

Chapter 6

Buildings

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Article I, Adoption of Building Code

Sec. 6.1. Adoption of International Building Code

There is hereby adopted by the Town for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures--including fees, permits and penalties--that certain building code known as the International Building Code, being particularly the most current edition relative to the adoption date of this ordinance with all amendments and the whole thereof, from that date forward, save and except such portions as are hereinafter deleted, modified or amended, as published by the International Code Council, and of which not less than one copy has been and now is filed in the office of the clerk of the town and the same is hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling within the Town.

Sec. 6.2. Adoption of International Plumbing Code.

There is hereby adopted by the Town for the purpose of regulating the installation of all plumbing, and to secure the beneficial interest and purposes thereof, which are health, sanitation, general public safety and welfare, that certain plumbing codes known as International Plumbing Code being particularly the most current edition relative to the adoption date of this ordinance with all amendments and the whole thereof, from that date forward, save and except such portions as are hereinafter deleted, modified, or amended, as published by the International Code Council, and of which not less than one copy has been and now is filed in the office of the clerk of the Town and the same is hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling as therein stated within the corporate limits of the Town.

Sec. 6.3. Adoption of International Fuel Code.

There is hereby adopted by the Town for the purposes, to wit: To provide minimum standards, provisions and requirements for safe installation of consumer's gas piping and gas appliances--including fees, permits, and penalties--that certain gas code and Appendix "A" known as the International Fuel Code, being particularly the most current edition relative to the adoption date of this ordinance with all amendments and the whole thereof, from that date forward, save and except such portions as are hereinafter deleted, modified or amended by the International Code Council, and of which not less than one copy has been and now is filed in the office of the clerk of the Town and the same is hereby adopted and incorporated as if set out at length herein and the provisions thereof shall be controlling as therein stated within the corporate limits of the Town.

Sec. 6.4. Adoption of International Residential Code for One and Two Family Dwellings.

There is hereby adopted by the Town for the purposes of public safety, health and general welfare through structural strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazards incident to the construction, alteration, repair, removal, demolition, and occupancy of dwellings, apartment houses, rooming houses or buildings or structures used as such, inspection, permits, fees, and penalties connected therewith, that certain building code

known as the Standard Housing, being particularly the most current edition relative to the adoption date of this ordinance with all amendments and the whole thereof, from that date forward, save and except such portions as are hereinafter deleted, modified or amended by the International Code Council, and of which not less than one copy has been and now is filed in the office of the clerk of the Town and the same is hereby adopted and incorporated as fully as if set out at length herein, and the provisions thereof shall be controlling as therein stated within the corporate limits of the Town.

Sec. 6.5. Adoption of International Electrical Code

There is hereby adopted by the Town for the purpose of the practical safeguarding of persons and of buildings and their contents from hazards arising from the use of electricity for light, heat, power, radio, signaling and for other purposes, that certain electrical code, being particularly the International Electrical Code, being particularly the most current edition relative to the adoption date of this ordinance with all amendments and the whole thereof, from that date forward, save and except such portions as are hereinafter deleted, modified or amended, as published by the International Code Council, and of which not less than one copy has been and now is filed in the office of the clerk of the Town.

Sec. 6.6. Adoption of International Fire Prevention Code.

There is hereby adopted by the Town for the purpose of safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use and occupancy of buildings or premises, that certain fire prevention code known as International Fire Prevention Code, being particularly the most current edition relative to the adoption date of this ordinance with all amendments and the whole thereof, from that date forward, save and except such portions as are hereinafter deleted, modified or amended, as published by the International Code Council, and of which not less than one copy has been and now is filed in the office of the clerk of the Town and the same is hereby adopted and incorporated as fully as if set out herein, and the provisions thereof shall be controlling as therein stated within the corporate limits of the Town.

Sec. 6.7. Adoption of International Mechanical Code

There is hereby adopted by the Town for the purpose of the practical safeguarding of persons and of buildings and their contents from hazards arising from the use of heating and air and for all structural components and for the purposes, that certain mechanical code, being particularly the International Mechanical Code, being particularly the most current edition relative to the adoption date of this ordinance with all amendments and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended by the International Code Council, and of which not less than one copy has been and now is filed in the office of the clerk of the Town.

Article II, The Building Department

Sec. 6.10. Establishment.

There is hereby established in the Town a department to be called the building department, which shall be under the direction of the building official.

Sec. 6.11. Creation of Certain Offices.

There are hereby created the following offices in the Town, to wit: building inspector; gas inspector; plumbing inspector; housing inspector; and electrical inspector, to be appointed by council to serve at its pleasure and for such compensation as may be prescribed by it. One person may serve in each or all of the several capacities named in this section, or the service may be contracted with Lexington County Planning and Development. Such official or officials need not devote his/her entire time to the duties thereof. During temporary absence or disability of such officer or officers the appointing authority shall delegate an acting official to serve.

Sec. 6.12. Duties of Building Inspector.

The building inspector shall determine whether or not any building or structure constitutes an unsafe building as defined in Section 6-30 and upon finding such unsafe conditions to exist, shall give written notice stating the defects thereof to the owner, agent or person in control of such building or structure and cause the same to be abated in accordance with the provisions of Section 6-31. If necessary such notice shall also require the building, structure, or portion thereof to be vacated forthwith and not reoccupied until the specified repairs and improvements are completed, inspected and approved by the building inspector. During the required vacancy, the building inspector shall cause to be posted at each entrance to such building or structure a notice: "This building is unsafe and its use or occupancy has been prohibited by the building inspector." In cases of emergency involving imminent danger to human life or health, the building inspector shall promptly cause such building, structure or portion thereof to be made safe or removed. The building inspector shall also inspect the construction of new buildings or structures and new additions to pre-existing buildings or structures to insure that said construction conforms to the requirements of Section 6-20.

Sec. 6.13. Right of Entry

The building official or any of the inspectors named in this article shall, in the discharge of his/her official duties and upon proper identification, have authority to enter any building, structure or premises at any reasonable hour.

Sec. 6.14 Department of Building Safety Employee Qualifications

The Building Official shall have at least ten years experience or equivalent as an architect, engineer, inspector, contractor, or superintendent of construction or any combination of those disciplines five years of which shall have been in responsible charge of work. The Building Official shall meet all requirements for full registration by the South Carolina Building Codes Council, as a building official within 24 months of the date employed. The Building Official shall be appointed or hired by the Town Administrator, and shall not be removed from office without first being given full opportunity to be heard on specific charges before the Town Council.

Sec. 6.15 Financial Interest

No person employed as a building official, deputy building official, chief building inspector, building inspector, plan reviewer, or in any position within the building department, may have direct or indirect financial interest in the furnishing of labor, material or appliances for the construction, alteration or maintenance of a building, structure, service system or in the preparation of plans, specifications of any other construction related service.

Sec. 6.16 Conflict of Interest

No employee of the building department may perform inspections or consultation for any form of compensation, other than as required in the performance of his/her duties in an official capacity for the town.

Article III, Standards of Construction

Sec. 6.20. Generally.

No building or structure nor any additions thereto shall be erected unless it conforms to the requirements set out in the Southern Standard Building Code herein adopted by reference in Section 6-1. Any violation of this section shall constitute a misdemeanor punishable in accordance with Section 1-6 of this Code, and the owner, agent or person in control of such a non-conforming building or structure shall be given twenty (20) days in which to correct the same: provided, that where it is impossible or highly impractical to cause such building or structure to conform within this period, a good faith effort and substantial progress will suffice; and provided further, that said building or structure shall be made to conform within a reasonable time thereafter. Any such extension of the twenty (20) day period shall be in writing and signed by the building inspector or, in his absence, by a member of the town council. The twenty (20) day period shall begin to run when the owner, agent or person in control receives written notice of any violation and, subject to the provision above, every twenty (20) days during which any defect in the building is wilfully allowed to remain after notice from the inspector shall constitute a separate and distinct offense. (S.C. Code of Laws, 1962, Section 47-1191.)

Sec. 6.21. Building Permits.

No building or structure nor any additions thereto shall be erected unless a permit has been issued in accordance with the provisions of the Southern Building Code herein adopted by reference in Section 6-1.

Article IV, Improper Maintenance of Buildings or Structures

Sec. 6.30. Unsafe Buildings or Structures

All buildings or structures which are unsafe, unsanitary, or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment are, severally in contemplation of this section, unsafe buildings. All such buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition.

Sec. 6.31. Elimination of Unsafe Conditions.

Upon receipt of written notice, the owner, agent or person in control of a building or structure declared to be unsafe shall cause the same to be made safe within the time stated in such notice by completing specified repairs or improvements or by demolishing and removing the building or structure or portion thereof. If necessary, the building shall be vacated until the unsafe conditions have been abated. In case the owner, agent or person in control cannot be found within the stated time limit or if such owner, agent or person in control shall fail, neglect or refuse to comply with notice to repair, rehabilitate, or to demolish and remove said building or structure or portion thereof, the building inspector, after having ascertained the cost, shall cause such building, structure or portion thereof to be demolished, secured or required to remain vacant. In cases of emergency, the unsafe conditions shall be abated by the building inspector with such assistance and at such cost as he may deem necessary. For this purpose, adjacent structures may be caused to be vacated, fences erected, public or private ways closed, or other appropriate relief measures taken. Costs incurred under this section shall be paid out of the Town treasury on certification the building inspector. Such costs shall be charged to the owner of the premises involved and shall be collected in the manner provided by law.

Sec. 6.32. Appeals from Decision of Building Inspector Declaring Building or Structure Unsafe.

The owner, agent, or person in control shall have the right, except in cases of emergency, to appeal from the decision of the building inspector and to appear before the town council at a specified time and place to show cause why he should not comply with said notice.

Sec. 6.33. Unlawful Interference with Premises Caused to be Vacated Because of Unsafe Conditions

It shall be unlawful for any person, firm or corporation or their agents or other servants to remove the "unsafe notice" posted on premises caused to be vacated because of unsafe conditions without written permission from the building inspector, or for any reason to enter such building except for the purpose of making the required repairs or demolishing the same.

Sec. 6.34. Penalties.

The violation of any of the codes or regulations adopted to the provisions of this chapter is declared to be a misdemeanor, and any person violating the codes and regulations is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$500.00 or imprisonment by not more than 30 days. Each day the violation continues is a separate violation.

Sec. 6.35 Applicability

This ordinance shall apply to all areas within the Town, excluding any parcels of land owned by the State of South Carolina or the Federal Government and any buildings or structures located thereon.