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# Memorandum

## VIA E-MAIL

**DATE:** March 24, 2021

**TO:** Representative Luke Meerman, Chairperson, JCAR  
Senator Jon Bumstead, Alternate Chairperson, JCAR  
Jimmy Biehl, House Republican Policy Office  
Jonathan Shiflett, Senate Majority Policy Office  
Tim Reeves, Counsel, JCAR  
Elizabeth Edberg, Counsel, JCAR

**FROM:** Marlon I. Brown, Director of Policy and Legislative Affairs

**SUBJECT:** Joint Committee on Administrative Rules (JCAR) Briefing Memo for Rule Set 2019-118 LR (Residential Code)

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## Rules Primer

The Residential Code currently adopts by reference Chapters 1 and 2 of the International Residential Code (IRC), which is based on model code regulations. The International Residential Code is designed to meet the needs through model code regulations that safeguard the public health and safety in all communications.

## Summary of the Final Proposed Rule

The proposed rules are intended to revise the Residential Code to correct conflicts and inconsistencies between the code, the Stille-DeRossett-Hale Single State Construction Code Act (230 PA 1972), and the Skilled Trades Regulation Act (407 PA 2016).

## General Public & Stakeholder Engagement

Development of the proposed rules occurred in consultation with members of the State Construction Code Commission via an advisory workgroup which included stakeholders and members of the general public to gather input on the proposed rules. This engagement was voluntary and not required by the Michigan Administrative Procedures

Act. The advisory workgroup allowed for a constructive conversation regarding various aspects of the code.

### **Public Engagement and Public Hearing/Comment/Information**

The public comment period for this rule set began on October 22, 2018 and ended on November 19, 2018 at 5:00 p.m. The notice of public comment period, in addition to being posted in various newspapers as required, was posted on the LARA website, and distributed via email listserv to all interested parties. The public hearing was held at 9:00 a.m. on September 17, 2020, and occurred virtually via Zoom, as permitted under Executive Order 2020-154. The Bureau received comments from the following individuals:

- Mr. William Hordyk, Metro Building Inspector of Grand Rapids
- Mr. Lee Swartz, Representing the Home Builders Association of Michigan
- Mrs. M.J.D'Smith, Michigan Air Conditioning Contractors Association
- Mr. Roger Papineau
- Mr. Phil Forner, Allendale Heating Company Inc.
- Mr. Wayne Jewell, Building Official, Green Oak Charter Township

### **Modifications Made Due to Public Comment**

Based on comments received during the public comment period, the Bureau retained sections 105.2 and 513 of the code and added in new language for section 104.6.

### **Significant Issues Not Incorporated in the Final Proposed Rules**

Ideas and suggestions discussed at the public hearing included the following:

- There was a concern about the deletion of portions of the administrative section of the code.
- There were some concerns related to the deletion of certain definitions within the code.

These items were not incorporated into the final proposed rules because they are provided for in statute or, in some cases, exceed the scope of statute.

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