

## **ARTICLE 4**

### **BUILDINGS AND BUILDING REGULATIONS**

#### **4:1 GENERAL PROVISIONS**

##### **4:1.1 Definitions**

**Building Official** - The chief building inspector who is designated a Certified Building Official by the International Code Council.

**Building Permit** - For purposes of this section the term *building permit* shall be synonymous with Development and Improvement Permit, Electrical, Mechanical, Plumbing, Gas, Roofing, and Residential Specialty permits as used on departmental forms.

**County Building Codes** - The most recent codes adopted by the South Carolina Building Code Council for use in the State of South Carolina and any additional codes that may be adopted by Kershaw County that have been approved by the South Carolina Building Code Council.

**Manufactured Home** - The term *manufactured home* means a structure, transportable in one (1) or more sections which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or when erected onsite is three hundred twenty (320) or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained in it.

**Mobile Home** - A factory-built home built prior to enactment of the Federal *Manufactured Housing Construction and Safety Standards Act*, effective June 15, 1976.

**Modular Building** - Any closed construction other than a mobile or manufactured home, constructed and certified off-site in accordance with South Carolina Building Code Council standards and codes, and transported to the point of use for installation or erection.

**Planning Official** - The Planning and Zoning Director or the designated Building Official or other Planning and Zoning Department official designated by the Planning and Zoning Director to administer the provisions of this Ordinance.

##### **4:1.2 Expiration of Building Permit**

If the work described in any building permit has not begun within six (6) months from the date of issuance thereof, said permit shall expire. Work shall not be deemed started until verified by a scheduled inspection. Furthermore, a building permit shall expire twenty-four (24) months after date of issuance. After expiration, a new permit must be purchased.

##### **4:1.3 Compliance Required**

All structures shall meet applicable County building codes and be inspected for compliance during construction and/or improvement.

No structure shall be used or occupied unless and until the structure has been constructed in accord with applicable building codes and inspected for compliance by the Planning Official or his designee.

Failure to secure inspection and approval prior to occupying such unit shall be a violation of this Ordinance.

The Planning Official shall prepare or cause to be prepared forms, guidelines, and policies pursuant to this Ordinance to facilitate the efficient, safe, and orderly implementation of the provisions of this Article. The Planning Official may waive minor requirements if the waiver of such requirements is not contradictory to the policies of this Ordinance and applicable State laws and regulations.

#### **4:1.4 Applicant**

A licensed contractor is required to obtain the building permit. For single-family residential units only, the property owner may obtain the building permit. However, if the property owner acquires the permit, the property owner must sign a disclosure statement, filed with the Register of Deeds, stating the property owner's responsibility to hire a licensed contractor for any work not performed by the property owner. The disclosure statement shall also stipulate that a home constructed under a building permit issued to the property owner cannot be sold, leased, or rented for a period of two years after completion of construction and the certificate of occupancy has been issued.

For all other development and improvement projects, the building permit must be obtained by a licensed contractor under all applicable International Residential Code (IRC) and International Building Code (IBC) provisions of the County building codes. The Planning and Zoning Department shall verify that the contractor has a current and valid residential or general contractor's license prior to issuing a permit. All contractors shall submit a copy of their license to the Planning and Zoning Department upon request.

#### **4:1.5 Building Permit Procedure**

The applicant must initially complete an application form; submit a copy of a recorded plat issued in the property owner(s)' name; obtain a 911 address if one has not been assigned; provide a SCDHEC septic tank permit or public sewer tap receipt; and provide additional information as may be required by the Planning Official. If the plat has not yet been recorded in the applicant's name, a recorded deed establishing ownership by the applicant shall be submitted.

## **4:2 RESIDENTIAL BUILDINGS**

This section applies to all site-built and modular one unit (single-family detached), two unit (duplex), three unit (triplex), and four unit (quadraplex) residential dwellings, townhouses, and patio homes. A residential unit of five or more units is considered a multi-family dwelling, and the group development requirements of this Article shall apply.

### **4:2.1 Site-Built Housing**

All site-built housing shall meet applicable County building codes, and be inspected for compliance during construction.

No site-built home shall be used or occupied unless and until the home has been constructed in accord with applicable building codes and inspected for compliance by the Building Official or his designee, and applicable compliance certification issued.

Failure to secure inspection and approval prior to occupying such unit shall be a violation of this Ordinance and processed accordingly.

### **4:2.2 Modular Housing/Buildings**

Per the South Carolina *Modular Buildings Construction Act*, SC Code of Laws, Title 23, Chapter 43, certified modular buildings must be accepted equivalent to site-built structures. Certified modular housing must be allowed in all zoning districts in which site-built housing is allowed.

### **4:2.3 Manufactured Housing Installation, License, and Registration**

#### **4:2.3-1 Applicant**

The manufactured housing owner may apply for a manufactured housing (MH) installation license and registration permit. The manufactured housing owner may submit a notarized statement authorizing the manufactured housing dealer or a licensed manufactured housing installer to apply for the permit.

#### **4:2.3-2 Installer License**

In order for a manufactured housing installation license and registration permit to be issued to install manufactured housing in Kershaw County, a photocopy of the current license of the installer or contractor, issued by the South Carolina Manufactured Housing Board, must be submitted with the application for the permit. If a retail dealer is installing the home, a current photocopy or an electronic submission of the retail dealer's license, issued by the South Carolina Manufactured Housing Board, must be submitted with the application for the permit.

#### **4:2.3-3 Process**

The applicant must initially complete an application form; submit a copy of a recorded plat issued in the property owner(s)' name; obtain a 911 address if one has not been assigned; submit a copy of the contract with the licensed installer to perform the installation; and provide additional information as may be required by the Planning Official. If the plat has not yet been recorded in the applicant's name, a recorded deed establishing ownership by the applicant shall be submitted.

The Official Zoning Map shall be checked to verify that manufactured housing is a permitted use in the zoning district. A site inspection shall be conducted to verify that the zoning district setbacks are met prior to issuing approval for installation.

Once site approval is issued, the applicant must file for a manufactured housing moving permit and must furnish septic tank approval from SCDHEC and proof of ownership of the manufactured housing that is acceptable to the Planning and Zoning Department such as the title or a copy of and the receipt for DMV form 400 Application for Certificate of Title.

#### **4:2.3-4 Expiration of Permit**

If the work described in the manufactured housing installation license and registration permit has not begun within six (6) months from the date of issuance thereof, said permit shall expire. Work shall not be deemed started until verified by a scheduled inspection. Furthermore, a manufactured housing installation license and registration permit shall expire twelve (12) months after date of issuance. After expiration, a new permit must be purchased.

#### **4:2.3-5 Set Up**

Manufactured housing shall be installed in accord with the installation manual issued by the manufacturer. The manufacturer's installation manual must be submitted to Kershaw County Planning and Zoning Department at the time of the application. In case of installation of previously owned manufactured housing where the manual is unavailable, the home must be installed in accord with the requirements of SC Manufactured Housing Board, under SC Code of Laws 40-29-350 and SC Regulations 79-42. Additional Kershaw County set up requirements are as follows.

- A. Double-wide units (eighteen feet wide or wider) shall be underskirted with a curtain wall around the entire unit with mortared brick, mortared concrete masonry, or cement fiberboard. Single-wide units (less than eighteen feet wide) shall be underpinned around the entire unit with brick, masonry, cement fiberboard, vinyl, or similar materials designed and manufactured for permanent outdoor installation. The curtain wall and/or underpinning shall be designed and constructed for permanent outdoor installation and constructed in accord with the manufacturer's installation instructions, regulations promulgated in accord with applicable building code, and the provisions of this section.
  1. Proper installation of the curtain wall and/or underpinning must be insured and conform with the objectives and purposes of this Ordinance which are intended to promote stability, compensate for frost heave, and minimize vibrations and susceptibility to wind damage.
  2. Existing manufactured housing licensed and registered for residential purposes issued prior to September 27, 2005 (the initial effective date of these requirements) is exempt from the requirements of this section. A replacement of an exempt manufactured home destroyed or moved from a site with another unit is also exempt; provided that the replacement unit is installed within one year of the time of relocation, destruction, or discontinuance of use.
- B. Permanent landing steps shall be installed or constructed at each exterior doorway in accord with applicable building codes.
- C. All moving or towing apparatus shall be removed or concealed including hitch, wheels, and axles.

- D. The unit shall be provided with a sanitary sewer system approved by SCDHEC. A SCDHEC certificate of final approval must be submitted prior to issuance of the license.
- E. The unit shall be served by a separate electric meter. It shall be unlawful for any such home to receive electricity except by use of this separate meter. Any existing home not in compliance with this section upon the effective date of this Ordinance shall be served by a separate meter, or be declared by the Planning Official to be in violation of this Ordinance. It shall be unlawful for any public utility or electrical supplier to connect power to any manufactured housing in the absence of an approved permit issued by the Building Official to establish said home.

The Planning Official or Building Official may, at his discretion, issue a temporary permit to secure electrical service for an extraordinary reason such as severe medical conditions or severe acts of nature. A temporary permit shall be valid for fifteen (15) days unless otherwise specified on the permit. This provision shall not be construed to exempt the applicant from the requirement for a regular manufactured housing installation license and registration permit within the fifteen (15) day period. If a permit is not obtained as required, the Planning Official or Building Official may direct that the electricity be disconnected. Any additional fee to reconnect will be the responsibility of the owner or applicant.

#### **4:2.3-6 Appearance Standards for Manufactured Housing in the GD and MRD-1 Zoning Districts**

Manufactured housing on individual lots where permitted by this Ordinance in the GD and MRD-1 districts shall:

- A. Be underskirted with a curtain wall around the entire unit in accord with the requirements of this section.
- B. Be covered with an exterior material customarily used on conventional dwellings.
- C. Have a pitched roof with a minimum of three (3) inch vertical rise for each twelve (12) inches of horizontal run. Said roof shall consist of shingles or other material customarily used for conventional dwellings.
- D. Have a roof overhang not less than eight (8) inches measured from the vertical side of the structure. When carports, garages, porches, or similar structures are attached as an integral part of the unit, the Building Official may waive the eave requirement.
- E. Be not less than twenty (20) feet wide (multi-section), be not less than 900 square feet in floor area, and be placed on the lot in such a manner that is compatible with and reasonably similar in orientation to surrounding site-built housing.

#### **4:2.3-7 Habitability**

No manufactured housing shall be permitted, used, or occupied, nor shall public utilities be extended to or activated in any such home unless and until the home has been inspected and found to be habitable by the Building Official or his designee.

The word *habitable* as used herein means that there is no defect, damage, or deterioration to the home which creates a dangerous or unsafe situation or condition; that the plumbing, heating, and electrical systems are in safe working order; that the walls, floor, and roof are free from any holes, breaks, loose or rotting boards, and are structurally sound; and that all exterior doors and windows are in place. Further, the word *habitable* shall include the provisions of the SC Manufactured Housing Board regulations 79-43, Used Manufactured Housing Minimum Habitability Requirements, and shall include the provision of the following facilities:

- A. **Sanitary Facilities** - Every manufactured home shall contain not less than a kitchen sink, lavatory, tub or shower, and a water closet all in good working condition and properly connected to an approved water and sewer/septic system. Every plumbing fixture, water, and waste pipe shall be properly installed and free from defects, leaks, and obstructions.
- B. **Hot and Cold Water Supply** - Every manufactured home shall have connected to the kitchen sink, lavatory, and tub or shower cold and hot running water. All water shall be supplied through an approved distribution system connected to a potable water supply.
- C. **Heating Facilities** - Every manufactured home shall have heating facilities which are properly installed and maintained in safe and good working condition, and are capable of safely and adequately heating all habitable rooms and bathrooms. Where a central heating system is not provided, each mobile or manufactured home shall be provided with an alternative system, approved by the Planning Official.
- D. **Cooking and Heating Equipment** - All cooking and heating equipment and facilities shall be installed in accordance with Federal manufactured home construction and safety standards.
- E. **Smoke Detector** - Every mobile and manufactured home shall be provided with an approved listed smoke detector, installed in accordance Federal manufactured home construction and safety standards. When activated, the detector shall provide an audible alarm.

#### **4:2.3-8 Compliance Required**

No manufactured housing shall be used or occupied unless and until the home has been installed in accord with these regulations and inspected for compliance by the Building Official or his designee.

Where, upon inspection by the Building Official or his designee, a manufactured home is found not to meet the minimum requirements of habitability described herein, said official shall take appropriate action to require the owner to make the necessary improvements to render the unit habitable; or block the use and placement of said unit by refusing to issue an installation permit, and denying electricity to the unit, and/or require the removal of said unit at the owners' expense.

Failure to secure final inspection and registration and license prior to occupying such unit shall be a violation of this Ordinance and processed accordingly.

The Planning Official may grant exceptions to this requirement in hardship cases, not to exceed 30 days.

#### **4:2.3-9 Registration and License**

Upon passing final inspection and documentation of meeting all applicable requirements of this Ordinance, the manufactured housing shall be registered with the County, and a State license (sticker) shall be issued to the owner. The license sticker shall be adhered to the inside of a window facing the road.

#### **4:2.4 Mobile Homes**

A mobile home is a factory-built home built prior to enactment of the *Federal Manufactured Housing Construction and Safety Standards Act*, effective June 15, 1976.

A mobile home, as herein defined, shall not be established within the unincorporated area of Kershaw County. However, the use of an existing mobile home may be continued in accord with

the provisions of the nonconformities section of this Ordinance, and/or relocated to another site, lot, or parcel within the RD-2 District provided:

- A. The mobile home is currently registered in Kershaw County.
- B. The mobile home has been used as a residence within 365 days of the date of the moving permit application.
- C. The mobile home meets all setup, habitability, and compliance requirements of this Ordinance.

#### **4:2.4-1 Replacement of Mobile Homes**

A nonconforming mobile home, once removed, shall not be replaced by a mobile home, but may be replaced by a manufactured home, provided such manufactured home is in full compliance with the requirements of the manufactured housing installation, license, and registration regulations of this Ordinance.

#### **4:2.5 Existing Septic Tanks**

##### **4:2.5-1 Definitions**

**On-Site Sewage Disposal System (OSDS)** - Any system, piping, tanks, drain fields, alternate toilets, or other facilities designed to function as a unit to convey, store, treat, and/or dispose of sanitary sewage by means other than discharge into a public sewer. For purposes of this Ordinance, an OSDS shall mean any septic tank or other on-site sewage disposal system.

**Good Operating Condition, Septic System** - Good operating condition means an on-site sewage disposal system (OSDS) that, upon inspection, is determined to function in a sanitary manner; prohibits the discharge of untreated or partially treated wastewater onto the ground surface, into surface water, or into ground water; and allows building plumbing to discharge rapidly.

**Failed Septic System** - Any sewage disposal system that does not adequately treat and dispose of sewage that consequently creates a public or private nuisance or threat to public health and/or environmental quality.

##### **4:2.5-2 Procedures for Existing Septic Tanks**

A residential property owner who applies to re place an existing or former structure that is or was serviced by an existing septic tank (On-site Sewage Disposal System) shall submit to Planning and Zoning a SCDHEC-approved permit for the existing septic tank. If the replacement structure's calculated sewage flow exceeds the permitted capacity, SCDHEC will require a permit to modify the system to handle the increased capacity.

If the applicant cannot produce the permit, the property owner shall either sign a statement on a form prepared by the Planning Official certifying that there is an existing septic tank, or obtain a current SCDHEC septic tank permit. If the property owner signs the existing septic tank certification, he shall be required to have the existing septic tank inspected by a person licensed by SCDHEC to install, repair, service, monitor, or inspect a septic tank. At such time as regularly scheduled SCDHEC septic system inspector training workshops become available, inspectors shall successfully complete such workshops.

#### **4:2.5-3 Inspection Procedure**

The inspector shall first verify that an OSDS (septic tank) is installed on the subject property. If the inspector determines that an OSDS as herein defined is not installed, he shall report his findings to the Building Official within five (5) days of the determination.

If a septic tank is located, prior to the inspection, a pump-out of the septic tank is required to insure a proper inspection of the interior of the tank, and to check as applicable for leaks from the building, and to check as applicable for saturated conditions in the drain field. It may not be possible to determine leaks and drain field conditions on systems that have not been in use for an extended period of time.

A copy of the inspection report and sewage disposal manifest from the pumping contractor shall be submitted to the Building Official within ten (10) days of the inspection. The inspection report shall certify that the system is in good operating condition. Any limitations to the certification that the system is in good operating condition due to non-use of the system or other factors shall be noted on the report. Otherwise, the following actions shall be taken:

- A. **Minor Repairs or Alterations** - If the inspector determines that minor repairs or alterations are needed to bring the septic tank into good operating condition (such as replacing cracked lids and missing or broken tees and baffles), such work shall be done within ninety (90) days of the inspection. Evidence of said work shall be submitted to the property owner and a copy submitted to the Building Official as a condition of compliance.
- B. **Failure Evaluation and Repairs** - If the inspector determines that the septic tank has failed as defined herein, the Building Official shall notify SCDHEC of the failure within five (5) days of receiving the inspection report. The property owner shall:
  - 1. Contact SCDHEC within fifteen (15) days of the inspection to request a failure evaluation and course of corrective action by a licensed contractor.
  - 2. Submit evidence of repairs to the Building Official as a condition of compliance.

## **4:3 GROUP DEVELOPMENTS**

A group development is a development of a single tract of land or adjacent tracts of land under the same ownership or control. Group developments include commercial, retail, industrial, institutional, multi-family residential, and manufactured home parks, and are classified as major or minor group developments.

### **4:3.1 Applicant**

Multi-family, commercial, industrial, institutional, and other non-residential building permits shall be issued to licensed general and mechanical contractors. The Planning and Zoning Department shall verify that the contractor has a current general and/or mechanical contractor's license prior to issuing a permit. All contractors shall submit a copy of their license to Planning and Zoning upon request.

### **4:3.2 Major Group Developments**

#### **4:3.2-1 Definition of Major Group Developments**

Major group developments are as follows:

- A. **Commercial, Industrial, Institutional** - A group commercial, industrial, or institutional development consists of a multiple use or multiple occupant commercial, industrial, or institutional complex of a combined 25,000 square feet or greater of gross floor area, or a single-use, single-occupant commercial or industrial building of 25,000 square feet or greater of gross floor area. Examples are shopping centers and malls; commercial business or industrial parks; and "big box" retail.
- B. **Housing** - A group housing development consists of:
  - 1. Multi-family apartment buildings, duplexes, triplexes, quadruplexes, and townhouses on a single tract of land or adjacent tracts of land under the same ownership or control containing a combined total of more than ten (10) dwelling units.
  - 2. Manufactured Home Parks - All manufactured home parks are classified as major group developments.

#### **4:3.2-2 Procedure for Major Group Developments**

Applications for major group developments shall follow the same procedure as for minor group developments as listed below. Major group developments require Planning and Zoning Commission review and approval and additional submittal requirements per the land development submittal requirements of Article 5 of this Ordinance.

### **4:3.3 Minor Group Developments**

#### **4:3.3-1 Definition of Minor Group Developments**

Minor group developments are as follows:

- A. Commercial, industrial, or institutional developments that consist of a multiple use or multiple occupant commercial, industrial, or institutional complex of a combined square

footage of less than 25,000 gross floor area, or a single-use, single-occupant commercial or industrial building of less than 25,000 square feet of gross floor area.

- B. Multi-family apartment buildings, duplexes, triplexes, quadruplexes, and townhouses on a single tract of land or adjacent tracts of land under the same ownership or control containing a combined total of more than two (2) and no more than ten (10) dwelling units.

#### **4:3.3-2 Procedure for Minor Group Developments**

The applicant must initially complete an application form(s); submit a copy of a recorded plat issued in the property owner(s)' name; obtain a 911 address if one has not been assigned; and provide additional information as may be required by the Planning or Building Official.

The Building Official shall review the application and shall notify the applicant of the building plans (construction drawings) required. The applicant must submit two sets of building plans as required by the Building Official and by the latest edition of the State of South Carolina Department of Labor, Licensing and Regulation *Reference Manual for Building Officials and Design Professionals*. The Building Official shall make a plans review determination, and building plans, as required, shall be reviewed and approved before a permit is issued. Building construction per the approved building plans shall be completed prior to the issuance of a certificate of occupancy.

The applicant must submit two (2) sets of zoning and land development site plans addressing off-street parking; buffering, screening, and landscaping requirements; resource conservation; and other provisions required by this Ordinance as determined by the Planning Official. The Planning Official shall prepare site plan guidance documents to aid the applicant in preparing the site plans. Zoning and land development site plans shall be approved prior to the issuance of the building permit. Site construction landscaping per the approved zoning and land development site plan shall be completed and approved prior to the issuance of a certificate of occupancy.

The applicant must submit two (2) sets of engineering (civil) plans and calculations that shall be in compliance with the applicable engineering specifications and standards of this Ordinance. The County Engineer shall prepare guidance documents to aid the applicant in preparing the engineering plans. Engineering site plans shall be approved prior to the issuance of the building permit. Site construction per the approved engineering site plan shall be completed and approved prior to the issuance of a certificate of occupancy.

## **4:4 BUILDING PERMIT INSPECTIONS FOR COMPLIANCE**

### **4:4.1 Compliance Inspection**

The Planning Official and/or Building Official may make or require inspections of any land disturbing activity, construction, or maintenance requirement to ascertain compliance with the provisions of this Ordinance and applicable building codes, and to ascertain compliance with approved permit applications, plats, and/or plans. The Planning Official and County Engineer shall establish inspection schedules.

### **4:4.2 Compliance Certification**

#### **4:4.2-1 Certification Required**

As of the effective date of this Ordinance, it shall be unlawful to use, occupy, or permit the use or occupancy of any building or premises, or both, or parts thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a use permit or certificate of occupancy shall have been issued therefore by the Planning Official or Building Official stating that the proposed use of the building or land conforms to the requirements of this Ordinance.

Failure to obtain the appropriate certificate of compliance shall be a violation of this Ordinance, and is punishable under the procedures outlined in the Administration article of this Ordinance.

### **4:4.3 Certificate of Occupancy**

A certificate of occupancy is the compliance certification issued for buildings created, erected, altered, or enlarged under a building permit issued under the provisions of this Ordinance. The certificate of occupancy shall be issued by the Building Official or his designee upon an approval by final inspection.

### **4:4.4 Compliance Certifications for Demolition, Moving, Sign, and Other Land Development Permits**

Upon documentation and site inspection that all items listed on the applicable permit application have been addressed and completed per the requirements of this Ordinance, a permit certification shall be signed by the Planning Official or the Building Official and issued to the applicant.

### **4:4.5 Use Permits**

A use permit is the compliance certification issued when the use and/or occupancy of an existing structure has been changed, converted, or altered, upon determination by the Planning Official or Building Official that the proposed use of the building or land conforms to the requirements of this Ordinance.

#### **4:4.5-1 Use Permits for Multiple Occupancy Establishments**

A. The prospective occupant shall apply for a Kershaw County use permit and a determination is made that the proposed use is a permitted use or conditional use for the zoning district in which the establishment is located. If the use permit application is for a conditional use, the

applicant shall be given the respective conditions for use, and sign that he has been given and shall comply with said conditions.

- B. The unit of the establishment that the applicant will be occupying shall be inspected by the Building Official or his designee and other officials such as the jurisdictional Fire Marshall, depending upon the proposed use.
- C. The inspection official(s) shall make a determination of what, if any, work will be needed on the unit to bring it into compliance with the building codes applicable for the proposed use, and notify the applicant of the work needed.
- D. If required, the contractor for the applicant shall apply for the appropriate building permits (construction or specialty) to do the work to bring the unit into compliance.
- E. Upon final inspection and approval by the inspection official(s) of the completed work, any required construction or specialty permit is signed as approved, the use permit is signed and issued, and the occupant may begin business operations.

**4:4.5-2 Single Occupancy Use Permits for Change of Occupancy, Change of Use, or Conditional Uses**

- A. The prospective occupant shall apply for a Kershaw County use permit and a determination is made that the proposed use is a permitted use or conditional use for the zoning district in which the establishment is located. If the use permit application is for a conditional use, the applicant shall be given the respective conditions for use, and sign that he has been given and shall comply with said conditions.
- B. The facility that the applicant is/will be occupying is inspected by the Building Official or Inspector and other officials such as the jurisdictional Fire Marshall, depending upon the proposed use.
- C. The inspection official(s) will make a determination of what, if any, work will be needed on the facility to bring it into compliance with the building codes applicable for the proposed use, and notify the applicant of the work needed.
- D. If required, the property owner/applicant or the contractor for the applicant shall apply for the appropriate permits (construction or specialty) to do the work to bring the facility into compliance.
- E. Upon final inspection and approval by the inspection official(s) of the completed work, any required construction or specialty permit is signed as approved, the use permit is signed and issued, and the occupant may begin business operations.

## **4:5 DEMOLITION PERMITS**

### **4:5.1 Demolition Permit Application for Structures Other Than Manufactured Housing**

The application for a permit to demolish a structure other than a manufactured home shall be made on a form provided by the Planning and Zoning Department. The applicant may be the structure owner or the demolition contractor. The property owner must sign a statement to the effect that he has read and agrees to the scope of work that includes the following:

- A. The arrangement for the disconnection of all utilities.
- B. The capping of sewer or septic lines.
- C. The complete demolition and/or removal of all structures and piles of debris including all foundations.
- D. The proper disposal of all debris at SCDHEC-permitted solid waste processing and disposal facilities.
- E. The removal of all rank vegetation and the cutting of grass and weeds.
- F. The saving of and protection from damage during demolition and removal, all significant trees (twenty [20] inch or greater DBH pine trees, eight [8] inch or greater DBH all other species) per the Tree Protection regulations as prescribed in this Ordinance.
- G. The grading of the lot as necessary to prevent low areas and to promote proper drainage.

If the applicant is not the property owner, a notarized statement, signed by the property owner must be submitted stating that the applicant has the owner's permission to demolish the structure under the above-stated terms.

The Planning Official may impose additional requirements to ensure the public health and safety.

#### **4:5.1-1 Permit Certification**

For structures other than manufactured housing, upon documentation and site inspection that all permit application items have been addressed and completed, a demolition permit certification shall be signed by the Building Official and issued to the applicant.

### **4:5.2 Demolition Permit Application for Manufactured Housing**

The application for a permit to demolish a manufactured home shall be made on a form provided by the Planning and Zoning Department. The applicant may be the structure owner or the demolition contractor. The property owner must sign a statement to the effect that he has read and agrees to the scope of work that includes the following:

- A. The arrangement for the disconnection of all utilities.
- B. The capping of sewer or septic lines.
- C. The complete demolition and/or removal of all structures and piles of debris including all foundations.
- D. The proper disposal of all debris at SCDHEC-permitted solid waste processing and disposal facilities.
- E. The removal of all rank vegetation and the cutting of grass and weeds.

- F. The saving of and protection from damage during demolition and removal, all significant trees (twenty [20] inch or greater DBH pine trees, eight [8] inch or greater DBH all other species) per the Tree Protection regulations as prescribed in this Ordinance.
- G. The grading of the lot as necessary to prevent low areas and to promote proper drainage.

The above regulations may be modified if another manufactured home is to be immediately placed on the existing foundation.

If the applicant is not the property owner, a notarized statement, signed by the property owner must be submitted stating that the applicant has the owner's permission to demolish the structure under the above-stated terms.

The Planning Official may impose additional requirements to ensure the public health and safety.

#### **4:5.2-1 Permit Certification**

An application for a manufactured housing demolition permit shall require two (2) site inspections as follows:

- A. The first inspection shall be made during demolition or prior to removal of demolished unit to verify, if possible, that the manufactured home being demolished is the manufactured home on record and that the manufactured home has been demolished and not simply moved to another location.
- B. The second inspection shall be made to verify that all conditions of Section 4:5.2 above have been met.

Upon documentation and site inspection that all permit application items have been addressed and completed, a manufactured housing demolition permit certification shall be signed by the Building Official and issued to the applicant.

A manufactured housing demolition permit shall be valid for thirty (30) days.

## **4:6 MOVING PERMITS**

### **4:6.1 Moving Permit Application for Structure Other than Manufactured Housing**

The application for a permit to move a structure other than manufactured housing shall be made on a form provided by the Planning and Zoning Department. The applicant may be the structure owner or the moving contractor. Moving permits are not required to move modular housing units purchased off a dealer's lot. If the applicant is not the property owner, a notarized statement, signed by the property owner must be submitted stating that the applicant has the owner's permission to move the structure.

The property owner must sign a statement to the effect that he has read and agrees to the scope of work that includes the following:

- A. The arrangement for the disconnection of all utilities.
- B. The capping of sewer or septic lines.
- C. The complete demolition and/or removal of all remaining structures and piles of debris including all foundations.
- D. The proper disposal of all debris at SCDHEC-permitted solid waste processing and disposal facilities.
- E. The removal of all rank vegetation and the cutting of grass and weeds.
- F. The saving of and protection from damage during demolition and removal, all significant trees (twenty [20] inch or greater DBH pine trees, eight [8] inch or greater DBH all other species) per the Tree Protection regulations as prescribed in this Ordinance.
- G. The grading of the lot as necessary to prevent low areas and to promote proper drainage.
- H. The acquisition of applicable SC-DOT transport permits.

#### **4:6.1-1 Permit Certification**

Upon documentation and site inspection that all applicable items have been addressed and completed, the moving permit shall be signed by the Building Official and issued to the applicant.

### **4:6.2 Moving Permit Application for Manufactured Housing**

A manufactured housing moving permit shall be obtained prior to the movement of any manufactured home not purchased off a dealer's lot. Moving permits for manufactured housing entering Kershaw County must be obtained from the county from which the home is being moved. The application for a permit to move a manufactured home shall be made on a form provided by the Planning and Zoning Department. The applicant may be the manufactured home owner or the SCDOT-authorized mover. If the applicant is not the manufactured home owner, a notarized statement, signed by the manufactured home owner, must be submitted stating that the applicant has the owner's permission to move the manufactured home. If the manufactured home is not listed in the current owner's name, proof of ownership must be provided in the form of a title, bill of sale, or affidavit of repossession. In order to acquire a permit to move a manufactured home, the following requirements shall be met:

- A. All applicable taxes shall be paid prior to issuance of the moving permit.
- B. A copy of the SCDOT transport permit shall be submitted.

- C. An application for manufactured home license and registration as required in the Manufactured Housing Installation, License, and Registration section of this Article must be issued prior to the issuance of the manufactured home moving permit if the home is to be relocated within Kershaw County.
- D. Any additional information as may be required by the Planning Official shall be submitted.
- E. If manufactured home is currently set up in Kershaw County, the homeowner must sign a statement to the effect that he has read and agrees to the scope of work that includes the following:
  - 1. The arrangement for the disconnection of all utilities.
  - 2. The capping of sewer or septic lines.
  - 3. The complete demolition and/or removal of all remaining structures and piles of debris including all foundations and underpinning.
  - 4. The proper disposal of all debris at SCDHEC-permitted solid waste processing and disposal facilities.
  - 5. The removal of all rank vegetation and the cutting of grass and weeds.
  - 6. The saving and protection from damage during demolition and removal of all significant trees (twenty [20] inch or greater DBH pine trees, eight [8] inch or greater DBH all other species) per the Tree Protection regulations as prescribed in this Ordinance.
  - 7. The grading of the lot as necessary to prevent low areas and to promote proper drainage.

The above regulations may be modified if another manufactured home is to be immediately placed on the existing foundation.

## **4:7 FEES**

A fee schedule shall be established by County Council to cover the cost of permit review and inspections for compliance with the provisions of this section, and kept on file in the Kershaw County Planning and Zoning Department. The fee schedule may be amended from time to time to reflect the changing costs of permit review and inspections.