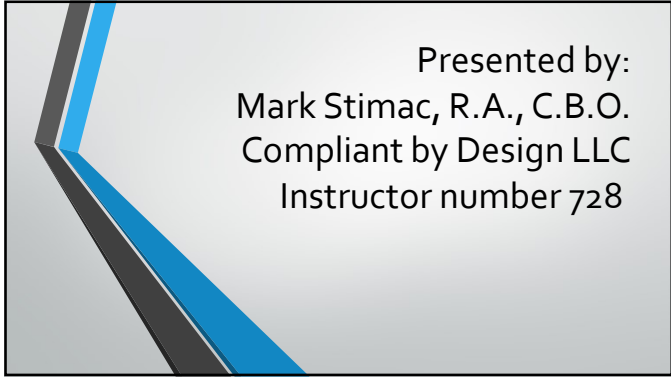
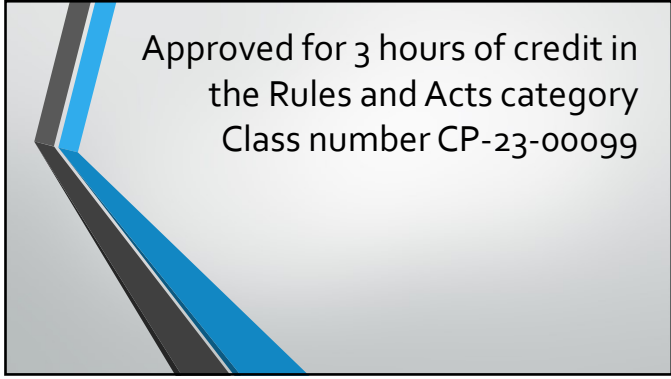




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Course Outline

- Authority
- Hierarchy
- Federal Constitution
- State Constitution
- State Laws
- Administrative Rules
- Standards

4

Course outcomes

- Attendees will learn where the authority comes from for the laws and rules that we enforce.
- Attendees will learn the hierarchy of the laws, rules, and standards.
- Attendees will learn about the laws that govern construction in Michigan
- Attendees will learn about the Administrative Rules that Govern Construction in Michigan
- Attendees will learn where to find the text of the laws and the rules.
- Attendees will learn what standards are applicable.
- Attendees will learn where to get copies of the standards

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Hierarchy of regulations

- US Constitution
 - 4th Amendment rights against illegal search and seizure.
 - 5th Amendment rights against self incrimination.
- Federal Regulations
 - CPSC Rules
 - EPA Regulations
 - FEMA Regulations
 - Americans with Disabilities Act
 - Fair Housing Act
 - Department of Energy Regulations

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Hierarchy of regulations

- US Constitution
 - 10th Amendment
 - *The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people*
- State Constitution
 - State Laws (Public Acts)
 - Administrative Rules
 - Standards

7

Public Acts that are used in Code Enforcement

- Public Act 230 of 1972 STILLE-DEROSSETT-HALE SINGLE STATE CONSTRUCTION CODE ACT
- Public Act 299 of 1980 OCCUPATIONAL CODE
- Public Act 407 of 2016 SKILLED TRADES ACT
- Public Act 1 of 1966 UTILIZATION OF PUBLIC FACILITIES BY PHYSICALLY LIMITED
- Public Act 220 of 1976 PERSONS WITH DISABILITIES CIVIL RIGHTS ACT
- Public Act 110 of 2006 ZONING ENABLING ACT
- Public Act 288 of 1967 LAND DIVISION ACT
- Public Act 59 of 1978 CONDOMINIUM ACT
- Public Act 306 of 1937 CONSTRUCTION OF SCHOOL BUILDINGS
- Public Act 207 of 1941 FIRE PREVENTION CODE

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Public Acts that are used in Code Enforcement From the LARA Website

PUBLIC ACTS

Public Act HCL Search

Careful-Entrance Safety Act of 1966 - 1966 PA 225

Construction of School Buildings - 1937 PA 306

Curriculum Act of 1962 - 1962 PA 176

Education Licenses - 1976 PA 333

Elevator Safety Board - 1967 PA 227

LAND DIVISION ACT - 1967

Michigan-Indiana State Line Remuneration Act - 2022 PA 81

Mobile Home Commission Act - 1981 PA 36

Occupational Code - 1980 PA 299

Public Safety Act of 1962 - 1962 PA 109

Skilled Trades Regulation Act - 2016 PA 407

"Draft Skilled Trades Regulation Rule Comment Book"

State Boundary Commission Act - 1968 PA 78

State Survey and Remuneration Act - 1959 PA 343

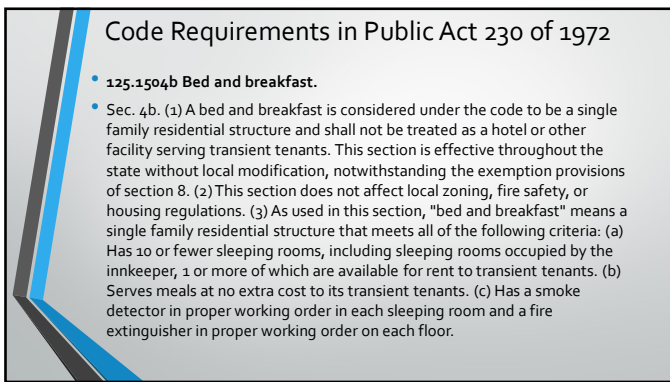
10th Amendment from Single State Construction Code Act - 1972 PA 230

Utilization of Public Facilities by Physically Limited - 1966 PA 1

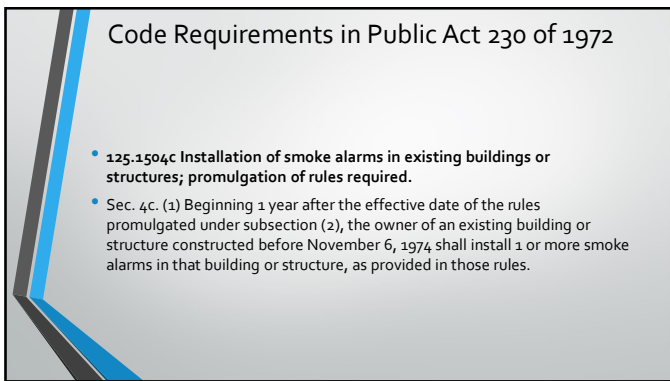
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Code Requirements in Public Act 230 of 1972

- **125.1504d Residential occupancies; installation of operational carbon monoxide device; requirements; liability; definitions.**
- Sec. 4d. (1) Beginning December 1, 2009 and involving only buildings and structures newly constructed on or after that date, the owner, operator, or builder of residential occupancies where the occupants are primarily transient in nature, including, but not limited to, boarding houses, hotels, and motels, shall install 1 operational carbon monoxide device at each source point.

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Code Requirements in Public Act 230 of 1972

- **125.1504f Single-family or multifamily dwelling; installation of operational and approved carbon monoxide device; requirements; failure to comply; penalty; liability; definitions; name of section.**
- Sec. 4f. (1) The director may provide for, at the time of initial construction of a single-family dwelling or a multifamily dwelling, or at the time of renovation of any existing single-family dwelling in which a permit is required, or upon the addition or creation of a bedroom, the installation of at least 1 operational and approved carbon monoxide device within the single-family dwelling or within each unit of the multifamily dwelling. A carbon monoxide device shall be located in the vicinity of the bedrooms, which may include 1 device capable of detecting carbon monoxide near all adjacent bedrooms; in areas within the dwelling adjacent to an attached garage; and in areas adjacent to any fuel-burning appliances.

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Code Requirements in Public Act 230 of 1972

- **125.1504h Installation of manual fire alarm box required in schools; exception.**
- Sec. 4h. A school building that has a vestibule is not required to have a manual fire alarm box installed within the vestibule if a manual fire alarm box is located within 5 feet of the interior door of the vestibule.

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Code Requirements in Public Act 230 of 1972

- **125.1513c Definitions; minimum standards for board and room facilities; inspection; noncompliance; order; penalty; hearing; payment and recovery of civil penalty; applicability of section.**
- Sec. 13c. (1) As used in this section: (a) "Board and room facility" means a residential building that does not provide separate cooking facilities for individual occupants and that is arranged for primarily nontransient shelter and sleeping accommodations for 3 or more adults. Board and room facility does not include any of the following: (i) A residential facility for students attending a college or university. (ii) A facility operated, licensed, or regulated by the state or the federal government. (iii) A bed and breakfast regulated under section 4b. (iv) A hotel or motel. (v) A private dwelling as that term is defined in section 2 of the housing law of Michigan, Act No. 167 of the Public Acts of 1917, being section 125.402 of the Michigan Compiled Laws.

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Code Requirements in Public Act 230 of 1972

- **125.1513d Requirements for stairwell geometry.**
- Sec. 13d. (1) Notwithstanding any provision in this act and until the promulgation of the complete building code update after October 15, 1999, a governmental subdivision shall not enforce a requirement for stairwell geometry in occupancies in use group R-3 structures and within dwelling units in occupancies in use group R-2 structures that differs from the stairwell geometry described in this section. (2) As used in this section: (a) "Stairwell geometry" refers to the configuration of a stairwell of a building in which the maximum riser height is 8-1/4 inches (210 mm), the minimum tread depth is 9 inches (229 mm), and a 1-inch (25 mm) nosing on stairwells with solid risers. (b) "Use group R-2 structures" means all multiple-family dwellings having more than 2 dwelling units including, but not limited to, boarding houses and similar buildings arranged for shelter and sleeping accommodations in which the occupants are primarily not transient in nature and dormitory facilities that accommodate more than 5 persons over 2-1/2 years of age. (c) "Use group R-3 structures" means all buildings arranged for occupancy as 1-family or 2-family dwelling units including, but not limited to, not more than 5 lodgers or boarders per family; multiple single-family dwellings where each unit has an independent means of egress and is separated by a 2-hour fire separation assembly; and a child care facility that accommodates 5 or less children of any age.

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Code Requirements in Public Act 230 of 1972

- **125.1513g Alteration; accessibility; primary function area; "alteration" and "primary function" defined.**
- Sec. 13g. (1) Except as otherwise provided by the Michigan rehabilitation code for existing buildings, 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. The costs of providing the accessible route are not required to exceed 20% of the total costs of the alterations affecting the area of primary function. (2) As used in this section, "alteration" and "primary function" mean those terms as defined in the Michigan rehabilitation code for existing buildings or as otherwise provided by the director by rule.

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Rules for Public Act 230 of 1972

- 125.1504, State construction code; rules; promulgation; contents; purposes, objectives, and standards; recommendations by boards; frequency of updates; public meeting; notice; request to promulgate rule; availability of code to public; use of material or method of manufacture during interim.
- Sec. 4. (1) The director shall prepare and promulgate the state construction code consisting of rules governing the construction, use, and occupation of buildings and structures, including land area incidental to the buildings and structures, the manufacture and installation of building components and equipment, the construction and installation of premanufactured units, the standards and requirements for materials to be used in connection with the units, and other requirements relating to the safety, including safety from fire, and sanitation facilities of the buildings and structures

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What is a "Rule" from the Administrative Procedures Act

- an agency regulation, statement, standard, policy, ruling, or instruction of general applicability that implements or applies laws enforced or administered by the agency, or that prescribes the organization, procedure, or practice of the agency, including the amendment, suspension, or rescission of the law enforced or administered by the agency

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What is the process of making a rule.

- The state agency submits to MOAHR a request for rulemaking.
- The agency submits draft rules to MOAHR.
- The agency submits the regulatory impact statement (RIS) and cost benefit analysis.
- After giving proper notice, the agency holds a public hearing where individuals may offer written or verbal comment regarding the proposed rules.
- Once the public hearing has been held and the public comment period has ended, the agency's final rules, which may incorporate any suggested edits provided in public comment, are sent to the Legislative Service Bureau (LSB) for formal certification and then to MOAHR for legal certification.
- The rules are then sent to the Joint Committee on Administrative Rules (JCAR).
- JCAR has 15 session days to consider the proposed rules; the committee may object to the rule, propose that it be changed, introduce bills to enact the subject of the rule into law, or waive any remaining session days.
- If JCAR does not object to the rules, propose changes, or introduce bills, MOAHR may file the rules with the Office of the Great Seal within the Secretary of State once the 15 session days have expired.

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Rules for Public Act 230 of 1972

- Part 1 Administration and Enforcement
- Part 2 Permits, Inspections, and Fees
- Part 3 Boards of Appeals
- Part 4 Building Code
- Part 5 Residential Code
- Part 6 (Not Used)
- Part 7 Plumbing Code
- Part 8 Electrical Code
- Part 9 Mechanical Code
- Part 10 Michigan Uniform Energy Code (Residential)
- Part 10a Michigan Energy Code (Non- Residential)
- Part 11 Premanufactured Units

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Where do I find the administrative rules

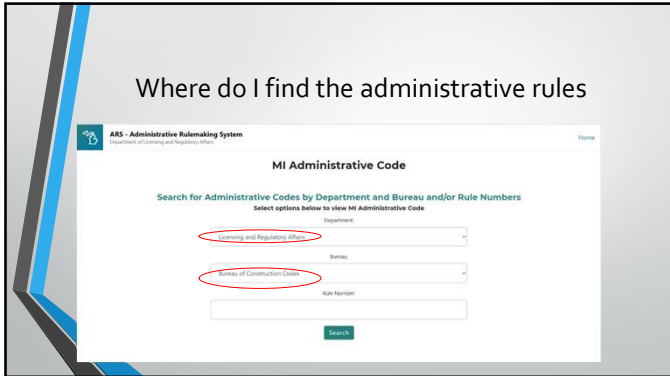
- ars.apps.lara.state.mi.us/AdminCode/AdminCode
- Google Search "Michigan Administrative Code"

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Where do I find the administrative rules

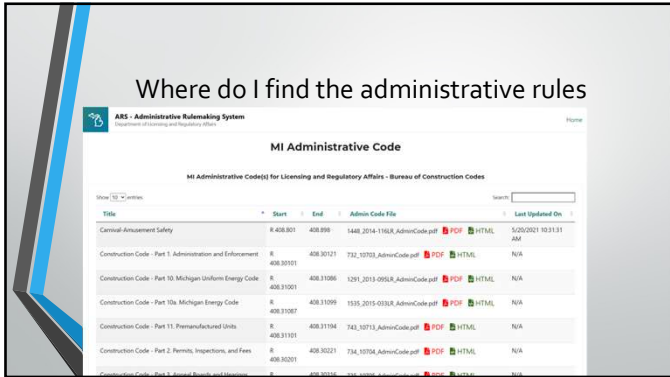
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Where do I find the administrative rules



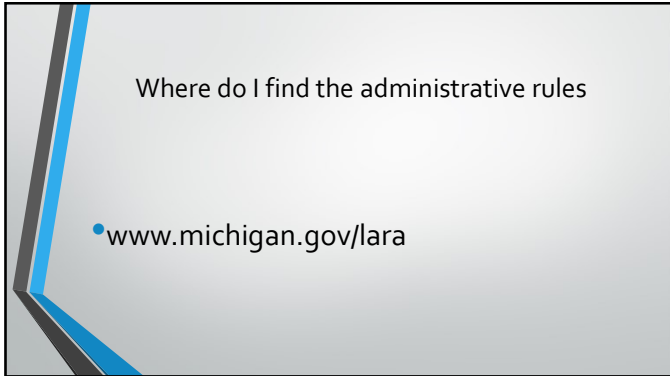
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Where do I find the administrative rules

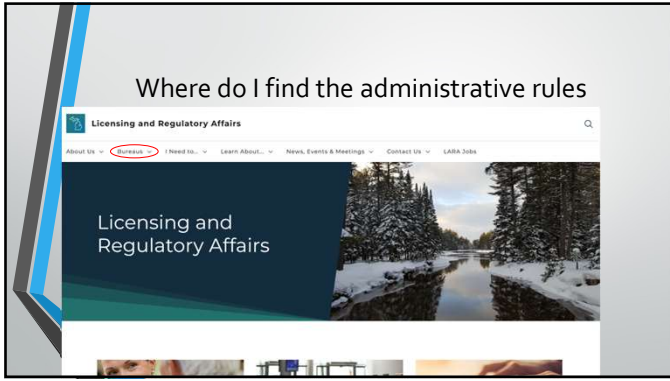


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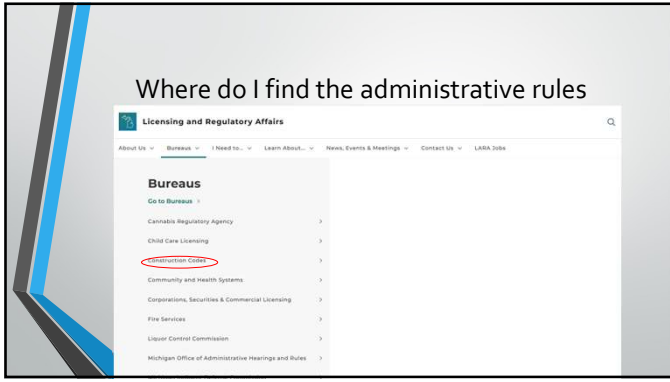
Where do I find the administrative rules



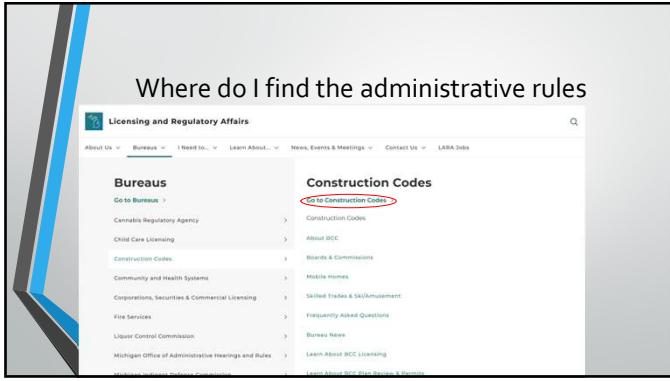
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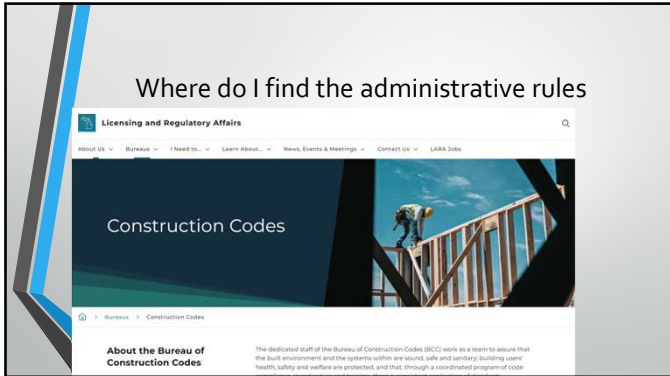
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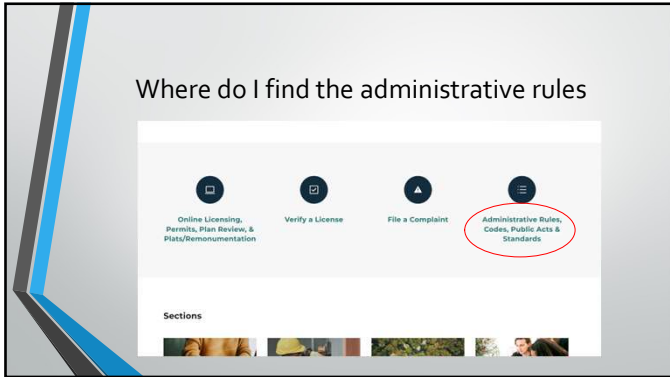
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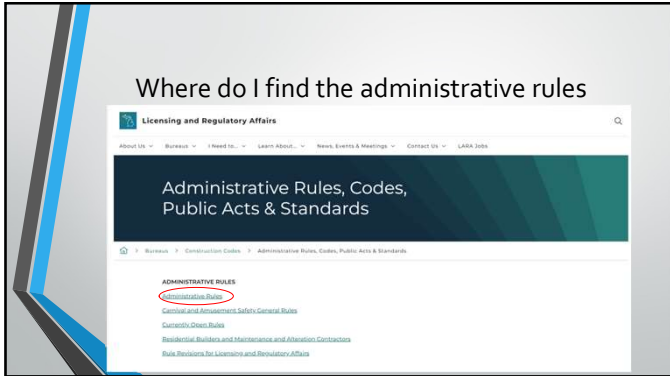
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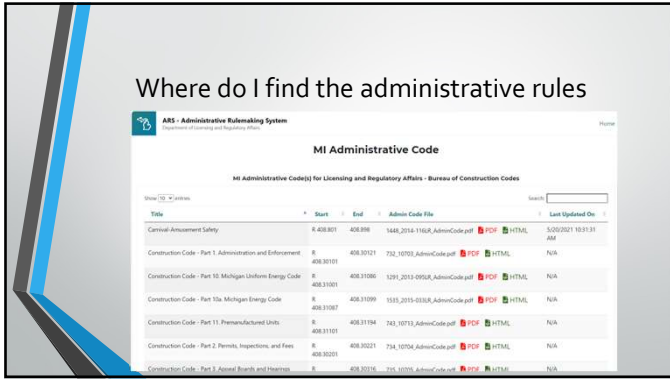
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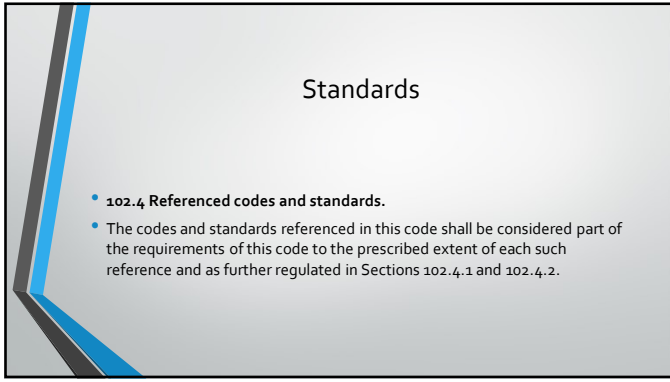
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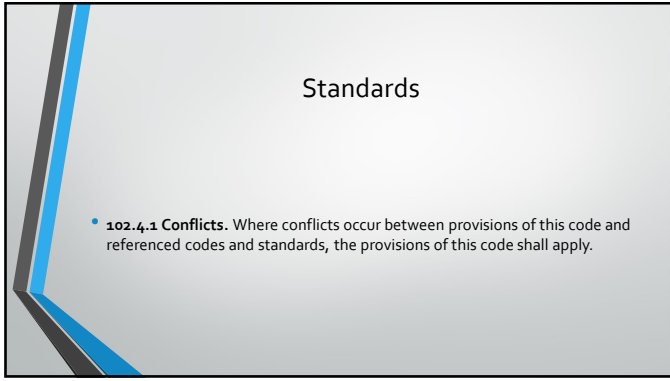
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Standards

- **102.4.2 Provisions in referenced codes and standards.** Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the International Codes listed in Section 101.4, the provisions of this code or the International Codes listed in Section 101.4, as applicable, shall take precedence over the provisions in the referenced code or standard.

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Standards

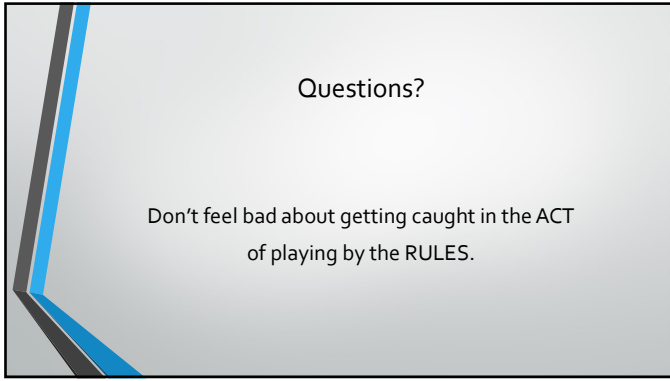
- **CHAPTER 35**
- **REFERENCED STANDARDS**
- This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title, and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.4.

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Where do I find the Referenced Standards

- Referenced Standards Section (Chapter 35) of the MBC
- ICC Website
- MADCAD
- Publisher's Website
- Google Search.
- Buy a copy

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