

AN ORDINANCE

AN ORDINANCE TO COMPLY WITH THE DIRECTIVES OF THE SOUTH CAROLINA BUILDING CODES COUNCIL BY REPEALING ORDINANCE NUMBER 4198 AND ADOPTING THE ADMINISTRATIVE PROVISIONS (CHAPTER 1) OF THE VARIOUS CODES PROMULGATED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL RELATING TO DESIGN REVIEW AND INSPECTION ACTIVITIES OF THE COUNTY OF GREENVILLE AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES; AND, AN ORDINANCE TO ADOPT THE PROPERTY MAINTENANCE CODE, THE STANDARD SWIMMING POOL CODE AND EXISTING BUILDING CODE IN GREENVILLE COUNTY AS AUTHORIZED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL; AND TO ADOPT CERTAIN APPENDICES OF THE ADOPTED CODES TO RECOGNIZE CERTAIN VARIATIONS IN THE CODES BASED ON PHYSICAL CONDITIONS FOUND WITHIN GREENVILLE COUNTY;

AND FURTHER, TO REPEAL ORDINANCE NUMBER 3440 TO ESTABLISH PROCEDURES, AREAS, AUTHORITIES, AND RULES FOR THE GREENVILLE COUNTY CODES DEPARTMENT RELATING TO CODE ENFORCEMENT. AND REPEAL ORDINANCES NUMBER 178, 325, AND 376;

AND FURTHER, TO REPEAL ORDINANCE NUMBER 4288 TO COMPLY WITH THE DIRECTIVES OF THE SOUTH CAROLINA BUILDING CODES COUNCIL TO IMPLEMENT THE NATIONAL ELECTRICAL CODE, 2008 EDITION, AS PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION; AND TO ADOPT THE NECESSARY PROVISIONS TO ADMINISTER AND ENFORCE THIS REGULATORY CODE IN THE COUNTY OF GREENVILLE.

BE IT ORDAINED BY THE GREENVILLE COUNTY COUNCIL:

Section 1. Findings. Greenville County Council finds that in order to maintain current and valid codes that it is desirable to adopt Chapter 1, administrative provisions, of the various International Codes relating to Building, Energy Conservation, Fire, Fuel Gas, Mechanical, Plumbing, and Residential Code for One and Two Family Dwellings; and further to adopt the administrative provisions for implementation of enforcement of the National Electrical Code (NFPA 70 NEC)

Further, it is desirable to adopt, in all respects, the International Property Maintenance Code, the Standard Swimming Pool Code and the International Existing Building Code in their entirety, and other pertinent Appendices, known as *Appendix "F" Radon Control Methods*, of the Residential Code for One and Two Family Dwellings. The Council further finds that the adoption of these Codes and provisions will facilitate proper design review and inspection activities by Greenville County relating to construction and maintenance of buildings within 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 and the South Carolina Legislature.

Section 2. Code Adoption. The following Code Sections are hereby adopted by reference as though they were fully copied herein; and amended as shown; and pertinent Sections supplied with local information as required:

- (a) **International Building Code - 2012 Edition, Chapter 1 together with the following Section revisions:**

Section 101 General:

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

Section 109 Fees:

Section 109.4 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 **an additional fee equal to the permit fee** established by the ~~building official~~ **jurisdiction**, that shall be in addition to the required permit fees.

Section 113 Board of Appeals:

Section 113.1 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 board of appeals. The board of 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. **The application of appeal shall be filed on a form obtained from the code official within 20 days after the notice was served.**

GC Ord. 4475

Section 114 Violations:

Section 114.4: Violation Penalties.

Any person, **firm, corporation or agent** who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to penalties as ~~prescribed by law~~ **listed below.**

(1) Any person, firm, corporation or agent found to be in violation of the Building Code or failing to comply with any of the requirements thereof may be cited and assessed, by civil penalty, an amount not more than two hundred dollars. Before being charged with a second violation, the person must be given seven calendar days to remedy the violation or submit an acceptable plan for correcting the violation.

(2) A person who fails to correct a violation or fails to comply with any of the requirements thereof and has not submitted a plan for correcting a violation within seven calendar days after citation or written notice may be cited and assessed, by civil penalty, an amount not to exceed two thousand dollars. Each day a violation continues is a separate offense.

(SC Code Ann. §6-9-80)

(3) An official authorized by Greenville County may deliver a civil citation to a person, firm, corporation, or agent who violates the provisions of this Code. The civil citation shall include the name and address of the violator; the nature of the violation; the location and time the violation occurred; the amount of the civil penalty assessed; and the defendant’s right to stand trial before the Magistrate for the violation. A defendant may pay the

penalty or elect to stand trial by paying the fine in the office of the issuing agency or giving the issuing agency written notice within 10 days of receipt of the citation of his intention to stand trial. The issuing agency shall then forward the request to the Magistrate's Court to schedule a hearing on the request.

(4) If a defendant fails to file notice of his intention to stand trial for the violation as required by subsection (3), and fails to pay the penalty for the violation within 30 days after receipt of the citation, the County agency may request adjudication of the case through Magistrate's Court. Upon receipt of a request for trial and summons from the County, the Magistrate shall promptly schedule the case for trial and summon the defendant to appear.

(5) In a proceeding for a civil violation a defendant may enter a plea of guilty, not guilty, or no contest. The court may render a verdict of "guilty" of the civil infraction or "not guilty" of the civil infraction.

(6) Upon adjudication of the case, the Magistrate may order the payment of the civil penalty. When a defendant has been found guilty of the violation and fails to pay the fine imposed by the court, the court may treat the failure as contempt of court.

(7) Adjudication of a civil citation is not a criminal conviction for any purpose, and does not impose any of the civil disabilities imposed by a criminal conviction.

Section 115 Stop Work Order:

Section 115.3 Unlawful continuance: 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 subject to those penalties as ~~prescribed by law~~ **provided for in Section 114.4.**

Section 1612.3: Establishment of Flood Hazard Areas:

To establish flood hazard areas, the applicable governing body authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for the unincorporated areas of Greenville County, South Carolina, dated December 2, 2004, and further to any areas of special flood hazard established and accepted by the County that utilize Department of Homeland Security – Federal Emergency Management Agency, National Flood Insurance Program (DHS-FEMA NFIP) detailed flood study standards or better, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

(GC Ord No. 4085)

Section 3412.2: Applicability:

Structures existing prior to 1 November 1972, in which there is work involving *additions, alterations* or changes of occupancy shall be made to comply with the requirements of this section or the provisions of Sections 3403 through 3409. The provisions in Sections 3412.2.1 through 3412.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

- (b) **International Energy Conservation Code – 2009 Edition, Chapter 1 together with the following Section revisions:**

Section 101 Scope and General Requirements:

Section 101.1: Title: These regulations shall be known as the *International Energy Conservation Code of the County Of Greenville, SC*, and shall be cited as such. It is referred to herein as “this code.”
(*SC Code Ann. §6-10-30*)

108.4 Failure to comply. 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 ~~liable to a fine of not less than [Amount] dollars or more than [Amount] dollars.~~ **subject to a civil fine as listed below:**

(1) Any person, firm, corporation or agent found to be in violation of the Energy Conservation Code or failing to comply with any of the requirements thereof may be cited and assessed, by civil penalty, an amount not more than two hundred dollars. Before being charged with a second violation, the person must be given seven calendar days to remedy the violation or submit an acceptable plan for correcting the violation.

(2) A person who fails to correct a violation or fails to comply with any of the requirements thereof and has not submitted a plan for correcting a violation within seven calendar days after citation or written notice may be cited and assessed, by civil penalty, an amount not to exceed two thousand dollars. Each day a violation continues is a separate offense.
(*SC Code Ann. §6-9-80*)

(3) An official authorized by Greenville County may deliver a civil citation to a person, firm, corporation, or agent who violates the provisions of this Code. The civil citation shall include the name and address of the violator; the nature of the violation; the location and time the violation occurred; the amount of the civil penalty assessed; and the defendant’s right to stand trial before the Magistrate for the violation. A defendant may pay the penalty or elect to stand trial by paying the fine in the office of the issuing agency or giving the issuing agency written notice within 10 days of receipt of the citation of his intention to stand trial. The issuing agency shall then forward the request to the Magistrate’s Court to schedule a hearing on the request.

(4) If a defendant fails to file notice of his intention to stand trial for the violation as required by subsection (3), and fails to pay the penalty for the violation within 30 days after receipt of the citation, the County agency may request adjudication of the case through Magistrate’s Court. Upon receipt of a request for trial and summons from the County, the Magistrate shall promptly schedule the case for trial and summon the defendant to appear.

(5) In a proceeding for a civil violation a defendant may enter a plea of guilty, not guilty, or no contest. The court may render a verdict of “guilty” of the civil infraction or “not guilty” of the civil infraction.

(6) Upon adjudication of the case, the Magistrate may order the payment of the civil penalty. When a defendant has been found guilty of the violation and fails to pay the fine imposed by the court, the court may treat the failure as contempt of court.

(7) Adjudication of a civil citation is not a criminal conviction for any purpose, and does not impose any of the civil disabilities imposed by a criminal conviction.

Section 109 Board of Appeals

109.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the *code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The *code official* shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of 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, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *code official*. **The application of appeal shall be filed on a form obtained from the code official within 20 days after the notice was served.**

GC Ord. 4475

- (c) **International Existing Building Code – 2012 Edition in its entirety with the following Section revisions:**

(SC Code Ann. §6-9-60)

Section 101 General:

Section 101.1: Title: These regulations shall be known as the *Existing Building Code of the County Of Greenville, SC*, and shall be cited as such and will be referred to here in as “this code.”

Section 108 Fees:

Section 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 **an additional fee equal to the permit fee** established by the building

official jurisdiction, that shall be in addition to the required permit fees.

Section 112 Board of Appeals:

112.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of 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. **The application shall be filed on a form obtained from the code official within 20 days after the notice was served.**

Section 113 Violations:

Section 113.4: Violation Penalties.

113.4 Violation penalties.

Any person, **firm, corporation or agent** who violates a provision of this code or fails to comply with any of the requirements thereof or who *repairs* or alters or changes the occupancy of a building or structure in violation of the approved construction documents or directive of the *code official* or of a permit or certificate issued under the provisions of this code shall be subject to **the** penalties as **listed below**:

(1) Any person, firm, corporation or agent found to be in violation of the Existing Building Code or failing to comply with any of the requirements thereof may be cited and assessed, by civil penalty, an amount not more than two hundred dollars. Before being charged with a second violation, the person must be given seven calendar days to remedy the violation or submit an acceptable plan for correcting the violation.

(2) A person who fails to correct a violation or fails to comply with any of the requirements thereof and has not submitted a plan for correcting a violation within seven calendar days after citation or written notice may be cited and assessed, by civil penalty, an amount not to exceed two thousand dollars. Each day a violation continues is a separate offense.

(SC Code Ann. §6-9-80)

(3) An official authorized by Greenville County may deliver a civil citation to a person, firm, corporation, or agent who violates the provisions of this Code. The civil citation shall include the name and address of the violator; the nature of the violation; the location and time the violation occurred; the amount of the civil penalty assessed; and the defendant's right to stand trial before the Magistrate for the violation. A defendant may pay the penalty or elect to stand trial by paying the fine in the office of the issuing agency or giving the issuing agency written notice within 10 days of receipt of the citation of his intention to stand trial. The issuing agency shall then forward the request to the Magistrate's Court to schedule a hearing on the request.

(4) If a defendant fails to file notice of his intention to stand trial for the

violation as required by subsection (3), and fails to pay the penalty for the violation within 30 days after receipt of the citation, the County agency may request adjudication of the case through Magistrate’s Court. Upon receipt of a request for trial and summons from the County, the Magistrate shall promptly schedule the case for trial and summon the defendant to appear.

(5) In a proceeding for a civil violation a defendant may enter a plea of guilty, not guilty, or no contest. The court may render a verdict of “guilty” of the civil infraction or “not guilty” of the civil infraction.

(6) Upon adjudication of the case, the Magistrate may order the payment of the civil penalty. When a defendant has been found guilty of the violation and fails to pay the fine imposed by the court, the court may treat the failure as contempt of court.

(7) Adjudication of a civil citation is not a criminal conviction for any purpose, and does not impose any of the civil disabilities imposed by a criminal conviction.

Section 114.3: Stop Work Orders - Unlawful continuance: 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 subject to **those** penalties as ~~prescribed by law~~ **provided for in Section 113.4.**

Section 117 Demolition:

Section 117.3 Failure to comply:

If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost be charged against the real estate upon which the structure is located and shall be a lien upon such real estate **and shall be collected in the same manner as County taxes are collected.**

Section 1401.2: Applicability

Structures existing prior to **1 November 1972** in which there is work involving *additions, alterations or changes of occupancy* shall be made to conform to the requirements of this chapter or the provisions of Chapters 5 through 13. The provisions of Chapters 5 through 13. The provisions of Sections 1402.1 through 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R and S. These provisions shall not apply to buildings with occupancies in Group H or I.

- (d) **International Fire Code - 2012 Edition Chapter 1 together with the following Section revisions:**

Section 101 Scope and General Requirements:

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

Section 108 Board of Appeals:

108.1 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official. **The application shall be filed on a form obtained from the code official within 20 days after the notice was served.**

Section 109 Violations.

109.4 Violation penalties.

Any persons, firm, corporation or agent who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the *approved construction documents* or directive of the *fire code official*, or of a permit or certificate used under provisions of this code, shall be ~~guilty of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment.~~ **subject to the penalties listed below.** Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(1) Any person, firm, corporation or agent found to be in violation of the Fire Code or failing to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, may be cited and assessed, by civil penalty, an amount not more than two hundred dollars. Before being charged with a second violation, the person must be given seven calendar days to remedy the violation or submit an acceptable plan for correcting the violation.

(2) A person who fails to correct a violation or fails to comply with any of the requirements thereof and has not submitted a plan for correcting a violation within seven calendar days after citation or written notice may be cited and assessed, by civil penalty, an amount not to exceed two thousand dollars. Each day a violation continues is a separate offense.
(SC Code Ann. §6-9-80)

(3) An official authorized by Greenville County may deliver a civil citation to a person, firm, corporation, or agent who violates the provisions of this Code. The civil citation shall include the name and address of the violator; the nature of the violation; the location and time the violation occurred; the amount of the civil penalty assessed; and the defendant's right to stand trial before the Magistrate for the violation. A defendant may pay the penalty or elect to stand trial by paying the fine in the office of the issuing agency or giving the issuing agency written notice within 10 days of receipt of the citation of his intention to stand trial. The issuing agency shall then forward the request to the Magistrate's Court to schedule a hearing on the request.

(4) If a defendant fails to file notice of his intention to stand trial for the violation as required by subsection (3), and fails to pay the penalty for the violation within 30 days after receipt of the citation, the County agency may request adjudication of the case through Magistrate's Court. Upon receipt of a request for trial and summons from the County, the Magistrate shall promptly schedule the case for trial and summon the defendant to appear.

(5) In a proceeding for a civil violation a defendant may enter a plea of guilty, not guilty, or no contest. The court may render a verdict of "guilty" of the civil infraction or "not guilty" of the civil infraction.

(6) Upon adjudication of the case, the Magistrate may order the payment of the civil penalty. When a defendant has been found guilty of the violation and fails to pay the fine imposed by the court, the court may treat the failure as contempt of court.

(7) Adjudication of a civil citation is not a criminal conviction for any purpose, and does not impose any of the civil disabilities imposed by a criminal conviction.

Section 111 Stop Work Order:

Section 111.4 Failure to comply: 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 liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars. subject to those penalties as provided for in Section 109.4

Section 113 Fees:

Section 113.3 Work Commencing before permit issuance:

Any person who commences any work on, activity or operation regulated by this code before obtaining the necessary permits shall be subject to a an additional fee equal to the permit fee as established by the applicable governing authority, that shall be in addition to the required permit fees.

Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law each local fire department, as the

limits of districts in which such storage is prohibited .

Section 5706.2.4.4 Locations where above-ground tanks are prohibited.

The storage of Class I and II liquids in above-ground tanks is prohibited within the limits established by law each local fire department, as the limits of districts in which such storage is prohibited.

Section 5806.2 Limitations.

Storage of flammable *cryogenic fluids* in stationary containers outside of buildings is prohibited within the limits established by law each local fire department as the limits of districts in which such storage is.

Section 6104.2 Maximum capacity within established limits.

Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L)

Exception: In particular installations, this capacity limit shall be determined by the ~~fire code official~~ local fire department, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.

(e) **International Fuel Gas Code – 2012 Edition, Chapter 1 together with the following Section revisions:**

Section 101 General:

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

Section 106 Permits

106.6.2 Fee Schedule: The fees for work shall be as indicated in the following schedule in accordance with the schedule as established by the applicable governing authority.

106.6.3 Fee refunds. ~~The code official shall authorize the refunding of fees as follows:~~

- ~~1. The full amount of any fee paid hereunder that was erroneously paid or collected.~~
- ~~2. Not more than [specify percentage] percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.~~
- ~~3. Not more than [specify percentage] percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended~~

The Building Official is authorized to establish a refund policy

Section 108 (IFGC) Violations:

108.4 Violation penalties.

Any persons, firm, corporation or agent who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be ~~guilty of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~ **subject to those penalties listed below:**

(1) Any person, firm, corporation or agent found to be in violation of the Fuel Gas Code or failing to comply with any of the requirements thereof may be cited and assessed, by civil penalty, an amount not more than two hundred dollars. Before being charged with a second violation, the person must be given seven calendar days to remedy the violation or submit an acceptable plan for correcting the violation.

(2) A person who fails to correct a violation or fails to comply with any of the requirements thereof and has not submitted a plan for correcting a violation within seven calendar days after citation or written notice may be cited and assessed, by civil penalty, an amount not to exceed two thousand dollars. Each day a violation continues is a separate offense.
(SC Code Ann. §6-9-80)

(3) An official authorized by Greenville County may deliver a civil citation to a person, firm, corporation, or agent who violates the provisions of this Code. The civil citation shall include the name and address of the violator; the nature of the violation; the location and time the violation incurred; the amount of the civil penalty assessed; and the defendant's right to stand trial before the Magistrate for the violation. A defendant may pay the penalty or elect to stand trial by giving the issuing Department written notice within 10 days of receipt of the citation of his intention to stand trial. The issuing department shall then forward the request to the Magistrate's Court to schedule a hearing on the request.

(4) If a defendant fails to file notice of his intention to stand trial for the violation as required by subsection (3), and fails to pay the penalty for the violation within 30 days after receipt of the citation, the County may request adjudication of the case through Magistrate's Court. Upon receipt of a request for trial and summons from the County, the Magistrate shall promptly schedule the case for trial and summon the defendant to appear.

(5) In a proceeding for a civil violation a defendant may enter a plea of guilty, not guilty, or no contest. The court may render a verdict of "guilty" of the civil infraction or "not guilty" of the civil infraction.

(6) Upon adjudication of the case, the Magistrate may order the payment of

a civil penalty. When a defendant has been found guilty of the violation and fails to pay the fine imposed by the court, the court may treat the failure as contempt of court.

(7) Adjudication of a civil citation is not a criminal conviction for any purpose, and does not impose any of the civil disabilities imposed by a criminal conviction.

Section 108.5: Stop Work Orders: Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system 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 liable for a fine of not less than [Amount] dollars and not more than [Amount] dollars **subject to those penalties as provided for in Section 108.4**

SECTION 109 (IFGC) MEANS OF APPEAL

109.1 Application for appeal.

A person shall have the right to appeal a decision of the code official to the board of appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served.

Delete Sections 109.2 through 109.7 and ADD

109.2 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 board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

109.3 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.

109.4 Qualifications.

The board of 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.

- (f) **International Mechanical Code - 2012 Edition, Chapter 1 together with the following Section revisions:**

Section 101 Scope and Application:

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

Section 106.5 Fees:

Section 106.5.2 Fee Schedule: The fees for mechanical work shall be **in accordance with the schedule as indicated in the following schedule established by the governing authority.**

106.6.3 Fee refunds. ~~The code official shall authorize the refunding of fees as follows:~~

- ~~1. The full amount of any fee paid hereunder that was erroneously paid or collected.~~
- ~~2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.~~
- ~~3. Not more than 0 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended~~

The Building Official is authorized to establish a refund policy.

Section 108 Violations:

108.4 Violation penalties.

~~Persons **Any person, firm, corporation or agent** who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. **subject to those penalties listed below:**~~

Section 108.4: Violation Penalties.

(1) Any person, firm, corporation or agent found to be in violation of the Mechanical Code or failing to comply with any of the requirements thereof may be cited and assessed, by civil penalty, an amount not more than two hundred dollars. Before being charged with a second violation, the

person must be given seven calendar days to remedy the violation or submit an acceptable plan for correcting the violation.

(2) A person who fails to correct a violation or fails to comply with any of the requirements thereof and has not submitted a plan for correcting a violation within seven calendar days after citation or written notice may be cited and assessed, by civil penalty, an amount not to exceed two thousand dollars. Each day a violation continues is a separate offense.

(SC Code Ann. §6-9-80)

(3) An official authorized by Greenville County may deliver a civil citation to a person, firm, corporation, or agent who violates the provisions of this Code. The civil citation shall include the name and address of the violator; the nature of the violation; the location and time the violation incurred; the amount of the civil penalty assessed; and the defendant's right to stand trial before the Magistrate for the violation. A defendant may pay the penalty or elect to stand trial by giving the issuing Department written notice within 10 days of receipt of the citation of his intention to stand trial. The issuing department shall then forward the request to the Magistrate's Court to schedule a hearing on the request.

(4) If a defendant fails to file notice of his intention to stand trial for the violation as required by subsection (3), and fails to pay the penalty for the violation within 30 days after receipt of the citation, the County may request adjudication of the case through Magistrate's Court. Upon receipt of a request for trial and summons from the County, the Magistrate shall promptly schedule the case for trial and summon the defendant to appear.

(5) In a proceeding for a civil violation a defendant may enter a plea of guilty, not guilty, or no contest. The court may render a verdict of "guilty" of the civil infraction or "not guilty" of the civil infraction.

(6) Upon adjudication of the case, the Magistrate may order the payment of a civil penalty. When a defendant has been found guilty of the violation and fails to pay the fine imposed by the court, the court may treat the failure as contempt of court.

(7) Adjudication of a civil citation is not a criminal conviction for any purpose, and does not impose any of the civil disabilities imposed by a criminal conviction.

Section 108.5: Stop Work Orders: Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system 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

liable for a fine on not less than [Amount] dollars or more than [Amount] dollars **subject to those penalties as provided for in Section 108.4.**

109.1 Application for appeal.

A person shall have the right to appeal a decision of the code official to the board of appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served.

Delete Sections 109.2 through 109.7 and ADD

109.2 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 board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

109.3 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.

109.4 Qualifications.

The board of 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.

- (g) **International Plumbing Code - 2012 Edition, Chapter 1 together with the following Section revisions:**

Section 101 Scope and Administration:

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

Section 106.6 Fees:

Section 106.6.2 Fee Schedule: The fees for all plumbing work shall be as indicated on the following schedule **in accordance with the schedule as established by the governing authority.**

106.3-Fee refunds. ~~The code official shall authorize the refunding of fees as follows:~~

- ~~1. The full amount of any fee paid hereunder that was erroneously paid or collected.~~
- ~~2. Not more than **80** percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.~~
- ~~3. Not more than **0** percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.~~

The Building Official is authorized to establish a refund policy.

Section 108 Violations:

108.4 Violation penalties.

Any persons, **firm, corporation or agent found** who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the *approved* construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be ~~guilty of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~ **subject to those penalties listed below:**

(1) Any person, firm, corporation or agent found to be in violation of the Plumbing Code or failing to comply with any of the requirements thereof may be cited and assessed, by civil penalty, an amount not more than two hundred dollars. Before being charged with a second violation, the person must be given seven calendar days to remedy the violation or submit an acceptable plan for correcting the violation.

(2) A person who fails to correct a violation or fails to comply with any of the requirements thereof and has not submitted a plan for correcting a violation within seven calendar days after citation or written notice may be cited and assessed, by civil penalty, an amount not to exceed two thousand dollars. Each day a violation continues is a separate offense.

(SC Code Ann. §6-9-80)

(3) An official authorized by Greenville County may deliver a civil citation to a person, firm, corporation, or agent who violates the provisions of this Code. The civil citation shall include the name and address of the violator; the nature of the violation; the location and time the violation incurred; the amount of the civil penalty assessed; and the defendant's right to stand trial before the Magistrate for the violation. A defendant may pay the penalty or elect to stand trial by giving the issuing Department written notice within 10 days of receipt of the citation of his intention to stand trial. The issuing department shall then forward the request to the Magistrate's Court to schedule a hearing on the request.

(4) If a defendant fails to file notice of his intention to stand trial for the violation as required by subsection (3), and fails to pay the penalty for the violation within 30 days after receipt of the citation, the County may request adjudication of the case through Magistrate’s Court. Upon receipt of a request for trial and summons from the County, the Magistrate shall promptly schedule the case for trial and summon the defendant to appear.

(5) In a proceeding for a civil violation a defendant may enter a plea of guilty, not guilty, or no contest. The court may render a verdict of “guilty” of the civil infraction or “not guilty” of the civil infraction.

(6) Upon adjudication of the case, the Magistrate may order the payment of a civil penalty. When a defendant has been found guilty of the violation and fails to pay the fine imposed by the court, the court may treat the failure as contempt of court.

(7) Adjudication of a civil citation is not a criminal conviction for any purpose, and does not impose any of the civil disabilities imposed by a criminal conviction.

Section 108.5: Stop Work Orders: Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner’s agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system 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 ~~liable to a fine of not less than [Amount] dollars or more than [Amount] dollars~~ **subject to those penalties as provided for in Section 108.4.**

109.1 Application for appeal.

A person shall have the right to appeal a decision of the code official to the board of appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served.

Delete Sections 109.2 through 109.7 and ADD

109.2 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 board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its

business.

109.3 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 any Requirements of this code.

109.4 Qualifications.

The board of 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.

Section 305 Protection of Pipes and Plumbing System Components:

Section 305.6.1: Sewer depths: Building Sewers that connect to private sewage disposal systems shall be a minimum of 12 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches below grade.

Section 904 Vent Terminals:

Section 904.1: Roof Extension: All open vent pipes that extend through a roof shall be terminated at least 10 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet above the roof.

- (h) **International Property Maintenance - 2012 Edition in its entirety together with the following Section revisions:**
(SC Code Ann. §6-9-60)

Section 101 Scope and Application:

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

DELETE Section 103.5 in its entirety

Section 106 Violations:

106.3 Prosecution of violation.

Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor ~~or civil infraction~~ as determined by the local municipality, **jurisdiction**, and the violation shall be deemed a ~~strict liability offense~~. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority

having jurisdiction on such *premises* shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate **and shall be collected in the same manner as County taxes are collected.**

Section 106.4 DELETE in its entirety and ADD the following:

Section 106.4: Violation penalties: 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, punishable within the jurisdictional limits of magistrate's court. Each such person, firm, corporation or agent shall be deemed guilty of a separate offense 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 110 Demolition:

Section 110.3 Failure to comply. If an owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost be charged against the real estate upon which the structure is located and shall be a lien upon such real estate **and shall be collected in the same manner as County taxes are collected.**

Section 112 Stop Work Order:

Section 112.4 Failure to comply. Any person, firm, corporation or agent, who shall continue any work after having been served with a stop work order, except such work as the person is directed to perform to remove a violation or unsafe condition, shall be ~~liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~ **guilty of a misdemeanor, punishable within the jurisdictional limits of magistrate's court. Each such person, firm, corporation or agent shall be deemed guilty of a separate offense 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 Exterior Property Areas:

Section 302.4 Weeds: All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of **18** inches. 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.

(GCCO §9-132)

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

Failure of the owner to pay the costs of removal to the jurisdiction, shall be charged against the real estate upon which the structure is located and shall be

a lien upon such real estate and shall be collected in the same manner as County taxes are collected.

(GC Ord. No. 2256)

Section 304 Exterior Structure:

Section 304.14 Insect Screens: 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 Heating Facilities:

Section 602.3 Heat Supply: Every owner and operator of any building who rents, leases, or lets one or more dwelling unit, rooming unit, dormitory or guest room 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 65°F in all habitable rooms, bathrooms, and toilet rooms.

Section 602.4 Occupiable Work Spaces: 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°F during the period the spaces are occupied.

- (i) **International Residential Code for One and Two Family Dwellings – 2012 Edition Chapter 1, together with the following Appendix and Section revisions:**

Appendix F – RADON CONTROL METHODS

(SC Code Ann. §6-9-60; §6-9-105)

Section 101 Scope and Administration

Section R101.1 Title: These regulations shall be known as the *Residential Code for One and Two Family Dwellings of the County of Greenville, SC*, and shall be cited as such and will be referred to as “this code.”

R105.2 Work exempt from permit.

Permits shall not be required for the following. Exemption 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*.

Building:

1. One-story detached *accessory structures* used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square

feet (18.58 m²).

2. Fences ~~not over 7 feet (2134 mm) high.~~

3. 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.

4. Water tanks supported directly upon *grade* if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.

5. Sidewalks and driveways.

6 Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.

8. Swings and other playground equipment.

9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

DELETE the following Sections in their entirety 106.1; 106.1.1; 106.2; 106.3; 106.3.1; 106.3.3; 106.4; 106.5 and ADD the following Sections:

Section 106.1.1 Residential Plan Review for One- and Two- Family Structures. Plan review is not required for One- and Two- Family Dwellings when constructed under the *International Residential Code for One- and Two-Family Dwellings* (one and two family detached units) or their accessory structures.

Section 106.1.2 Submittal of Floor Plans. The owner, builder or his agent shall submit to the Greenville County Real Property Services Division a copy of the “as- built” floor plans for each home constructed, prior to the request for Final Inspection, in sufficient detail to show the information required under South Carolina Code of Regulations Sections 117-1740.1 and 117-1740.3

(SC Code Ann. §12-43-240; 12-4-550(1))

Section R112 Board of Appeals:

R112.1 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 board of appeals. The building official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of 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, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. **The application shall be filed on a form obtained from the code official within 20 days after the notice was served.**

Section R113 Violations:

Section R113.4: Violation Penalties.

Any person, **firm, corporation or agent** who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to penalties ~~as prescribed by law~~ **as shown**

below.

the

(1) Any person, firm, corporation or agent found to be in violation of the Residential Code for One- and Two- Family Dwellings or failing to comply with any of the requirements thereof may be cited and assessed, by civil penalty, an amount not more than two hundred dollars. Before being charged with a second violation, the person must be given seven calendar days to remedy the violation or submit an acceptable plan for correcting violation.

(2) A person who fails to correct a violation or fails to comply with any of the requirements thereof and has not submitted a plan for correcting a violation within seven calendar days after citation or written notice may be cited and assessed, by civil penalty, an amount not to exceed two thousand dollars. Each day a violation continues is a separate offense.

(SC Code Ann. §6-9-80)

(3) An official authorized by Greenville County may deliver a civil citation to a person, firm, corporation, or agent who violates the provisions of this Code. The civil citation shall include the name and address of the violator; the nature of the violation; the location and time the violation incurred; the amount of the civil penalty assessed; and the defendant's right to stand trial before the Magistrate for the violation. A defendant may pay the penalty or elect to stand trial by giving the issuing Department written notice within 10 days of receipt of the citation of his intention to stand trial. The issuing department shall then forward the request to the Magistrate's Court to schedule a hearing on the request.

(4) If a defendant fails to file notice of his intention to stand trial for the violation as required by subsection (3), and fails to pay the penalty for the violation within 30 days after receipt of the citation, the County may request adjudication of the case through Magistrate's Court. Upon receipt of a request for trial and summons from the County, the Magistrate shall promptly schedule the case for trial and summon the defendant to appear.

(5) In a proceeding for a civil violation a defendant may enter a plea of guilty, not guilty, or no contest. The court may render a verdict of "guilty" of the civil infraction or "not guilty" of the civil infraction.

(6) Upon adjudication of the case, the Magistrate may order the payment of a civil penalty. When a defendant has been found guilty of the violation and fails to pay the fine imposed by the court, the court may treat the failure as contempt of court.

(7) Adjudication of a civil citation is not a criminal conviction for any purpose, and does not impose any of the civil disabilities imposed by a criminal conviction.

Section R114 Stop Work Order:

Section R114.2:Unlawful Continuance: Any person who shall continue any work

in or about the structure after having been served with a stop work order, except such as that person is directed to perform to remove a violation or unsafe condition, shall be subject to ~~penalties as prescribed by law~~ **those penalties as provided for in Section 113.4.**

a. Table R301.2(1)

Ground Snow Load	<u>10 psf</u>
Wind Speed	<u>90 mph</u>
Topographic Effects	<u>No</u>
Seismic Design Category	<u>C</u>
Weathering	<u>Moderate</u>
Frost line Depth	<u>12”</u>
Termite	<u>Very Heavy</u>
Winter Design Temp.	<u>22° F</u>
Ice Barrier Underlayment Required	<u>No</u>
Flood Hazard	<u>GC/NFIP Ord # 703 April 1979 though Ord #4113 1 May 2007; Flood Study 2 Dec 2004 FIRM 2 Dec 2004 Panel Nos. 45045C 0025 thru 625</u>
Air Freezing Index	<u>0 - 1500</u>
Mean Annual Temp. <i>(SC State Climatology Office)</i>	<u>60.5° F</u>

Section P2605.1 Sewer Depth.

Building Sewers that connect to private sewage disposal systems shall be not less than 12 inches below finish grade at the point of septic connection. Building Sewers shall not be less than 12 inches below grade.

(j) International Swimming Pool and Spa Code - 2012 Edition in its entirety together with the following Section revisions:
(SC Code Ann. §6-9-60)

101.1 Title.

These regulations shall be known as the Swimming Pool and Spa Code County of Greenville, SC, and hereinafter referred to as “this code.”

105.6.2 Fee schedule.

The fees for all work shall be as indicated in the following schedule: **in accordance with the schedule as established by the governing authority.**

105.6.3 Fee refunds

~~The code official shall authorize the refunding of fees as follows:~~

- ~~1. The full amount of any fee paid hereunder that was erroneously paid or collected.~~
- ~~2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.~~
- ~~3. Not more than 0 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.~~

The Building Official is authorized to establish a refund policy.

107.4 Violation penalties.

Any person, **firm, corporation or agent** who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair an *aquatic vessel* in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a [~~SPECIFY OFFENSE~~], punishable by a fine of not more than [~~AMOUNT~~] dollars or by imprisonment not exceeding [~~NUMBER OF DAYS~~], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. **subject to the penalties shown below:**

Section 107. Violation penalties.

(1) Any person, firm, corporation or agent found to be in violation of the Swimming Pool and Spa Code or failing to comply with any of the requirements thereof may be cited and assessed, by civil penalty, an amount not more than two hundred dollars. Before being charged with a second violation, the person must be given seven calendar days to remedy the violation or submit an acceptable plan for correcting the violation.

(2) A person who fails to correct a violation or fails to comply with any of the requirements thereof and has not submitted a plan for correcting a violation within seven calendar days after citation or written notice may be cited and assessed, by civil penalty, an amount not to exceed two thousand dollars. Each day a violation continues is a separate offense.

(3) An official authorized by Greenville County may deliver a civil citation to a person, firm, corporation, or agent who violates the provisions of this Code. The civil citation shall include the name and address of the violator; the nature of the violation; the location and time the violation incurred; the amount of the civil penalty assessed; and the defendant's right to stand trial before the Magistrate for the violation. A defendant may pay the penalty or elect to stand trial by giving the issuing Department written notice within 10 days of receipt of the citation of his intention to stand trial. The issuing department shall then forward the request to the Magistrate's Court to schedule a hearing on the request.

(4) If a defendant fails to file notice of his intention to stand trial for the violation as required by subsection (3), and fails to pay the penalty for the

violation within 30 days after receipt of the citation, the County may request adjudication of the case through Magistrate’s Court. Upon receipt of a request for trial and summons from the County, the Magistrate shall promptly schedule the case for trial and summon the defendant to appear.

(5) In a proceeding for a civil violation a defendant may enter a plea of guilty, not guilty, or no contest. The court may render a verdict of “guilty” of the civil infraction or “not guilty” of the civil infraction.

(6) Upon adjudication of the case, the Magistrate may order the payment of a civil penalty. When a defendant has been found guilty of the violation and fails to pay the fine imposed by the court, the court may treat the failure as contempt of court.

(7) Adjudication of a civil citation is not a criminal conviction for any purpose, and does not impose any of the civil disabilities imposed by a criminal conviction.

107.5 Stop work orders.

Upon notice from the *code official*, work on any system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner’s agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure 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 liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars **subject to the penalties as shown in Section 107.4.**

108 Means of Appeal

DELETE Sections 108.2 through 108.7 and ADD

108.2 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 board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

108.3 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 any Requirements of this code.

109.4 Qualifications.

The board of 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.

(k) National Electrical Code - 2011 Edition, and together with the following Sections:

Section 80 Administrative Provisions - General

80.1 Title.

These regulations shall be known as the Electrical Code of the County of Greenville, SC and shall be cited as such and will be referred to herein as “this code.”

80.1.2 Purpose.

The purpose of this code is practical safeguarding of persons and property from the hazards arising from the use of electricity and by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of electrical systems and equipment.

80.1.3 Scope.

This Code covers the installation of electrical conductors, equipment and raceways; signaling and communications conductors, equipment, and raceways; and optical fiber cables and raceways for the following:

1. Public and private premises, including buildings, structures, manufactured homes, recreational vehicles, and floating buildings.
2. Yards, lots, parking lots carnivals and industrial sub-stations
3. Installation of conductors and equipment that connect to the supply of electricity.
4. Structures used primarily for offices, storage, warehouses, shop areas, recreational or residential housing, used by electric cooperatives, the Public Service Authority, or to a public utility corporation subject to regulation by the authorities of the South Carolina Public Service Commission or the Liquefied Petroleum Gas Board.

80.1.4 Applicability - General.

The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section 80.3.

80.1.4.1 Existing installations.

Except as otherwise provided for in this chapter, a provision in this code shall not require the removal, alteration or abandonment of, nor prevent the continued utilization and maintenance of, existing electrical systems and equipment lawfully in existence at the time of the adoption of this code.

80.1.4.2 Maintenance.

Electrical systems, equipment, materials and appurtenances, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe, hazard-free condition. Devices or safeguards

that are required by this code shall be maintained in compliance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of the electrical systems and equipment. To determine compliance with this provision, the code official shall have the authority to require that the electrical systems and equipment be reinspected.

80.1.4.3 Additions, alterations and repairs.

Additions, alterations, renovations and repairs to electrical systems and equipment shall conform to that required for new electrical systems and equipment without requiring that the existing electrical systems or equipment comply with all of the requirements of this code. Additions, alterations and repairs shall not cause existing electrical systems or equipment to become unsafe, hazardous or overloaded.

Minor additions, alterations, renovations and repairs to existing electrical systems and equipment shall meet the provisions for new construction, except where such work is performed in the same manner and arrangement as was in the existing system, is not hazardous and is approved.

80.1.4.4 Moved buildings.

Electrical systems and equipment that are a part of buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new installations.

80.1.4.5 Other laws.

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

80.1.4.6 Validity.

In the event 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 thereof, which are determined to be legal; and it shall be presumed that this code would have been adopted without such illegal or invalid parts or provisions.

80.1.4.7 Application of references.

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapters, sections or provisions of this code.

81.1.4.8 Referenced codes and standards.

The codes and standards referenced in this code shall be those that are listed in Chapter 13 and such codes and standards 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 or 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.

80.1.4.9 Subjects not regulated by this code.

Where no applicable standards or requirements are set forth in this code, or are

contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of nationally recognized standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the code official to determine compliance with codes or standards for those activities or installations within the code official's jurisdiction or responsibility.

Section 80.2 Organization and Enforcement - Department of Electrical Inspection

80.2.1 Creation of enforcement agency.

The department of electrical inspection is hereby created and the official in charge thereof shall be known as the code official. The function of the department shall be to assist the code official in the administration and enforcement of the provisions of this code.

80.2.2 Appointment.

The code official shall be appointed by the chief appointing authority of the jurisdiction.

80.2.3 Deputies.

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, the related technical officers, inspectors, plans examiners and other employees. Such employees shall have powers as delegated by the code official.

80.2.4 Duties and Powers of The Code Official

80.2.4.1 General.

The code official is hereby authorized and directed to enforce the provisions of this code. The code official shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations 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.

80.2.4.2 Rule-making authority.

The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety.

80.2.4.3 Applications and permits.

The code official is authorized to receive applications, review construction documents and issue permits for the installation of electrical systems and equipment, inspect the premises for which such permits have been issued, and enforce compliance with the provisions of this code.

80.2.4.4 Notices and orders.

The code official is authorized to issue all necessary notices or orders in accordance as are required to effect compliance with this code.

80.2.4.5 Inspections.

The code official shall make all of the inspections necessary to determine compliance with the provisions of this code.

8.2.4.6 Identification.

The code official shall carry proper identification issued by the governing authority where inspecting structures, premises or facilities in the performance of duties under this code and shall be identified by proper credentials issued by this governing authority.

8.2.4.7 Impersonation prohibited.

A person shall not impersonate the code official through the use of a uniform, identification card, badge or any other means.

80.2.4.8 Right of entry.

Where it is necessary to make an inspection to enforce the provisions of this code, or where the code official has reasonable cause to believe that there exists in a structure or upon any premises a condition that is contrary to or in violation of this code, which makes the structure or premises unsafe, dangerous or hazardous, the code 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 code official is authorized to first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry.

80.2.4.9 Department records.

The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, notices and orders issued, and as required by this code, such records shall be retained in the official records for the period required for retention of public records.

80.2.4.10 Approvals and modifications.

A record of approvals and modifications granted shall be maintained by the code official and shall be available for public inspection during business hours in accordance with applicable laws.

80.2.4.11 Inspections.

The code official shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.

80.2.4.12 Alternative methods or materials.

The application for modification, alternative methods or materials and the final

decision of the code official shall be in writing and shall be officially recorded in the permanent records of the code official.

80.2.4.13 Liability.

The code official, officer 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 all 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 any 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 the legal representative of the jurisdiction until the final termination of the proceedings.

The code official or any subordinate shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any official, officer or employee, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

Section 80.3 Permits and Fees

80.3.1 Permits required.

Permits required by this code shall be obtained from the code official. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the code official.

80.3.2 Types of permits.

An owner, authorized agent or contractor who desires 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 electrical systems or equipment, the installation of which is regulated by this code, or to cause such work to be done, shall first make application to the code official and obtain the required permit for the work.

Exception: Where repair or replacement of electrical systems or equipment must be performed in an emergency situation, the permit application shall be submitted within the next working business day of the department of electrical inspection.

80.3.3 Work exempt from permit.

The following work shall be exempt from the requirement for a permit:

1. Listed cord and plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles, but not the outlets therefor.
3. Repair or replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Temporary wiring for experimental purposes in suitable experimental laboratories.
5. Electrical wiring, devices, appliances, apparatus or equipment operating at

less than 25 volts and not capable of supplying more than 50 watts of energy.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in violation of the provisions of this code or other laws or ordinances of this jurisdiction.

Section 80.4 Application

80.4.1 General.

The code official is authorized to receive applications for and issue permits as required by this code.

80.4.2 Application.

Application for a permit required by this code shall be made to the code official in such form and detail as prescribed by the code official. Applications for permits shall be accompanied by such plans as prescribed by the code official.

80.4.3 Action on application.

The code official shall examine or cause to be examined those 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 code official shall reject such application in writing, stating the reasons therefor.

80.4.4 Time limitation of application.

An application for a permit for any proposed work or operation 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 code 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.

Section 80.5 Conditions

80.5.1 Conditions of a permit.

A permit shall constitute permission to conduct work as set forth in this code in accordance with the provisions of this code. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code or other applicable regulations or laws of the jurisdiction.

80.5.2 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.

80.5.3 Extensions.

The code official is authorized to grant, in writing, one or more extensions of the time period of a permit for periods of not more than 90 days each. Such extensions shall be requested by the permit holder in writing and justifiable cause demonstrated.

80.5.4 Posting the permit.

Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the code official.

80.5.5 Validity

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 code official from requiring the correction of errors in the construction documents and other data. The code 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.

80.5.6 Information on the permit.

The code official shall issue all permits required by this code on an approved form furnished for that purpose. The permit shall contain a general description of the operation or occupancy and its location and any other information required by the code official. Issued permits shall bear the signature of the code official.

80.5.7 Suspension or revocation.

The code official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error, on the basis of incorrect, inaccurate or incomplete information; in violation of any ordinance, regulation or any of the provisions of this code; or if any one of the following conditions exists:

1. The permit is used for a location or establishment other than that for which it was issued.
2. The permit is used for a condition or activity other than that listed in the permit.
3. Conditions and limitations set forth in the permit have been violated.
4. There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.
5. The permit is used by a different person or firm than the name for which it was issued.
6. The permittee failed, refused or neglected to comply with orders or notices duly served in accordance with the provisions of this code within the time provided therein.
7. The permit was issued in error or in violation of an ordinance, regulation or this code.

Section 80.6 Fees

80.6.1 Payment of fees.

A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

80.6.2 Schedule of permit fees.

A fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fees for electrical work shall be in accordance with the schedule as established by the applicable governing authority.

80.6.3 Work Commencing before permit issuance:

Any person who commences any work on an electrical system before obtaining the necessary permits shall be subject to an additional fee equal to the permit fee established by the code official jurisdiction that shall be in addition to the required permit fees.

80.6.4 Related fees.

The payment of the fee for the construction, alteration, removal or demolition for work done in connection with, 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.

80.6.5 Refunds.

The code official is authorized to establish a refund policy.

Section 81 Construction Documents

Section 81.1 General

81.1.1 Submittal documents.

Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit. 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 code official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The code 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 reviewing of construction documents is not necessary to determine compliance with this code.

81.1.2 Information on construction documents.

Construction documents shall be drawn to scale upon suitable material. Electronic media documents are permitted to be submitted where approved by the code 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 code official.

81.1.3 Penetrations.

Construction documents shall indicate where penetrations will be made for electrical systems and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

81.1.4 Load calculations.

Where an addition or alteration is made to an existing electrical system, an electrical load calculation shall be prepared to determine if the existing electrical service has the capacity to serve the added load.

81.1.5 Site plan.

The construction documents submitted with the application for permit shall be accompanied by a site plan showing to 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 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 code official is permitted to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

Section 81.2 Examination of Documents

81.2.1 General.

The code 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.

81.2.2 Approval of construction documents.

When the code 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 code 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 code official or the authorized representative.

81.2.3 Previous approvals.

This code shall not require changes in the construction documents, construction or installation of electrical systems or equipment 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.

81.2.4 Phased approval.

The code official is authorized to issue a permit for the installation of part of an electrical system before the construction documents for the electrical system 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 shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire system will be granted.

Section 81.3 Design Professional in Responsible Charge

81.3.1 General.

Where it is required that documents be prepared by a registered design professional,

the code official shall require the owner to engage and designate on the permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall be permitted to 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 code official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable 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 system.

Section 81.4 Handling Submittals

81.4.1 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 code official within a specified period.

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

Submittal 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 code official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general compliance with the design of the system. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the code official.

81.4.2 Amended construction documents.

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

81.4.3 Retention of construction documents.

One set of approved construction documents shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

Section 81.5 Approval

81.5.1 Approved materials and equipment.

All materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

81.5.2 Technical assistance.

To determine the acceptability of technologies, processes, products, facilities,

materials and uses attending the design, operation or use of a building or premises subject to the inspection of the department, the code official is authorized to require the owner or the person in possession or control of the building or premises to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or organization acceptable to the code official and shall analyze the properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes. The code official is authorized to require design submittals to be prepared by and bear the stamp of a registered design professional.

81.5.3 Modifications.

Wherever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and that the modification is in compliance with the intent and purpose of this code, and that such modification does not lessen health, life and fire-safety requirements. The details of action granting modifications shall be recorded and entered in the files of the department of electrical inspection.

81.5.4 Alternative materials, methods, equipment and appliances.

The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code 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.

81.5.5 Material, equipment and appliance reuse.

Materials, equipment, appliances and devices shall not be reused unless such elements have been reconditioned, tested and placed in good and proper working condition and approved.

Section 81.6 Testing

81.6.1 Required testing.

Wherever 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 code official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction.

81.6.2 Test methods.

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 code official shall approve the testing procedures.

81.6.3 Testing agency.

All tests shall be performed by an approved agency.

81.6.4 Test reports.

Reports of tests shall be retained by the code official for the period required for retention of public records.

Section 81.7 Alternative Engineered Design

81.7.1 General.

The design, documentation, inspection, testing and approval of an alternative engineered design electrical system shall comply with this section.

81.7.2 Design criteria.

An alternative engineered design shall conform to the intent of the provisions of this code and shall provide an equivalent level of quality, strength, effectiveness, fire resistance, durability and safety. Materials, equipment or components shall be designed and installed in accordance with the manufacturer's installation instructions.

81.7.3 Submittal.

The registered design professional shall indicate on the permit application that the electrical system is an alternative engineered design. The permit and permanent permit records shall indicate that an alternative engineered design was part of the approved installation.

81.7.4 Technical data.

The registered design professional shall submit sufficient technical data to substantiate the proposed alternative engineered design and to prove that the performance meets the intent of this code.

81.7.5 Construction documents.

The registered design professional shall submit to the code official two complete sets of signed and sealed construction documents for the alternative engineered design. The construction documents shall include floor plans and a diagram of the work.

81.7.6 Design approval.

Where the code official determines that the alternative engineered design conforms to the intent of this code, the electrical system shall be approved. If the alternative engineered design is not approved, the code official shall notify the registered design professional in writing, stating the reasons therefor.

81.7.7 Inspection and testing.

The alternative engineered design shall be tested and inspected in accordance with the requirements of this code.

Section 82 Inspections And Testing

Section 82.1 General

82.1.1 General.

The code official is authorized to conduct inspections that are deemed necessary to

determine the extent of compliance with the provisions of this code and to approve reports of inspection by approved agencies or individuals. All reports of such inspections shall be prepared and submitted in writing for review and approval. Inspection reports shall be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual, detailed or complex technical issues subject to the approval of the governing body.

Section 82.2 Required Inspections

82.2.1 General.

The code official, upon notification, shall make the inspections set forth in this section.

82.2.2 Evaluation and follow-up inspection services.

Prior to the approval of a prefabricated construction assembly having concealed electrical work and the issuance of an electrical permit, the code official shall require the submittal of an evaluation report on each prefabricated construction assembly, indicating the complete details of the electrical system, including a description of the system and its components, the basis upon which the system is being evaluated, test results and similar information, and other data as necessary for the code official to determine conformance to this code.

82.2.3 Evaluation service.

The code official shall designate the evaluation service of an approved agency as the evaluation agency, and review such agency's evaluation report for adequacy and conformance to this code.

82.2.4 Follow-up inspection.

Except where ready access is provided to electrical systems, service equipment and accessories for complete inspection at the site without disassembly or dismantling, the code official shall conduct the in-plant inspections as frequently as necessary to ensure conformance to the approved evaluation report or shall designate an independent, approved inspection agency to conduct such inspections. The inspection agency shall furnish the code official with the follow-up inspection manual and a report of inspections upon request, and the electrical system shall have an identifying label permanently affixed to the system indicating that factory inspections have been performed.

82.2.5 Test and inspection records.

Required test and inspection records shall be available to the code official at all times during the fabrication of the electrical system and the erection of the building; or such records as the code official designates shall be filed.

82.2.6 Concealed work.

Work shall remain accessible and exposed for inspection purposes until approved. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Wherever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the code official shall have the authority to require that such work be exposed for inspection.

Neither the code official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Underground inspection shall be made after trenches or ditches are excavated and bedded, piping and conductors installed, and before backfill is put in place. Where excavated soil contains rocks, broken concrete, frozen chunks and other rubble that would damage or break the raceway, cable or conductors, or where corrosive action will occur, protection shall be provided in the form of granular or selected material, approved running boards, sleeves or other means.

82.2.7 Rough-in.

Rough-in inspection shall be made after the roof, framing, fireblocking and bracing are in place and all wiring and other components to be concealed are complete, and prior to the installation of wall or ceiling membranes.

82.2.8 Other inspections.

In addition to the inspections specified above, the code 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, which are enforced by the department of electrical inspection.

82.2.9 Final inspection.

The final inspection shall be made after all work required by the permit is completed.

82.2.10 Inspection record card.

Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the code official to make conveniently the required entries thereon regarding inspection of the work. This card shall be maintained by the permit holder until final approval has been granted by the code official.

82.2.11 Approval required.

Work shall not be performed beyond the point indicated in each successive inspection and test without first obtaining the approval of the code official. The code official, upon notification, shall make the requested inspections and tests and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder 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 code official.

82.2.12 Validity.

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.

82.2.13 Inspection agencies.

The code official is authorized to accept reports of approved inspection agencies,

provided such agencies satisfy the requirements as to qualifications and reliability.

82.2.14 Inspection requests.

It shall be the duty of the person doing the work authorized by a permit to notify the code official that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work.

82.2.15 Assistance from other agencies.

The assistance and cooperation of police, building, fire and health department officials and all other officials shall be available as required in the performance of duties.

82.2.16 Contractors' responsibilities.

It shall be the responsibility of every contractor who enters into contracts for the installation or repair of electrical systems for which a permit is required to comply with adopted state and local rules and regulations concerning licensing.

Section 82.3 Testing

82.3.1 General.

Electrical work shall be tested as required in this code. Tests shall be performed by the permit holder and observed by the code official.

82.3.2 Apparatus, material and labor for tests.

Apparatus, material and labor required for testing an electrical system or part thereof shall be furnished by the permit holder.

82.3.3 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. The work or installation shall then be resubmitted to the code official for inspection and testing.

Section 83 Service Utilities

Section 83.1 General

83.1.1 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 code official.

83.1.2 Temporary connection.

The code official shall have the authority to authorize the temporary connection of

the building or system to the utility source of energy, fuel or power.

83.1.3 Authority to disconnect service utilities.

The code official shall have the authority to authorize disconnection of utility services or energy sources to the building, structure or system regulated by this code in case of an emergency where it is necessary to eliminate an immediate hazard to life or property. The code 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.

83.1.4 Connection after order to disconnect.

A person shall not make utility service or energy source connections to systems regulated by this code, which have been disconnected or ordered to be disconnected by the code official, or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such systems.

Section 84 Unsafe Systems and Equipment

Section 84.1 Conditions

84.1.1 Unsafe electrical systems.

An electrical system that is unsafe, constitutes a fire or health hazard, or is otherwise dangerous to human life, as regulated by this code, is hereby declared as an unsafe electrical system. Use of an electrical system regulated by this code constituting a hazard to health, safety or welfare by reason of inadequate maintenance, dilapidation, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Such unsafe equipment and appliances are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

84.1.2 Authority to condemn electrical systems.

Wherever the code official determines that any electrical system, or portion thereof, regulated by this code has become hazardous to life, health or property, the code official shall order in writing that such electrical systems either be removed or restored to a safe condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain a defective electrical system or equipment after receiving such notice.

Where such electrical system is to be disconnected, written notice as prescribed in this code shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

84.1.3 Dangerous conditions.

Wherever the code official shall find in any structure or upon any premises dangerous or hazardous conditions or materials, the code official is authorized to order such dangerous conditions or materials to be removed or remedied in accordance with the provisions of this code.

84.1.4 Record.

The code 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.

84.1.5 Notice.

If an unsafe condition is found, the code 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 condition to be removed within a stipulated time. Such notice shall require the person thus notified to declare immediately to the code official acceptance or rejection of the terms of the order.

84.1.6 Method of service.

Such notice shall be deemed properly served if a copy thereof is: (a) delivered to the owner personally; or (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. 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.

Section 85 Violations

Section 85.1 Unlawful Acts

85.1.1 General.

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any system 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.

Section 85.2 Notice Of Violation

85.2.1 Issuance.

Where the code official finds any building, premises, vehicle, system or equipment that is in violation of this code, the code official is authorized to issue corrective orders.

85.2.2 Notice.

Wherever the code official determines violations of this code or observes an apparent or actual violation of a provision of this code or other codes or ordinances under the code official's jurisdiction, the code official is authorized to prepare a written notice of violation describing the conditions deemed unsafe and, where compliance is not immediate, specifying a time for reinspection. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

85.2.3 Service.

Any order or notice issued pursuant to this code shall be served upon the owner,

operator, occupant or other person responsible for the condition or violation, either by personal service, mail or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such order or notice shall be posted on the premises in a conspicuous place at or near the entrance to such premises, and the order or notice shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the owner, occupant or both.

85.2.4 Compliance with orders and notices.

Orders and notices issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the order or notice pertains.

85.2.5 Failure to correct violations.

If the notice of violation is not complied with, the code official is authorized to request the legal counsel of the jurisdiction to institute the appropriate legal proceedings to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of any order or direction made pursuant thereto.

85.2.6 Failure to comply.

Failure to comply with an abatement notice or other corrective notice issued by the code official shall result in each day that such violation continues being regarded as a new and separate offense.

85.2.7 Unauthorized tampering.

Signs, tags or seals posted or affixed by the code official shall not be mutilated, destroyed or tampered with or removed without authorization from the code official.

Section 86 Penalties

86.1 Penalties.

(1) Any person, firm corporation or agent found to be in violation of the Electrical Code or failing to comply with any of the requirements thereof may be cited and assessed, by civil penalty, an amount not more than two hundred dollars. Before being charged with a second violation, the person must be given seven calendar days to remedy the violation or submit an acceptable plan for correcting the violation.

(2) A person who fails to correct a violation or fails to comply with any of the requirements thereof and has not submitted a plan for correcting a violation within seven calendar days after citation or written notice may be cited and assessed, by civil penalty, an amount not to exceed two thousand dollars. Each day a violation continues is a separate offense. (*SC Code Ann. §6-9-80*)

(3) An official authorized by Greenville County may deliver a civil citation to a person, firm, corporation, or agent who violates the provisions of this Code. The civil citation shall include the name and address of the violator; the nature of the violation; the location and time the violation incurred; the amount of the civil penalty assessed; and the defendant's right to stand trial before the Magistrate for the violation. A defendant may pay the penalty or elect to stand trial by giving the issuing Department written notice within 10 days of receipt of the citation of his intention to

stand trial. The issuing department shall then forward the request to the Magistrate's Court to schedule a hearing on the request.

(4) If a defendant fails to file notice of his intention to stand trial for the violation as required by subsection (3), and fails to pay the penalty for the violation within 30 days after receipt of the citation, the County may request adjudication of the case through Magistrate's Court. Upon receipt of a request for trial and summons from the County, the Magistrate shall promptly schedule the case for trial and summon the defendant to appear.

(5) In a proceeding for a civil violation a defendant may enter a plea of guilty, not guilty, or no contest. The court may render a verdict of "guilty" of the civil infraction or "not guilty" of the civil infraction.

(6) Upon adjudication of the case, the Magistrate may order the payment of a civil penalty. When a defendant has been found guilty of the violation and fails to pay the fine imposed by the court, the court may treat the failure as contempt of court.

(7) Adjudication of a civil citation is not a criminal conviction for any purpose, and does not impose any of the civil disabilities imposed by a criminal conviction.

86.2 Abatement of violation.

The imposition of the penalties herein described shall not prevent the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

Section 87 Stop Work Order

87.1 Issuance.

Upon notice from the code official that any electrical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume.

87.2 Emergencies.

Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

87.3 Unlawful continuance.

Any person who shall continue any work in or about the structure 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 provide for in Article 86.1.

Section 88 Means of Appeal

88.1 Application for appeal.

A person shall have the right to appeal a decision of the code official to the board of

appeals. 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 application shall be filed on a form obtained from the code official within 20 days after the notice was served.

88.2 General.

In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

88.3 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.

88.4 Qualifications.

The board of 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.

Section 3. Designated Official. When reference is made to the duties of a certain official named within the Codes adopted and revised in Section 2 of this Ordinance, that designated official of Greenville County who has duties corresponding to those of the named official in said Codes shall be deemed to be the responsible official insofar as enforcing the provisions of said Codes are concerned.

Section 4. 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 5. Repeal. Ordinance No. 4198 entitled “AN ORDINANCE TO REPEAL ORDINANCE NUMBER 3846 TO COMPLY WITH DIRECTIVES OF THE SOUTH CAROLINA BUILDING CODES COUNCIL AND ADOPT THE ADMINISTRATIVE PROVISIONS (CHAPTER 1) OF THE VARIOUS INTERNATIONAL CODES RELATING TO DESIGN REVIEW AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES; AND, AN ORDINANCE TO ADOPT THE PROPERTY MAINTENANCE CODE AND EXISTING BUILDING CODE AND RESIDENTIAL SWIMMING POOLS IN GREENVILLE COUNTY AS AUTHORIZED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL; AND TO ADOPT CERTAIN APPENDICES OF THE ADOPTED CODES TO RECOGNIZE CERTAIN VARIATIONS IN THE CODES BASED ON PHYSICAL CONDITIONS FOUND

WITHIN GREENVILLE COUNTY”;

And, repeal Ordinance number 3440 entitled “TO ESTABLISH PROCEDURES, AREAS, AUTHORITIES, AND RULES FOR THE GREENVILLE COUNTRY CODES DEPARTMENT RELATING TO CODE ENFORCEMENT. AND REPEAL ORDINANCES NUMBER 178,325, AND 376”;

And, Ordinance 4288 entitled “AN ORDINANCE TO COMPLY WITH THE DIRECTION OF THE STATE OF SOUTH CAROLINA BUILDING CODES COUNCIL TO IMPLEMENT THE NATIONAL ELECTRICAL CODE, 2008 EDITION, AS PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION; AND TO ADOPT THOSE PROVISIONS NECESSARY TO ADMINISTER AND ENFORCE THIS REGULATORY CODE IN THE COUNTY OF GREENVILLE; AND TO REPEAL ORDINANCE NO. 4105; AND MATTERS RELATING THERETO.” Are 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 6. Effective Date. This ordinance shall take effect on July 1, 2013

DONE IN REGULAR MEETING THIS _____ DAY OF _____, 2013.

Bob Taylor, Chairman
Greenville County Council

Joseph M. Kernell
County Administrator

ATTEST:

Theresa Kizer
Clerk to Council

First Reading: _____

Second Reading: _____

Third Reading: _____

Public Hearing: _____