

health and general welfare, the latest edition of the following codes are hereby adopted by the State of South Carolina reference as though they were copied herein fully:

- International Building Code--including Part 1, Chapter 1 Administration and Appendices A and H
- International Fire Code
- International Fuel Gas Code
- International Mechanical Code--and Appendix A
- International Plumbing Code--and Appendices E and F
- International Energy Conservation Code
- International Residential Code for One- and Two-Family Dwellings--including Part 1, Chapter 1 Administration
- National Electrical Code

(b) Within said codes when reference is made to the duties of certain officials named therein that designated official of Briarcliffe Acres, South Carolina, who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned.

(c) In the event that any matters in said codes are contrary to existing ordinances of the town, the ordinances adopting the aforementioned codes and amendments thereto shall prevail. Provisions of said ordinances not pertaining to the explicit codes remaining in full force and effect for Briarcliffe Acres, South Carolina, are hereby repealed to the extent any existing ordinances to the contrary are hereby repealed in the respect only.

(d) Violations not having a remedy in the codes adopted herein shall be covered under section 1-5 of this Code.

Article III. Building Department Permits.

~~Sec. 6-44. Established; commissioners~~ Building Inspections.

~~There is hereby established a department to be called the building department, which shall be under the direction of a building commissioner appointed for a term of two years by the council. The council shall also, in its judgment, appoint one or more deputy building commissioners to serve for a term of two years. There are no salaries for these offices. The town may use the county code enforcement department for its building inspections and code enforcement services.~~

Sec. 6-45. - Permits required.

It shall be unlawful for any person to construct or improve any building at a cost in excess of \$500. No building or structure or any additions thereto shall be erected or demolish any building or structure unless a permit has been issued in accordance with section 6-46, procedure.

Sec. 6-46. - Procedure.

- (a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Remodeling means that the building footprint and roof line remain the same, if they change, then it is an addition.

Replacing means replacing materials with like materials is not remodeling (i.e., replacing used carpet with new carpet or old roof shingles with new roof shingles is replacing and not remodeling).

- (b) Building permits for ~~new construction, alterations or additions and demolition~~. Building permits for new construction, alterations, ~~or~~ additions, or demolition that satisfy the standards in the required technical codes shall be issued by the county ~~building Codes Enforcement~~ department after approval by the town. ~~building department~~ The Town will review for compliance with deed restrictions, zoning and other ordinances of the town chapter, chapter 32 and flood damage prevention regulations. ~~In order to obtain approval from the town building department the owner shall pay a fee to the town in accordance with the following schedule:~~

- (c) Submittal to the Town. In order to receive approval from the town, plans shall be submitted to the town clerk. The clerk will circulate the plans for review and approval. The submittal to the town shall include the following:

- (1) Completed Application. The owner or agent shall submit a completed application for review to the town.
- (2) Review Fee Schedule. ~~In order to obtain approval from the town building department~~ †The owner shall pay a review fee to the town in accordance with the following schedule:

Fee Schedule

New construction		\$225.00
Additions	\$1,000.00 or less	\$25.00
	\$1,001.00 to \$5,000.00	\$50.00
	\$5,001.00 to \$10,000.00	\$75.00
	\$10,001.00 to \$20,000.00	\$125.00
	\$20,001.00 to \$30,000.00	\$175.00
	Above \$30,000.00	\$225.00
Remodeling		\$25.00
Accessory Building		
	Pre-fab	\$10.00
	Built on site	\$25.00
	Swimming pool	\$100.00
Demolition		\$25.00

New Construction		\$100.00
Addition	\$10,000.00 or less	\$50.00
	Above \$10,000.00	\$100.00
Remodeling and Replacement		\$25.00
Accessory Building		\$25.00
Swimming Pools	Built on site	\$50.00
Demolition		\$25.00

Failure to obtain a building permit before the project is started will result in a penalty. The fee will increase to 150 percent of the fee shown in the schedule in this subsection (b)(1) and will be payable prior to continuation of any work.

- (3) ~~Obtain a~~ A permit from ~~county~~ South Carolina ~~Department of~~ Health for installation of septic tanks or from the appropriate Water and/or Sewer authority and drainage on the lot.
 - (4) Provide dimensioned survey of the lot to be built on. Survey to show ground elevation at the building site. Not required for remodeling or replacement.
 - (5) Furnish ~~two~~ one complete sets of plans, including plot plan showing dimensioned location of building and accessory structures from lot lines. Plot plans are not needed for remodeling or replacement.
 - (6) Agree to maintain a chemical toilet on the job site for use of all workmen for the duration of the job.
 - (7) Agree to maintain a container on job site for lunch papers, bottles, etc., to help keep site free of trash.
 - (8) Agree to pay the cost of repairing damage to roads and other public property caused by trucking of construction materials and use of construction equipment. Repairs will be charged at actual cost to the town. During construction, parking of trucks and cars on the right of way shall be kept to a minimum.
 - (9) Agree to require contractor to take precautions when clearing building site given in section 6-50.
- (d) Submitted to county after certification. After certification by town ~~building department~~ the plans shall be submitted to the county building Codes Enforcement department for their review, approval and issuance of a building permit.
- (1) The county building Codes Enforcement department shall issue permits, collect ~~all~~ fees, and issue a certificate of occupancy. The town ~~building department~~ shall make periodic inspections and shall require coordinate with the county building department to enforce any violations of technical codes.
- (e) ~~The building permit is void if work has not been started within six months from date issued.~~

~~(e) All construction shall be completed within one year after start or provide the town building commissioner with responsible reasons for extra time needed.~~

(e) All construction materials shall be removed and the lot cleaned up at the end of the job or upon the building permit becoming expiring or becoming void. Violations related to this section shall be considered littering and shall be subject to the penalties for littering in section 1-5.

Sec. 6-47. - Expiration of building permit.

~~Expiration dates on all applications for building permits shall be in accordance with the requirements of the town ordinance, from which this chapter is derived, adopting the building code.~~ All building permits shall have an expiration date as follows:

- (1) If the work described in any building permit has not begun within six months from the date of issuance thereof, said permit shall expire.
- (2) If the work described in any building permit commences and then ceases for a period of 45 consecutive days, said permit shall expire.
- (3) If the certificate of occupancy is not issued within 18 months from the day the building permit is issued, said permit shall expire.

Sec. 6-48. - Request for an extension of building permit.

All requests for permit extensions will need to be reviewed and approved by the town prior to ~~shall have the building commissioner's approval prior to~~ being granted by the building official. If the work described in a building permit has extended beyond any expiration dates identified in section 6-47, the permit shall be canceled by the building official who shall give written notice to the person affected.

Sec. 6-49. - Complaints regarding a violation of building permit.

~~Complaints regarding a violation.~~ Whenever a violation of this article occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis thereof, shall be filed with the town building commissioner. ~~He shall record properly such complaint, immediately investigate, and take action thereon as provided by this appendix.~~

Sec. 6-50. - Clearing of building site.

When clearing the building site, necessary precautions shall be taken to protect utility lines and adjacent property. Open burning shall not be allowed within the town, on the lot shall be handled in accordance with the regulations of open burning, section 12-1 (which requires attendance while burning, water available on the site, and fire out by nightfall; burning shall not be started during prolonged dry spells or when winds are blowing).

Sec. 6-51. - Penalties.

Any person, firm, corporation or agent who shall violate any of the provisions of this article, or fail to comply with any of the requirements thereof, shall be guilty of a misdemeanor. Each such person, firm or corporation or agent shall be deemed guilty of a separate offense for each and every day or a portion thereof during which any violation or any provision of this article is committed or continued.

Secs. 6-52—6-75. - Reserved.

Severability: If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section, or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.

Conflict with Preceding Ordinances: If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of the Town of Briarcliffe Acres, then the preceding Section, Sub-section, or part shall be deemed repealed and no longer in effect.

Effective Date: This Ordinance shall become effective on Second Reading.

AND IT IS SO ORDAINED, ENACTED AND ORDERED.

Dated this _____ day of _____, 2010.

Mayor

Council:

Attest:

Town Clerk

