

HOUSE BILL No. 4056

January 22, 2009, Introduced by Reps. Valentine, Terry Brown, Clemente, Bauer, Smith, Roberts, Lahti, Roy Schmidt, Bennett, Dean and Meadows and referred to the Committee on Energy and Technology.

A bill to amend 1972 PA 230, entitled
"Stille-DeRossett-Hale single state construction code act,"
by amending section 11 (MCL 125.1511).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11. (1) The enforcing agency shall examine an application
2 for a building permit. If the application conforms to this act, the
3 code, and the requirements of other applicable laws and ordinances,
4 the enforcing agency shall approve the application and issue a
5 building permit to the applicant. ~~An~~ **EXCEPT AS OTHERWISE PROVIDED**
6 **IN SUBSECTION (2), AN** application shall be granted, in whole or in
7 part, or denied within 10 business days, except that in case of an
8 unusually complicated building or structure, action shall be taken
9 within 15 business days. Failure by an enforcing agency to grant,
10 in whole or in part, or deny an application within these periods of

1 time ~~shall be deemed~~ **IS CONSIDERED** a denial of the application for
2 purposes of authorizing the institution of an appeal to the
3 appropriate board of appeals. The enforcing agency shall approve
4 changes in plans and specifications previously approved by it, if
5 the changes require approval and if the plans and specifications
6 when so changed remain in conformity with law. Except as otherwise
7 provided in this act or the code, the construction or alteration of
8 a building or structure shall not be commenced until a building
9 permit has been issued. The construction of a building or structure
10 shall comply with the approved application for a building permit,
11 and the enforcing agency shall insure such compliance in the manner
12 provided in section 12 and in any other way it ~~deems~~ **CONSIDERS**
13 appropriate.

14 **(2) IF PLANS SUBMITTED WITH AN APPLICATION ARE CERTIFIED AT**
15 **ANY LEVEL BY LEED, THE APPLICATION SHALL BE GRANTED, IN WHOLE OR**
16 **PART, OR DENIED WITHIN 5 BUSINESS DAYS.**

17 **(3)** ~~(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 a
20 false statement or representation has been made in the application
21 for the building permit.

22 **(4) AS USED IN THIS SECTION, "LEED" MEANS THE LEADERSHIP IN**
23 **ENVIRONMENTAL DESIGN RATING SYSTEM DEVELOPED BY THE UNITED STATES**
24 **GREEN BUILDING COUNCIL.**