



NILES CHARTER TOWNSHIP
DEPARTMENT OF BUILDING SAFETY
NILES MICHIGAN

"BUILD SAFE = LIVE SAFE"

JEFFREY A. DUNLAP
BUILDING OFFICIAL

Code Interpretation

DATE: May 20, 2008 (*Revised 10-13-2008*)

RE: Replacement Window Permit Requirements for Existing Buildings.

CODE(S): Michigan Rehabilitation Code for Existing Buildings (2006).

EFFECTIVE: August 1, 2008

INTERPRETATION: No application or notification to the code official is required for **ordinary repairs** to a structure which this office has opined to include the installation of replacement windows [105.2.2]. Subject to the following:

1. The existing building and/or structure must be within the jurisdictional boundaries of, and subject to enforcement by Niles Charter Township.
2. The building/structure must have been, and will continue to be legally occupied for its intended purpose (NO change of occupancy classification).
3. The new windows and installation thereof must meet the provisions of the Michigan Building and/or Residential Codes, including referenced standards and codes.
4. NO structural rehabilitation will be performed, including changes to support members and/or rough opening sizes.
5. The existing height and width net clear opening cannot be reduced (or enlarged) such that the structural provisions of #5 will apply.
6. The rooms or areas receiving replacement windows are not used for any Michigan licensed activity or purpose.
7. The window is not required pursuant to the Fire Code or NFPA Life Safety Code.
8. The room is not undergoing an addition, rehabilitation, or change of occupancy.



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Code Excerpts

Section 101.4: The Michigan Rehabilitation Code for Existing Buildings is applicable to the **repair** and **alteration** of all existing buildings.

Section 101.4.2: Upgrades and/or changes may be required by the code official to existing buildings which are deemed necessary for the general safety and welfare of the occupants and the public.

Section 104.1: The code official has the authority to render interpretations of the code and to adopt policies and procedures in order to clarify the application of code provisions.

Section 105.2: Exemption from permit requirements of this code does not grant authority for any work to be done in any manner in violation of provisions of the code or any other laws or ordinances of Niles Charter Township.

Section 105.2.2: Application or notice to the code official is not required for ordinary repairs to a structure. SEE code section for complete language including repair restrictions.

Section 113.1: It is unlawful to repair or alter any building regulated by this code which is done in conflict with or in violation of any of the provisions of this code.

Section 401.1: Work performed on an existing building shall be classified in accordance with Chapter 4 of the Michigan Rehabilitation Code for Existing Buildings.

Section 402.1: Repairs include the **replacement** of damaged materials for the purpose of maintaining such components in good or sound condition with respect to existing loads or performance requirements.

Section 403.1: Level 1 alterations include the **removal and replacement** or the **covering of existing materials** using new materials that serve the same purpose.

Generally window replacement in existing rough openings will be considered an **Alteration – Level 1**.

Generally the replacement of a damaged **portion** of a window will be considered a **Repair**.

By:  Building Official