

**SOUTH CAROLINA BUILDING CODES COUNCIL  
110 CENTERVIEW DRIVE, ROOM 105  
COLUMBIA, SOUTH CAROLINA  
AUGUST 23, 2006**

**MEMBERS PRESENT**

Frank Hodge, Chair  
Kenneth Padgett  
Earnest F. Dorsey  
James A. Ham, Jr.  
Frank Hill  
Gable D. Stubbs  
Thomas Brock  
Douglas Darby  
Richard Sandler

**MEMBERS ABSENT**

Gregory P. Parsons  
Van M. McAlister  
Lloyd Schumann  
William McDowell  
Wendell Davis

**STAFF PRESENT**

Gary Wiggins  
Jennie Meade  
Rick Wilson

**OTHERS PRESENT**

John Wasson, Jr.  
Wayne Wallen  
Gene Nelson  
John McLeod  
Phil Rhoads  
Vaughn P. Wicker  
Carroll Amick  
Ira Coltharp  
Darbis Briggman  
Allen Hutto  
Bruce Lanier  
Don Ferguson

Andrew B. Jordan  
Steve Landrith  
Herb Yingling  
Clay Pendarvis  
Channon Chambers  
Jack Moore  
John Cone  
Ronald L. Brewer  
John England  
Andy Whitfield  
Sonny DuBose  
Matt Sigler

Jeff Burkett  
Lesslie Hope  
Richard Palmer  
John Pruett  
Billy Kennett  
Buddy Skinner  
Georgia Toney  
Angela McJunkin  
Steve Martin  
James Shittaker  
Robert Harkins

**NOTE:** The Notice and Agenda for the August 23, 2006 meeting of the South Carolina Building Codes Council were posted in accordance with Section 30-4-80 of the 1976 amended Code, relating to the Freedom of Information Act.

**1. Call to Order-** The August 23, 2006 meeting of the S.C. Building Codes Council was called to order at 10:30 AM by Chairman Frank Hodge.

**2. Approval of Agenda** – Chairman Hodge asked if there were any changes to the Agenda. Mr. Richard Sendler made the motion to approve the agenda as written. Mr. Frank Hill seconded the motion and the vote was unanimously passed.

**3. Approval of Minutes** – Chairman Hodge asked if there were any corrections to the minutes of the May 24, 2006 meeting. Mr. Wendell Davis made the motion to accept the minutes as written. The motion was seconded by Mr. Sendler. The vote was unanimous.

**4. Approval/Disapproval for Absent Members**

Chairman Hodge opened the item and asked staff for a report on the absent members. Staff informed the council that Mr. Gregory Parsons and Mr. Van McAlister had out of town business, Mr. Lloyd Schumann had a prior appointment, Mr. William McDowell had noted city business and Mr. Thomas Brock had to leave the meeting at 11:50 AM. All absences were accepted as excused.

**5. Old Business**

**A. Proposed Statutory Amendment to Register Special Inspectors** - Chairman Hodge recognized Mr. Steve Landrith, chairman of the Special Inspections Committee. Mr. Landrith stated that the committee reviewed the proposed legislation and offered the following changes to the original language.

Section 6-8-10, add the definition of Entity. “Entity” means a sole proprietorship, partnership, limited liability partnership, limited liability company, association, joint venture, cooperative, corporation, or other legal entity authorized by law.

Section 6-8-10, revise the definition of Contract inspection agency to read “Contract inspection agency” means an entity that provides inspection services to a local jurisdiction on a contractual basis.

Section 6-8-10, revise the definition of Special inspection agency to read “Special inspection agency” means an entity that employs special inspectors that provide special inspections for local jurisdictions.

Section 6-8-10, revise the definition of Special inspector to read “Special inspector” means a person certified to perform special inspections in one or more disciplines in accordance with the International Building Code.

Section 6-8-30 (B), revise text to read “Upon initial employment as a building codes enforcement officer, by a local jurisdiction, an uncertified individual must be granted a provisional registration without examination which is valid from the date of employment for the time period stated by regulation for each registration classification pending certification.”

Section 6-8-40, added an exception to read “However, an architect currently licensed by the South Carolina Board of Architectural Examiners or an engineer currently registered by the

South Carolina Board of Professional Engineers and Land Surveyors may practice as a special inspector without additional registration as provided in this chapter.”

Mr. Wiggins pointed out that architects and engineers are governed by their own practice acts and subject to disciplinary action by their respective boards. He further stated that the exception exempts architects and engineers from additional licensing only; it does not exempt them from the provisions of Chapter 17.

Mr. Landrith also referenced section 6-8-60 (B) stating the language should be consistent when defining specialty and general classifications.

Chairman Hodge recognized Mr. Rick Willson, advice attorney for the Council, who offered changes to the following sections for clarification.

Section 6-8-10 (2), revise the definition to read “ ‘Contract inspection agency’ ” means an entity that provides inspection services to local jurisdictions on a contract basis.”

Section 6-8-10 (4), revise the definition to read “ ‘Entity’ ” means a sole proprietorship, partnership, limited liability partnership, limited liability company, association, joint venture, cooperative, corporation, or other legal entity authorized by law.”

Section 6-8-10 (6), revise the definition to read “ ‘Special inspection agency’ ” means an entity that provides special inspectors.”

Section 6-8-10 (7), revise the definition to read “ ‘Special Inspector’ ” means a person certified to perform special inspections in one or more disciplines in accordance with the International Building Code.”

Section 6-8-10 (8) new definition to read “ ‘Specialty registration’ ” means a current authorization issued by the council for a person who holds a certification by a recognized code organization, approved by council, in a single construction trade discipline.”

Section 6-8-10 (9) new definition to read “ ‘General registration’ ” means a current authorization issued by the council for a person who holds a certification by a recognized code organization, approved by council, in two or more construction trade disciplines.”

Section 6-8-30 (B) revise to read “Upon initial employment as a building codes enforcement officer by a local jurisdiction, an uncertified individual must be granted a provisional registration without examination which is valid from the date of employment for the time period stated by regulation for each registration classification pending certification. The provisional registration may not be renewed.”

Section 6-8-40 (A) combine and revise the first and second sentences to read “No person may practice as a codes enforcement officer, contract inspector or special inspector, and no person or entity may practice as a contract inspection agency or special inspection agency in this State unless registered as provided in this chapter. However, an architect currently licensed by the South Carolina Board of Architectural Examiners or an engineer currently registered by the South Carolina Board of Professional Engineers and Land Surveyors may practice as a special inspector without additional registration as provided in this chapter.”

Section 6-8-50 revise the second sentence to read “The council may apply to the Administrative Law Court for an injunction restraining the person or entity from the conduct.”

Section 6-8-60 (B) revise the second sentence to read “A special registration authorizes the registrant to practice in the named construction trade discipline only.”

Section 6-8-60 (C) revise to read “A local jurisdiction may impose additional requirements upon a person employed as a building codes enforcement officer, contract inspector, special inspector or contract inspection agency in its jurisdiction.”

Chairman Hodge asked for comments from the audience. There were no comments. Chairman Hodge then stated that the council could agree to approve the concept of the language only and have an official approval at the next BCC meeting.

A motion was made by Mr. Gable Stubbs to request staff to incorporate all of the approved revisions and resubmit the document for final approval at the next council meeting on November 15th. The motion was seconded by Mr. Kenneth Padgett and the vote was unanimous.

A copy of the proposed legislation incorporating the amendments is included and made part of these minutes.

#### **B. Proposed Statutory Amendment to Allow for Emergency Code Modifications**

Chairman Hodge recognized Mr. Wiggins. Mr. Wiggins stated that at its last meeting, Council requested staff remove the words “enforcement of” and “section or” from the new language in Section 6-9-40(B)(1). Chairman Hodge recognized Mr. Rick Wilson who offered changes to the following sections for clarification.

Section 6-9-40(B)(1) revise to read “If it is determined by council at any time, that a building code requirement constitutes a threat to the life or safety of building occupants, an emergency modification may be made by the council.”

Section 6-9-40(B)(3) revise to read “A public hearing to consider an emergency modification must be conducted during an open council meeting, and proponents and opponents must be afforded a reasonable opportunity to state their positions prior to council action.”

Section 6-9-40(B)(4) revise to read “An emergency modification takes effect on the date established by the council.”

Section 6-9-40(B)(5) add language to read “An emergency modification approved by the council shall be published in the State Register as a Notice of General Interest and placed on websites published by the Department of Labor, Licensing and Regulation.”

After further discussion, a motion to accept the changes to the proposed statutory amendment was made by Mr. Hill and seconded by Mr. Earnest Dorsey. The vote was unanimous.

A copy of the proposed legislation incorporating the amendments is included and made part of these minutes.

## **6. New Business**

### **A. Recognition of Past Council Member Mr. Mike Thomas**

Chairman Hodge recognized Mr. Mike Thomas for his past service on the Council and presented him with a certificate of appreciation. Mr. Thomas thanked the Council for the recognition and commended the Council's dedication and unrelenting service to assure building safety for the people of South Carolina.

### **B. Appoint Members for the 2006 Code Study Committee**

Chairman Hodge recognized Mr. Wiggins. Mr. Wiggins stated that the Council had solicited for volunteers to serve as members of the 2006 Code Study Committees. He said responses were still being submitted. Mr. Wiggins stated the available positions and the names submitted as of the meeting date. Chairman Hodge requested that Mr. Wiggins read the names of the qualified individuals, and asked Council to appoint a primary and alternate member for each seat. The primary and backup positions were approved by the council upon proper motion and second, as reflected on the attached sheet. (Attachment A).

A copy of the Code Study Committee Roster is included and made part of these minutes.

### **C. Appoint a BCC Investigative Review Committee (IRC) Member**

Chairman Hodge recognized Mr. Wiggins. Mr. Wiggins stated that an industry expert position was created for the Investigative Review Committee for the BCC. The person will serve with the existing committee members to review the investigator's findings and recommend a disposition for complaints filed against the Council's licensees and registrants. Mr. Wiggins turned the floor over to Mr. Wilson for further clarification. Mr. Wilson explained that the Investigative Review Committee is essentially a group that reviews investigations that are complete and sometimes provides guidance to the investigators on disciplinary issues. The appointee could be anyone with construction expertise. Mr. Wiggins stated that solicitation for the position did not attract a viable candidate. Mr. Wiggins also stated that the industry expert member must be present when the IRC meets and would not be reimbursed for expenses. A motion was made by Mr. Padgett to nominate Mr. John Wasson. The motion was seconded by Mr. Dorsey and the vote was unanimous.

#### **D. Modular Building Variance Request by Signature Building Systems, Inc.**

Chairman Hodge recognized Mr. Gene Beckman, builder of record for a proposed project in the City of Charleston. Mr. Beckman requested a variance to Section 23-43-85 of the SC Modular Building Construction Act for modular construction project #102306 (a five unit development). He stated the houses were designed to the old Charleston style of architecture, using a flat roof system, which had been approved by the local jurisdiction, but is less than the minimum 5/12 roof pitch stated in Section 23-43-85 (A)(1). Mr. Beckman said he discussed the proposed project with the Center for Charleston Construction and the City of Charleston. He further stated that, if the Council allowed the variance, neither entity would object. Mr. Wiggins pointed out that the statutory provision was established to distinguish manufactured housing from “on-frame” modular housing, but due to its wording, affects larger “off-frame” units as well. Mr. Hill motioned to approve the variance for flat roof systems on all five units. Mr. James Ham seconded the motion. The vote was unanimous.

#### **E. Recognition of Mr. Doug Smits**

Mr. Darbis Briggman, Building Official for the City of North Charleston and President of the Building Official’s Association of SC recognized Mr. Doug Smits, retired Building Official for the City of Charleston. Mr. Briggman cited Mr. Smits years of outstanding service to the City of Charleston and contributions to the Building Official’s Association. Mr. Smits thanked his peers for recognition of his 29 years of service.

#### **F. Regulations for Elevators in Single Family Dwellings**

Chairman Hodge recognized Mr. Arthur L. Cummings, Director of the Beaufort County Building Inspection Department. Mr. Cummings addressed the absence of regulations regarding elevators installed in single-family dwellings. He said the elevators are not being inspected due to the lack of regulations in the International Residential Code. Mr. Cummings said, in his area there is a demand for residential elevators and, this year, contractors will install 350 to 400 elevators in existing and new single-family homes. Mr. Cummings requested guidance from the Council as to whether or not he could use the provisions of the International Building Code to regulate residential elevators. He also asked if inspections of residential elevators could be incorporated into Chapter 17 under special inspections and allow certified inspectors to perform the inspections. Mr. Cummings also stated that most building inspectors do not have the expertise to inspect residential elevators. Chairman Hodge agreed that elevators in single-family units should be inspected. Mr. Wiggins suggested that the Council authorize staff to appoint a committee to study the issue of residential elevator inspections and prepare a recommendation. Chairman Hodge accepted Mr. Wiggins’ suggestion.

#### **7. Public Comments**

No public comments were made.

#### **8. Date of Next Meeting - November 15, 2006**

#### **9. Adjournment**

There being no further business, the meeting was adjourned at 2:50 PM.

**Code Study Committee**  
**ATTACHMENT A**

**Commercial Study Committee Core Members**

One primary member and one alternate member needed for each seat.

Registered code enforcement officer familiar with the commercial code series

Herb Yingling, Primary  
James Whittaker, Alternate

State licensed homebuilder specializing in multi-family residential construction

Kevin Connelly, Primary

State licensed general contractor specializing in commercial construction

K. Scott Green, Primary  
Hal Turner, Alternate

State licensed architect specializing in design of commercial structures

Robert O. Mitchell, Primary  
[Mike Hallasy, Alternate](#)

State licensed structural engineer specializing in design of commercial structures

[Jimmy Jones, Primary](#)  
Kevin C. Kirkland, Alternate

**Commercial Study Committee Special Members**

One member and one alternate needed for each seat.

State licensed commercial plumbing contractor

Steve Brewer, Primary  
Richard Miller, Alternate

State licensed commercial mechanical contractor

Tom Minor, Primary  
Benny Waldrop, Alternate

State licensed commercial electrical contractor

Mike Richardson, Primary  
Henry Poplin, Alternate

State licensed commercial gas contractor

Steve Abernathy, Primary  
Donnie Smith, Alternate

Certified fire official

Dan Shirley, Primary

Person familiar with the commercial energy code and state standards  
Sonny Dubose, Primary

### **Residential Study Committee Core Members**

One member and one alternate needed for each seat.

Registered code enforcement officer familiar with the International Residential Code  
Billy Kennett, Primary  
Buddy Skinner, Alternate

State licensed homebuilder specializing in single and two family residential construction  
Matt Sigler, Primary  
Wayne Moore, Alternate

State licensed general contractor specializing in single and two family residential construction  
Dean Townsley, Primary  
David Nichols, Alternate

State licensed architect or designer specializing in design of residential structures  
Georgia Toney, Primary  
[Mike Hallasy, Alternate](#)

State licensed structural engineer specializing in design of residential structures  
Kevin C. Kirkland, Primary  
[Jeff Barrett, Alternate](#)

### **Residential Study Committee Special Members**

One member and one alternate needed for each seat.

State licensed residential plumbing contractor  
James Gable, Jr., Primary  
Verlon Wulf, Alternate

State licensed residential mechanical contractor  
Van Edwards, Primary  
Randy Pardee, Jr., Alternate

State licensed residential electrical contractor  
Victor Snipes, Primary  
Jimmy Shealy, Alternate

State licensed residential gas contractor  
Scott Kelly, Primary  
Sam Freeman, Alternate

Person familiar with the residential energy code and state standards  
Sonny Dubose, Primary