

Administrative Rule Analysis



CONSTRUCTION CODE PART 4. BUILDING CODE

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Rule Set No.: 2017-030 LR
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Analysis available at
<http://www.house.mi.gov/hfa>

Department: Licensing and Regulatory Affairs
Agency: Bureau of Construction Codes
Enabling Statute: Stille-DeRossett-Hale Single State Construction Code, 1972 PA 230, MCL 125.1504 et seq.

Analysis Complete to: 10-4-2017

BACKGROUND AND SUMMARY OF PROPOSED RULES

Rule Set 2017-030 LR would exempt sections 423.3 and 423.4 of the 2015 edition of the International Building Code (IBC) from being adopted by reference in Part 4 (the Building Code) of the Michigan Construction Code. These sections currently require critical emergency operations and public schools to provide storm shelters when undertaking any building construction. These sections did not exist in previous editions of the IBC and have created unanticipated and burdensome costs for construction projects on public schools and critical governmental emergency operations buildings (police, fire, and rescue stations) in Michigan. Concerns have been raised that the rules constitute an unfunded mandate, since millages have already been passed with cost estimates based upon previous building codes, which did not include this shelter requirement.

FISCAL IMPACT OF PROPOSED RULES

Rule Set 2017-030 LR would not have a significant fiscal impact on any units of state government. The rules would have a significant fiscal impact on local units of government. The rules would allow municipalities and school districts to progress with new construction or renovations without having to build additional shelter facilities, resulting in significant cost savings. The Department estimates that local building departments would see minor reductions in their revenues, since plans would not need to be submitted and permits would not need to be issued for the construction of shelter facilities.

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