) states “Code means the state construction code provided for in section 4 or a part of that code of limited application and includes a modification of or amendment to the code.” Section 4 of 1972 PA 230 MCL 125.1504, defines the code that the enforcing agency is authorized to enforce. Any operation concerning other than the codes listed in MCL 125.1504 are not “enforcing agency” operations and the fees collected from enforcing agency operation shall not be used for other operations.

It has been alleged that governmental subdivisions have been using the revenue derived from enforcing agency operations to fund zoning, property maintenance, housing, planning, etc. These functions are not enforcing agency functions, and it is improper to use enforcing agency fees for such operations. It has also been reported that zoning, property maintenance and housing inspectors have been listed as code inspectors and enforcing agency funds used to support their operations. This is not in accordance with the act and should not be done.

In conclusion, governmental subdivisions must be aware of restricted use of funds derived from enforcing agency operations. They also should be aware that the fees charged shall resemble the cost of providing the services prescribed in 1972 PA 230. Even if other operations are in the same department, those operations may not be funded by “enforcing agency” fees.



ADMINISTRATION

PLUMBING DIVISION APPOINTS NEW CHIEF

By Keith Lambert, Deputy Director



I am pleased to announce that Joe Madziar is the new chief of the Plumbing Division. Joe received his Master Plumber license in 1980 and he has served as both an inspector and senior plumbing inspector for the bureau since 2005. Prior to joining the bureau, Joe attained 25 years of managing staff and business operations in the plumbing industry. He has worked in the plumbing trade for 31 years and has the insight and confidence to serve him well in his new position as manager. His appointment as chief was effective June 9, 2013.

PLAN REVIEW DIVISION

REVISED PLAN REVIEW APPLICATIONS

By Todd Cordill, NCARB, Chief

Plan Review Division

Several bureau applications for plan review have been revised recently. The applications and instructions can be found at the bureau web site at www.michigan.gov/bcc under "Forms" then "Plan Review Division."

The following application forms have been revised: Application for Plan Examination; Application for School Project Plan Examination; and Application for Preliminary Plan Examination. The applications require the same information as in the past, but with some changes in their order on the forms. This was done in keeping with recent changes to bureau permit applications that were made as the result of suggestions from various committees, bureau customers, and staff. When filling out one of these applications, it should be noted that the applicant information is required near the top of each form, but the applicant signature is required at the bottom of each form. An e-mail address can be provided by the applicant so that written correspondence can be sent via e-mail from the Plan Review Division. The written correspondence sent via e-mail consists of the initial confirmation letter (acknowledging log-in of a submittal) and plan review letters. Approval correspondence is typically sent with the approved construction document plans and specifications.

As in the past, the addresses for project plan review submittals are listed on the applications and instructions. If sent by courier other than the U.S. Postal Service, then our physical address shall be used. Our physical address is 2501 Woodlake Circle, Okemos, MI 48864.

The remainder of the applications handled by the Plan Review Division, are unchanged. Those applications that remain unchanged are listed as follows.

- Application for Premanufactured Unit
- Application for Modification to Premanufactured Unit
- Application for Approval and Renewal of Inspection and Evaluation Agencies
- Application for Approval and Renewal of Plan Review Agencies
- Premanufactured Application for Approval of Compliance Assurance Manual
- Application for Barrier Free Design Rule Exception
- Application for Manufactured Housing Community Plan Examination and Permit
- Application for Construction Code Appeal
- Petition Application for Certificate of Acceptability

If you have questions regarding this matter, feel free to contact the Plan Review Division at (517) 241-9328 or bccplanreviewcodemail@michigan.gov with questions.

BUILDING DIVISION

50TH ANNIVERSARY METRO BUILDING INSPECTORS OF GREATER GRAND RAPIDS

By **Larry Lehman, Chief Building Division**

Congratulations are in order for the Metro Building Inspectors of Greater Grand Rapids on their 50th anniversary celebrated on July 11, 2013, at Boatwerks in Holland, Michigan. A Founding Father Award was presented to Robert Boelens, and congratulations to Metro on their 50th anniversary were given by Cory Roblee, ICC Representative, and Larry Lehman, Bureau of Construction Codes, Building Division Chief.

The Metro Building Inspectors Association has served the greater Grand Rapids area since 1963. The first meeting was held on August 29, 1963, with Robert Boelens, City of Grand Rapids director of Inspections, serving as their first president. The association was known at that time as Inspectional Services Conference of Western Michigan. Their membership consists primarily of building code enforcement officials and associates having a common interest in their association's purpose. They have over 100 members who currently represent jurisdictions south of Cadillac, north of Kalamazoo, and from the middle of the state to Lake Michigan. The primary purpose of the association is to provide its members with monthly continuing education programs on the building codes and their enforcement for the benefit of the communities served by the members of this organization.

Current Board officers are President Ed Gordon, Vice President Kirk Briggs, Secretary Art Grimes, Treasurer Art Kingsley; and current Board members Phil Brummel, Board of Director Dan Theile, and Board of Director Vicar Steven Sheldon. Metro's web address is <http://metrobuilding.org/index.htm>.



BUILDING DIVISION

MICHIGAN 2012 CODE ADOPTION AND REFERENCED STANDARDS

By **Larry Lehman, Chief**
Building Division

The Building Division has received questions relative to which edition (or year) of referenced standards should be applied to projects being submitted for plan review now that Michigan has begun adoption of the 2012 Codes. You may check the status of each code adoption process at: www.michigan.gov/bcc by selecting “Rules Status Chart 2013-2014” under “What’s New.”

The 2012 Michigan Building, Residential and Rehabilitation Codes have not yet been adopted. The 2011 Michigan Electrical Code (MEC) took effect July 1, 2013; the 2012 Michigan Mechanical Code (MMC) takes effect September 27, 2013; and the 2012 Michigan Plumbing Code (MPC) is expected to be effective in early 2014. The referenced standards in the 2009 Michigan Building Code (MBC) will not, in some cases, be the most recent editions as referenced in the three codes that have already been adopted.

After carefully reviewing the scoping provisions of the MBC, MEC, MMC, and MPC, it has been determined that where the 2012 MMC, 2012 MPC, and 2011 MEC specifically indicate a year and edition of a referenced standard, those standards should be followed. When the 2012 MMC and MPC and 2011 MEC do not specifically indicate a year or edition, the referenced standard will default to the standard referenced in the current 2009 MBC.

It is important to note that referenced standards are developed and approved with the current version of codes to ensure they are compatible with that specific code and represent the latest approved technology available. While the MBC provides scoping for the installation of systems in a building, the MEC, MMC, and MPC together with their referenced standards and manufacturers’ specifications provide the installation guidelines.

Questions may be directed to the Building Division at (517) 241-9317 or bccbldg2@michigan.gov.

ELEVATOR DIVISION

ELEVATOR RULES STATUS

By **Laurie Bass, Departmental Analyst**
Elevator Division

The Elevator Safety Division is in the process of updating the elevator rules to the most current safety standards. The proposed rules are expected to become effective in November 2013. The status of these rules can be found at: www.michigan.gov/bcc by selecting “Rules Status Chart 2013-2014” under “What’s New.”

The Michigan Elevator Rules will adopt the following standards:

- American Society of Mechanical Engineers, Safety Code for Elevators and Escalators, ASME A17.1-2010
- American Society of Mechanical Engineers, Safety Standards for Platform Lifts and Stairway Chairlifts, ASME A18.1-2011
- American Society of Mechanical Engineers, Safety Standard for Belt Manlifts, ASME A90.1-2009
- American Society of Mechanical Engineers, Standard for Elevator Suspension, Compensation, and Governor Systems, ASME A17.6-2010
- American Society of Mechanical Engineers, Performance-Based Safety Code for Elevators and Escalators, ASME A17.7-2007
- American National Standards Institute, Safety Requirements for Personnel Hoist and Employee Elevators for Construction and Demolition and Operations, ANSI A10.4-2007 (no change from previous)

These editions of the standards are currently available from the American Society of Mechanical Engineers at (800) 843-2763 or Global Engineering at (877) 413-5184. Be sure to specify the correct edition you are requesting.

If you have any questions, please contact the Elevator Safety Division at (517) 241-9337 or elevsafety@michigan.gov.

ELECTRICAL DIVISION

2011 MICHIGAN ELECTRICAL CODE ADOPTED

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

The 2011 Michigan Electrical Code (MEC) became effective July 1, 2013. The 2011 MEC consists of the Part 8 Electrical Code Rules and adopts by reference the 2011 NEC/NFPA 70 with the amendments listed in the rules.

The Electrical Division is accepting applications for 2011 code update classes. A 15-hour code update class approved by the board will be required for 2015 license renewals for master and journey electricians as well as fire alarm specialty technicians. Sign specialist licensees are required to complete an eight hour board-approved program. The Electrical Division will insert a notice in the 2014 license renewals to notify all licensees of the code update requirement for 2015 license renewals.

Questions may be directed to the Electrical Division at (517) 241-9320 or bccelec@michigan.gov.



ELECTRICAL DIVISION CONTINUED

AIR CONDITIONING AND REFRIGERATION BRANCH CIRCUITS

By **Jim Hennesey, Assistant Chief**
Electrical Division

As an electrical inspector, have you ever asked yourself the question: What were they thinking when they installed these conductors for an air conditioner that I know are too small for a unit? Here is something to consider before writing that violation.

The 2011 NEC, Article 440.1 Scope, applies to electric motor driven air conditioning and refrigeration equipment and to the branch circuits and controllers for such equipment. It provides for the special considerations necessary for circuits supplying hermetic refrigerant motor compressors and for any air conditioning or refrigerating equipment that is supplied from a branch circuit.

Article 440.6 Ampacity and Rating, provides information for sizing the conductors from Table 310.15(B) (16) through 310.15(B) (21). This section further states that the ampacity of the conductors and the equipment rating are determined by 440.6 (A), Hermetic Refrigerant Motor-Compressor, and 440.6 (B), Multimotor Equipment. Part (A) directs us to look at the name plate for the rated load current of the equipment. This information will help determine the disconnecting means, branch circuit conductors, controller, and the branch circuit short circuit and ground fault protection.

When we look at Table 310.15(B) (16) it shows that # 14 AWG has a rating of 20 amps and is allowed to be used at this rating under certain conditions.

Last, Article 240 covers overcurrent protection of conductors. Article 240.4 (G) Overcurrent protection for Specific Conductor Applications, deals with air-conditioning and refrigeration equipment circuit conductors. Table 240.4 (G) lists the specific conductor applications where the ampacity of the conductors may be different from the requirements of 310.15 (B) (16).

In conclusion, after reviewing all the applicable articles we may find that it is a code compliant installation after all.

Questions may be directed to the Electrical Division at (517) 241-9320 or bccelec@michigan.gov.

MECHANICAL DIVISION

MECHANICAL CONTRACTOR SPECIALTY LICENSE

MODIFICATIONS

By **Kevin Kalakay, Chief**
Mechanical Division

In 1986 the Board of Mechanical Rules established six sub-classifications to the specialty license under authority granted by MCL 338.972, Sec. 2 (1) (q), and Rule 338.911 (3). These sub-classifications allow an individual to take an exam and obtain a limited license for a specific type of work. The specialty sub-classifications were never defined like the other license classifications and the type of work which could be performed under each of the specific specialty licenses was not clear.

The Board of Mechanical Rules at their May 15, 2013, meeting approved the following modifications to the specialty license sub-classifications titles along with establishing definitions for each specialty sub-classification. These changes took immediate effect.

10a “Solar” is now “Solar Heating and Cooling” and defined as: Solar Heating and Cooling is the installation of equipment and systems intended to utilize solar energy for space heating or cooling.

10b “Solid fuel” is now “Solid Fuel Equipment & Vented Decorative Gas Appliances” and defined as: Solid Fuel Equipment & Vented Decorative Gas Appliances is the installation of equipment that utilizes combusted solid fuel to produce heat or a vented fuel gas appliance wherein the primary function lies in the aesthetic effect of the flames.

10c “L.P. tank and pipe” and 10d “Underground tank and pipe” are combined into 10c “LP Distribution Piping” and defined as: LP Distribution Piping is limited to the installation of fuel gas piping from the outlet of the first stage regulator to the inlet of the second stage regulator.

10d “Gas piping” is now “Fuel Gas Piping” and defined as: Fuel Gas Piping is the installation of piping, valves, and fittings from the outlet of the point of delivery to the inlet of the appliance used to convey natural gas, manufactured gas, liquefied petroleum gas or a mixture of these gases.

10e “Gas piping and venting” is now “Fuel Gas Piping & Venting” and defined as: Fuel Gas Piping & Venting is the installation of fuel gas piping and the installation of a continuous open passageway from the flue collar or draft hood of an appliance to the outside atmosphere for the purpose of removing flue or vent gases.

10f has been eliminated.

Questions regarding this article may be directed to the Mechanical Division at (517) 241-9325 or bccmech@michigan.gov.

MICHIGAN CODES & RULES CURRENTLY IN EFFECT

Boiler Rules	07/30/2010
Building/Residential Codes (Part 4)	03/09/2011
Building Officials, Plan Reviewers, and Inspectors	04/24/2013
Electrical Code (Part 8)	07/01/2013
Elevator Safety - General	06/21/2010
Manufactured Housing General Rules	09/02/2008
Mechanical Code	10/21/2010
Plumbing Code (Part 7)	08/20/2010
Rehabilitation Code	03/09/2011
State Boundary Commission	07/01/2013
Subdivisions of Land	06/16/2008
Survey and Remonumentation General Rules	06/21/2013
Uniform Energy Code	03/09/2011

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

OFFICE OF LAND SURVEY AND REMONUMENTATION

STATE BOUNDARY COMMISSION RULES

By Kevin O'Brien, P.S.
Office of Land Survey and Remonumentation

In 2012 the Department of Licensing and Regulatory Affairs (LARA), under the authority granted in Executive Order #1996-2, convened a rules committee to review the administrative rules for the State Boundary Commission (SBC). The efforts of the committee and outcome of the rule-making process came to fruition with the updated General Rules for the State Boundary Commission that took effect on July 1, 2013.

The previous rule set, last updated in 1979, was revised to recognize amendments to the State Boundary Commission Act, 1968 PA 191, and organize, clarify, and streamline State Boundary Commission procedures for processing petitions for incorporation or consolidation, as well as petitions or resolutions for annexations.

To alleviate the above deficiencies, revisions have been adopted to:

- Clarify the process. The previous rules lacked organization, did not follow the workflow and processes required for the SBC to review dockets, and certain steps were not defined. This lack of structure made it confusing and difficult for petitioners and involved parties to understand the process.
- Broaden the allowable forms of written communication by adding electronic communication, i.e., email, as an acceptable method.
- Clarify the filing requirements and assist petitioners with meeting legal sufficiency requirements.
- Allow petitioners, at the discretion of the department, to correct obvious scrivener's errors in a docket so they may be corrected prior to the legal sufficiency meeting.
- Allow petitioners, under certain circumstances, the ability to withdraw their docket prior to the legal sufficiency meeting.
- Remove regulatory demands not required by law or practiced by the SBC.

A copy of the new General Rules for the State Boundary Commission can be obtained from the Office of Land Survey and Remonumentation's website at www.michigan.gov/sbc or through the Office of Regulatory Reinvention's website at www.michigan.gov/orr.

Please contact the Office of Land Survey and Remonumentation at bccolr@michigan.gov or (517) 241-6321 if additional information is desired.

PLUMBING DIVISION

INSTALLATION AND PERMIT REQUIREMENTS FOR WATER SOFTENERS IN RESIDENTIAL OCCUPANCIES

By **Andy Neuman, Assistant Chief**
Plumbing Division

Water softeners/water treatment devices are addressed in the State Plumbing Act, 2002 PA 733; the 2009 Michigan Plumbing Code (MPC); and the 2009 Michigan Residential Code (MRC). The technical designation used in the code for these devices is plumbing appliance.

Domestic (hereafter discussed as residential) occupancy water treatment devices are limited to and clarified as being in one- and two-family dwellings. Both the MRC and the MPC, due to section P2601.1 of the MRC, address how they shall be installed. It is not required that residential installations be performed by contractors and plumbers licensed under Act 733.

Residential devices shall, however, be installed after a permit has been obtained by the responsible installer from the plumbing inspection jurisdiction having authority. The devices shall then be inspected and must comply with the applicable code. Clarification on the above matter can be found in Act 733, Section 5(c) and Section 15(2) (c).

Commercial (occupancies other than domestic) installations shall be performed by contractors and plumbers licensed in accordance with Act 733, and require compliance with the code. Contractors and plumbers licensed under Act 733 can perform installations in residential occupancies as well as commercial. Both residential and commercial installations require permits, inspections and code compliance.

Questions concerning this article may be directed to the Plumbing Division at (517) 241-9330 or bccplbg@michigan.gov.

BOILER DIVISION

BOILERS IN APARTMENTS, CONDOMINIUMS AND TOWN HOMES

By **William Vallance, Chief**
Boiler Division

The Boiler Act, 1965 PA 290, addresses exemptions under Section 7, MCL 408.757, and states in part:

This act shall not apply to any of the following:

- (a) Boilers under federal control. . . .
- (d) Steam or vapor boilers carrying a pressure of not more than 15 p.s.i.g., which are located in a private residence or in an apartment building with a capacity of less than 6 families.
- (e) Hot water boilers operated at a pressure not exceeding 160 p.s.i.g. or a temperature not exceeding 250 degrees Fahrenheit that are located **in a private residence or in an apartment building** with a capacity of less than 6 families [emphasis added].

If a boiler is going to be installed in a residence or building which meets the exemption requirement from the boiler act, Section 13(2), MCL 408.763(2), states that “a person licensed under the Forbes mechanical contractors act, 1984 PA 192, MCL 338.971 to 338.988, in the classification of hydronic heating and cooling and process piping may install, repair, alter, and remove a residential boiler installed in a residence exempt from this act under section 7 without obtaining a license under this act.”

Apartments, condominiums, and town homes as part of a single structure containing 6 or more units are not exempt. Licensees should contact the Boiler Division at (517) 241-9334 or bccblr@michigan.gov with questions regarding a location’s exempt status.

Providing for Michigan’s Safety in the Built Environment



BCC Contact Information

TELEPHONE NUMBERS:

Administration (517) 241-9302
 Office of Administrative Services (517) 335-2972
 Office of Management Services (517) 241-9313
 Boiler Division (517) 241-9334
 Building Division (517) 241-9317
 Act 54 Registration (517) 241-9317
 Electrical Division (517) 241-9320
 Elevator Safety Division (517) 241-9337
 Mechanical Division (517) 241-9325
 Office of Land Survey & Remonumentation (517) 241-6321
 Plan Review Division (517) 241-9328
 Plumbing Division (517) 241-9330

FACSIMILE NUMBERS:

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

MAILING ADDRESSES:

P.O. Box 30254 (First Class Mail **without** currency)
 P.O. Box 30255 (First Class Mail **with** currency)
 Lansing, MI 48909

COURIER OTHER THAN US POSTAL SERVICE:

2501 Woodlake Circle, Okemos, MI 48864

EMAIL ADDRESSES:

Administration - bccinfo@michigan.gov
 Office of Administrative Services - bccoas@michigan.gov
 Office of Management Services - bccpermits@michigan.gov
 Boiler Division - bccblr@michigan.gov
 Building Division - bccbldg2@michigan.gov
 Electrical Division - bcelec@michigan.gov
 Elevator Division - elevsafety@michigan.gov
 Mechanical Division - bccmech@michigan.gov
 Office of Land Survey & Remonumentation - bccolsr@michigan.gov
 Plan Review Division - bccplanreviewcodemail@michigan.gov
 Plumbing Division - bccplbg@michigan.gov



Board and Commission Meetings

<u>MEETING</u>	<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
Barrier Free Design Board	Sept 20	9:30 am	Okemos – Conf Room 3
Board of Boiler Rules	Sept 10, Dec 10	9:30 am	Okemos – Conf Room 3
Construction Code Commission	Oct 2	9:30 am	Okemos – Conf Room 3
Electrical Administrative Board	Aug 22, Nov 7	9:30 am	Okemos – Conf Room 3
Elevator Safety Board	Aug 23, Nov 1	9:30 am	Okemos – Conf Room 3
Manufactured Housing Commission	Aug 21, Oct 16	10:00 am	Okemos – Conf Room 3
Board of Mechanical Rules	Aug 14, Nov 27	9:00 am	Okemos – Conf Room 3
State Boundary Commission	Aug 13, Sept 11	1:30 pm	Okemos – Conf Room 3
State Plumbing Board	Sept 17	10:00 am	Okemos – Conf Room 3

Dates and times are subject to change. Visit the [BCC website](http://www.michigan.gov/bcc) for updates.

ATTENTION READERS!

If you know of an organization or individual that would benefit from the information posted in BCC's newsletter, please direct them to our website at www.michigan.gov/bcc. Under the "Publications, Bulletins & Advisories" heading, click on the Code Works! link for more information on how to subscribe and receive an electronic notification of when each quarterly newsletter is posted.

License Examination Dates

BCC ONLINE SERVICES

[Manufactured Home Affidavit of Affixture](#)
[Online Lookup](#)
[Online License Search](#)
[Disciplinary Action Report](#)
[Easy Access to Permit & License Verification](#)
[Statewide Search for Subdivision Plats](#)
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[Building System Approval Reports](#)
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Keith Lambert

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Deborah Young

Amie Ostrander

Created under the authority of 1972 PA 230.

<u>EXAMINATION</u>	<u>DATE</u>	<u>LOCATION</u>	<u>DEADLINE</u>
Boiler Installer and Repairer	Sept 4 & 5	Okemos	Aug 9
	Dec 4 & 5	Okemos	Nov 8
Fire Alarm Spec. Tech./Sign Spec.	Nov 12	Okemos	Oct 15
Electrical - Journeyman	Aug 29	Lansing	Aug 1
	Nov 21	Lansing	Oct 24
Electrical - Master	Aug 29	Lansing	Aug 1
	Nov 21	Lansing	Oct 24
Electrical - Contractor	Sept 24	Okemos	Aug 27
	Nov 12	Okemos	Oct 15
Elevator Contractor/Journeyperson Certificate of Competency	Aug 23	Okemos	July 26
	Nov 1	Okemos	Oct 4
Mechanical Contractor	Sept 10	Lansing	Aug 9
	Dec 10	Lansing	Nov 8
Plumbing - Contractor	Sept 25	East Lansing	
	Dec 18	East Lansing	
Plumbing - Master and Journey	Sept 18	East Lansing	
	Dec 4	East Lansing	

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

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