

**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:**

Tony Williamson

**Phone number of person completing this form:**

517-241-9303

**E-mail of person completing this form:**

WilliamsonT5@michigan.gov

**Name of Department Regulatory Affairs Officer reviewing this form:**

Elizabeth Arasim

**2. Rule Set Information**

**MOAHR assigned rule set number:**

2022-16 LR

**Title of proposed rule set:**

Construction Codes - Part 5. Residential Code

**3. Purpose for the proposed rules and background:**

The proposed rules will adopt by reference the 2021 edition of the International Residential Code (IRC) with amendments, deletions, and additions deemed necessary for use in Michigan and to bring our code up to date.

**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 residential installation and inspection within the state.

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

The Morning Sun on February 28, 2024.

The Oakland Press on February 28, 2024.

The Mining Journal on February 26, 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:**

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3/21/2024 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=1375>

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

Tony Williamson, Rules Analyst, Bureau of Construction Codes  
Shannon Maurer, Manager, Bureau of Construction Codes  
Tracie Pack, Manager, Bureau of Construction Codes  
Alesha Gensler, Division Director, Bureau of Construction Codes  
Jonathan Paradine, Division Director, Bureau of Construction Codes  
Keith Lambert, Deputy Director, Bureau of Construction Codes  
Andrew Brisbo, Director Bureau of Construction Codes

**10. Persons submitting comments of support:**

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Bert Gale, Building Official, numerous Jurisdictions  
Gerald O'Conner, Eaton Corporation  
David Williams, IAEC Michigan Chapter  
Joel Tobias, Electrical Inspector, City of Livonia  
Paul Waug, Electrician, Representing Self  
Doug Scott, Electrical Inspector, multiple Jurisdictions  
John Stoudt, Electrical Inspector  
Paul Kaiser, Schneider Electric  
Beau Burten, Detroit Electrical Industry Training Center  
Chris Cleveland, President of International Association of Electrical Inspectors  
Brian Baughman, National Electrical Manufacturers Association  
David Worthams, Michigan Manufacturers Association (MMA)  
Don Iverson, Schneider Electric  
Ed Lisinski, American Wood Council  
Cary Keblaitis, Electrical Inspector  
Scott Weaver (The Bureau received 9 duplicated emails)  
John Danic  
Keith King  
Mark Taber  
Larry Colegrove  
Robert Brackett  
Chris Cleveland (U of M Electrical Code Inspector)  
Richard Manson (Electrical JATC)  
Gary Grohman  
Eric Simmon  
Mike Bozung (Centennial Electric)  
Troy Strang (Centennial Electric)  
John Keil  
Dennis Cassady  
Jasmin Sinkular, PhD (SELE Solutions LLC)  
John Stoudt  
Brian Lewis  
Gary Lazette  
Soper Jed  
John Keetch  
Jeff Nichols  
Michael Cox  
Michael Ferrell  
Eric Swisher  
Rick Hamilton (City of Coldwater, Electrical Inspector)

**11. Persons submitting comments of opposition:**

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Robert Williams, Sprinklers Local 704  
Joe Troutt, Local 704 Sprinkler Fitters Detroit  
Greg Herman, Sprinklers Local 704  
Mark McManus, Sprinklers Local 704  
Patrick Kellett, Sprinklers Local 704  
Michael Pleasant, Sprinklers Local 704  
Robert Filka, Home Builders Association of Michigan  
Lee Schwartz, Home Builder Association of Michigan  
Dawn Crandall, Home Builder Association of Michigan  
Deborah R. MacKenzie-Taylor, Ph.D., Retired Toxicologist  
Doug Armstrong, Fire Chief, (The Bureau received 5 duplicated emails)  
Jane Mackenzie, Representing Self, (The Bureau received 127 duplicated emails)  
Sid Browne, Retired Building Official  
T.R Wentworth II, Representing Self  
Brad Ward, VP of Public policy affairs, Michigan Realtors  
Matt Hall, House Republican Leader  
William Hordyk, Building Official, Grand Rapids  
Kenneth Myre, Representing Self  
Nicholas Malerbi, Representing Self, (The Bureau received 13 duplicated emails)  
Michael Alaimo

### **12. Persons submitting other comments:**

Aaron Keatley, Chief Deputy Director, Environmental Great Lakes and Energy  
Jeffrey Bowdell, City of Farmington, Building Official  
Evan Detone, Representing Self  
Jeff Yaroch, JD, Former State Representative  
Mark Stimac, Compliant by Design  
Martin Van Berlo, Emmet County Building Official  
Thomas Deary, Director of Codes, Air-Conditioning, Heating, and Refrigeration Institute

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

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	<b>Name &amp; Organization</b>	<b>Comments made at public hearing</b>	<b>Written Comments</b>	<b>Agency Rationale for Rule Change and Description of Change(s) Made</b>	<b>Rule number &amp; citation changed</b>
1	Thomas Deary, Air-Conditioning, Heating, and Refrigeration Institute		Thomas Deary proposed that BCC amend R 408.30500 to include Chapter 44 reference standards.	<p>The Agency is moving forward with the following recommendations suggested by Thomas Deary as follows:</p> <ul style="list-style-type: none"> <li>•The agency made the following amendments to R 408.30500 Applicable code:</li> </ul> <ol style="list-style-type: none"> <li>1. Added the language "ASHRAE 34-2022 edition: Designation and Safety Classification of Refrigerants can be purchased at <a href="http://www.techstreet.com/ashrae">www.techstreet.com/ashrae</a> for \$178.00."</li> <li>2. R114.4 is in statue, therefore is being excepted out.</li> </ol>	R 408.30500

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2	William Hordyk Metro Building Inspectors Association of Greater Grand Rapids		William Hordyk proposed that BCC amend R 408.30534 to update the incorrect referenced Appendix.	<p>The Agency is moving forward with the following recommendations suggested by William Hordyk as follows:</p> <ul style="list-style-type: none"> <li>•The agency made the following amendments to R408.30534 Venting:</li> </ul> <ol style="list-style-type: none"> <li>1. Amended “appendix N” to “appendix AN”</li> </ol>	R 408.30534
3	Greg Herman (Sprinkler Fitters Local 704)		Greg Herman proposed that BCC would not rescind R 408.30539a Automatic Fire Sprinkler Systems.	<p>The Agency is moving forward with the following recommendations suggested by Greg Herman as follows:</p> <ol style="list-style-type: none"> <li>1. The agency unrescinded R408.30539a Automatic fire sprinkler systems:</li> <li>2. Added “R313.2” to Rule 539a list of section numbers.</li> <li>3. Amended “R313.1 Design and installation.” to reflect “Townhouse automatic fire sprinkler systems. An automatic sprinkler system may be installed in</li> </ol>	R 408.30539a

				<p>townhouses.                  Exception: an automatic sprinkler system may not be required where additions or alternations are made to existing townhouses that do not have an automatic sprinkler system installed.                  ”                  4.Added “R313.2 One-and two-family dwellings automatic sprinkler system. An automatic sprinkler system may be installed in one-and two-family dwellings.                  Exception: An automatic sprinkler system may not be required for additions or alterations to existing buildings that are not already provided with a sprinkler system.</p>	
4	Robert Filka, Home Builders Association of Michigan, (HBA)		Robert Filka proposed that R 408.30547d Building thermal envelope be amended.	<p>The Agency is moving forward with the following recommendations:                  1.un-rescinded R408.30547d Building thermal envelope.</p>	R 408.30547d

				<p>2.Added language  “Section  N1102.4.6 of this  code is amended  to read as  follows:”</p> <p>3.Added language  " N1102.4.6  Electrical and  communication  outlet boxes (air-  sealed boxes).  Electrical and  communication  outlet boxes  installed in the  building thermal  envelope shall be  sealed to limit air  leakage between  conditioned and  unconditioned  spaces.”</p> <p>4.Strikethrough  Sections  N1102.2.6,  N1102.2.12,  N1102.3.3,  N1102.3.6,  N1102.4,  N1102.4.1.1,  N1102.4.1.2,  N1102.4.2,  N1102.4.3,  N1102.4.4, tables  N1102.1.1,  N1102.1.3, and  N1102.4.1.1</p>
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**14.Date report completed:**

7/8/2024