

Oconee County Building Codes

415 South Pine Street Walhalla, South Carolina 29691

Phone: 864-718-1005

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www.oconeesc.com



David Stokes
Community Development Director / Building Official
Oconee County
415 S. Pine St.
Walhalla SC 29691

Building Codes Appeal Board
Roger Mize
Matthew Rochester
Robert L. DuBose
Michael Willimon
Harry Tollison

Re: General information and orientation booklet.

Dear Sirs:

Oconee County Council at the July 16, 2013 meeting unanimously adopted the attached Orientation Booklet for all Boards and Commissions. I am enclosing information from the Clerk of Council and other information that is pertinent to the formation of the Board.

I have highlighted some important links in the booklet that you will need to read in preparation for an organizational meeting, which we need to schedule in order to be in compliance with the desires of County Council.

I will poll the Board to find out the most desirable time for us to meet and formalize our Rules and Procedures and pick a standing monthly meeting date which will be attached to the Oconee County Calendar of events for use when an appeal has been filed.

Thank you for your willingness to serve Oconee County and I look forward to working with you.

Sincerely,

A handwritten signature in blue ink that reads "D. Stokes".

David Stokes
Community Development Director
Building Official

Oconee County Building Codes

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August 21, 2013

David Stokes
Community Development Director / Building Official
Oconee County
415 S. Pine St.
Walhalla SC 29691

Building Codes Appeal Board
Roger Mize
Matthew Rochester
Robert L. DuBose
Michael Willimon
Harry Tollison

Re: General information and orientation Meeting

Dear Sirs:

We will be holding our orientation meeting on September 26 at 3:00 P.M. in Council Chambers, 415 S. Pine St. Walhalla SC 29691. I look forward to our meeting.

Sincerely,

David Stokes
Community Development Director
Building Official

David Stokes

From: Beth Hulse
Sent: Tuesday, August 13, 2013 9:27 AM
To: David Stokes; Richard Blackwell; Phil Shirley; Josh Stephens
Subject: Board/Commission Orientation Booklet / Board Specific Material Inclusion
Attachments: image001.gif

Good Morning All;

You were sent an email on July 22, 2013 after Council's July 16, 2013 meeting where they unanimously adopted the Orientation Booklet for all county appointed Boards, Commissions and/or Committees ("Board"). If you need an additional copy of the booklet, please let me know.

As the staff liaison for your board we need two things:

[1] Insert for page #9 any material specific to your board such as by-laws, adopted rules, state law that pertains to the board, etc.

[2] Send that material to me also via email so that I can maintain a copy in the master file for your board. If you don't have any additional material, please let me know that also. I have not yet received this material which was requested to be sent to me by Friday, August 2, 2013. Please provide asap.

Again, this Orientation Booklet should be distributed to all existing members of your board at or before their next meeting and all future appointees should receive a copy upon confirmation of their appointment.

Thanks for your attention to this matter.

Elizabeth G. Hulse

Clerk to County Council

Georgetown County Administrative Offices

415 South Pine Street

Wahalla, SC 29694

864-718-1023

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David Stokes

From: Beth Hulse
Sent: Monday, July 22, 2013 9:32 AM
To: David Stokes
Subject: Board, Commission & Council Appointed Committees General Information & Orientation Booklet
Attachments: 1-Board-Commission Orientation Booklet-July2013.pdf

Good Morning;

Council at their July 16, 2013 meeting unanimously adopted the attached Orientation Booklet for all county appointed Boards, Commissions and/or Committees ("Board"). As the staff liaison for your board we would ask two things:

[1] Insert for page #9 any material specific to your board such as by-laws, adopted rules, state law that pertains to the board, etc.

[2] Send that material to me also via email so that I can maintain a copy in the master file for your board. If you don't have any additional material, please let me know that also. I would ask that this material be sent to me no later than Friday, August 2, 2013.

This Orientation Booklet should be distributed to all existing members of your board at or before their next meeting and all future appointees should receive a copy upon confirmation of their appointment.

Thanks for your attention to this matter.

Elizabeth G. Hulse

Clerk to County Council

Oconee County Administrative Offices

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**OCONEE COUNTY COUNCIL
WALHALLA, SOUTH CAROLINA**

**BOARDS, COMMISSIONS
& COUNCIL APPOINTED COMMITTEES**

**GENERAL INFORMATION &
ORIENTATION BOOKLET**

OCONEE COUNTY MISSION STATEMENT

It is the mission of Oconee County to provide our current and future citizens and visitors quality services and to protect our neighborhoods, heritage and environment by managing growth and change through smart, inclusive planning.

OCONEE COUNTY VISION STATEMENT

A diverse, growing, safe, vibrant community guided by rural traditions and shaped by natural beauty, where employment, education and recreation offer a rich quality of life for all generations, both today and tomorrow.

ESTABLISHED: JULY 2013

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(to be inserted by Staff Liaison for Board /Commission)

BOARD / COMMISSION Summarized Duties / Responsibilities

| | |
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| Appalachian Council of Governments Board | 8 |
| Aeronautics Commission | 8 |
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Oconee County has an excellent web site www.oconee.org which can provide you with specific information regarding county departments, the county's fiscal budget, council activities, contact information for departments and other helpful information.

Introduction:

Oconee County Council has the responsibility of appointing citizens to serve on boards, commissions and ad hoc committees [*“board/commission”*]. Council members view this process and appointment as a trust between Council, the appointee, the agency, and the community; all working together for the betterment of Oconee County.

Therefore, it is Oconee County Council’s desire to provide a general orientation regarding the appointee’s responsibilities on the board/commission. The information contained in this booklet is not a contract, but is information that will assist you in your roll as a public official representing the Oconee County Council.

Some of the boards and commission of Oconee County are jointly appointed with other governing bodies or agencies. Also, some of the boards are more of an advisory nature while some are policy making boards / commissions. The Department Head [or his/her designee], known as the “Staff Liaison” will work with your board / commission and will give to you specific information related to board / commission.

Definitions:

- **“Public Member”** means an individual appointed to a non-compensated part-time position on a board / commission / ad hoc committee. A public member does not lose the status by receiving reimbursement of expenses or a per diem payment for services.
- **“Public Official”** means an elected or appointed official of the State, a county, a municipality, or a political subdivision thereof, including candidates for office. Public Official does not mean a member of the judiciary except that for the purposes of campaign practices, campaign disclosure, and disclosure of economic interests, a probate judge is considered a public official and must meet the requirements of this chapter.
- **“Official Capacity”** means activities which:
 - arise because of the position held by the public official, public member, or public employee;
 - involve matters which fall within the official responsibility of the agency, the public official, the public member, or the public employee; and
 - Are services the agency would normally provide and for which the public official, public members, or public employee would be subject to expense reimbursement by the agency with which the public official, public member or public employee is associated.

Board / Commission Rules for Procedure & Specific By-Laws [if applicable]

All Boards & Commissions will operate utilizing the South Carolina Association of Counties [SCAC], Model Rule of Parliamentary Procedure for South Carolina Counties [most recent edition – viewable on the SCAC website].

It is each Board/Commission member's responsibility to review and adhere to specific rules of order and adopted by-laws; noting that conduct is not just specific to meetings of the board/commission.

Board / Commission Members' Attendance Practices

It is Council's desire to appoint citizens to boards and commission that have openly acknowledged their willingness to serve his/her community in this capacity. Therefore, it is Council's belief that persons who have been appointed to a board, commission or other authority should attend all meetings that are called. Some of the boards / commissions have specific attendance requirements in addition to those outlined in the Oconee County Code of Ordinances, Chapter 2, Section 2-241 as stated below:

A member who is absent from three consecutive meetings without adequate excuse, such as documented illness, shall be reported by the chairperson of that board to council and is subject to replacement by council. Any member may also be removed or replaced at will by majority vote of council upon the motion of the appointing council member at any time, unless appointment is required by or regulated by state or federal law.

Freedom of Information Act [FOIA]

All Oconee County Boards & Commissions are required to comply with all aspects of the South Carolina Code 30-4-10; Freedom of Information Act. SCAC publishes a Freedom of Information Handbook for County Government [which can be viewed on the SCAC website].

CONSTITUTION OF THE STATE OF SOUTH CAROLINA

ARTICLE XVII: Miscellaneous Matters

Section 1. Qualifications of officers.

No person shall be elected or appointed to any office in this State unless he possess the qualifications of an elector: Provided, The provisions of this Section shall not apply to the offices of State Librarian and Departmental Clerks, to either of which offices any woman, a resident of the State two years, who has attained the age of twenty-one years, shall be eligible.

SECTION 1A. Qualification for office; two offices:

Every qualified elector is eligible to any office to be voted for, unless disqualified by age, as prescribed in this Constitution. No person may hold two offices of honor or profit at the same time, but any person holding another office may at the same time be an officer in the militia, member of a lawfully and regularly organized fire department, constable, or a notary public. The limitation above set forth "No person may hold two offices of honor or profit at the same time," does not apply to the circuit judges of the State under the circumstances stated in this section, but whenever it appears that any or all of the Justices of the Supreme Court are disqualified or otherwise

prevented from presiding in any cause for the reasons set forth in Section 6 of Article V of the Constitution, the Chief Justice or in his stead the Senior Associate Justice when available shall designate the requisite number of circuit judges for the hearing and determination of the hearing. The limitation above set forth does not prohibit any officeholder from being a delegate to a constitutional convention. (1989 Act No. 9, Section 3, eff February 8, 1989.)

SECTION 1B. Property qualifications; term of office; dueling.

No property qualification, unless prescribed in this Constitution, shall be necessary for an election to or the holding of any office. No person shall be elected or appointed to office in this State for life or during good behavior, but the terms of all officers shall be for some specified period, except Notaries Public and officers in the Militia. After the adoption of this Constitution any person who shall fight a duel or send or accept a challenge for that purpose, or be an aider or abettor in fighting a duel, shall be deprived of holding any office of honor or trust in this State, and shall be otherwise punished as the law shall prescribe.

State Ethics Rules of Conduct – General Information:

All public employees, public officeholders, and public members are expected to adhere to and follow the Rules of Conduct as outlined in the Ethics Reform Act. Anyone who is found guilty of violating these rules is subject to prosecution by the State Ethics Commission and the Attorney General's Office.

A public official, public member, or public employee may not knowingly use his official office, membership, or employment to influence a government decision to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated.

A person may not directly or indirectly give, offer, or promise anything of value to a public official, public member, or public employee with intent to influence the public official's, public member's, or public employee's official responsibilities, nor is the public official, public member, or public employee to ask, demand, solicit, or accept anything of value for himself or for another person in return for fulfilling his official responsibilities or duties.

A public official, public member, or public employee may not receive anything of value for speaking before a public or private group in his/her official capacity. A meal can be accepted if provided in conjunction with the speaking engagement where all participants are entitled to the same meal and the meal is incidental to the speaking engagement. A public official, public member or public employee may receive payment or reimbursement for actual expenses incurred.

Public officials, public members, or public employees may not receive money in addition to that received by the public official, public member, or public employee in his official capacity for advice or assistance given in the course of his employment as a public official, public member, or public employee.

No public official, public member, or public employee may disclose confidential information gained as a result of his responsibility as a public official, public member, or public employee that would affect an economic interest held by himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated.

No person may serve as a member of a governmental regulatory agency that regulates any business with which that person is associated.

No person shall serve on the governing body of a state; county; municipal; or political subdivision, board, or commission and serve in a position of the same governing body which makes decisions affecting his economic interests.

A public official occupying a statewide office, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated may not knowingly represent another person before a governmental entity.

No member of the General Assembly or an individual with whom he is associated or business with which he is associated may represent a client for a fee in a contested case before an agency, a commission, board, department, or other entity if the member of the General Assembly has voted in the election, appointment, recommendation, or confirmation of a member of the governing body of the agency, board, department, or other entity within the 12 preceding months.

A public member occupying statewide office, an individual with whom associated, or a business with which associated may not knowingly represent a person before the same unit or division of the governmental entity for which the public member has official responsibility.

A public official, public member, or public employee of a county or municipality, an individual with whom associated, or a business with which associated may not knowingly represent a person before any agency, unit, or subunit of that county or municipality.

A public employee, other than of a county or municipality, an individual with whom associated, or a business with which associated may not knowingly represent a person before an entity of the same level of government for which the public employee has official responsibility.

No public official, public member, or public employee may cause the employment, appointment, promotion, transfer, or advancement of a family member to a state or local office or position in which the public official, public member, or public employee supervises or manages. A public official, public member, or public employee may not participate in an action relating to the discipline of the public official's, public member's or public employee's family member.

A former public official, former public member, or former public employee holding office, membership, or employment may not serve as a lobbyist or represent clients before the agency or department on which the public official, public member, or public employee formerly served in a matter in which he directly and substantially participated for one year after terminating his public service or employment.

It is a breach of ethical standards for a public official, public member, or public employee who participates directly in procurement to resign and accept employment with a person contracting with the governmental body if the contract falls or would fall under the public official's, public member's, or public employee's official responsibility.

No person may use government personnel, equipment, materials, or an office building in an election campaign. A person may use public facilities for a campaign purposes if they are available on similar terms to all candidates and committees. Likewise, government personnel may participate in election campaign on their own time and on non-government premises.

A public official, public member, or public employee may not have an economic interest in a contract with the state or its political subdivisions if the public official, public member, or public employee is authorized to perform an official function (including writing or preparing the contract, accepting bids, and awarding of the contracts) relating to the contract.

It is the responsibility of each board / commission member to review and comply with all requirements as outlined on the South Carolina Ethics Commission website <http://ethics.sc.gov/>.

ORGANIZATION LINKS:

- South Carolina Association of Counties [SCAC] <http://www.sccounties.org/>
- SCAC: Directory of County Officials
<http://www.sccounties.org/publications/pdf/DirectoryofCountyOfficials08.pdf>
- SCAC: "A Handbook for County Government in South Carolina"
<http://www.sccounties.org/research/Handbook/Handbook2005.pdf>
- SCAC: "Model Rules of Parliamentary Procedure for South Carolina Counties"
http://www.sccounties.org/publications/Parliamentary%20Procedure/parliamentary_proc.pdf
- The Official Website of South Carolina <http://www.sc.gov/>
- South Carolina Ethics Commission <http://www.ethics.sc.gov/>

Questionnaire for Boards / Commissions

At the April 1, 2008 meeting Council unanimously approved usage of the "Questionnaire for Boards / Commissions". The form is designed to allow citizens to express interest in serving on boards and/or commissions and will be updated frequently to accurately reflect current boards and commissions. The form did not prohibit Council members from seeking individuals who they feel are qualified to serve but would allow for a larger pool to draw from when openings arise.

At the May 15, 2012 County Council unanimously approved that all interested candidates seeking appointment and / or reappointment to any Oconee County appointed Board and / or Commission be required to complete the Questionnaire for Board / Commission prior to being considered for any appointment.

Oconee County Active Boards / Commissions

It is the responsibility of each board / commission member to review the full description of the duties/responsibilities etc. and to review the applicable section of the Oconee County Code of Ordinances referenced.

Copies of Code may be viewed on line at <http://www.municode.com>

| <u>BOARD / COMMISSION</u> | <u>CODE OF ORDINANCE REFERENCE</u> | <u>CONTACT INFORMATION</u> |
|---|---|-----------------------------------|
| Appalachian Council of Government [ACOG] Board | County Council appoints one citizen member to represent the County on the ACOG Board. In addition, County Council will elect at their first meeting each year one Council member to also sit on the ACOG Board. | Clerk to Council 718-1023 |
| Aeronautics Commission | Chapter 18 | Airport 882-2959 |
| Anderson - Oconee Behavioral Health Services Commission | Chapter 2 | |
| Building Codes Appeal Board | Chapter 6 | Community Development 364-5103 |
| Capital Project Advisory Committee | Chapter 2 | Clerk to Council 718-1023 |
| Conservation Bank Board | Chapter 2 | Clerk to Council 718-1023 |
| Economic Development Commission | Chapter 24 | Economic Development 638-4210 |
| Infrastructure Advisory Commission | Chapter 34 | Clerk to Council 718-1023 |
| Library Board | Chapter 18 | Library Director 638-4133 |
| Parks, Recreation & Tourism Commission | Chapter 2 | PRT Director 888-1488 |
| Planning Commission | Chapter 32 | Planning 364-5109 |
| Scenic Highway Committee | Chapter 26 | Planning 364-5109 |
| Worklink Workforce Board | County Council appoints members upon recommendation of the WorkLink Board. | |
| Board of Zoning Appeals | Chapter 32 | Planning 364-5109 |

- ADOPTED RULES
- ADOPTED BY LAWS
- SPECIFIC STATE LAW SECTIONS THAT PERTAIN TO BOARD / COMMISSION

INSERT BOARD / COMMISSION SPECIFIC DOCUMENTS TO INCLUDE BUT NOT LIMITED TO:

STAFF LIAISON:

BUILDING CODES APPEAL BOARD:

| | <u>Co-Terminus with Districts</u> | <u># Term of 2 Max.</u> |
|---|--|--------------------------------|
| Roger Mize Occupation: Builder 309 Bethel Church Road Walhalla, SC 29691 638 5224 | I & III | 2 |
| Matthew Rochester Occupation: R & R Fabricators / Self Employed 395 Cathys Cove Road Walhalla, SC 29691 710-7341 [c] 882-6411 [w] <u>toterochester@hotmail.com</u> | II, IV & V | 1 |
| Robert L. DuBose Occupation: General Contractor, Trehel Corporation 1408 Cross Creek Drive Seneca, SC 29678 882-5115 [h] 654-6582 [w] 723-0897 [c] <u>dbdubose@bellsouth.net</u> | I & III | 1 |
| Michael Willimon 354 East Bennett Road Westminster, SC 29693 647-5660 | II, IV & V | 2 |
| Harry Tollison Occupation: Retired from Construction 844 East Fairplay Blvd. Fairplay, SC 29643 972-3479 [h] 710-3780[c] | II, IV & V | 2 |

APPENDIX B

BOARD OF APPEALS

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

SECTION B101 GENERAL

B101.1 Application. The application for appeal shall be filed on a form obtained from the *building official* within 20 days after the notice was served.

B101.2 Membership of board. The board of appeals shall consist of persons appointed by the chief appointing authority as follows:

1. One for five years; one for four years; one for three years; one for two years; and one for one year.
2. Thereafter, each new member shall serve for five years or until a successor has been appointed.

The *building official* shall be an ex officio member of said board but shall have no vote on any matter before the board.

B101.2.1 Alternate members. The chief appointing authority shall appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership and shall be appointed for five years, or until a successor has been appointed.

B101.2.2 Qualifications. The board of appeals shall consist of five individuals, one from each of the following professions or disciplines:

1. Registered design professional with architectural experience or a builder or superintendent of building construction with at least ten years' experience, five of which shall have been in responsible charge of work.
2. Registered design professional with structural engineering experience.
3. Registered design professional with mechanical and plumbing engineering experience or a mechanical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.
4. Registered design professional with electrical engineering experience or an electrical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.
5. Registered design professional with fire protection engineering experience or a fire protection contractor with at least ten years' experience, five of which shall have been in responsible charge of work.

B101.2.3 Rules and procedures. The board is authorized to establish policies and procedures necessary to carry out its duties.

B101.2.4 Chairperson. The board shall annually select one of its members to serve as chairperson.

B101.2.5 Disqualification of member. A member shall not hear an appeal in which that member has a personal, professional or financial interest.

B101.2.6 Secretary. The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

B101.2.7 Compensation of members. Compensation of members shall be determined by law.

B101.3 Notice of meeting. The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic meetings.

B101.3.1 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

B101.3.2 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

B101.3.3 Postponed hearing. When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

B101.4 Board decision. The board shall modify or reverse the decision of the *building official* by a concurring vote of two-thirds of its members.

B101.4.1 Resolution. The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the *building official*.

B101.4.2 Administration. The *building official* shall take immediate action in accordance with the decision of the board.

strated to the building official's satisfaction that public health, safety and welfare will not be endangered.

111.3 Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

◆ Disconnection of one or more of a building's utility services is the most radical method of hazard abatement available to the building official and should be reserved for cases in which all other lesser remedies have proven ineffective. Such an action must be preceded by written notice to the utility and the owner and occupants of the building. Disconnection must be accomplished within the time frame established by the building official in the notice. When the hazard to the public health, safety or welfare is so imminent as to mandate immediate disconnection, the building official has the authority and even the obligation to cause disconnection without notice. In such cases, the owner or occupants must be given written notice as soon as possible.

SECTION 112 BOARD OF APPEALS

112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

◆ This section provides an aggrieved party with a material interest in the decision of the building official a process to appeal such a decision before a board of appeals. This provides a forum, other than the court of jurisdiction, in which to review the building official's actions.

This section literally allows any person to appeal a decision of the building official. In practice, this section has been interpreted to permit appeals only by those aggrieved parties with a material or definitive interest in the decision of the building official. An aggrieved party may not appeal a code requirement per se. The intent of the appeal process is not to waive or set aside a code requirement; rather, it is intended to provide a means of reviewing a building official's decision on an interpretation or application of the code or to review the equivalency of protection to the code requirements. The members of the appeals board are appointed by the "governing body" of the jurisdiction, typically a council or administrator, such as a mayor or

city manager, and remain members until removed from office. The board must establish procedures for electing a chairperson, scheduling and conducting meetings and administration. Note that Appendix B contains complete, detailed requirements for creating an appeals board, including number of members, qualifications and administrative procedures. Jurisdictions desiring to utilize these requirements must include Appendix B in their adopting ordinance.

112.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

◆ This section establishes the grounds for an appeal, which claims that the building official has misinterpreted or misapplied a code provision. The board is not allowed to set aside any of the technical requirements of the code; however, it is allowed to consider alternative methods of compliance with the technical requirements (see Section 104.11).

112.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

◆ It is important that the decisions of the appeals board are based purely on the technical merits involved in an appeal. It is not the place for policy or political deliberations. The members of the appeals board are, therefore, expected to have experience in building construction matters. Appendix B provides more detailed qualifications for appeals board members and can be adopted by jurisdictions desiring that level of expertise.

SECTION 113 VIOLATIONS

113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

◆ Violations of the code are prohibited and form the basis for all citations and correction notices.

113.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

◆ The building official is required to notify the person responsible for the erection or use of a building found to

EXHIBIT B

Rewritten Article II of Chapter 6 (Buildings and Building Regulations) of the Oconee County Code of Ordinances, adopted as of _____, 2013 by Ordinance 2013 - _____.

ARTICLE II. – Regulatory Codes.

The following mandatory and discretionary nationally recognized Codes, as well as their respective administration section(s), and any such Code editions and versions updated by act of the South Carolina Buildings Code Council or other applicable authority, from time to time, are hereby adopted by reference, as required under §6-9-50, or permitted under §6-9-60 of the South Carolina Code of Laws, 1976, as amended:

Mandatory Codes:

1. International Building Code
2. International Energy Conservation Code
3. International Fire Prevention Code
4. International Fuel Gas Code
5. International Mechanical Code
6. International Plumbing Code
7. International Residential Code
8. National Electrical Code

Discretionary Codes:

1. International Existing Building Code
2. International Performance Code For Buildings And Facilities
3. International Property Maintenance Code
4. International Swimming Pool And Spa Code
5. Manufactured Home Installation Requirements Act

Pursuant to §6-9-50 and §6-9-60 of the Code of Laws of South Carolina, 1976, as amended, Oconee County hereby adopts the provisions of the above mentioned nationally recognized Codes referenced in this Article which concern the qualification, removal, dismissal, duties, responsibilities of, and the administrative procedures for all building officials, deputy building officials, chief inspectors, other inspectors, and assistants.

Sec. 6-41. - International Building Code.

The latest edition of the International Building Code, as updated by act of the South Carolina Buildings Code Council or other applicable authority, from time to time, and its respective administration section(s) contained in Chapter 1, appendix K (*which contains the respective administration section for the National Electrical Code*), as well as such additional changes or additions to the International Building Code identified below, are hereby adopted and incorporated into this Chapter of the Oconee County Code of Ordinances by reference.

The following changes or additions to the International Building Code are hereby adopted:

Section 105.2 "Work exempt from permit."

Building:

Add: 14. Signs not over 75 square feet.

Sec. 6-42. - International Energy Conservation Code.

The latest edition of the International Energy Conservation Code, as updated by act of the South Carolina Buildings Code Council or other applicable authority, from time to time, and its respective administration section(s) contained in Chapter 1, are hereby adopted and incorporated into this Chapter of the Oconee County Code of Ordinances by reference. No appendices of the International Energy Conservation Code are hereby adopted.

Sec. 6-43. - International Fire Code.

The latest edition of the International Fire Code, as updated by act of the South Carolina Buildings Code Council or other applicable authority, from time to time, and its respective administration section(s) contained in Chapter 1, are hereby adopted and incorporated into this Chapter of the Oconee County Code of Ordinances by reference. No appendices of the International Fire Code are hereby adopted.

Sec. 6-44. - International Fuel Gas Code.

The latest edition of the International Fuel Gas Code, as updated by act of the South Carolina Buildings Code Council or other applicable authority, from time to time, and its respective administration section(s) contained in Chapter 1, and appendices A, B, C, and D, are hereby adopted and incorporated into this Chapter of the Oconee County Code of Ordinances by reference.

Sec. 6-45. - International Mechanical Code.

The latest edition of the International Mechanical Code, as updated by act of the South Carolina Buildings Code Council or other applicable authority, from time to time, and its respective administration section(s) contained in Chapter 1, are hereby adopted

and incorporated into this Chapter of the Oconee County Code of Ordinances by reference. No appendices of the International Mechanical Code are hereby adopted.

Sec. 6-46. - International Plumbing Code.

The latest edition of the International Plumbing Code, as updated by act of the South Carolina Buildings Code Council or other applicable authority, from time to time, and its respective administration section(s) contained in Chapter 1, and appendices B and E, are hereby adopted and incorporated into this Chapter of the Oconee County Code of Ordinances by reference.

Sec. 6-47. - International Residential Code.

The latest edition of the International Residential Code, as updated by act of the South Carolina Buildings Code Council or other applicable authority, from time to time, and its respective administration section(s) contained in Chapter 1, and appendices A, B, N and Q, as well as such additional changes or additions to the International Residential Code identified below, are hereby adopted and incorporated into this Chapter of the Oconee County Code of Ordinances by reference.

The following changes or additions to the International Residential Code are hereby adopted:

Section 105.2 "Work exempt from permit."

Building: "1. One story detached accessory structures, provided the floor area does not exceed 400 square feet."

Sec. 6-48. - National Electrical Code.

The latest edition of the National Electrical Code (NFPA 70), as published by the National Fire Protection Association, and as updated by act of the South Carolina Buildings Code Council or other applicable authority, from time to time, all annexes of the National Electrical Code, and appendix K of the International Building Code (*which contains the respective administration section for the National Electrical Code*) are hereby adopted and incorporated into this Chapter of the Oconee County Code of Ordinances by reference.

Sec. 6-49. - International Existing Building Code.

The latest edition of the International Existing Building Code, as updated by act of the South Carolina Buildings Code Council or other applicable authority, from time to time, and its respective administration section(s) contained in Chapter 1, are hereby adopted and incorporated into this Chapter of the Oconee County Code of Ordinances by reference. No appendices of the International Existing Building Code are hereby adopted.

Sec. 6-50. - International Performance Code For Buildings And Facilities.

The latest edition of the International Performance Code For Buildings And Facilities, as updated by act of the South Carolina Buildings Code Council or other applicable authority, from time to time, and its respective administration section(s) contained in Chapter 1, are hereby adopted and incorporated into this Chapter of the Oconee County Code of Ordinances by reference. No appendices of the International Performance Code For Buildings And Facilities are hereby adopted.

Sec. 6-51. - International Property Maintenance Code.

The latest edition of the International Property Maintenance Code, as updated by act of the South Carolina Buildings Code Council or other applicable authority, from time to time, and its respective administration section(s) contained in Chapter 1, are hereby adopted and incorporated into this Chapter of the Oconee County Code of Ordinances by reference. No appendices of the International Property Maintenance Code are hereby adopted.

Sec. 6-52. - International Swimming Pool And Spa.

The latest edition of the International Swimming Pool And Spa Code, as updated by act of the South Carolina Buildings Code Council or other applicable authority, from time to time, and its respective administration section(s) contained in Chapter 1, are hereby adopted and incorporated into this Chapter of the Oconee County Code of Ordinances by reference. No appendices of the International Swimming Pool And Spa Code are hereby adopted.

Sec. 6-53. - Manufactured Home Installation Requirements.

South Carolina Uniform Standards Code for Manufactured Housing, Chapter 29, Article 19-425.43 (of 1998), titled *Used Manufactured Home Minimum Habitability Requirements*, is hereby adopted and incorporated into this Chapter of the Oconee County Code of Ordinances by reference.

Oconee County, South Carolina, Code of Ordinances >> - CODE OF ORDINANCES >> Chapter 2 - ADMINISTRATION >> ARTICLE IV. - BOARDS, COMMISSIONS AND COMMITTEES >> DIVISION 1. - GENERALLY >>

DIVISION 1. - GENERALLY

Sec. 2-241. - Generally.

Secs. 2-242—2-260. - Reserved.

Sec. 2-241. - Generally.

These regulations and procedures shall apply to all Oconee County boards, commissions, committees, or similar entities created by Oconee County Council under the auspices and authority of Section 4-9-30 of the South Carolina Code, 1976, as amended or any other such entity subject to the rules and regulations of, or controlled by Oconee County Council, which is not otherwise regulated or controlled by state law, all of which, collectively, are hereby referred to as "board" or "boards". The following regulations are in addition to, not in lieu of, all others contained in the Code. In the event of any inconsistency, only specific regulations applicable to any board shall prevail over these general regulations, except as explicitly stated otherwise herein.

Beginning January 1, 2012, all terms of office shall run from January 1 through December 31 of the respective years of appointment and termination. All board terms shall be co-terminus with the term of office of the appointing council member, but with the initial appointments of new council members not scheduled to be made until June of the first year of the council member's term. A staggered appointment schedule for all county council-appointed boards will be maintained in the county council office by the clerk to council.

No member of a board ("member") shall serve on more than one board at any given time. County employees may not serve on a county board. Any member serving outside of their appointing district after centennial redistricting may complete the unfinished portion of their term but may not be reappointed in the old district. Appointment terms will be for four years unless otherwise stated herein. No member shall serve more than two consecutive terms and will not be eligible for reappointment for an additional one-year period, thereafter. The provisions on terms and term limits shall not operate to prematurely terminate the term of any member serving at the time of adoption of these regulations, but shall apply to any terms or prospective terms thereafter.

Interested candidates for any board will be requested to complete the "Questionnaire for Board/Commission" and submit it to the clerk to council for distribution to council. Council is not required to select a member from the submitted questionnaires; members of council may directly solicit a candidate for any appointment by the board. However, all potential candidates, whether those submitting questionnaires on their own or those solicited for appointment by members of council, must complete the "Questionnaire for Board/Commission" and submit it to the clerk to council for distribution to council before being appointed to any county board or commission by any member of council.

Notwithstanding any other provision of the Code, all boards will be appointed by the methodology of one member from each council district (nominated by the council member

representing that district) and at large representatives as required to meet the board membership total, as stated herein.

All appointments to each board will be made upon recommendation by a council member and an affirmative vote by full council. The same process will be utilized for removal of any member.

All boards addressed by this section shall use the Model Rules of Parliamentary Procedure for South Carolina Counties, published by the South Carolina Association of Counties, as the basis for their parliamentary procedures.

A member who is absent from three consecutive meetings without adequate excuse, such as documented illness, shall be reported by the chairperson of that board to council and is subject to replacement by council. Any member may also be removed or replaced at will by majority vote of council upon the motion of the appointing council member at any time, unless appointment is required by or regulated by state or federal law.

Each board shall annually elect a chairperson, a vice chairperson, and a secretary. Each newly elected chairperson shall, as soon as practically possible, attend an appropriate training session regarding the procedures for proper governance of such board. Additionally, the entire board shall participate in an informative meeting detailing the function and duties of such board. All such training sessions are the responsibility of the county department or agency with which the board is most closely associated.

Each board shall make recommendations in its area of expertise to council. Recommendations may be submitted either in writing, or be formally presented at a council meeting by a designated member. No recommendation of any board shall become effective unless or until approved or enacted or implemented by council.

Each board shall enact by-laws, not in conflict with this section or state law, which govern the conduct of meetings, attendance, committees and the regular business of the board.

All county boards shall comply with the provisions of the South Carolina Freedom of Information Act ("FOIA") and the requirements set forth in the Code of Ordinances and subsequent ordinances concerning freedom of information and the conduct of public meetings.

Members of county boards, generally, are defined as "public officials" under the South Carolina Ethics Act, S.C. Code 1976, § 8-13-100 et seq., as amended. It shall be the responsibility of members, individually and collectively, to become familiar with the provisions of that law and conduct themselves accordingly. As stated in the South Carolina Ethics Act, and without limiting the applicability of any other provision of the South Carolina Ethics Act, members of county boards shall not use membership on the county board to obtain a direct personal economic interest, an economic interest for the immediate family of the member, an economic interest for an individual with whom the member is associated, or an economic interest for a business with which the member is associated. These requirements are applicable to all county boards, and their members, both through the South Carolina Ethics Act and, separately, through this section.

County council shall meet with board members and delineate duties and responsibilities of each board, as necessary and appropriate. The role of the various boards and commissions may be changed by the county council from time to time, within the parameters of state law, so as to best meet the needs of the county.

Each board will have a staff liaison to be designated by either county council or the county administrator. It is the responsibility of staff liaison to notify the clerk to council regarding resignations and/or vacancies on any board. It is also the responsibility of the staff liaison to monitor the appointment schedule and inquire and report to the clerk to council if current members wish to be considered for reappointment or replacement.

(Ord. No. 2010-39, 1-18-2011; Ord. No. 2012-05, §§ 1, 2, 4-3-2012; Ord. No. 2012-24, §§ 1, 2, 7-17-2012)

Editor's note—

Ord. No. 2012-05, §§ 1, 2, adopted Apr. 3, 2012, amended § 2-241 to read as herein set out.

Former § 2-241 pertained to worthless check unit, and derived from Ord. No. 2010-39, adopted Jan. 18, 2011. The provisions found in former § 2-241 have been moved to § 20-1 of this Code per Ord. No. 2012-05, § 1.

Secs. 2-242—2-260. - Reserved.