

A bill to amend 1972 PA 230, entitled
"State construction code act of 1972,"
by amending section 2 (MCL 125.1502), as amended by 1980 PA 371.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) As used in this act:

2 (a) "Agricultural or agricultural purposes" means of, or
3 pertaining to, or connected with, or engaged in agriculture or
4 tillage which is characterized by the act or business of culti-
5 vating or using land and soil for the production of crops for the
6 use of animals or humans, and includes, but is not limited to,
7 purposes related to agriculture, farming, dairying, pasturage,
8 horticulture, floriculture, viticulture, and animal and poultry
9 husbandry.

10 (b) "Application for a building permit" means an application
11 for a building permit submitted to an enforcing agency pursuant

1 to this act and plans, specifications, surveys, statements, and
2 other material submitted to the enforcing agency together or in
3 connection with the application.

4 (c) "Barrier free design" means design complying with legal
5 requirements for architectural designs which eliminate the type
6 of barriers and hindrances that deter ~~handicappers~~ PERSONS WITH
7 DISABILITIES from having access to and free mobility in and
8 around a building or structure.

9 (d) "Board of appeals" means the construction board of
10 appeals of a governmental subdivision provided for in section
11 14.

12 (e) "Boards" means the state plumbing and electrical admin-
13 istrative boards and the barrier free design board ~~provided for~~
14 ~~in Act No. 1 of the Public Acts of 1966, as amended, being sec-~~
15 ~~tions 125.1351 to 125.1356 of the Michigan Compiled Laws~~ CREATED
16 IN SECTION 5 OF 1966 PA 1, MCL 125.1355.

17 (f) "Building" means a combination of materials, whether
18 portable or fixed, forming a structure affording a facility or
19 shelter for use or occupancy by persons, animals, or property.
20 The term does not include a building incidental to the use for
21 agricultural purposes of the land on which the building is
22 located if it is not used in the business of retail trade. The
23 term shall be construed as though followed by the words "or part
24 or parts of the building and all equipment in the building"
25 unless the context clearly requires a different meaning.

1 (g) "Building envelope" means the elements of a building
2 which enclose conditioned spaces through which thermal energy may
3 be transferred to or from the exterior.

4 (h) "Business day" means a day of the year, exclusive of a
5 Saturday, Sunday, or legal holiday.

6 (i) "Chief elected official" means the chairperson of the
7 county board of commissioners, the city mayor, the village presi-
8 dent, or the township supervisor.

9 (j) "Code" means the state construction code provided for in
10 section 4 or a part thereof of limited application, and includes
11 a modification of or amendment to the code.

12 (k) "Commission" means the state construction code commis-
13 sion created by section 3.

14 (l) "Construction" means the construction, erection, recon-
15 struction, alteration, conversion, demolition, repair, moving, or
16 equipping of buildings or structures.

17 (m) "Construction regulation" means a law, act, rule, reso-
18 lution, regulation, ordinance, or code, general or special, or
19 compilation thereof, heretofore or hereafter enacted or adopted,
20 by this state or a county, city, village, or township including a
21 department, board, bureau, commission, or other agency thereof,
22 relating to the design, construction, or use of buildings and
23 structures and the installation of equipment in the building or
24 structure. Construction regulation does not include a zoning
25 ordinance or rule issued pursuant to a zoning ordinance and
26 related to zoning.

1 (n) "Department" means the department of labor.

2 (o) "Director" means the director of labor or an authorized
3 representative of the director.

4 (p) "Energy conservation" means the efficient use of energy
5 by providing building envelopes with high thermal resistance and
6 low air leakage, and the selection of energy efficient mechani-
7 cal, electrical service, and illumination systems, equipment,
8 devices, or apparatus.

9 (q) "Enforcing agency" means the enforcing agency, in
10 accordance with section 8 or 9, which is responsible for adminis-
11 tration and enforcement of a nationally recognized model code or
12 this act and the code within a governmental subdivision, except
13 for the purposes of section 19 enforcing agency means the agency
14 in a governmental unit principally responsible for the adminis-
15 tration and enforcement of applicable construction regulations.

16 (r) "Equipment" means plumbing, heating, electrical, venti-
17 lating, air conditioning, and refrigerating equipment.

18 (s) "Executive director" means the director of the bureau of
19 construction codes as set forth under section 7.

20 (t) "Governmental subdivision" means a county, city, vil-
21 lage, or township which in accordance with section 8 or 9 has
22 assumed responsibility for the administration and enforcement of
23 a nationally recognized model code or this act and the code
24 within its jurisdiction.

25 ~~(u) "Handicapper" means a person whose physical character-~~
26 ~~istics have a particular relationship to that person's ability to~~

1 ~~be self-reliant in the person's movement throughout and use of~~
2 ~~the building environment.~~

3 (U) ~~(v)~~ "Mobile home" means a vehicular, portable struc-
4 ture built on a chassis and designed to be used without a per-
5 manent foundation as a dwelling when connected to required utili-
6 ties and which is, or is intended to be, attached to the ground,
7 to another structure, or to a utility system on the same premises
8 for more than 30 consecutive days.

9 (V) ~~(w)~~ "Other laws and ordinances" means other laws and
10 ordinances, whether enacted by this state or by a county, city,
11 village, or township and the rules issued thereunder.

12 (W) ~~(x)~~ "Owner" means the owner of the freehold of the
13 premises or lesser estate in the premises, a mortgagee or vendee
14 in possession, an assignee of rents, receiver, executor, trustee,
15 lessee, or any other person, sole proprietorship, partnership,
16 association, or corporation directly or indirectly in control of
17 a building, structure, or real property or his or her duly autho-
18 rized agent.

19 (X) "PERSON WITH DISABILITIES" MEANS AN INDIVIDUAL WHOSE
20 PHYSICAL CHARACTERISTICS HAVE A PARTICULAR RELATIONSHIP TO THAT
21 INDIVIDUAL'S ABILITY TO BE SELF-RELIANT IN THE INDIVIDUAL'S MOVE-
22 MENT THROUGHOUT AND USE OF THE BUILDING ENVIRONMENT.

23 (y) "Premanufactured unit" means an assembly of materials or
24 products intended to comprise all or part of a building or struc-
25 ture, and which is assembled at other than the final location of
26 the unit of the building or structures by a repetitive process

1 under circumstances intended to insure uniformity of quality and
2 material content. Premanufactured unit includes a mobile home.

3 (z) "Structure" means that which is built or constructed, an
4 edifice or building of any kind, or a piece of work artificially
5 built up or composed of parts joined together in some definite
6 manner. Structure does not include a structure incident to the
7 use for agricultural purposes of the land on which the structure
8 is located and does not include works of heavy civil construction
9 including without limitation, a highway, bridge, dam, reservoir,
10 lock, mine, harbor, dockside port facility, an airport landing
11 facility and facilities for the generation or transmission, or
12 distribution of electricity. Structure shall be construed as
13 though followed by the words "or part or parts of the structure
14 and all equipment in the structure" unless the context clearly
15 indicates otherwise.

16 (2) Unless the context clearly indicates otherwise, refer-
17 ences to this act, or to this act and the code, shall refer to
18 this act and rules promulgated pursuant to this act including the
19 code.