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Document No. 4501

**DEPARTMENT OF LABOR, LICENSING AND REGULATION**

**BUILDING CODES COUNCIL**

CHAPTER 8

Statutory Authority: 1976 Code Sections 6‑8‑20, 6‑9‑40, 40‑1‑50, and 40‑1‑70

8‑115. Classification and Qualifications for Registration.

8‑601. Purpose.

8‑602. Definitions.

8‑604. Adoption of Model Codes.

8‑607. Approved Inspection Agency Authority.

8‑613. Multiple Site Manufacturing.

**Synopsis:**

 The South Carolina Department of Labor, Licensing and Regulation, Building Codes Council proposes to amend Regulations 8‑115, 8‑601, 8‑602, 8‑604, 8‑607, and 8‑613 generally and to update the regulations to comport with Act 179 from the 2013‑2014 legislative session.

 A Notice of Drafting was published in the *State Register* on September 26, 2014.

**Instructions:**

 Regulations 8‑115, 8‑601, 8‑602, 8‑604, 8‑607, and 8‑613 are amended as shown below.

**Text:**

8**‑**115. Classifications and Qualifications for Registration.

 A person applying for registration as a building code enforcement officer, special inspector or contract inspector must be certified in accordance with these regulations. An applicant is deemed to be qualified for registration upon submittal of the following documentation.

 A. Building Official‑‑A certificate or examination record from a recognized code organization, indicating that the applicant has been certified as a building official.

 B. Commercial Inspector‑‑Certificates or examination records from a recognized code organization, indicating that the applicant has been certified in two or more commercial inspector disciplines.

 C. Residential Inspector‑‑Certificates or examination records from a recognized code organization, indicating that the applicant has been certified in the residential building, electrical, plumbing and mechanical inspector disciplines.

 D. Residential Plans Examiner‑‑Certificates or examination records from a recognized code organization that the applicant has been certified in the residential building, electrical, plumbing and mechanical plans examiner disciplines

 E. Commercial Plans Examiner‑‑Certificates or examination records from a recognized code organization, indicating that the applicant has been certified in the commercial building, electrical, plumbing and mechanical plans examiner disciplines.

 F. Single Discipline Inspector‑‑A certificate or examination record from a recognized code organization, indicating that the applicant has been certified in the discipline for which employed.

 G. Provisional‑‑Proof that the building code enforcement officer is presently employed by a municipality or county in South Carolina and is actively in training for a specific certification as a new employee or for advancement to a higher classification.

 H. Limited

 I. Special Inspector‑‑A certificate or examination record from an approved organization, indicating that the applicant has been certified for the specific type of construction or operation requiring special inspection, for which application is being made, including one or more of the following.

 1. Reinforced Concrete

 2. Welding

 3. High Strength Bolting

 4. Steel Frame

 5. Non‑destructive Testing

 6. Structural Masonry

 7. Earthwork‑‑including Excavation and Filling and Verification of Soils

 8. Modular Retaining Walls

 9. Deep Foundations

 10. Post Tension Cables

 11. Sprayed Fire Resistive Material

 12. Exterior Insulation and Finish System

 13. Smoke Control

 14. Pre‑cast Fabrication

 15. Seismic Resistance

 16. Retention Basins

 17. Fire Resistant Penetrations and Joint Systems

 J. Contract Inspector‑‑One or more certificates or examination records from an approved organization, indicating that the applicant has been certified as a building official, commercial inspector, residential inspector, plans examiner or single discipline inspector.

8‑601. Purpose.

 (1) The provisions of these regulations are adopted in implementation of the South Carolina Modular Buildings Construction Act of 1984, Chapter 43 of Title 23 of the South Carolina Code of Laws, 1976 as amended, and are intended to provide uniform standards for modular construction, while preserving and recognizing local governmental responsibility in regard to utilization of modular buildings within a community.

 (2) Regulations provided herein are applicable to all modular buildings which are manufactured for and subsequently erected within the State of South Carolina, and all modular buildings manufactured in South Carolina erected in other states under reciprocal agreements. These regulations apply to all buildings erected in the State of South Carolina.

 (3) The definition of modular building does not include mobile or manufactured homes, as defined by the U.S. Department of Housing and Urban Development, which is any residential unit constructed to the Federal Mobile Home Construction and Safety Standards, 42 USC Sections 5401 and 24 CFR 3282 and 3283.

8‑602. Definitions.

 For the purpose of these regulations, the following words shall have the meanings indicated:

 (1) "Act" means the South Carolina Modular Buildings Construction Act of 1984, Chapter 43 of Title 23 of the South Carolina Code of Laws, 1976 as amended.

 (2) "Approved" means conforming to the requirements of Council.

 (3) "Approved inspection agency" means an agency approved by the Council to provide plan review and approval, evaluation, and inspection in addition to adequate follow‑up services at the point of manufacture to insure that production units are in full compliance with the provisions of the Modular Building Construction Act. An approved inspection agency must retain a building construction‑oriented registered professional engineer or architect who must be responsible for compliance with the Modular Building Construction Act and regulations of the Council.

 (4) "Building System" means plans, specifications and documentation for a system of modular buildings or for a type or a system of building components, which may include structural, electrical, mechanical, plumbing and fire protection systems, and other building systems affecting life safety.

 (5) "Closed Construction" means that condition when any building, component, assembly, subassembly, or system is manufactured in such a manner that all portions cannot be readily inspected at the erection site without disassembly.

 (6) "Component" means any assembly, subassembly, or combination of elements of closed construction, for use as a part of a building, which may include structural, electrical, mechanical, plumbing and fire protection systems, and other building systems affecting life safety.

 (7) "Council" means the South Carolina Building Codes Council as established by Section 6‑9‑63 of the South Carolina Code of Laws.

 (8) "Custom Building" means any building manufactured to individual system specifications and not intended for duplication or repetitive manufacture.

 (9) "Damage" means damage or‑breakage occurring to a modular building or any part thereof causing it to not comply with these regulations.

 (10) "Days" shall be construed to be work days, and shall not include Saturdays, Sundays, or holidays.

 (11) "Department" means the Department of Labor, Licensing and Regulation for the State of South Carolina.

 (12) "Equipment" means all materials, appliances, devices, fixtures, fittings, or accessories installed in or used in the manufacture and assembly of a modular building.

 (13) "Field technical service" means clarification in the field by the Council of technical data relating to the application of the regulations.

 (14) "Labeled" means equipment bearing a label of certification by an approved listing organization.

 (15) "Listed" means equipment or materials included in a list published by an approved listing organization.

 (16) "Local Building Official" means the officer or other designated authority, or duly authorized representative, charged with the administration and enforcement of building codes and standards, for any county, city, town, or other political subdivision of the state.

 (17) "Manufacturer" means any person, firm, or corporation which manufactures or assembles modular buildings.

 (18) "Manufacturer’s Representative" means any person employed by a modular building manufacturer who sells, or offers for sale, modular buildings or components.

 (19) "Model" means a specific modular building design which is based on size, room arrangement, method of construction, and arrangement of plumbing, mechanical, or electrical equipment and systems therein.

 (20) "Open Construction" means any modular building, building component, assembly, or system manufactured in such a manner that all parts or processes of manufacture can be readily inspected at the installation site without disassembly.

 (21) "Site" means the location on which a modular building is erected or is to be erected.

 (22) "Standard Design" means any building, system, model, series, or component intended for duplication or repetitive manufacture.

 (23) "System Prototype" means a specific design of modular building designated by the manufacturer to be the standard for reproduction. A system prototype may include options that do not affect the performance or function of any system.

 (24) "System Recognition" means a system of construction approved by an approved inspection agency.

 (25) "Valuation" means the total fair market value of a structure in its completed state, including the combined costs of the modular building or components, the foundation system, porches steps and other "add‑ons," additional required mechanical equipment and the installation and connection of all utilities.

8‑604. Adoption of Model Codes.

 (1) The design and fabrication of modular buildings shall comply with the requirements of the building codes as listed in Chapter 9, Title 6, of the South Carolina Code of Laws, 1976 as amended.

 (2) Energy code. The design and installation of thermal performance standards for all modular buildings shall comply with the requirements of the most recent edition of the International Energy Conservation Code as adopted under Title 6 Chapter 10 of the South Carolina Code of Laws, 1976 as amended.

 (3) Building official. Where reference is made, in any building code, to the building, plumbing, gas or mechanical official, administrative authority, enforcement official or any such authoritative person, it shall mean the Council administration.

 (4) All service connections and foundations installed at the building site shall be regulated by the local building official.

 (5) Barrier Free Design. The design and erection of modular buildings for the purpose of public use must be in compliance with the Barrier Free Design Standard, Code of Laws of South Carolina, 1976 as amended, Sections 10‑5‑210 through 10‑5‑250, and adopted regulations.

8‑607. Approved Inspection Agency Authority.

 (1) An approved inspection agency shall conduct inspections at the manufacturing plant to determine compliance with the approved plans. Violations of any of the provisions of these regulations or variations from the approved plans may be cause for revocation of the plan approval and shall be reported to the Council within one (1) day after discovery.

 (2) Failure on the part of an approved inspection agency to fulfill its responsibilities or notify the Council of violations of these regulations or variations from the approved plans is cause for revocation of its approval.

 (3) An approved inspection agency shall perform final plan review and approval, inspection, and certification of a single family residential modular building. Upon final plan review and approval by an approved inspection agency of a plan as meeting the requirements of the Modular Building Construction Act and the regulations of the council, a copy of the approved plan must be filed with the Department of Labor, Licensing and Regulation. Upon filing of an approved plan with the department by an approved inspection agency, a manufacturer may request from the department certification labels for units manufactured to the approved plan. Each certification label must bear the serial number of the unit for which it is issued and only may be attached upon final inspection by an approved inspection agency.

 (4) An approved inspection agency shall perform plan approval, inspection, and certification of commercial or multifamily modular buildings. Upon review by the approved inspection agency, the plans must be submitted to the Department of Labor, Licensing and Regulation for final plan review and approval.”

 (a) The design review for required plan submittal shall include a completed application on forms obtainable from the Council and three (3) complete sets of scaled plans, specifications and structural, electrical, mechanical, and energy calculations prepared by an architect or engineer licensed to practice in the State of South Carolina; quality control manuals, calculations, and any required test results for each system and prototype to be approved. The approved inspection agency shall designate its approval by affixing its seal to each print, the cover of the quality control manual, and supporting data prior to submittal.

 (b) The approved inspection agency shall submit for the manufacturer, a request for Council review which may include any or all elements of building systems such as structural, mechanical, plumbing, and electrical components. All modular building system submittals must include at least the following:

 (1) Structural:

 (i) details specifying methods of field connection of units or models to each other and foundations; and

 (ii) all exterior elevations; and

 (iii) elevations and details of elements, walls or sections thereof providing resistance to vertical loads or lateral forces; and

 (iv) floor plans and floor framing plans; and

 (v) details of framing system showing direction of face grain of plywood, blocking, connections, etc.; and

 (vi) vertical load calculations; and

 (vii) lateral force calculations; and

 (viii) overturning and uplift calculations; and

 (ix) details of all structural connections such as chord splices, corner and wall intersection details, post and beam splices, etc., (both inplant and onsite connections must be shown); and

 (x) complete roof framing plan showing method of framing, direction of face grain of plywood, connections, etc., roof covering material and roofing specifications; and

 (xi) cross sections as necessary to identify major building components; and

 (xii) information for plywood when used, such as thickness, index number, grade, direction of face grain, etc., and lumber grades; and

 (xiii) details of flashing, such as at openings and at penetrations through roofs flashing material and gage to be used; and

 (xiv) attic access and attic ventilation; and

 (xv) wall and soffit material as well as finish; and

 (xvi) interior wall and ceiling finish; and

 (xvii) fire separation details, when required by code; and

 (xviii) opening treatment for doors and windows including door swings; and

 (xix) all foundation vents and under floor access; and

 (xx) structural steel materials, sizes, finishes, and connection details; and

 (xxi) reinforcing, concrete and mesh materials, strengths, grades, sizes, spacing and details in accordance with "Building Code Requirements for Reinforced Concrete, ACI 318"; and

 (xxii) all work that is required on the building site; and

 (xxiii) details of all elements for access and use by people with disabilities.

 (2) Plumbing:

 (i) plan and riser diagram of the plumbing layout showing size of piping, fittings, traps, vents, cleanouts and valves, etc., for gas, water, drainage, waste, and vent systems; and

 (ii) plumbing materials, make, model, and rating/capacity of fixtures; and

 (iii) make and model of safety controls and their locations; and

 (iv) intervals and method of horizontal piping support; and

 (v) vertical piping and valve supports; and

 (vi) location of flues and vents above roofs and required clearances from air intakes, other vents and flues, etc.; and

 (vii) method of testing.

 (3) Mechanical:

 (i) location of all equipment and appliances; and

 (ii) listed or labeled appliances, units or equipment; and

 (iii) heat loss and heat gain calculations; and

 (iv) BTU, input and output rating of all appliances and equipment; and

 (v) duct and register locations, including size, and materials; and

 (vi) clearance from combustible material or surfaces for all appliances, equipment, ducts, flues, and chimneys; and

 (vii) method of providing required combustion air and return air; and

 (viii) location of flues, vents and chimneys, and clearances for air intakes; and

 (ix) details and approvals for dampers in ducts penetrating fire separation walls, floors and ceilings; and

 (x) method of testing; and

 (xi) method of securing every appliance and its components to avoid displacement and movement from vibration and road shock.

 (4) Electrical:

 (i) plan and detail of service equipment, including service entrance, conductors, service raceway and clearances, above ground, and above structures; and

 (ii) method and detail for grounding service equipment; and

 (iii) diagram of the entire electrical installation; and

 (iv) complete load calculations for service and feeders; and

 (v) identification and sizes of all feeders and branch circuits; and

 (vi) size, rating, and location of main disconnect/overcurrent protective devices; and

 (vii) method of interconnection between modules or units and location of connections; and

 (viii) location of all outlets and junction boxes; and

 (ix) the protection of nonmetallic sheathed cable in locations subject to mechanical damage; and

 (x) method of backing, mounting, and strapping of fixtures and wiring; and

 (xi) name plate rating of all appliances and equipment; and

 (xii) method of testing; and

 (xiii) labeling of wiring, fixtures, and equipment.

 (5) Calculations and test procedures. When the composition or configuration of elements, assemblies, or details of structural members are such that calculations of their safe load carrying capacity, basic structural integrity, or fire resistance cannot be accurately determined in accordance with generally established principles of engineering design, such structural properties, or fire resistance of the members or assemblies may be established by an approved inspection agency.

 (6) Design plan approval expiration. Design plan approvals shall expire on the effective date of any applicable change to these regulations and the building codes referenced herein, when the change affects a system or component of the model involved.

 (7) It shall be the responsibility of the manufacturer to submit an application for design plan renewal to the Council.

 (8) Revocation of approval. Revocation of a plan approval shall occur upon the failure of the manufacturer to comply with the provisions of these regulations.

 (9) Nonconforming application. If an application does not conform to the requirements of these regulations, the applicant shall be notified in writing. If corrections have not been received by the Council within ninety (90) days of such notice, the application will be deemed abandoned. Subsequent submission shall be as for a new application.

 (10) Evidence of Council approval. Approved plans and specifications shall be evidenced by acknowledgment of the Council. Approved copies of the plans and specifications shall be returned to the manufacturer with a letter indicating the limitations of the approval. A copy of the letter shall be available for inspection use at each place of manufacture.

 (11) Manufacturer’s unit data plate. The manufacturer shall install on all modular building units, a data plate which shall contain, but not be limited to the following design information:

 (a) maximum live load; and

 (b) maximum snow load; and

 (c) maximum wind load; and

 (d) seismic zone; and

 (e) thermal transmittance value (Uo) of: walls, roof/ceiling, and floors.

 (12) The data plate shall be permanently mounted in a conspicuous location.

 (13) Manufacturer’s component data plate. The manufacturer shall install on each modular component or package of modular components a data plate which indicates the limiting characteristics and design criteria of the components for determining how they can be installed and utilized within their capabilities.

8‑613. Multiple Site Manufacturing.

 (1) If a manufacturer plans to produce at more than one (1) location, required plan approval may be obtained for all locations at the time of filing subject to submission of the following:

 (a) one (1) set of application forms for required plan approval designating all locations of manufacture; and

 (b) two (2) sets of plans and specifications, plus one (1) additional set for each location of manufacturer; and

 (c) filing fees as designated in these regulations; and

 (d) two (2) quality control manuals, plus one (1) additional manual for each location of manufacture.

 (2) If a manufacturer wishes to obtain approval for one (1) or more points of manufacture, a manufacture’s license, and at least one (1) manufacturer’s representative license must be issued for each location.

**Fiscal Impact Statement:**

 There will be no cost incurred by the State or any of its political subdivisions for these regulations.

**Statement of Rationale:**

 The updated regulations will bring the Building Codes Council into compliance with Act 179 from the 2013‑2014 legislative session.