DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

DIRECTOR'S OFFICE

CONSTRUCTION CODE

Filed with the Secretary of State on November 8, 2010
These rules take effect March 9, 2011

(By authority conferred on the director of the department of energy, labor, and economic growth by section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1 and 2008-20, MCL 445.2011 and MCL 445.2025)

R 408.31087, R 408.31088, R 408.31089, and R 408.31090 of the Michigan Administrative Code are amended and R 408.31087a is added to the code as follows:

PART 10a
MICHIGAN UNIFORM ENERGY CODE

R 408.31087 Applicable code.
Rule 1087. Rules governing the energy efficiency for the design and construction of buildings and structures, not including residential buildings, shall be those contained in the international energy conservation code, 2009 edition, section 501.1 and the ASHRAE energy standard for buildings except low-rise residential buildings, ANSI/ASHRAE/IESNA standard 90.1-2007 (hereafter the standard), including appendices A, B, C, and D. With the amendments noted, Section 501.1 of the international energy conservation code and the standard are adopted in these rules by reference. The Michigan uniform energy code is available for inspection or purchase at the Okemos office of the Michigan Department of Energy, Labor and Economic Growth, Bureau of Construction Codes, 2501 Woodlake Circle, Okemos, Michigan 48864, at a cost as of the time of adoption of these rules of $38.00 or may be purchased from the International Code Council, 500 New Jersey Avenue, N.W., 6th Floor, Washington, D.C. 20001. The ASHRAE 90.1-2007 standard is available for inspection at the Okemos office of the Michigan Department of Energy, Labor and Economic Growth, Bureau of Construction Codes. The standard may be purchased from the American Society of Heating, Refrigeration and Air-Conditioning Engineers, Inc., 1791 Tullie Circle, NE, Atlanta, Georgia 30329, at a cost as of the time of adoption of these rules of $119.95 each. Copies may be obtained from the Michigan Department of Energy, Labor and Economic Growth, Bureau of Construction Codes, 2501 Woodlake Circle, Okemos, Michigan 48864, at a cost as of the time of adoption of these rules of $119.95 each plus the department's cost for shipping and handling.

R 408.31087a Scope.
Rule 1087a. Section 501.1 of the code is amended to read as follows:
501.1. Scope. The requirements contained in this chapter are applicable to commercial buildings, or portions of commercial buildings. These commercial buildings shall meet

the requirements of ASHRAE/IESNA Standard 90.1, “Energy Standard for Buildings Except for Low-Rise Residential Buildings, and the requirements contained in this chapter.

R 408.31088 Definitions.

Rule 1088. The definition of building official in Section 3.2 of the standard is amended to read as follows:

3.2 Building official. "Building official" means the person who is appointed and employed by a governmental subdivision charged with the administration and enforcement of the state code or codes and who is registered in accordance with the requirements of 1986 PA 54, MCL 338.2301 to 338.2313.

R 408.31089 Heating, ventilating, and air-conditioning alterations.

Rule 1089. Section 6.1.1.3.1 of the standard is amended to read as follows:

6.1.1.3.1 New HVAC equipment as a direct replacement of existing HVAC equipment shall comply with the specific minimum efficiency requirements applicable to that equipment including, but not limited to, air conditioners and condensing units, heat pumps, water chilling packages, packaged terminal and room air conditioners and heat pumps, furnaces, duct furnaces, unit heaters, boilers, and cooling towers. Any new control devices as a direct replacement of existing control devices shall comply with the specific requirements of sections 6.4.3.3.1 to 6.4.3.3.4.

Exceptions:

1. For equipment that is being modified or repaired but not replaced provided that such modifications will not result in an increase in energy usage.
2. Where a replacement or alteration of equipment requires extensive revisions to other systems, equipment, or elements of a building and such replaced or altered equipment is a like-for-like replacement.
3. For a refrigerant change of existing equipment.
4. For the relocation of existing equipment.

R 408.31090 Administrative requirements.

Rule 1090. Section 4.1.2 of the standard is amended to read as follows:

4.1.2 Administrative requirements relating to permits, enforcement, interpretations, and appeals shall be in accordance with 1972 PA 230, MCL 125. 1501 to 125.1531.