



HOUSE BILL No. 5686

March 14, 1996, Introduced by Reps. Hanley, Kelly, Goschka, Brewer, Martinez, DeMars, Scott, Weeks, Parks, Brater, Cherry and Prusi and referred to the Committee on Regulatory Affairs.

A bill to amend section 11 of Act No. 230 of the Public Acts of 1972, entitled as amended

"State construction code act of 1972,"

being section 125.1511 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 11 of Act No. 230 of the Public Acts of
2 1972, being section 125.1511 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 11. (1) The enforcing agency shall examine an appli-
5 cation for a building permit. If the application conforms to
6 this act, the code and the requirements of other applicable laws
7 and ordinances, the enforcing agency shall approve the applica-
8 tion and issue a building permit to the applicant. An
9 application shall be granted, in whole or in part, or denied
10 within 10 business days, except that in case of an unusually

1 complicated building or structure, action shall be taken within
2 15 business days. Failure by an enforcing agency to grant, in
3 whole or in part, or deny an application within these periods of
4 time shall be deemed a denial of the application for purposes of
5 authorizing the institution of an appeal to the appropriate board
6 of appeals. The enforcing agency shall approve changes in plans
7 and specifications previously approved by it, if the changes
8 require approval and if the plans and specifications when so
9 changed remain in conformity with law. Except as otherwise pro-
10 vided in this act or the code, the construction or alteration of
11 a building or structure shall not be commenced until a building
12 permit has been issued. The construction of a building or struc-
13 ture shall comply with the approved application for a building
14 permit, and the enforcing agency shall insure such compliance in
15 the manner provided in section 12 and in any other way it deems
16 appropriate.

17 (2) The enforcing agency may suspend, revoke or cancel a
18 building permit in case of failure or neglect to comply with the
19 provisions of this act or the code, or upon a finding by it that
20 a false statement or representation has been made in the applica-
21 tion for the building permit.

22 (3) THE ENFORCING AGENCY MAY WAIVE THE REQUIREMENTS OF ARTI-
23 CLE 20 OF THE OCCUPATIONAL CODE, ACT NO. 299 OF THE PUBLIC ACTS
24 OF 1980, BEING SECTIONS 339.2001 TO 339.2014 OF THE MICHIGAN
25 COMPILED LAWS, IF THE ENFORCING AGENCY DETERMINES THAT BOTH OF
26 THE FOLLOWING CONDITIONS EXIST:

1 (A) THE PREPARATION OF A PLAN WOULD CREATE AN UNREASONABLE
2 FINANCIAL BURDEN UPON THE OWNER OF THE BUILDING.

3 (B) A PLAN IS NOT NECESSARY TO ENSURE THAT THE BUILDING COM-
4 PLIES WITH THE CODE OR WITH THE CONSTRUCTION REGULATIONS OF THE
5 ENFORCING AGENCY, WHICHEVER IS APPLICABLE.