

SOUTH CAROLINA BUILDING CODES COUNCIL
110 CENTERVIEW DRIVE, ROOM 105
COLUMBIA, SOUTH CAROLINA
November 28, 2007
10:30 AM – 11:30 AM

MEMBERS PRESENT

Frank Hodge, Chair
Gregory P. Parsons, Vice Chair
Ernest F. Dorsey
Lloyd Schumann
Richard Sendler
James A. Ham, Jr.
Frank Hill
William McDowell
John White
Gable D. Stubbs
Van M. McAlister

MEMBERS ABSENT

Wendell Davis
Chris Cullum

STAFF PRESENT

Gary Wiggins
Jennie Meade
Sheridon Spoon
Roz Bailey-Glover
Angela D. Scott

OTHERS PRESENT

James Whittaker
Doug Smits
Abdulahakim Bayyoud
Vaughn Wicker
James Padgett
B.A.Brunch
Steve Landrith
Darbis Briggman
Gene Nelson

Theodore R. Reed
Gary Mason
Allan Hutto
John Wasson
Ron Galloway
Billy Kennett
Angela McJunkin
Michelle Hawkins
Ward Braswell

Brian K. Pietras
Arthur Cummings
Billy Sawyer
Buddy Skinner
Sonny DuBose
John Pruett
Steve Smith
Herb Yingling

NOTE! The Notice and Agenda for the November 28, 2007 meeting of the South Carolina Building Codes Council were posted in accordance with Section 30-4-80 of the South Carolina Code of Laws, 1976 as Amended, relating to the Freedom of Information Act.

1. Call to Order

The November 28, 2007 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 for approval of the agenda. Mr. Ernest Dorsey moved to accept the agenda as submitted, Mr. Lloyd Schumann seconded the motion and the vote was unanimous.

3. Approval / Disapproval of Absent Members

Chairman Hodge asked staff for an accounting of absent members. Staff reported that Mr. Wendell Davis would not be attending as his term expired and Mr. Chris Cullum would not be attending due to a previously scheduled meeting. Mr. Greg Parsons moved to excuse the absent members. Mr. Richard Sendler seconded the motion and the vote was unanimous. Chairman Hodge stated that the council only meets four times a year and the dates are set well in advance, therefore, council members should schedule their meetings around the meeting dates.

4. Approval of Minutes

Chairman Hodge asked for any additions or corrections to the August 22, 2007, meeting minutes as presented. There being none, Mr. Dorsey motioned to approve the minutes as presented. Mr. William McDowell seconded the motion and the vote was unanimous.

5. Old Business

A. Formal Adoption of the 2006 International Codes – Chairman Hodge recognized Mr. Gary Wiggins. Mr. Wiggins explained that the adoption cycle for the 2006 International Code Series was at the point where the codes needed to be formally adopted. He went on to say the implementation date of July 1, 2008 has already been established.

Mr. Sandler stated that he was against adopting the 2006 codes due to the potential adverse affect on housing affordability in South Carolina. After some discussion, Mr. McDowell stated that the 2006 International Building, Residential, Fire, Plumbing, Mechanical, Fuel Gas and Energy Conservation Codes with South Carolina modifications provide a reasonable degree of public health, safety, and welfare to the citizens of the state and made the motion to formally adopt them. Mr. Dorsey seconded the motion and vote was carried with ten in favor and two opposed.

B. Report of Residential Elevator Committee – Chairman Hodge recognized Mr. Wiggins. Mr. Wiggins explained that at a previous meeting, Council asked staff to form a committee to review requirements for residential elevators. He went on to say that Mr. Arthur Cummings, Building Official for Beaufort County chaired the committee and was present to make a report.

Chairman Hodge recognized Mr. Cummings. Mr. Cummings explained that the issue was brought before the Council in May of 2006. He said the concern was that residential elevators were being installed and there were no regulations or provisions for their inspection. Mr. Cummings said, since then, residential elevators have been addressed in the International Residential Code (IRC). He went on to say three additional issues needed to be considered:

1. Section 323 of the IRC requires residential elevators to meet the ASME A17.1 standard; The IRC, however, will not be implemented until July 1, 2008; Mr. Cummings asked if Council could grant local jurisdictions the authority to begin enforcement of the section before the effective date;
2. The committee needs direction as to what the local jurisdiction can do before recommendations can be made; and,
3. The committee needs a regulation that would require the elevators be installed according to manufactured recommendations or a special inspection.

Mr. Cummings asked under the emergency amendment provision whether there is a life safety issue and whether Council had the authority to allow local jurisdictions to start enforcing the provision of the codes that addresses the issue immediately.

Mr. Dorsey stated that recent legislation gave Council the ability to grant emergency modifications when life safety was involved. He asked whether an emergency modification could be considered for adoption prior to July 2008.

Mr. Wiggins explained that if a life safety issue could be established, an emergency modification could be adopted. He also stated that an emergency modification must follow statutory procedure, which requires a public hearing and appropriate notice. Mr. Wiggins said if it was the Council's desire, an emergency modification could be done at its next meeting. He then asked if Council could establish a basis for a life safety issue and if any case history existed in South Carolina.

Chairman Hodge cited a life safety incident where a child was severely injured after she fell down a residential elevator shaft at Hilton Head.

After much discussion, Mr. Lloyd Schumann made a motion that, due to a life safety issue, Council proceed with establishing an emergency modification, which would mirror the language in the 2006 IRC. Mr. Dorsey seconded the motion and the vote was unanimous.

C. Continuing Education Policy – Chairman Hodge recognized Mr. Gary Wiggins. Mr. Wiggins stated that ~~at its last meeting, Council asked staff to form a committee to address the length of time a Code Enforcement Officer could be out of code enforcement and still be reinstated without having to be recertified~~

in one or more disciplines. Mr. Wiggins said a committee of thirteen people was created and Mr. John Wasson, Chief Building Inspector for the City of Greenville was elected as its Chair. He went on to say Mr. Wasson was present to give a report.

Chairman Hodge recognized Mr. Wasson. Mr. Wasson stated that the committee reviewed the Continuing Education Policy and recommended the following language modifications to the existing policy:

An expired registration will be reinstated under the following conditions: ~~upon proof that continuing education, at the rate of one hour per month, for every month the registrant was employed by a municipality or county, has been submitted along with the appropriate application and fee. (Amended 8/22/07)~~

- If the Code Enforcement Officer (CEO) has maintained his or her International Codes Council (ICC) certifications through the ICC maintenance program, a registration shall be reinstated upon submission of documentation of certification maintenance and payment of fees for the current year.
- If the CEO's registration is in an "Inactive Status" for 3 years or less then he/she shall submit proof of attendance of approved training classes equal to 24 contact hours prior to re-registration and payment of fees for the current year.
- If the CEO's registration is in an "Inactive Status" for more than 3 years then he/she shall submit proof of attendance of approved training classes equal to 24 hours within the past 2 years prior to re-registration.
- CEO's who are not currently employed by a local jurisdiction shall be placed in an "Inactive" (IA) status.

Mr. Sendler stated, under the ICC maintenance program, 15 hours are required per year opposed to 12, which are required by the state. He then asked if a registrant had the required 24 hours, left code enforcement, but returned one year later, would the individual be required to have 12 or 24 hours.

Mr. Wiggins explained that staff required continuing education for the length of time the CEO was in position within his/her last registration cycle. He said if the person left half way through the two-year cycle, staff would prorate the hours and only charge 12.

Mr. Wiggins explained that, in addition to the committee's recommendations, staff was requesting the existing language be modified (underlined language to be added, ~~stricken~~ language to be deleted) for clarification as follows:

- Costs for continuing education will not be paid or reimbursed by the Council while registration is inactive or expired.
- ~~One manual or set of study materials~~ correspondence or home study course approved for continuing education excluding code books, will be eligible for payment by Council. ~~All manuals or study materials~~ Approved correspondence or home study courses are limited to one per jurisdiction and will be ordered and purchased by the Council, in the name of the building official.

Mr. Doug Smits, Building Official for the Town of Moncks Corner, stated that the sentence "CEO's who are not currently employed by a local jurisdiction shall be placed in an "Inactive" (IA) status." would read better if it was placed at the beginning of the proposed modification.

Mr. Wiggins stated that could be done if the Council agreed.

After much discussion, Mr. Dorsey made a motion that Council accept the proposed language modification, with the change recommended by Mr. Smits. Mr. Parson seconded the motion and the vote was unanimous.

The section will now read:

Code Enforcement Officers (CEO's) who are not currently employed by a local jurisdiction shall be placed in an "Inactive" (IA) status.

An expired registration will be reinstated under the following conditions:

~~If the CEO has maintained his or her International Codes Council (ICC) certifications through the ICC maintenance program, a registration shall be reinstated upon submission of documentation of certification maintenance and payment of fees for the current year.~~

If the CEO's registration is in an "Inactive Status" for 3 years or less then he/she shall submit proof of attendance of approved training classes equal to 24 contact hours prior to re-registration and payment of fees for the current year.

If the CEO's registration is in an "Inactive Status for more than 3 years then he/she shall submit proof of attendance of approved training classes equal to 24 hours within the past 2 years prior to re-registration.

6. New Business

Introduction of the 2008 National Electrical Codes – Chairman Hodge recognized Mr. Gary Wiggins. Mr. Wiggins explained that the first step in the code adoption process was to have physical possession of the affected codes. He said if Council was willing to accept the 2008 National Electrical Code, it would be brought back at the February 2008, meeting to officially start the required eighteen month process.

After further discussion, Mr. Sendler made a motion to start the adoption process for the 2008 National Electrical Code. Mr. Dorsey seconded the motion and the vote was unanimous.

7. Public Comments

Chairman Hodge opened the floor for public comments.

A. Chairman Hodge recognized Ms. Angela McJunkin, Residential Plans Examiner for the City of North Charleston. Ms. McJunkin asked whether Council needed to consider a statutory amendment to expand the use of the provisional registration classification.

Mr. Wiggins stated, before the Council could proceed, it must have a clear indication of the issues that needed to be addressed. He then asked Ms. McJunkin to work with the Building Officials Association of South Carolina and develop language for a proposed statutory amendment.

B. Chairman Hodge recognized Mr. Arthur Cummings. Mr. Cummings acknowledged the members that served on the Elevator Committee; Mr. Steve Peso, Mr. Carl Kendo, Mr. Chris Brandon and Mr. Ken Broder.

8. Date of Next Meeting: February 27, 2008.

9. Adjournment

A motion was made by Mr. Parsons to adjourn the meeting. The motion was seconded by Mr. McDowell. The meeting adjourned at 11:20 a.m.