

# CHAPTER 8

## Building Codes Council

(Statutory Authority: 1976 Code §§ 6-8-20, 6-9-40, 6-9-55, 6-9-63, 10-5-250, 23-43-40, 40-1-50, and 40-1-70)

### 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 code organization in one or more building, system or component inspection disciplines.
6. "Building Code Enforcement" means administering a building inspection department, enforcement and/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 as or under the supervision of a building official. The term shall also apply to the process of reviewing plans, specifications, and other technical data, as well as inspection of buildings and structures.
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 one 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. “Provisional Registration” means a nonrenewable registration issued to a building code enforcement officer, who is training for certification required for employment or advancement.
13. “Recognized code organization” means any national code organization approved by the Council, which administers a testing and certification program specifically for building code enforcement officers or special inspectors.
14. “Registered/Registrant” means a person approved by Council to practice as a building code enforcement officer or special inspector.
15. “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 that can be constructed within the prescriptive requirements of the South Carolina Residential Code.
16. “Plans Examiner” means a person who performs plan reviews for building, plumbing, electrical or mechanical applications in accordance with the adopted building codes and as determined by the job description for the local jurisdiction for which employed or contracted.
17. “Building Codes Enforcement Officer” means a person registered by the Council as a building official, commercial inspector, residential inspector, plans examiner, or property maintenance 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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

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

As evidence of registration, a certificate of registration must be issued by the Council, to each qualifying person. The certificate of registration must set forth the classification(s) for which the person 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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

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

A person applying for registration as a building code enforcement officer or special 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 one or more commercial inspector disciplines. An applicant may only practice in the discipline(s) for which they have been certified.
- C. Residential Inspector—Certificates or examination records from a recognized code organization, indicating that the applicant has been certified in one or more of the residential building, electrical, plumbing and/or mechanical inspector disciplines. An applicant may only practice in the discipline(s) for which they have been certified.
- D. Residential Plans Examiner—Certificate or examination record from a recognized code organization, indicating that the applicant has been certified in the residential building, electrical, plumbing and mechanical plans examiner discipline.
- E. Commercial Plans Examiner—Certificates or examination records from a recognized code organization, indicating that the applicant has been certified in one or more of the commercial building, electrical, plumbing and/or mechanical plans examiner disciplines. An applicant may only practice in the discipline(s) for which they have been certified.
- F. Property Maintenance Inspector—A certificate or examination record from a recognized code organization, indicating that the applicant has been certified in property maintenance.

G. Provisional—Proof that the building code enforcement officer is presently employed or contracted 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—Proof that the building code enforcement officer has been continuously employed by the same municipality or county since the effective date of the Act. All requirements for maintenance and renewal of registration apply to this classification.

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, pursuant to Chapter 17 of the South Carolina Building Code.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

## **8-120. Requirements for Provisional Certification.**

### **A. Building Official**

A person registered in the provisional classification of “Building Official” shall be under the direct supervision of the building official for the local jurisdiction for which contracted or employed or actively registered as a residential or commercial inspector or plan reviewer. If under the direct supervision of the building official, the provisional registrant must provide LLR with written fifteen (15) days’ notice when the supervisory relationship changes or terminates. Failure to provide such timely notice of a change or termination in the supervisory relationship may result in cancellation of the provisional certification.

A person registered in the provisional classification of Building Official shall obtain certification within the following time periods: one (1) certification, which is a prerequisite for classification as a certified building official, shall be completed within six (6) months 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.

### **B. Other provisional classifications**

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

1. 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.

2. Residential 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. Plans Examiner—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.

4. Property Maintenance Inspector—twelve (12) months.

C. 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. Any request for an extension of the provisional registration must be filed within thirty (30) days prior to the registration’s expiration date and heard by the Council.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

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

### **A. General requirements as to all registrants**

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

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

At time of initial registration, renewal or reinstatement, the applicant must identify their employer(s). If employment changes during a registration cycle, the applicant/registrant must notify the Council and update their employment information within fifteen (15) days of such change.

If the application for registration is denied, the applicant may request a hearing before the Council to present additional information or demonstrate evidence of qualification.

**B. Building code enforcement officers**

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 or enforcement authority of the local jurisdiction for which the applicant is employed or contracted.

Application for reinstatement of a registration requires a current ICC certification.

**C. Special inspectors**

Application for reinstatement of a registration requires a current certification from a recognized code organization unless the applicant is an engineer-in-training and qualifies for registration pursuant to 8-135.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

**8-135. Requirements for Special Inspector Registration for Engineer-In-Training.**

An engineer-in-training (EIT) seeking registration as a special inspector must meet the following requirements:

1. Verification of an EIT certification from the state where issued affirming that applicant has passed the NCEES Fundamentals of Engineering examination and met educational requirements; and
2. A signed affidavit from a South Carolina licensed professional engineer ("PE") attesting that Applicant has worked under the licensed PE's direct supervision for at least one (1) year in the category for which special registration is sought.

All special inspection reports prepared by an EIT registered with the Council as a special inspector shall be reviewed, signed, and sealed by the South Carolina licensed PE providing direct supervision of work performed by the EIT.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

**8-140. Renewal.**

- A. Registrations must be renewed biennially. If a renewal application is not received by the Council within sixty days after the July 1 expiration date, the registration shall be deemed lapsed and invalid.
- 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 of the sixty-day grace period allowed in Section (A) may only be reinstated by application as a new registrant and evidence of meeting 24 continuing education hours.
- E. Any person who continues to practice with a lapsed registration shall be deemed to have engaged in unlicensed practice and may be subject to discipline by the Council.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

## **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://llr.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.**

(1) To qualify for registration renewal, a registrant must accumulate a minimum of twenty-four (24) hours per registration cycle of continuing education. The reporting period is from July 1 to June 30 of each odd numbered year and hours cannot be carried over to the next registration cycle.

(2) 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. One (1) hour of continuing education credit shall also be awarded for each ICC examination passed during the licensing cycle.

(3) For each registration cycle, a minimum of eighteen continuing education hours must be earned in technical topics. For each registration cycle, a maximum number of six hours may be earned in management, ethics, or other professional development type training.

(4) 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.

(5) Continuing education accrued to qualify for registration reinstatement shall not count towards the required continuing education for the new registration cycle.

(6) In order to receive reimbursement of continuing education costs from the Council, the registrant must submit by June 30 of each year a reimbursement request on a Council-approved form and meet the following requirements:

- A. Registrant must have an active registration.
- B. The continuing education must be selected from a list of courses approved by the Council.
- C. Registrant's participation in the continuing education must be approved by the Council prior to the course registration date.
  1. For approval requests received after the course registration date, the Council will only pay the advance registration fee. Registrant or jurisdiction shall be responsible for any additional or late fees.
  2. If the approval request exceeds the maximum payment per credit hour as established by the Council, registrant or jurisdiction shall be responsible for any costs in excess of the per-hour maximum.
- D. The pre-approved continuing education course must be successfully completed by the registrant. If the course is not successfully completed by the registrant and was prepaid by the Council, then registrant or the jurisdiction must reimburse the Council for the prepaid fee.
- E. The continuing education shall not exceed six credit and/or training hours per one calendar day.

F. The number of hours claimed for reimbursement shall not exceed a total of 24 credit hours per registration cycle, and the Council may limit reimbursement of continuing education to a maximum of 12 hours per year.

G. If credit is claimed for passing an ICC examination(s), registrant must submit proof of the examination results.

(7) For each registration cycle, a registrant may earn up to twelve (12) continuing education hours through Council approved self-pace courses.

(8) Proof of continuing education compliance will be conducted by audit at the discretion of the Council.

(9) The Council, by majority vote, may alter or waive any continuing education requirements during a state of emergency.

(10) A registrant experiencing physical disability, illness or other extenuating circumstances may apply for waiver of continuing education requirements on a Council-approved form with supporting documentation. Such request for a waiver is subject to review and approval by the Council or its designated representative.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024; SCSR 49-5 Doc. No. 5306, eff May 23, 2025.

## **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.**

### A. Building Code Enforcement Officers.

No registered code enforcement officer shall be financially interested or employed by a business that is financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of any building or any part or system thereof, or in the making of plans or specifications therefor, that is within the regulatory authority of the local jurisdiction for which the registered code enforcement officer is employed, unless such officer is the owner of the building.

No registered building code enforcement officer 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.

### B. Special Inspectors.

A special inspector shall not engage in any activities that may conflict with their objective judgment and integrity, including but not limited to having a financial and/or other interest in the construction, installation, manufacture or maintenance of structures or components that they inspect.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

## **8-170. Grounds for Disciplinary Action or Denial.**

In addition to the grounds provided for in Section 40-1-110, the Council, upon a majority vote, may cancel, suspend, refuse, deny, revoke, or restrict a registration for any of the following reasons:

- A. been convicted of a felony 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. demonstrates by act or omission, willful misconduct, gross negligence or gross incompetence in the performance of the practice of code enforcement;

E. material failure to meet code enforcement duties as evidenced by failure to note serious violations of any adopted code in the performance of an inspection or a material error or omission in an inspection report relating to compliance with any adopted code;

F. violated or aided or abetted any person in violation of any provision of the act or these regulations.

G. performed any code enforcement activity at a time when their registration was lapsed, inactive or suspended.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

### **8-175. Investigations and Hearings.**

Investigation of a complaint alleging a violation of Section 40-1-110 or S.C. Code Reg. 8-170 shall be conducted in accordance with Section 40-1-80.

Any hearing that is conducted as a result of an investigation must be conducted in accordance with Section 40-1-90.

After a hearing and a determination by the Council that one or more of the grounds for discipline exist, the Council may impose sanctions in accordance with Section 40-1-120.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

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

Any person aggrieved by a final action of Council may appeal to the Administrative Law Court in accordance with Section 40-1-160.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

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

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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

## **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. Additional Definitions.**

In addition to the terms and words defined in Regulation 8-105, the following terms and words shall apply to 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 Act" means the Building Codes Act, Chapter 9 of Title 6 of the Code of Laws of South Carolina, 1976, as amended.
- (5) "Building Code Cycle" means the time period between the implementation dates of the Codes as adopted by the Council, but no greater than every four years.
- (6) "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.
- (7) "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.
- (8) "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.
- (9) "Geographical" means the geographic or topographic characteristics of a specific area or region.
- (10) "Geological" means the structure of a specific area or region of the earth's surface.
- (11) "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.
- (12) "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.
- (13) "Local Jurisdiction" means any county, city, town, village or other political subdivision of the State of South Carolina.
- (14) "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.
- (15) "Modular Act" means the Modular Buildings Construction Act, Chapter 43 of Title 23 of the Code of Laws of South Carolina, 1976, as amended.
- (16) "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.
- (17) "Professional Association" means an entity (1) with membership consisting of individuals directly involved in the use, application or enforcement of building codes; (2) that manufactures, tests or provides technical representation for materials, components or methods used in the construction industry; or (3) has a vested interest in any subject matter regulated by any of the Codes.
- (18) "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.
- (19) "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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

## **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 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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

## **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) At least every four (4) years, the Council must adopt the latest edition of the nationally recognized codes as identified in S.C. Code Ann. § 6-9-50(A) with any modifications approved by the Council in accordance with statute and these regulations.

(B) At the outset of every Building Code Cycle, the Council shall appoint a Study Committee to review the latest editions of the nationally recognized codes as identified in S.C. Code Ann. § 6-9-50(A) and identify any code changes and their potential impact on South Carolina if adopted by the Council.

(C) During each Building Code Cycle, the Council must file and publish in the State Register a notice of intention to review the latest edition of the nationally recognized codes and provide a 180-day

comment period for local jurisdictions and professional associations to submit proposed modifications to the codes.

(D) All proposed modifications must be submitted during the 180-day comment period in order to be considered. The only exceptions are emergency or local modifications to the Codes which may be considered by the Council at any time.

(E) During the 180-day comment period, the Study Committee shall meet as needed to review any proposed modifications to the codes and hear testimony from interested persons on the proposed modifications.

(F) A request for a proposed statewide modification:

(1) May be accepted from

(a) an official representative of the local jurisdiction proposing the modification; or,

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

(2) Must include:

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

(b) 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,

(c) A completed Code Modification Form (provided by the Council); and,

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

(e) 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.

(G) Each request for modification 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.

(I) After the 180-day comment period, the Council shall meet to adopt the latest edition of the nationally recognized codes and vote to approve or disapprove all modification requests.

(J) 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.

(K) 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.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

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

(A) The Council shall review and may grant local modifications to any of the 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.

(B) 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.

(C) 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.

(D) 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.

(E) In order to qualify for a local modification to any of the Codes, the local jurisdiction has the burden of establishing the following:

(1) The requested modification is either physical or climatological in nature.

(a) 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.

(b) 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.

(2) How the section(s) of the Codes at issue do not meet the local jurisdiction's needs as a result of the physical or climatological condition.

(3) The manner in which the requested modification will address the physical or climatological condition.

(4) The manner in which the requested modification will provide a reasonable standard of public health, safety, and welfare.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.**

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

(A) Upon publication of the latest editions of the nationally-recognized codes as identified in S.C. Code Ann. § 6-9-50(A), the Study Committee may take up to a year to perform a technical analysis of changes to the building codes, including taking classes, at the expense of Council, which address the new code changes.

(B) During the Building Code Cycle, the Study Committee will also consider any proposed statewide modifications to the latest addition of the nationally-recognized codes and report its findings and recommendations to the Council.

(C) The Committee will consist of seven core members and seven alternates, appointed by the Council for the duration of the code cycle. 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 and must be South Carolina residents. The core membership of the Study Committee must consist of:

- (1) A registered code enforcement officer, building official, or multi-trades inspector;
- (2) A state licensed home builder;
- (3) A state licensed general contractor;
- (4) A state licensed architect;
- (5) A state licensed engineer;
- (6) A fire code official; and
- (7) A state licensed contractor representing the mechanical trades.

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

(D) The Study Committee Chair may request the assistance of subject matter experts from a pool of volunteers on an as-needed basis when reviewing and making recommendations on statewide proposed modifications. The subject matter expert volunteers do not have any voting rights on the Study Committee.

(E) The Study Committee 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.

(F) If a core member leaves the Study Committee before expiration of his or her term, the alternate for that core 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.

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

**HISTORY:** Added by State Register Volume 29, Issue No. 2, eff February 25, 2005. Amended by SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

### **8-247. Repealed.**

**HISTORY:** Former Regulation, titled Public Notice, had the following history: Added by State Register Volume 29, Issue No. 2, eff February 25, 2005. Repealed by SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

### **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, a quorum must be present.

(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.

(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. Amended by SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

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

(A) The Council shall review and grant variations to the Energy Standard in accordance with S.C. Code Section 6-10-40 for special local conditions existing within a local jurisdiction.

(B) Requests for variations to the Energy Standard 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 requested variance. 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 for the proposed variation;
- (4) The basis or reason for the request;
- (5) The effect of the proposed variation on energy conservation and the use of any particular technologies, techniques or materials;
- (6) Whether the proposed variation will increase the cost of construction or operation of buildings in the jurisdiction; and
- (7) Why the proposed variation is necessary to protect the public health, safety and welfare with the jurisdiction.

(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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

### **8-255. Repealed.**

**HISTORY:** Former Regulation, titled Energy Standards Appeal Procedure, had the following 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. Repealed by SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

### **8-260. Repealed.**

**HISTORY:** Former Regulation, titled Administration of Modular Act, had the following 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. Repealed by SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

### **8-261. Repealed.**

**HISTORY:** Former Regulation, titled Administration of Accessibility Act, had the following history: Added by State Register Volume 29, Issue No. 2, eff February 25, 2005. Repealed by SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

### **8-270. Repealed.**

**HISTORY:** Former Regulation, titled Injunctive Relief, had the following 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. Repealed by SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

### **8-275. Repealed.**

**HISTORY:** Former Regulation, titled Penalties, had the following 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. Repealed by SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

## **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 ensure that production units are in full compliance with the provisions of the Modular Building Construction Act.

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

(9) "Days" shall be construed to be work days, and shall not include Saturdays, Sundays, or holidays.

(10) "Department" means the Department of Labor, Licensing and Regulation for the State of South Carolina.

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

(12) "Field technical service" means clarification in the field by the Council of technical data relating to the application of the regulations.

(13) "Labeled" means equipment bearing a label of certification by an approved listing organization.

(14) "Listed" means equipment or materials included in a list published by an approved listing organization.

(15) "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.

(16) "Manufacturer" means any person, firm, or corporation which manufactures or assembles modular buildings.

(17) "Manufacturer's Representative" means any person employed by a modular building manufacturer who sells, or offers for sale, modular buildings or components.

(18) "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.

(19) "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.

(20) "Site" means the location on which a modular building is erected or is to be erected.

(21) "Standard Design" means any building, system, model, series, or component intended for duplication or repetitive manufacture.

(22) "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.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

### **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 at the time of construction at the manufacturing facility.

(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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

## **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, the Act and these regulations. 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 one electronic copy of 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 implant 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.

(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, if applicable. 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 (U<sub>o</sub>) 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.

(14) All modular plans, apart from single-family dwellings, must be submitted to the Council and approval issued prior to the commencement of construction of the modular building or component in the manufacturing facility. The approved inspection agency shall not inspect or allow a certification label to be affixed to any modular building or component whose plans have not been approved 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; State Register Volume 39, Issue No. 6, Doc. No. 4501, eff June 26, 2015; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.**

## **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 may perform a minimum of one (1) annual audit, at the address of record, for a 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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.**

## **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; one electronic copy 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, one electronic copy 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 conversion 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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.**

## **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.
- (5) Requests for alternate methods and materials may be made by a licensed manufacturer and shall be submitted to the Council in writing. Requests by the manufacturer must be reviewed and approved by its approved inspection agency prior to submission, as evidenced by the approved inspection agency's seal affixed to the request.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

## **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 manufacturer 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) 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.
- (2) 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.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

## **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 subject to submission of the following:
  - (a) one (1) set of plan review application forms for each location; and
  - (b) one electronic set of plans and specifications, plus one (1) additional set for each location specifying the location of manufacture; and
  - (c) filing fees as designated in these regulations; and
  - (d) one (1) electronic quality control 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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.*

#### **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.**

(1) A certification 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 serial number of each unit for which a certification label is required. Additionally, the manufacturer shall file with the Council a certification label disposition report on a form approved by the Council at least monthly, which indicates the model serial number, certification label number, and final location of each modular unit.

(2) For single-family modular dwellings, the licensed residential home builder or general contractor performing the installation shall attest to and take responsibility for: obtaining all required building permits, the installation of the foundation, the connection of the unit to the foundation, the connection of all modular sections to each other, the installation of all components provided by the factory (unless noted otherwise on the plans approved and sealed by the SC Building Codes Council), and the completion of all finish work for the modular unit. This attestation must be on a form approved by the Council and submitted to the Council as part of the certification label request application.

(3) For display models meeting the conditions of Section 23-43-85(D), the licensed residential home builder or general contractor performing the installation shall attest to and take responsibility for obtaining all required building permits, the installation of a temporary foundation, the connection of the unit to the temporary foundation, the connection of all modular sections to each other, the installation of all components provided by the factory (unless noted otherwise on the plans approved and sealed by the SC Building Codes Council), and the completion of all work necessary to install the modular unit as a display model safe for entry by members of the public. This attestation must be on a form approved by the Council and submitted to the Council as part of the certification label request application.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.*

#### **8-616. Repealed.**

**HISTORY:** *Former Regulation, titled Certification Label Denial, had the following 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. Repealed by SCSR 48-5 Doc. No. 5248, eff May 24, 2024.*

#### **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.

(3) In the event that a certification label is removed from an approved modular building or component after leaving the manufacturing site but before a certificate of occupancy is issued by the authority having jurisdiction, the approved inspection agency shall be required to perform an inspection at the erection site and provide written verification to the Council that no changes were made to the portions of closed construction. Upon submission to the Council of written verification from the approved inspection agency, the manufacturer may request in writing a duplicate label that shall be affixed at the erection site under the supervision of the approved inspection agency.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

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

The Council may charge fees as shown in South Carolina Code of Regulations Chapter 10-7. 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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

## **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.

(e) a certificate of existence or certificate of good standing from the South Carolina Secretary of State ("SCSOS") for South Carolina manufacturers or a certificate of authority from the SCSOS for out-of-state manufacturers.

(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.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

### **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 or other security approved by the Council must be provided. The bond must designate the licensee as principal and be issued for the biennial period of the license. 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 biennial 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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

#### **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 in accordance with the provisions of Sections 40-1-80 and 40-1-90.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

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

In addition to the grounds provided for in Section 40-1-110, the Council, upon a majority vote, may cancel, suspend, refuse, deny, revoke or restrict 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.

After a hearing and a determination by the Council that one or more of the grounds for discipline exist, the Council may impose sanctions in accordance with Section 40-1-120.

**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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

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

(1) Modular buildings shall be erected by South Carolina licensed general contractors or residential home 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; SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

## **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.

## **8-629. License Renewal.**

(1) Licenses must be renewed biennially and shall be lapsed if not renewed prior to expiration of the preceding licensure period.

(2) License renewal notices shall be sent to all individuals and entities licensed with the Council at the last known address provided by the licensee.

(3) All applications for license renewal must be accompanied by the prescribed fee as set forth in SC Code of Regulations Chapter 10-7.

(4) All licenses not renewed in a timely manner will lapse and a new application must be submitted with the applicant meeting all conditions for initial licensure.

**HISTORY:** Added by SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

### **8-630. Damaged Units or Components.**

The Council shall require that any modular building unit or component damaged between the point of manufacture and the site of initial installation shall be brought into compliance with the Act, these regulations and the accepted model codes, in effect at the time of certification, before the modular building is occupied. Prior to any repairs being undertaken to a damaged unit or component, the approved inspection agency shall perform an inspection of the damaged unit or component and furnish a written report to the Council stating its condition and whether the recommendation is for repair or disposal. In the event that any modular building unit or component is irreparably damaged and the recommendation is for disposal, it shall be disposed of in accordance with applicable law.

**HISTORY:** Added by SCSR 48-5 Doc. No. 5248, eff May 24, 2024.

## **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**

2021 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, 2021 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 2021 Edition of the International Building Code except for the following modifications:

#### 8-801. IBC Section 101.4.7 Existing Buildings.

The provisions of the South Carolina Existing Building Code shall apply to matters governing the repair, alteration, change of occupancy, addition to and relocation of existing buildings.

#### 8-802. IBC Section 101.4.7.1 Structural Concrete.

In addition, assessment, repairs, restoration of structural concrete in accordance with ACI 562 shall be permitted.

*Exception: ACI 562 shall not be used for the evaluation or design of repairs or rehabilitation of elements of seismic force-resisting system that result in strength, stiffness, or ductility of those elements different from the pre-damage condition.*

#### 8-803. IBC Section 202. Definitions

The following two definitions are added to those appearing in Section 202 of the 2021 International Building Codes:

**Vapor Retarder, Ground Contact:** Ground contact vapor retarder class shall be defined using the requirements of ASTM E1745, Class A, B, or C - Standard specification for water vapor retarders used in contact with soil or granular fill under concrete slabs.

**Primitive Camp Structure:** shall include any structure permanent or temporary in nature, used for outdoor camping (transient), open on at least one side with no fully enclosed habitable spaces, less than 400 square feet under roof, and not classified as a residential occupancy due to lack of electrical, plumbing, mechanical and sprinkler systems.

#### 8-804. IBC Section 303.4 Assembly Group A-3

Add to the listing of A-3 occupancies the following use: Structures, without a commercial kitchen, used in agritourism activity as defined by S.C. Code Ann. 46-53-10(1).

8-805. IBC Section 312.1 General

The term "Primitive Camp Structure" is added to the list of examples in this section for Group U.

8-806. IBC Section 706.1 General.

Fire walls shall be constructed in accordance with Sections 706.2 through 706.11. Each portion of a building separated by one or more firewalls may be considered a separate building. The extent and location of such fire walls shall provide a complete separation. Where a fire wall separates occupancies that are required to be separated by a fire barrier wall, the most restrictive requirements of each separation shall apply.

8-807. IBC Section 1010.2.13 Controlled egress doors in Groups I-1 and I-2 as well as I-4 (Adult Day Care occupancy only). Electric locking systems, including electro-mechanical locking systems and electromagnetic locking systems, shall be permitted to be locked in the means of egress in Group I-1 and I-2 occupancies where the clinical needs of persons receiving care require their containment and Group I-4 Adult Day Care occupancies where the clinical needs of persons receiving care require their containment. Controlled egress doors shall be permitted in such occupancies where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or an approved automatic smoke detection system installed in accordance with Section 907, provided that the doors are installed and operate in accordance with all of the following:

1. The door locks shall unlock on actuation of the automatic sprinkler system or automatic smoke detection system.
2. The door locks shall unlock on loss of power controlling the lock or lock mechanism.
3. The door locking system shall be installed to have the capability of being unlocked by a switch located at the fire command center, a nursing station or other approved location. The switch shall directly break power to the lock.
4. A building occupant shall not be required to pass through more than one door equipped with a controlled egress locking system before entering an exit.
5. The procedures for unlocking the doors shall be described and approved as part of the emergency planning and preparedness required by Chapter 4 of the International Fire Code.
6. All clinical staff shall have the keys, codes or other means necessary to operate the locking systems.
7. Emergency lighting shall be provided at the door.
8. The door locking system units shall be listed in accordance with UL 294.

*Exceptions:*

1. Items 1 through 4 shall not apply to doors to areas occupied by persons who, because of clinical needs, require restraint or containment as part of the function of a psychiatric or cognitive treatment area.
2. Items 1 through 4 shall not apply to doors to areas where a listed egress control system is utilized to reduce the risk of child abduction from nursery and obstetric areas of a Group I-2 hospital.

8-808. IBC Section 1016.2 Egress through intervening spaces.

Egress through intervening spaces shall comply with this section.

1. Exit access through an enclosed elevator lobby is permitted. Where access to two or more exits or exit access doorways is required in Section 1006.2.1, access to not less than one of the required exits shall be provided without travel through the enclosed elevator lobbies required by Section 3006 of the South Carolina Building Code. Where the path of exit access travel passes through an enclosed elevator lobby, the level of protection required for the enclosed elevator lobby is not required to be extended to the exit unless direct access to an exit is required by other sections of this code.
2. Egress from a room or space shall not pass through adjoining or intervening rooms or areas, except where such adjoining rooms or areas and the area served are accessory to one or the other, are not a Group H occupancy and provide a discernible path of egress travel to an exit.

Exception: Means of egress are not prohibited through adjoining or intervening rooms or spaces in a Group H, S or F occupancy where the adjoining or intervening rooms or spaces are the same or a lesser hazard occupancy group.

3. An exit access shall not pass through a room that can be locked to prevent egress.

4. Means of egress from dwelling units or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms.

Exception: Dwelling units or sleeping areas in R1 and R2 occupancies shall be permitted to egress through other sleeping areas serving adjoining rooms that are part of the same dwelling unit or guest room.

5. Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes.

Exceptions:

1. Means of egress are not prohibited through a kitchen area serving adjoining rooms constituting part of the same dwelling unit or sleeping unit.

2. Means of egress are not prohibited through stockrooms in Group M occupancies where all of the following are met:

2.1 The stock is of the same hazard classification as that found in the main retail area.

2.2 Not more than 50 percent of the exit access is through the stockroom.

2.3 The stockroom is not subject to locking from the egress side.

2.4 There is a demarcated, minimum 44-inch wide (1118mm) aisle defined by a wall not less than 42 inches high or similar construction that will maintain the required width and lead directly from the retail area to the exit without obstructions.

8-809. IBC Section 1803.2 Investigation required.

Geotechnical investigations shall be conducted in accordance with Sections 1803.3 through 1803.5.

Exceptions:

1. The building official shall be permitted to waive the requirement for a geotechnical investigation where satisfactory data from adjacent areas is available that demonstrates an investigation is not necessary for any of the conditions in Sections 1803.5.1 through 1803.5.6 and Sections 1803.5.10 and 1803.5.11.

2. For single story buildings not more than 5,000 sq ft and not more than 30 ft in height, a site specification investigation report is not required if the seismic design category is determined by the design professional in accordance with Chapter 20 of ASCE 7.

8-810. IBC Section 1907.1 General.

The thickness of concrete floor slabs supported directly on the ground shall not be less than 3 1/2 inches (89mm). A 10-mil (0.010 inch) polyethylene ground contact vapor retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the base course or subgrade and the concrete floor slab, or other approved equivalent methods or materials shall be used to retard vapor transmission through the floor slab.

8-811. IBC Section 2303.2.2 Other means during manufacture

For wood products impregnated with chemicals by other means during manufacture, the treatment shall be an integral part of the manufacturing process of the wood product. The treatment shall provide permanent protection to all surfaces of the wood product.

8-812. 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; SCSR 43-5 Doc. No. 4847, eff May 24, 2019; SCSR 44-6 Doc. No. 4937, eff June 26, 2020; SCSR 46-5 Doc. No. 5084, eff May 27, 2022.

**ARTICLE 9**  
**INTERNATIONAL FIRE CODE**

2021 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, 2021 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 2021 Edition of the International Fire Code except for the following modifications:

8-901. IFC Section 202 General definitions.

**Recreational Fire:** An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbecue grill or barbecue 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.

**Primitive Camp Structure:** Shall include any structure permanent or temporary in nature, used for outdoor camping (transient), open on at least one side with no fully enclosed habitable spaces, less than 400 square feet under roof, and not classified as a residential occupancy due to lack of electrical, plumbing, mechanical and sprinkler systems.

8-903. IFC Section 202 General definitions.

Add to the listing of A-3 occupancies: Structures, without a commercial kitchen, used in agritourism activity as defined by S.C. Code Ann. 46-53-10(1).

8-904. IFC Section 315.3.3 Equipment rooms. Material shall not be stored in boiler rooms, mechanical rooms, electrical equipment rooms or in fire command centers as specified in Section 508.1.5. Rooms shall be labeled with appropriate signage “No storage allowed.”

8-905. IFC Section 319.11 Clearance requirements.

Mobile cooking operations shall be separated from buildings, structures, canopies, tents, combustible materials, vehicles, and other cooking operations by a minimum of 10 feet. Exhaust shall be directed away from openings, air intakes, and away from any means of egress.

8-906. IFC Section 503.1.2 Additional access.

The *fire code official* is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

**Exception:** Where two fire apparatus access roads are required by Section 503.1.2 or this appendix, the additional fire apparatus access road is permitted to be a driveway, pathway, court or other approved fire lane not accessible to public motor vehicles where designed by a registered design professional to meet the loading requirements and minimum specifications of Section 503 and this appendix, and the surface provides all-weather driving capabilities. Marking or signs shall be provided in accordance with Section 503.3 and Section D103.6.

8-907. IFC Section 503.1.2.1 One- or two-family dwelling residential developments having less than 50 units.

Developments of one- or two-family dwellings where the number of dwelling units does not exceed 50 shall be permitted to have a single approved fire apparatus access road provided all of the following requirements are met:

1. The minimum unobstructed width of the single fire apparatus access road shall be 26 feet (7925 mm) and shall otherwise comply with Section 503.

2. A minimum of one fire hydrant on each side of the fire apparatus access road in accordance with Section 507.5 shall be provided. The fire code official shall be permitted to require additional hydrants and hydrant spacing based on the length of the fire apparatus access road, fire flow requirements, and the distance from any point on the street or road frontage to a hydrant.

3. The development is not located in a wildland-urban interface area as defined in the International Wildland-Urban Interface Code.

**Future Development.** The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

**8-908. 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).

**8-909. IFC Section 507.1 Required water supply.**

An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises on which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction to meet the necessary fire flow as determined by the fire code official. Where public water supply is inadequate or not available, an approved alternate water source meeting the fire flow requirements shall be provided. Fire flow performance tests shall be witnessed by the fire code official or representative prior to final approval. **Exception.** One and two family dwellings, including attached or detached accessory structures.

**8-910. IFC Section 507.5.1 Where required.**

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 500 feet (152 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

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

**Exceptions:**

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

**8-911. IFC Section 507.5.1.1 Hydrant for standpipe systems.**

Buildings equipped with a standpipe or fire sprinkler system installed in accordance with Section 903 or 905 shall have a fire hydrant within 100 feet (30 480 mm) of the fire department connections.

**Exception:** The distance shall be permitted to exceed 100 feet (30 480 mm) where approved by the fire code official.

**8-912. IFC Section 507.5.4 Obstruction.**

Unobstructed access to fire hydrants shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants. No parking shall be allowed within 15 feet of a fire hydrant.

**8-913. IFC Section 607.1 General.**

Storage of cooking oil (grease) in commercial cooking operations utilizing above-ground tanks with a capacity greater than 60 gal (227 L) installed within a building shall comply with Sections 607.2 through 607.7 and NFPA 30. For purposes of this section, cooking oil shall be classified as a Class IIIB

liquid unless otherwise determined by testing. These tanks shall have the contents identified as outlined in 5703.5.

8-914. IFC Section 901.6.3 Records.

Records of all system inspections, tests, and maintenance required by the referenced standards shall be maintained. Copies of the inspection reports shall be sent to the local jurisdiction by the servicing vendor as prescribed by the Fire Code Official.

8-915. IFC Section 907.6.5 Access.

Access shall be provided to each fire alarm device and notification appliance for periodic inspection, maintenance and testing. Fire alarm notification devices shall be unobstructed and visible at all times.

8-916. IFC Section 1010.2.14 Controlled egress doors in Groups I-1 and I-2 as well as I-4 (Adult Day Care occupancy only).

Electric locking systems, including electro-mechanical locking systems and electromagnetic locking systems, shall be permitted to be locked in the means of egress in Group I-1 and I-2 occupancies where the clinical needs of persons receiving care require their containment and Group I-4 Adult Day Care occupancies where the clinical needs of person receiving care require their containment. Controlled egress doors shall be permitted in such occupancies where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or an approved automatic smoke detection system installed in accordance with Section 907, provided that the doors are installed and operate in accordance with all of the following:

1. The door locks shall unlock on actuation of the automatic sprinkler system or automatic smoke detection system.
2. The door locks shall unlock on loss of power controlling the lock or lock mechanism.
3. The door locking system shall be installed to have the capability of being unlocked by a switch located at the fire command center, a nursing station or other approved location. The switch shall directly break power to the lock.
4. A building occupant shall not be required to pass through more than one door equipped with a controlled egress locking system before entering an exit.
5. The procedures for unlocking the doors shall be described and approved as part of the emergency planning and preparedness required by Chapter 4 of the International Fire Code.
6. All clinical staff shall have the keys, codes or other means necessary to operate the locking systems.
7. Emergency lighting shall be provided at the door.
8. The door locking system units shall be listed in accordance with UL 294.

Exceptions:

1. Items 1 through 4 shall not apply to doors to areas occupied by persons who, because of clinical needs, require restraint or containment as part of the function of a psychiatric or cognitive treatment area.
2. Items 1 through 4 shall not apply to doors to areas where a listed egress control system is utilized to reduce the risk of child abduction from nursery and obstetric areas of a Group I-2 hospital.

8-917. IFC 1016.2 Egress through intervening spaces.

Egress through intervening spaces shall comply with this section.

1. Exit access through an enclosed elevator lobby is permitted. Where access to two or more exits or exit access doorways is required in Section 1006.2.1, access to not less than one of the required exits shall be provided without travel through the enclosed elevator lobbies required by Section 3006 of the South Carolina Building Code. Where the path of exit access travel passes through an enclosed elevator lobby, the level of protection required for the enclosed elevator lobby is not required to be extended to the exit unless direct access to an exit is required by other sections of this code.
2. Egress from a room or space shall not pass through adjoining or intervening rooms or areas, except where such adjoining rooms or areas and the area served are accessory to one or the other, are not a Group H occupancy and provide a discernible path of egress travel to an exit.

Exception: Means of egress are not prohibited through adjoining or intervening rooms or spaces in a Group H, S, or F occupancy where the adjoining or intervening rooms or spaces are the same or a lesser hazard occupancy group.

3. An exit access shall not pass through a room that can be locked to prevent egress.

4. Means of egress from dwelling units or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms.

Exception: Dwelling units or sleeping areas in R-1 and R-2 occupancies shall be permitted to egress through other sleeping areas serving adjoining rooms that are part of the same dwelling unit or guest room.

5. Egress shall not pass through kitchens, storage rooms, closets, or spaces used for similar purposes.

Exceptions:

1. Means of egress are not prohibited through a kitchen area serving adjoining rooms constituting part of the same dwelling unit or sleeping unit.

2. Means of egress are not prohibited through stockrooms in Group M occupancies where all of the following are met:

2.1 The stock is of the same hazard classification as that found in the main retail area.

2.2 Not more than 50 percent of the exit access is through the stockroom.

2.3 The stockroom is not subject to locking from the egress side.

2.4 There is a demarcated, minimum 44-inch-wide (1118 mm) aisle defined by a wall not less than 42 inches high or similar construction that will maintain the required width and lead directly from the retail area to the exit without obstructions.

8-918. IFC Section 2303.2.2 Testing.

Emergency disconnect switches shall be tested annually by the responsible party to ensure proper operation; records of testing shall be maintained on site for inspection. Any switches determined to be faulty, the fuel pumps they serve shall be taken out of service until the emergency shutoff switch is placed back into service.

8-919. IFC Section 2305.5 Fire extinguishers.

*Approved* portable fire extinguishers complying with Section 906 with a minimum rating of 2-A:20-B:C shall be provided and located such that an extinguisher is not more than 50 feet from pumps, dispensers or storage tank fill-pipe openings.

8-920. IFC Section 2307.4 Location of dispensing operations and equipment.

The point of transfer for LP-gas dispensing operations shall be separated from buildings and other exposures in accordance with NFPA 58 Table 6.7.2.1 and IFC Section 2306.7.

Exception: The point of transfer for LP-gas dispensing operations need not be separated from canopies that are constructed in accordance with the Building Code and that provide weather protection for the dispensing equipment.

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.

8-921. IFC Section 2307.7 Public fueling of motor vehicles.

Self-service LP-gas dispensing systems, including key, code and card lock dispensing systems, shall be limited to the filling of permanently mounted containers providing fuel to the LP-gas powered vehicle, is removed.

8-922. 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-gases shall be determined in accordance with Annex B of NFPA 58.

8-923. 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.

8-924. 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.

8-925. 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 Section 312 or NFPA 58 8.4.2.2.

8-926. IFC Section 6110.1 Removed from 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.

8-927. 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 department. The Office of the State Fire Marshal will provide an approved fire safety analysis to be utilized for this specific requirement.

**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; SCSR 43-5 Doc. No. 4865, eff May 24, 2019; SCSR 44-6 Doc. No. 4938, eff June 26, 2020; SCSR 46-5 Doc. No. 5085, eff May 27, 2022.

## **ARTICLE 10** **INTERNATIONAL FUEL GAS CODE**

2021 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, 2021 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 2021 Edition of the International Fuel Gas Code except for the following modifications:

8-1001. IFGC Section 401.9 Identification.

This section is deleted without substitution.

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 South Carolina Fuel Gas Code 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 South Carolina 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 (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 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 South Carolina 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 412.10 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 South Carolina 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.

Where commercial cooking appliances are vented by means of the Type I or Type II kitchen exhaust hood system that serves such appliances, the exhaust system shall be fan powered and the appliances shall be interlocked with the exhaust hood system to prevent appliance operation when the exhaust hood system is not operating. Where a solenoid valve is installed in the gas piping as part of an interlock system, gas piping shall not be installed to bypass such valve. Dampers shall not be installed in the exhaust system.

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; SCSR 43-5 Doc. No. 4866, eff May 24, 2019; SCSR 44-6 Doc. No. 4939, eff June 26, 2020; SCSR 46-5 Doc. No. 5086, eff May 27, 2022.

## **ARTICLE 11** **NATIONAL ELECTRICAL CODE**

2020 National 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, 2020 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 2020 Edition of the National Electrical Code except for the following modifications:

8-1101. Repealed.

8-1102. Repealed.

8-1103. NEC Article 210.8(A) Dwelling Units.

All 125-volt receptacles installed in the locations specified in 210.8(A)(1) through (A)(11) and supplied by single-phase branch circuits rated 150 volts or less to ground shall have ground-fault circuit-interrupter protection for personnel.

(1) Bathrooms.

(2) Garages and also accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work areas, and areas of similar use.

(3) Outdoors.

*Exception to (3): Receptacles that are not readily accessible and are supplied by a branch circuit dedicated to electric snow-melting, deicing, or pipeline and vessel heating equipment shall be permitted to be installed in accordance with 426.28 or 427.22, as applicable.*

(4) Crawl spaces — at or below grade level.

(5) Basements

*Exception No. 1 to (5): A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit-interrupter protection.*

*Exception No. 2 to (5): Receptacles in walk-out basements are excluded from this requirement.*

Receptacles installed under the exception to 210.8(A)(5) shall not be considered as meeting the requirements of 210.52(G).

(6) Kitchens — where the receptacles are installed to serve the countertop surfaces.

(7) Sinks — where receptacles are installed within 1.8 m (6 ft) from the top inside edge of the bowl of the sink.

(8) Boathouses.

(9) Bathtubs or shower stalls — where receptacles are installed within 1.8 m (6 ft) of the outside edge of the bathtub or shower stall.

(10) Laundry areas.

*Exception to (1) through (3), (5) through (8), and (10): Listed locking support and mounting receptacles utilized in combination with compatible attachment fittings installed for the purpose of serving a ceiling luminaire or ceiling fan shall not be required to be ground-fault circuit-interrupter protected. If a general-purpose convenience receptacle is integral to the ceiling luminaire or ceiling fan, GFCI protection shall be provided.*

(11) Indoor damp and wet locations.

8-1104. NEC Article 210.8(F) Outdoor Outlets.

This article does not apply in this State.

8-1105. NEC Article 210.12(A) Dwelling Units.

All 120-volt, single-phase, 15- and 20- ampere branch circuits supplying outlets or devices installed in dwelling unit family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreation rooms, closets, hallways, or similar rooms or areas shall be protected by any of the means described in (1) through (6) below:

(1) A listed combination-type arc-fault circuit interrupter installed to provide protection of the entire branch circuit.

(2) A listed branch/feeder-type AFCI installed at the origin of the branch-circuit in combination with a listed outlet branch-circuit-type arc-fault circuit interrupter installed at the first outlet box on the branch circuit. The first outlet box in the branch circuit shall be marked to indicate that it is the first outlet of the circuit.

(3) A listed supplemental arc protection circuit breaker installed at the origin of the branch circuit in combination with a listed outlet branch-circuit type arc-fault circuit interrupter installed at the first outlet box on the branch circuit where all of the following conditions are met:

a. The branch-circuit wiring shall be continuous from the branch-circuit overcurrent device to the outlet branch-circuit arc-fault circuit interrupter.

b. The maximum length of the branch-circuit wiring from the branch-circuit overcurrent device to the first outlet shall not exceed 15.2m (50 ft) for a 14 AWG conductor or 21.3m (70 ft) for a 12 AWG conductor.

c. The first outlet box in the branch circuit shall be marked to indicate that it is the first outlet of the circuit.

(4) A listed outlet branch-circuit-type arc-fault circuit interrupter installed at the first outlet on the branch circuit in combination with a listed branch-circuit overcurrent protective device where all of the following conditions are met:

a. The branch-circuit wiring shall be continuous from the branch-circuit overcurrent device to the outlet branch-circuit arc-fault circuit interrupter.

b. The maximum length of the branch-circuit wiring from the branch-circuit overcurrent device to the first outlet shall not exceed 15.2 m (50 ft) for a 14 AWG conductor or 21.3 m (70 ft) for a 12 AWG conductor.

c. The first outlet box in the branch circuit shall be marked to indicate that it is the first outlet of the circuit.

d. The combination of the branch-circuit overcurrent device and outlet branch-circuit AFCI shall be identified as meeting the requirements for a system combination-type AFCI and shall be listed as such.

(5) If metal raceway, metal wireways, metal auxiliary gutters, or Type MC, or Type AC cable meeting the applicable requirements of 250.118, with metal boxes, metal conduit bodies, and metal enclosures are installed for the portion of the branch circuit between the branch-circuit overcurrent device and the first outlet, it shall be permitted to install a listed outlet branch-circuit-type AFCI at the first outlet to provide protection for the remaining portion of the branch circuit.

(6) Where a listed metal or nonmetallic conduit or tubing or Type MC cable is encased in not less than 50 mm (2 in.) of concrete for the portion of the branch circuit between the branch-circuit overcurrent device and the first outlet, it shall be permitted to install a listed outlet branch-circuit-type AFCI at the first outlet to provide protection for the remaining portion of the branch circuit.

8-1106. NEC Article 230.67 Surge Protection.

This article, including (A) through (D), does not apply in this State.

**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; SCSR 43-5 Doc. No. 4867, eff May 24, 2019; SCSR 44-6 Doc. No. 4942, eff June 26, 2020; SCSR 46-5 Doc. No. 5088, eff May 27, 2022.

## **ARTICLE 12** **INTERNATIONAL RESIDENTIAL CODE**

2021 International Residential Code Modification Summary  
(Statutory Authority: 1976 Code Section 6-9-40)

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

NOTE-This article is based upon the International Residential Code, 2021 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 2021 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.

**Crawl space:** An underfloor space that is not a basement. Spaces under decks and porches that do not contain mechanical equipment are not to be considered crawlspaces.

**8-1202. IRC Section R301.2.1 Wind Design criteria.**

Buildings and portions thereof shall be constructed in accordance with the previously published maps by the South Carolina Building Codes Council. The local building official may delineate the wind design category within their jurisdiction provided that it does not surpass those provided on the Applied Technology Council (ATC) website. The structural provisions of this code for wind loads are not permitted where wind design is required as specified in Section R301.2.1.1. Where different construction methods and structural materials are used for various portions of a building, the applicable requirements of this section for each portion shall apply. Where not otherwise specified the wind loads listed in Table R301.2.1(1) adjusted for height and exposure using Table R301.2.1(2)2 shall be used to determine design load performance requirements for wall coverings, curtain walls, roof coverings, exterior windows, skylights, garage doors and exterior doors. Asphalt shingles shall be designed for wind speeds in accordance with Section R905.2.4. Metal roof shingles shall be designed for wind speeds in accordance with Section R905.4.4. A continuous load path shall be provided to transmit the applicable uplift forces in Section R802.11 from the roof assembly to the foundation. Where ultimate design wind speeds in Figure 301.2(2) are less than the lowest wind speed indicated in the prescriptive provisions of this code, the lowest wind speed indicated in the prescriptive provisions of this code shall be used.

**8-1203. IRC Section R301.2.2.1 Determination of seismic design category.**

Buildings shall be assigned a seismic design category in accordance with the previously published maps by the S.C. Building Codes Council. The local building official may delineate the seismic design category within their jurisdiction, as long as it does not surpass those provided on the Applied Technology Council (ATC) website.

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

**Exception 6: Fire Separation Distance**

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.

**Exception 7: Aesthetic roof and siding projections** may extend beyond the common wall of a townhouse unit over an adjoining unit's property line as long as the construction of the projection does not damage the integrity of the fire rated assembly, the projection is completely supported by the common wall, the projection is protected by the one-hour construction or fire retardant-treated wood, and the projection is limited to 18-inches. These projections shall not contain any plumbing, electrical, or mechanical installations. An easement may be required by the jurisdiction to ensure future access to this projection for repair and maintenance.

**8-1205. IRC Section R302.4.1 Through penetrations.**

Through penetrations of fire-resistance-rated wall or floor assemblies shall comply with Section 302.4.1.1 or R302.4.1.2. No penetrations shall pass completely through the fire rated assembly separating townhouse units.

**Exceptions:**

1. Where the penetrating items are steel, ferrous or copper pipes, tubes or conduits, the annular space shall be protected as follows:

1.1. In concrete or masonry wall or floor assemblies, concrete, grout or mortar shall be permitted where installed to the full thickness of the wall or floor assembly or the thickness required to maintain the fire-resistance rating, provided that both of the following are complied with:

- 1.1.1. The nominal diameter of the penetrating item is not more than 6 inches (152 mm).
- 1.1.2. The area of the opening through the wall does not exceed 144 square inches (92 900 mm<sup>2</sup>).

1.2. The material used to fill the annular space shall prevent the passage of flame and hot gases sufficient to ignite cotton waste where subjected to ASTM E119 or UL 263 time temperature fire conditions under a positive pressure differential of not less than 0.01 inch of water (3 Pa) as the location of the penetration for the time period equivalent to the fire-resistance rating of the construction penetrated.

2. The annular space created by the penetration of water-filled fire sprinkler piping, provided that the annular space is filled using a material complying with Item 1.2 of Exception 1.

8-1206. 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.

8-1207. 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.

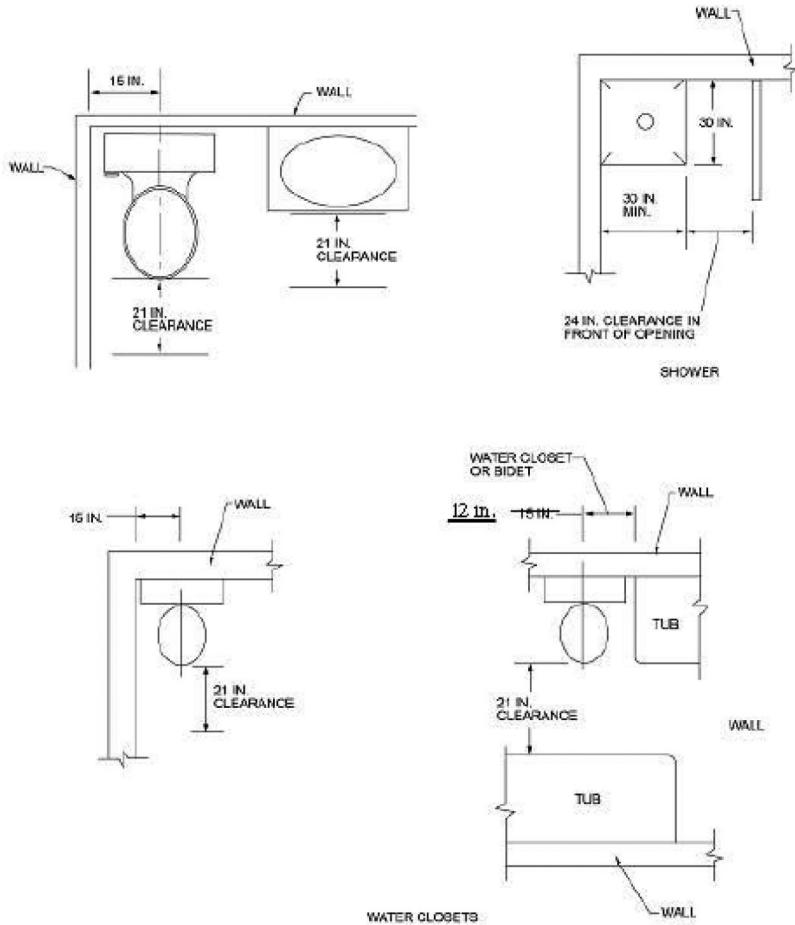
3.2. Fireblocking in accordance with Section R302.11.1 is installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.

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.

8-1208. IRC Section R303.4 Mechanical ventilation.

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

8-1209. IRC Figure R307.1 Minimum Fixture Clearances.



#### 8-1210. IRC Section R311.7.5.1 Risers.

The maximum riser height shall be 7 3/4 inches (196 mm). The maximum riser height for masonry stairs shall be 8 inches (203 mm). The riser height 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.

##### Exceptions:

1. The opening between adjacent treads is not limited on stairs with a total rise of 30 inches (762 mm) or less.
2. The *riser height* of *spiral stairways* shall be in accordance with Section R311.7.10.1.

#### 8-1211. IRC Section R312.1.1 Where required.

Guards shall be located along open-sided walking surfaces of all decks, porches, balconies, floors, 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 R312.2 Window Fall Protection

The Building Codes Council does not adopt IRC Section R312.2.

The Building Codes Council does not adopt IRC Section R312.2.1.

The Building Codes Council does not adopt IRC Section R312.2.2.

8-1213. 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 fire 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.

8-1214. 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.

8-1215. IRC Section 318.1 Subterranean termite control methods.

A seventh item is added which reads:

7. Treatments may be conducted as outlined in Section 27-1085 of the Rules and Regulations for the Enforcement of the SC Pesticide Control Act and enforced by the Clemson University Department of Pesticide Regulation.

8-1216. IRC Section R318.4 Foam Plastic Protection.

In areas where the probability of termite infestation is "very heavy" as indicated in Figure R318.4, extruded and expanded polystyrene, polyisocyanurate and other foam plastics shall not be installed on the exterior face or under interior or exterior foundation walls or slab foundations located below grade. The clearance between foam plastics installed above grade and exposed earth shall be not less than 6 inches (152 mm). For crawl space applications, foam plastic shall be installed so as to provide a termite inspection gap of no less than 6 inches along the top of the foundation wall and foundation sill plate.

Exceptions:

- Buildings where the structural members of walls, floors, ceilings and roofs are entirely of noncombustible materials or pressure-preservative-treated wood.
- On the interior side of basement walls.

8-1217. IRC Section 318.5 Termite Inspection Strip.

Where foam plastic is applied in accordance with R318.4, a continuous 6 inch strip centered along the sill plate shall be left open for termite activity inspection.

8-1218. IRC Section R322.1 General.

Buildings and structures constructed in whole or in part in flood hazard areas, including A or V Zones and Coastal A Zones, as established in Table R301.2(1), and substantial improvement and repair of substantial damage of buildings and structures in flood hazard areas, shall be designed and constructed in accordance with the provisions contained in this section. Buildings and structures that are located in more than one flood hazard area shall comply with the provisions associated with the most restrictive flood hazard area. Buildings and structures located in whole or in part in identified

floodways shall be designed and constructed in accordance with ASCE 24. Where there is a conflict with this code and a locally adopted flood ordinance, the more restrictive provision shall apply.

8-1219. IRC Section R326.3 Story above grade plane.

A habitable attic shall be considered a story above grade plane.

**Exceptions:** A habitable attic shall not be considered to be a story above grade plane provided that the habitable attic meets all the following:

1. The aggregate area of the habitable attic is not greater than three-fourths of the floor area of the story below.
2. The occupiable space is enclosed by the roof assembly above, knee walls, if applicable, on the sides and the floor-ceiling assembly below.
3. The floor of the habitable attic does not extend beyond the exterior walls of the story below.
4. Where a habitable attic is located above a third story, the dwelling unit or townhouse unit shall be equipped with a fire sprinkler system in accordance with Section P2904.

8-1220. IRC Section R404.1.9.2 Masonry piers supporting floor girders.

Masonry piers supporting wood 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 R404.1.5.3. Floor girder bearing shall be in accordance with Section R502.6.

8-1221. IRC Section R408.3 Unvented Crawl Space.

For unvented under-floor spaces, the following items shall be provided:

1. Exposed earth shall be covered with a continuous vapor retarder meeting ASTME 1745 Class A. Joints of the vapor retarder shall overlap by 6 inches (152 mm) and shall be sealed or taped. The edges of the vapor retarder shall extend not less than 6 inches (152 mm) up the stem wall and shall be attached and sealed to the stem wall or insulation.
2. One of the following is provided for the under-floor space:
  - 2.1. Continuously operated mechanical exhaust ventilation at a rate equal to 1 cubic foot per minute (0.47 L/s) for each 50 square feet (4.7 m<sup>2</sup>) of crawl space floor area, including an air pathway to the common area (such as a duct or transfer grille), and perimeter walls insulated in accordance with Section N1102.2.11 of this code.
  - 2.2. Conditioned air supply sized to deliver at a rate equal to 1 cubic foot per minute (0.47L/s) for each 50 square feet (4.7 m<sup>2</sup>) of under-floor area, including a return air pathway to the common area (such as a duct or transfer grille), and perimeter walls insulated in accordance with the S.C. Energy Codes.
  - 2.3. Plenum in existing structures complying with Section M1601.5, if under-floor space is used as a plenum.
  - 2.4. Dehumidification sized in accordance with the manufacturer's specifications.

8-1222. IRC Section R408.4 Access.

Access shall be provided to all under-floor spaces. Access openings through the floor shall be not smaller than 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.

8-1223. IRC Section R408.8 Under-floor vapor retarder.

Section R408.8 is deleted without substitution.

8-1224. IRC Section R502.11.4 Truss design drawings.

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.

8-1225. IRC Section R506.2.3 Vapor Retarder.

A minimum 10-mil (0.010 inch; 0.254 mm) vapor retarder conforming to ASTM E1745 Class A requirements 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.

8-1226. 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.

8-1227. IRC Section R802.10.1 Wood Truss Design.

Truss design drawings, prepared in conformance to Section R802.10 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.

8-1228. 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.

8-1229. IRC Section M1411.6 Insulation of refrigerant piping.

Pipings and fittings for refrigerant vapor (suction) lines shall be insulated with insulation having a thermal resistivity of at least R2.5 hr. ft<sup>2</sup> F/Btu and having external surface permeance not exceeding 0.05 perm [2.87ng/(s × m<sup>2</sup> × Pa)] when tested in accordance with ASTM E96.

8-1230. IRC Chapter 11 Energy Efficiency.

The Building Codes Council does not adopt IRC Chapter 11.

8-1231. IRC Section M1411.9 Locking access port caps.

IRC Section M1411.9 is deleted without substitution.

8-1232. 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.

8-1233. IRC Section M1502.4.2 Duct Installation.

Exhaust ducts shall be supported at intervals not to exceed 8 feet and within 16 inches of each side of a joint that is not installed in a vertical orientation, secured in place, making rigid contact with the

duct at not less than 4 equally spaced points or 2/3rds contact if strap is used. All brackets or strapping must be noncombustible. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. The overlap shall comply with Section M1601.4.2. Ducts shall not be joined with screws or similar devices that protrude into the inside of the duct. Exhaust ducts shall be sealed in accordance with Section M1601.4.1. Where dryer ducts are enclosed in wall or ceiling cavities, such cavities shall allow the installation without deformation. The duct work may be ovalized as long as it terminates in an approved duct box. Minor imperfections located on the duct, in areas other than along the seam, do not constitute a violation.

8-1234. IRC Section M1502.4.6 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.

8-1235. IRC Section M1503.6 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.

8-1236. IRC Section M1504.3 Exhaust Openings.

Air exhaust openings shall terminate as follows:

1. Not less than 3 feet (914 mm) from property lines.
2. Not less than 3 feet (914 mm) from gravity air intake openings, operable windows and doors.
3. Not less than 10 feet (3048 mm) from mechanical air intake openings except where the exhaust opening is located not less than 3 feet (914 mm) above the air intake opening. Openings shall comply with Sections R303.5.2 and R303.6.

Exception: Bathrooms, water closets shower spaces.

8-1237. 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 without access, 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 and seams.

8-1238. 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.

8-1239. 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. The shower liner test shall be performed at the final plumbing inspection.

8-1240. IRC Section P2603.2.1 Protection against physical damage.

In concealed locations, where piping, other than cast-iron or galvanized steel, is installed through holes or notches in studs, joists, rafters or similar members less than 1 1/4 inches (31.8 mm) from the nearest edge of the member, the pipe shall be protected by steel shield plates. Such shield plates shall have a thickness of not less than 0.0575 inch (1.463 mm) (No. 16 Gage). Such plates shall cover the area of the pipe where the member is notched or bored, and shall extend not less than 2 inches (51 mm) above sole plates and below top plates. Steel shield plates shall not be secured with nails, or screws unless required by the manufacturer.

8-1241. 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 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 temperatures 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.

Exception: Water pipes that are installed on the warm in winter side of the building envelope, i.e. above the insulation line in a floor system or below the insulation line in an attic do not need additional pipe insulation.

8-1242. IRC Section P2705.1 General.

The installation of fixtures shall conform to the following:

1. Floor-outlet or floor-mounted fixtures shall be secured to the drainage connection and to the floor, where so designed, by screws, bolts, washers, nuts and similar fasteners of copper, copper alloy or other corrosion-resistant material.

2. Wall-hung fixtures shall be rigidly supported so that strain is not transmitted to the plumbing system.

3. Where fixtures come in contact with walls and floors, the contact area shall be watertight.

Exception: Water closets and/or bidets shall not be required to be caulked to flooring surface.

4. Plumbing fixtures shall be usable.

5. A water closet, lavatory or bidet shall not be set closer than 15 inches (381 mm) from its center to any side wall, partition or vanity or closer than 27 inches center-to-center between adjacent fixtures. There shall be a clearance of not less than 21 inches (533 mm) in front of a water closet, lavatory or bidet to any wall, fixture or door.

6. The location of piping, fixtures or equipment shall not interfere with the operation of windows or doors.

7. In flood hazard areas as established by Table R301.2, plumbing fixtures shall be located or installed in accordance with Section R322.1.6.

8. Integral fixture-fitting mounting surfaces on manufactured plumbing fixtures or plumbing fixtures constructed on site, shall meet the design requirements of ASME A112.19.2/CSA B45.1 or ASME A112.19.3/CSA B45.4.

8-1243. IRC Section P2708.4 Shower control valves.

Individual shower and tub/shower combination valves shall be balanced-pressure, thermostatic or combination balanced-pressure/thermostatic valves that conform to the requirements of ASSE 1016/ASME A112.1016/CSA B125.16 or ASME A112.18.1/CSA B125.1. Shower and tub/shower combination valves required by this section shall be equipped with a means to limit the maximum setting of the

valve to 120°F (49°C), which shall be field adjusted in accordance with the manufacturer's instructions to provide water at a temperature not to exceed 120° (49°C). In-line thermostatic valves shall not be utilized for compliance with this section.

8-1244. IRC Section P2713.3 Bathtub and whirlpool bathtub valves.

Hot water supplied to bathtubs and whirlpool bathtubs shall be limited to a temperature of not greater than 120°F (49°C) by a water-temperature limiting device that conforms to ASSE 1070/ASME A112.1070/CSA B125.70 or CSA B125.3, except where such protection is otherwise provided by a combination tub/shower valve in accordance with Section P2708.4.

8-1245. IRC Section P2903.10 Hose Bibb.

This section is deleted without substitution.

8-1246. IRC Section P2904.2.4.2.1 Additional requirements for pendent sprinklers.

Pendent sprinklers within 3 feet (915 mm) of the center of a ceiling fan, surface mounted ceiling luminaire or similar object shall be considered to be obstructed, and additional sprinklers shall be installed.

Exception: Pendent sprinklers within 3 feet (915 mm) of the center of a ceiling fan shall not be considered to be obstructed if the total area of the fan blades does not exceed more than 50% of the plan area view.

8-1247. IRC Section E3606.5 Surge protection.

This section is deleted without substitution.

8-1248. IRC Section E3802.4 In unfinished basements.

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)]

8-1249. IRC Section R3901.4.2.1 Islands and peninsular countertops and work spaces

Receptacle outlets shall be installed in accordance with the following: [210.52(C)(2)]

1. At least one receptacle outlet shall be provided for the first 6 feet (0.84m<sup>2</sup>), or fraction thereof, of the countertop or work surface. A minimum of two receptacle outlets shall be provided for any island over 6 feet long.

2. At least one receptacle outlet shall be located within 2 feet (600 mm) of the outer end of a peninsular countertop or work surface. Additional receptacle outlets shall be permitted to be located as determined by the installer, designer or building *owner*. The location of the receptacle outlets shall be in accordance with Section E3901.4.3 [210.52(C)(2)(b)].

8-1250. IRC Section E3902 Ground-Fault and Arc-Fault Circuit-Interrupter Protection.

Remove all references to "through 250 volt" from all parts of Section E3902.

8-1251. IRC Section E3902.5 Basement receptacles.

125-volt receptacles installed in basements and supplied by single phase branch circuits rated 150 volts or less to ground shall have ground-fault circuit-interrupter protection for personnel. [210.8(A)(5)].

Exceptions:

1. A receptacle supplying only a permanently installed fire alarm or burglar alarm system. A receptacle installed in accordance with this exception shall not be considered as meeting the requirement of Section E3901.9. Receptacles installed in accordance with this exception shall not be considered as meeting the requirement of Section E3901.9 [210.8(A)(5) Exception].

2. Receptacles in walk-out basements are excluded from this requirement.

8-1252. IRC Section R3902.17 Arc Fault Circuit Interrupted Protection.

In areas other than kitchen and laundry areas, branch circuits that supply 120-volt single-phase, 15- and 20-ampere outlets installed in family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreations rooms, closets, hallways, and similar rooms or areas shall be protected by any of the following: [210.12(A)]

1. A listed combination-type arc-fault circuit-interrupter, installed to provide protection of the entire branch circuit. [210.12(A)(1)]

2. A listed branch/feeder-type AFCI installed at the origin of the branch-circuit in combination with a listed outlet branch-circuit-type arc-fault circuit-interrupter installed at the first outlet box on the branch circuit. The first outlet box in the branch circuit shall be marked to indicate that it is the first outlet of the circuit. [210.12(A)(2)]

3. A listed supplemental arc-protection circuit breaker installed at the origin of the branch circuit in combination with a listed outlet branch-circuit-type arc-fault circuit interrupter installed at the first outlet box on the branch circuit where all of the following conditions are met:

3.1. The branch-circuit wiring shall be continuous from the branch-circuit overcurrent device to the outlet branch-circuit arc-fault circuit-interrupter.

3.2. The maximum length of the branch-circuit wiring from the branch-circuit overcurrent device to the first outlet shall not exceed 50 feet (15.2 m) for 14 AWG conductors and 70 feet (21.3 m) for 12 AWG conductors.

3.3. The first outlet box on the branch circuit shall be marked to indicate that it is the first outlet on the circuit. [210.12(A)(3)].

4. A listed outlet branch-circuit type arc-fault circuit interrupter installed at the first outlet on the branch circuit in combination with a listed branch-circuit overcurrent protective device where all of the following conditions are met:

4.1. The branch-circuit wiring shall be continuous from the branch-circuit overcurrent device to the outlet branch-circuit arc-fault circuit-interrupter.

4.2. The maximum length of the branch-circuit wiring from the branch-circuit overcurrent device to the first outlet shall not exceed 50 feet (15.2 m) for 14 AWG conductors and 70 feet (21.3m) for 12 AWG conductors.

4.3. The first outlet box on the branch circuit shall be marked to indicate that it is the first outlet on the circuit.

4.4. The combination of the branch-circuit overcurrent device and outlet branch-circuit AFCI shall be identified as meeting the requirements for a system combination-type AFCI and shall be listed as such.

8-1253. IRC Section E4002.14. Tamper-resistant receptacles.

In areas specified in Section E3901.1, 15- and 20-ampere, 125-volt nonlocking-type receptacles shall be *listed* tamper-resistant receptacles. [406.12]

Exception: Receptacles in the following locations shall not be required to be tamper resistant:

1. Receptacles located more than 5.5 feet (1676 mm) above the floor.

2. Receptacles that are part of a luminaire or appliance.

3. A single receptacle for a single appliance or a duplex receptacle for two appliances where such receptacles are located in spaces dedicated for the appliances served and, under conditions of normal use, the appliances are not easily moved from one place to another. The appliances shall be cord-and-plug-connected to such receptacles in accordance with Section E3909.4. [406.12 Exception].

8-1254. IRC Chapter 44 Referenced Standards.

Delete from Referenced Standards the following:

ANCE: NMX-J-521/2-40-ANCE—2014/CAN/CSA-22.2 No. 60335-2-40—12/UL 60335-2-40: Safety of Household and Similar Electric Appliances, Part 2-40: Particular Requirements for Heat Pumps, Air-Conditioners and Dehumidifiers.

Update the Referenced Standards as follows:

CSA: CSA/C22.2 No. 60335-2-40—2019: Safety of Household and Similar Electrical Appliances, Part 2-40: Particular Requirements for Electrical Heat Pumps, Air-Conditioners and Dehumidifiers, 3<sup>rd</sup> Edition M1402.1, M1403.1, M1412.1, M1413.1, M2006.1.

UL:UL/CSA 60335-2-40—2019: Standard for Household and Similar Electrical Appliances, Part 2-40: Particular Requirements for Electrical Heat Pumps Air-Conditioners and Dehumidifiers M1402.1, M1403.1, M1412.1, M1413.1, M2006.1.

8-1255. IRC Section Appendix AH Patio Covers.

The Building Codes Council does adopt IRC Section Appendix AH.

8-1256. IRC Section Appendix AJ Existing Buildings.

The Building Codes Council does adopt IRC Section Appendix AJ.

8-1257. IRC Section Appendix AQ Tiny Houses.

The Building Codes Council does adopt IRC Section Appendix AQ.

**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; SCSR 43-5 Doc. No. 4868, eff May 24, 2019; SCSR 44-6 Doc. No. 4941, eff June 26, 2020; SCSR 46-5 Doc. No. 5074, eff May 27, 2022.

## ARTICLE 13 INTERNATIONAL MECHANICAL CODE

2021 International Mechanical Code Modification Summary

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

### **8-1300. International Mechanical Code.**

NOTE—This article is based upon the International Mechanical Code, 2021 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 2021 Edition of the International Mechanical Code except for the following modifications:

8-1301. IMC Section 504.9.2 Duct Installation.

Exhaust ducts shall be supported at intervals not to exceed 8 feet and within 16 inches of each side of a joint that is not installed in a vertical orientation, secured in place, making rigid contact with the duct at not less than 4 equally spaced points or 2/3rds contact if strap is used. All brackets and strapping must be noncombustible. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. The overlap shall comply with Section 603.4.2. Ducts shall not be joined with screws or similar devices that protrude into the inside of the duct. Exhaust ducts shall be sealed in accordance with Section 603.9. Where dryer ducts are enclosed in wall or ceiling cavities, such cavities shall allow the installation without deformation. The duct work may be ovalized as long as it terminates in an approved duct box. Minor imperfections located on the duct, in areas other than along the seam, do not constitute a violation of this section.

8-1302. IMC Table 1103.1 Refrigerant Classification, Amount, and OEL.

Modify Footnote c to state: The ASHRAE Standard 34 flammability classification for this refrigerant is 2L.

8-1303. IMC Section 1104.3.1 Air conditioning for human comfort.

High-probability systems used for human comfort shall use Group A1 or A2L refrigerant. In other than industrial *occupancies* where the quantity in a single independent circuit does not exceed the amount in Table 1103.1, Group B1, B2 and B3 refrigerants shall not be used in high-probability systems for air conditioning for human comfort.

8-1304. IMC Chapter 15 Referenced Standards.

Add the following Referenced Standard to Chapter 15, **CSA**:

C22.2 No. 60335-2-40—2019 Household and Similar Appliances — Safety — Part 2-40: Particular Requirements for Electrical Heat Pumps, Air-Conditioners and Dehumidifiers — 3<sup>rd</sup> Edition 908.1, 916.1, 918.2, 1101.2

Modify the following Referenced Standard in Chapter 15, **UL**, to read as follows:

60335-2-40—2019 Household and Similar Electrical Appliances—Safety—Part 2-40: Particular Requirements for Electrical Heat Pumps, Air-Conditioners and Dehumidifiers 908.1, 916.1, 918.1, 918.2, 1101.2

**HISTORY:** Added by SCSR 43-5 Doc. No. 4869, eff May 24, 2019. Amended by SCSR 44-6 Doc. No. 4940, eff June 26, 2020; SCSR 46-5 Doc. No. 5087, eff May 27, 2022.

## **ARTICLE 14** **INTERNATIONAL PLUMBING CODE**

2021 International Plumbing Code Modification Summary

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

### **8-1400. International Plumbing Code.**

NOTE – This article is based upon the International Plumbing Code, 2021 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 2021 International Plumbing Code, except for the following modifications:

8-1401. IPC Section 202 General Definitions.

**Drinking fountain:** A plumbing fixture that is connected to the potable water distribution system and the drainage system. The fixture allows the user to obtain a drink directly from a stream of flowing water without the use of any accessories. Such fixtures can be separate from or integral to a bottle filling station.

**Bottle Filling Station:** A type of water dispenser that is connected to the potable water distribution system and the drainage system. The fixture is designed and intended for automatically or manually filling personal use drinking water bottles or containers not less than 10 inches (254 mm) in height and is in compliance with the American with Disabilities Act (42 U.S.C. § 12101 et seq.). Such fixtures can be separate from or integral to a drinking fountain and can incorporate a water filter and a cooling system for chilling the drinking water.

**Water Cooler:** A drinking fountain or bottle filling station that incorporates a means of reducing the temperature of the water supplied to it from the potable water distribution system.

**Water Dispenser:** A plumbing fixture that is automatically or manually controlled by the user for the purpose of dispensing potable drinking water into a receptacle such as a cup, glass or bottle. Such fixture is connected to the potable water distribution system of the premises. This definition includes a freestanding apparatus for the same purpose that is not connected to the potable water distribution system and that is supplied with potable water from a container, bottle or reservoir.

8-1402. IPC Table 403.1 Minimum Number of Required Plumbing Fixtures.

Modify Row 3 of the Table to add a column for Bottle Filling Stations:

No.	Classification	Description	Water Closets		Lavatories		Bathtubs/Showers	Drinking Fountain Sec Section 410	Other	Bottle Filling Station
			M	F	M	F				
3	Educational	Educational Facilities			1 per 50	1 per 50	—	1 per 100	1 service sink	1 per 200 with placement of 1 on each floor (or wing or other building section) and 1 in school food service areas.

8-1403. IPC Section 410. 4 Substitution.

Where restaurants provide drinking water in a container free of charge, drinking fountains shall not be required in those restaurants. In other *occupancies*, where three or more drinking fountains are required, *water dispensers* shall be permitted to be substituted for not more than 50 percent of the required number of drinking fountains. In educational settings, 50 percent of the required number of drinking fountains must incorporate a bottle filling station.

**HISTORY:** Added by SCSR 46-5 Doc. No. 5098, eff May 27, 2022.