

COUNTY OF BAMBERG

BUILDING CODES ORDINANCE OF BAMBERG COUNTY

AN ORDINANCE TO REPEAL ORDINANCE NUMBER 4-04-1 TO COMPLY WITH THE DIRECTION OF THE SOUTH CAROLINA BUILDING CODES COUNCIL AND ADOPT THE ADMINISTRATIVE PROVISIONS (CHAPTER 1) OF THE VARIOUS INTERNATIONAL CODES RELATING TO DESIGN REVIEW AND INSPECTION ACTIVITIES OF THE COUNTY OF BAMBERG AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES...

AND AN ORDINANCE TO REPEAL ORDINANCE NUMBER 4-04-1 TO ADOPT IN THEIR ENTIRETY VARIOUS INTERNATIONAL CODES RELATING TO DESIGN REVIEW AND INSPECTION ACTIVITIES OF THE COUNTY OF BAMBERG AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES;

BE IT ORDAINED BY THE BAMBERG COUNTY COUNCIL THAT:

Section I – Findings.

The Bamberg County Council finds that in order to maintain current and valid codes that it is desirable to adopt, Chapter 1 and other pertinent Appendices of the International Building Code, the International Energy Conservation Code, the International Fire Code, the International Fuel Gas Code, the International Mechanical Code, the International Plumbing Code, the International Residential Code for One- and Two-Family Dwellings, the National Electric Code and the International Swimming Pool and Spa Code.

Further, it is desirable to adopt, in all respects the International Property Maintenance Code and the International Existing Building Code in their entirety and other pertinent Appendices. The Council further finds that the adoption of these Codes will facilitate proper design review and inspection activities by Bamberg County related to construction and to maintenance of buildings with the County and will promote public safety, health and general welfare. This action is concurrent with the findings and directives of the South Carolina Building Codes Council.

Section II – Codes Adopted, amended.

Bamberg County hereby incorporates herein, by reference thereto and made a part hereof, as fully as if set forth verbatim herein, only the latest edition, amendments, and appendices, save and except such portions as may be hereinafter amended, of the following nationally recognized building codes and the standards referenced in those codes, one copy of which shall be available

for inspection in the Bamberg County Department of Building and Codes, as the official building codes of the county:

(a) International Building Code with SC Modifications, including Chapter 1 and all appendices (with the exception of Appendix C) and the following section revisions:

Section 101.1: Title. These regulations shall be known as the Building Code of Bamberg County, SC, hereinafter referred to as “this code”.

Section 109.2: Delete entirely and replace with “The schedule of permit fees is set forth in Section III of this Ordinance and shall be on file at the Bamberg County Tax Assessors Office.”

Section 109.4: Work commencing before permit issuance: Any person who commences any work on a building, structure, swimming pool, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a doubling of the fee established by this Ordinance that shall in addition to the required permit fees.

Section 114.4: Violation penalties (as amended): Any person, firm, corporation or agent, who shall violate the provisions of this ordinance or fails to comply with any of the requirements thereof shall be guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section 115.3: Stop Work Orders – Unlawful continuance (as amended): Any person, firm, corporation or agent, 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 guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section 1612.3: Establishment of Flood Hazard Areas
Flood Insurance Study for Bamberg County, SC
dated September 29, 2010.

(b) International Energy Conservation Code with SC modifications, including Chapter 1 and all appendices and the following revisions:

Section 101.1: Title. These regulations shall be known as the International Energy Conservation Code of Bamberg County, SC, hereinafter referred to as “this code”.

Section 108.4: Stop Work Orders – Unlawful continuance (as amended): Any person, firm, corporation or agent, 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 guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

(c) International Existing Building Code with SC modifications, including Chapter 1 and all appendices and the following revisions:

Section 101.1: Title. These regulations shall be known as the International Existing Building Code of Bamberg County, SC, hereinafter referred to as “this code”.

Section 113.4: Violation penalties (as amended): Any person, firm, corporation or agent, who shall violate the provisions of this ordinance or fails to comply with any of the requirements thereof shall be guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section 114.3: Stop Work Orders – Unlawful continuance (as amended): Any person, firm, corporation or agent, 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 guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section 1401.2: Applicability

Existing structures prior to ____. (date building codes first adopted)

(d) International Fire Code with SC modifications, including Chapter 1 and all appendices and the following revisions:

Section 101.1: Title. These regulations shall be known as the Fire Code of Bamberg County, SC, hereinafter referred to as “this code”.

Section 108.3: Qualifications. Delete and replace with “Any appeals shall be heard by the Bamberg County Construction Board of Appeals.”

Section 109.4: Violation penalties (as amended): Any person, firm, corporation or agent, who shall violate the provisions of this ordinance or fails to comply with any of the requirements thereof shall be guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section 111.4: Stop Work Orders – Failure to comply (as amended): Any person, firm, corporation or agent, 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 guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

(e) International Fuel Gas Code with SC modifications, including Chapter 1 and all appendices and the following revisions:

Section 101.1: Title. These regulations shall be known as the Fuel Gas Code of Bamberg County, SC, hereinafter referred to as “this code”.

Section 106.6.2: The schedule of permit fees is set forth in Section III of this Ordinance and shall be on file at the Bamberg County Tax Assessors Office.

Section 106.6.3: Fee Refunds. 90 percent.

Section 108.4: Violation penalties (as amended): Any person, firm, corporation or agent, who shall violate the provisions of this ordinance or fails to comply with any of the requirements thereof shall be guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section 108.5: Stop Work Orders – Failure to comply (as amended): Any person, firm, corporation or agent, 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 guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section 109.2: Membership of Board. Delete entire section and replace with “Any appeals shall be heard by the Bamberg County Construction Board of Appeals.”

(f) International Mechanical Code with SC modifications, including Chapter 1 and Appendix A and the following revisions:

Section 101.1: Title. These regulations shall be known as the Mechanical Code of Bamberg County, SC, hereinafter referred to as “this code”.

Section 106.5.2: Delete entirely and replace with “The schedule of permit fees is set forth in Section III of this Ordinance and shall be on file at the Bamberg County Tax Assessors Office.”

Section 106.5.3: Fee Refunds. 90 percent.

Section 108.4: Violation penalties (as amended): Any person, firm, corporation or agent, who shall violate the provisions of this ordinance or fails to comply with any of the requirements thereof shall be guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section 108.5: Stop Work Orders – Failure to comply (as amended): Any person, firm, corporation or agent, 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 guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section 109.2: Membership of Board. Delete entire section and replace with “Any appeals shall be heard by the Bamberg County Construction Board of Appeals.”

(g) International Plumbing Code with SC modifications, including Chapter 1 and all appendices(with the exception of Appendix A) and the following revisions:

Section 101.1: Title. These regulations shall be known as the Plumbing Code of Bamberg County, SC, hereinafter referred to as “this code”.

Section 106.6.2: Delete entirely and replace with “The schedule of permit fees is set forth in Section III of this Ordinance and shall be on file at the Bamberg County Tax Assessors Office.”

Section 106.6.3: Fee Refunds. 90 percent.

Section 108.4: Violation penalties (as amended): Any person, firm, corporation or agent, who shall violate the provisions of this ordinance or fails to comply with any of the requirements thereof shall be guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section 108.5: Stop Work Orders – Failure to comply (as amended): Any person, firm, corporation or agent, 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 guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section 109.2: Membership of Board. Delete entire section and replace with “Any appeals shall be heard by the Bamberg County Construction Board of Appeals.”

(h) International Property Maintenance Code with SC modifications, including Chapter 1 and all appendices and the following revisions:

Section 101.1: Title. These regulations shall be known as the Property Maintenance Code of Bamberg County, SC, hereinafter referred to as “this code”.

Section 106.4: Violation penalties (as amended): Any person, firm, corporation or agent, who shall violate the provisions of this ordinance or fails to comply with any of the requirements thereof shall be guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section 302.4: All premises and exterior property shall be maintained free from weeds or plant growth in excess of 18 inches in height. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Section 303.14: During the period from January 1 to December 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas, where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every swinging door shall have a self-closing device in good working condition.

Section 602.3: Every owner and operator of any building who rents, leases, or lets one or more dwelling units, rooming units, dormitory or guest rooms on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 1, to maintain a temperature of not less than 68 degrees F (20 degrees C) in all habitable rooms, bathrooms and toilet rooms.

Section 602.4: Indoor occupiable workspaces shall be supplied with heat during the period from October 1 to May 1, to maintain a temperature of not less than 65 degrees F (18 degrees C) during the period the spaces are occupied.

- (i) **International Residential Code For One- And Two-Family Dwellings with SC modifications, including Chapter 1 and all appendices (with the exception of Appendices E and L) and the following revisions:**

Section 101.1: Title. These regulations shall be known as the Residential Code for One- and Two-Family Dwellings of Bamberg County, SC, hereinafter referred to as “this code”.

Section 108.2: Delete entirely and replace with “The schedule of permit fees is set forth in Section III of this Ordinance and shall be on file at the Bamberg County Tax Assessors Office.”

Section 108.6: Work commencing before permit issuance: Delete entirely and replace with “Any person who commences any work on a building, structure, swimming pool, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a doubling of the fee established by this Ordinance that shall in addition to the required permit fees.”

Section 113.4: Violation penalties (as amended): Any person, firm, corporation or agent, who shall violate the provisions of this ordinance or fails to comply with any of the requirements thereof shall be guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section 114.2: Stop Work Orders – Unlawful continuance (as amended): Any person, firm, corporation or agent, 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 guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section R301.2: Table R301.2(1) Climatic and Geographic Design Criteria:

Ground Snow Load – 10 pounds

Wind Speed – 94 to 100 mph

Seismic Design Category – C-Do

Weathering – Moderate

Frost Line Depth – 12 inches

Termite – Very heavy

Winter Design Temperature – 0 degrees F

Flood Hazards – September 29, 2010

(j) National Electric Code with SC modifications and all appendices

(k) International Swimming Pool and Spa Code with SC modifications, including Chapter 1 and all appendices and the following revisions:

Section 101.1: Title. These regulations shall be known as the International Swimming Pool and Spa Code of Bamberg County, SC, hereinafter referred to as “this code”.

Section 105.6.1: Work commencing before permit issuance: Delete entirely and replace with “Any person who commences any work on a building, structure, swimming pool, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a doubling of the fee established by this Ordinance that shall in addition to the required permit fees.”

Section 105.6.2: Delete entirely and replace with “The schedule of permit fees is set forth in Section III of this Ordinance and shall be on file at the Bamberg County Tax Assessors Office.”

Section 105.6.3: Fee Refunds. 90 percent.

Section 107.4: Violation penalties (as amended): Any person, firm, corporation or agent, who shall violate the provisions of this ordinance or fails to comply with any of the requirements thereof shall be guilty of a misdemeanor, punished within the jurisdictions limits of magistrate’s court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

Section 107.5: Stop Work Orders(as amended): Any person, firm, corporation or agent, 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 guilty of a misdemeanor, punished within the jurisdictions limits of magistrate's court. Each such person, firm, corporation or agent shall be deemed guilty of a separate for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, or continued.

The latest edition of the above building codes shall continue in force until new or revised or successor building codes are subsequently made available for each, respectively, by the publisher and adopted by the South Carolina Building Codes Council. Once new or revised or successor building codes for each, respectively, are published and adopted by the South Carolina Building Code Council, such building codes shall be immediately adopted as part of the County Code, but shall be implemented and enforced one-year from the date of adoption by the South Carolina Building Code Council.

Section III – Permit Fees.

Permit fees are required on all buildings, structures, alterations and repairs to buildings, fire protection systems, signs, pools, and fences as set forth in the International Building Codes. Permit fees are due at the time of application.

New Construction

Permit fees for all new construction will be calculated based on the cost of construction. In the absence of reasonable construction cost estimates, ICC Building Validation Data may be used to determine construction value.

For new construction, a plan review fee will be charged based on 50% of the permit fee.

Plumbing-Mechanical-Fuel Gas-Electrical Trades

Fees for Plumbing, Mechanical, Fuel Gas and Electrical Permits will be based on the value of the project including parts and labor.

Permit Fee Schedule

Type of Permit	Fee
Building and Trades Permits based on	
<u>Value of Construction *</u>	
\$1,000 or less	No fee unless inspection required in which case a \$30 fee shall be charged
\$1,001 to \$50,000	\$35 for the first thousand and \$5 each additional thousand or fraction thereof
\$50,001 to \$100,000	\$280 for the first fifty thousand and \$4 each additional thousand or fraction thereof
\$100,001 to \$500,000	\$480 for the first hundred thousand and \$3 each additional thousand or fraction thereof
\$500,001 and up	\$1,695 for the first five hundred thousand and \$2 each additional thousand or fraction thereof
Plan Review Fee	One half of permit fee
<u>Other Permits</u>	
Moving Permits	
Manufactured/Mobile Homes	\$40
Other buildings	\$100
Demolition Permits	\$30
Swimming Pool Permits	\$40
Electric Meter Box Inspection/Upgrade	\$35
Gas Meter Inspection	\$35
Electric and Gas Meter Inspection	\$45
Stop Work Order	\$200 Penalty
Building Permit Renewal	\$1
Wireless Telecommunications Towers	
New Construction	\$3,000
Co-Locations	\$1,500
Manufactured/Mobile Home Permit	
Single-wide	\$65
Double-wide	\$90
Re-inspection	\$30
Administrative fee for all permits	\$10
* Value based on most current International Codes Council Building Valuation Data and total square feet of project	

Section IV – Designated Official.

When reference is made to the duties of the building official or the codes official or the fire codes official named within the Codes adopted and revised in Section II of this Ordinance, that designated official of Bamberg County shall be the Inspector/Zoning Official.

Section V – Licensing Requirement

Pursuant to Section 40-11-30 and Section 40-59-280 of the South Carolina Code of Laws, as amended, no entity or individual may perform contracting work in the State of South Carolina without a SC license specific to the trade in which the work is to be performed. As such, the Inspector/Zoning Official shall refuse to issue a permit for an undertaking requiring a state license unless the applicant has furnished evidence that said entity or individual is licensed to perform the undertaking. Moreover, the Inspector/Zoning official shall report to the SC Department of Labor, Licensing and Regulation the name and address of any entity or individual who, in his/her opinion, has violated state law by performing contracting work without a license. Violators shall be subject to the Bamberg County ordinance penalties herein, as well as penalties under SC law as defined in Section 40-11-200 and 40-59-200 of the SC Codes of Laws, as amended.

Section VI – Severability.

Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

Section VII – Repeal.

Ordinance Number 4-04-1 entitled “ORDINANCE TO ADOPT VARIOUS BUILDING STANDARD CODES, REPLACING ORDINANCE 4-00-4” is hereby repealed. Any existing ordinances in conflict with this Ordinance, or inconsistent with its provisions, are hereby repealed or superseded to the extent necessary to give this Ordinance full force and effect.

Section VIII – Effective Date.

This Ordinance shall take effect immediately upon third and final reading and adoption.

ADOPTED THIS _____ DAY OF _____, 2014.

BAMBERG COUNTY COUNCIL

ATTEST:

Larry Haynes, Chairperson

Rose R. Shepherd, Clerk to Council

Approved as to form and content:

Favor: _____

Richard Ness, County Attorney

Against: _____

Abstain: _____

1st Reading: _____

2nd Reading: _____

3rd Reading: _____