

(Ord. No. 299, art. III, § 7, 4-21-92)

Sec. 50-99. - Resiting of flooded mobile home.

If a mobile home which is already existing in a floodplain becomes flooded and federal, state and county rescue personnel are involved in a rescue operation, the owner of the mobile home will be required to resite that flooded mobile home per this article.

(Ord. No. 299, art. III, § 8, 4-21-92)

Cross reference— Flood damage prevention, § 38-426 et seq.

Secs. 50-100—50-125. - Reserved.

DIVISION 4. - PERFORMANCE STANDARDS FOR MOBILE HOME PARKS

Sec. 50-126. - New mobile home park design standards.

- (a) *Generally.* All mobile homes sited within the county for the first time or moved from one site to another in the county after April 21, 1992, must comply with the following regulations: Sections 50-91 through 50-99, except section 50-97. These regulations shall apply to mobile homes in the unincorporated areas in the county after April 21, 1992. However, where subsections of this section and another provision conflict or overlap, whichever imposes the most stringent restrictions shall prevail.
- (b) *Siting standards:*
- (1) The minimum number of mobile homes per acre shall not exceed four units per acre where public water and a septic tank system are to be used. In areas where public water and sewer are available ten units per acre (including parking and street rights-of-way) are allowed using properly angled lots. In both instances SCDHEC regulations govern.
  - (2) A mobile home park or additions to a mobile home shall be located on a well drained site, properly graded to ensure drainage and freedom from stagnant pools of water.
  - (3) All mobile homes and all structures within a mobile home park shall have a minimum setback of five feet from the park's exterior property lines when buffered as per the county land use ordinance chapter 38, except entrance setback may be 20 feet when properly buffered under chapter 38.
  - (4) At no time will a mobile home park, in existence prior to April 21, 1992 or approved by the planning commission, be forced to eliminate spaces in any park because the spaces are occupied by larger mobile homes. Any mobile home replaced within an existing park may not be any closer to the road right-of-way than the mobile home that previously occupied such space. The only reason a space in any mobile home park may be eliminated is for health reasons designed by the county health department.
- (c) *Setbacks required.* All mobile homes and all structures within a mobile home park shall have a minimum of five feet from the park's exterior property lines when buffered as per chapter 38, county land use ordinance, except entrance setback may be 20 feet when properly buffered under chapter 38.
- (d) *Parking.* A minimum of two off-street parking spaces shall be provided for each mobile home.

metal. Steps shall be maintained in good state of repair. If height is 30 inches or more, hand rails must be installed. If metal or wood steps with a height of 30 inches or more are used, they shall be anchored to the ground.

(Ord. No. 299, art. III, § 1, 4-21-92)

Sec. 50-93. - Blocking.

On a singlewide home, double blocking must occur at all corners and in front and back of axles for a total of eight double blocked piers. Doublewide homes must have all piers double blocked. Piers may be no further than ten feet apart. Piers or load-bearing supports or devices shall be designed and constructed to evenly distribute the loads. Piers shall extend at least six inches from the centerline of the frame member. Manufactured load-bearing supports or devices shall be listed or approved for the use intended, or piers shall be constructed as follows:

- (1) Except for corner piers, piers less than 40 inches high shall be constructed of masonry units, placed with cores or cells vertically. Piers shall be installed with their long dimensions perpendicular to the main (I-beam) frame member it supports and shall have a minimum cross-sectional area of 119 sq. in. Piers shall be capped with a minimum two-inch solid wood cap, solid masonry unit or concrete cap, or equivalent.
- (2) Piers between 40 and 80 inches high and all corner piers over 24 inches shall be at least 16 by 16 inches consisting of interlocking masonry units and shall be fully capped with a minimum of four-inch solid masonry unit or equivalent.
- (3) Piers over 80 inches high shall be constructed in accordance with the provisions of subsection (2) above, provided the piers shall be filled solid with grout and reinforced with four continuous No. 5 bars. One bar shall be placed in each corner cell of hollow masonry unit piers, or in each corner of the grouted space of piers constructed of solid masonry units.
- (4) Cast-in-place concrete piers meeting the same size and height limitations of subsections (1), (2), and (3) above may be substituted for piers constructed of masonry units.
- (5) All piers shall be constructed on footings of solid concrete, poured in place or pre-cast concrete not less than 16 by 16 by 4 inches.

(Ord. No. 299, art. III, § 2, 4-21-92)

Sec. 50-94. - Tiedowns and skirting.

All mobile homes shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top and/or frame ties to ground anchors. Specific requirements shall be that:

- (1) There can be either over-the-top or frame ties.
- (2) There must be at least three tiedowns per side if home is under 50 feet in length. If home is 50 feet or greater in length, then there must be four tiedowns per side. Tiedowns must be placed in all corners and at intermediate points.
- (3) For health, safety, energy conservation and aesthetic purposes, skirting underneath all living areas is required within 60 days of setup. The skirting is to be of solid or perforated skirting material (wood, vinyl, metal, masonry, or similar material—all material which is not pretreated or prefinished must be painted or stained, except brick and stone) and is to be erected in such a fashion as not to

- (b) Any person affected by any notice which has been issued in connection with the enforcement of any provision of this article may request and shall be granted a hearing on the matter before the land use office, provided that such person shall file in the office of the county permit office a written petition requesting such hearing and setting forth a statement of the grounds thereof. Upon receipt of such petition, the permit office shall set a time and place and days for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall have an opportunity to be heard, and to show why such notice should be modified or withdrawn, provided that upon the application of the petitioner, the inspector may postpone the date of the hearing for a reasonable time.
- (c) After such hearing the land use office shall make findings as to compliance with the provisions of this article and shall issue an order in writing sustaining, modifying or withdrawing the notice which shall be served as provided in subsection (a). Upon failure to comply with any order sustaining or modifying a notice the permit of the mobile home park affected by the order shall be revoked. Revoked permits may not be issued if all requirements of this article are met.
- (d) The proceedings at such a hearing, including the findings and decisions of the inspector, and together with a copy of every notice and order related thereto shall be entered as a matter of public record in the office of the permit office.
- (e) Appeals from the decision of the land use office on matters at issue in such hearings may be taken to the board of land use appeals according to procedures set forth in section 50-66.
- (f) Whenever the permit office finds that an emergency exists which requires immediate action to protect the public health, safety or welfare, it may, without notice or hearing, issue an order citing the existence of such an emergency and requiring that such action be taken as it may deem necessary to meet the emergency including the suspension of the permit. Notwithstanding any other provisions of this article, such an order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon petition to the inspector, shall be afforded a hearing according to procedures set forth in subsection (b) of this section.
- (g) When a permit to operate a mobile home park has been revoked, the inspector shall notify all occupants of the revocation and give notice that they must vacate the park within 30 days.

(Ord. No. 299, art. VII, § 3, 4-21-92)

Sec. 50-66. - Mobile home appeal committee.

- (a) *Generally.* The board of land use appeals, as formed by the county council, shall hear and decide appeals and requests for variances from the requirements of this article.
- (b) *Appeals.* The board of land use appeals shall hear and decide appeals in matters as specified by this article, and in addition, when it is claimed that the true intent and meaning of this article have been misconstrued or wrongly interpreted. Notice of such appeal shall be in writing and shall be filed within 90 days of the time that the decision being appealed is rendered.
- (c) *Variances.*
  - (1) The board of land use appeals, when so appealed to and after a hearing, may vary the application of any provision of this article to any particular case when in its opinion the enforcement thereof would do manifest injustice.
  - (2) Variances shall be issued upon a showing of good and sufficient cause; a determination that failure to grant the variance would result in exceptional hardship to the applicant; and a determination

clearly display the park's name and address at the entrance of the park and to mark each lot number so that it is clearly visible at each mobile home lot. This requirement shall become effective only on and after January 1, 1993, and all parks should be in compliance with these requirements by January 1, 1994.

- (i) *Dealer responsibility.* Each mobile home dealer shall complete in full a bill of sale form (*BOS*) on every unit sold for placement in the county. The *BOS* form must reflect all trade-ins. A copy of the *BOS* form shall be mailed to the county mobile home permit office within ten working days of the date of the sale. Mobile home dealers shall report all repossessions from the county that are taken back into inventory. An affidavit of repossession must be completed in full and mailed also within ten days from the date of repossession. These requirements shall become effective only on and after January 1, 1993.
- (j) *Prohibited conduct.*
- (1) It shall be unlawful for any person, firm, or legal entity selling a mobile home, or for a mobile home mover, to deliver or place a unit upon any prospective temporary or permanent site without first having secured a copy of the county mobile home permit for the proposed site from the purchaser. Such mobile home permit and any applicable health department certificate shall not be issued until evidence is presented that location of the unit on the intended site will be in compliance with all applicable land use ordinances and all health regulations and laws administered and/or enforced by the county health department.
- Such mobile home permit and the health certificate shall state the location of the approved site, shall be valid only as to such site and, as to the mobile home permit, shall not be deemed valid unless signed by the proper authority.
- Any mobile home dealer violating this subsection shall be held financially responsible for refunding to the buyer the full purchase price of the mobile home and moving fees for relocation of the mobile home.
- (2) It shall be unlawful for any person to connect or supply utility electricity to a mobile home that does not have its own approved meter head.
- (3) Any mobile home discovered or located within the county without a mobile home permit, a properly registered decal, and a current tax decal, or moved within the county without a moving permit shall be in violation of this article and the maximum allowable penalties shall be assessed against the owner of the unit and any other culpable parties who have violated any of the prohibitions of this article in the aforesaid regards. Taxes will also be assessed in accordance with state law regarding real property taxation.
- (4) It shall be unlawful to violate any of the other terms, provisions or requirements of this article.
- (5) It shall be unlawful for any person, firm, or legal entity to bring into Anderson County a mobile home manufactured prior to 1976, unless the mobile home can be, and is, certified to meet the June 1976 HUD standards for construction.
- (k) *Exceptions.* The provisions of this section shall not apply to transactions involving the sales and purchases of manufactured homes/mobile homes, factory-built dwellings or modular units between manufacturers and licensed dealers.

## FOOTNOTE(S):

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Cross reference— Administration, ch. 2.

Sec. 50-61. - Approval of mobile homes on individual, private lots and/or within mobile home parks or designated subdivisions.

- (a) *Duty of owner.* Each owner of a mobile home located within the county except:
- (1) A mobile home temporarily located within the county for the express predetermined purpose of conveyance outside of the county within 30 days after arrival;
  - (2) A mobile home held for display or exhibition purposes by a mobile home dealer licensed by the state as such, on his own lot or other lot licensed for similar purposes; or
  - (3) A mobile home passing through the county on a public street, road or highway for conveyance elsewhere;
- shall obtain and display a county registration decal required by state law within 15 days of purchase or change of ownership or change of address, and a county-mandated tax renewal sticker, indicating that all taxes have been paid, on or before March 16 of each year; and individuals desiring to site for the first time or move from one property to another a mobile home anywhere in the county must obtain a mobile home permit in the approved form and a mobile home moving permit from the permitting authority except as provided in subsection (g) of this section.
- (b) *Registration.* Registration shall occur when the mobile home is properly listed with the county mobile home permit office for ad valorem tax purposes within 15 days as specified in this section, and upon such listing, the mobile home permit office shall issue a numbered registration decal to the person registering the mobile home, which device shall be displayed on the outside of the mobile home so as to be clearly and readily visible from the street or driveway to which the mobile home is addressed and/or shall issue a mobile home permit. Prior to the registration decal and/or mobile home permit being issued, the following information must be submitted to the county mobile home permit office:
- (1) Sales contract, notarized bill of sale, title, or manufacturer's statement of origin (MSO) properly assigned to convey ownership, or other title document evidencing ownership (photocopies are acceptable when the original is held by a lienholder). Titles or MSO's which are not properly assigned must be accompanied by a notarized bill of sale or legal contract.
  - (2) Lienholder's name and address.
  - (3) Name of the owner and person to be in possession if other than owner.
  - (4) Year, make, model, size and complete serial number of the mobile home.
  - (5) Complete address and name of the landowner where the mobile home will be sited.
  - (6) Payment of a registration fee as established by the council from time to time.
  - (7) Signed statement that the applicant is responsible for and will comply with S.C. Code 1976, § 31-17-310 et seq. and with S.C. Code 1976, §§ 31-17-340, 31-17-360, 31-17-370, and 31-17-400, that the location of the mobile home will be in compliance with the county floodplain ordinance, the county road ordinance, the county mobile home ordinance, the county land use ordinance, and the county subdivision regulations.

*Construction* means any building, erection or installation of a new mobile home or mobile home park or the enlarging and/or improvements made to an existing mobile home park, except the enlarging of existing parks where an application for a larger park, i.e., plat to health department; plat to planning and development, or application to DHEC for water clearly establishes an original intent to enlarge.

*County* means all unincorporated areas of the county.

*Designated subdivision* means a formally recognized parcel of land developed, subdivided, used or set aside into two or more lots.

*Health authority* means the county health department and/or the state department of health and environmental control or their authorized representatives.

*Inspector* means the mobile home inspector.

*Mobile home* means a structure, certified to meet the June 1976 HUD standards for construction, that is transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "mobile home" as used in this article shall not include modular, prefabricated or unitized dwellings placed on a permanent foundation nor shall it refer to campers or travel trailers not exceeding eight feet in body width, registered with DOT as a recreational vehicle and designed for recreation or short term use.

- (1) *Doublewide mobile home* means a mobile home consisting of two sections combined horizontally at the site while retaining their individual chassis.
- (2) *Expandable mobile home* means a mobile home with one or more room sections that fold, collapse or telescope into the principal unit when being transported and which can be expanded at the site to provide additional living area.

*Mobile home park* means any parcel of land two acres or more in size being used for the purpose of supplying space on a rental or lease basis for two or more mobile homes and which may include buildings, structures, vehicles or enclosures used or intended for use as part of such mobile home park. Land subdivided and subsequently sold for the purpose of siting mobile homes is not considered a mobile home park under this article.

*Mobile home permit* means a required siting permit, which must be obtained from the permitting authority prior to siting for the first time or moving from one property to another a mobile home anywhere in the county. A mobile home permit is separate and distinct from state-mandated registration decals and moving permits, or from any identifying tax decal.

*Permitting authority* means the county mobile home permit office of the building and codes department or any other county agency so appointed by the county council.

*Principal structure* means the main or principal structure used for or as a housing unit.

(Ord. No. 299, art. II, § 1, 4-21-92; Ord. No. 360, §§ 4, 5, 4-20-93; Ord. No. 2000-002, § 1, 2-1-00)

Cross reference— Definitions generally, § 1-2.

cause such dwelling to be removed or demolished.

- (e) If the county, in demolishing unfit dwellings as permitted by this section, contracts with a third party not employed by the county to do the work, it must bid the work in conformity with the procurement code, as codified in chapter 2, article V, division 2, Contracts and Competitive Bidding, Code of Ordinances, Anderson County, South Carolina.
- (f) The amount of the cost of such repairs, alterations or improvements, vacating and closing or removal or demolition by the codes director shall be a lien against the real property upon which such cost was incurred and shall be collectable in the same manner as county taxes.
- (g) Complaints or orders issued by the codes director pursuant to this section shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons is unknown or cannot be ascertained by the codes director in the exercise of reasonable diligence and the codes director shall make an affidavit to that effect, the serving of such complaint or order upon such persons may be made by publishing it once a week for two consecutive weeks in a newspaper printed and published in the county or in a newspaper printed and published in the City of Anderson and circulated in the county.

(Ord. No. 149, art. III, § 3.5, 12-4-84; Ord. No. 215, art. III, § 3.5, 12-2-86; Ord. No. 284, art. III, § 3.5, 8-7-90; Ord. No. 99-020, §§ 1, 2, 10-5-99)

**State Law reference—** Similar provisions, S.C. Code 1976, §§ 31-15-360, 31-15-370.

#### Sec. 10-181. - Rights of person affected by order.

In accordance with S.C. Code 1976, § 31-15-370 any person affected by an order issued by the codes director pursuant to this article may, within 60 days after the posting and service of the order, petition the circuit court for an injunction restraining the codes director from carrying out the provisions of the order and the court may, upon such petition, issue a temporary injunction restraining the codes director pending the final disposition of the cause. Hearings shall be had by the court on such petitions within 20 days or as soon thereafter as possible and shall be given preference over the matters on the court's calendar. The court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. In all such proceedings the findings of the codes director as to facts, if supported by evidence, shall be conclusive. Costs shall be at the discretion of the court. The remedies provided in this section shall be exclusive remedies and no person affected by an order shall be entitled to recover any damages for action taken pursuant to any order of the codes director or because of compliance by such person with any order of the codes director.

(Ord. No. 149, art. III, § 3.6, 12-4-84; Ord. No. 215, art. III, § 3.6, 12-2-86; Ord. No. 284, art. III, § 3.6, 8-7-90)

#### Sec. 10-182. - Sale of materials from removed or demolished dwelling.

If a dwelling is removed or demolished pursuant to this division by the codes director or his delegate or agent, he shall sell the materials of such dwelling and shall credit the proceeds of such sale against the cost of the removal or demolition, and any balance remaining shall be deposited in the circuit court by the codes director, shall be secured in such manner as may be directed by such court and shall be disbursed by such court to the persons found to be entitled thereto by final order or decree of such court.

(Ord. No. 149, art. III, § 3.7, 12-4-84; Ord. No. 215, art. III, § 3.7, 12-2-86; Ord. No. 284, art. III, § 3.7, 8-7-90)

Cross reference— Boards, commissions and committees, § 2-351 et seq.

Secs. 10-149—10-175. - Reserved.

~~ARTICLE V - UNFIT DWELLINGS~~

FOOTNOTE(S):

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Cross reference— Regulatory compliance, § 42-51 et seq.

State Law reference— Regulation of unfit dwellings in counties, S.C. Code 1976, § 31-15-310 et seq.

Sec. 10-176. - Authority.

This division is authorized by S.C. Code 1976, § 31-15-310 et seq.

(Ord. No. 149, art. III, § 3.1, 12-4-84; Ord. No. 215, art. III, § 3.1, 12-2-86; Ord. No. 284, art. III, § 3.1, 8-7-90)

Sec. 10-177. - Findings.

The county council finds that there exist in the county dwellings which are unfit for human habitation due to dilapidation; defects increasing the hazards of fire, accidents or other calamities; lack of ventilation, light or sanitary facilities; or other conditions rendering such dwellings unsafe or unsanitary, dangerous or detrimental to the health, safety or morals or otherwise inimical to the welfare of the residents of the county.

(Ord. No. 149, art. III, § 3.2, 12-4-84; Ord. No. 215, art. III, § 3.2, 12-2-86; Ord. No. 284, art. III, § 3.2, 8-7-90)

Sec. 10-178. - Enforcement; powers of codes director.

The codes director is hereby authorized and directed to exercise the powers prescribed in this article. He may exercise such powers as may be necessary or convenient to carry out and effectuate the purpose and provisions of this article, including the following powers in addition to others granted by this article or the enabling legislation:

- (1) To investigate dwelling conditions in the county in order to determine whether dwellings therein are unfit for human habitation.
- (2) To administer oaths and affirmations, examine witnesses and receive evidence.
- (3) To enter upon premises for the purpose of making examinations, provided such entries be made in such manner as to cause the least possible inconvenience to the persons in possession.
- (4) To appoint and fix duties of such officers, agents and employees as he deems necessary to carry out the purposes of this article.
- (5) To delegate any of his functions and powers under this article to such officers and agents as he may designate.

(Ord. No. 149, art. III, § 3.3, 12-4-84; Ord. No. 215, art. III, § 3.3, 12-2-86; Ord. No. 284, art. III, § 3.3, 8-7-90)



- (7) The type of roof.
- (8) The number of stories.
- (9) The number of rooms.
- (10) The approximate distance from the limits of the nearest municipality.
- (11) The use to be made of improvements.
- (12) The width of right-of-way of street.

(Ord. No. 129, § 4, 3-6-84; Ord. No. 138, § 4, 7-3-84)

State Law reference— Similar provisions, S.C. Code 1976, § 4-25-220.

Sec. 10-115. - No electrical connection without building permit.

It shall be unlawful for any public utility company or rural electric cooperative to make a new connection of electrical energy to a building or mobile home requiring a permit under this article until such permit is acquired for the construction or improvement of the building, or for the occupancy of the mobile home, and a release for power is granted by the building codes department. Any company or cooperative receiving a request for a connection where the owner does not have a permit will report such request to the codes director. No company or cooperative shall be required to determine the cost or value of the building being constructed or improved.

(Ord. No. 129, § 6, 3-6-84; Ord. No. 138, § 6, 7-3-84)

State Law reference— Similar provisions, S.C. Code 1976, § 4-25-250.

Sec. 10-116. - Treasurer's certificate.

Before any person shall be issued a building permit by the codes director, a certificate must be issued by the county treasurer verifying that all county taxes presently due have been paid in full by the applicant and on the real property. No building permit shall be issued without such certificate.

(Ord. No. 129, § 7, 3-6-84)

Sec. 10-117. - Exceptions.

This article shall not apply to any property located within the corporate limits of any municipality unless so requested and duly authorized by the governing authority of the municipality. No building permit shall be required for any construction performed by the owner himself the cost for which is less than \$1,000.00. Regardless of cost, no building permit shall be required for re-roofing or repair to the roofing of any existing home. No building permit shall be required for the addition of siding of any type to a residence. No building permit shall be required for the removal of the remains of a burned home.

(Ord. No. 129, § 8, 3-6-84; Ord. No. 138, § 7, 7-3-84)

Sec. 10-118. - Building permit fee schedule.

The schedule of fees for permits for building, construction and repair of buildings and structures in the unincorporated parts of the county is adopted by reference and is on file in the county offices.

## Sec. 10-82. - Authority.

The standards contained in the above building codes shall be controlling in the use, maintenance, and occupancy of all structures located within the unincorporated areas of the county.

The Anderson County Building and Codes Department shall have the authority to review and enforce the standards contained in the building codes. The building and codes department shall also review and enforce those references to the building codes as contained in the Fire Code pertaining to plan review and new construction. The county fire chief and/or his designee shall have continued authority to review and enforce all other maintenance and compliance items contained in the Fire Code.

(Ord. No. 01-013, § 6, 6-19-01; Ord. No. 04-024, § 1(Exh. A), 10-19-04; Ord. No. 2011-038, § 1, 12-20-2011)

## Sec. 10-83. - Enforcement.

The county council, upon recommendation of the director of the building and codes department, shall appoint and commission by resolution as many building codes code enforcement officers as may be necessary to properly enforce the standards contained in this chapter, all with the power to use the county uniform ordinance summons, as provided in section 42-92 et seq. Any person violating the provisions of sections 10-81 or 10-81.1 is guilty of a misdemeanor and upon conviction, shall be punished in accordance with section 1-7. In addition to any fine or other penalty and for each offense under the provisions of this section, the court may impose a minimum of five hours of litter-gathering labor, or other such public service as the court may order because of physical or other incapacities.

(Ord. No. 04-024, § 1(Exh. A), 10-19-04)

## Sec. 10-84. - Exemption of property sold by the master-in-equity.

Any property that has been sold by the Anderson County Master-in-Equity and is currently subject to a right of redemption period, shall be exempt from the application of sections 10-81 and 10-81.1 until such redemption period has expired. Such property shall be posted with a notice signifying such exemption, substantially in the form of the notice attached hereto as Exhibit B\*.

(Ord. No. 04-024, § 1(Exh. A), 10-19-04)

Note— \* Exhibit B is not set out herein, but on file as an attachment to Ord. No. 04-024 in the appropriate county offices.

## Secs. 10-85—10-89. - Reserved.

Editor's note— Ord. No. 01-013, § 3, adopted June 19, 2001, repealed §§ 10-85—10-89 in their entirety. Formerly said sections pertained to: The Standard Gas Code; Standard Mechanical Code; Standard Swimming Pool Code; CABO One and Two Family Dwelling Code and the Standard Fire Prevention Code, respectively. See the Code Comparative Table.

## Secs. 10-90—10-110. - Reserved.

## ARTICLE III. - PERMITS

## Sec. 10-63. - Construction board of adjustment and appeals.

- (a) There is hereby established a construction board of adjustment and appeals, which shall consist of seven members appointed by council and subject to the terms and provisions contained in section 2-351 of the Anderson County Code of Ordinances with the following exceptions. Pursuant to the requirements of the SBCCI Standard Building Code, the board should be composed of individuals with knowledge and experience in the technical codes, such as design professionals, contractors or building industry representatives. In addition to the regular members, there should be two alternate members, one member appointed at-large from the building industry, and one member appointed at-large from the public. No board members shall participate in a case in which he or she has a personal financial interest. Whenever the words "board of adjustment and appeals" appear in the Standard Building Codes in force in the county at any time (the "building code"), they shall refer to the construction board of adjustment and appeals.
- (b) A simple majority of the board shall constitute a quorum. In varying any provision of the building code, the affirmative votes of the majority present, but not less than three affirmative votes, shall be required. In modifying a decision of the building official, as defined in the building code, not less than four affirmative votes, but not less than a majority of the board, shall be required. In the event that regular members are unable to attend a meeting, the alternate members, if appointed, shall vote.
- (c) The building official shall act as secretary of the board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member and any failure of a member to vote.

(Ord. No. 149, art. II, § 2.1, 12-4-84; Ord. No. 215, art. II, § 2.1, 12-2-86; Ord. No. 284, art. II, § 2.1, 8-7-90; Ord. No. 99-018, § 19, 11-2-99; Ord. No. 01-013, § 1, 6-19-01)

**Editor's note—** The construction board of adjustment and appeals created under the building code consists of seven members per Ord. No. 99-018, § 19, adopted Nov. 2, 1999, but is otherwise governed by the applicable provisions of the building code. Further, section 1 of Ord. No. 01-013, adopted June 19, 2001, retitled former § 10-81 and redesignated said section as § 10-63. Formerly the title of redesignated § 10-81 pertained to the Standard Building Code. See the Code Comparative Table.

Secs. 10-64—10-80. - Reserved.

## DIVISION 3. - CODES ADOPTED

## FOOTNOTE(S):

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**State Law reference—** Mandatory adoption of nationally recognized codes, S.C. Code 1976, § 6-9-50.

Sec. 10-81. - Building codes.

## Sec. 10-38. - Purpose.

The purpose of this article shall be to establish rules and regulations for the construction, alteration or demolition of buildings, issuance of permits pertaining thereto and the duties of the building official.

(Ord. No. 149, art. I, § 1.3, 12-4-84; Ord. No. 215, art. I, § 1.3, 12-2-86; Ord. No. 284, art. I, § 1.3, 8-7-90)

## Sec. 10-39. - Violations; penalties.

- (a) The violation of any of the codes or regulations adopted pursuant to the provisions of this article is hereby declared to be a misdemeanor, and any person violating such codes or regulations shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 1-7. Each day such violation shall continue shall be deemed a separate offense. In case of any violation of or proposed violation of the codes or regulations adopted pursuant to this article, the codes department director or other appropriate authority of the county, or any adjacent or neighboring property owner who would be damaged by such violation may, in addition to other remedies, apply for injunctive relief, mandamus or other appropriate proceedings to prevent, correct or abate such violation or threatened violation.
- (b) Nothing in this article or in the codes adopted in this article shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liability incurred, or any cause of action accrued or existing under any act or ordinance repealed hereby, nor shall any right or remedy of any character be lost, impaired or affected by this article.

(Ord. No. 149, art. IV, § 4.1, 12-4-84; Ord. No. 215, art. IV, § 4.1, 12-2-86; Ord. No. 284, art. IV, § 4.1, 8-7-90)

**State Law reference**— Penalties for building code violations, S.C. Code 1976, § 6-9-70.

## Sec. 10-40. - Frontage requirements relative to issuance of building permits, erection of buildings.

No building permit shall be issued and no building other than an accessory building shall be erected on any piece of property in the county unless such piece of property shall have frontage on a road or street.

(Ord. No. 149, art. I, § 1.4, 12-4-84; Ord. No. 215, art. I, § 1.4, 12-2-86; Ord. No. 284, art. I, § 1.4, 8-7-90)

## Sec. 10-41. - Exemption from fees.

All not-for-profit rescue squads operating under the provisions and regulations set forth by the emergency medical services commission of the county and all volunteer fire departments shall not be required to pay the fees required under the provisions of Ordinance No. 149, October, 1984 as amended, and any fees which have been collected shall be remitted to the entity which has paid the fees. All other provisions of this article not affected in this section shall remain in effect including the requirement that rescue squads and fire departments be subject to all other provisions of this article.

(Ord. No. 215, art. IV, § 4.2, 12-2-86; Ord. No. 284, art. IV, § 4.2, 8-7-90)

## Sec. 10-42. - Exemption for public schools.

- (a) No fees shall be charged and the county shall refrain from plan review, permit issuance and on-site