

ARTICLE I. - IN GENERAL

Sec. 5-1. - Codes adopted.

- (a) In compliance with S.C. Code 1976, § 6-9-10, as amended, the city acknowledges its responsibility to enforce the editions of the building, residential, fire, plumbing, mechanical, fuel gas and energy conservation codes, as published by the International Code Council and duly adopted by the South Carolina Building Codes Council.
- (1) The following codes with as published by the International Code Council with South Carolina Modifications are adopted:
- a. ~~2012~~ 2015 International Property Maintenance Code.
 - 1. Section 302.4 - insert the words "ten inches".
 - 2. Section 103.5 is deleted.
 - 3. Section 112.4 - insert "Misdemeanor offense", insert "\$500.00", insert "30 days".
 - 4. Section 304.14 - insert "April 1", insert "October 31".
 - 5. Section 602.3 - insert "October 1", insert "May 1".
 - 6. Section 602.4 - insert "October 1", insert "May 1".
 - b. 2012 International Electrical Code, Administrative Provisions.
 - 1. Section 101.1 - insert "City of Clemson".
 - 2. Section 404.2 is deleted.
- (2) The following codes as published by the International Code Council are adopted. Chapter 1, Administration, of the following codes with are specifically adopted:
- a. ~~2012~~ 2015 International Building Code.
 - 1. Section 103 is deleted.
 - 2. Section 101.1 - insert the words "City of Clemson".
 - 3. Section 1612.3 - insert the words "City of Clemson".
 - 4. Section 1612.3 - insert the words "February 4, 2008".
 - 5. Section 3412.2 - insert the words "December 5, 1983".
 - b. ~~2012~~ 2015 International Residential Code.
 - 1. Section R103 is deleted.
 - 2. Section R101.1 - insert the words "City of Clemson".
 - 3. Section R301.2 - insert the following design criteria for table R301.2(1):
 - Ground Snow Load—10
 - Wind Design: Speed mph—~~90~~ 115
 - Topographical Effects—No
 - Special Wind Region---NA
 - Wind Borne Debris Zone—No

Seismic Design Category—B

Subject to Damage From:

Frost Depth-12 inches

Termite—Yes

Winter Design Temperature—24 degree F

Ice Barrier Underlayment Required—No

Flood Hazards—~~1988~~

a. 1988

b. Flood Insurance Study for Pickens County, SC dated April 16, 2008 and Flood Insurance Study for Anderson County, SC dated September 29, 2001

c. 45077C0378D, effective on 04/16/2008

45077C0386D, effective on 04/16/2008

45077C0387D, effective on 04/16/2008

45077C0391D, effective on 04/16/2008

45077C0379D, effective on 04/16/2008

45077C0391D, effective on 04/16/2008

Air Freezing Index—65

Mean Annual Temperature—60.6 degree F

c. ~~2012~~ 2015 International Fire Code.

1. Section 101.1 - insert the words "City of Clemson".
2. Section 109.4 - insert "Misdemeanor offense", insert "\$500.00", insert "30 days".
3. Section 111.4 - insert "\$0.00 dollars", insert "\$500.00".

d. ~~2012~~ 2015 International Plumbing Code.

1. Section 101.1 - insert the words "City of Clemson".
2. Section 106.6.2 is deleted.
3. Section 106.6.3 is deleted.
4. Section 108.4 - insert "Misdemeanor offense", insert "\$500.00", insert "30 days".
5. Section 108.5 - insert "\$0.00 dollars", insert "\$500.00".
6. Section ~~305.4~~ 305.4.1 - insert "twelve inches", insert "twelve inches".
7. Section 903.1 - insert "eight inches".

e. ~~2012~~ 2015 International Mechanical Code.

1. Section 101.1 - insert "City of Clemson"
2. Section 106.5.2 is deleted.

3. Section 106.5.3 is deleted.
 4. Section 108.4 - insert "Misdemeanor offense", insert "\$500.00", insert "30 days".
 5. Section 108.5 - insert "\$0.00 dollars", insert "\$500.00".
- f. ~~2012~~ 2015 International Fuel Gas Code.
1. Section 101.1 - insert "City of Clemson".
 2. Section 106.6.2 is deleted.
 3. Section 106.6.3 is deleted.
 4. Section 108.4 - insert "Misdemeanor offense", insert "\$500.00", insert "30 days".
 5. Section 108.5 - insert "\$0.00 dollars", insert "\$500.00".
- g. 2009 International Energy Conservation Code.
1. Section 101.1 - insert "City of Clemson".
 2. Section 108.4 – insert ""\$0.00 dollars", insert "\$500.00".
 3. Section 109.1 is deleted.
- h. ~~2012~~ 2015 International Existing Building Code.
1. Section 101.1 - insert the words "City of Clemson".
 2. Section 1401.2 - insert the words "December 5, 1983".
 3. Section 112 is deleted.
- i. 2015 International Swimming Pool and Spa Code.
1. Section 101.1 – insert the words "City of Clemson"
 2. Section 103 is deleted.
 3. Section 105.6.2 is deleted.
 4. Section 105.6.3 is deleted.
 5. Section 107.4- insert "misdemeanor offense", insert "500.00", insert "30 days".
 6. Section 107.5- insert "\$0.00 dollars", insert \$500.00".
 7. Section 108 is deleted.
- (b) When each code is updated, the building official shall post a notice on the building that houses planning and codes administration by reference to any and all of the adopted codes. This notice shall remain posted for at least 20 days.
- (c) Any person violating any provision of this section shall be deemed guilty of a misdemeanor offense and shall be subject to the penalties outlined in section 1-8. Each day the violation continues shall be considered a separate offense. Punishment for the violation shall not relieve the offender of the proper requirements for permits, inspections, and occupancy permits.
- (d) Within such codes, when reference is made to duties of certain officials named therein, that designated official of the city who has **duties** corresponding to those of the named official in such codes shall be deemed to be the responsible official insofar as enforcing the codes in concerned.
- (e) The city council may adopt such rules and regulations it deems necessary to implement this section.

(Code 1979, §§ 5-1001, 5-5001; Ord. of 12-5-83, App. B; Ord. No. CC-89-002, 3-20-89; Ord. No. CC-89-018, 11-20-89; Ord. No. CC-91-025, 12-16-91; Ord. No. CC-94-019, 12-5-94; Ord. No. CC-99-006, 4-5-99; Ord. No. CC-2001-04, 4-2-01; Ord. No. CC-2002-18, 8-19-02; Ord. No.

CC-2004-14, 12-20-04; Ord. No. CC-2005-28, 9-12-05; Ord. No. CC-2007-02, 3-5-07; Ord. No. CC-2007-05, 4-16-07; Ord. No. CC-2008-04, 2-4-08; Ord. No. CC-2008-07, 6-16-08; Ord. No. CC-2009-11, 6-15-09; Ord. No. CC-2012-23, 12-3-12; Ord. No. CC-2013-03, 5-20-13)

Sec. 5-2. - Permits required to build or remodel; contractor required; posting of identification; certificate of occupancy; and electronic plans required.

- (a) Permit required. Any owner or authorized agent who intends to construct, enlarge, alter, move, demolish, or change the occupancy of a building or structure, or to erect install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the codes adopted in section 5-1, or shall cause any such work to be done, shall first make an application to the planning and codes administration office for a permit.
- (b) Contractors required. Any work that requires a permit and in excess of \$200.00, including labor and materials, shall only be permitted to a state licensed contractor for the scope of work. Homeowners are exempt from this requirement and they may obtain permits for construction within their primary dwelling provided they perform the work themselves. Subcontractors hired by the homeowner are required and responsible for any permits required by the scope of work performed. All fees shall be paid and permits approved before any work may commence.
- (c) Posting of identification. Before commencing any construction job for new construction, enlargement, alteration or change of occupancy the prime contractor shall post in plain view on the job site an inspection record form provided by the planning and codes administration office when the permit is issued.
- (d) Final inspection. No building or structure shall be occupied by other than the contractor, their employees, or subcontractors until a final inspection has been completed and the appropriate certificate of occupancy has been issued as necessary.
- (e) When building plans are required to be sealed by an architect or engineer for any construction under the adopted International Building Code, ~~two~~ **three** sets of printed plans will be submitted to planning and codes administration for review with the identical plans in ~~a portable document format (pdf).~~ **an approved digital format.**

(Ord. of 12-5-83, App. B; Ord. No. CC-99-006, 4-5-99; Ord. No. CC-2007-05, 4-16-07; Ord. No. CC-2008-07, 6-16-08; Ord. No. CC-2013-03, 5-20-13)

State Law reference— Authority to adopt codes, S.C. Code 1976, §§ 5-7-280, 6-9-60; building regulations, S.C. Code 1976, § 5-25-10 et seq.

Sec. 5-3. - Fees.

- (a) Buildings and construction. The following fees shall apply to buildings and construction for which plans have been submitted to the planning commission, board of architectural review, and board of zoning appeals or for construction review after July 20, 2015.
 - (1) Building permit.

Total Valuation	Building Permit Fee
\$5,000.00 and less	No fee, unless inspection required, in which case a \$40.00 fee for each inspection shall be charged

\$5,001.00 to \$50,000.00	\$40.00 for the first \$5,000.00 plus \$6.00 for each additional \$1,000.00 or fraction thereof, up to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$310.00 for the first \$50,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof, up to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$560.00 for the first \$100,000.00, plus \$4.00 for each additional \$1,000.00 or fraction thereof, up to and including \$500,000.00
\$500,001.00 and up	\$2,160.00 for the first \$500,000.00, plus \$3.00 for each additional \$1,000.00 or fraction thereof

- (2) Moving. For the moving of any building or structure, the fee shall be \$150.00.
- (3) Demolition. For the demolition of any building or structure, the fee shall be \$150.00 for the first 5,000 sq ft plus an additional \$100.00 for each additional 2,000 sq ft or fraction thereof with a maximum fee of \$2000.00 per unit or utility tap for multi-unit complexes or structures, whichever is greater.
- (4) Grading permit.
Areas:
Less than one-half acre\$ 50.00
One-half to two acres150.00
Two to five acres400.00
Over five acres, plus \$20.00 for each additional acre.
- (5) Manufactured homes. For manufactured homes, the fee shall be \$100.00.
- (6) Cancelled inspection. For failure to cancel or give notice of a cancellation of a scheduled inspection, the fee shall be \$50.00.
- (7) Plan checking.
- a. For all non-residential and multi-family properties, the plan check fee shall be 50 percent of the cost of the permit fee. A plan checking fee equal to one-half of the building permit fee shall be paid at the time of submitting plans and specifications for checking. This fee is in addition to the permit fee.
 - b. For all new detached single-family or duplex residential units less than 3,200 square feet of gross floor area on individual lots, the plan check fee shall be \$50.00. This fee is in addition to the permit fee.
 - c. For single-family or duplex residential units, for alterations, additions, and accessory buildings on individual lots, when the valuation is greater than \$2,500.00, the plan check fee shall be based upon subsection (7)a., but no greater than \$50.00. This fee is in addition to the permit fee.

- d. For single-family or duplex residential units as part of a group development, the plan check fee shall be 50 percent of the cost of the permit fee. This fee is in addition to the permit fee.
 - e. For resubmission of revised plans the fee shall be 50 percent of the permit fee. This fee is in addition to the permit fee.
- (8) Sign, swimming pool, electrical, gas, plumbing, and gas permits. Sign, swimming pool, electrical, gas, plumbing, and gas permits shall be based upon the schedule in subsection (1).
 - (9) Reinspection. A \$50.00 fee will be charged for reinspections in every area where permits are required. Reinspection is defined as any trip made in addition to those specifically named on the building permit job card or any trip made as the result of condemned or disapproved work, calling for inspections prior to the working being ready for inspection, and additional trips made because access to the structure was not provided. Reinspection fees shall be paid prior to when the reinspection is completed.
- (b) Penalties. Where work for which a permit is required is started or proceeded prior to obtaining such permit, the fees specified in this article shall be doubled, but the payment shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work or from any other penalties prescribed in the Code.

(Ord. of 12-5-83, App. B; Ord. No. CC-89-018, 11-2-89; Ord. No. CC-91-025, 12-16-91; Ord. No. CC-99-006, 4-5-99; Ord. No. CC-99-015, 8-2-99; Ord. No. CC-2001-04, 4-2-2001; Ord. No. CC-2008-07, 6-16-08; Ord. No. CC-2009-03, 3-16-09; Ord. No. CC-2012-06, 4-16-12; Ord. No. CC-2015-28, § 1, 7-20-15)

Sec. 5-4. - Construction board of appeals; established; membership and terms.

- (a) In accordance with the International Building Code and the International Fire Code the construction and fire code board of appeals is hereby established.
- (b) Board membership shall be comprised of not less than seven members. These members shall consist of individuals who are qualified by experience and training to pass on matters pertaining to building construction or fire codes and who are not employees of the city. A minimum of two members shall have a background on fire code matters. Members shall serve without pay, but may be reimbursed for any expense incurred while representing the board.
- (c) Board appointees shall serve for a term of four years, from the date of appointment by the city council.
- (d) A vacancy in a term of office shall occur whenever it is found that a member has resigned or has not maintained the qualifications required for appointment. A member shall be removed for cause by the city council upon written charges and after a public hearing.
- (e) The board shall elect one of its members as a chair for a term of two years. The board shall appoint a secretary who may be an employee of the city approved by the city administrator. The building code official or the fire code official shall serve as an ex-officio member of the committee respective of the official whose decision is being appealed.
- (f) The board shall adopt rules of procedure for the conduct of its meetings and hearings. A majority of the board shall constitute a quorum. Meetings of the board shall be held at the call of the chair or at such times as the board may determine. Public notice of the meetings shall be published in a local newspaper of general circulation in the city and shall be posted on the bulletin board at city hall. The chair may administer oaths and compel attendance of witnesses by subpoena. The board shall keep minutes of its proceedings, showing the vote of each member on each question, or if absent or failing to vote by reason of conflict. The board shall keep records of its examinations and other official actions filed in the office of the secretary of the board as public record.
- (g) The powers, duties, and limitations of the board are as outlined within the International Building Code and the International Fire Code.

- (h) Any person having a substantial interest in a decision of this board may appeal to circuit court by petition for review on grounds that the decision is contrary to law, filed with the clerk of court and secretary of this board within 30 days after the decision of the board is mailed. Within 30 days after receipt of notice of filing a petition, the secretary of the board, with the assistance of the city attorney, shall file with the clerk of court a certified copy of the board proceedings, including a transcript of evidence and findings and conclusions of the board.

(Ord. No. CC-84-004, 4-2-84; Ord. No. CC-99-006, 4-5-99; Ord. No. CC-2002-05, § 5-4, 2-18-02; Ord. No. CC-2015-09, 2-16-15)

Secs. 5-5—5-19. - Reserved.

Editor's note— Ordinance No. CC-99-006, adopted April 5, 1999, deleted §§ 5-5—5-8, which pertained to organization and operating procedures for a board of adjustment and appeals and derived from Ord. No. CC-84-004, adopted April 2, 1984.