

**AN ORDINANCE AMENDING CHAPTER 4 OF THE CODE
OF ORDINANCES, CHARLESTON COUNTY, ENTITLED
“BUILDINGS AND BUILDING REGULATIONS” AND CHAPTER 8 OF THE CODE OF
ORDINANCES, CHARLESTON COUNTY, ENTITLED “FIRE PREVENTION AND
PROTECTION”**

WHEREAS, Charleston County needs to update its regulations regarding building construction and to codify the procedure for adjustments or appeals.

NOW, THEREFORE, BE IT ORDAINED by Charleston County Council, in meeting duly assembled, that Chapter 4 of the *Code of Ordinances, Charleston County, South Carolina* is amended by the provisions of this Ordinance by deleting Articles II, III, IV and Chapter 8 Article II and replacing with the following:

**SECTION 101
GENERAL**

101.1 Title. These regulations shall be known as the *Building Code* of the County of Charleston, hereinafter referred to as “this code”

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

101.3 Intent. The purpose of this code is to regulate the provisions found in South Carolina Code Annotated Section 6-9-5 et seq. and South Carolina Code of Regulations 8-100 et seq. that establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

101.4 Referenced Codes. The codes listed in Sections 101.2 through 101.4.9 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Building. The provisions of the International Building Code as adopted by the S. C. Building Codes Council shall apply to the construction of buildings and structures.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the *International Residential Code* as adopted by the S.C. Building Code Council.

101.4.2 Electrical. The provisions of the *National Electrical Code* as adopted by the S.C. Building Codes Council shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.4.3 Gas. The provisions of the *International Fuel Gas Code* as adopted by the S.C. Building Codes Council shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.4 Mechanical. The provisions of the *International Mechanical Code* as adopted by the S.C. Building Codes Council shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilation, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

101.4.5 Plumbing. The provisions of the *International Plumbing Code* as adopted by the S.C. Building Codes Council shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

101.4.6 Fire Prevention. The provisions of the *International Fire Code* as adopted by the S.C. Building Codes Council shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices, from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.7 Energy. The provisions of the *International Energy Conservation Code* as adopted by the SC Building Codes Council shall apply to all matters governing the design and construction of buildings for energy efficiency.

101.4.8 Unsafe Buildings. The Standard Unsafe Building Abatement Code 1985 edition is adopted by reference with the following amendment: Number 1 under

subsection 303, "Standards for Compliance," is deleted, and the following new Numbers 1 and 3 are added:

1. The building shall be ordered repaired in accordance with this code or demolished in accordance with procedures as established within the Standard Unsafe Building Abatement code.
2. If the building or structure poses an immediate hazard to life or to the safety of the public it shall be ordered vacated immediately.
3. If the owner of record cannot be served with a notice to demolish a structure, the structure shall be advertised as unsafe and ordered demolished.

101.4.9 Minimum Housing Requirements.

The Standard Housing Code, 1997 Edition as published by the Southern Building Code Congress International, Inc., exclusive of Appendices A, B, and C is hereby adopted by reference with these amendments and shall apply to all existing housing:

1. "Housing Official" shall read "Building Official".
2. "Housing Board of Adjustments and Appeals" shall read Construction Board of Adjustment and Appeals".

101.5 Definitions References throughout this code are defined as follows:

1. "Code Official" shall mean "Building Official".

SECTION 102 APPLICABILITY

102.1 Area of applicability. This article shall affect all unincorporated areas of the County, unless this article is adopted by an incorporated area, excluding any parcels of land owned by the state or the federal government, and any buildings and installations thereon unless duly requested or required by law.

102.2 General. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

102.3 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.4 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.5 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

102.6 Partial invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.7 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.

102.7.1 Existing Installations. Building systems lawfully in existence at the time of the adoption of this code shall be permitted to have their use and maintenance continued if the use maintenance or repair is in accordance with the original design and no hazard to life, health or property is created by such system.

102.7.2 Maintenance All building systems materials and appurtenances, both existing and new, and all parts thereof, shall be maintained in proper operating condition in accordance with the original design in a safe and sanitary condition. All devices or safeguards required by this code shall be maintained in compliance with the code edition under which they were installed.

102.8 Additions, alterations, or repairs. Additions, alterations or repairs to any structure or building systems shall conform to that required for a new structure without requiring the existing structure to comply with all of the requirements of this code, unless otherwise stated. Additions, alterations, or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building. See 102.11 concerning substantial improvements.

102.9 Historic buildings. The provisions of this code relating to the construction, alteration, repair, enlargement restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and/or classified by the federal, state or local jurisdiction as historic buildings when such buildings or structures are judged by the Building Official to be safe and in the public interest of health, safety and welfare regarding any proposed construction, alteration, repair, enlargement, restoration, relocation, change of occupancy, or moving of buildings.

102.9.1 Historic buildings are defined as:

1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or

2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or
3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.
4. Individually listed on a local inventory of historical places that has been certified by the South Carolina Department of Archives and History.

102.10 Moved buildings. Buildings and/or structures and their components moved into or within the jurisdiction shall comply with the provisions of this code for new installations.

102.11 Substantially improved or substantially damaged existing buildings and structures. The Building Official shall examine or cause to be examined the construction documents for reconstruction, rehabilitation, addition, or other improvement of existing buildings or structures, and shall prepare a finding with regard to the value of the proposed work. For buildings that have sustained damage of any origin and/or improvement to a building or structure, the value of the proposed work shall include the cost to repair the building or structure to its pre-damaged condition and/or cost of any improvements. If the Building Official finds that the value of proposed work equals or exceeds 50 percent of the fair market value of the building or structure, the entire building or structure shall be brought into compliance with all applicable codes.

102.12 Change in Occupancy It shall be unlawful to make a change in the occupancy of any structure which will subject the structure to any special provision of this code applicable to the new occupancy without approval. The Building Official shall certify that such structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the public health, safety or welfare.

102.13 Requirements not covered by this code. Requirements necessary for the strength, stability or proper operation of an existing or proposed building or structure and its components, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the Building Official.

SECTION 103 DEPARTMENT OF BUILDING SERVICES

103.1 Creation of enforcement agency. The Department of Building Services is hereby created and the official in charge thereof shall be known as the Building Official.

103.2 Appointment. The Building Official shall be appointed by the appointing authority of the County of Charleston.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the Building Official shall have the

authority to appoint a Deputy Building Official, the related technical officers, Inspectors, Plan Examiners and other employees. Such employees shall have powers as delegated by the Building Official.

SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

104.1 General. The Building Official is hereby authorized and directed to enforce the provisions of this code. The Building Official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

104.2 Applications and permits. The Building Official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.3 Notices and orders. The Building Official shall issue all necessary notices or orders to ensure compliance with this code.

104.4 Inspections. The Building Official shall make all of the required inspections, or the Building Official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual.

104.5 Identification. The Building Official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the Building Official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the Building Official shall first make a reasonable effort to locate the owner of other person having charge or control of the structure or premises and request entry. If entry is refused, the Building Official shall have recourse to the remedies provided by law to secure entry.

104.7 Department records. The Building Official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

104.8 Liability. The Building Official, member of the Construction Board of Adjustment and Appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Building Official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

104.9 Approved materials and equipment. Materials, equipment and devices approved by the Building Official shall be constructed and installed in accordance with such approval.

104.9.1 Used materials and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official.

104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the Building Official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Department of Building Services.

104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the Building Official shall have the authority to require tests as

evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for retention of public records.

104.12 Evacuation. The Building Official and/or the Fire Department Official in charge of an incident shall be authorized to order the immediate evacuation of any occupied building deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants. Persons so notified shall immediately leave the structure or premises and shall not enter or re-enter until authorized to do so by the Building Official and/or the Fire Department Official in charge of the incident.

SECTION 105 PERMITS

105.1 Required Permits. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application; to the Building Official and obtain the required permit.

105.1.2 Additional Required permits. The Building Official is authorized to issue permits for work as set forth in Sections 105.1.2.1 thru 105.2.3.

105.1.2.1 Automatic fire-extinguishing systems. A permit is required for installation of or modification to an automatic fire-extinguishing system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.1.2.2 Fire alarm and detection systems and related equipment. A permit is required for installation of or modification to fire alarm and detection systems and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

Exception: Residential type smoke detectors installed individually or wired in series in single-family residences.

105.1.2.3 Fire pumps and related equipment. A permit is required for installation of or modification to fire pumps and related fuel tanks, jockey pumps, controllers, and generators. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.1.2.4 Hazardous materials. A permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially

modify a storage facility or other area regulated by Chapter 27 of the International Fire Code.

105.1.2.5 Private fire hydrants. A permit is required for the installation or modification of private fire hydrants and their systems.

105.1.2.6 Standpipe systems. A permit is required for the installation, modification, or removal from service of a standpipe system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.1.2.7 Trade permits. In addition to the required permits, the following trade permits are required for the following installation and/or repairs; vinyl siding, insulation, roofing, floor covering/carpet, masonry, drywall, carpentry, stucco, paint/wallpaper, low voltage electrical, elevators, landscape/site development.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m²).
2. Fences not over 6 feet (1829 mm) high.
3. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or IIIA liquids.
5. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
6. Temporary motion picture, television and theater stage sets and scenery.
7. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (19000 L) and are installed entirely above ground.
8. Shade cloth structures constructed for nursery or agricultural purposes, and not including service systems.

9. Swings and other playground equipment.
10. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
11. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

Electrical:

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable gas equipment of all types that is not connected to a fixed fuel piping system.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.

7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Energy:

The following need not comply provided the energy use of the building is not increased:

1. Storm windows installed over existing fenestration.
2. Glass only replacements in an existing sash and frame.
3. Construction where the existing roof, wall or floor cavity is not exposed.

105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the Building Official.

105.2.2 Repairs. Application or notice to the Building Official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

105.2.3 Public service agencies. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

105.3 Application for permit. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the Department of Building Services for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by address and tax map number (TMS) or property identification number (PID).
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 106.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Submit such other data and information as required by the Building Official.

105.3.1 Action on application. The Building Official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the Building Official shall reject such application in writing, stating the reasons therefore. If the Building Official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the Building Official shall issue a permit therefore as soon as practicable.

105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.4 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Building Official from requiring the correction of errors in the construction documents and other data. The Building Official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extensions shall be requested in writing and justifiable cause demonstrated.

105.6 Suspension or revocation. The Building Official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

105.7 Placement of permit. The building permit or copy shall be kept on the site for the work until the completion of the project at an accessible and visible location.

105.8 Responsibility. It shall be the duty of every person who performs work for the installation or repair of building systems, for which this code is applicable, to comply with this code.

105.9 Manufactured Housing Permits. In order for a permit to be issued to install a manufactured home in Charleston County, a copy of the current license of the installer or contractor, issued by the South Carolina Manufactured Housing Board, must be submitted with the application for the permit. If a retail dealer is installing the home, a current copy of the retail dealer's license, issued by the South Carolina Manufactured Housing Board, must be submitted with the application for the permit. The installer, contractor, or dealer may submit an electronic copy of the license, in an acceptable format such as JPEG or PDF, by email in place of a copy.

105.10 Unauthorized tampering. Signs, tags or seals posted or affixed by the Building Official shall not be mutilated, destroyed or tampered with or removed without authorization from the Building Official.

SECTION 106 CONSTRUCTION DOCUMENTS

106.1 Submittal documents. Construction documents, statement of special inspections and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The Building Official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

106.1.1 Information on construction documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the Building Official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the Building Official.

106.1.1.1 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of the IBC.

106.1.1.2 Manufacturer's installation instructions. Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.

106.1.2 Means of egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

106.1.3 Exterior wall envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane, details around openings and wind borne debris protection systems.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

106.1.4 Energy Requirements. Details shall include, but are not limited to, insulation materials and their *R*-values; fenestration *U*-factors and SHGCs; system and equipment efficiencies, types, sizes and controls; duct sealing, insulation and location; and air sealing details.

106.2 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to an engineer's scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable,

flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The Building Official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

106.3 Examination of documents. The Building Official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

106.3.1 Approval of construction documents. When the Building Official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the Building Official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the Building Official or a duly authorized representative.

106.3.2 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

106.3.3 Phased approval. The Building Official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

106.3.4 Design professional in responsible charge.

106.3.4.1 General. When it is required that documents be prepared by a registered design professional, the Building Official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The Building Official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including

phased and deferred submittal items, for compatibility with the design of the building.

Where structural observation is required by the IBC, the statement of special inspections shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

106.3.4.2 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the Building Official within a specified period.

Deferral of any submittal items shall have the prior approval of the Building Official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the Building Official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the Building Official.

106.4 Amend construction documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

106.5 Retention of construction documents. One set of approved construction documents shall be retained by the Building Official for a period of not less than 180 days from date of completion of the permitted work, as required by state, local laws or in accordance with the County of Charleston Records Retention Schedule.

SECTION 107 TEMPORARY STRUCTURES AND USES

107.1 General. The Building Official is authorized to issue a permit for temporary structures and temporary occupancy/uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The Building Official is authorized to grant extensions for demonstrated cause.

107.2 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

107.3 Temporary power. The Building Official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the *National Electrical Code*.

107.4 Termination of approval. The Building Official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

SECTION 108 FEES

108.1 Payment of fees. A permit shall not be valid until the permit and/or business license and other fees as prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fees, if any, have been paid.

108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the governing authority.

108.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

108.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a double fee.

108.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

108.6 Refunds. There shall be no refund unless it is due to a County mistake. All refunds caused by a County mistake are to be referred to the Building Official for processing.

Exceptions: Requests for refunds by the applicant's mistake may be made up to financial close of books (3:30 pm) on the day the funds are paid.

108.7 Permit Fees: Fees shall be as established by the County of Charleston.

SECTION 109 INSPECTIONS

109.1 General. Construction or work for which a permit is required shall be subject to inspection by the Building Official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purpose. Neither the Building Official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

109.2 Preliminary inspection. Before issuing a permit, the Building Official is authorized to examine or cause to be examined building, structures and sites for which an application has been filed.

109.3 Required inspections. The Building Official, upon notification, shall make the inspections set forth in Sections 109.3.1 through 109.3.12

109.3.1 Footing and foundation inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

109.3.2 Concrete slab and under-floor inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the sub floor.

109.3.3 Lowest floor elevation. In flood hazard areas, upon placement of the lowest floor including the basement, and prior to further vertical construction, an elevation certificate as required in Flood Damage Prevention and Protection Ordinance shall be submitted to the Building Official.

109.3.4 Plumbing, mechanical, gas and electrical systems inspection. Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection.

Exception: Back-filling of ground-source heat pump loop systems tested in accordance with the International Mechanical Code prior to inspection shall be permitted.

109.3.5 Frame and masonry inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking, bracing and masonry are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

109.3.6 Fire-resistance-rated construction inspection. Where fire-resistance-rated construction is required between dwelling units or due to location on property, the Building Official shall require an inspection of such construction after all lathing and/or wallboard is in place, but before any plaster is applied, or before wall-board joints and fasteners are taped and finished.

109.3.7 Reinforced masonry, insulating concrete form (ICF) and conventionally formed concrete wall inspection. Reinforced masonry walls, insulating concrete form (ICF) walls and conventionally formed concrete walls shall be inspected after plumbing, mechanical, and electrical systems are embedded within the walls, reinforcing steel is in place and prior to placement of grout or concrete. Inspection shall verify the correct size, location, spacing, and lapping of reinforcing. For masonry walls, inspection shall also verify that the location of grout cleanouts and size of grout spaces comply with the requirements of this code.

109.3.8 Fire-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

109.3.9 Energy efficiency inspections. Inspections shall be made to determine compliance with the International Energy Conservation Code and shall include, but not be limited to inspections for: envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency.

109.3.10 Other inspections. In addition to the inspections specified above, the Building Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the Building Official.

109.3.11 Special inspections. Special inspections, shall be in compliance with the applicable provisions of this code.

109.3.12 Final inspection. The final inspection shall be made after all work required by the applicable permits are completed.

109.4 Inspection agencies. The Building Official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

109.5 Inspection requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the Building Official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspection of such work that are required by this code.

109.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. The Building Official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Building Official.

SECTION 110 CERTIFICATE OF OCCUPANCY

110.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

Exception: Certificates of occupancy are not required for work exempt from permits.

110.2 Change in use. Changes in the character or use of an existing structure shall not be made except in compliance with this code.

110.3 Certificate issued. After the Building Official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the Department of Building Services, the Building Official shall issue a certificate of occupancy or certificate of completion that contains the following:

1. The building permit number.
2. The address and tax map (TMS) number or property identification description (PID) of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.

6. The name of the Building Official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy.
9. The type of construction.
10. The design occupant load if applicable.
11. Flood zone information.
12. Any special stipulations and conditions of the building permit.

110.4 Temporary occupancy. The Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The Building Official shall set a time period during which the temporary certificate of occupancy is valid.

110.5 Revocation. The Building Official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 111 SERVICE UTILITIES

111.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the Building Official.

111.2 Temporary connection. The Building Official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

111.3 Authority to disconnect service utilities. The Building Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced herein in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 112 CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code, there shall be and is hereby created a Construction Board of Adjustment and Appeals. The Construction Board of Adjustment and Appeals shall be appointed by the governing body and shall hold office at its pleasure. The Board shall adopt rules of procedure for conducting its business.

12.1.1 Right to Appeal. Appeals of Administrative of orders, decisions or determinations causing the appeal or variance may be filed by the owner of the property affected by the decision or his or her duly authorized representative, or by any person with a substantial interest in a decision of the Building Official.

112.1.2 Application filing; timing. Requests for a hearing for an adjustment or appeal of a decision shall be in writing, and shall be received in the office of the Building Official within twenty (20) calendar days of notice of the decision causing the filing of the adjustment or appeal.

112.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The Board shall have no authority to waive requirements of this code.

112.3 Qualifications. The Construction Board of Adjustment and Appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

112.4 Established; composition. The Construction Board of Adjustment and Appeals appointed by County Council shall consist of eleven (11) appointed members and the Building Official shall be a non-voting member of the Board and shall serve as the Secretary. All appointments shall be for a term of four (4) years. The terms of office shall be staggered so no more than one-third (1/3) of the Board is appointed or replaced in any year. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Absence of a member in excess of three (3) consecutive meetings may render any such member liable to immediate removal from office.

112.4.1 Membership. The members appointed to the Construction Board of Adjustment and Appeals shall consist of: two (2) registered architects, one (1) registered structural engineer, one (1) registered mechanical engineer, two (2) registered civil engineers, one (1) licensed general contractor one (1) Resident State Fire Marshal, one (1) licensed residential home builder, one (1) licensed electrical contractor, one (1) licensed plumbing or mechanical contractor.

112.5 Quorum. Six (6) members of the Board shall constitute a quorum.

112.6 Establish rules for the carrying out responsibilities. The Construction Board of Adjustment and Appeals shall establish rules, as appropriate, for carrying out these assigned responsibilities.

112.7 The decisions of the Construction Board of Adjustment and Appeals shall be final unless the petitioner appeals the decision to the circuit court in Charleston County within twenty (20) days after the date of the decision of the Construction Board of Adjustment and Appeals.

112.8 Responsibilities.

1. *This code, licensing, appeals and variances.*

a. *Ground for revocation of license or registration.* The Board may revoke the license or registration of any building contractor who is found guilty of fraud or deceit in obtaining a license, or gross negligence incompetence, or gross misconduct in conducting his business as a contractor. Any person who alleges gross negligence, incompetence, or gross misconduct against any contractor licensed or registered hereunder shall submit such allegation in affidavit form and file the same with the Secretary of the Board.

b. *Reissuance of revoked license or registration.* The Board may consider a request to reissue the license or registration of any person whose license or registration has been revoked six (6) months after the date of revocation, if a majority of the members of the Board vote in favor of such reissuance for reasons the board deems sufficient. If the reissuance is denied, the reissuance can be reconsidered at six-month intervals thereafter.

c. *Probation.* The Board may place any building contractor on probation for a specified period of time in lieu of revoking his or her license or registration when allegations presented do not warrant revocation by the majority of the Board for whatever reasons the Board deems sufficient.

d. *Hearing and decision of charges.* Grounds detailed in subsection (1) above, unless they are dismissed without hearing by the Board as unfounded or trivial, shall be heard based on testimony under oath and a determination shall be made by the Board within three (3) months after the date of the hearing. The accused may cross examine witnesses against him and produce evidence or witnesses in his or her defense. A written record shall be made of the proceedings. If, after such hearing, the Board, by majority, votes in favor of finding the accused guilty of any fraud or deceit in obtaining his license or registration, or gross negligence, incompetence, or gross misconduct in conducting his business as a contractor, his license or registration will be revoked.

e. *Hear and decide adjustment and appeals.* The Construction Board of Adjustment and Appeals shall hear and decide requests for adjustment and appeals meeting all of the following provisions:

1. Decisions on which an adjustment or appeal is requested shall be those made by the Building Official or his designee.

2. The Construction Board of Adjustment and Appeals is authorized to hear requests for adjustment or appeal to the International Building Code; the International Residential Code; the International Plumbing Code; the International Mechanical Code; the International Fuel Gas Code; the International Energy Conservation Code; the International Fire Code; the National Electrical Code; the Standard Housing Code; the Standard Unsafe Building Abatement Code; and other codes, regulations, or ordinances as specifically authorized in the Code of Ordinances, Charleston County, South Carolina or determined by the Building Official to be within the scope of the Construction Board of Adjustment and Appeals.

2. *Hear and decide adjustment and appeals for stormwater management utility.*

a) The Construction Board of Adjustment and Appeals shall hear the petition to determine if the annual stormwater management utility fee does not apportion the fee with approximate equality, based upon a reasonable basis of classification and with due regard to the benefits conferred by providing stormwater management services to the utility customer and the requirements of public health, safety or welfare. The determination of the annual fee by the Construction Board of Adjustment and Appeals is entitled to presumption of correctness.

b) The Construction Board of Adjustment and Appeals shall render a written decision on each petition that is heard, and such written decision shall be issued within twenty (20) calendar days from the day the board heard the petition. The decision of the Construction Board of Adjustment and Appeals shall contain findings of fact and conclusions of law and the decision shall be sent to the petitioner by first class mail.

c) Prior to bringing an action to contest an annual fee, the petitioner shall pay to the treasurer not less than the amount of the annual stormwater fee which he admits in good faith owes. Payment of the fee shall not be deemed an admission that the annual fee was due and shall not prejudice the petitioner in bringing an action as provided herein.

SECTION 113 VIOLATIONS

113.1 Unlawful acts. It shall be unlawful for any person, firm, business or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

113.2 Notice of violation. The Building Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration,

extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

113.3 Violation; Mandamus and injunctive relief; Penalty.

a. For a violation of the codes or regulations adopted pursuant to this ordinance, the Building Official, County Attorneys or an adjacent or neighboring property owner who would be damaged by the violation, in addition to other remedies, may apply for injunctive relief, mandamus, or other appropriate proceeding. A court may grant temporary injunctive relief upon receipt of a verified complaint of an imminent danger or emergency situation.

b. A person, firm, business or corporation found to be in violation of this code or regulation adopted pursuant to the provisions of this code must be cited and fined, by civil fine, in an amount not more than two hundred dollars. Before being charged with a second violation, the person, firm, business or corporation must be given seven calendar days to remedy the violation or submit a plan for correcting the violation.

c. A person, firm, business or corporation who fails to correct a violation or submit a plan for correcting a violation within seven calendar days after citation or written notice must be cited and fined, by civil fine, in an amount not to exceed two thousand dollars. Each day a violation continues is a separate offense.

113.4. Effective Date, Repealer; Savings Clause.

a. This ordinance shall be effective upon ratification. Prior to such date, the existing provisions of Chapter 4 of the Code of Ordinances, Charleston County shall remain in full force and effect. Upon such effective date, all laws, codes, ordinances and standards existing prior to the effective date shall be treated as remaining in full force and effect for the purpose of sustaining any vested right, civil action, special proceeding criminal prosecution or appeal existing as of the effective date of these amendments and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended version.

b. All provisions of Chapter 4, Articles II through IV and Chapter 8, Article II of the Code of Ordinances, Charleston County, are hereby repealed, subject to A above.

SECTION 114 STOP WORK ORDER

114.1 Authority. Whenever the Building Official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the Building Official is authorized to issue a stop work order.

114.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

114.3 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

SECTION 115 UNSAFE STRUCTURES AND EQUIPMENT

115.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

115.2 Record. The Building Official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

115.3 Notice. If an unsafe condition is found, the Building Official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the Building Official acceptance or rejection of the terms of the order.

115.4 Method of service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

115.5 Restoration. The structure or equipment determined to be unsafe by the Building Official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the

restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section 105.2.2 and Chapter 34 of the IBC.

SECTION 116 ENERGY CONSERVATION

116.1 Change in Occupancy. Building undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with this code.

116.2 Mixed occupancy. Where a building includes both residential and commercial occupancies, each occupancy shall be separately considered and meet the applicable provisions of Chapter 4 for residential buildings and Chapter 5 for commercial buildings of the International Energy Conservation Code.

116.3 Compliance. Residential buildings shall meet the provisions of Chapter 4. Commercial buildings shall meet the provisions of Chapter 5 of the International Energy Conservation Code.

116.4 Compliance materials. The Department of Building Services shall be permitted to approve specific computer software, worksheets, compliance manuals and other similar materials that meet the intent of this code.

116.5 Low energy buildings. The following buildings, or portions thereof, separated from the remainder of the building by building thermal envelope assemblies complying with this code shall be exempt from the building thermal envelope provisions of this code:

1. Those with a peak design rate of energy usage less than 3.4 Btu/h-ft² (10.7 W/m²) or 1.0 watt/ft² (10.7 W/m²) of floor area for space conditioning purposes.
2. Those that do not contain conditioned space.

116.6 Materials, Systems and Equipment Identification. Materials, systems and equipment shall be identified in a manner that will allow a determination of compliance with the applicable provisions of this code.

116.6.1 Building thermal envelope insulation. An *R*-value identification mark shall be applied by the manufacturer to each piece of building thermal envelope insulation 12 inches (305 mm) or greater in width. Alternately, the insulation installers shall provide a certification listing the type, manufacturer and *R*-value of insulation installed in each element of the building thermal envelope. For blown or sprayed insulation (fiberglass and cellulose), the initial installed thickness, settled thickness, settled *R*-value, installed shall be listed on the certification. For sprayed polyurethane foam (SPF) insulation, the installed thickness of the areas covered and *R*-value of installed thickness shall be listed on the certification. The insulation installer shall sign, date and post the certification in a conspicuous location on the job site.

116.6.2 Blown or sprayed roof/ceiling insulation. The thickness of blown in or sprayed roof/ceiling insulation (fiberglass or cellulose) shall be written in inches (mm) on markers that are installed at least one for every 300 square feet (28 m²) throughout the attic space. The markers shall be affixed to the trusses or joists and marked with the minimum initial installed thickness with numbers a minimum of 1 inch (25 mm) in height. Each marker shall face the attic access opening. Spray polyurethane foam thickness and installed *R*-value shall be listed on certification provided by the insulation installer.

116.6.3 Insulation mark installation. Insulating materials shall be installed such that the manufacturer's *R*-value mark is readily observable upon inspection.

116.6.4 Fenestration product rating. *U*-factors of fenestration products (windows, doors and skylights) shall be determined in accordance with NFRC 100 by an accredited, independent laboratory, and labeled and certified by the manufacturer. Products lacking such a labeled *U*-factor shall be assigned a default *U*-factor from Table 116.6.4(1) or 116.6.4(2) 116.6.4(3). The solar heat gain coefficient (SHGC) of glazed fenestration products (windows, glazed doors and skylights) shall be determined in accordance with NFRC 200 by an accredited, independent laboratory, and labeled and certified by the manufacturer. Products lacking such a labeled SHGC shall be assigned a default SHGC from Table 116.6.4(3).

TABLE 116.6.4(1)

DEFAULT GLAZED FENESTRATION *U*-FACTOR

FRAME TYPE	SINGLE PANE	DOUBLE PANE	SKYLIGHT	
			Single	Double
Metal	1.20	0.80	2.00	1.30
Metal with Thermal Break	1.10	0.65	1.90	1.10
Nonmetal or Metal Clad	0.95	0.55	1.75	1.05
Glazed Block	0.60			

TABLE 116.6.4(2)

DEFAULT DOOR *U*-FACTORS

DOOR TYPE	U-FACTOR
Uninsulated Metal	1.20
Insulated Metal	0.60
Wood	0.50
Insulated, nonmetal edge, max 45% glazing, any glazing double pane	0.35

TABLE 116.6.4(3)

DEFAULT GLAZED FENESTRATION SHGC

SINGLE GLAZED		DOUBLE GLAZED		GLAZED BLOCK
Clear	Tinted	Clear	Tinted	
0.8	0.7	0.7	0.6	0.6

116.7 Installation. All materials, systems and equipment shall be installed in accordance with the manufacturer’s installation instructions and the *International Building Code*.

116.7.1 Protection of exposed foundation insulation. Insulation applied to the exterior of basement walls, crawl space walls and the perimeter of slab-on-grade floors shall have a rigid, opaque and weather-resistant protective covering to prevent the degradation of the insulation’s thermal performance. The protective covering shall cover the exposed exterior insulation and extend a minimum of 6 inches (153 mm) below grade.

116.8 Maintenance information. Maintenance instruction shall be furnished for equipment and systems that require preventive maintenance. Required regular maintenance action shall be clearly stated and incorporated on a readily accessible label. The label shall include the title or publication number for the operation and maintenance manual for that particular model and type of product.

**SECTION 117
LICENSING & REGISTRATION**

117. Definitions.

Burglar Alarm System. The installation service, maintenance or alteration of a system that detects intrusion, burglary, and breaking or entering but does not include home health care signaling devices.

County Contractor’s License. Authorization for a holder of a South Carolina license issued by the South Carolina Contractors’ Licensing Board, the South Carolina Residential Builders Commission or the South Carolina Manufactured Housing Board, to contract and/or perform construction work in Charleston County within the limits prescribed by the South Carolina Code of Laws or as established by County of Charleston Ordinance.

County Contractor’s Registration. Authorization for a holder of a South Carolina Registration issued by the South Carolina Residential Builders Commission or an individual or company that installs, alters or repairs swimming pools, signs, low-volt electrical systems, elevators or landscaping/site development, to contract and/or

perform construction work in Charleston County within the limits prescribed by the South Carolina Code of Laws or as established by the County of Charleston Ordinance.

Employee. “Employee” is defined as a regularly employed, qualified tradespersons on the premises owned or operated by the applicant for a permit.

Fire Alarm System. A system or portion of a combination system consisting of components and circuits arranged to monitor and annunciate the status of fire alarm or supervisory signal-initiating devices and to initiate the appropriate response to those signals.

Fire Sprinkler System. “Fire sprinkler system” means a system of overhead or underground piping, or both, to protect the interior or exterior of a building or structure from fire where the primary extinguishing agent is water and designed in accordance with fire protection engineering standards. Fire protection sprinkler systems include the following types: water based or wet-pipe systems, water foam systems, dry-pipe systems, preaction systems, residential systems, deluge systems, combined dry-pipe and preaction systems, non-freeze systems, and circulating closed loop systems.

Low Voltage. A system consisting of an isolating power supply, the low-voltage luminaries, and associated equipment that are all identified for the use. The output circuits of the power supply are rated for not more than 25 amperes and operate at 30 volts (42.4 volts peak) or less under all load conditions.

Owner. “Owner” is defined as the property owner, owner’s parents, sisters and brothers, children of the owner and owner’s sisters and brothers, and those married to theses family members; however, when actual hardship is caused by these limitations, the Building Official may waive these requirements.

Sign or outdoor advertising sign. Shall mean any outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, billboard, or other thing which is designed, intended or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main traveled way of any road, street or highway.

Site Construction Work. Work is considered the act or process or altering the natural cover or topography and alters the quality or quantity of stormwater runoff.

Swimming Pools. Any structure intended for swimming, recreational bathing or wading that contains water over 24 inches (610 mm) deep. This includes in-ground, above-ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools.

117.1 County License or Registration required.

Before any person shall engage in the business of construction, alteration or repairs in any building or structure in the county, he/she must obtain a license or registration from the county as required. It shall be the duty of every contractor or builder who shall make contracts for erection or construction or repair of a building for which a permit is required in the county, and every

contractor or builder making such contracts and subletting the same or any part thereof, to secure a license or registration as provided herein.

- a) Anyone required to be licensed or registered by the County shall present a copy of his/her state license or registration, if required by state statutes. If the application is satisfactory, a County license or registration shall be issued to the applicant within the limitations of the state license or registration is required by state statutes, or as established by the Construction Board of Adjustment and Appeal and upon payment of the required license and registration fee.
- b) Plumbing and electrical journeymen are limited to working only under a licensed plumber or licensed electrician and shall not be issued permits.

117.2 Grounds for revocation; procedure for filing charges. The Construction Board of Adjustment and Appeals may revoke the license or registration of any building contractor who is found guilty of fraud or deceit in obtaining a license or registration, or gross negligence, incompetence, or misconduct in conducting his business as a contractor. Any person, who prefers charges of gross negligence, incompetence, or misconduct against any contractor licensed or registered under the provisions of this division, shall submit such charges in affidavit form and file same with the Secretary of the Construction Board of Adjustment and Appeals.

117.3 License Identification. All holders of a license or registration in the County shall display a current license or registration identification decal issued by the Building Official. This decal shall be displayed on the left and right sides of work vehicle(s).

117.4 Limitations of work by owner. The performance of any kind of construction, alteration, or repair upon any property by the owner thereof shall be contingent on verification by the owner of his or her working knowledge of the kind of construction to be done prior to issuing a permit, such verification to be accomplished by such means as deemed sufficient by the Building Official. In the event the owner does not qualify as to the knowledge required to perform the work, the owner must then have a licensed or registered County contractor secure a permit and do the work.

117.5 Residential work by owner. Pursuant to Title 40, Chapter 59, Section 260 of the Code of Laws of South Carolina (1976, as amended), the following provisions shall apply to homeowners obtaining permits to perform construction-related work on their own homes:

- a) The owner shall do the construction-related work himself, with his own employees, or with county licensed or registered contractors or individuals;
- b) The structure, group of structures, or appurtenances, including the improvements, shall be intended for the owner's sole occupancy or occupancy by the owner's family, and shall not be intended for sale or rent for a minimum of two (2) years after completion or issuance of a certificate of occupancy;

- c) The term 'sale' or 'rent' includes an arrangement by which an owner received compensation in money, provisions, chattel, or labor from the occupancy, or the transfer of the property or the structures on the property;
- d) The general public shall not have access to this structure;
- e) This section does not exempt a person who is employed by the owner and who acts in the capacity of a builder of any kind;
- f) The homeowner shall personally appear and sign the building permit application and shall provide Charleston County with a disclosure statement provided by the Building Official or his designee; and
- g) The owner shall promptly file as a matter of public record a notice with the register of deeds, indexed under the owner's name in the grantor's index, stating that the residential building or structure was constructed by the owner as an unlicensed builder.

SECTION 118 MAINTENANCE

118.1 Maintenance of safeguards. Whenever or wherever any device, equipment, system, condition, arrangement, level of protection, or any other feature is required for compliance with the provisions of this code, or otherwise installed, such device, equipment, system, condition, arrangement, level of protection, or other feature shall thereafter be continuously maintained in accordance with the code and applicable referenced standards, in effect on the date permitted or if done without permits at the time of installation.

118.2 Testing and operation. Equipment requiring periodic testing or operation to ensure maintenance shall be tested or operated as specified in this code.

118.2.1 Test and inspection records. Required test and inspection records shall be available to the Building Official at all times..

118.2.2 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code.

118.3 Supervision. Maintenance and testing shall be under the supervision of a responsible person who shall ensure that such maintenance and testing are conducted at specified intervals in accordance with this code.

118.4 Rendering equipment inoperable. Portable or fixed fire-extinguishing systems or devices and fire-warning systems shall not be rendered inoperative or inaccessible except as necessary during emergencies, maintenance, repairs, alterations, drills or prescribed testing.

118.5 Owner/occupant responsibility. Correction and abatement of violations of this code shall be the responsibility of the owner. If an occupant creates, or allows to be created, hazardous conditions in violation of this code, the occupant shall be held responsible for the abatement of such hazardous conditions.

118.6 Overcrowding. Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The Building Official, upon finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

**CHAPTER 8 OF THE CODE OF ORDINANCES, CHARLESTON COUNTY, ENTITLED
“FIRE PREVENTION AND PROTECTION”**

ARTICLE II. FIRE PREVENTION CODE - Delete Article II, Sections 8-16 thru 8-23 without substitution.