

**Silver Creek Township
Construction Code Interpretation**

WHEREAS Silver Creek Township is the administering and enforcing agency for the State Construction Code; and

WHEREAS the 2015 Michigan Rehabilitation Code for Existing Buildings is part of the State Construction Code, administered and enforced by Silver Creek Township; and

WHEREAS Section 105.2 provides that a building permit is not required for the making of ordinary repairs to an existing building; and

~~WHEREAS the Township Building Official considers the re-placement of siding an ordinary repair, unless siding underlayment (Tyvek, wall boards, etc..) and structural components will not be replaced; and~~

WHEREAS R 547c of the Michigan Administrative Code provides that... “the following are exempt (from the need for a building permit and qualify as ‘ordinary repairs’) provided the energy use of the building is not increased.... reroofing where the roof is part of the thermal envelope, and where neither the roof sheathing nor the roof insulation is exposed (and) reroofing where the roof is not part of the thermal envelope”; and

WHEREAS the question of whether re-roofing requires a building permit is not uniformly addressed in the code or by construction code enforcing agencies in Michigan; and

WHEREAS the question of whether replacement of siding requires a building permit is not uniformly addressed in the code or by construction code enforcing agencies in Michigan; and

WHEREAS Section 104.1 of the 2015 Michigan Rehabilitation Code for Existing Buildings and other provisions of the State Construction Code permit the building official to render interpretations of the code and to adopt policies and procedures in order to clarify the application of its provisions; and

WHEREAS the Township Building Official finds it necessary and prudent to adopt an interpretation of the State Construction Code as it applies to reroofing and re-siding of structures in Silver Creek Township.

NOW THEREFORE, the Township Building Official for Silver Creek Township, Michigan hereby adopts the following interpretation of the State Construction Code as it relates to the need for a permit for reroofing or re-siding in Silver Creek Township as follows:

INTERPRETATION

No application or notification to the building official is required for ordinary repairs to a structure, which is hereby interpreted to mean the application new roof covering materials, subject to the following:

1. The existing building and/or structure is located within the jurisdictional boundaries of, and subject to enforcement by Silver Creek Township.
2. The building/structure must have been, and will continue to be legally occupied for its intended purposes. There shall be no change of occupancy classification.
3. The new roof covering material and application thereof must meet the provisions of the Michigan Building and/or Residential Code, including the referenced standards and codes.
4. No structural rehabilitation shall be performed, including repairs to the roof sheathing/decking. If structural rehabilitation is planned/needed, a building permit shall be required.
5. No additional dead load increase greater than 3 pounds per square foot will be imposed by the application of the new layer of roof covering.
6. No increase to the structural elements of greater than 5% additional dead load.
7. If the roof diaphragm is considered a portion of the Main Winds Force Resisting System, a building permit shall be required.

It is furthermore interpreted that re-siding of a structure in Silver Creek Township does not require a building permit so long as only the siding and trim are replaced; and so long as no siding underlayment, boards or structural supports are replaced.

Specifically, the following re-roofing and re-siding activities SHALL NOT require application or notification to the building official:

- Replacement of damaged shingles (only)
- Tear-off and shingle replacement (only)
- Replacement of siding and trim (only).

This interpretation shall apply commencing on June 10, 2020 and until revoked, modified or overturned.

Recommended/Requested by: Todd Herter, Building and Zoning Administrator
Silver Creek Township
Cass County, Michigan

Approved by Silver Creek Township Board on June 10, 2020.

Date: 6-16-2020


Bill Saunders, Supervisor