



# SOUTH CAROLINA BUILDING CODES COUNCIL

Spring 2022

## 2021 CODE ADOPTION

Every three years, the Building Codes Council modifies and adopts the latest editions of the mandatory codes listed in S.C. Ann. §6-9-50 for statewide use. A Code Study Committee, comprised of core and specialty members from various licensed code enforcement-related trades, is appointed by the Council to review modification requests and hear testimony from the public. The Committee then provides recommendations to the Building Codes Council for each modification request.

At their meeting on October 6, 2021, the Building Codes Council considered and voted to approve, approve with changes, or deny the Committee's recommendations with respect to the code modification requests received from code enforcement officials and interested professional associations.



The modified codes, as approved by the Council, were incorporated into proposed Council regulations and are currently going through the South Carolina regulatory process in order to become enforceable as law. As part of this process, Molly Price, Building Codes Council Administrator, Council Chairwoman Delisa Clark, and LLR legislative representative Holly Beeson appeared before House and Senate subcommittees in February to answer questions about the Council's modifications to the 2021 International Codes and 2020 National Electrical Code.

The regulations containing the code modifications have been heard in both subcommittee and full committee in the Senate and the House and were given a favorable report from both. The regulations will remain on the calendar(s) for a total of 120 days (which began January 11th) at which time they will be deemed approved by expiration on May 11, 2022, and will be effective on the fourth Friday of May, following publication in the *State Register*. Pursuant to the Council's vote on October 6, 2021, the 2021 International Codes and 2020 National Electrical Code with the approved modifications in regulation will be implemented on January 1, 2023.

The [2021 Code Modification Index](#) can be found on the Council's website. The next meeting will be held at the Denny Auditorium at the State Fire Academy on May 26, 2022 at 10:30 a.m.

## STAFF INFORMATION

Molly Price became Administrator for the Building Codes Council in May of 2019. With her new position, she also accepted management of the Contractor's Licensing Board, Boiler Safety Program, Modular Building Program, and Manufactured Housing Board and brought with her the Liquefied Petroleum Gas Board and the Board of Pyrotechnic Safety.

Maggie Smith, Program Coordinator II for the Building Codes Council, oversees the licensing and plan review for the SC Modular Building Program. You can reach out to Ms. Smith [here](#) with questions about modular building, building codes in effect for South Carolina, or general information about the Building Codes Council.

Teresa Martin, Program Coordinator I for the Building Codes Council, oversees the registration of code enforcement officers and special inspectors. You can reach out to Ms. Martin [here](#) with questions about registration as a code enforcement officer or special inspector, or for information about exams, continuing education courses, and reimbursement.

## LICENSURE STATISTICS

The statistics provided here represent how many new licenses have been issued in 2022 for the Building Codes Council, as well as the total number of licenses for each credential type as of April 1, 2022.

License/Registration Classification	New in 2022	Total Active
Modular Manufacturer	2	90
Manufacturer's Representative	9	139
Modular Third Party Inspection Agency	0	11
Provisional Building Official	1	9
Limited Building Official	0	4
Building Official	0	185
Provisional Plans Examiner	1	11
Limited Plans Examiner	0	2
Plans Examiner	0	7
Residential Plans Examiner	0	4
Provisional Commercial Inspector	4	44
Commercial Inspector	0	153
Building Inspector	0	15
Electrical Inspector	0	5
Mechanical Inspector	0	2
Plumbing Inspector	0	8
Provisional Residential Inspector	17	79
Residential Inspector	0	89
Residential Building Inspector	0	12
Residential Electrical Inspector	0	1
Residential Plumbing Inspector	0	2
Residential Mechanical Inspector	0	1
Special Inspector	3	267

## CONTINUING EDUCATION

All Building Code Enforcement and Special Inspector registrations expire on June 30, 2023. This leaves just over one year to complete the twenty-four (24) hours of continuing education required for renewal. The requirements and list of the approved continuing education courses for code enforcement officers and special inspectors can be found on the Council's [website](#).

## MODULAR BUILDING

The modular building industry in South Carolina is steadily growing. Since January 1, 2021, the Modular Building Program has licensed ten new modular manufacturers, bringing the total number of SC licensed modular manufacturers to 90 as of April 1, 2022.

At their meeting on March 24, 2021, the Building Codes Council appointed a standing Modular Review Committee to assist the Council and its staff with yearly modular plant audits and technical questions that may arise. The Committee is made up of Council members and industry partners, as well as several local code officials. The Committee has been instrumental in implementing a modular plant audit process for South Carolina and evaluating technical questions presented to Council staff.

## FREQUENTLY ASKED QUESTIONS

For answers to frequently asked questions, please see below.

### **Q: How does a local jurisdiction address proposed changes to used modular units?**

A: Per regulation [8-609 \(7\)](#), “Any alteration or conversion made to an approved modular building after initial erection shall void the approval and certification label, and, be subject to the provisions of the building inspection program for the jurisdiction in which it is located.” If you are unsure that a modular unit has been properly labeled for South Carolina, please contact [Maggie Smith](#) with the following information: the manufacturer name, the model name and/or serial number, and the approximate year of manufacture.

### **Q: Can an owner act as the builder for residential modular installations?**

A: No; per regulation [8-626 \(1\)](#), “Modular buildings shall be erected by South Carolina licensed general contractors or residential builders within the limitations of their license classification in accordance with the manufacturer’s recommended erection procedures and the building codes adopted in these regulations.” The Building Codes Council also clarified at their February 18, 2020 meeting that the owner builder exception found in the Residential Builders Act does not apply to modular construction. You can view the minutes from that meeting [here](#).

### **Q: Residential modular units are no longer reviewed at the state level. What is the appropriate course of action if a new residential modular unit is not compliant with the current codes?**

A: If you see consistent violations from a manufacturer or contractor, file a [complaint](#) with the appropriate licensing board. If the violations occurred at the manufacturing level, file the complaint with the [Building Codes Council](#). If the violations occurred at the time of installation, file a complaint against the installer with the [Residential Builders Commission](#) or [Contractor’s Licensing Board](#).

For minor violations, please send a brief summary to [Maggie Smith](#) in writing and coordinate with the modular manufacturer and third party inspection agency for necessary repairs or alternations to be made on site if possible.

### **Q: What license is required to construct pedestrian bridges?**

A: Construction of a pedestrian bridge requires a General Contractor license with a Building classification. If there will be vehicular traffic weighing over 2000 lbs, a General Contractor license with a Bridges classification is required.

### **Q: Is a license required to install playground equipment?**

A: No, playground equipment installation is not regulated by the Contractor’s Licensing Board.

### **Q: Can an owner act as the builder for manufactured homes?**

A: No, the law allowing an owner to act as its own contractor comes from the Residential Builders Act and applies only to residential site-built structures. Per S.C. Code § 40-29-20(12) and § 40-29-30, **new manufactured homes must be installed by a licensed manufactured home contractor or installer or the direct employee of a manufactured home retail dealer.** You can review the definitions for a manufactured home contractor, installer, and retail dealer [here](#).



### **Q: Who can perform repairs to a used manufactured home?**

A: Licensees with the Residential Builders Commission and Contractor’s Licensing Board may perform repair work to used manufactured homes as long as they are licensed with the proper classification under their respective board. This is allowed per the definitions for a manufactured home contractor, repairer, and installer, found in [S.C. Code § 40-29-20](#).

New guidelines for S.C. LP Gas Resellers have been approved by the LP Gas Board and can be found on LLR's [website](#). For answers to commonly asked questions, please see below.

**Q: What license is required to install liquefied petroleum gas appliances and systems?**

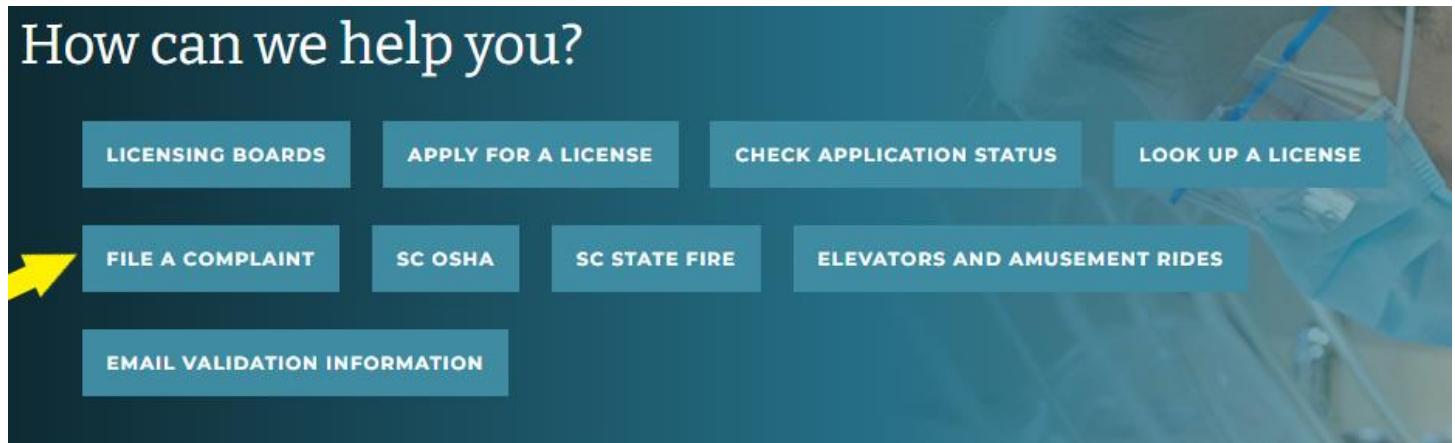
A: Only licensed LP gas dealers and installers may perform work on LP gas appliances and systems and only LP gas dealers may transport propane. LP gas dealers are required to have 30,000 gallons of in-state storage. See [S.C. Code § 40-82-20 \(4\), \(5\) and \(8\)](#) and [§ 40-82-30](#).

**Q: Why file a complaint with LLR?**

A: It's important to file complaints with LLR because the Boards and Commissions have a duty to protect the public. LLR is a complaint-driven agency, which means that unless you make a report, LLR may never know of the actions or conduct that you witnessed. If more than one person files a complaint against a licensee, it may improve the chances of success of the prosecution. If a licensee has a previous disciplinary history, the respective board will consider this factor when assessing appropriate sanctions. If you have evidence of a colleague who is violating your own practice act in a serious manner, you should file a complaint with the Council. You are not prohibited from filing complaints simply because you are a licensee.

The Boards and Commissions at LLR have little jurisdiction over contract-related issues. LLR also has little authority to require a licensee to make repairs. Those issues typically are addressed in the civil courts. However, LLR does have the ability to enforce sanctions allowed under the various board statutes and regulations. Sanctions generally range from a reprimand, fines, or action taken against a license, including but not limited to probation, suspension or revocation.

## How can we help you?



**Q: How do I file a complaint and what is needed?**

A: If you wish to initiate an investigation against a licensed or unlicensed individual or company, you will need to file an initial complaint. Filing a complaint with LLR can be done [here](#).

Please state all facts briefly and clearly in the description section. Also, include the name, address and phone number of all witnesses, and the specific information they possess to substantiate the complaint. Please include copies of any documents, records, statements or contracts that may assist the agency to investigate. Supporting documentation can be uploaded and attached to the online complaint form.

Documents may include:

- The permit application or related documentation. This is especially important if the contractor is potentially unlicensed or attempting to perform work outside of the scope of their license.
- A copy of any documentation that links the individual or company to the job (i.e., a contract, agreement, proposal, estimate, invoice, and/or cancelled check).
- If substandard work is involved, a complete list of the substandard work issues including code violations.