

## Modification Requests will be processed according to South Carolina Code of Regulations Section 8-240 which reads:

### **8-240 Building Codes Modification Procedure.**

(A) Modifications to building codes may be submitted to the Council by local jurisdictions or professional associations. Council may grant modifications on a local or statewide basis as provided below.

#### **(B) Local modifications.**

(1) The Council shall review and may grant local modifications to any of the building codes by the request of a local jurisdiction, for application strictly within that jurisdiction, when it determines that the changes are required to meet local needs due to physical or climatological conditions. For the purpose of this section, the words "Physical" and "Climatological" shall have only the meanings as defined in these regulations.

(2) A request for a local building code modification must be previously approved by the governing body of the local jurisdiction making the request before it may be considered by the Council.

(3) Modifications granted to a local jurisdiction shall apply only to site constructed buildings and structures. Buildings and structures approved and constructed in compliance with the Modular Act shall not be affected by local building codes modifications. All properly labeled modular buildings shall be accepted by the local enforcement agency as being in full compliance with all of its adopted building codes.

(4) Proposed local modifications of building codes shall not take effect in any local jurisdiction until after they have first been reviewed and approved by the Council.

(5) Requests for local modifications may be considered by Council or may be referred by Council to the Study Committee for review and recommendation before action by the Council.

#### **(C) Statewide modifications.**

(1) The Council shall review and may grant statewide modifications to any of the building codes by the request of a local jurisdiction or a professional association<sup>1</sup>, when it determines that the section in question is either unusually restrictive or impractical.

(2) For the purposes of these regulations, a moratorium on enforcement of any section of any building code ordered by the Council, shall be considered a statewide modification.

(3) Requests for statewide modifications proposed by a local jurisdiction or professional association, must be referred to the Study Committee for review and recommendation before action by the Council.

(4) All statewide modifications made to any of the building codes for the building code cycle, must be approved by Council prior to the established implementation date. All such modifications shall be mandatory for all jurisdictions in the state and shall be in effect for as long as the specific edition of the code is in effect.

#### **(D) Requests for local and statewide modifications will be considered when submitted:**

(1) By an official representative of the local jurisdiction proposing the modification: or,

(2) By an official representative of the professional association proposing the modification.

(E) A request for a local or statewide modification must include:

(1) A cover letter from the local jurisdiction or professional association stating that the individual is authorized to present the proposed amendment: and,

(2) Verification that the proposed amendment has the support of at least a majority of the members of the board or council governing the local jurisdiction or professional association proposing the modification: and,

(3) A completed Code Modification Form (provided by the Council): and,

(4) Sufficient test information, studies, data or other documentation that would be necessary to fully explain and justify the proposed amendment: and,

(5) A list of the persons with their titles and affiliations, known at the time of submittal, who will provide testimony in favor of the amendment.

(F) A request for a local modification must include, in addition to subsection (E), (1) through (5), the physical or climatological basis for the request and the reason that the suggested change would correct the condition.

(G) Each request for amendment must be submitted separately.

(H) A local jurisdiction or professional association shall not propose a modification which will amend, suspend, eliminate or supersede an existing statute, policy, rule or regulation of any state or federal agency.

<sup>1</sup> "Professional Association" means an entity with membership consisting of individuals directly involved in the use, application or enforcement of building codes, or entities that manufacture, test or provide technical representation for materials, components or methods used in the construction industry.