



REQUEST FOR COUNCIL ACTION

City of Greenville, South Carolina

TO: Honorable Mayor and Members of City Council
FROM: John F. McDonough, City Manager

Agenda Item No.

11a

Ordinance/First Reading
 Ordinance/Second & Final Reading
 Resolution/First & Final Reading
 Information Only

AGENDA DATE REQUESTED: 11/14/2022

ORDINANCE/RESOLUTION CAPTION:

Ordinance to adopt the 2021 International Building Codes and to amend Chapter 6, Building and Building Regulations, of the Code of Ordinances of the City of Greenville

SUMMARY BACKGROUND:

South Carolina Code of Laws §6-9-50 requires mandatory adoption by the South Carolina Building Codes Council of certain nationally recognized codes and standards, generally known as building codes. The South Carolina Building Codes Council adopted the 2021 International Codes and 2020 National Electrical Code on October 6, 2021.

Passage of this Ordinance will allow for official adoption of the building codes and incorporation into the City's Code of Ordinances.

IMPACT IF DENIED:

South Carolina Code of Laws §6-9-60 requires local jurisdictions to enforce the building codes as adopted by the South Carolina Building Codes Council and to adopt the administrative chapters locally.

FINANCIAL IMPACT:

None

REQUIRED SIGNATURES

Department Director

DocuSigned by:
Buddy Skinner
 ADC9597BE6FA421...

City Attorney

DocuSigned by:
Leigh Paolletti
 5C8FA0DF322244F8
 DocuSigned by:

OMB Director

City Manager

DocuSigned by:
John McDonough
 FDC2AC15040F440...

AN ORDINANCE

TO ADOPT THE 2021 INTERNATIONAL BUILDING CODES AND TO AMEND CHAPTER 6, BUILDING AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE

WHEREAS, South Carolina Code of Laws §6-9-50 requires mandatory adoption by the South Carolina Building Codes Council of certain nationally recognized codes and standards, generally known as building codes; and

WHEREAS, on October 6, 2021, the South Carolina Building Codes Council, pursuant to procedures of notice, comment and promulgation under the State Administrative Procedures Act to be effective in all local jurisdictions, formally adopted the 2021 edition of the International Codes Series of the International Codes Council, Inc. and 2020 National Electrical Code for mandatory enforcement throughout the State effective January 1, 2023; and

WHEREAS, on April 2, 2012, the South Carolina General Assembly passed Act 143 adopting the 2009 edition of the International Energy Conservation Code requiring mandatory enforcement throughout the state for new and renovated buildings and additions constructed; and

WHEREAS, South Carolina Code of Laws § 6-9-60 requires local jurisdictions to enforce the building codes as adopted by the South Carolina Building Codes Council and to adopt the Administrative Chapters locally, however, local jurisdictions are not allowed to adopt the appendices of the codes adopted by the South Carolina Building Codes Council; and

WHEREAS, the South Carolina Building Codes Council further recognized certain 2021 International Codes as permissive codes including the 2021 edition of the International Property Maintenance Code which are allowed to be adopted locally; and

WHEREAS, upon review of Chapter 6, Building and Building Regulations, of the Code of Ordinances of the City of Greenville in considering adoption of the building codes, certain modifications are required to maintain consistency;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA:

Section 1. The following building codes are hereby adopted and incorporated into Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Greenville:

1. 2021 International Building Code, Chapter 1
2. 2021 International Fire Code, Chapter 1
3. 2021 International Fuel Gas Code, Chapter 1
4. 2021 International Mechanical Code, Chapter 1
5. 2021 International Plumbing Code, Chapter 1
6. 2021 International Property Maintenance Code, in its entirety as amended
7. 2021 International Residential Code, Chapter 1
8. ICC A117.1-2017 Accessible and Usable Building and Facilities Code, Chapter 1
9. 2009 International Energy Conservation Code, Chapter 1
10. 2020 National Electrical Code, Chapter 1

Section 2. Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Greenville is amended and modified as provided in the attached Exhibit to maintain consistency between the building codes and the Code of Ordinances and to delete references no longer required either in the building codes or under local jurisdiction.

Section 3. CivicPlus, formerly Municipal Code Corporation, as codifier of the Code of Ordinances shall be authorized to make adjustments in code section numbers and terminology as may be appropriate to achieve the purposes of this Ordinance. This Ordinance shall be effective upon final approval by City Council. This Ordinance supersedes any other inconsistent ordinances.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2022.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER

EXHIBIT

CODIFIER: The following amendments to Chapter 6, Building and Building Regulations, of the Code of Ordinances of the City of Greenville are shown below as strike out for removal and underlined for replacements.

Amendment 1. Code of Ordinances Article III, International Building Code**Sec. 6-69. - Amendments to the International Building Code.**

103.1 Creation of enforcement agency. The City of Greenville, Building Codes Department, is hereby created and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

Amendment 2. Code of Ordinances Article III, International Building Code**Sec. 6-69. - Amendments to the International Building Code.**

Section 111.2 of the ~~2018~~ 2021 International Building Code is amended to read in its entirety as follows:

Amendment 3. Code of Ordinances Article IV –Plumbing Code**Sec. 6-128. - Amendments to the International Plumbing Code.**

103.1 Creation of agency. The City of Greenville, Building Codes Department, is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

Amendment 4. Code of Ordinances Article IV –Plumbing Code**Sec. 6-128. - Amendments to the International Plumbing Code.**

Section ~~406.6.2~~ 109.2 ~~Fee schedule~~ Schedule of permit fees; Revised to read in its entirety as follows:

Amendment 5. Code of Ordinances Article IV –Plumbing Code**Sec. 6-128. - Amendments to the International Plumbing Code.**

Section ~~406.6.3~~ 109.5 ~~Fee refunds~~ Refunds; Deleted in its entirety.

Amendment 6. Code of Ordinances Article IV –Plumbing Code**Sec. 6-128. - Amendments to the International Plumbing Code.**

Section ~~408.4~~ 115.4 Violation penalties; Revised to read in its entirety as follows:

Amendment 7. Code of Ordinances Article IV –Plumbing Code

Sec. 6-128. - Amendments to the International Plumbing Code.

Section ~~108.5~~ 116.5 Stop work orders; Revised to read in its entirety as follows:

Amendment 8. Code of Ordinances Article IV –Plumbing Code

Sec. 6-128. - Amendments to the International Plumbing Code.

Section ~~903.4~~ 903.1.1 ~~Roof extension~~ Roof extension unprotected; Revised to read in its entirety as follows:

All open vent pipes that extend through a roof shall be terminated at least 10 inches (254 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

Open vent pipes that extend through a roof shall be terminated not less than 10-inches above the roof.

Amendment 9. Code of Ordinances Article V – Mechanical Code

Sec. 6-153. - Amendments to the International Mechanical Code.

Section 103.1 Creation of agency. The City of Greenville, Building Codes Department, is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

Amendment 10. Code of Ordinances Article V – Mechanical Code

Sec. 6-153. - Amendments to the International Mechanical Code.

~~106.5.2~~ 109.2 ~~Fee schedule~~ Schedule of permit fees.

Amendment 11. Code of Ordinances Article V – Mechanical Code

Sec. 6-153. - Amendments to the International Mechanical Code.

~~106.5.3-109.6~~ Fee refunds Refunds; Deleted in its entirety.

Amendment 12. Code of Ordinances Article V – Mechanical Code

Sec. 6-153. - Amendments to the International Mechanical Code.

~~108.4~~ 115.4 Violation penalties.

Amendment 13. Code of Ordinances Article V – Mechanical Code

Sec. 6-153. - Amendments to the International Mechanical Code.

~~108.5~~ 116.5 Stop work orders.

Amendment 14. Code of Ordinances Article VII – Fuel Gas Code

Sec. 6-336. - Amendments to the International Fuel Gas Code.

103.1 Creation of agency. The City of Greenville, Building Codes Department, is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

Amendment 15. Code of Ordinances Article VII – Fuel Gas Code

Sec. 6-336. - Amendments to the International Fuel Gas Code.

~~106.6.2~~ 109.2 Fee schedule Schedule of permit fees.

Amendment 16. Code of Ordinances Article VII – Fuel Gas Code

Sec. 6-336. - Amendments to the International Fuel Gas Code.

~~106.6.3~~ 109.6 Fee refunds Refunds; Deleted in its entirety.

Amendment 17. Code of Ordinances Article VII – Fuel Gas Code

Sec. 6-336. - Amendments to the International Fuel Gas Code.

~~108.4~~ 115.4 Violation penalties.

Amendment 18. Code of Ordinances Article VII – Fuel Gas Code

Sec. 6-336. - Amendments to the International Fuel Gas Code.

~~108.5~~ 116.5 Stop work orders.

Amendment 19. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

103.1 Creation of agency. The City of Greenville, Building Codes Department, is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

Amendment 20. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

Section ~~403.5~~ 104.1 of the International Property Maintenance Code is revised in its entirety as follows:

Amendment 21. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

104.2 Refunds. The code official is authorized to establish a refund policy. Delete this section in its entirety

Amendment 22. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

Section ~~406.4~~ 109 of the International Property Maintenance Code is revised in its entirety as follows:

~~406.4~~ 109.4 Violation; penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Penalties shall be assessed as prescribed in section ~~406.4.1~~ 109.4.1.

~~406.4.1~~ 109.4.1. Penalties.

Amendment 23. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

Section ~~408.2~~ 111.2 is repealed in its entirety.

Amendment 24. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

~~412.4.~~ 113.3 Failure to comply.

Amendment 25. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

Section ~~413~~ 114 Maintenance of Vacant and Boarded Structures is added to read:

Amendment 26. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

~~113.1~~ 114.1 Vacant Structures.

Amendment 27. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

~~113.2~~ 114.2 Definitions.

Amendment 27. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

~~113.3~~ 114.3 Enforcement and Remedies for Violation. A building that is boarded or vacant in violation of this section is a public nuisance. In addition to the provisions in this section the City is authorized to use the remedies set forth in section ~~106~~ 109 of this code, state law and the City of Greenville Code of Ordinances. The remedies, procedures and penalties provided by this section are cumulative to each other and to any others available under state law or other city ordinances.

Amendment 28. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

~~113.4~~ 114.4 Owner Responsibilities.

Amendment 29. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

~~113.4.1~~ 114.4.1 Permits.

Amendment 30. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

~~113.4.2~~ 114.4.2 Sale or Lease.

Amendment 31. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

~~113.4.3~~ 114.4.3 Maintained.

Amendment 32. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

~~113.4.4~~ 114.4.4 Natural Disasters.

Amendment 33. Code of Ordinances Article VIII – Property Maintenance Code**Sec. 6-413. - Amendments to the Property Maintenance Code.**

~~413.5~~ 114.5 Rehabilitation. The owner of any boarded building whether boarded by voluntary action of the owner or as a result of enforcement activity by the city shall cause the boarded building to be rehabilitated for occupancy within six months after the building is boarded and shall comply with section ~~412.4~~ 114.4.

Amendment 34. Code of Ordinances Article VIII – Property Maintenance Code**Sec. 6-413. - Amendments to the Property Maintenance Code.**

~~413.6~~ 114.6 Boarded-Up Structures. The owner of any boarded building whether boarded by voluntary action of the owner or as a result of enforcement activity by the city shall ensure that the building is boarded to board-up standards provided in section ~~412.7~~ 114.7. In no case shall a structure remain boarded for a period more than six months. Exception: Commercial structures when the City determines that it is in the public interest and the owner provides substantial evidence to the reasonable satisfaction of the code official that the building complies with section ~~412.4~~ 114.4.

Amendment 35. Code of Ordinances Article VIII – Property Maintenance Code**Sec. 6-413. - Amendments to the Property Maintenance Code.**

~~413.7~~ 114.7 Standards for Boarding a Vacant Building.

Amendment 36. Code of Ordinances Article VIII – Property Maintenance Code**Sec. 6-413. - Amendments to the Property Maintenance Code.**

~~413.7.1~~ 114.7.1 Buildings Abated by City. If the City boards the vacant building, the building may be boarded in a manner which is determined to adequately prevent unauthorized entry or vandalism. All costs of boarding shall be recovered pursuant to the procedures in section ~~408.2~~ 104.1.

Amendment 37. Code of Ordinances Article VIII – Property Maintenance Code**Sec. 6-413. - Amendments to the Property Maintenance Code.**

~~413.8~~ 114.8 Notice Procedures for Vacant, Unsecured, or Boarded Buildings. Whenever the code official determines that a vacant, unsecured, or boarded building exists, a notice shall be sent to the owner or responsible party in accordance with section ~~407~~ 111.4.

Amendment 38. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

~~113.8.1~~ 114.8.1 Trespass Notice.

Amendment 39. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

~~113.9~~ 114.9 Continuing Nuisance.

Amendment 40. Code of Ordinances Article VIII – Property Maintenance Code

Sec. 6-413. - Amendments to the Property Maintenance Code.

~~113.10~~ 114.10 Emergency Hazard Abatement. When any open building or structure constitutes such an imminent threat to life, limb or property such that it must be secured, closed or barricaded and compliance with other provisions of this Code becomes infeasible as determined by the code official, the code official may summarily secure, close, or barricade the building without prior notice to the property owner. All costs of boarding shall be recovered pursuant to the procedures in section ~~108.2~~ 104.1.

Amendment 41. Code of Ordinances Article IX, International Fire Code

Sec. 6-447. - Amendments to the International Fire Code.

103.1 Creation of agency. The City of Greenville Fire Marshal's office is hereby created and the official in charge thereof shall be known as the fire code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

Amendment 42. Code of Ordinances Article IX, International Fire Code

Sec. 6-447. - Amendments to the International Fire Code.

~~110.4~~ 112.4 Violation penalties.

Amendment 43. Code of Ordinances Article IX, International Fire Code

Sec. 6-447. - Amendments to the International Fire Code.

~~112.4~~ 113.4 Failure to comply.

Amendment 44. Code of Ordinances Article X, Energy Conservation Code

Sec. 6-681. - International Energy Conservation Code enforced.

There is hereby recognized by the city, for the purpose of establishing methods, rules and regulations for the construction of buildings, issuance of permits pertaining

thereto and the duties of the building officials of the city, that certain code known as the International Energy Conservation Code, as ~~promulgated by the state building codes council~~ as adopted by the South Carolina Code of Laws Title 6, Chapter 10. The adoption shall include the Administrative Chapter 1. A copy of the energy code shall be maintained on file in the offices of the city clerk and the building codes administrator and shall be available for public inspection.

Amendment 45. Code of Ordinances Article XIII, International Residential Code

Sec. 6-806. - Amendments to the International Residential Code.

Table 301.2(1) Climatic and Geographic Design Criteria:

Roof Snow Load - Ten pounds.

Wind Speed - ~~445~~ 105 miles per hour.

Topographic effects - No.

Special wind region - No.

Wind-borne debris zone - No.

Seismic Design Category - B.

Weathering - Moderate.

Frost Line Depth - 12 inches.

Termite - Very Heavy.

~~Winter Design Temperature - 24 degrees F.~~

Ice Barrier Underlayment Required - No.

Flood Hazards - January 16, 1992.

Air Freezing Index - ~~4500~~ 50

Mean Annual Temp - 60.6 degrees F.