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STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF CONSTRUCTION CODES  
  
PUBLIC HEARING  
Administrative Rules for Construction Code - Part 8. Building  
Code Rule Set 2022-57 LR  
&  
Administrative Rules for Construction Code - Rehabilitation Code  
Rule Set 2022-58 LR  
  
Michigan Library and Historical Center, First Floor Forum  
702 West Kalamazoo Street, Lansing, Michigan  
Thursday, April 4, 2024, 9:06 a.m.

RECORDED BY: Norma Manheimer, CER 9573  
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APPEARANCES:

For the Department of  
Licensing and  
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1           Lansing, Michigan

2           Thursday, April 4, 2024 - 9:06 a.m.

3           MR. WILLIAMSON: My name is Tony Williamson, and I  
4 am a department analyst for the Bureau of Construction Codes  
5 in the Department of Licensing and Regulatory Affairs, and I  
6 will be conducting the hearing today.

7           This is a public hearing on proposed  
8 administration rules entitled Part 4 Building Code - Rule  
9 Set 2022-56 LR. We are conducting this hearing under the  
10 authority of the Administration Procedure Act, Public Act  
11 306 of 1969, and on behalf of the Department of Licensing  
12 and Regulatory Affairs, Bureau of Construction Codes.

13           We are calling this hearing to order at 9:07 a.m.  
14 on April 4th, 2024, at the Michigan Library & Historical  
15 Center, First Floor Forum, 702 West Kalamazoo Street,  
16 Lansing, Michigan, 48915. The Notice of public hearings was  
17 published in the Michigan Register, Issue #3-2022 --  
18 disregard. Issue #3-2024, on Michigan (sic) the 15th, 2024,  
19 and in the following newspapers of general circulation: The  
20 Morning Sun, the Oakland Press and the Mining Journal on  
21 March 20th, 2024.

22           Please know we are here today to receive comments  
23 on suggestions on the proposed rules. Please make sure that  
24 they relate directly to the proposed rules and reasons why  
25 the changes would be in the public interest. If you wish to

1 speak, make sure you have signed in and indicated that you  
2 wish to speak. We will call on speakers in the order in  
3 which names are listed on the sign-in sheets. Each speaker  
4 is limited to three minutes and only allowed one time to  
5 speak during the public hearing. We are here to receive  
6 comments only. For those making comments today, please  
7 clearly state and spell your name slowly for the record, and  
8 if you are speaking on behalf of an organization, please  
9 identify that organization as well.

10 If you have already submitted written comments to  
11 the Department in writing or by email, those comments will  
12 be considered in the same manner as the comments made during  
13 the public hearing today. If you have written comments, you  
14 may submit them directly to me. The Department will also  
15 accept written comments postmarked or e-mailed until  
16 4/4/2024 at 5:00 p.m. Thank you. Todd Dailey.

17 TODD DAILEY

18 MR. TODD DAILEY: Do I face you or the audience?

19 MR. WILLIAMSON: Either/or as long as you speak  
20 into the mic, sir.

21 MR. TODD DAILEY: Okay. I'd rather face the  
22 audience. You want my name and spelling; right?

23 MR. WILLIAMSON: Yes, sir.

24 MR. TODD DAILEY: I'm Todd Dailey, T-o-d-d, and  
25 the last name is D-a-i-l-e-y. I am a structural engineer

1 and at times I design seasonable -- seasonal spaces. I am  
2 here to voice support for exception C to the proposed code  
3 that exempts seasonal spaces from heating requirements. I  
4 think that is beneficial for Michigan owners and for the  
5 Michigan labor force and I'll illustrate.

6 This is an example of the type of buildings that I  
7 sometimes design. It's A press box. When these are  
8 exempted from heating requirements, we're able to use single  
9 wide masonry like this for the design. It's an attractive  
10 building. It's economical and very durable. To illustrate  
11 the durability, I have another photo. This is a recent  
12 photo of a similar type building that is now 20 years old.  
13 And with this masonry construction it looks almost brand new  
14 today. It'll last decades if it -- if the roof is  
15 maintained.

16 If buildings like this are not exempted, there's  
17 two problems that come about in my opinion. One is there's  
18 a waste of money on a heating system that will really  
19 essentially never be used. But more importantly if they  
20 have to be heated, they trigger energy code compliance. The  
21 single wide masonry in these buildings is not a very good  
22 insulator. So if we have to heat and insulate, it changes  
23 the nature of it. And what that means for Michigan labor is  
24 in many cases the design of those buildings will be flipped  
25 to a modular unit that is made out of state and then

1 transported in. So, again, it's lower cost for Michigan  
2 owners and good for Michigan labor.

3 MR. WILLIAMSON: Thank you. Kerry Sutton.

4 KERRY SUTTON

5 MS. KERRY SUTTON: My name is Kerry Sutton,  
6 K-e-r-r-y S-u-t-t-on, and I am a code advocacy engineer with  
7 the American Concrete Institute. Those not familiar with  
8 ACI, it's a professional society organized for the  
9 advancement of concrete technology. Its members are made up  
10 of volunteers who participate in over 120 technical  
11 committees. And our members include design professionals,  
12 contractors, educators and researchers committed to pursuing  
13 the best of concrete.

14 So today I'm here in support of ACI's proposal  
15 which was submitted on behalf of ACI, the ACI Michigan  
16 chapters and industry supporters who represent concrete  
17 producers, manufacturers, contractors, and service providers  
18 across the state. So our proposal is to amend the Michigan  
19 Construction Code Part 4 Building Code, Chapter 19 and 34  
20 adding ACI code 440.11 structural concrete buildings  
21 reinforced internally with glass fiber reinforced polymer  
22 bars for structural concrete.

23 So the proposal adds a new section, 1901.2.1, and  
24 includes language to permit cast in place reinforced  
25 concrete, internally reinforced with GFRP reinforcement

1 conforming to ASTM D7957, and designed in accordance with  
2 ACI 440.11. So it establishes -- the standard establishes a  
3 minimum requirement for glass fiber reinforced polymer bars  
4 in the similar fashion that ACI Code 318 building code  
5 requirements for structural concrete established minimum  
6 requirements for structural concrete reinforced with steel.

7 So why is this needed? ACI 440.11 standards  
8 provide a means of establishing the minimum requirements for  
9 design and construction of GFRP reinforced concrete.  
10 Acceptance of design and construction by -- it helps with --  
11 helping the building officials and their design  
12 representatives see what that minimum standard is.

13 The standard and similar code and language was  
14 approved for the 2024 IBC during the last ICC code  
15 development process. GFRP reinforcement concrete is  
16 especially beneficial for the use of design and structures  
17 in highly corrosive environments such as those exposed to  
18 water and deicing salts. Applications include parking  
19 garages, water tanks, marine structures and others which are  
20 applicable here in the state of Michigan. GFRP reinforced  
21 concrete is also utilized in structures supporting MRI  
22 machines because it will not interfere with electric  
23 magnetic fields.

24 So there's a lot of applications for the use of  
25 this GFRP reinforcement and we're asking that this amendment



1 be considered for the next -- this next code cycle here in  
2 Michigan. Thank you.

3 MR. WILLIAMSON: Thank you. Rick Prince. Hi.

4 RICK PRINCE

5 MR. RICK PRINCE: Good morning, my name is Rick  
6 Prince, R-i-c-k P-r-i-n-c-e. I'm with my small firm  
7 Prince-Lund Engineering out of Traverse City. Yesterday I  
8 want to tell you about an article I read about a new  
9 construction material, and this British author on this  
10 article was expounding on America's improvements of this  
11 material over the last ten years. That article was about  
12 steel, and it was written in the mid-1890s.

13 A similar process is happening now, now 100 years  
14 later. Over the past 30 years the last fiber reinforced  
15 polymers have been studied and researched and now with ACI's  
16 recent structural code, ACI 440.11 engineers and building  
17 officials now have tools -- another tool to design with  
18 minimum requirements and for officials to review those  
19 documents under a written standard.

20 The advantage is obviously non-corrosive and such  
21 costs have come down in the fabrication of GFRP bars the  
22 same similar fashion steel did between 1890s and 1930s.  
23 Their cost is down so they are nearly equal cost to black  
24 rebar, black steel rebar.

25 What I'd read here about the advantages of

1 adopting this new code was reduction in CO2 emissions and  
2 similar environmental practices. The adoption of ACI 440.11  
3 in Michigan's building codes will also help by allowing this  
4 material to be used more regularly. GFRP bars have a lower  
5 carbon emissions in its -- in its production and its  
6 manufacturing, and also the saved and improved life cycle  
7 costs of reinforced concrete buildings will also reduce not  
8 only carbon and other emissions, but also reduce life cycle  
9 cost of reinforced concrete structures tremendously.

10 So I'm asking the committee to please add this to  
11 this year's adoption of the new building code. Otherwise,  
12 if not, we will be waiting through the next code cycle to  
13 possibly add this in and eliminate the possibilities of  
14 using this valuable material sooner. Thank you.

15 MR. WILLIAMSON: Thank you. To the rest of the  
16 members if you wish to speak, please face me. If you have  
17 something to illustrate, you can turn around to illustrate  
18 to the public. Otherwise you can face me.

19 MR. RICK PRINCE: Oh, I'm sorry. Thank you.

20 MR. WILLIAMSON: No, it's all right. Sandra  
21 Lupien.

22 SANDRA LUPIEN

23 MS. SANDRA LUPIEN: I thought it was awkward to  
24 have one's back to you.

25 MR. WILLIAMSON: It's all right.

1 MS. SANDRA LUPIEN: Okay. Good morning.

2 MR. WILLIAMSON: Good morning.

3 MS. SANDRA LUPIEN: Thank you for the opportunity  
4 to speak today. My name is Sandra Lupien. It's spelled  
5 S-a-n-d-r-a, last name L-u-p-i-e-n. And I am the director  
6 of a program called Mass Timber at MSU, at Michigan State  
7 University. Our program Mass Timber at MSU interfaces,  
8 collaborates, and supports through technical assistance and  
9 stakeholder engagement and outreach at least 300 mass timber  
10 engaged stakeholders in Michigan who are either designing,  
11 developing, or building mass timber buildings in our state,  
12 or who are working to bring mass timber manufacturing  
13 operations and jobs to our state.

14 The State of Michigan, Department of Natural  
15 Resources and the Department of Agriculture and Rural  
16 Development have identified mass timber which is an umbrella  
17 term for a wide variety of large engineered wood building  
18 construction materials. They've identified it is a priority  
19 to bring mass timber manufacture to our state to help  
20 support especially rural economic development. And part of  
21 making that happen is seeing more mass timber going into  
22 buildings in Michigan.

23 We're excited about mass timber because it allows  
24 us to bring a new material into the construction especially  
25 of large commercial buildings that can be used in hybrid

1 models with materials like steel and concrete that enables  
2 us to build oftentimes more quickly, more sustainably and  
3 also to bring particular benefits to the health and  
4 well-being of occupants of buildings associated with being  
5 exposed to natural wood.

6 The code draft that's on the table here today  
7 identifies three new types of mass timber buildings: Type  
8 IV-A, Type IV-B and Type IV-C and adds that to the category  
9 of mass timber in combination with Type IV-HT which refers  
10 to heavy timber.

11 I'm simply here today to support the fact that  
12 these items are included in the Michigan 2021 draft building  
13 code, and to urge the rapid support of the code including  
14 all of these elements which were included in the 2021  
15 International Building Code. We're very excited to see  
16 these elements here. We know that their adoption will  
17 support the successful construction of mass timber buildings  
18 in Michigan.

19 There are at least 50 mass timber buildings in  
20 various stages of development in the pipeline in Michigan.  
21 And when I speak with members of the architecture,  
22 engineering and construction industry who are involved in  
23 creating these buildings, one of the first things they  
24 always say to me is when are we going to have the 2021  
25 International Building Code in Michigan Building Code. And

1 here we see it in the draft and we hope that it seamlessly  
2 moves forward and passes for all of the reasons and benefits  
3 that I expressed before. So thank you so much for your time  
4 and attention, and to the Bureau of Construction Codes staff  
5 for all of your hard work on developing the entire 2021  
6 Michigan Building Code draft. I know it's a heavy lift.  
7 Thank you.

8 MR. WILLIAMSON: Thank you. Bill Case.

9 WILLIAM CASE

10 MR. WILLIAM CASE: Good morning. My name's  
11 William Case. I'm a fire suppression contractor in the  
12 state of Michigan. I am here to speak about the requirement  
13 for the BCC having a professional engineer stamp on all of  
14 our plans that are submitted for the fire suppression  
15 systems.

16 Apparently this requirement has been in place and  
17 I wasn't sure what date, but reading through the literature  
18 here it's been since 1969. A lot of things have changed  
19 since 1969. I believe that no one has been enforcing that  
20 requirement for the PE stamp until just recently. Myself  
21 and some other fellow contractors have had their plans  
22 rejected for this reason. And I don't know if there's a new  
23 person in the position of the plan review or not, but just a  
24 little background on the PE, professional engineer.

25 That is a very rare certification in fire

1 protection. There's lots of structural professional  
2 engineers, architectural, but as far as fire protection,  
3 they are very few and far between. And very few of us fire  
4 protection contractors have one on staff. Since 1969 a lot  
5 of things have changed in the certification world with fire  
6 suppression. There is a new certification firm or entity  
7 out there called NICET, National Institute and Certification  
8 in the Engineering Technology, and they have fire protection  
9 divisions for that. And over at least the last 20 years  
10 that has become the norm for certifying our plans going into  
11 various AHJs including the State of Michigan. And I think  
12 the State of Michigan has realized that in the past and let  
13 us submit with the NICET stamp. I don't know why it's come  
14 about just recently but I would like to support the omission  
15 of that and possibly the change from professional engineer  
16 stamp to a NICET stamp.

17 We apologize. I'm kind of improvising here  
18 because we had a National Fire Sprinkler Association which  
19 most of us are members. We were supposed to have  
20 representation here today. So apologize for the improv but  
21 I think that's the long and short of it.

22 MR. WILLIAMSON: Thank you.

23 MR. WILLIAM CASE: Thank you very much.

24 MR. WILLIAMSON: Bill Jacques.

25

1 BILL JACQUES

2 MR. BILL JACQUES: Hello and thanks for taking  
3 this. My name's Bill Jacques with Absolute Fire Protection,  
4 J-a-c-q-u-e-s. And I'd like to just give support to Bill  
5 Case. He's in the industry with me, or with us, and  
6 certainly the PE stamp there's very, very few contractors  
7 out there that actually carry a man on staff. So we have to  
8 go outside of our company trying to get a PE stamp for  
9 somebody that doesn't even understand sprinkler work. They  
10 are -- like Bill said, they're in the structural engineering  
11 or some other type of engineering that doesn't specialize in  
12 fire protection.

13 And so with that note, also I know we're getting a  
14 lot of drawings now being rejected or starting to come to  
15 fruition that we're getting rejected for not having the PE  
16 stamp. And we do a lot -- a lot of school work and of  
17 course they have very tight deadlines on this school work,  
18 and so when we get rejected and we don't have these PE  
19 stamps, and we're trying to find a PE to come review our  
20 drawings it's going to put these schools behind of getting  
21 completed and we only have summers. We've got the four,  
22 five months of getting the work done in a lot of these  
23 renovations. And that's all I need to say.

24 Oh, and then during one of the submissions you  
25 guys have rejected because we didn't have two copies. Now,

1 I know it's in the code it says two copies, but I would  
2 assume that was from when we submitted by paper. But now  
3 that it's electronically is it still required to have two  
4 copies? But it's been rejected because of that so just like  
5 to see if we could get that changed also while we're -- if  
6 we're changing the code at all.

7 MR. WILLIAMSON: We are here to take comments  
8 only.

9 MR. BILL JACQUES: Pardon me?

10 MR. WILLIAMSON: We are here to take comments  
11 only; comments only to --

12 MR. BILL JACQUES: Oh, I gotcha. Okay. Well,  
13 that was my comment. Thank you.

14 MR. WILLIAMSON: Phillippe Ledent.

15 PHILIPPE LEDENT

16 MR. PHILIPPE LEDENT: Good morning. Thank you for  
17 the opportunity this morning. My name is Philippe,  
18 P-h-i-l-i-p-p-e, Ledent, L-e-d- -- like delta -- -e-n-t.  
19 And today I'm speaking on behalf of the Masonry Institute of  
20 Michigan, and also as a father to two young boys. I'm a  
21 licensed professional engineer in the state of Michigan and  
22 also a licensed structural engineer. And I'm here to object  
23 to the exclusions of sections 423.3 and 423.4 of the  
24 proposed 2021 Michigan Building Code as they relate to storm  
25 shelters. These exclusions were not included in the printed



1 text today, but they are included on the BCC website in the  
2 proposed rule set.

3           Should these exclusions be included, they would  
4 negate the requirement to provide storm shelters intended to  
5 prevent our children in Group E occupancy buildings which  
6 covers K through 12 schools, and our emergency personnel in  
7 critical facilities in the event of extreme weather  
8 including tornados. Since 2015 we have had 96 tornados in  
9 the state of Michigan including 18 last year in 2023 alone.  
10 In a recent study FEMA has listed two Michigan counties as  
11 among the country's 15 most vulnerable to tornados in 2024.  
12 These provisions are intended to protect human life and  
13 especially those of our children and emergency personnel.

14           I would like to request that the committee  
15 consider keeping the code provisions as they are written in  
16 the IBC because shelters can be constructed to resist  
17 tornados. Tornados do occur in Michigan. Conventional  
18 construction is not sufficient to resist these extreme  
19 weather events and tornado shelters can be built at a  
20 minimum premium over conventional construction. And lastly,  
21 the cost of a single life greatly exceeds the premium cost  
22 of any shelter space. Thank you to the Bureau of  
23 Construction Codes for your time this morning and thank you  
24 for your consideration.

25           MR. WILLIAMSON: Thank you. Adam Smith.

1 ADAM SMITH

2 MR. ADAM SMITH: Good morning. My name's Adam  
3 Smith, A-d-a-m S-m-i-t-h. I'm an architect from Ann Arbor.  
4 I work on housing and I'm here to voice my major support for  
5 the Type IV-A, -B and -C construction types of mass timber  
6 in the addition of the 2021 Michigan Building Code.

7 I'm also here to support the definition of high  
8 rise building aligning with the International Building Code  
9 to be 75 feet above the lowest level of fire department  
10 vehicle access because it helps with the cost of building  
11 housing. Housing is a -- housing affordability is a crisis  
12 in our state and our country and our world right now, and  
13 anything that adds more engineering or detail to a building  
14 costs more money to a tenant. So I'm here to support the  
15 addition of that.

16 But also with the mass timber moving that forward  
17 quickly is also a change in the 2024 Type IV-B construction  
18 which I'd like the 2021 to be included as quickly as  
19 possible, but to also understand the change that happened  
20 with additional testing from the RISE Institute of Sweden  
21 where the ICC changed Type IV-B 602.4.2.2 protected areas  
22 exception 1.1. Unprotected portions of mass timber ceilings  
23 including attached beams shall be permitted and shall be  
24 limited to an area less than or equal to 100 percent of the  
25 floor area in any dwelling or unit or fire area. So what

1 this does in the 2024 is allows for more exposed ceilings  
2 based off the testing so if that's available to add in to  
3 the 2021, I support that. But also support the 2021 being  
4 adopted as is as well. Thank you.

5 MR. WILLIAMSON: Thank you. There are no further  
6 comments at this time. I hereby declare this hearing  
7 closed. The record will remain open until April 4th, 2024  
8 at 5:00 p.m. for any other comments you may wish to share  
9 about the proposed rules. Thank you for attending.

10 (Hearing concluded at 9:33 a.m.)  
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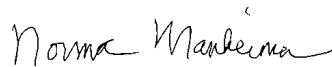
CERTIFICATE

I, Norma Manheimer, a Certified Electronic Recorder and Notary Public within and for the State of Michigan, do hereby certify:

That this transcript, consisting of 19 pages, is a complete, true, and correct record of the Public Hearing held in the captioned matter on April 4, 2024.

I further certify that I am not related to any of the parties to this action by blood or marriage; and that I am not interested in the outcome of this matter, financial or otherwise.

IN WITNESS THEREOF, I have hereunto set my hand this 9th day of April, 2024.



Norma Manheimer, CER 9573  
Notary Public, State of Michigan  
County of Kent  
My commission expires: 06/03/2026