

STATE OF SOUTH CAROLINA)
)
TOWN OF IRMO)

ORDINANCE 23 – 21

**AN ORDINANCE TO AMEND SECTION 8 OF THE MUNICIPAL CODE OF
ORDINANCE AND LAND DEVELOPMENT FOR THE PURPOSE OF CLARIFYING
BUILDING CODES**

WHEREAS, the Town of Irmo desires to strengthen its Municipal Code of Ordinance, amending said Code to address noted errors, omissions, vague language, and add appropriate standards; and

WHEREAS, Council wishes to amend the Code of Municipal Ordinance as attached;


NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and Town Council of the Town of Irmo, South Carolina, in Council duly assembled on this 19th day of September, 2023, that the Town of Irmo Code of Municipal Ordinance is hereby amended.

PASSED AND ADOPTED this 19th day of September, 2023.



Barry A. Walker, Sr., *Mayor*

ATTEST:



Renee Caviness, *Municipal Clerk*

1st Reading: August 15, 2023

2nd Reading: September 19, 2023

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Changes to the Municipal Code of Ordinance

Remove, in their entirety, Sections 8-31 through 8-37, and replace as follows:

Sec. 8-31. – International Building Code Adopted

The International Building Code, including state adopted modifications as promulgated by the International Code Council and in the version most recently adopted by the State of South Carolina Department of Labor, Licensing and Regulation Building Codes Council, shall constitute and become an ordinance of the town, and is hereby adopted, incorporated in, and made a part of this article as fully as though they were set out at length herein, except as amended by this article. The amendments and modifications and succeeding editions of this code or succeeding amendments or modifications to this code, shall become effective within the Town of Irmo on the date specified as the effective date by the State of South Carolina. Prior to such effective date, the existing code standard shall remain in full force and effect. Further, after the effective date of each updated version, all laws, code standards, and versions so updated shall be treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution or appeal existing as of the effective date of the update and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended version. The code adopted by this section and amended by this article shall be known as and may be cited as "the building code."

Sec. 8-32. – International Residential Code Adopted

The International Residential Code, including state adopted modifications as promulgated by the International Code Council and in the version most recently adopted by the State of South Carolina Department of Labor, Licensing and Regulation Building Codes Council, shall constitute and become an ordinance of the town, and is hereby adopted, incorporated in, and made a part of this article as fully as though they were set out at length herein, except as amended by this article. The amendments and modifications and succeeding editions of this code or succeeding amendments or modifications to this code, shall become effective within the Town of Irmo on the date specified as the effective date by the State of South Carolina. Prior to such effective date, the existing code standard shall remain in full force and effect. Further after the effective date of each updated version, all laws, code standards, and versions so updated shall be treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution or appeal existing as of the effective date of the update and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended version. The code adopted by this section and amended by this article shall be known as and may be cited as "the residential code."

International Residential Code addenda:

R301.2 Climatic and Geographic Design Criteria. Buildings shall be constructed in accordance with the provisions of this section. Additional criteria shall be established by the local jurisdiction and set forth in Table R301.2(1).

- Ground snow load: 10.
- Wind speed: 115 mph.
- Topographic effects: No.
- Special wind region: No.
- Wind-borne debris zone: No.
- Seismic design category: B/C.
- Weathering damage: Moderate
- Front-line depth: 12.
- Termite: Very Heavy.
- Winter design temp: 28
- Ice barrier underlayment required: No. •
- Flood hazards: Chapter 14.
- Air freezing index: 1500.
- Mean annual temp: 64.8.

Sec. 8-33. – National Electrical Code Adopted

The National Electrical Code, including state adopted modifications, as promulgated by the National Fire Protection Association and approved by the American National Standards Institute in the version most recently adopted by the State of South Carolina Department of Labor, Licensing and Regulation Building Codes Council, shall constitute and become an ordinance of the town, and is hereby adopted, incorporated in, and made a part of this article as fully as though it were set out at length herein, except as amended by this article. The amendments and modifications and succeeding editions of this code or succeeding amendments or modifications to this code, shall become effective within the Town of Irmo on the date specified as the effective date by the State of South Carolina. Prior to such effective date, the existing code standard shall remain in full force and effect. Further after the effective date of each updated version, all laws, code standards, and versions so updated shall be treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution or appeal existing as of the effective date of the update and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended version. The code adopted by this section and amended by this article shall be known as and may be cited as "the electrical code."

Sec. 8-34. – International Plumbing Code Adopted

The International Plumbing Code, including state adopted modifications as promulgated by the International Code Council and in the version most recently adopted by the State of South Carolina

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Department of Labor, Licensing and Regulation Building Codes Council, shall constitute and become an ordinance of the town, and is hereby adopted, incorporated in, and made a part of this article as fully as though they were set out at length herein, except as amended by this article. The, including amendments and modifications and succeeding editions of this code or succeeding amendments or modifications to this code, shall become effective within the Town of Irmo on the date specified as the effective date by the State of South Carolina. Prior to such effective date, the existing code standard shall remain in full force and effect. Further after the effective date of each updated version, all laws, code standards, and versions so updated shall be treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution or appeal existing as of the effective date of the update and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended version. The code adopted by this section and amended by this article shall be known as and may be cited as "the plumbing code."

Sec. 8-35. – International Fuel Gas Code Adopted

The International Fuel Gas Code, including state adopted modifications as promulgated by the International Code Council and in the version most recently adopted by the State of South Carolina Department of Labor, Licensing and Regulation Building Codes Council, shall constitute and become an ordinance of the town, and is hereby adopted, incorporated in, and made a part of this article as fully as though they were set out at length herein, except as amended by this article. The, including amendments and modifications and succeeding editions of this code or succeeding amendments or modifications to this code, shall become effective within the Town of Irmo on the date specified as the effective date by the State of South Carolina. Prior to such effective date, the existing code standard shall remain in full force and effect. Further, after the effective date of each updated version, all laws, code standards, and versions so updated shall be treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution or appeal existing as of the effective date of the update and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended version. The code adopted by this section and amended by this article shall be known as and may be cited as "the fuel gas code."

Sec. 8-36. – International Mechanical Code Adopted

The International Mechanical Code, including state adopted modifications as promulgated by the International Code Council and in the version most recently adopted by the State of South Carolina Department of Labor, Licensing and Regulation Building Codes Council, shall constitute and become an ordinance of the town, and is hereby adopted, incorporated in, and made a part of this article as fully as though they were set out at length herein, except as amended by this article. The International Mechanical Code, including amendments and modifications and succeeding editions of this code or succeeding amendments or modifications to this code, shall become effective within the Town of Irmo on the date specified as the effective date by the State of South Carolina. Prior to

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such effective date, the existing code standard shall remain in full force and effect. Further, after the effective date of each updated version, all laws, code standards, and versions so updated shall be treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution or appeal existing as of the effective date of the update and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended version. The code adopted by this section and amended by this article shall be known as and may be cited as "the mechanical [code]."

Sec. 8-37. – International Fire Code Adopted

The International Fire Code, including state adopted modifications as promulgated by the International Code Council and in the version most recently adopted by the State of South Carolina Department of Labor, Licensing and Regulation Building Codes Council, shall constitute and become an ordinance of the town, and is hereby adopted, incorporated in, and made a part of this article as fully as though they were set out at length herein, except as amended by this article. The amendments and modifications and succeeding editions of this code or succeeding amendments or modifications to this code, shall become effective within the Town of Irmo on the date specified as the effective date by the State of South Carolina. Prior to such effective date, the existing code standard shall remain in full force and effect. Further, after the effective date of each updated version, all laws, code standards, and versions so updated shall be treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution or appeal existing as of the effective date of the update and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended version. The code adopted by this section and amended by this article shall be known as and may be cited as "the fire code."

Adoption of the International Fire Code shall also include Appendix B and Appendix D.

Sec. 8-38. – International Energy Conservation Code Adopted

The International Energy Conservation Code, including state adopted modifications as promulgated by the International Code Council and in the version most recently adopted by the State of South Carolina Department of Labor, Licensing and Regulation Building Codes Council, shall constitute and become an ordinance of the town, and is hereby adopted, incorporated in, and made a part of this article as fully as though they were set out at length herein, except as amended by this article. The appendices, amendments and modifications and succeeding editions of this code or succeeding amendments or modifications to this code, shall become effective within the Town of Irmo on the date specified as the effective date by the State of South Carolina. Prior to such effective date, the existing code standard shall remain in full force and effect. Further, after the effective date of each updated version, all laws, code standards, and versions so updated shall be treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution or appeal existing as of the effective date of the update and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed

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or amended version. The code adopted by this section and amended by this article shall be known as and may be cited as "the energy conservation code."

Sec. 8-37-39. - Accessible and useable buildings and facilities.



Staff Report

Amendment to the Code of Ordinance

DATES: First Reading: August 15, 2023
Second Reading: September 19, 2023

TO: Irmo Town Council

FROM: Douglas Polen, Assistant Town Administrator

SUBJECT: Ordinance Text Amendment

ACTION REQUESTED: Consideration of text amendments to Chapter 8 of the Code of Municipal Ordinance as regards Technical Codes

Background

In September, 2021, Town Council approved a text amendment to adopt the various Building Codes mandated for local adoption by the State of South Carolina. However, our building inspection consultants, CC&I, believe that the adopted code is not clear as to which building codes are adopted and how new codes are adopted.

Per State law, all municipalities must adopt the latest version of the Code each three years as the new codes are published by the International Code Council and adopted by the State. The current codes in effect are the 2021 edition, with a new 2024 edition expected to be adopted January 1, 2025.

Two additional codes must also be adopted per State Law, the 2009 International Energy Conservation Code and the 2021 International Fire Code.

Proposed Changes

Staff proposes that the various Codes – Building, Electrical, Plumbing, Fuel Gas, Mechanical, and Housing be rewritten to a variation of the following:

*The **International Building Code**, including state adopted modifications as promulgated by the International Code Council and in the version most recently adopted by the State of South Carolina Department of Labor, Licensing and Regulation Building Codes Council, shall constitute and become an ordinance of the town, and is hereby adopted, incorporated in, and made a part of this article as fully as though they were set out at length herein, except as amended by this article. The amendments and modifications and succeeding editions of this code or succeeding amendments or modifications to this code, shall become effective within the Town of Irmo on the date specified as the effective date by the State of South Carolina. Prior to such effective date, the existing code standard shall remain in full force and effect. Further, after the effective date of each updated version, all laws, code standards, and versions so updated shall be treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution or appeal existing as of the effective date of the update and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended version. The code adopted by this section and amended by this article shall be known as and may be cited as "the **building code**."*

Staff Findings

Staff recommends **APPROVAL** of this ordinance change.



2021 South Carolina Code Adoptions

On October 6, 2021, the South Carolina Building Codes Council adopted the latest editions of the mandatory codes and appendices with modifications, as referenced in S.C. Code Ann. §6-9-50 (1976, as amended), to be enforced by all municipalities and counties in South Carolina. The Council established the implementation date for local jurisdictions as **January 1, 2023**.

The adopted modifications and the mandatory codes are as follows:

2021 South Carolina Building Code or the 2021 International Building Code with SC modifications
2021 South Carolina Residential Code or the 2021 International Residential Code with SC modifications
2021 South Carolina Fire Code or the 2021 International Fire Code with SC modifications
2021 South Carolina Plumbing Code or the 2021 International Plumbing Code with SC modifications
2021 South Carolina Mechanical Code or the 2021 International Mechanical Code with SC modifications
2021 South Carolina Fuel Gas Code or the 2021 International Fuel Gas Code with SC modifications
2020 National Electrical Code (NFPA 70) with SC modifications
2009 International Energy Conservation Code ([Energy Standard Act](#))

Print and PDF download versions of the 2021 South Carolina codes are available for pre-order from the [ICC website](#).

The International Codes are to be used in conjunction with the latest [code modifications](#) approved by the Council. Only the modifications approved and listed on the Council's website are valid for use in the State. Building code modifications that have not been approved by the Council are invalid and cannot be adopted, employed or enforced by municipalities and counties.

The latest edition of ICC/ANSI A117.1, Accessible and Useable Buildings and Facilities, is adopted by the [Accessibility Act](#), S.C. Code Ann. § 10-5-210 et seq., and is mandatory for use in all municipalities and counties within the State.

Additional information can be found on the South Carolina Building Codes Council's [website](#).