



House Office Building, 9 South  
Lansing, Michigan 48909  
Phone: 517/373-6466

## ALLOW LOCAL FIRE PREVENTION CODES

**House Bill 5553**

**Sponsor: Rep. Hansen Clarke**

**Committee: Local Government and Urban  
Policy**

**Complete to 4-12-00**

### **A SUMMARY OF HOUSE BILL 5553 AS INTRODUCED 4-11-00**

House Bill 5553 would amend the Fire Prevention Code to allow local governments to adopt fire prevention codes that are different from the state code.

Under the law, the state fire marshal authorizes the installation of, periodically inspects, and approves the safety of all aboveground storage tank systems. The law creates a permitting system, and sets fees for applications and inspections. Fees that are collected are deposited in the hazardous materials storage tank regulatory enforcement fund which is created in the state treasury, although any time the money in the fund exceeds \$1,000,000 at the end of a fiscal year, the collection of fees is suspended until the amount of money in the fund is less than \$250,000. (Storage tanks that receive crude petroleum directly from a wellhead are exempt from fees under this section.)

Under the law, local governments have been prohibited since October 1, 1990, from enacting or enforcing a provision of an ordinance that requires a permit, license, approval, inspection, or the payment of a fee or tax for the installation, use, closure, or removal of an aboveground storage tank system. House Bill 5553 would delete this provision.

The bill also would delete a provision which says that a township, city, village, or county shall not adopt or enforce an ordinance or resolution that is inconsistent with the act or any rule promulgated under this act.

MCL 29.5d and 29.31

Analyst: J. Hunault

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