

HOUSE BILL No. 4566

March 12, 2009, Introduced by Rep. Opsommer and referred to the Committee on Regulatory Reform.

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 application shall be granted,
6 in whole or in part, or denied within 10 business days, except that
7 in case of an unusually complicated building or structure, action
8 shall be taken within 15 business days. Failure by an enforcing

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

15 **(2) AN ENFORCING AGENCY DETERMINATION THAT AN APPLICATION FOR**
16 **A BUILDING PERMIT OR WAIVER OR A TEST CONDUCTED UNDER THIS ACT**
17 **CONFORMS TO APPLICABLE LAWS DOES NOT INCLUDE ANY DETERMINATION OF**
18 **THE EXISTENCE OF A CERTIFICATION REGARDING WETLANDS UNLESS THE**
19 **ENFORCING AGENCY IS RESPONSIBLE UNDER LAW FOR SUCH DETERMINATION OR**
20 **CERTIFICATION. A BUILDING PERMIT OR OTHER DOCUMENT ISSUED BY AN**
21 **ENFORCING AGENCY SHALL, IF APPLICABLE, CONTAIN A CONSPICUOUS**
22 **DISCLAIMER REGARDING THE LACK OF ANY FINAL DETERMINATION OF THE**
23 **EXISTENCE OR CERTIFICATION REGARDING WETLANDS.**

24 **(3) ~~(2)~~**—The enforcing agency may suspend, revoke, or cancel a
25 building permit in case of failure or neglect to comply with the
26 provisions of this act or the code, or upon a finding by it that a
27 false statement or representation has been made in the application

1 for the building permit.