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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

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Memorandum

VIA E-MAIL

DATE: March 30, 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 *MB*

SUBJECT: Joint Committee on Administrative Rules (JCAR) Briefing Memo for Rule Set 2019-125 LR (Part 4. Building Code)

Rules Primer

Part 4 of the Construction Code currently adopts by reference the 2015 edition of the International Building Code (IBC), which is developed by the International Code Council and is based on building principles used in building codes across the country. Part 4 also includes rules that amend the IBC to address laws and climate conditions that are specific to Michigan.

Summary of the Final Proposed Rule

The proposed rules are intended to adopt by reference the 2018 edition of the IBC with amendments, deletions, and additions deemed necessary for use in Michigan. The proposed rules provide the latest standards for construction, reconstruction, and alteration of buildings within the state. In addition to protecting the health and promoting the safety and welfare of Michigan residents, these rules may result in cost savings for homeowners and contractors who will be able to use the latest materials and technology.

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 10, 2018 and ended on November 7, 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 24, 2020, and occurred virtually via Zoom, as permitted under Executive Order 2020-154. The Bureau received comments from the following individuals:

- William Hordyk, Metro Building Inspector of Grand Rapids
- Dan Zechmeister, Professional Engineer, on behalf of the Michigan Masonry Coalition
- Jason Wadaga, Burglar Fire Association of MI
- Michael Vandervennet, Business Manager / International Union of Elevator Construction
- R. Scott Hulstrom, National Coordinator, Elevator Industry Work Preservation Fund
- Scott Walkowicz, Michigan Structural Masonry Coalition

Modifications Made Due to Public Comment

Based on comments received during the public comment period, the Bureau retained sections 104.8, 109.1, 111.1, 111.2 and 114.4 of the code

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 storm shelters.

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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cc/att: Orlene Hawks, Director, LARA
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