

Michigan Office of Administrative Hearings and Rules
MOAHR-Rules@michigan.gov

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

Licensing and Regulatory Affairs

Division/Bureau/Office:

Bureau of Construction Codes

Name of person completing this form:

Daniela Pelachyk

Phone number of person completing this form:

517-241-9303

E-mail of person completing this form:

pelachykd@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Elizabeth Arasim

2. Rule Set Information

MOAHR assigned rule set number:

2022-57 LR

Title of proposed rule set:

Construction Code - Part 4. Building Code

3. Purpose for the proposed rules and background:

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. The proposed rules will adopt by reference the 2021 edition of the IBC with amendments, deletions, and additions deemed necessary for use in Michigan.

The proposed rules provide the latest standards to protect the health and promote the safety and welfare of the people by regulating the construction, reconstruction, and alteration of buildings within the state.

4. Summary of proposed rules:

The proposed rules provide the latest standards to protect the health and promote the safety and welfare of the State of Michigan residents by regulating building installation and inspection within the state.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

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The Morning Sun - March 20, 2024
The Oakland Press - March 20, 2024
The Mining Journal - March 20, 2024

6. Date of publication of rules and notice of public hearing in Michigan Register:

3/15/2024

7. Date, time, and location of public hearing:

4/4/2024 09:00 AM at Michigan Library & Historical Center. First Floor Forum , Michigan Historical Center, 702 W Kalamazoo St, Lansing, MI 48915

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1416>

9. List of the name and title of agency representative(s) who attended the public hearing:

Tony Williamson, Rules Analyst
Shannon Mauer, Operations Section Manager
Andrew Brisbo, Bureau Director
Keith Lambert, Deputy Director
Alesha Gensler, Division Director
Jon Paradine, Division Director
Tracie Pack, Building Trades Section Manager

10. Persons submitting comments of support:

Sandra Lupien, representing Mass Timber at Michigan State University
Janelle Rai, Mass Timber, representing self
Fabrice Smieliauskas, Mass Timber, representing self
Ryan Leestma, representing Leestma Management, LLC
Adam Smith representing SYNECDOCHE
Brian K Craig, representing Michigan Forest Biomaterials Institute
Todd Dailey, representing Dailey Engineering, Inc.
William Case, representing Sprinkler Professional
Bill Jacques, representing Absolute Fire Protection

11. Persons submitting comments of opposition:

Scott Walkowicz, representing Walkowicz Consulting Engineers
Philippe Ledent, representing Masonry Institute of Michigan

12. Persons submitting other comments:

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Kerry Sutton, representing American Concrete Institute
 Rick Prince, representing Prince-Lund Engineering
 Steve Banchemo, representing Northville Public Schools
 Diane Hallinen, representing self
 Gerry McClelland, representing AUCH Construction
 William A. Hordyk, Metro Building Inspectors Association of Greater Grand Rapids, representing self
 Tracie Pack, representing self
 Kevin N Koehler, representing the Construction Association of Michigan
 Mark Stimac, representing Compliant by Design
 Ron Ritchey, representing self
 Tom Archie, representing the Office of Land Survey and Remonumentation

13. Identify any changes made to the proposed rules based on comments received during the public comment period:

	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for Rule Change and Description of Change(s) Made	Rule number & citation changed
1	Kevin Koehler, representing Construction Association of Michigan		Mr. Koehler proposed that the Bureau consider alternatives, such as phasing in the storm shelter requirements over time, or offer financial incentives for schools to comply with the new regulations to mitigate the financial burden.	The Bureau agrees and is moving forward with an alternative solution by excepting out of R 408.30401 Sections 423.5, 423.5.1, and 423.5.2 of the 2021 IBC regarding storm shelters for use by Group E facilities.	R 408.30401

14. Date report completed:

5/17/2024