

# CHAPTER 8

## Building Codes Council

### ARTICLE 1 REGISTRATION, FEES AND DISCIPLINARY PROCEDURE

(Statutory Authority: 1976 Code § 6–8–20)

#### **8–100. Authority.**

**HISTORY:** Added by State Register Volume, Issue No. 6, Part 3, eff June 26, 1998; Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

#### **Editor's Note**

The catchline for this regulation was added by State Register Volume 22, Issue No. 6, Part 3, effective June 26, 1998, but there was no text adopted under the catchline.

#### **8–105. Definitions.**

When used in these regulations, the following words and terms shall have the meanings so designated.

1. "Act" means Chapter 8 of Title 6 of The Code of Laws of South Carolina, 1976, as amended.
2. "Approved" means approved by the Council.
3. "Building Official" means the officer designated by a local jurisdiction, who is charged with the administration and enforcement of Building Codes and their related programs.
4. "Certificate of Registration" means the document issued by the Council, authorizing the person named thereon, to practice in the stated classification.
5. "Certified" means qualified by examination administered by a recognized organization in one or more building, system or component inspection disciplines.
6. "Code Enforcement" means administering a building inspection department, enforcement or rendering interpretations of building, residential, plumbing, electrical, mechanical, fuel gas and energy conservation codes, performing building plans review, or performing inspections on one or more building systems for new construction or renovation, as or under the supervision of a building official.
7. "Codes" means the editions of the building codes referenced in Section 6–9–50, Code of Laws of South Carolina, 1976, as amended that have been adopted by the Council.
8. "Commercial Inspector" means a person who performs onsite inspections in two or more construction disciplines, as determined by position description for the local jurisdiction for which employed, for all types of construction in all occupancy groups.
9. "Council" means The South Carolina Building Codes Council.
10. "Department" means the Department of Labor, Licensing and Regulation for the State of South Carolina.
11. "Limited Registration" means a renewable registration issued to a non-certified building code enforcement officer, employed by a local jurisdiction on the effective date of the act.
12. "Practice of Code Enforcement" means the process of administering or enforcing codes and all related standards. The term shall also apply to the process of reviewing plans, specifications and other technical data, as well as inspection of buildings and structures.
13. "Provisional Registration" means a nonrenewable registration issued to a building code enforcement officer, who is training for certification required for employment or advancement.

14. “Recognized code organization” means any state or national organization approved by the Council, which administers a testing and certification program specifically for building code enforcement officers or special inspectors.

15. “Registered/Registrant” means approved by Council to practice as a building code enforcement officer, special inspector or contract inspector and listed in a register maintained by the Department.

16. “Residential Inspector” means a person who performs onsite building, plumbing, electrical and mechanical inspections on one and two family dwellings, multifamily dwellings three stories or less in height and not exceeding sixteen (16) dwelling units per building or other buildings or structures of light frame construction and not exceeding five thousand (5,000) square feet in total area.

17. “Single Discipline Inspector” means a person who performs onsite inspections in one construction discipline, as determined by position description for the local jurisdiction for which employed, for all types of construction in all occupancy groups.

**HISTORY: Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.**

### **8-110. Registration Required.**

It is unlawful for any person to practice as a building code enforcement officer, special inspector or contract inspector as defined in these regulations, without first being registered as provided herein.

As evidence of registration, a certificate of registration must be issued by the Council, to each qualifying individual. The certificate of registration must set forth the classification for which the individual is qualified to practice.

**HISTORY: Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.**

### **8-115. Classifications and Qualifications for Registration.**

A person applying for registration as a building code enforcement officer, special inspector or contract inspector must be certified in accordance with these regulations. An applicant is deemed to be qualified for registration upon submittal of the following documentation.

A. Building Official--A certificate or examination record from a recognized code organization, indicating that the applicant has been certified as a building official.

B. Commercial Inspector--Certificates or examination records from a recognized code organization, indicating that the applicant has been certified in two or more commercial inspector disciplines.

C. Residential Inspector--Certificates or examination records from a recognized code organization, indicating that the applicant has been certified in the residential building, electrical, plumbing and mechanical inspector disciplines.

D. Residential Plans Examiner--Certificates or examination records from a recognized code organization that the applicant has been certified in the residential building, electrical, plumbing and mechanical plans examiner disciplines

E. Commercial Plans Examiner--Certificates or examination records from a recognized code organization, indicating that the applicant has been certified in the commercial building, electrical, plumbing and mechanical plans examiner disciplines.

F. Single Discipline Inspector--A certificate or examination record from a recognized code organization, indicating that the applicant has been certified in the discipline for which employed.

G. Provisional--Proof that the building code enforcement officer is presently employed by a municipality or county in South Carolina and is actively in training for a specific certification as a new employee or for advancement to a higher classification.

H. Limited

I. Special Inspector--A certificate or examination record from an approved organization, indicating that the applicant has been certified for the specific type of construction or operation requiring special inspection, for which application is being made, including one or more of the following.

1. Reinforced Concrete
2. Welding

3. High Strength Bolting
4. Steel Frame
5. Non-destructive Testing
6. Structural Masonry
7. Earthwork--including Excavation and Filling and Verification of Soils
8. Modular Retaining Walls
9. Deep Foundations
10. Post Tension Cables
11. Sprayed Fire Resistive Material
12. Exterior Insulation and Finish System
13. Smoke Control
14. Pre-cast Fabrication
15. Seismic Resistance
16. Retention Basins
17. Fire Resistant Penetrations and Joint Systems

J. Contract Inspector--One or more certificates or examination records from an approved organization, indicating that the applicant has been certified as a building official, commercial inspector, residential inspector, plans examiner or single discipline inspector.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010; State Register Volume 39, Issue No. 6, Doc. No. 4501, eff June 26, 2015.

### **8-120. Maximum Time for Certification.**

A. A person registered in the provisional classification shall obtain certification within the time stated below.

1. Building Official - one (1) certification, which is a prerequisite for classification as a certified building official, shall be completed within sixty (60) days of the issuance of the provisional registration. A second prerequisite for certification for the classification as a certified building official shall be completed within twelve (12) months of the issuance of the provisional registration. Any remaining prerequisite(s) for certification(s) for the classification as a certified building official shall be completed within twenty-four (24) months of the issuance of the provisional registration.

2. Commercial Inspector - one (1) certification within the first year, then a maximum of one (1) year for each additional certification for all disciplines for which employed, based on the position description for the local jurisdiction.

3. Residential Inspector - one (1) certification within the first year, then a maximum of one (1) year for each additional certification.

4. Plans Examiner - one (1) certification within the first year, then a maximum of one (1) year for each additional certification.

5. Single Discipline Inspector - twelve (12) months for the discipline for which employed, based on the position description for the local jurisdiction.

B. If any of the times referenced above are not met for the completion of certification or for the completion of a prerequisite for certification, the provisional registration shall be lapsed and cancelled and cannot be renewed.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010; State Register Volume 41, Issue No. 5, Doc. No. 4719, eff May 26, 2017.

### **8-125. Application Required.**

Application for all classifications of registration must be made upon a form furnished by the Council.

Application for registration for a building code enforcement officer must contain a statement of employment and must be verified by the Building Official or administrative head of the local jurisdiction for which the applicant is employed.

All applications for registration must be accompanied by the prescribed fee and copies of certificates and/or examination records from a recognized code organization.

The application and supporting documentation must be evaluated by the Department within thirty (30) working days after receipt.

The applicant will be notified of the approval or disapproval of the application within ten (10) working days after the decision. In the event of disapproval, the applicant may request a hearing before the Council to present additional information or demonstrate evidence of qualification.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

### **8-135. Exemptions.**

An existing, non-certified building code enforcement officer employed by a municipality or county on the effective date of the act, is not required to possess prior certification in any discipline. Such building code enforcement officer, upon meeting all other requirements for registration, may be registered in the limited classification. A limited registration must not jeopardize either the existing position or employment of the building code enforcement officer.

A limited registration will be valid only as an authorization for the building code enforcement officer to continue in the position held, and for the local jurisdiction by which employed, on the effective date of the act. All requirements for maintenance and renewal of registration will apply to the limited classification.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

### **8-140. Renewal.**

A. Registrations must be renewed biennially for the following licensure period and shall become invalid unless renewed; however, registration may be reinstated at any time within thirty (30) days of expiration, without penalty or examination.

B. Registration renewal notices will be sent to all individuals registered during the preceding licensing period at the address provided by the registrant.

C. All applications for registration renewal must be accompanied by the prescribed fee and verification that the applicant has obtained the required continuing education.

D. A registration not renewed in a timely manner, following expiration, will lapse and, at the discretion of Council, the registrant may be subject to examination before registration is reinstated.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

### **8-145. Fees.**

The Council may charge fees as shown in South Carolina Code of Regulations Chapter 10-7 and on the South Carolina Building Codes Council website at <http://lfr.sc.gov/POL/BCC/>.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010; State Register Volume 39, Issue No. 6, Doc. No. 4537, eff June 26, 2015.

### **8-150. Continuing Education.**

To qualify for registration renewal, a registrant must accumulate a minimum of twelve (12) hours per year of continuing education. One (1) hour of continuing education shall be awarded for each hour of active participation in any course, seminar, workshop, session or other training medium approved by Council.

If the first period of registration is less than twenty-four (24) months, continuing education required for the first registration renewal must be based on the following:

- A. For registrations issued one (1) to four (4) months before expiration, no hours.
- B. For registrations issued four (4) to eight (8) months before expiration, four (4) hours.
- C. For registrations issued eight (8) to twelve (12) months before expiration, eight (8) hours.
- D. For registrations issued twelve (12) to sixteen (16) months before expiration, twelve (12) hours.
- E. For registrations issued sixteen (16) to twenty (20) months before expiration, sixteen (16) hours.
- F. For registrations issued twenty (20) to twenty-four (24) months before expiration, twenty (20) hours.
- G. For each subsequent registration, a minimum of twenty-four (24) hours will be required.

Proof of accrued continuing education will be by audit.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

### **8-160. Comity.**

The Council may grant registration without examination, in any classification, to an individual, who at the time of application, is registered or licensed by a similar Board or Council of another state, district or territory, where standards are acceptable to the Council and not lower than required by the act and these regulations.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

### **8-165. Conflict of Interest.**

No registered building code enforcement officer or contract inspector may provide or offer to provide labor, material, appliances, equipment, plans, specifications, consultation or any services related to the construction, alteration, demolition or maintenance of any building or structure within the local jurisdiction for which employed.

No registered building code enforcement officer or contract inspector may engage in any work that conflicts or is perceived to conflict with prescribed duties or the interest of the local jurisdiction for which employed.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

### **8-170. Denial, Suspension and Revocation.**

The Council has the power to deny, suspend or revoke the registration of a registrant when it has been determined by Council that the person has:

- A. been convicted of a felony or a crime of moral turpitude in any court of competent jurisdiction;
- B. obtained certification or registration through fraud, deceit or perjury;
- C. defrauded the public or attempted to do so;
- D. displayed incompetence, negligence or misconduct in the practice of code enforcement;
- E. refused, failed or displayed the inability to enforce any building code, local ordinance or state or federal law within his/her responsibility;
- F. violated or aided or abetted any person in violation of any provision of the act or these regulations.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

### **8-175. Preferring of Charges and Hearing.**

Any person may prefer charges for one (1) or more reasons listed in Section 8-170, against a registrant. Such charges must be in writing and must be sworn or attested to by the person alleging them. All charges must be filed with the Department.

All charges, unless dismissed by the Council as unfounded or trivial, must be heard by Council as soon as practical after the date received. The time and place for such hearings will be fixed by the

Council and a copy of the charges, together with notice of the time and place, must be served in a legally acceptable manner, at least thirty (30) days before the date fixed for the hearing.

The accused registrant may appeal personally or by Counsel, cross-examine witnesses appearing against him/her and produce evidence and witnesses in his/her own defense.

If after hearing all evidence, a majority of the Council members present vote in favor of finding the accused registrant guilty, Council may place the individual on probation, suspend or revoke his/her registration.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

### **8-180. Appeal From Action of Council.**

Any person aggrieved by an action of Council in denying, suspending or revoking a registration, may appeal to the Administrative Law Court.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

### **8-185. Registration Reinstatement and Replacement.**

For reasons it deems sufficient, Council may reinstate a registration upon a vote in favor of reinstatement by a majority of the members present.

A replacement for a revoked, lost or destroyed registration may be reissued by the Council subject to the Act and these regulations.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

## **ARTICLE 2 ADMINISTRATION, PROPOSED MODIFICATIONS AND VARIATIONS, STATE ENERGY STANDARDS**

(Statutory Authority: 1976 Code § 6-9-63(E))

### **8-205. South Carolina Building Codes Council.**

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998.

#### **Editor's Note**

The catchline for this regulation was added by State Register Volume 22, Issue No. 6, Part 3, effective June 26, 1998, but there was no text adopted under the catchline.

### **8-210.1. Purpose.**

These regulations are intended to establish procedures for the operation of the South Carolina Building Codes Council and the application and administration of its authority under the Building Codes Act, the Modular Act and the Accessibility Act. It is further intended that these regulations establish a formal standard policy and specific criteria on which the Council will base its approval or disapproval of proposed modifications to building codes. It is also intended that these regulations establish a formal standard policy and specific criteria on which the Council will base its approval or disapproval of proposed modifications to or variations from the required state energy standards.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 29, Issue, No. 2, eff February 25, 2005.

### **8-215. Definitions.**

As used in these Regulations:

(1) "Accessibility Act" means the Construction of Public Buildings for Access by Persons With Disabilities Act, Chapter 5 of Title 10 of the Code of Laws of South Carolina, 1976, as amended.

- (2) “Accessibility Committee” means the standing committee for the Council, as created by Chapter 5 of Title 10 of the Code of Laws of South Carolina, 1976, as amended.
- (3) “Agency” means any division, department or section of state or federal government.
- (4) “Building Codes” means the nationally recognized codes and standards referenced in Chapter 9 of Title 6 of the Code of Laws of South Carolina, 1976, as amended.
- (5) “Building Codes Act” means the Building Codes Act, Chapter 9 of Title 6 of the Code of Laws of South Carolina, 1976, as amended.
- (6) “Building Code Cycle” means the time period between the dates that codified editions of the building codes are adopted by the Council.
- (7) “Building Official” means the officer or other designated authority, or duly authorized representative, charged with the administration and enforcement of building codes and standards.
- (8) “Climatological” means the susceptibility of specific unusual reoccurring weather or atmospheric conditions for a local jurisdiction, including hurricanes, tornadoes, damaging wind, lightning, or floods due to rainfall.
- (9) “Council” means the South Carolina Building Codes Council as established by Chapter 9 of Title 6 of the Code of Laws of South Carolina, 1976, as amended.
- (10) “Department” means the Department of Labor, Licensing and Regulation for the State of South Carolina.
- (11) “Energy Standards” means the Building Energy Efficiency Standard Act, Chapter 10 of Title 6 of the Code of Laws of South Carolina, 1976, as amended.
- (12) “Flood(ing)” means temporary inundation of normally dry land areas from the overflow of inland or tidal waters or from the unusual and rapid accumulation of runoff or surface waters by excessive rainfall, snow melt, wind storms or any combination of such conditions.
- (13) “Geographical” means the geographic or topographic characteristics of a specific area or region.
- (14) “Geological” means the structure of a specific area or region of the earth’s surface.
- (15) “Implementation Date” means the date, as established by Council, that one or more adopted building codes must be placed into effect for administration and enforcement by local jurisdictions.
- (16) “Local Enforcement Agency” means an agency of a local jurisdiction with authority to make inspections of buildings and to enforce the laws and regulations enacted by the State, which establish standards and requirements applicable to the construction, alteration, repair and occupancy of buildings.
- (17) “Local Jurisdiction” means any county, city, town, village or other political subdivision of the State of South Carolina.
- (18) “Modification(s)” means the changing of any word, number, date, section or reference in either the text or appendix (if adopted) of any building code, regardless of whether the effect is more or less restrictive.
- (19) “Modular Act” means the Modular Buildings Construction Act, Chapter 43 of Title 23 of the Code of Laws of South Carolina, 1976, as amended.
- (20) “Physical” means the natural stable and unstable characteristics and conditions of the land area within a local jurisdiction, including topography, geography, geology, water table and seismic activity.
- (21) “Professional Association” means an entity with membership consisting of individuals directly involved in the use, application or enforcement of building codes, or entities that manufacture, test or provide technical representation for materials, components or methods used in the construction industry.
- (22) “Study Committee” means the standing committee for the Council as created by Chapter 9 of Title 6 of the Code of Laws of South Carolina, 1976, as amended.
- (23) “Variation(s)” means the changing of the Energy Standards or any building code in either the text or appendix (if adopted), the nature of which, would accept an alternate building material or alternate method of compliance.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 29, Issue No. 2, eff February 25, 2005.

## **8-220. Powers, Duties, and Responsibilities of Council.**

(A) The Council shall clarify the various aspects and provision of the Building Codes Act, the Modular Act, the Accessibility Act and their corresponding regulations, as may be necessary to carry out their intended purposes.

(B) The Council shall review requests by local jurisdictions and professional associations, for modifications to the adopted building codes, as authorized by the Building Codes Act.

(C) The Council shall review requests by local enforcement agencies, for variations from the Energy Standards.

(D) The Council shall permanently maintain an Accessibility Committee to provide research and to advise Council on any and all statutory, regulatory, construction or building code issues relating to access and use of buildings and structures by disabled persons, as provided by the Accessibility Act.

(E) The Council shall produce records of all its transactions and minutes of all its meetings, hearings and proceedings.

**HISTORY: Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 29, Issue No. 2, eff February 25, 2005.**

## **8-225. Duties and Responsibilities of Department.**

(A) The Department shall provide the personnel to serve as staff for the Council. Such staff shall have the duty and responsibility to:

(1) Maintain an accurate and complete record of all meetings, hearings, proceedings, correspondence and technical work performed by and for Council;

(2) Make all records and documents of Council available for public inspection any time during normal working hours;

(3) Prepare and provide all information, documents and exhibits necessary for the Council agendas and meetings; and,

(4) Perform such other related tasks as may, from time to time, arise.

(B) The Department shall provide legal counsel for the Council.

**HISTORY: Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 29, Issue No. 2, eff February 25, 2005; State Register Volume 37, Issue No. 5, eff May 24, 2013.**

## **8-230. Council Officers.**

(A) The Council shall elect from its appointed members, a chairman and a vice-chairman.

(B) Election of officers shall occur during the first meeting of each calendar year. Elected officers shall assume office upon adjournment of the meeting at which the election occurs.

(C) The duties of each officer shall be as follows:

(1) Chairman - Preside over all meetings of the Council, call special meetings as the need may arise, authenticate by signature all licenses, resolutions, documents and other instruments of Council and perform such other duties as may fall within the jurisdiction of the office.

(2) Vice-chairman - Function as chairman in the absence of the chairman and perform such other duties as may fall within the jurisdiction of the office.

(D) Officers shall serve for a period of one year or until their successors are elected.

(E) Vacancies occurring in an officer's position shall be filled in the following manner.

(1) If, during the course of any unexpired term, the office of chairman is vacated, the vice-chairman shall, immediately and without any further action of Council, be named chairman and continue in that capacity until the next regular election.

(2) If, during the course of an unexpired term, the office of vice-chairman is vacated, the Council shall fill the vacancy by election during its next official meeting. The elected member shall assume office immediately and continue in that capacity until the next regular election.

**HISTORY: Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 29, Issue No. 2, eff February 25, 2005.**



## **8-235. Council Meetings.**

(A) The Council must meet at least one time per year or at the call of the chairman. In addition, the Council must meet not less than one time per building code cycle for the purpose of reviewing modifications requested for the adopted building codes.

(B) All agenda items and supporting documentation shall be submitted to the Council staff not later than 14 calendar days prior to the meeting date. The agenda and meeting notice shall be delivered to each Council member not later than seven calendar days prior to the meeting date. The meeting notice shall contain the date, time and place the meeting will be held.

(C) All meetings shall be open to the public. Notices designating the date, time and place of the meeting shall be posted at the offices of the Council, not later than 24 hours before the meeting starting time.

(D) Minutes of every meeting of Council shall be produced and distributed to each Council member. The minutes shall reflect the names of all persons in attendance, each item and action taken and all motions, seconds and votes made during the course of the meeting. All minutes shall be approved by motion, second and vote at a meeting of Council before they will be considered official. Only official minutes shall be made available to the general public. A copy of all official minutes of Council meetings shall be maintained in the offices of the Council and made available for public inspection during all normal working hours.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 29, Issue No. 2, eff February 25, 2005.

## **8-236. Building Codes Adopted.**

(A) All building codes used within the state shall be adopted by the Council and enforced by local jurisdictions. The adoption process must follow the procedure established in the Building Codes Act.

(B) Administration and enforcement of the latest adopted edition of any building code must occur in all local jurisdictions on the implementation date established by the Council. All new construction, additions, renovations, repair or work of any kind, to any system, in a building or structure, for which a completed building permit application has been approved prior to the implementation date, will be allowed to be completed and must be inspected under the building codes in effect at the time the original building permit was issued.

(C) Local jurisdictions are prohibited from writing or publishing any other building codes in part or in whole.

(D) The appendices included with all building codes are not intended to be enforced unless specifically referenced in the texts of the codes or specifically included by name and letter designation at the time of adoption by Council.

(E) The provisions of the administration chapters for all building codes that concern the qualification, removal, dismissal, duties, responsibilities of, and the administrative procedures for all building officials, deputy building officials, chief inspectors, other inspectors, and assistants are not adopted by the Council. Council may adopt general provisions of the administration chapters, as necessary, to provide uniform application of the building codes throughout the state. Any general administrative provisions adopted by Council must apply to all local jurisdictions. In the absence of Council adoption, local jurisdictions may adopt any or all sections of the administration chapters for all building codes, or may establish administrative procedures for the operation of the local enforcement agency by ordinance. In either instance, however, general administrative provisions adopted by Council, if any, must apply.

**HISTORY:** Added by State Register Volume 29, Issue No. 2, eff February 25, 2005.

## **8-240. Building Codes Modification Procedure.**

(A) Modifications to building codes may be submitted to the Council by local jurisdictions or professional associations. Council may grant modifications on a local or statewide basis as provided below.

(B) Local modifications.

(1) The Council shall review and may grant local modifications to any of the building codes by the request of a local jurisdiction, for application strictly within that jurisdiction, when it determines that the changes are required to meet local needs due to physical or climatological conditions. For the purpose of this section, the words "Physical" and "Climatological" shall have only the meanings as defined in these regulations.

(2) A request for a local building code modification must be previously approved by the governing body of the local jurisdiction making the request before it may be considered by the Council.

(3) Modifications granted to a local jurisdiction shall apply only to site constructed buildings and structures. Buildings and structures approved and constructed in compliance with the Modular Act shall not be affected by local building codes modifications. All properly labeled modular buildings shall be accepted by the local enforcement agency as being in full compliance with all of its adopted building codes.

(4) Proposed local modifications of building codes shall not take effect in any local jurisdiction until after they have first been reviewed and approved by the Council.

(5) Requests for local modifications may be considered by Council or may be referred by Council to the Study Committee for review and recommendation before action by the Council.

(C) Statewide modifications.

(1) The Council shall review and may grant statewide modifications to any of the building codes by the request of a local jurisdiction or a professional association, when it determines that the section in question is either unusually restrictive or impractical.

(2) For the purposes of these regulations, a moratorium on enforcement of any section of any building code ordered by the Council, shall be considered a statewide modification.

(3) Requests for statewide modifications proposed by a local jurisdiction or professional association, must be referred to the Study Committee for review and recommendation before action by the Council.

(4) All statewide modifications made to any of the building codes for the building code cycle, must be approved by Council prior to the established implementation date. All such modifications shall be mandatory for all jurisdictions in the state and shall be in effect for as long as the specific edition of the code is in effect.

(D) Requests for local and statewide modifications will be considered when submitted:

(1) By an official representative of the local jurisdiction proposing the modification: or,

(2) By an official representative of the professional association proposing the modification.

(E) A request for a local or statewide modification must include:

(1) A cover letter from the local jurisdiction or professional association stating that the individual is authorized to present the proposed amendment: and,

(2) Verification that the proposed amendment has the support of at least a majority of the members of the board or council governing the local jurisdiction or professional association proposing the modification: and,

(3) A completed Code Modification Form (provided by the Council): and,

(4) Sufficient test information, studies, data or other documentation that would be necessary to fully explain and justify the proposed amendment: and,

(5) A list of the persons with their titles and affiliations, known at the time of submittal, who will provide testimony in favor of the amendment.

(F) A request for a local modification must include, in addition to subsection (E), (1) through (5), the physical or climatological basis for the request and the reason that the suggested change would correct the condition.

(G) Each request for amendment must be submitted separately.

(H) A local jurisdiction or professional association shall not propose a modification which will amend, suspend, eliminate or supersede an existing statute, policy, rule or regulation of any state or federal agency.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 29, Issue No. 2, eff February 25, 2005.

### **8-245. Qualifications for Local Modifications to Building Codes.**

(A) A local jurisdiction may qualify for a local modification to any of the building codes, by establishing that the basis for the requested modification is either physical or climatological in nature.

(B) To qualify by physical basis, a jurisdiction must demonstrate that it possesses unique physical qualities, such as unusual characteristics or composition of soils, unusual geological conditions (including earthquakes), unusual geographical conditions, unusually varying or extreme ranges in the topography of the land or any other natural condition.

(C) To qualify by climatological basis, a jurisdiction must demonstrate that it experiences weather conditions which are unusual to, confined to, occurring on a regular or seasonal cycle or determined through research or past experiences to have a high probability of reoccurrence within its area. Climatological conditions may include the known occurrence of hurricanes, tornadoes, damaging wind, snow, flooding caused by rainfall, lightning or any other form of natural climate related phenomenon.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 29, Issue No. 2, eff February 25, 2005.

### **8-246. Study Committee.**

(A) The Study Committee is to perform a technical analysis of proposed statewide modifications to the building codes and report its findings and recommendation to the Council.

(B) The Committee will consist of five core members and five alternates, appointed by the Council for a period of three years. Appointments of the core members and alternates must occur during the first Council meeting of the year coinciding with a new building code cycle. Core members and alternates must be active within the specific segment of the industry that they are representing on the Study Committee for the length of their tenure. The core membership of the Study Committee must consist of:

- (1) A registered code enforcement officer;
- (2) A state licensed home builder;
- (3) A state licensed general contractor;
- (4) A state licensed architect, and,
- (5) A state licensed structural engineer.

An alternate acts in the place and on behalf of, the core member in the instance of an absence or recusal.

(C) In addition to the core members, other persons who will be known as “specialty members” may be selected to serve from time to time, on an as needed basis. Specialty members will be selected to represent a segment of the construction industry that may be affected by a specific building code modification or to provide specialized knowledge to the Study Committee within his or her area of expertise. Specialty members will have full rights to participate and vote on any issue within their areas of expertise. Specialty members will be selected by the Council chair, vice chair and staff from a pool of volunteers and may consist of representatives of any segment of the construction industry, including specialized code enforcement officers and fire officials.

(D) The core members shall elect a chair and vice chair as the first order of business at the first Study Committee meeting of each new building code cycle. The Study Committee chair and vice chair shall serve for the length of the building code cycle. The chair shall preside over all Study Committee meetings and be available at public meetings of the Council, to clarify or augment the Study Committees recommendations. In the absence or recusal of the chair, the vice chair shall assume all duties of and act on behalf of the chair. If for any reason the chair leaves the Study Committee before expiration of his or her term, the vice chair shall serve as the chair for the duration of the original appointment. The Study Committee shall then elect a new vice chair.

(E) If a core member leaves the Study Committee before expiration of his or her term, the alternate member shall serve for the duration of the original appointment. The Council shall then appoint a new alternate member from the appropriate segment of the construction industry.

(F) At no time may a specific segment of the construction industry be represented on the Study Committee by more than one core or specialty member.

**HISTORY:** Added by State Register Volume 29, Issue No. 2, eff February 25, 2005.

### **8-247. Public Notice.**

A notice of intention to review proposed building code modifications must be published in the State Register as a Notice of General Interest, on web sites published by the Department of Labor, Licensing and Regulation, and must be provided to each local building department with instructions for its prominent display. The notice must include:

- (1) The address to which interested persons may submit written comments: and,
- (2) A period of not less than one hundred eighty days during which comments may be received.

**HISTORY:** Added by State Register Volume 29, Issue No. 2, eff February 25, 2005.

### **8-248. Study Committee Meetings.**

(A) The Study Committee must hold at least one public meeting per building code cycle. All Study Committee meetings shall be at the call of the chairman of the Council and must be open to the public. All deliberations and actions taken by the Study Committee must be done in public session. For the purpose of conducting meetings and rendering recommendations, three core members or their alternates will constitute a quorum.

(B) The date, time and place for all Study Committee meetings must be made public in the same manner as required for the Council meetings. Notice of Study Committee meetings must be published a minimum of ten working days prior to the meeting date.

(C) Proposed amendments with all supporting documentation must be submitted to the Council's staff a minimum of ten working days prior to the meeting date. A meeting agenda must be published a minimum of five working days prior to the meeting date, after which time additions shall not be made to the agenda.

(D) The Study Committee must review all proposed modifications and the pertinent supporting documentation and testimony as necessary to reach a decision. If the Study Committee cannot reach a decision based on the documentation and testimony provided, the proposed modification may be carried over to a future meeting until a decision is reached.

(E) A report of the Study Committee, including a list of pros and cons for the proposed amendments, must be submitted in writing to the Council with a recommendation for:

- (1) Approval: or,
- (2) Disapproval: or,
- (3) Approval as revised.

(F) In the event that the Study Committee is unable to reach a decision on a recommendation, the matter will be presented to the Council.

**HISTORY:** Added by State Register Volume 29, Issue No. 2, eff February 25, 2005.

### **8-250. Energy Standards Variation Procedure.**

(A) The Council shall review and grant variations to the Energy Standards, when it determines that conditions requiring special or different building standards exist within any local jurisdiction.

(B) Requests for variations to the Energy Standards may only be considered when submitted to Council by the local enforcement agency proposing the changes and, if approved, are valid only within the requesting jurisdiction.

(C) All requests for variations must be accompanied by sufficient test information, studies, data or other documentation to fully explain and justify the issues to be considered. The submittal should include a list of the persons wishing to testify and their titles and affiliations. Each variation shall be submitted separately. Information submitted shall be legible and contain the following:

- (1) Name, address, phone number and title of the person making the request:
- (2) Name of jurisdiction for which the variation is being submitted:

(3) The full wording and nature for the proposed variation:

(4) The basis or reason for the request.

(D) Variations granted to any local jurisdiction shall apply only to site constructed buildings. Structures approved and constructed in compliance with the Modular Act shall not be affected by any variation to the Energy Standards that may be granted to a local jurisdiction. All properly labeled modular buildings shall be accepted by the local enforcement agency as being in full compliance with the Energy Standards.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 29, Issue No. 2, eff February 25, 2005.

### **8-255. Energy Standards Appeal Procedure.**

(A) The Council shall review and decide appeals to the requirements of the energy standards when certain occupancy or construction conditions are proven to exist in areas of the state where local appeals boards have not been appointed.

(B) Appeals may be brought before Council by any person, persons or parties who may be affected by any provision of or decision made pursuant to the administration or enforcement of the Energy Standards.

(C) All appeals must fully explain and justify the issues to be considered. The submittal should include a list of the persons wishing to testify. Each appeal shall be submitted separately. Information submitted shall be legible and must contain the following:

(1) Name, address and phone number of the person making the request:

(2) Name of jurisdiction in which the structure involved is located:

(3) The nature of the appeal:

(4) The basis or reason for the appeal.

(D) Any decision of Council may be appealed by an aggrieved party to the Administrative Law Judge Division in accordance with the South Carolina Administrative Procedures Act. An appeal shall not act as a stay or suspension of the Council's decision.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 29, Issue No. 2, eff February 25, 2005; State Register Volume 41, Issue No. 5, Doc. No. 4715, eff May 26, 2017.

### **8-260. Administration of Modular Act.**

The Council shall implement the provisions of the Modular Act and its accompanying regulations.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 29, Issue No. 2, eff February 25, 2005.

### **8-261. Administration of Accessibility Act.**

The Council shall implement and administer the provisions of the Accessibility Act and its accompanying regulations. Subsequent amendments to the regulations may be promulgated by the Council upon recommendation of the Accessibility Committee.

**HISTORY:** Added by State Register Volume 29, Issue No. 2, eff February 25, 2005.

### **8-270. Injunctive Relief.**

(A) In the event of a proposed or actual violation of the prescribed building codes or these regulations, injunctive relief shall be as provided by the Building Codes Act.

(B) In the event of a proposed or actual violation of the Modular Act or its regulations, injunctive relief shall be provided by the Modular Act.

(C) Private suits for damages resulting from violations of the Modular Act or its regulations, shall be as provided by the Modular Act.

(D) In the event of a proposed or actual violation of the Energy Standards, injunctive relief shall be as provided by the Energy Standards.

(E) In the event of a proposed or actual violation of the Accessibility Act or its regulations, injunctive relief shall be as provided by the Accessibility Act.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 29, Issue No. 2, eff February 25, 2005.

### **8-275. Penalties.**

(A) Any person violating the codes listed in the Building Codes Act or the regulations adopted pursuant to the provisions of the Building Codes Act, shall be subject to the penalties provided therein.

(B) Any person violating any of the provisions of the Modular Act or its regulations, shall be subject to the penalties provided therein.

(C) Any person violating any of the provisions of the Energy Standards, shall be subject to the penalties provided therein.

(D) Any person violating any of the provisions of the Accessibility Act or its regulations, shall be subject to the penalties provided in the Accessibility Act.

**HISTORY:** Added by State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998. Amended by State Register Volume 29, Issue No. 2, eff February 25, 2005.

## **ARTICLE 6 MODULAR BUILDINGS CONSTRUCTION**

(Statutory Authority: 1976 Code Sections 23-43-40 and 40-1-70)

### **8-600. The South Carolina Modular Buildings Construction Act.**

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

#### **Editor's Note**

This regulation replaces R. 19-460 through 19-460.27.

### **8-601. Purpose.**

(1) The provisions of these regulations are adopted in implementation of the South Carolina Modular Buildings Construction Act of 1984, Chapter 43 of Title 23 of the South Carolina Code of Laws, 1976 as amended, and are intended to provide uniform standards for modular construction, while preserving and recognizing local governmental responsibility in regard to utilization of modular buildings within a community.

(2) Regulations provided herein are applicable to all modular buildings which are manufactured for and subsequently erected within the State of South Carolina, and all modular buildings manufactured in South Carolina erected in other states under reciprocal agreements. These regulations apply to all buildings erected in the State of South Carolina.

(3) The definition of modular building does not include mobile or manufactured homes, as defined by the U.S. Department of Housing and Urban Development, which is any residential unit constructed to the Federal Mobile Home Construction and Safety Standards, 42 USC Sections 5401 and 24 CFR 3282 and 3283.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013; State Register Volume 39, Issue No. 6, Doc. No. 4501, eff June 26, 2015.

### **8-602. Definitions.**

For the purpose of these regulations, the following words shall have the meanings indicated:

(1) "Act" means the South Carolina Modular Buildings Construction Act of 1984, Chapter 43 of Title 23 of the South Carolina Code of Laws, 1976 as amended.

(2) "Approved" means conforming to the requirements of Council.

(3) “Approved inspection agency” means an agency approved by the Council to provide plan review and approval, evaluation, and inspection in addition to adequate follow-up services at the point of manufacture to insure that production units are in full compliance with the provisions of the Modular Building Construction Act. An approved inspection agency must retain a building construction-oriented registered professional engineer or architect who must be responsible for compliance with the Modular Building Construction Act and regulations of the Council.

(4) “Building System” means plans, specifications and documentation for a system of modular buildings or for a type or a system of building components, which may include structural, electrical, mechanical, plumbing and fire protection systems, and other building systems affecting life safety.

(5) “Closed Construction” means that condition when any building, component, assembly, subassembly, or system is manufactured in such a manner that all portions cannot be readily inspected at the erection site without disassembly.

(6) “Component” means any assembly, subassembly, or combination of elements of closed construction, for use as a part of a building, which may include structural, electrical, mechanical, plumbing and fire protection systems, and other building systems affecting life safety.

(7) “Council” means the South Carolina Building Codes Council as established by Section 6–9–63 of the South Carolina Code of Laws.

(8) “Custom Building” means any building manufactured to individual system specifications and not intended for duplication or repetitive manufacture.

(9) “Damage” means damage or-breakage occurring to a modular building or any part thereof causing it to not comply with these regulations.

(10) “Days” shall be construed to be work days, and shall not include Saturdays, Sundays, or holidays.

(11) “Department” means the Department of Labor, Licensing and Regulation for the State of South Carolina.

(12) “Equipment” means all materials, appliances, devices, fixtures, fittings, or accessories installed in or used in the manufacture and assembly of a modular building.

(13) “Field technical service” means clarification in the field by the Council of technical data relating to the application of the regulations.

(14) “Labeled” means equipment bearing a label of certification by an approved listing organization.

(15) “Listed” means equipment or materials included in a list published by an approved listing organization.

(16) “Local Building Official” means the officer or other designated authority, or duly authorized representative, charged with the administration and enforcement of building codes and standards, for any county, city, town, or other political subdivision of the state.

(17) “Manufacturer” means any person, firm, or corporation which manufactures or assembles modular buildings.

(18) “Manufacturer’s Representative” means any person employed by a modular building manufacturer who sells, or offers for sale, modular buildings or components.

(19) “Model” means a specific modular building design which is based on size, room arrangement, method of construction, and arrangement of plumbing, mechanical, or electrical equipment and systems therein.

(20) “Open Construction” means any modular building, building component, assembly, or system manufactured in such a manner that all parts or processes of manufacture can be readily inspected at the installation site without disassembly.

(21) “Site” means the location on which a modular building is erected or is to be erected.

(22) “Standard Design” means any building, system, model, series, or component intended for duplication or repetitive manufacture.

(23) “System Prototype” means a specific design of modular building designated by the manufacturer to be the standard for reproduction. A system prototype may include options that do not affect the performance or function of any system.

(24) “System Recognition” means a system of construction approved by an approved inspection agency.

(25) “Valuation” means the total fair market value of a structure in its completed state, including the combined costs of the modular building or components, the foundation system, porches steps and other “add-ons,” additional required mechanical equipment and the installation and connection of all utilities.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013; State Register Volume 39, Issue No. 6, Doc. No. 4501, eff June 26, 2015.

### **8–603. Council Duties and Responsibilities.**

(1) The Council shall require filing and final approval of all quality control manuals, system, and model design plans changes as they occur.

(2) Plans, manuals, and related documents will be accepted only after approval of and submittal by an approved inspection agency, but are subject to review as deemed necessary by the Council.

(3) Any person may request field technical services provided such requests are submitted to the Council in writing and are subject to the fee schedule in these regulations.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8–604. Adoption of Model Codes.**

(1) The design and fabrication of modular buildings shall comply with the requirements of the building codes as listed in Chapter 9, Title 6, of the South Carolina Code of Laws, 1976 as amended.

(2) Energy code. The design and installation of thermal performance standards for all modular buildings shall comply with the requirements of the most recent edition of the International Energy Conservation Code as adopted under Title 6 Chapter 10 of the South Carolina Code of Laws, 1976 as amended.

(3) Building official. Where reference is made, in any building code, to the building, plumbing, gas or mechanical official, administrative authority, enforcement official or any such authoritative person, it shall mean the Council Administrator.

(4) All service connections and foundations installed at the building site shall be regulated by the local building official.

(5) Barrier Free Design. The design and erection of modular buildings for the purpose of public use must be in compliance with the Barrier Free Design Standard, Code of Laws of South Carolina, 1976 as amended, Sections 10–5–210 through 10–5–250, and adopted regulations.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013; State Register Volume 39, Issue No. 6, Doc. No. 4501, eff June 26, 2015; State Register Volume 41, Issue No. 5, Doc. No. 4714, eff May 26, 2017.

### **8–605. Enforcement Authority.**

(1) It is the intent of the Act and these regulations, that those areas of authority rightfully belonging to the local government are specifically and entirely reserved thereto. Such areas are land use, zoning, fire zones, site development and subdivision control, as well as the review and regulation of architectural and aesthetic requirements. Such requirements and regulations not in conflict with the provisions of the Act or these regulations, which currently exist or may be enacted, must be reasonable and uniformly applied and enforced without distinction as to whether such building is modular or constructed on site in a conventional manner. Local zoning ordinances shall not restrict location of, or otherwise discriminate against modular buildings certified in accordance with the Act and these regulations.

(2) The local government shall furthermore be reserved the authority to:



(a) require a complete set of plans and specifications as certified by the Council for each modular building erected within its jurisdiction; and

(b) require that all permits be obtained before erection of any unit on a building site; and

(c) approve and inspect foundation systems and all connections thereto; and

(d) approve and inspect all electrical, plumbing, gas, or mechanical systems from the source of service to the point at which they connect to the building.

(3) The local building official shall report any modular building that has been damaged enroute to the erection site.

(4) Any modular building unit bearing the Council's certification label shall be deemed to comply with the requirements of all building codes, ordinances, or regulations which govern building construction, enacted by any local government.

(5) The local building official shall require that all modular buildings bear a certification label before issuing a Certificate of Occupancy.

(6) The local building official shall report any violations of the Act or these regulations to the Council.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8-606. Delegation of Inspection Authority: Approved Inspection Agency's Qualifications, Acceptance Requirements.**

(1) The Council shall consider an organization for acceptance as an approved inspection agency upon receipt of an application accompanied by a prospectus detailing its capabilities to perform in that capacity.

(2) Each organization applying for approval shall indicate in its application:

(a) its qualifications to inspect equipment and systems; and

(b) that the organization is not controlled by any manufacturer or supplier subject to the Council's jurisdiction; and

(c) that it will make available specific information as required by the Council; and

(d) that it retains a building construction oriented South Carolina registered professional engineer or architect who shall be responsible for compliance with these regulations; and

(e) its organizational structure; and

(f) the education and qualification of the employees to be doing the actual inspection and plan review; and

(g) its agreement to perform inspections at the frequency specified in these regulations; and

(h) proof that all personnel performing inspections are certified by a testing agency recognized by the Council.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8-607. Approved Inspection Agency Authority.**

(1) An approved inspection agency shall conduct inspections at the manufacturing plant to determine compliance with the approved plans. Violations of any of the provisions of these regulations or variations from the approved plans may be cause for revocation of the plan approval and shall be reported to the Council within one (1) day after discovery.

(2) Failure on the part of an approved inspection agency to fulfill its responsibilities or notify the Council of violations of these regulations or variations from the approved plans is cause for revocation of its approval.

(3) An approved inspection agency shall perform final plan review and approval, inspection, and certification of a single family residential modular building. Upon final plan review and approval by an approved inspection agency of a plan as meeting the requirements of the Modular Building Construction Act and the regulations of the council, a copy of the approved plan must be filed with

the Department of Labor, Licensing and Regulation. Upon filing of an approved plan with the department by an approved inspection agency, a manufacturer may request from the department certification labels for units manufactured to the approved plan. Each certification label must bear the serial number of the unit for which it is issued and only may be attached upon final inspection by an approved inspection agency.

(4) An approved inspection agency shall perform plan approval, inspection, and certification of commercial or multifamily modular buildings. Upon review by the approved inspection agency, the plans must be submitted to the Department of Labor, Licensing and Regulation for final plan review and approval.

(a) The design review for required plan submittal shall include a completed application on forms obtainable from the Council and three (3) complete sets of scaled plans, specifications and structural, electrical, mechanical, and energy calculations prepared by an architect or engineer licensed to practice in the State of South Carolina; quality control manuals, calculations, and any required test results for each system and prototype to be approved. The approved inspection agency shall designate its approval by affixing its seal to each print, the cover of the quality control manual, and supporting data prior to submittal.

(b) The approved inspection agency shall submit for the manufacturer, a request for Council review which may include any or all elements of building systems such as structural, mechanical, plumbing, and electrical components. All modular building system submittals must include at least the following:

(1) Structural:

(i) details specifying methods of field connection of units or models to each other and foundations; and

(ii) all exterior elevations; and

(iii) elevations and details of elements, walls or sections thereof providing resistance to vertical loads or lateral forces; and

(iv) floor plans and floor framing plans; and

(v) details of framing system showing direction of face grain of plywood, blocking, connections, etc.; and

(vi) vertical load calculations; and

(vii) lateral force calculations; and

(viii) overturning and uplift calculations; and

(ix) details of all structural connections such as chord splices, corner and wall intersection details, post and beam splices, etc., (both inplant and onsite connections must be shown); and

(x) complete roof framing plan showing method of framing, direction of face grain of plywood, connections, etc., roof covering material and roofing specifications; and

(xi) cross sections as necessary to identify major building components; and

(xii) information for plywood when used, such as thickness, index number, grade, direction of face grain, etc., and lumber grades; and

(xiii) details of flashing, such as at openings and at penetrations through roofs flashing material and gage to be used; and

(xiv) attic access and attic ventilation; and

(xv) wall and soffit material as well as finish; and

(xvi) interior wall and ceiling finish; and

(xvii) fire separation details, when required by code; and

(xviii) opening treatment for doors and windows including door swings; and

(xix) all foundation vents and under floor access; and

(xx) structural steel materials, sizes, finishes, and connection details; and

(xxi) reinforcing, concrete and mesh materials, strengths, grades, sizes, spacing and details in accordance with "Building Code Requirements for Reinforced Concrete, ACI 318"; and

- (xxii) all work that is required on the building site; and
- (xxiii) details of all elements for access and use by people with disabilities.

(2) Plumbing:

- (i) plan and riser diagram of the plumbing layout showing size of piping, fittings, traps, vents, cleanouts and valves, etc., for gas, water, drainage, waste, and vent systems; and
- (ii) plumbing materials, make, model, and rating/capacity of fixtures; and
- (iii) make and model of safety controls and their locations; and
- (iv) intervals and method of horizontal piping support; and
- (v) vertical piping and valve supports; and
- (vi) location of flues and vents above roofs and required clearances from air intakes, other vents and flues, etc.; and
- (vii) method of testing.

(3) Mechanical:

- (i) location of all equipment and appliances; and
- (ii) listed or labeled appliances, units or equipment; and
- (iii) heat loss and heat gain calculations; and
- (iv) BTU, input and output rating of all appliances and equipment; and
- (v) duct and register locations, including size, and materials; and
- (vi) clearance from combustible material or surfaces for all appliances, equipment, ducts, flues, and chimneys; and
- (vii) method of providing required combustion air and return air; and
- (viii) location of flues, vents and chimneys, and clearances for air intakes; and
- (ix) details and approvals for dampers in ducts penetrating fire separation walls, floors and ceilings; and
- (x) method of testing; and
- (xi) method of securing every appliance and its components to avoid displacement and movement from vibration and road shock.

(4) Electrical:

- (i) plan and detail of service equipment, including service entrance, conductors, service raceway and clearances, above ground, and above structures; and
- (ii) method and detail for grounding service equipment; and
- (iii) diagram of the entire electrical installation; and
- (iv) complete load calculations for service and feeders; and
- (v) identification and sizes of all feeders and branch circuits; and
- (vi) size, rating, and location of main disconnect/overcurrent protective devices; and
- (vii) method of interconnection between modules or units and location of connections; and
- (viii) location of all outlets and junction boxes; and
- (ix) the protection of nonmetallic sheathed cable in locations subject to mechanical damage; and
- (x) method of backing, mounting, and strapping of fixtures and wiring; and
- (xi) name plate rating of all appliances and equipment; and
- (xii) method of testing; and
- (xiii) labeling of wiring, fixtures, and equipment.

(5) Calculations and test procedures. When the composition or configuration of elements, assemblies, or details of structural members are such that calculations of their safe load carrying capacity, basic structural integrity, or fire resistance cannot be accurately determined in accordance with

generally established principles of engineering design, such structural properties, or fire resistance of the members or assemblies may be established by an approved inspection agency.

(6) Design plan approval expiration. Design plan approvals shall expire on the effective date of any applicable change to these regulations and the building codes referenced herein, when the change affects a system or component of the model involved.

(7) It shall be the responsibility of the manufacturer to submit an application for design plan renewal to the Council.

(8) Revocation of approval. Revocation of a plan approval shall occur upon the failure of the manufacturer to comply with the provisions of these regulations.

(9) Nonconforming application. If an application does not conform to the requirements of these regulations, the applicant shall be notified in writing. If corrections have not been received by the Council within ninety (90) days of such notice, the application will be deemed abandoned. Subsequent submission shall be as for a new application.

(10) Evidence of Council approval. Approved plans and specifications shall be evidenced by acknowledgment of the Council. Approved copies of the plans and specifications shall be returned to the manufacturer with a letter indicating the limitations of the approval. A copy of the letter shall be available for inspection use at each place of manufacture.

(11) Manufacturer's unit data plate. The manufacturer shall install on all modular building units, a data plate which shall contain, but not be limited to the following design information:

- (a) maximum live load; and
- (b) maximum snow load; and
- (c) maximum wind load; and
- (d) seismic zone; and
- (e) thermal transmittance value (Uo) of: walls, roof/ceiling, and floors.

(12) The data plate shall be permanently mounted in a conspicuous location.

(13) Manufacturer's component data plate. The manufacturer shall install on each modular component or package of modular components a data plate which indicates the limiting characteristics and design criteria of the components for determining how they can be installed and utilized within their capabilities.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013; State Register Volume 39, Issue No. 6, Doc. No. 4501, eff June 26, 2015.

## **8-608. Quality Control Procedures.**

(1) The manufacturer shall establish a written agreement with an inspection agency approved by the Council, clearly stating the quality control procedures which it shall institute in its manufacturing facilities. The quality control procedures shall be documented in manual form, which the manufacturer shall submit to the approved inspection agency for approval. The quality control program outlines must comply with these regulations and be approved by the Council.

(2) The quality control manual shall include quality control procedures for the modular building manufacturing process such as, construction sequence; compliance of basic materials with specifications; frequency of inspection; administrative procedures and samples of quality control forms to be used; and, system description for retention of quality control records.

(3) The manufacturer shall designate an employee to be responsible for the quality control program in its plant and to maintain records to substantiate that each modular unit has been inspected in accordance with the approved plans and specifications.

(4) All modular buildings or components shall be manufactured in accordance with the building codes adopted in these regulations and the quality control procedures established by the manufacturer and accepted by the approved inspection agency and the Council.

(5) The Council shall perform a minimum of one (1) annual audit, at the address of record, for each licensed manufacturing facility and approved inspection agency, with or without notice.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

## **8-609. Change in Status, Alterations.**

(1) Changes to approved plans.

(a) If the manufacturer proposes to change any portion of its system or model designs, or if the Council regulations are amended to necessitate such change, it shall be required to submit to the Council, through its approved inspection agency; three (3) sets of detailed, supplemental plans. Plans shall be accompanied by a transmittal of supplementary plan application form, obtainable from the Council and the appropriate plan filing fee.

(b) A model name or designation may be changed or added prior to the expiration date by filing an amended application.

(c) If the manufacturer proposes changes in the quality control manual or procedures, three (3) copies of the changes shall be submitted to the Council through the approved inspection agency.

(2) Change of name, address, or ownership. In the event of a change of name, address, or ownership of a modular building manufacturer, the owner, or an officer shall notify the Council in writing within ten (10) days of such change.

(3) Discontinuance of manufacturer. When a manufacturer discontinues an approved model, the manufacturer shall, within ten (10) days, advise the Council of the date of the discontinuance and return all certification labels allocated to the model.

(4) Existing model approvals. In the event of amendment of these regulations or the building codes referenced herein, which will require changes to an approved model design, the Council shall notify the manufacturer of such changes, and shall allow the manufacturer ninety (90) days from the date of such notification, or such additional time as the Council shall deem reasonable, in which to submit revised plans for model approval.

(5) Revised model plans submitted pursuant to this section shall be processed as a supplemental detail, with appropriate fees.

(6) Alteration or conversion. Any unauthorized alteration or conversation made to an approved modular building prior to initial erection shall void the approval. The state certification label(s) affixed to the building shall be returned to or be confiscated by the Council.

(7) Any alteration or conversion made to an approved modular building after initial erection shall void the approval and certification label, and, be subject to the provisions of the building inspection program for the jurisdiction in which it is located.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

## **8-610. Alternate Methods and Materials.**

(1) The provision of these regulations are not intended to prevent the use of any material, appliance, device, system arrangement, or method of construction not specifically prescribed in accepted model codes, provided any such alternate has been approved by the Council.

(2) The Council may approve alternates if it finds that the proposed design is satisfactory and that the material, appliance, device arrangement, method, system, or work offered is at least the equivalent in performance, quality, strength, effectiveness, fire resistance, durability, and safety.

(3) Listed or labeled equipment and systems may be disapproved by the Council, if it determines that they are not adequate to serve their intended purposes.

(4) All material submitted by the manufacturer to the Council in the form of plans, engineering data, test results quality control manual etc., will be considered as proprietary information of the applicant until such time as approval has been issued by the Council.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8-611. Approved Inspection Agency: Inspection.**

(1) Inplant inspections. The approved inspection agency shall conduct announced and unannounced inspections at the manufacturing site to review any or all aspects of manufacturer's production and quality control procedures. The approved inspection agency shall make a complete inspection of at least one (1) unit through all phases of manufacture to assure that the manufacture has the capabilities to produce units in compliance with their approved design and/or the appropriate codes. Thereafter, inspection of every system of every building or component shall be made at least at one (1) point during the manufacturing process.

(2) Individual unit inspections. The quality control procedure set forth in these regulations may be waived by the Council at the manufacturer's request. Waiver of the quality control procedure, however, shall require the manufacturer to have all systems of each unit he it produces individually inspected.

**HISTORY: Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.**

### **8-612. Reciprocity.**

(1) The Council may enter into agreements with other states for reciprocal approval of modular buildings when the Council determines that the requirements of the Act and these regulations are met.

(2) A modular building sold or erected in South Carolina, which has been inspected under a reciprocal agreement with another state, shall bear the certification label of South Carolina, and the certification label of the inspecting state or a common label approved by Council.

(3) The Council reserves the right to determine compliance of all units to be sold or erected in South Carolina which have been inspected under reciprocal agreement with another state.

(4) If the Council determines that standards and inspections of modular buildings prescribed by statutes of another state are equal to those of the Act and these regulations, and that such standards are equally enforced, the Council may enter into reciprocity with that state.

(5) If the reciprocating state suspends or revokes a manufacturer's certification, license or plan approval, the certification license or plan approval of the Council granted under these regulations shall likewise be suspended or revoked.

**HISTORY: Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.**

### **8-613. Multiple Site Manufacturing.**

(1) If a manufacturer plans to produce at more than one (1) location, required plan approval may be obtained for all locations at the time of filing subject to submission of the following:

- (a) one (1) set of application forms for required plan approval designating all locations of manufacture; and
- (b) two (2) sets of plans and specifications, plus one (1) additional set for each location of manufacturer; and
- (c) filing fees as designated in these regulations; and
- (d) two (2) quality control manuals, plus one (1) additional manual for each location of manufacture.

(2) If a manufacturer wishes to obtain approval for one (1) or more points of manufacture, a manufacturer's license, and at least one (1) manufacturer's representative license must be issued for each location.

**HISTORY: Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013; State Register Volume 39, Issue No. 6, Doc. No. 4501, eff June 26, 2015.**

### **8-614. Council Certification Label.**

(1) Each modular building, section, or component containing any portion of a closed system shall bear a certification label prior to leaving the manufacturing plant unless otherwise authorized by the

Council. Each certification label shall be assigned and affixed to a specific unit in a visible location as approved by the Council and whenever possible on the electrical distribution panel cover.

(2) Certification labels are not transferable and void when not affixed to the building, room or component for which they are assigned. All voided certification labels shall be returned to, or may be confiscated by the Council.

(3) The control of certification labels shall remain with the Council and may be revoked by the Council in the event of violation of the conditions of approval.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8-615. Certification Label Application and Issuance.**

A label request application, along with the appropriate fee, shall be submitted by the manufacturer to the Council. The application shall include the manufacturer's model number of each unit for which a certification label is required. Additionally, the manufacturer shall file with the Council a certification label disposition report at least monthly, which indicates the model serial number, certification label number, and final location of each modular unit.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8-616. Certification Label Denial.**

Should inspection reveal that a manufacturer is not manufacturing buildings or components in accordance with the approved plans and such manufacturer, after having been served with a notice fully stating the violations, fails to take the appropriate corrective action, then all subsequent applications for certification labels shall be denied and all certification labels previously issued, invalidated. Label issuance shall not resume until all violations have been corrected and proof of compliance submitted to the Council.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8-617. Removal of Certification Labels.**

(1) In the event that a modular building or component bearing a certification label is found to be in violation of the approved plans, the approved inspection agency or the Council shall remove the certification label and furnish the manufacturer with a written statement of all violations.

(2) Following correction of all violations, the manufacturer shall request an inspection to be made by the approved inspection agency or Council, before a replacement certification label may be issued.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8-618. Schedule of Fees.**

The Council may charge fees as shown in South Carolina Code of Regulations Chapter 10-7 and on the South Carolina Building Codes Council website at <http://lir.sc.gov/POL/BCC/>. All application and filing fees are payable at the time of submittal and are nonrefundable.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013; State Register Volume 39, Issue No. 6, Doc. No. 4537, eff June 26, 2015.

### **8-619. Appeal Procedures.**

(1) Any person or organization aggrieved by the application of these regulations may initiate an appeal by writing to the Council within thirty (30) days following the date of action upon which the appeal is based. The request shall contain:

- (a) the name and address of appellant; and
- (b) the names and addresses of all other persons involved; and
- (c) a summary of the action from which the appeal is taken; and

- (d) the grounds of disagreement with the action from which the appeal is taken; and
- (e) a statement that the appellant desires a hearing or decision based on written arguments and documents submitted; and
- (f) the signature of the appellant or responsible officer if the appellant is an organization; and
- (g) additional documents as the appellant may consider pertinent.

(2) Call of meeting. Upon receipt of a request, the Department shall call a meeting of the Council to be held within forty-five (45) days of the request. The Department shall provide written notice of the time, date, and place of the hearing to the appellant and all persons indicated in the request.

(3) Evidence. Technical rules of evidence shall not be applicable and all relevant evidence of reasonable value may be received.

(4) Ruling. A ruling of the Council shall require a majority vote of the members present. A record of the meeting, stating the Council's ruling and reasons therefore, shall be maintained for public review.

(5) Notification of ruling. The Department shall notify the appellant of the ruling within ten (10) days of the decision of the Council.

**HISTORY: Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.**

## **8-620. License Application Requirements.**

(1) Every manufacturer that produces modular buildings to be erected in South Carolina, must be licensed in accordance with the Act and these regulations. The application for a modular building manufacturer's license shall include, but not be limited to the following:

- (a) the name of the business; and
- (b) the address or location of the business; and
- (c) the state in which the manufacturer is incorporated; and
- (d) a statement of the business history of each owner, partner, or officer of the manufacturing firm or corporation, for the past seven (7) years.

(2) Every manufacturer shall employ at least one (1) representative, who will be responsible for the sale of modular buildings or components. All manufacturer's representatives must be licensed in accordance with the Act and these regulations. The application for a modular building manufacturer's representative license shall include, but not be limited to:

- (a) the name of the applicant; and
- (b) the residence address of the applicant; and
- (c) the names and addresses of previous employers for the past three (3) years.

(3) Manufacturer's representatives shall be directly employed by the manufacturer.

**HISTORY: Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.**

## **8-621. Sale of Modular Buildings.**

(1) Only South Carolina licensed manufacturer's representatives or South Carolina licensed home-builders or South Carolina licensed general contractors in the building classification within the group limitations of the license are permitted to sell modular buildings or components to consumers on a retail basis, provided that:

(a) if the modular building is purchased by a residential builder operating as a firm, the firm must meet the requirements of Sections 40-59-400 and 40-59-410, including, when applicable, the requirement to hold a residential business certificate of authorization issued by the Residential Builders Commission, or

(b) if the modular building is purchased by a company operating as a licensed general contractor, the company must meet the definition of an entity in Section 40-11-20 (7) and have a designated primary qualifying party, as required under Section 40-11-230. The primary qualifying party shall



serve as the principal individual responsible for directing or reviewing work performed by the licensee in a particular license classification or subclassification; and

(c) the general contractor or residential builder must sell the modular building directly to the consumer and perform, and take responsibility for, erection of the structure and all its related systems and site work or must contract to have this work performed by a properly licensed general contractor or residential builder. A sales contract is required and must identify the seller and buyer by name.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8-622. License Issued.**

(1) A license shall be issued by the Council when it is determined that the information contained on the application is in compliance with these regulations.

(2) Any change in the information presented on the original application shall be submitted to the Council within twenty (20) days.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8-623. Security Requirement.**

Before any license may be issued, a corporate surety bond designating the applicant as principal or other security approved by the council must be provided. Bonds shall be in the amount of seventy-five thousand dollars (\$75,000.00) for manufacturers and ten thousand dollars (\$10,000.00) for manufacturer's representatives. All bonds shall be to the Council and in favor of any person who suffers loss as a result of any violation of the Act or these regulations. A new bond or proper continuation certificate shall be delivered to the Council at the beginning of each license period. The aggregate liability of the bond or security in any one (1) year shall not exceed its total annual amount. No applicant shall be required to have more than one (1) bond.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8-624. Duties and Responsibilities of Council.**

(1) The Council shall keep minutes and records of all its transactions, proceedings and meetings, and duly certified copies thereof shall be sufficient to comply with the rules of evidence.

(2) The Council shall investigate on its own initiative or upon written complaint, allegations of wrongful acts involving a manufacturer, or manufacturer's representative.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8-625. Denial, Revocation or Suspension of License.**

The Council shall have the power to deny issuance of or revoke or suspend any license issued for any of the following reasons:

- (a) providing false or inaccurate information on any license application; or
- (b) willfully or intentionally failing to comply with any provision of the Act or these regulations; or
- (c) failing to have an established place of business; or
- (d) employment of fraudulent methods or practices; or
- (e) using unfair methods of competition or deceptive acts or advertising; or
- (f) failing to obtain a license before doing business in South Carolina; or
- (g) failing to appear before the Council upon due notice or follow directives of the Council or Department; or
- (h) failing to comply with adopted codes or standards in the manufacture, sale, or delivery of modular buildings; or
- (i) offering for sale unlicensed manufacturer's products, either wholesale or retail; or

(j) selling a modular building or component, for the purpose of resale, to an individual or entity other than a general contractor or residential builder.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8-626. Erection.**

(1) Modular buildings shall be erected by South Carolina licensed general contractors or residential builders within the limitations of their license classifications in accordance with the manufacturer's recommended erection procedures and the building codes adopted in these regulations. Upon completion of erection, modular buildings shall be considered equal to structures constructed on site in a conventional manner. The general contractor or residential builder must assume the same responsibilities and liabilities for the work which they perform, as if the buildings were constructed on-site. All manufacturers, general contractors and residential builders to the extent of their work, shall be subject to the provisions of Section 15-3-630.

(2) All warranty periods offered by the manufacturers of modular buildings, building systems, building components and appliances will begin at the time the consumer takes possession of the building.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8-627. Exemption.**

(1) Factory built structures meeting all of the following criteria will be exempt from these regulations. To be exempt the unit must:

- (a) be designed for continuous over-the-road travel; and
- (b) have a maximum width of eight (8) feet in its transportable mode; and
- (c) have a maximum length of fifty (50) feet; and
- (d) have permanently mounted running lights; and
- (e) have a current license plate; and
- (f) have permanent axle(s) and under carriage system; and
- (g) have stabilizers and permanent front jack stands; and
- (h) have a permanent fifth (5th) wheel connection; and
- (i) have a permanent suspension system; and
- (j) provide an electrical cord for temporary electrical service.

(2) Self-propelled structures, containing an integral cab and licensed as a motor vehicle will be exempt from these regulations.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

### **8-628. Recertifying.**

(1) Modular buildings, originally constructed, certified and labeled in accordance with the act and these regulations, may be recertified and relabeled if all of the following conditions are met.

- (a) the original manufacturer must hold a current license issued in accordance with the act and these regulations; and
- (b) the original certification label(s) must be attached to the building and be in good, legible condition; and
- (c) the building must be returned to the original manufacturing facility; and
- (d) the building must be certified by an approved inspection agency as meeting all requirements of the building codes in effect and recognized by the Council at the time of recertification; and
- (e) the manufacturer must install a new data plate on the building while at the manufacturing facility; and

(f) the approved inspection agency must install a new certification label on the building while at the manufacturing facility; and

(g) the manufacturer must pay the fee for recertification and purchase a new certification label; and

(h) the approved inspection agency must be present and witness the installation of the new certification label issued by the Council while at the manufacturing facility.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008. Amended by State Register Volume 37, Issue No. 5, eff May 24, 2013.

## ARTICLE 7

### SOUTH CAROLINA BARRIER FREE BUILDING DESIGN

(Statutory Authority: 1976 Code § 6–9–40)

#### **8–700. South Carolina Barrier Free Building Design.**

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008, replaced the former 19–400.

##### **Editor's Note**

This regulation replaces R. 19–400 through 19–400.3.

#### **8–701. Authority.**

(A) With the exception of one and two family detached dwellings and other residential buildings to be offered for sale as individual dwelling units, every building or structure shall have all levels and areas made accessible to disabled persons in accordance with the latest edition of the International Code Council/American National Standards Institute, Inc. (ICC/ANSI) document A117.1, and the requirements of this section.

(B) Buildings containing dwelling units that are to be offered for rent, such as apartments, hotels, dormitories, etc., shall provide the following number of fully accessible units.

Total Number of Units	Number of Accessible Units
0 thru 19	1
20 or more	5%

Fractions of 1/2 or more shall be counted as a whole unit

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008.

#### **8–702. Application.**

(A) There shall be no construction, alteration or leasing of a government building nor construction or renovation of a public building except in conformity with these Regulations. If the occupancy as defined in the Building Code adopted by Section 6–9–50, of an existing building is changed, that building shall be made to conform to the requirements of these Regulations for the new occupancy. If the occupancy of a portion of an existing building is changed, then only such portion which is changed shall comply.

**HISTORY:** Added by State Register Volume 32, Issue No. 6, eff June 27, 2008.

#### **8–703. Administration.**

(A) Interpretation of these Regulations and provisions herein shall be the responsibility of the local building officials, in consultation with the appropriate State Officials where necessary. However, request for interpretation may be forwarded to the Accessibility Committee for the South Carolina Building Codes Council for resolution.

(B) The enforcement of these Regulations including investigations shall be the responsibility of the Building Official of each county or municipality within the state. If the county or the municipality

does not have a Building Official, the South Carolina Building Codes Council shall enforce these Regulations.

(C) Where a conflict exists between these Regulations and Section 10-5-210 through 10-5-320 of the Code of Laws of South Carolina, 1976, as amended, these Regulations shall be superseded and governed by the applicable code section. Where there is conflict between these Regulations and local and municipal ordinances, these Regulations govern and shall be followed.

(D) All meetings and conferences, of an agency of this State, in which participation by the public is invited or anticipated, must be held in a place and manner that is accessible to persons with disabilities, unless there are compelling reasons why specific elements of accessibility cannot be provided. In such instances where specific elements of accessibility cannot be provided, the meeting or conference areas shall be as accessible as reasonably possible.

**HISTORY: Added by State Register Volume 32, Issue No. 6, eff June 27, 2008.**

## **ARTICLE 8**

### **INTERNATIONAL BUILDING CODE**

2012 International Building Code Modification Summary  
(Statutory Authority: 1976 Code Section 6-9-40)

#### **8-800. International Building Code.**

NOTE-This article is based upon the International Building Code, 2015 Edition, in accordance with the statutory amendments to acts governing the Building Codes Council, except for the modifications referenced below.

This code is identical to the 2015 Edition of the International Building Code except for the following modifications:

8-801. IBC Section 403.2.1 Reduction in fire-resistance rating.

8-802. IBC Section 706.3 Materials.

8-803. IBC Table 706.4 Fire Wall Fire-Resistance Ratings.

- a. For group H-1, H-2 or H-3 buildings, also see Sections 415.6 and 415.7.

8-804. IBC Section 903.2.9 Group S-1.

An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 12,000 square feet (1115 m<sup>2</sup>).
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m<sup>2</sup>).
4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m<sup>2</sup>).
5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses where the fire area exceeds 2,500 square feet (232 m<sup>2</sup>).

8-805. IBC Section 1009.4 Elevators.

In order to be considered part of an accessible means of egress, an elevator shall comply with the emergency operation and signaling device requirements of Section 2.27 of ASME A17.1. Standby power shall be provided in accordance with Chapter 27 and Section 3003. The elevator shall be accessed from an area of refuge complying with Section 1009.6. Elevators shall also comply with 3008 Occupant Evacuation Elevators.

Exceptions:

1. Areas of refuge are not required at the elevator in open parking garages.

2. Areas of refuge are not required in buildings and facilities equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.

3. Areas of refuge are not required at elevators not required to be located in a shaft in accordance with Section 712.

4. Areas of refuge are not required at elevators serving smoke-protected assembly seating areas complying with Section 1029.6.2.

5. Areas of refuge are not required for elevators accessed from a refuge area in conjunction with a horizontal exit.

8-806. IBC Section 1014.2. Egress through intervening spaces.

Means of egress shall consist of continuous and unobstructed paths of travel to the exterior of a building. Means of egress shall not be permitted through kitchens, closets, restrooms and similar areas nor through adjacent tenant spaces.

Exception: Means of egress shall be permitted through a kitchen area serving adjoining rooms constituting part of the same dwelling unit or guest room.

When unusually hazardous conditions exist, the building official may require additional means of egress to assure the safety of the occupants.

8-807. IBC Section Appendix H Signs.

Adopt Appendix H.

**HISTORY: Added by State Register Volume 37, Issue No. 6, eff June 28, 2013. Amended by State Register Volume 40, Issue No. 6, Doc. No. 4602, eff June 24, 2016.**

## **ARTICLE 9 INTERNATIONAL FIRE CODE**

2012 International Fire Code Modification Summary  
(Statutory Authority: 1976 Code Section 6-9-40)

### **8-900. International Fire Code.**

NOTE-This article is based upon the International Fire Code, 2015 Edition, in accordance with the statutory amendments to acts governing the Building Codes Council, except for the modifications referenced below.

This code is identical to the 2015 Edition of the International Fire Code except for the following modifications:

8-901. IFC Section 202 General definitions.

An outdoor fire burning materials other than rubbish where the fire being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial to include sky lanterns, cooking, warmth or similar purpose.

8-902. IFC Section 202 General definitions.

Sky lanterns are miniature, unmanned hot air balloons categorized as a recreational fire. This open flame source in the lantern creates heat inside which causes the lantern to lift into the atmosphere, uncontrollably. These devices are often used in celebrations and other recreational events and are also known as "Kongming lanterns."

8-903. IFC Section 307.5. Attendance.

Sky lanterns are prohibited, unless tethered or anchored.

8-904. IFC Section 503.2.1 Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

8-905. IFC Section 507.1 Required water supply.

Water supply. Approved fire hydrants shall be provided for buildings to meet the necessary fire flow requirements as determined by the fire official. Where public water supply is inadequate or not available, an approved alternative water source meeting the fire flow requirements shall be provided. Fire flow performance tests shall be witnessed by the fire official, or representative, prior to final approval.

Location. The location and number of hydrants shall be designated by the fire official, but in no case, shall distance between installed fire hydrants exceed 1000 ft (305 m). Fire hydrants shall be located within 500 ft (152 m) of all firefighter access points when measured along the normal routes of fire department vehicle access which conforms to the requirements of Section 503. No point on the exterior of a building shall be located more than 500 ft (152 m) from a fire hydrant accessible to fire department vehicles as provided in Section 503.

Exception. One and two family dwellings, including attached or detached accessory structures.

8-906. IFC Section 905.3 Required installations.

1. Standpipe systems are not required in Group R-3 occupancies.
2. Where a standpipe system is provided per section 905, the hose and nozzle may be removed if approved by the AHJ.

8-907. IFC Section 906.1(1) Where required.

8-908. IFC Section 2307.2.2 Listed equipment.

Hoses, hose connections, vehicle fuel connections, dispensers, LP-gas pumps and electrical equipment used for LP-gas shall comply with the requirements of NFPA 58.

8-909. IFC Section 2307.4 Location of dispensing operations and equipment.

In addition to the requirements of Section 2306.7, the point of transfer for LP-gas dispensing operations shall be 25 feet (7620 mm) or more for buildings having combustible exterior wall surfaces, buildings having combustible exterior wall surfaces that are not part of a 1-hour fire-resistance-rated assembly, or buildings having combustible overhangs, *lot lines* of property which could be built on, and railroads; and least 10 feet (3048 mm) from public streets, or sidewalks and buildings having noncombustible exterior wall surfaces that are part of a fire-resistance-rated assembly having a rating of 1 hour or more; and 5 feet from driveways.

Exception: 1. the point of transfer for LP-gas dispensing operations need not be separated from canopies that are constructed in accordance with the *International Building Code* and which provide weather protection for the dispensing equipment. 2. The separation from driveways is not required where the driveway serves the vehicle fuel dispenser.

LP-gas containers shall be located in accordance with Chapter 61. LP-gas storage and dispensing equipment shall be located outdoors and in accordance with Section 2306.7.

8-910. IFC Section 2307.6.4 Vehicle impact protection.

Exception: An alternative method may be used that meets the intent of this section with the approval of the AHJ.

8-911. IFC Section 2308.4 Private fueling of motor vehicles.

Self-service LP-gas dispensing systems, including key, code and card lock dispensing systems, shall not be open to the public. In addition to the requirements of Sections 2305 and 2306.7, self-service LP-gas dispensing systems shall be in accordance with the following:

1. The system shall be provided with an emergency shutoff switch located within 100 feet (30 480 mm) of, but not less than 20 feet (6096 mm) from dispensers.
2. The owner of the LP-gas motor fuel-dispensing facility shall provide for the safe operation of the system and the training of users.

8-912. IFC Section 6101.1 Scope.

Storage, handling and transportation of liquefied petroleum gas (LP-gas) and the installation of LP-gas equipment pertinent to systems for such uses shall comply with this chapter and NFPA 58. Properties of LP-gas shall be determined in accordance with Annex B of NFPA 58.

8-913. IFC Section 6103.2.1.1 Use in basement, pit or similar location.

LP-gas containers complying 6103.2.2 shall be permitted to be used in basements and above grade underfloor spaces provided such location has adequate ventilation for equipment utilization. Equipment with attached cylinders shall not be left unattended or stored in such location after use. LP-gas container storage shall comply with Section 6109.7. Self contained torch assemblies may be used in accordance with 6103.2.1.6.

8-914. IFC Section 6103.2.1.6 Use with self-contained assemblies.

Portable LP-gas containers are allowed to be used to supply approved self contained torch assemblies or similar appliances. Such containers shall not exceed a water capacity of 2.7 pounds (1.2 kg).

8-915. IFC Section 6105.2 Release to the atmosphere.

LP-gas shall not be released to the atmosphere, except as provided in NFPA 58 7.3.1.

8-916. IFC Section 6106.1 Attendants.

Dispensing of LP-gas shall be performed by a qualified attendant that meets the requirements of this section and NFPA 58 Section 4.4.

8-917. IFC Section 6106.2 Overfilling.

LP-gas containers shall not be filled or maintained with LP-gas in excess of either the volume determined using the fixed maximum liquid-level gauge installed in accordance with NFPA 58 5.7.5 and in accordance with the manufacturer's specifications or equivalent, or the weight determined by the required percentage of the water capacity marked on the container. Portable LP-gas containers shall not be refilled unless equipped with an overfilling prevention device (OPD) where required by Section 5.7.3 of NFPA 58.

8-918. IFC Section 6107.4 Protecting containers from vehicles.

Exception: An alternative method may be used that meets the intent of this section with the approval of the AHJ.

8-919. IFC Section 6109.3 Position.

LP-gas containers in storage having individual water capacity greater than 2.7 pounds (1.2 kg) [nominal 1-pound (0.454 kg) LP-gas capacity] shall be positioned with the pressure relief valve in direct communication with the vapor space of the container.

8-920. IFC Section 6109.7 Storage in basement, pit or similar location.

Department of Transportation (DOT) specification cylinders with a maximum water capacity of 2.7 pounds (1.2 kg) for use in completely self contained hand torches and similar applications. The quantity of LP-gas shall not exceed 20 pounds (9 kg).

8-921. IFC Section 6109.9 Storage within buildings accessible to the public.

Department of Transportation (DOT) specification cylinders with a maximum water capacity of 2.7 pounds (1.2 kg) used in completely self contained hand torches and similar applications are allowed to be stored or displayed in a building accessible to the public. The quantity of LP-gas shall not exceed 200 pounds (91 kg) except as provided in Section 6109.11.

8-922. IFC Section 6109.13 Protection of containers.

LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle protections shall be required as required by the *fire code official* in accordance with IFC 312 or NFPA 58 8.4.2.2.

8-923. IFC Section 6110.1 Temporarily out of service.

Containers not connected for service at customer locations. LP-gas containers at customer locations that are not connected for service shall comply with all of the following:

1. Have LP-gas container outlets, except relief valves, closed and plugged or capped.
2. Be positioned with the relief valve in direct communication with the LP-gas container vapor space.

8-924. IFC Section 6111.2.1 Near residential, educational and institutional occupancies and other high-risk areas.

Separation distance requirements may be reduced to not less than 50 feet as approved by the *fire code official*, based upon a completed fire safety analysis and consideration of special features such as topographical conditions, capacity of the LP-gas vehicle and the capabilities of the local fire depart-

ment. The Office of the State Fire Marshall will provide an approved fire safety analysis to be utilized for this specific requirement.

8-925. IFC Section 6111.3 Garaging.

Garaging of LP-gas tank vehicles shall be as specified in NFPA 58. Vehicles with LP-gas fuel systems are allowed to be stored or serviced in garages as specified in Section 11.16 of NFPA 58.

**HISTORY:** Added by State Register Volume 37, Issue No. 6, eff June 28, 2013. Amended by State Register Volume 40, Issue No. 6, Doc. No. 4602, eff June 24, 2016.

## ARTICLE 10 INTERNATIONAL FUEL GAS CODE

2012 International Fuel Gas Code Modification Summary  
(Statutory Authority: 1976 Code Section 6-9-40)

### **8-1000. International Fuel Gas Code.**

NOTE-This article is based upon the International Fuel Gas Code, 2015 Edition, in accordance with the statutory amendments to acts governing the Building Codes Council, except for the modifications referenced below.

This code is identical to the 2015 Edition of the International Fuel Gas Code except for the following modifications:

8-1001. IFGC Section 401.9 Identification.

8-1002. IFGC Section 401.10 Third-party testing and certification.

All piping, tubing and fittings shall comply with the applicable referenced standards, specifications and performance criteria of this code, including Section 403 of the IFGC and corresponding sections.

8-1003. IFGC Section 412.4 Listed equipment.

Hoses, hose connections, vehicle fuel connections, dispensers, LP-gas pumps and electrical *equipment* used for LP-gas shall comply with the requirements of NFPA 58.

8-1004. IFGC Section 412.6 Location.

In addition to the fuel dispensing requirements of the *International Fire Code*, the point of transfer for dispensing operations shall be 25 feet (7620 mm) or more from buildings having combustible exterior wall surfaces, buildings having noncombustible exterior wall surfaces that are not part of a 1-hour fire-resistance-rated assembly or buildings having combustible overhangs, property which could be built on, and railroads; and at least 10 feet (3038 mm) from public streets or sidewalks and buildings having noncombustible exterior wall surfaces that are part of a fire-resistance-rated assembly having a rating of 1 hour or more; and 5 feet from driveways.

Exception: 1. The point of transfer for dispensing operations need not be separated from canopies providing weather protection for the dispensing equipment constructed in accordance with the *International Building Code*. Liquefied petroleum gas containers shall be located in accordance with the *International Fire Code*. 2. The separation from driveways is not required where the driveway serves the vehicle fuel dispenser.

Liquefied petroleum gas storage and dispensing equipment shall be located outdoors and in accordance with the *International Fire Code*.

8-1005. IFGC Section 412.8.3 Vehicle impact protection.

Exception: An alternative method may be used that meets the intent of this section with the approval of the AHJ.

8-1006. IFGC Section 412.9 Private fueling of motor vehicles.

Self-service LP-gas dispensing systems, including key, code and card lock dispensing systems, shall not be open to the public. In addition to the requirements of the International Fire Code, self-service LP-gas dispensing systems shall be provided with an emergency shutoff switch located within 100 feet



(30 480 mm) of, but not less than 20 feet (6096 mm) from, dispensers and the owner of the dispensing facility shall ensure the safe operation of the system and the training of users.

8-1007. IFGC Section 505.1.1 Commercial cooking appliances vented by exhaust hoods.

Exception: An interlock between the cooking appliance and the exhaust hood system shall not be required for appliances that are of the manually operated type and are factory equipped with standing pilot burner ignition systems.

**HISTORY:** Added by State Register Volume 37, Issue No. 6, eff June 28, 2013. Amended by State Register Volume 40, Issue No. 6, Doc. No. 4602, eff June 24, 2016.

## ARTICLE 11 NATIONAL ELECTRICAL CODE

2012 International Electrical Code Modification Summary  
(Statutory Authority: 1976 Code Section 6-9-40)

### **8-1100. National Electrical Code.**

NOTE-This article is based upon the National Electrical Code, 2014 Edition, in accordance with the statutory amendments to acts governing the Building Codes Council, except for the modifications referenced below.

This code is identical to the 2014 Edition of the National Electrical Code except for the following modifications:

8-1101. NEC Article 90.2(B)(5) Scope.

b. Are located in legally established easements, rights-of-way, or by other agreements either designated by or recognized by public service commissions, utility commissions, or other regulatory agencies having jurisdiction for such installations, or

8-1102. NEC Article 210.12(B) Arc-Fault Circuit-Interrupter Protection.

(c) A circuit serving no outlets within the bedroom except the smoke detector shall not be protected by an arc-fault protector.

**HISTORY:** Added by State Register Volume 37, Issue No. 6, eff June 28, 2013. Amended by State Register Volume 40, Issue No. 6, Doc. No. 4602, eff June 24, 2016.

## ARTICLE 12 INTERNATIONAL RESIDENTIAL CODE

2012 International Residential Code Modification Summary  
(Statutory Authority: 1976 Code Section 6-9-40)

### **8-1200. International Residential Code.**

2012 International Residential Code Modification Summary

(Statutory Authority: 1976 Code Section 6-9-40)

NOTE-This article is based upon the International Residential Code, 2015 Edition, in accordance with the statutory amendments to acts governing the Building Codes Council, except for the modifications referenced below.

This code is identical to the 2015 Edition of the International Residential Code except for the following modifications:

8-1201. IRC Section R202 Definitions

Accepted Engineering Practice - The performance design of structures and/or structural elements that vary from prescriptive design methods of this code. Such design shall be made with accepted design standards by a South Carolina licensed Architect or Engineer as permitted by existing state law.

8-1202. IRC Figure R301.2.1.1 Regions Where Wind Design Is Required.

Buildings shall be assigned a wind design category in accordance with figure R301.2(4)(B) until probabilistic hazard maps, funded by the S.C. General Assembly, can be presented by the author, Dr. Timothy Mayes, and the findings reviewed, addressed and, if justified, adopted as a modification by the S.C. Building Codes Council.

8-1203. IRC Section R301.2.2.1 Determination of Seismic Design Category.

Buildings shall be assigned a seismic design category in accordance with R301.2(2) until probabilistic hazard maps, funded by the S.C. General Assembly, can be presented by the author, Dr. Timothy Mayes, and the findings reviewed, addressed and, if justified, adopted as a modification by the S.C. Building Codes Council.

8-1204. IRC Figure R302.1 Exterior walls.

Exception 6. a. The minimum fire separation distance for improvement constructed on a lot shown on: [i] a recorded bonded or final subdivision plat, or [ii] a sketch plan, site plan, plan of phased development or preliminary plat approved by the local governing authority which was recorded or approved prior to the implementation of IRC 2012 which shows or describes lesser setbacks than the fire separation distances provided in Table R302.1(1) shall be equal to the lesser setbacks, but in no event less than 3 feet.

b. The minimum fire separation distance for improvements constructed on a lot where the local governing authority has prior to the implementation of IRC 2012: [i] accepted exactions or issued conditions, [ii] granted a special exception, [iii] entered into a development agreement, [iv] approved a variance, [v] approved a planned development district, or [vi] otherwise approved a specific development plan which contemplated or provided for setbacks less than the fire separation distances provided in Table R302.1(1) shall be equal to the lesser setback, but in no event less than 3 feet.

8-1205. IRC Section R302.5.1 Opening protection.

Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors.

8-1206. Section R.302.13 Fire Protection of Floors.

Floor assemblies that are not required elsewhere in this code to be fire-resistance rated, shall be provided with a 1/2-inch (12.7 mm) gypsum wallboard membrane, 5/8-inch (16 mm) wood structural panel membrane, or equivalent on the underside of the floor framing member. Penetrations or openings for ducts, vents, electrical outlets, lighting, devices, luminaires, wires, speakers, drainage, piping and similar openings or penetrations shall be permitted.

Exceptions:

1. Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with Section P2904, NFPA 13D, or other approved equivalent sprinkler system.

2. Floor assemblies located directly over a crawl space.

3. Portions of floor assemblies shall be permitted to be unprotected where complying with the following:

3.1. The aggregate area of the unprotected portions does not exceed 80 square feet (7.4 m<sup>2</sup>) per story.

3.2. Fireblocking in accordance with Section R302.11.1 is installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.

4. Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2-inch by 10-inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance.

8-1207. IRC Section R303.4 Mechanical ventilation.

The Building Codes Council does not adopt IRC Section R303.4.

8-1208. IRC Figure R307.1 Minimum Fixture Clearances.

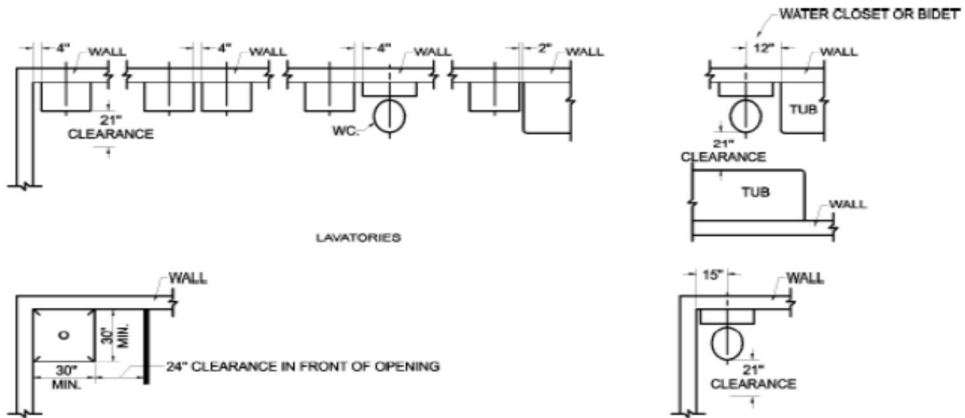


FIGURE 307.2  
MINIMUM FIXTURE CLEARANCES

8-1209. IRC Section R311.7.5.1 Risers.

The maximum riser height shall be 7<sup>3</sup>/<sub>4</sub> inches (196 mm). The maximum riser height for masonry stairs shall be 8 inches (203 mm). The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). Risers shall be vertical or sloped from the underside of the nosing of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted provided that the opening between treads does not permit the passage of a 4-inch-diameter (102 mm) sphere.

Exception: The opening between adjacent treads is not limited on stairs with a total rise of 30 inches (762 mm) or less.

8-1210. IRC Section R312.1.1 Where required.

Guards shall be located along open-sided walking surfaces of all decks, porches, balconies, stairs, ramps and landings that are located more than 30 inches measured vertically to the floor or grade below and at any point where a downward slope exceeds 3V:12H within 36 inches (914 mm) horizontally to the edge of the open side. Insect screening shall not be considered as a guard.

8-1212. IRC Section R313 Automatic Fire Sprinkler Systems.

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall not be required to be installed in townhouses when constructed in accordance with R302.2.

Exception: An automatic residential fire sprinkler system shall not be required where additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.

R313.1.1 Design and installation. Automatic residential fire sprinkler systems when installed for townhouses shall be designed and installed in accordance with Section P2904 or NFPA 13D.

R313.2 One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall not be required to be installed in one- and two-family dwellings.

Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.

R313.2.1 Design and installation. Automatic residential fire sprinkler systems when installed shall be designed and installed in accordance with Section P2904 or NFPA 13D.

8-1213. IRC Section R317.1.1 Field treatment.

Field-cut ends, notches and drilled holes of preservative-treated wood shall be treated in the field in accordance with AWPA M4 or in accordance with the preservative-treated wood product manufacturer's recommendations.

8-1214. IRC Section R319.1 Address ID.

Buildings shall be provided with *approved* address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) in height with a stroke width of not less than 0.5 inch (12.7 mm). Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

8-1215. IRC Section R326.1 Swimming Pools, Spas, and hot tubs.

Entire section deleted without substitution.

8-1216. IRC Section R404.1.9.2 Masonry piers supporting floor girders.

Masonry piers supporting wood beams and girders sized in accordance with Tables R602.7(1) and R602.7(2) shall be permitted in accordance with this section. Piers supporting girders for interior bearing walls shall be filled solidly with grout or type M or S mortar and shall have a minimum nominal dimension of 8 inches (203 mm) and a maximum height not exceeding 10 times the nominal thickness from the top of footing to bottom of sill plate or girder. Piers supporting beams and girders for exterior bearing walls shall be filled solidly with grout or type M or S mortar; shall contain a minimum of one #4 (13 mm) dowel mid-depth; and shall have a minimum nominal dimension of 8 inches (203 mm) and a maximum height of 4 times the nominal thickness from top of footing to bottom of sill plate or girder unless it can be shown by accepted engineering practice that there is sufficient foundation wall along the foundation line to resist the imposed lateral loads, in which case the maximum height shall not exceed 10 times the nominal thickness. Girders and sill plates shall be anchored to the pier or footing in accordance with Section R403.1.6 or Figure R404.1.5(1). Floor girder bearing shall be in accordance with Section R502.6.

8-1217. IRC Section R408.4 Access.

Access shall be provided to all under-floor spaces. Access openings through the floor shall be a minimum of 18 inches by 24 inches (457 mm by 610 mm). Openings through a perimeter wall shall be not less than 16 inches by 24 inches (407 mm by 610 mm). Where any portion of the through-wall access is below *grade*, an areaway not less than 16 inches by 24 inches (407 mm by 610 mm) shall be provided. The bottom of the areaway shall be below the threshold of the access opening. See Section M1305.1.4 for access requirements where mechanical *equipment* located under floors.

8-1218. IRC Section R502.11.4 Truss design.

Truss design drawings. Truss design drawings, prepared in compliance with Section R502.11.1, shall be provided to the building official at the time of inspection. Truss design drawings shall be provided with the shipment of trusses delivered to the job site. Truss design drawings shall include at a minimum the information specified as follows:

1. Slope or depth, span and spacing.
2. Location of all joints.
3. Required bearing widths.
4. Design loads as applicable:
  - 4.1. Top chord live load.
  - 4.2. Top chord dead load.
  - 4.3. Bottom chord live load.
  - 4.4. Bottom chord dead load.

- 4.5. Concentrated loads and their points of application.
- 4.6. Controlling wind and earthquake loads.
5. Adjustments to lumber and joint connector design values for conditions of use.
6. Each reaction force and direction.
7. Joint connector type and description, e.g., size, thickness or gauge, and the dimensioned location of each joint connector except where symmetrically located relative to the joint interface.
8. Lumber size, species and grade for each member.
9. Connection requirements for:
  - 9.1. Truss-to-girder-truss;
  - 9.2. Truss ply-to-ply; and
  - 9.3. Field splices.
10. Calculated deflection ratio and/or maximum description for live and total load.
11. Maximum axial compression forces in the truss members to enable the building designer to design the size, connections and anchorage of the permanent continuous lateral bracing. Forces shall be shown on the truss drawing or on supplemental documents.
12. Required permanent truss member bracing location.

8-1219. IRC Section R506.2.3 Vapor Retarder.

A 6-mil (0.006 inch; 152 μm) polyethylene or *approved* vapor retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the concrete floor slab and the base course or the prepared subgrade where no base course exists.

Exception: The vapor retarder is not required for the following:

1. Utility buildings and other unheated *accessory structures*.
2. For unheated storage rooms having an area of less than 70 square feet (6.5 m<sup>2</sup>) and carports.
3. Driveways, walks, patios and other flatwork not likely to be enclosed and heated at a later date.
4. Where *approved* by the *building official*, based on local site conditions.

8-1220. IRC Section R606.7 Piers.

The unsupported height of masonry piers shall not exceed 10 times their least dimension. Where structural clay tile or hollow concrete masonry units are used for isolated piers to support beams and girders, the cellular spaces shall be filled solidly with grout or Type M or S mortar, except that unfilled hollow piers shall be permitted to be used if their unsupported height is not more than four times their least dimension. Where hollow masonry units are solidly filled with grout or Type M or S mortar, the allowable compressive stress shall be permitted to be increased as provided in Table R606.9.

8-1221. IRC Section R703.4 Flashing.

R703.4 Flashing. Flashing shall be provided in accordance with this section and shall be installed at all of the following locations:

1. Exterior window and door openings.
2. At the intersection of chimneys or other masonry construction with frame or stucco walls, with projecting lips on both sides under stucco copings.
3. Under and at the ends of masonry, wood or metal copings and sills.
4. Continuously above all projecting wood trim.
5. Where exterior porches, decks or stairs attach to a wall or floor assembly of wood frame construction.
6. At wall and roof intersections.
7. At built-in gutters.

R703.4.1 Flashing Materials. Approved flashing materials shall be corrosion-resistant. Self adhered membranes used as flashing shall comply with AAMA 711. Pan flashing shall comply with Section R703.4.2. Installation of flashing materials shall be in accordance with Section R703.8.3.

R703.4.2 Pan Flashing. Pan flashing installed at the sill of exterior window and door openings shall comply with this section. Pan flashing shall be corrosion-resistant and shall be permitted to be pre-manufactured, fabricated, formed or applied at the job site. Self-adhered membranes complying with AAMA 711 shall be permitted to be used as pan flashing. Pan flashing shall be sealed or sloped in such a manner as to direct water to the surface of the exterior wall finish or to the water-resistive barrier for subsequent drainage.

R703.4.3 Flashing Installation. Flashing installation shall be in accordance with this section and the flashing manufacturer's installation instructions. Flashing shall be applied shingle fashion in a manner to prevent entry of water into the wall cavity or penetration of the water to the building structural framing components. Flashing shall extend to the surface of the exterior wall finish.

R703.4.3.1 Flashing Installation at Exterior Windows and Doors. Flashing at exterior windows and doors shall be applied shingle fashion and shall extend to the surface of the exterior wall finish or to the water resistive-barrier for drainage. Installation of flashing materials shall be in accordance with one or more of the following methods:

1. The fenestration manufacturer's installation and flashing instructions.
2. The flashing manufacturer's installation instructions.
3. Flashing details or other methods approved by the building official.
4. As detailed by a registered design professional.

8-1222. IRC Section R802.10.1 Wood Truss Design.

Truss design drawings, prepared in conformance to Section R802.10.1 shall be provided to the building official at the time of their inspection. Truss design drawings shall be provided with the shipment of trusses delivered to the job site. Truss design drawings shall include, at a minimum, the following information:

1. Slope or depth, span and spacing.
2. Location of all joints.
3. Required bearing widths.
4. Design loads as applicable.
  - 4.1. Top chord live load (as determined from Section R301.6).
  - 4.2. Top chord dead load.
  - 4.3. Bottom chord live load.
  - 4.4. Bottom chord dead load.
  - 4.5. Concentrated loads and their points of application.
  - 4.6. Controlling wind and earthquake loads.
5. Adjustments to lumber and joint connector design values for conditions of use.
6. Each reaction force and direction.
7. Joint connector type and description such as size, thickness or gage and the dimensioned location of each joint connector except where symmetrically located relative to the joint interface.
8. Lumber size, species and *grade for each member*.
9. Connection requirements for:
  - 9.1. Truss to girder-truss.
  - 9.2. Truss ply to ply.
  - 9.3. Field splices.
10. Calculated deflection ratio and/or maximum description for live and total load.
11. Maximum axial compression forces in the truss members to enable the building designer to design the size, connections and anchorage of the permanent continuous lateral bracing. Forces shall be shown on the truss design drawing or on supplemental documents.
12. Required permanent truss member bracing location.

8-1223. IRC Section R905.2.8.5 Drip Edge.

A drip edge shall be provided at eaves and rake edges of asphalt shingle roofs where required by the manufacturer.

8-1224. IRC Section M1411.6 Insulation of refrigerant piping.

Piping and fittings for refrigerant vapor (suction) lines shall be insulated with insulation have a thermal resistivity of at least R 2.5 hr. ft 2 F/Btu and having external surface permeance not exceeding 0.05 perm [2.87 ng/(s m<sup>2</sup> Pa)] when tested in accordance with ASTM E 96.

8-1225. IRC Chapter 11 Energy Efficiency.

The Building Codes Council does not adopt IRC Chapter 11.

8-1226. IRC Section M1411.8 Locking access port caps.

The Building Codes Council does not adopt IRC Section M1411.8.

8-1227. IRC Section M1502.3 Duct termination.

Exhaust ducts shall terminate on the outside of the building. Exhaust duct terminations shall be in accordance with the dryer manufacturer's installation instructions. Exhaust duct terminations shall be equipped with a backdraft damper. Screens shall not be installed at the duct termination.

8-1228. IRC Section M1502.4.5 Duct length.

The maximum length of a clothes dryer exhaust duct shall not exceed 35 feet (10668 mm) from the dryer location to the wall or roof termination.

8-1229. IRC Section M1503.4 Makeup air required.

Exhaust hood systems capable of exhausting more than 400 cubic feet per minute (0.19m<sup>3</sup>/s) shall be mechanically or naturally provided with makeup air at a rate approximately equal to the exhaust air rate more than 400 cubic feet per minute. Such makeup air systems shall be equipped with not less than one damper. Each damper shall be a gravity damper or an electrically operated damper that automatically opens when the exhaust system operates. Dampers shall be accessible for inspection, service, repair and replacement without removing permanent construction or any other ducts not connected to the damper being inspected, serviced, repaired or replaced.

8-1230. IRC Section M1601.4.1 Joints, seams and connections.

Longitudinal and transverse joints, seams and connections in metallic and nonmetallic ducts shall be constructed as specified in SMACNA HVAC *Duct Construction Standards-Metal and Flexible* and NAIMA *Fibrous Glass Duct Construction Standards*. Joints, longitudinal and transverse seams, and connections in ductwork shall be securely fastened and sealed with welds, gaskets, mastics (adhesives), mastic- plus-embedded-fabric systems, liquid sealants or tapes.

Tapes and mastics used to seal fibrous glass ductwork shall be *listed* and *labeled* in accordance with UL 181A and shall be marked "181A-P" for pressure-sensitive tape, "181 A-M" for mastic or "181 A-H" for heat-sensitive tape. Tapes and mastics used to seal metallic and flexible air ducts and flexible air connectors shall comply with UL 181B and shall be marked "181 B-FX" for pressure-sensitive tape or "181 BM" for mastic. Duct connections to flanges of air distribution system equipment shall be sealed and mechanically fastened. Mechanical fasteners for use with flexible nonmetallic air ducts shall comply with UL 181B and shall be marked 181B-C. Crimp joints for round metallic ducts shall have a contact lap of not less than 1 inch (25 mm) and shall be mechanically fastened by means of not less than three sheet-metal screws or rivets equally spaced around the joint. Closure systems used to seal all ductwork shall be installed in accordance with the manufacturers' instructions.

Exceptions:

1. Spray polyurethane foam shall be permitted to be applied without additional joint seals.
2. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
3. For ducts having a static pressure classification of less than 2 inches of water column (500 Pa), additional closure systems shall not be required for continuously welded joints and seams and locking-type joints.

8-1231. IRC Section G2418.2 Design and Installation.

Piping shall be supported with pipe hooks, pipe straps, bands, brackets, hangers, or building structural components suitable for the size of piping, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration.

8-1232. IRC Section P2503.6 Shower Liner Test.

Where shower floors and receptors are made water tight by the application of materials required by Section P2709.2, the completed liner installation shall be tested. Shower liner shall be tested to the lesser of the depth of threshold or 2" and shall be operated at normal pressure for a test period of not less than 15 minutes, and there shall be no evidence of leakage.

8-1233. IRC Section P2603.5 Freezing.

In localities having a winter design temperature of 32°F (0°C) or lower as shown in Table R301.2(1) of this code, a water pipe shall not be installed outside of a building, in exterior walls, in *attics* or crawl spaces, or in any other place subjected to freezing temperature unless adequate provision is made to protect it from freezing by insulation or heat or both. Water service pipe shall be installed not less than 12 inches (305 mm) deep and not less than 6 inches (152 mm) below the frost line.

8-1234. IRC Section P2903.10 Hose Bibb.

This section is deleted without substitution.

8-1235. IRC Section P2904.1 General.

The design and installation of residential fire sprinkler systems shall be in accordance with NFPA 13D or Section P2904 which shall be considered equivalent to NFPA 13D. Partial residential sprinkler systems shall be permitted to be installed only in buildings not required to be equipped with a residential sprinkler system. Section P2904 shall apply to stand-alone and multipurpose wet-pipe sprinkler systems that do not include the use of antifreeze. A multipurpose fire sprinkler system shall provide domestic water to both fire sprinklers and plumbing fixtures. A stand-alone sprinkler system shall be separate and independent from the water distribution system. A backflow preventer shall not be required to separate a stand-alone sprinkler system from the water distribution system. Any individual offering to contract for the design, installation, testing, and/or maintenance of a residential multipurpose fire sprinkler systems, as referred in Section P2904, must be certified and licensed through the South Carolina Contractors Licensing Board.

8-1236. IRC Section E3802.4 In unfinished basements and crawl spaces.

Where type NM or SE cable is run at angles with joists in unfinished basements, cable assemblies containing two or more conductors of sizes 6 AWG and larger and assemblies containing three or more conductors of sizes 8 AWG and larger shall not require additional protection where attached directly to the bottom of the joists. Smaller cables shall be run either through bored holes in joists or on running boards. Type NM or SE cable installed on the wall of an unfinished basement shall be permitted to be installed in a listed conduit or tubing or shall be protected in accordance with Table E3802.1. Conduit or tubing shall be provided with a suitable insulating bushing or adapter at the point where the cable enters the raceway. The sheath of the Type NM or SE cable shall extend through the conduit or tubing and into the outlet or device box not less than 1/4 inch (6.4 mm). The cable shall be secured within 12 inches (305 mm) of the point where the cable enters the conduit or tubing. Metal conduit, tubing, and metal outlet boxes shall be connected to an equipment grounding conductor complying with Section E3908.13. [334.15(C)]

8-1237. IRC Section Appendix H Patio Covers.

The Building Codes Council does adopt IRC Section Appendix H.

8-1238. Appendix J Existing Buildings.

The Building Codes Council does adopt IRC Section Appendix J.

**HISTORY:** Added by State Register Volume 37, Issue No. 6, eff June 28, 2013. Amended by State Register Volume 38, Issue No. 6, Doc. No. 4435, eff June 27, 2014; State Register Volume 40, Issue No. 6, Doc. No. 4602, eff June 24, 2016; State Register Volume 41, Issue No. 5, Doc. No. 4716, 4717, 4718, eff May 26, 2017.