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CHAPTER 8.

 BUILDING CODES ENFORCEMENT OFFICERS

**SECTION 6‑8‑10.** Building codes enforcement officer defined.

When used in this chapter “building codes enforcement officer” means a person employed by a public entity who is primarily responsible for the overall inspection or enforcement of applicable building code requirements within the jurisdiction of the employer.

**SECTION 6‑8‑20.** Responsibility of South Carolina Building Codes Council for registration of building codes enforcement officers; record of hearings and proceedings; register of applications for certificates of registrations.

(A) The South Carolina Building Codes Council is responsible for the registration of building codes enforcement officers pursuant to this chapter. The council or its designated representatives may conduct hearings and proceedings required by law or considered necessary by the council. The Department of Labor, Licensing and Regulation shall employ and supervise personnel necessary for the administration of this chapter. The council may promulgate regulations for the proper enforcement of this chapter.

(B) The council shall keep a record of its hearings and proceedings and a register of applications for the certificates of registration showing the date of application, name, qualifications, and addresses of the business and residence of the applicant and whether the certificate is approved or denied. The council shall publish biannually during odd‑numbered years the applications in the register which are approved. Applicants and registrants shall notify the council of changes in required information within ten days of a change.

**SECTION 6‑8‑30.** Issuance of certificates of registration; renewal; provisional certificates of registration.

(A) Certificates of registration may be issued without examination to building codes enforcement officers employed in codes enforcement on the effective date of this chapter only for the position and locality held at the time of registration pursuant to this section. This registration is valid for two years and may be renewed.

(B) Upon initial employment by a political subdivision, an individual must be granted a provisional certificate of registration without examination which is valid for the time period stipulated by regulation for each registration classification from the date of issuance. The provisional certificate of registration may not be renewed.

**SECTION 6‑8‑40.** Registration required to practice as codes enforcement officer; violations; penalty.

No person may practice as a codes enforcement officer in this State unless registered as provided in this chapter. A person violating the provisions of this chapter is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days. Each day the violation continues is a separate offense.

**SECTION 6‑8‑50.** Injunction to restrain person from violating this chapter.

If the council has reason to believe that a person is violating or intends to violate a provision of this chapter, in addition to other remedies, it may order the person immediately to refrain from the conduct. The council may apply to the court of common pleas for an injunction restraining the person from the conduct. The court may issue a temporary injunction ex parte not to exceed ten days and upon notice and full hearing may issue other orders in the matter it considers proper. No bond is required of the council by the court as a condition to the issuance of an injunction or order pursuant to this section.

**SECTION 6‑8‑60.** Application for registration; special certificates; general certificates.

(A) A person desiring to be registered as a building codes enforcement officer as required by this chapter shall apply upon a form prescribed by the council.

(B) An applicant shall furnish satisfactory proof to the council of valid certification by a recognized code organization or testing agency in the general or special capacity in which he desires to be registered. Special certificates of registration authorize the registrant to practice in the named specialty only. General certificates of registration are not restricted. The council or its designated representatives shall review the guidelines employed by the organization or agency in order to determine their continued compatibility with the requirements considered by the council to be consistent with this chapter.

(C) A local jurisdiction may impose additional requirements upon a person employed as a building codes enforcement officer in its jurisdiction.

**SECTION 6‑8‑70.** Duration of certificates; renewal; continuing education requirements; funding.

(A) A certificate of registration is valid for two years and expires on July first of each odd‑numbered year unless renewed before that date. Renewal of all registrations must be based upon a determination by council of the applicant’s participation in approved continuing education programs. The council must promulgate regulations setting forth the continuing education requirements for building codes enforcement officers. A person failing to make timely renewal of his certificate is not registered unless qualified in the manner provided for new registrants and may not practice until registered in accordance with this chapter.

(B) Funding for the certification, training, and continuing education of building code enforcement officers must be appropriated to the Department of Labor, Licensing and Regulation in the manner provided in Section 38‑7‑35.