

CONSTRUCTION OF SCHOOL BUILDINGS (EXCERPT)
Act 306 of 1937

***** 388.851 THIS SECTION IS AMENDED EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF THE
2024 REGULAR SESSION SINE DIE: See 388.851.amended *****

388.851 School buildings; construction requirements; rules; "department" defined.

Sec. 1. (1) Except as provided in subsection (2), a school building, public or private, or any additions to a school building, shall not be erected, remodeled, or reconstructed in this state unless all of the following requirements are met:

(a) All plans and specifications for buildings shall be prepared by an architect or professional engineer who is licensed in this state. An architect or professional engineer licensed in this state or another person qualified to supervise construction shall supervise the construction of a school building. For energy conservation improvements and services under section 1274a of the revised school code, 1976 PA 451, MCL 380.1274a, the licensed architect or professional engineer may be directly affiliated with the qualified provider, as defined under that section, that is providing the applicable improvements and services. However, the specifications for the project shall be generic in character and, to the extent possible, shall not include proprietary equipment or technology developed by the qualified provider or in which the qualified provider has an interest.

(b) All walls, floors, partitions, and roofs shall be constructed of fire-resisting materials such as stone, brick, tile, concrete, gypsum, steel, or similar fire-resisting material. All steel members shall be protected by at least 3/4 of an inch of fire-resisting material.

(c) Wood lath or wood furring shall not be used in the construction. This requirement does not prohibit the use of finished wood flooring, wood door and window frames, wood sash, or wood furring and grounds, for the purpose of installing wood trim, panelling, acoustical units, or similar facing materials on masonry walls, structural steel, or concrete ceiling members.

(d) Every room enclosing a heating unit shall be enclosed by walls of fire-resisting materials and shall be equipped with automatically closing fire doors. A heating unit shall not be located directly beneath any portion of a school building or addition that is constructed or reconstructed after January 1, 2003. This requirement does not require the removal of an existing heating plant from beneath an existing building when an addition to the building is constructed unless the department requires that removal in the interests of the public safety. In any school where natural gas or any other kind of gas is used for heating purposes, the gas shall be chemically treated before being used in such a manner as to give a very distinguishable odor if a leak develops in the heating system.

(e) In a gymnasium, fire-proofings may be omitted from the trusses and purlins if they are more than 16 feet off the main floor level.

(f) The architect or engineer shall provide adequate exits from all parts of a school building. In all cases, there shall be at least 2 stairways and the distance from the door of any class or assembly room to a stairway or exit shall not exceed 100 feet.

(g) A requirement in subdivisions (b) to (f) may be waived in writing by the department.

(h) Compliance with section 1b.

(2) The director of the department shall promulgate rules that establish standards and requirements for the relocation and reuse of used modular classrooms. The rules shall require an inspection of a relocated used modular classroom at its original location, at its new location, or at any location where repairs are made to the used modular classroom.

(3) As used in this section, "department" means the department of labor and economic growth.

History: 1937, Act 306, Imd. Eff. July 23, 1937;—Am. 1941, Act 148, Eff. Jan. 10, 1942;—CL 1948, 388.851;—Am. 1949, Act 231, Imd. Eff. May 31, 1949;—Am. 1962, Act 175, Imd. Eff. May 17, 1962;—Am. 1968, Act 239, Eff. Sept. 1, 1968;—Am. 2002, Act 628, Imd. Eff. Dec. 23, 2002;—Am. 2003, Act 254, Imd. Eff. Dec. 29, 2003;—Am. 2004, Act 510, Imd. Eff. Jan. 3, 2005.

Compiler's note: For transfer of powers and duties of state fire marshal to department of labor and economic growth, bureau of construction codes and fire safety, by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.