

"Mechanical Code Brief - **March Edition**"

Professional



CODE SERVICES

The Mechanical Code Brief

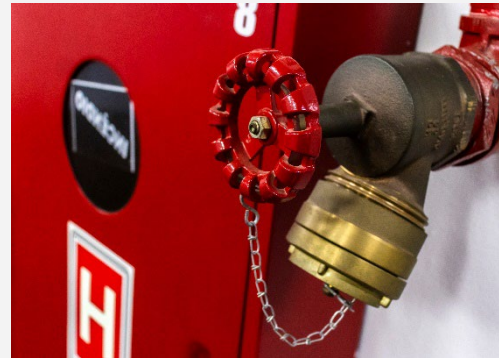
INSIDE THE MECHANICAL CODES AND STANDARDS



Limitations of Fire Code in New Construction

In the State of Michigan, the construction of new buildings and homes is exclusively governed by Public Act 230 of 1972, also known as the: *Stille-Derossett-Hale Single State Construction Code Act*. This law was established to bring uniformity to Construction Code administration and enforcement throughout the state. PA 230 also outlines the delegation of authority to promulgate, adopt and enforce this code in an effort to eliminate ambiguity and conflicting enforcement across jurisdictional lines within the state.

When reviewing the text of the law, each International model code to be adopted is specifically listed. One model code which is not listed, is the International Fire Code. While you will find mention of the International Fire Code (IFC) in the Referenced Standards section of the Code, it only pertains to the specific sections



There is no statutory provision for an enforcing agency in the State of Michigan to adopt and require compliance with the International Fire Code, within the context of construction, above and beyond the specific provisions referenced from the IFC, within the above Michigan Codes.

In terms of enforcement, inspections and plan review: Having determined that construction is exclusively governed by Public Act 230, we must look to the Skilled Trades Act (Public Act 407 of 2016) for guidance on who has authority to enforce the provisions of the Act.

PA 407 breaks each discipline down into individual articles but dedicates an article for Inspectors and Plan

listed in the index, for that referenced standard.

For example: In the 2015 Michigan Residential Code (MRC), the *IFC* is only referenced in a couple sections which deal with special circumstance, such as *Abandoned Oil Tanks* and *LP Gas Storage*. This distinction and clarification is clearly stated in the 2015 MRC section 102.4 which states: “The codes and standards referenced in this code shall be considered part of this code **to the perscribed extent of each such reference.**”

What Does This All Mean?

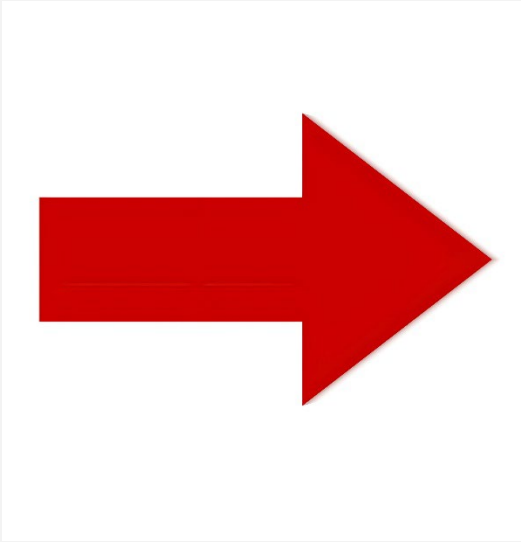
In short, this means construction, additions and alterations within the built environment are exclusively governed by the Michigan Building Code, Residential Building Code, Michigan Plumbing Code, Michigan Mechanical Code, Michigan Electrical Code, Michigan Energy Efficiency Code and the Michigan Existing Building Code.

Reviewers. Article 10 states: *“an individual shall not be appointed or employed as a building official, inspector or plan reviewer by an enforcing agency, unless the individual is registered under this article and the rules promulgated under this article.”*

In other words, only inspectors and plan reviewers registered in accordance with PA 407 are authorized to enforce any provisions of construction code within the State of Michigan. In fact, any individual attempting to do so without appropriate licensure, could be subject to sanctions as outlined in PA 407 Article 6 -Penalties and Remedies.

While Fire Inspectors are permitted to “assist,” and cooperation with fire officials during construction is encouraged, Plan Review and Inspections must be conducted by Registered Mechanical, Electrical, Plumbing and Building Inspectors and Plan Reviewers. The governing codes for all construction are contained within the Michigan Suite of Codes listed in the Act. No enforcing agency can compel contractors or homeowners to comply with requirements outside of the codes currently in force.

Michigan does not adopt the International Fire Code as part of the Michigan suite of Construction Codes, and Public Act 230 does not allow local or county jurisdictions to add it



to construction requirements via ordinance.

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Generators - Permits and licensing.

Stand-by home generators have become quite prevalent in the residential sector but who sells them, who installs what, and who needs to secure the permits?

While some generators are fueled by Propane, many propane providers only hold a Michigan Mechanical License with classification #10c. This license only allows the licensee to pipe up to the second stage regulator. Piping beyond that point would require classification #2, #10d or #10e.

In addition to the fuel gas piping of the unit, a generator is considered an appliance, no different than a gas furnace or unit heater. This means an installing contractor must have a classification #2 in order to set it and secure a permit, from the Mechanical licensing perspective.

The electrical side is pretty simple, a licensed Electrical contractor must secure an electrical permit to install the electrical portion of the generator. Who sets it and who pipes it is a bit more complicated.

While it may sound nonsensical to have a permit pulled simply to set a generator, the issue comes to light when a violation exists pertaining to the location of the generator, ie: too close to an operable window etc. An enforcing agency cannot issue a violation notice on a piece of equipment that is not listed on the permit. Propane suppliers would probably take issue with being issued a violation for work they did not do.

Mini-Splits for New Construction? Why Not?

Over the past decade and a half ductless systems have become very popular, solving installation problems and HVAC challenges efficiently and quickly. Over the same time period, these units have become more efficient and are producing greater heating capacity on the heat pump side, at lower ambient temperatures. Manufacturers have also created more aesthetically pleasing indoor options for commercial and residential applications.

With the push to electrify throughout the United States, it only stands to



Another important innovation with the current systems is the integration of a modulating compressor. Utilizing the necessary heating or cooling demand, informed by a combination of factors including ambient temperature and indoor delta-T, efficiency is further increased.

If you think about the design temperature for the State of Michigan, the required minimum

reason that we are likely to see these units and new technology similar to them, utilized as the sole source of heating and cooling in new residential builds.

While some question the effectiveness of these units as the primary source of heating, the advances in performance have largely eliminated that as a realistic concern. For example, one major manufacturer offers a system which maintains 100 percent of its heating capacity at a 5 degree F outdoor ambient temperature. The same system operates effectively down to -13 degrees F outdoors.

achievable temperature in the habitable space is 68 degrees F, three feet above the floor and two feet from an outside wall. With a design outdoor temperature of 0 degrees F. With current insulation requirements from the Michigan Energy Efficiency Code, proper sizing makes these units very effective for new construction.

As things continue to increase in price, and with the focus on creating more affordable housing, decreasing the cost of installation due to reduced labor and materials, when compared to a traditional forced air, system makes this an attractive option. The only remaining challenge is adequate make-up air...but manufacturers have stepped up to solve that problem too.

About Professional Code Services LLC:

Seasoned Experts and Operators in the Industry

Professional Code Services LLC has been created to fill a specific void in the industry discovered after many decades in the Mechanical Code space.

- **Kevin D. Kalakay** – Chief Executive Officer – Former Chief Mechanical Inspector – State of Michigan Bureau of Construction Codes (Mechanical Inspector/Plan Reviewer, Building Official and Licensed Michigan Mechanical Contractor)
- **Matthew A. Gay** – President – Former Mechanical Code Inspection Supervisor – State of Michigan Bureau of Construction Codes (Mechanical Inspector/Plan Reviewer and Licensed Michigan Mechanical Contractor)
- **Ken Misiewicz** – Managing Partner | State of Michigan: former chair of the Board of Mechanical Rules and served as a commissioner on the Construction Code Commission. Currently holds electrical, plumbing, and mechanical contractor of record licenses; currently holds boiler installation and repair licenses as well as registration as a high-pressure boiler operator.

Professional Code Services LLC is committed to assisting each sector of the Mechanical industry with expert consultation and conflict resolution. From Design Professionals and Mechanical Inspectors to Mechanical Contractors and AHJs, we bring our breadth of expertise to help navigate the complexities of regulation and compliance across each aspect of the industry. Our decades of direct experience in the regulation space at the State level offers insight into process, positioning us to effectively advise on navigating the complex landscape of licensing, permitting, and compliance.

With the wide scope of services we offer and a commitment to elevating the industry, we bring a unique and novel offering to the **market**.

Professional Code Services offers tiered retention programs for companies and firms of all sizes and levels of exposure.

View our available services by visiting our website and reach out to us directly for a customized program to partner with your organization: **www.procodeservice.com**

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