

Code Study Committee Policy

Purpose:

The purpose of the Code Study Committee (Committee) is to perform a technical analysis of proposed amendments to the building codes authorized by Sections 6-9-50 and 6-9-60 of the Building Codes Act and to report its findings and recommendation to the Building Codes Council (BCC).

Amendment Procedure:

Requests for building code amendments will be considered when submitted:

1. By an official representative of a local jurisdiction proposing the changes; or,
2. By an official representative of an entity or organization associated with the construction industry or having an interest in building construction in the state of South Carolina.

All proposed amendments must be submitted directly to Council and must be assigned to the Committee for review. A request for a building code amendment must include:

1. A cover letter from the local jurisdiction, entity or organization, stating that the individual is authorized to present the proposed amendment; and,
2. Verification that the proposed amendment has the support of at least a majority of the members of the board or Council governing the local jurisdiction, entity or organization proposing the amendment; and,
3. A completed Code Amendment Form (provided by the BCC); and,
4. Sufficient test information, studies, data or other documentation that would be necessary to fully explain and justify the proposed amendment; and,
5. A list of the persons with their titles and affiliations, known at the time of submittal, who will provide testimony in favor of the amendment.

Each request for amendment must be submitted separately.

Membership:

The Committee will consist of five core members and five alternates, appointed by the BCC for a period of three years. Appointments of the core members and alternates must occur during the first BCC meeting of the year coinciding with a new code cycle. Core members and alternates must be active within the specific segment of the industry that they are representing on the Committee for the length of their tenure. The core membership of the Committee must consist of:

1. A registered code enforcement officer;
2. A state licensed home builder;
3. A state licensed general contractor;
4. A state licensed architect, and,
5. A state licensed structural engineer.

An alternate acts in the place and on behalf of, the core member in the instance of an absence or recusal.

In addition to the core members, other persons who will be known as “specialty members” may be selected to serve from time to time, on an as needed basis. Specialty members will be selected to represent a segment of the construction industry that may be affected by a specific building code amendment or to provide specialized knowledge to the Committee within his or her area of expertise. Specialty members will have full rights to participate and vote on any issue within their areas of expertise. Specialty members will be selected by the BCC chair, vice chair and staff from a pool of volunteers and may consist of representatives of any segment of the construction industry, including specialized code enforcement officers and fire officials.

The core members must elect a chair and vice chair as the first order of business at the first Committee meeting of each new code cycle. The Committee chair and vice chair must serve for the length of the code cycle. The chair must preside over all Committee meetings and be available at public meetings of the BCC, to clarify or augment the Committees recommendations. In the absence or recusal of the chair, the vice chair must assume all duties of and act on behalf of the chair. If for any reason the chair leaves the Committee before expiration of his or her term, the vice chair must serve as the chair for the duration of the original appointment. The Committee must then elect a new vice chair.

If a core member leaves the Committee before expiration of his or her term, the alternate member must serve for the duration of the original appointment. The BCC must then appoint a new alternate member from the appropriate segment of the construction industry.

At no time may a specific segment of the construction industry be represented on the Committee by more than one core or specialty member.

Public Notice:

A notice of intention to review proposed building code amendments must be published in the State Register as a Notice of General Interest, on web sites published by the Department of Labor, Licensing and Regulation, and must be provided to each local building department with instructions for its prominent display. The notice must include:

1. The address to which interested persons may submit written comments; and,
2. A period of not less than one hundred eighty days during which comments may be received.

Meetings:

The Committee must hold at least one public meeting. All Committee meetings must be at the call of the chairman of the BCC and must be open to the public. All deliberations and actions taken by the Committee must be done in public session. For the purpose of conducting meetings and rendering recommendations, three core members or their alternates will constitute a quorum.

The date, time and place for all Committee meetings must be made public in the same manner as required for the BCC meetings. Notice of Committee meetings must be published a minimum of ten working days prior to the meeting date.

Proposed amendments with all supporting documentation must be submitted to the Council's staff a minimum of ten working days prior to the meeting date. A meeting agenda must be published a minimum of five working days prior to the meeting date.

Presentation Procedure:

An "Amendment Position Sheet" must be prepared for each proposed amendment to be addressed at the Committee meetings. All persons desiring to support or oppose an amendment will have the opportunity to do so without testimony before the Committee. In the case of support or opposition on behalf of a local jurisdiction, an entity or organization, only one name will be accepted on the Amendment Position Sheet.

All persons desiring to speak in favor of a proposed amendment will be given a maximum combined total of 20 minutes.

All persons desiring to speak in opposition of a proposed amendment will be given a maximum combined total of 20 minutes.

A combined rebuttal period of five minutes each may be given to the proponents and opponents if deemed appropriate by the chair.

Time required to answer questions from the Committee will not apply to the times allotted for presentation or rebuttal.

Multiple speakers are encouraged to elect a spokesperson to represent the position of the group when practical.

All speakers must be recognized by the Committee chair and identify themselves by name, title and affiliation before speaking.

Actions:

The Committee must review all proposed amendments and as much of the pertinent supporting documentation and testimony as necessary to reach a decision. If the Committee cannot reach a decision based on the documentation and testimony provided, the proposed amendment may be carried over to a future meeting, until a decision is reached.

A report of the Committee, including a list of pros and cons for the proposed amendments, must be submitted in writing to the BCC with a recommendation for:

1. Approval; or,
2. Disapproval; or,
3. Approval as revised.

In the event that the Committee is unable to reach a decision on a recommendation, the matter will be presented to the BCC.