



County Council Meeting Beaufort County, SC

This meeting will be held in person at the County Council Chambers, 100 Ribaut Road, Beaufort, and virtually through Zoom

**Monday, December 12, 2022
5:30 PM**

AGENDA

COUNCIL MEMBERS:

| | |
|-------------------------------|------------------------------------|
| JOSEPH F. PASSIMENT, CHAIRMAN | D. PAUL SOMMERVILLE, VICE-CHAIRMAN |
| LOGAN CUNNINGHAM | GERALD DAWSON |
| BRIAN FLEWELLING | YORK GLOVER |
| CHRIS HERVOCHON | ALICE HOWARD |
| MARK LAWSON | LAWRENCE MCELYNN |
| STU RODMAN | |

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE AND INVOCATION
3. PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES - November 14, 2022
6. ADMINISTRATOR'S REPORT

CITIZEN COMMENTS

7. **CITIZEN COMMENTS - (ANYONE who wishes to speak during the Citizen Comment portion of the meeting will limit their comments to no longer than three (3) minutes (a total of 15 minutes) and will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language)**

COMMITTEE REPORTS

8. LIASION AND COMMITTEE REPORTS

PUBLIC HEARINGS AND ACTION ITEMS

9. APPROVAL OF CONSENT AGENDA
- [10.](#) PUBLIC HEARING AND APPROVAL OF A RESOLUTION TO SWAP IDENTIFIED PROPERTIES BETWEEN BEAUFORT COUNTY AND THE RURAL AND CRITICAL LANDS PROGRAM TO BUILD AN ADDITIONAL LIBRARY, ADDITIONAL PARKS AND RECREATION FIELDS, AND A SOLID WASTE MATERIAL RECOVERY FACILITY IN SOUTHERN BEAUFORT COUNTY
- [11.](#) PUBLIC HEARING AND APPROVAL OF A RESOLUTION TO APPROVE A COMMERCIAL PROPERTY LEASE AGREEMENT BETWEEN BEAUFORT COUNTY - 36 HUNTER ROAD, HILTON HEAD ISLAND, SC 29926 - AND AVIS BUDGET GROUP
- [12.](#) THIRD READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.3.20 (ARCHITECTURAL STANDARDS AND GUIDELINES APPLICABILITY) AND APPENDIX, DIVISION A.1.20 (COMMUNITY PRESERVATION DISTRICTS - RELATIONSHIP TO THE COMMUNITY DEVELOPMENT CODE) TO RESTRICT THAT A SHIPPING CONTAINER OR OTHER SIMILAR PORTABLE STORAGE CONTAINER IS NOT CONSIDERED A DWELLING.
- Vote at First Reading on October 24, 2022: 9/1*
- Vote at Second Reading on November 14, 2022: 8/2*
- [13.](#) THIRD READING OF AN ORDINANCE TO PROVIDE MAINTENANCE WORK ON PRIVATE ROADS.
- [14.](#) APPROVAL OF A RESOLUTION DECLARING THE RESULTS OF A REFERENDUM TO IMPOSE A ONE (1) PERCENT SALES AND USE TAX SUBJECT TO THE REFERENDUM CALLED FOR BY ORDINANCE 2022/36
15. **SPECIAL RECOGNITION OF OUTGOING COUNTY COUNCIL MEMBERS:**
STEWART RODMAN
PAUL SOMMERVILLE
BRIAN FLEWELLING
CHRIS HERVOCHON

CITIZEN COMMENTS

16. **CITIZEN COMMENTS - (ANYONE who wishes to speak during the Citizen Comment portion of the meeting will limit their comments to no longer than three (3) minutes (a total of 15 minutes) and will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language)**
17. ADJOURNMENT

CONSENT AGENDA

Items Originating from the Community Services and Public Safety Committee

1. APPROVAL OF THE APPOINTMENT OF MARILYN HARRIS AS THE COUNTY COUNCIL REPRESENTATIVE ON THE BEAUFORT HOUSING AUTHORITY BOARD

Items Originating from the Natural Resources Committee

2. THIRD READING OF AN ORDINANCE TO AMEND THE ZONING MAP OF BEAUFORT COUNTY TO CHANGE 175 FORDING ISLAND ROAD (PARCEL ID NUMBER R600 022 000 011A 0000) FROM T2 RURAL TO C5 REGIONAL CENTER MIXED USE

Vote at First Reading on October 24, 2022: 10/0

Vote at Second Reading on November 14, 2022: 10/0

3. THIRD READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.11.60 (RIVER BUFFER) TO CLARIFY PENALTIES FOR REMOVING TREES FROM THE RIVER BUFFER WITHOUT APPROPRIATE PERMITS.

Vote at First Reading on October 24, 2022: 10/0

Vote at Second Reading on November 14, 2022: 10/0

4. THIRD READING OF AN ORDINANCE AMENDING THE BEAUFORT COUNTY CODE OF ORDINANCES, CHAPTER 74 – BUILDING AND BUILDING REGULATIONS, SECTION 74-64, ADOPTION OF BUILDING CODES (AMENDS CODE OF ORDINANCES TO ADOPT THE 2021 STATE MANDATED CODE EDITIONS)

Vote at First Reading on October 24, 2022: 10/0

Vote at Second Reading on November 14, 2022: 10/0

Items Originating from the Public Facilities Committee

5. RECOMMEND APPROVAL OF THE TALBERT, BRIGHT AND ELLINGTON WORK AUTHORIZATION 2119-1905, AMENDMENT 1 (*FISCAL IMPACT: THE TOTAL VALUE OF THIS WORK AUTHORIZATION SHALL NOT EXCEED. \$1,661,566.48 WITHOUT ADDITIONAL AUTHORIZATION*)

END OF CONSENT AGENDA

TO WATCH COMMITTEE OR COUNTY COUNCIL MEETINGS OR FOR A COMPLETE LIST OF AGENDAS AND BACKUP PACKAGES, PLEASE VISIT:

<https://beaufortcountysc.gov/council/council-committee-meetings/index.html>



Caucus Beaufort County, SC

This meeting was held in person at the Buckwalter Recreation Center, 905 Buckwalter Pkwy,
Bluffton, SC.

**Monday, November 14, 2022
5:00 PM**

MINUTES

Watch the video stream available on the County's website to hear the Council's discussion of a specific topic or the complete meeting. <https://beaufortcountysc.new.swagit.com/videos/189470>

1. CALL TO ORDER

Chairman Passiment called the meeting to order at 5:02 PM.

PRESENT

Chairman Joseph F. Passiment
 Vice Chairman D. Paul Sommerville
 Council Member Logan Cunningham
 Council Member Brian Flewelling
 Council Member York Glover (arrived late)
 Council Member Chris Hervocho
 Council Member Alice Howard
 Council Member Mark Lawson (arrived late)
 Council Member Lawrence McElynn
 Council Member Stu Rodman (arrived late)

ABSENT

Council Member Gerald Dawson

2. PLEDGE OF ALLEGIANCE

Chairman Passiment led the Pledge of Allegiance.

3. FOIA

Chairman Passiment confirmed that public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act.

4. APPROVAL OF THE AGENDA

Motion: It was moved by Council Member McElynn, seconded by Council Member Howard, to approve the agenda.

The Vote - The motion was approved without objection.

5. AGENDA REVIEW

Please watch the video stream available on the County's website to view the complete discussion.

<https://beaufortcountysc.new.swagit.com/videos/189470?ts=125>

Council Member McElynn proposed adding an agenda item for paid leave time cash out.

Council Member Flewelling and Assistant County Administrator Atkinson discussed habitability, maintenance, and inspections of shipping containers, airflow problems, and building code requirements.

Council Member Hervochon asked about the County's liability if a certificate of occupancy is signed for a shipping container dwelling. County Attorney Keaveny commented that government entities do not have construction litigation liability.

Council Member Flewelling and Deputy Council Administrator Richland discussed the discounted lease rates for law enforcement officers included in agenda item 25.

County Administrator Greenway commented on office space shortages and concerns about providing nonprofits with considerable discounts when leasing County property.

6. COUNCIL MEMBER DISCUSSION

No items were discussed.

7. EXECUTIVE SESSION

PURSUANT TO S.C. CODE SECTION 30-4-70(A)(1) DISCUSSION OF EMPLOYMENT OF A PERSON REGULATED BY COUNTY COUNCIL

Motion: It was moved by Council Member Hervochon, seconded by Council Member Flewelling, to enter into an executive session at 5:22 PM.

The Vote - The motion was approved without objection.

8. ADJOURNMENT

Adjourned: 5:48 PM

Ratified:



County Council Meeting Beaufort County, SC

This meeting was held in person at the Buckwalter Recreation Center, 905 Buckwalter Pkwy, Bluffton SC.

Monday, November 14, 2022
6:00 PM

MINUTES

Watch the video stream available on the County's website to hear the Council's discussion of a specific topic or the complete meeting. <https://beaufortcountysc.new.swagit.com/videos/189519>

1. CALL TO ORDER

Chairman Passiment called the meeting to order at 6:00 PM.

PRESENT

Chairman Joseph F. Passiment
Vice Chairman D. Paul Sommerville
Council Member Logan Cunningham
Council Member Brian Flewelling
Council Member York Glover
Council Member Chris Hervocho
Council Member Alice Howard
Council Member Mark Lawson
Council Member Lawrence McElynn
Council Member Stu Rodman

ABSENT

Council Member Gerald Dawson

2. MOMENT OF SILENCE FOR MAYOR SAMUEL E. MURRAY

Chairman Passiment asked for a Moment of Silence for the passing of Mayor Samuel Murray.

3. PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Passiment led the Pledge of Allegiance, and Council Member Rodman led the Invocation.

4. FOIA

Chairman Passiment noted that public notification of this meeting has been published, posed, and distributed in compliance with the South Carolina Freedom of Information Act.

5. APPROVAL OF AGENDA

Motion: It was moved by Council Member Rodman, seconded by Council Member McElynn, to approve the agenda.

Motion to Amend: It was moved by Council Member McElynn, seconded by Council Member Cunningham, to institute a program for paid leave cash out for employees to receive compensation during the period between Thanksgiving and Christmas for any leave that they would turn in, with a maximum of 60 hours.

The Vote - The motion to amend was approved without objection.

The Vote - The main motion was approved without objection.

Council Member Flewelling and Chairman Passiment discussed the placement of the item on the agenda as new item number 15A.

6. APPROVAL OF MINUTES

Motion: It was moved by Council Member Howard, seconded by Council Member Rodman, to approve the minutes from October 24, 2022.

The Vote - The motion was approved without objection.

7. ADMINISTRATOR'S REPORT

Please watch the video stream available on the County's website to view the complete report.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=315>

County Administrator Eric Greenway discussed the green space program's approval by the voters, including the next steps for how to handle board appointments and the bonding mechanism.

Council Member Cunningham and County Administrator Greenway discussed why Council Member Howard was the only Council Member directly invited to attend the County's staff meeting on the green space program.

Council Member Glover and County Administrator Greenway discussed the green space committee's start date.

8. PRESENTATION OF THE GOLDEN PALMETTO AWARD TO THE BEAUFORT COUNTY DISABILITIES AND SPECIAL NEEDS DIVISION

Please watch the video stream available on the County's website to view the complete presentation.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=459>

Mr. Barry D. Malphrus and Mr. Eddie L. Miller recognized the Beaufort County DSN Board, South Carolina Department of Disabilities and Special Needs (SCDDSN), presented the Golden Palmetto Award to County Council, and thanked the County for its commitment to people with disabilities.

9. PRESENTATION OF THE J. MITCHELL GRAHAM AND BARRETT LAWRIMORE TROPHIES

Please watch the video stream available on the County's website to view the complete presentation.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=826>

Tim Winslow, Executive Director of the South Carolina Association of Counties, presented the Barrett Lawrimore and J. Mitchell Graham awards received by Beaufort County for its design manual for stormwater management and its decal system for convenience centers.

10. PRESENTATION OF A PROCLAMATION FOR GULLAH/GEECHEE - SIERRA LEONE CONNECTION DAY

Please watch the video stream available on the County's website to view the complete presentation.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=1192>

Council Member Glover presented a Proclamation to Pearlie Sue, who highlighted the upcoming visit by Sierra Leone’s tourism officials, Sierra Leone students enrolled in the University of South Carolina at Beaufort, and a December 1st cultural symposium.

11. PRESENTATION ON WATER DEMANDS AND IRRIGATION MANAGEMENT

Please watch the video stream available on the County's website to view the complete presentation.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=1617>

Joe Mantua, General Manager at BJWSA, provided background on the provision of water and wastewater services, the Savannah River as the major source of drinking water, daily water demands, master plan development, planned projects and funding, customers served, management of water use peaks in the summer months – changing irrigation patterns,

Chairman Passiment commented on water usage volumes in Sun City.

Council Member Glover commented that we must consider conservation community-wide and start creating water-focused education initiatives.

Council Member Flewelling and Mr. Mantua discussed water transmission and treatment capacity.

Council Member Rodman and Mr. Mantua discussed reprocessed water systems and residential and irrigation uses of water.

Council Member Hervochon asked about the headwaters of the Savannah River.

12. CITIZEN COMMENTS

Please watch the video stream available on the County's website to view the complete comments.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=2859>

Gloria Wilson

Gail

Aaron Sutton

Anna Maria Tabernick

Jessie White

13. LIASION AND COMMITTEE REPORTS

Please watch the video stream available on the County's website to view the complete reports.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=3780>

Council Member McElynn commented on the Community Services Committee meeting in December, which will have a discussion of a report on the maintenance of private unpaved roads.

Council Member Cunningham asked about the status of Rainbow Road pavement.

Council Member Glover commented on his appreciation of the County staff’s work on a tennis court and pool dedication.

Council Member Howard reported on the redevelopment plans for Ribaut Road to improve economic development potential.

Council Member Lawson commented on a consent agenda item for the third reading of an ordinance for the authorities and duties of the Purchasing Director and Chief Financial Officer.

Chairman Passiment commented on the results of the November 8th election and highlighted the incoming Council Members. Council Member Flewelling asked about the staggering of Council Member terms.

14. APPROVAL OF CONSENT AGENDA

Motion: It was moved by Council Member Glover, seconded by Council Member Rodman, to approve the consent agenda.

The Vote - The motion was approved without objection.

15. MATTERS ARISING OUT OF THE CAUCUS EXECUTIVE SESSION

Please watch the video stream available on the County's website to view the complete discussion.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=4192>

Council Member McElynn discussed the cost-of-living allowance to be in effect the first pay period of January 2023 and funded by the Administrator's budget.

Motion: It was moved by Council Member McElynn, seconded by Council Member Howard, to provide the current County Administrator the five percent cost of living allowance, which was voted by Council for Council and other elected and appointed officials and all other County employees in April of this year, to be effective in the first pay period of January 2023, and the funds will come from the Administrator's budget.

Discussion: Council Member Cunningham voiced his opposition to the motion, highlighting the County Administrator's status as a contracted employee, the salary and car allowance rates, and the timeline of the item.

Council Member Lawson commented on his support for a salary raise due to inflation.

Council Member Rodman discussed the distinction between salaries and the cost of living.

The Vote - The motion passed by 9:1. Council Member Cunningham voted nay.

15A. APPROVAL OF A PROGRAM FOR PAID LEAVE CASH OUT DURING THE PERIOD BETWEEN THANKSGIVING AND CHRISTMAS

Motion: It was moved by Council Member McElynn, seconded by Council Member Cunningham, to instruct the Beaufort County Administrator to institute through immediate action the paid leave cash-out program for eligible Beaufort County employees, and the program should be structured so that a maximum amount of sixty hours of leave is eligible for the paid leave cash-out program.

Discussion: Council Member Glover commented on the funding impact and his support for the item.

Council Member Hervochon commented that the program is additional cash out the door and his plan to abstain from the vote.

Council Member Lawson voiced his agreement that the program is an expense. Deputy County Administrator Richland discussed the salaries and benefits budget trend, gapped position savings, and budget estimates.

County Attorney Keaveny clarified that the item was not discussed in the executive session.

The Vote - The motion passed by 9:0. Council Member Hervochon abstained.

16. FIRST READING BY TITLE ONLY OF AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE II, SECTION 2-28 OF THE BEAUFORT COUNTY CODE OF ORDINANCES BY DELETING AND REPLACING A PORTION OF THE CURRENT TEXT

Please watch the video stream available on the County's website to view the complete discussion.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=4841>

Motion: It was moved by Council Member McElynn, seconded by Council Member Cunningham, to approve the first reading by title only of an ordinance to amend Chapter 2, Article II, Section 2-28 of the Beaufort County Code of Ordinances by deleting and replacing a portion of the current text.

Discussion: Council Member McElynn provided background on the item, highlighting the legal validity of previously adopted ordinances that authorized members of the County Council to receive Beaufort County's annual cost of living adjustment.

Council Member Howard voiced her opposition to the motion, as she does not believe a cost-of-living adjustment is needed.

Council Member Cunningham commented that he supports the motion to attract the best people to serve on the Council.

Council Member Glover stated that he has never supported a pay increase and that he will not support the motion.

The Vote -Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Cunningham, Council Member McElynn, and Council Member Rodman. Voting Nay: Council Member Flewelling, Council Member Glover, Council Member Hervocho, Council Member Howard, and Council Member Lawson. The motion failed by 5:5.

17. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE TO AMEND THE ZONING MAP OF BEAUFORT COUNTY TO CHANGE 175 FORDING ISLAND ROAD (PARCEL ID NUMBER R600 022 000 011A 0000) FROM T2 RURAL TO C5 REGIONAL CENTER MIXED USE

Motion: It was moved by Council Member Howard, seconded by Council Member Rodman, to approve the public hearing and second reading of an ordinance to amend the zoning map of Beaufort County to change 175 Fording Island Road (Parcel ID Number R600 022 000 011A 0000) from T2 Rural to C5 Regional Center Mixed Use.

Chairman Passiment opened the floor for public comment.

No one came forward.

The Chairman closed the public comment.

The Vote - The motion was approved without objection.

18. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.11.60 (RIVER BUFFER) TO CLARIFY PENALTIES FOR REMOVING TREES FROM THE RIVER BUFFER WITHOUT APPROPRIATE PERMITS

Motion: It was moved by Council Member Howard, seconded by Council Member Flewelling, to approve the public hearing and second reading of an ordinance for a text amendment to the Community Development Code (CDC): Section 5.11.60 (River Buffer) to clarify penalties for removing trees from the river buffer without appropriate permits.

Chairman Passiment opened the floor for public comment.

No one came forward.

The Chairman closed the public comment.

The Vote - The motion was approved without objection.

19. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AMENDING THE BEAUFORT COUNTY CODE OF ORDINANCES, CHAPTER 74 – BUILDING AND BUILDING REGULATIONS, SECTION 74-64, ADOPTION

OF BUILDING CODES (AMENDS CODE OF ORDINANCES TO ADOPT THE 2021 STATE MANDATED CODE EDITIONS)

Motion: It was moved by Council Member Howard, seconded by Council Member Glover, to approve the public hearing and second reading of an ordinance amending the Beaufort County Code of Ordinances, Chapter 74 - Building and Building Regulations, Section 74-64, Adoption of Building Codes (amends Code of Ordinances to adopt the 2021 state-mandated code editions).

Chairman Passiment opened the floor for public comment.

No one came forward.

The Chairman closed the public comment.

Discussion: Council Member Rodman asked what would happen if the Council voted against something mandated by the State.

The Vote - The motion was approved without objection.

20. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.3.20 (ARCHITECTURAL STANDARDS AND GUIDELINES APPLICABILITY) AND APPENDIX, DIVISION A.1.20 (COMMUNITY PRESERVATION DISTRICTS - RELATIONSHIP TO THE COMMUNITY DEVELOPMENT CODE) TO RESTRICT THAT A SHIPPING CONTAINER OR OTHER SIMILAR PORTABLE STORAGE CONTAINER IS NOT CONSIDERED A DWELLING

Please watch the video stream available on the County's website to view the complete discussion.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=5762>

Motion: It was moved by Council Member Rodman, seconded by Council Member Howard, to approve the public hearing and second reading of an ordinance for a text amendment to the Community Development Code (CDC): Section 5.3.20 (Architectural Standards and Guidelines Applicability) and Appendix, Division A.1.20 (Community Preservation Districts - Relationship to the Community Development Code) to restrict that a shipping container or other similar portable storage container is not considered a dwelling.

Chairman Passiment opened the floor for public comment.

No one came forward.

The Chairman closed the public comment.

Discussion: Council Member Flewelling commented on the equal application of standards and thanked ACA Atkinson for his explanation of the issue during the caucus meeting.

Council Member Hervochon commented on his opposition to the motion, given liability property owner rights considerations. Council Member Cunningham also voiced opposition to the motion.

Council Member Lawson commented on his support for the motion and code enforcement. Council Member Glover also voiced his support for the motion but mentioned reservations because other communities are engaging in container homes.

The Vote - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Flewelling, Council Member Glover, Council Member Howard, Council Member Lawson, Council Member McElynn, and Council Member Rodman. Voting Nay: Council Member Cunningham and Council Member Hervochon. The motion passed by 8:2.

21. APPROVAL OF A RESOLUTION TO SWAP IDENTIFIED PROPERTIES BETWEEN BEAUFORT COUNTY AND THE RURAL AND CRITICAL LANDS PROGRAM IN ORDER TO BUILD AN ADDITIONAL LIBRARY, ADDITIONAL

PARKS AND RECREATION FIELDS AND A SOLID WASTE MATERIAL RECOVERY FACILITY IN SOUTHERN BEAUFORT COUNTY

Please watch the video stream available on the County's website to view the complete discussion.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=6153>

Motion: It was moved by Council Member Cunningham, seconded by Council Member Howard, to approve a resolution to swap identified properties between Beaufort County and the Rural and Critical Lands Program in order to build an additional library, additional parks and recreation fields, and a solid waste material recovery facility in southern Beaufort County.

Discussion: Council Member McElynn asked whether all the necessary information had been provided. ACA Atkinson commented on the choice to postpone the appraisal process until the Council confirms its support.

ACA Atkinson provided an overview of the Rural and Critical Lands Program properties, the proposal to split the parcels and remove portions from the RCLP for a library and recreation fields, and the transfer into the RCLP of the Camp St. Mary's and Bluffton Parkway properties.

Council Member Howard asked about the value of the Bluffton Parkway property to the Rural and Critical Lands Program. ACA Atkinson commented on the plan for a passive park.

Motion: It was moved by Council Member Cunningham, seconded by Council Member Hervochon, to continue past the 8 o'clock hour.

The Vote – The motion passed by 8:2. Council Members Flewelling and Glover voted nay.

Discussion: Council Member Howard asked about the next steps if the resolution were to pass.

Council Member Glover commented on his preference for the Rural and Critical Lands Board to be able to provide input before a vote is conducted and his support of the land swap for conservation.

Council Member Rodman echoed concerns about bypassing the Rural and Critical Lands Boards and advocated for the postponement of the item.

Council Member Cunningham commented on the preservation of Camp St. Mary's and the stormwater pond, the benefit of additional fields for youth sports, and his support for the motion.

Council Member Flewelling commented on the input of the Rural and Critical Lands Board, Camp St. Mary's restrictive covenants, and the preservation of assets. Mr. Flewelling also requested a favorable vote by the Rural and Critical Lands Board and the Natural Resources Committee.

County Administrator Greenway discussed the timeline of the item, the purchase of the RCLP parcels, and the lack of covenants and restrictions on Camp St. Mary's.

Motion to Postpone: It was moved by Council Member Hervochon, seconded by Council Member Glover, to postpone the item until the December 12th County Council meeting.

The Vote – The motion was approved without objection.

22. APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF DEVELOPMENT RIGHTS ON TAX MAP SERIAL NUMBER R700 037 000 0131 0000 AND ALSO KNOWN AS LOBECO FARMS

Motion: It was moved by Council Member Glover, seconded by Council Member Howard, to approve a resolution authorizing the County Administrator to execute the necessary documents and provide funding for the purchase of the development rights on tax map serial number R700 037 000 0131 0000 and also known as Lobeco Farms.

The Vote - The motion was approved without objection.

23. APPROVAL OF A RESOLUTION TO THE AMENDED OYSTER FACTORY PARK MASTER PLAN (2022 OYSTER FACTORY PARK MASTER PLAN) AND SITE LAYOUT PLAN

Please watch the video stream available on the County's website to view the complete discussion.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=7898>

Motion: It was moved by Council Member Lawson, seconded by Council Member Howard, to approve a resolution to the amended Oyster Factory Park Master Plan (2022 Oyster Factory Park Master Plan) and site layout plan.

Discussion: Council Member Howard commented on collaboration with the Town of Bluffton.

The Vote - The motion was approved without objection.

24. APPROVAL OF A RESOLUTION TO UPDATE POLICY 19- ACQUISITION OF STORMWATER DRAINAGE EASEMENTS

Please watch the video stream available on the County's website to view the complete discussion.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=7939>

Motion: It was moved by Council Member Howard, seconded by Council Member Glover, to approve a resolution to update Policy 19 - Acquisition of Stormwater Drainage Easements.

Discussion: Council Member Glover asked staff to consider ways to address stormwater drainage issues on Heir's property.

The Vote - The motion was approved without objection.

25. APPROVAL OF A RESOLUTION TO ADOPT A COUNTY-OWNED REAL PROPERTY LEASE POLICY (*Fiscal Impact: No immediate fiscal impact. If adopted the County would receive the monthly lease rates moving forward*)

Please watch the video stream available on the County's website to view the complete discussion.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=8031>

Motion: It was moved by Council Member Cunningham, seconded by Council Member McElynn, to approve a resolution to adopt a county-owned real property lease policy.

Discussion: Council Member Flewelling commented on discounted leases non-profit corporations to ensure continued engagement in the community.

Motion: It was moved by Council Member Flewelling, seconded by Council Member Glover, to amend Section 3C under type of tenant so non-profits would receive lease deductions of ninety-nine percent.

Discussion: Council Member Glover commented on standards for lease agreements and the contributions of non-profits to the community.

Council Member Hervochon voiced his opposition to the motion, given the facility and space issues that could come from leasing property outside of county operations.

Vice Chairman Sommerville commented that the non-profits need to be self-supporting and the availability of subsidies and grants.

Council Member Howard echoed the sentiments of Council Member Hervochon and Vice Chairman Sommerville.

The Vote - Voting Yea: Council Member Flewelling and Council Member Glover. Voting Nay: Chairman Passiment, Vice Chairman Sommerville, Council Member Cunningham, Council Member Hervochon,

Council Member Howard, Council Member Lawson, Council Member McElynn, and Council Member Rodman. The motion to amend failed by 2:8.

Discussion: Council Member Cunningham encouraged people to view the discussion of this item during the Natural Resources Committee meeting.

The Vote - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Cunningham, Council Member Howard, Council Member Lawson, Council Member McElynn, and Council Member Rodman. Voting Nay: Council Member Flewelling, Council Member Glover, and Council Member Hervochoch. The motion passed by 7:3.

26. CITIZEN COMMENTS

Please watch the video stream available on the County's website to view the complete comments.

<https://beaufortcountysc.new.swagit.com/videos/189519?ts=8472>

Kate Schaffer

27. ADJOURNMENT

County Administrator Greenway announced that the position of County Attorney for Administration and Department Heads was offered to Brittany Ward and that she accepted the offer. She will replace Kurt Taylor and serve with Tom Keaveny.

Chairman Passiment requested that the County Administrator inform the Council of the names of Beaufort County’s contract employees and whether they have received COLA benefits.

Council Member Hervochoch clarified that it would be everyone receiving a W2.

Adjourned: 8:25 PM

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph F. Passiment, Jr., Chairman

ATTEST:

Sarah W. Brock, Clerk to Council
Ratified:

CITIZEN COMMENTS

County Council Meeting

December 12, 2022

FULL NAME

**PHONE # or EMAIL
ADDRESS**

| | FULL NAME | PHONE # or EMAIL ADDRESS |
|-----|----------------------|--|
| 1. | Thomas C Barnwell Jr | thomas barnwell@yoham.com, 843-681-3575 |
| 2. | Grant McClure | grantm@sccl.org 843 754 7939 |
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BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

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| ITEM TITLE: |
| A RESOLUTION TO SWAP IDENTIFIED PROPERTIES BETWEEN BEAUFORT COUNTY AND THE RURAL AND CRITICAL LANDS PROGRAM IN ORDER TO BUILD AN ADDITIONAL LIBRARY, ADDITIONAL PARKS AND RECREATION FIELDS AND A SOLID WASTE MATERIAL RECOVERY FACILITY IN SOUTHERN BEAUFORT COUNTY |
| MEETING NAME AND DATE: |
| Public Facilities Committee; 17 October 2022 |
| PRESENTER INFORMATION: |
| Chuck Atkinson, ACA Development and Recreation 10 Minutes |
| ITEM BACKGROUND: |
| None – This item is a new proposal |
| PROJECT / ITEM NARRATIVE: |
| <p>Beaufort County currently owns land that would greatly benefit from inclusion in the Rural and Critical Lands inventory. In addition, there are parcels of land in the Rural and Critical Lands inventory that were purchased in partnership with Beaufort County Stormwater. These parcels were purchased in an effort to protect a saltmarsh watershed via the construction of on-site stormwater ponds and other relevant BMP's. Portions of these properties were acquired by Rural and Critical Lands but are unrelated to the specific purpose for which the overall tracks of land were purchased. As such, staff is recommending that some non-environmentally sensitive acres of land that are currently in the Rural and Critical Program be swapped for environmentally sensitive parcels that are currently not in the program. Doing so will provide for the highest and best use of non-critical lands and will provide protection for those critical properties that are currently not in the program.</p> <p>The Rural & Critical Lands Program ordinance (Section 26-36) provides for resale, swap or lease of Rural & Critical lands in appropriate circumstances. Staff believes this is such a circumstance. Note: our code requires 2/3's vote of Council (not 2/3's of those present and voting) to approve the land swap. (Sec. 26-36 (b)(1))</p> |
| FISCAL IMPACT: |
| None |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends approval of the resolution. |
| OPTIONS FOR COUNCIL MOTION: |
| Motion to approve/deny "A RESOLUTION TO SWAP IDENTIFIED PROPERTIES BETWEEN BEAUFORT COUNTY AND THE RURAL AND CRITICAL LANDS PROGRAM IN ORDER TO BUILD AN ADDITIONAL LIBRARY, ADDITIONAL PARKS AND RECREATION FIELDS AND A SOLID WASTE MATERIAL RECOVERY FACILITY IN SOUTHERN BEAUFORT COUNTY" |
| Move forward to Council for final approval on 24 October 2022. This will require 2/3's vote of Council. |

RESOLUTION 2022/___

A RESOLUTION TO SWAP IDENTIFIED PROPERTIES BETWEEN BEAUFORT COUNTY AND THE RURAL AND CRITICAL LANDS PROGRAM IN ORDER TO BUILD AN ADDITIONAL LIBRARY, ADDITIONAL PARKS AND RECREATION FIELDS AND A SOLID WASTE MATERIAL RECOVERY FACILITY IN SOUTHERN BEAUFORT COUNTY

WHEREAS, growth and development in southern Beaufort County (“County”) has created a need for a new public library, additional Parks and Recreation facilities, and a solid waste material recovery facility (collectively “Infrastructure”). Land in southern Beaufort County which is suitable for these purposes is limited. Over the years, the County has purchased land for which it currently has no identified purpose. It has also purchased land jointly with the Rural and Critical Lands Program with the intention of limited development. By reexamining the potential uses of certain of these properties, the County believes it can swap certain properties it purchased and which it owns for certain properties which were purchased through the Rural and Critical Lands Program in a way which will allow for the development of infrastructure in southern Beaufort County and also enhance the property holdings, the goals, and the ideals of the Rural and Critical Lands Program whose purpose it is to protect the County’s natural and ecological resources in the face of growth; and

WHEREAS, through the Rural and Critical Lands Program (“RCLP”), and in conjunction with Beaufort County’s Stormwater Management Utility (“SMU”), Beaufort County previously purchased two tracts of land situated along Okatie Highway south of Hwy-278. The first tract is known as the “Evergreen Tract” (TMS No. R610-029-000-0483-0000). It consists of approximately 20.96 acres of land. The second tract is known as “New Leaf” (TMS No. R610-029-000-0023-0000). It consists of approximately 86.24 acres of land. For the purposes set forth below, the County proposes to divide the New Leaf tract into two parcels. New Leaf Parcel A would consist of approximately 46 acres of land; New Leaf Parcel B would consist of approximately 40 acres of land. The new parcels would be divided substantially along the lines set forth in Exhibit “A” which is incorporated herein by reference; and

WHEREAS, for the purposes of constructing a new library on the Evergreen Tract and new recreational Parks and Recreation Facilities on New Leaf Parcel B, the County proposes to remove these parcels from the RCLP inventory and to swap them out for two properties which Beaufort County owns and for which it has no currently identifiable purpose. The first property is Camp St. Mary’s (TMS No. 600-009-000-0003-0000). This property consists of approximately 8 acres of land. It is situated along the Colleton River and has significant river frontage. The second property is a 10 acre parcel of land (Parcel “A” on Exhibit “B”) which the County proposes to create out of a larger 12.91 acre tract of land (TMS No. 610- 031-000-1566-0000). This land is located on Bluffton Parkway. It is to be subdivided substantially along the lines set forth in Exhibit “B” which is incorporated herein by reference; and

WHEREAS, under this proposal New Leaf Parcel A would remain in the RCLP inventory, Camp St. Mary’s and Bluffton Parkway Parcel A would be added to the RCLP inventory. Due to their location and natural characteristics the County believes it would be beneficial to add Camp St. Mary’s and Parkway Parcel A to RCLP inventory and to swap them for the Evergreen Tract and Parcel B of the New Leaf tract.

NOW, THEREFORE, BE IT RESOLVED that Beaufort County Council, duly assembled, does hereby declare that the Evergreen Tract and New Leaf Parcel B as described herein shall be swapped out of the Rural and Critical Lands Program in exchange for the Camp St. Mary’s and Bluffton Parkway Parcel A as described herein.

Adopted this ____ day of _____, 2022.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____

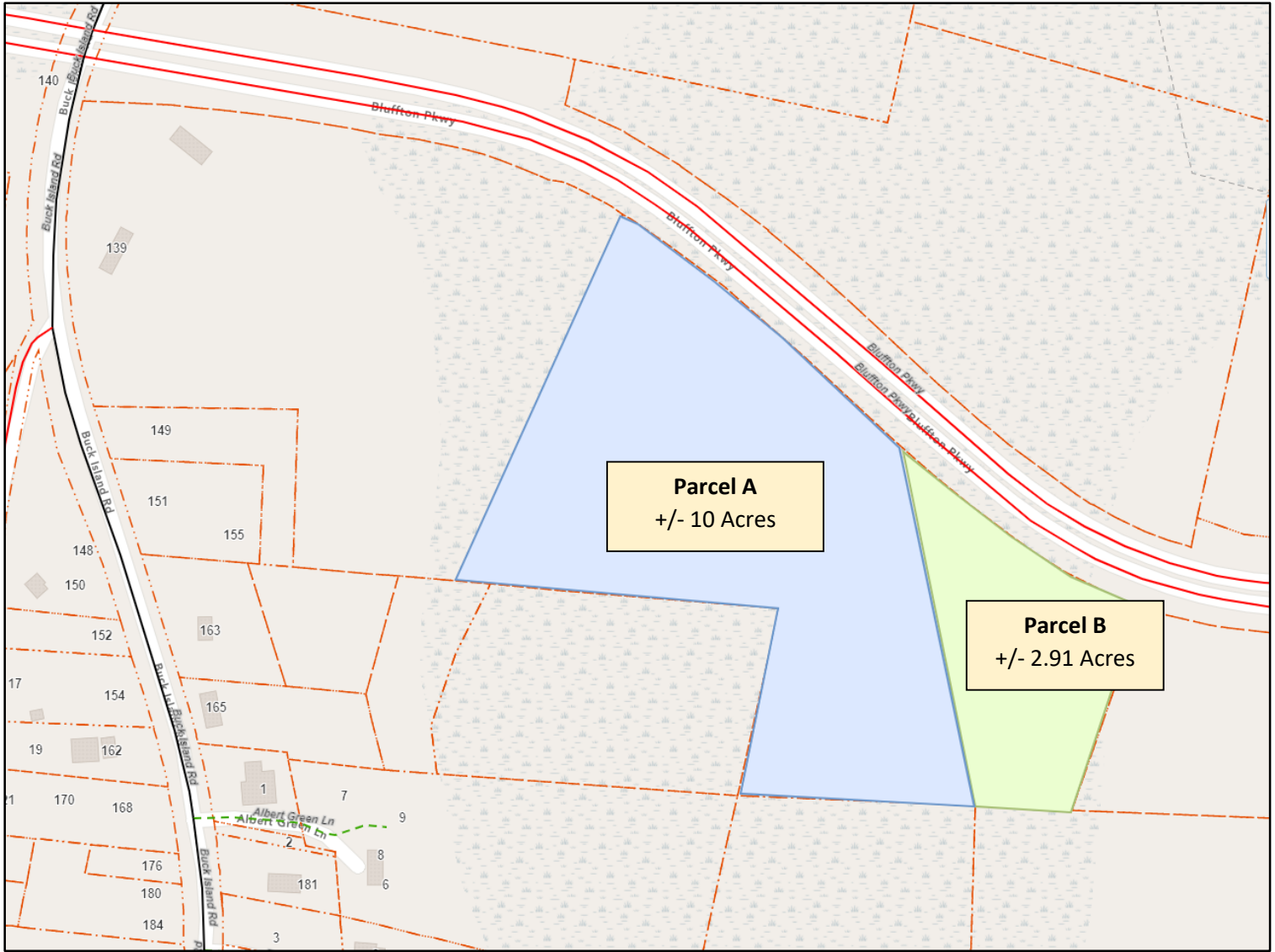
Joseph Passiment, Chairman

ATTEST: _____

Sarah W. Brock, Clerk to Council

EXHIBIT B

Bluffton Parkway Parcel





Exchange of County Owned Real Property

Public Facilities Committee 10.17.22

Evergreen Tract and New Leaf Tract: Okatie Highway

▶ Evergreen Tract

- ▶ R610 029 000 0483 0000
- ▶ 22.48 Acres
- ▶ Purchased in 2016 for \$1M
- ▶ Funding
 - ▶ R&C Program: \$844,306
 - ▶ SWU: \$155,694

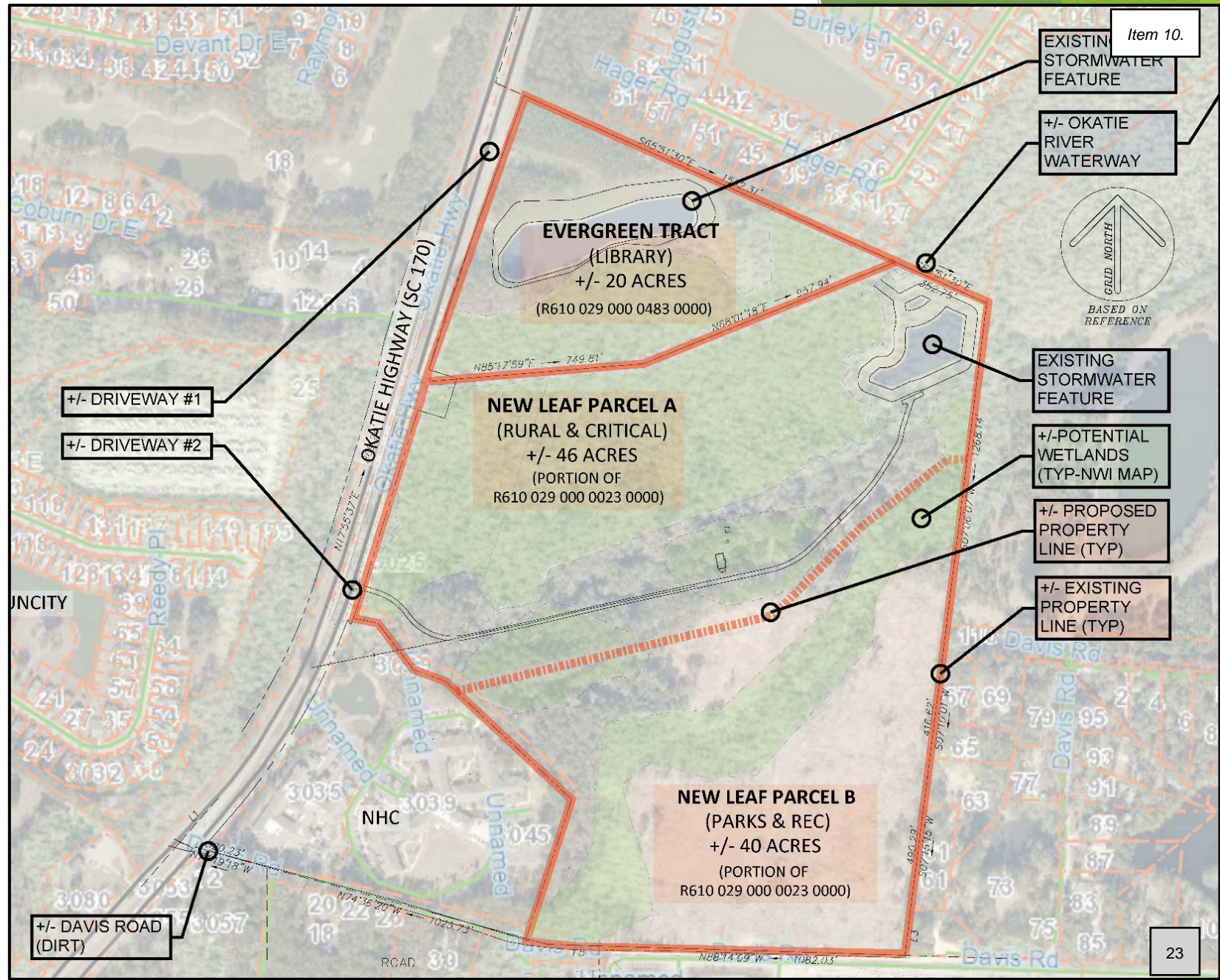
▶ New Leaf Tract

- ▶ R610 029 0023 0000
- ▶ 86.5 Acres
- ▶ Purchased in 2016 for \$2M
- ▶ Funding
 - ▶ R&C Program: \$1,835,381
 - ▶ SWU: \$164,619



EVERGREEN TRACT, NEW LEAF PARCELS A & B: Okatie Highway

- ▶ Evergreen Tract
 - ▶ +/- 20 Acres
 - ▶ Future location of new library
- ▶ Proposed New Leaf Parcel A
 - ▶ +/- 46 Acres
 - ▶ Protected by Rural & Critical Lands Program
- ▶ Proposed New Leaf Parcel B
 - ▶ +/- 40 Acres
 - ▶ Future location of Parks & Rec fields (i.e. baseball, soccer, etc.)



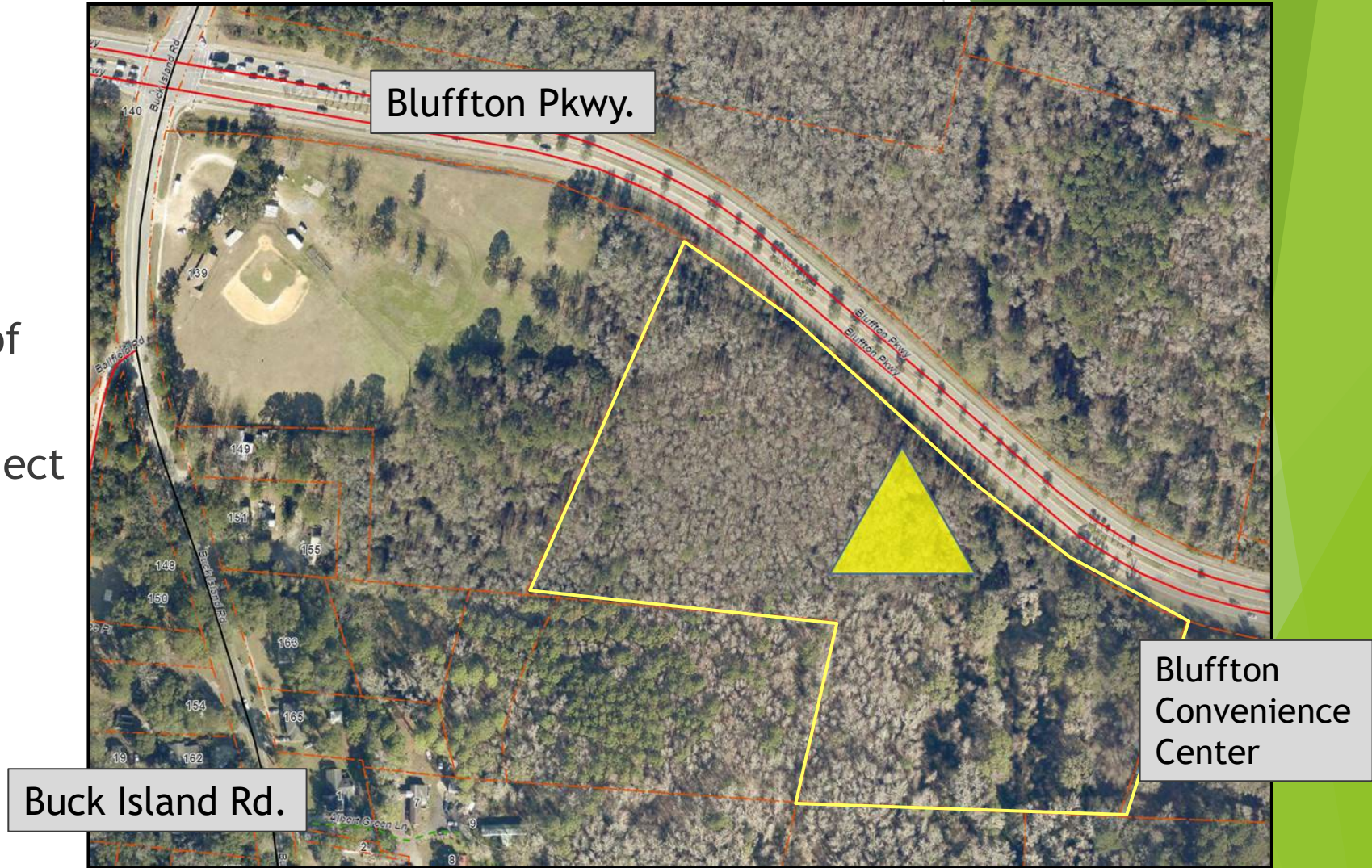
Camp Saint Mary's Road Parcel

- ▶ R600 009 000 0003 0000
 - ▶ 8 Acres
 - ▶ Purchased in 1997 for \$500K
 - ▶ Funding: General Funds
(Prior to R&C Referendum)
- ▶ Placed in Rural & Critical Lands Program for protection
- ▶ Future location of passive park



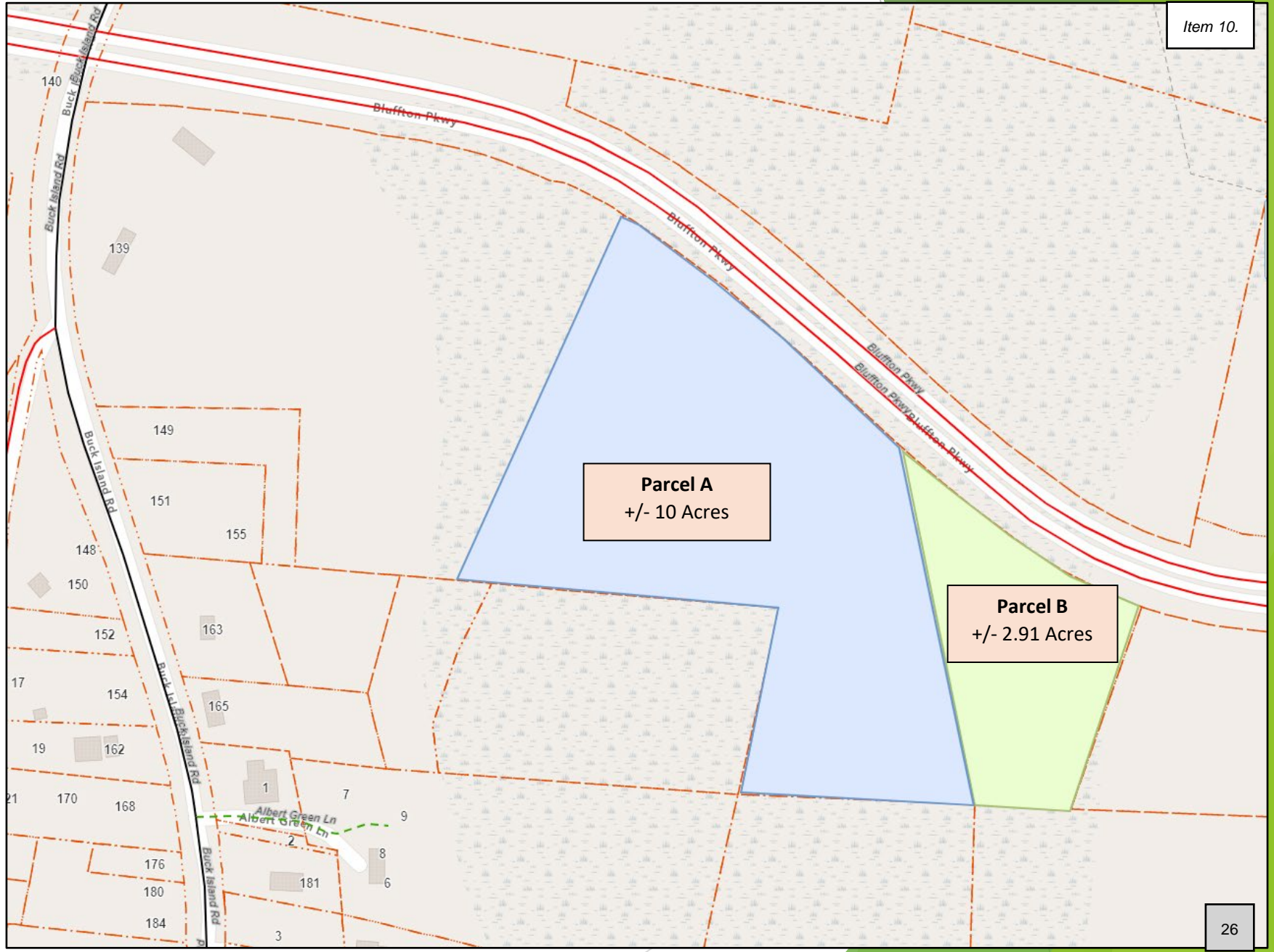
Bluffton Parkway Parcel

- ▶ R610 032 000 1566 0000
 - ▶ 12.91 Acres
 - ▶ Purchased in 2008 *portion* of \$500k (condemnation)
 - ▶ Funding: Bluffton Pkwy Project



BLUFFTON PARKWAY PARCELS A & B

- ▶ Proposed Parcel A:
 - ▶ +/- 10 Acres
 - ▶ Protected by Rural & Critical Lands Program
- ▶ Proposed Parcel B:
 - ▶ +/- 2.91 Acres
 - ▶ Future location of MRF





BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 11.

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| ITEM TITLE: |
| Resolution to approve a commercial property lease agreement between Beaufort County - 36 Hunter Road, Hilton Head Island, SC 29926 - and Avis Budget Group. |
| MEETING NAME AND DATE: |
| Public Facilities Committee – November 21, 2022 |
| PRESENTER INFORMATION: |
| Jon Rembold, C.M. Airports Director (5 minutes) |
| ITEM BACKGROUND: |
| The Airports Board reviewed and approved the resolution at its monthly meeting held Nov 17, 2022. The Airport purchased the property as part of the terminal and parking renovation and expansion project. |
| PROJECT / ITEM NARRATIVE: |
| Avis Budget Rental Cars currently uses the property to service their rental cars between customer uses. Since the property is not immediately needed for the early phases of the project, it is mutually beneficial to continue the lease with the existing tenant. This provides a financial benefit to the County through lease income. |
| FISCAL IMPACT: |
| Beaufort County/Hilton Head Island Airport will receive an estimated \$60,000.00 annually for a lease to Avis Budget Group. |
| STAFF RECOMMENDATIONS TO COMMITTEE: |
| Approve the lease agreement between Beaufort County and Avis Budget Group. |
| OPTIONS FOR COMMITTEE MOTION: |
| Motion to approve /deny the lease agreement to Avis Budget Group. |
| Next step: County Council Meeting – December 12, 2022 |

RESOLUTION 2022/_____

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH THE CURRENT TENANT OCCUPYING PROPERTY ACQUIRED DUE TO THE EXPANSION PROJECT AT THE HILTON HEAD ISLAND AIRPORT

WHEREAS, the Hilton Head Island Airport (“Airport”) is in the process of expanding the terminal in order to provide better service to both residents and tourists (“Expansion Project”); and

WHEREAS, on April 8, 2019, the Beaufort County Council approved Talbert, Bright & Ellington, Inc.’s work authorization as consultants (“Consultants”) for the Expansion Project; and

WHEREAS, the Consultants determined the Expansion Project requires Beaufort County to acquire five (5) properties located on Hunter Road, Hilton Head Island, SC 29926 (collectively referred to as the “Properties”); and

WHEREAS, as part of the Expansion Project, the last of these Properties, 36 Hunter Road, was acquired by Beaufort County on **August 1, 2022**; and

WHEREAS, in the acquisition of 36 Hunter Road it has been determined that there is a lease currently in effect with the previous property owner; and

WHEREAS, the County desires to terminate the current lease, and enter into a new lease agreement with the current tenant, Avis Budget Group, that reflects a lease expiration date as required by the Expansion Project and shall include a reasonable lease rate based on square footage of the leased space; and

WHEREAS, County Council finds that it is in the best interest of the citizens and residents of Beaufort County for the County Administrator to enter into a lease agreement with Avis Budget Group.

NOW, THEREFORE, BE IT RESOLVED that Beaufort County Council, duly assembled, does hereby authorize the County Administrator to enter into a lease agreement with Avis Budget Group, the current tenant occupying the property at 36 Hunter Road.

Adopted this ____ day of _____, 2022.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council

for diminution, set-off or abatement and nothing shall suspend, abate or reduce any Rent to be paid hereunder.

- 3.4 *Security Deposit.* The Landlord requires a Security Deposit equal to one (1) month's Rent which is equal to _____. Landlord has the right to use said Security Deposit for any and all unpaid utilities or any damages to the Premise. If the Security Deposit is used for any reasons stated herein, the Landlord must provide the remaining Security Deposit within ninety (90) days of the date in which Tenant vacates the Premise.

- IV. UTILITIES.** Tenant shall be responsible for paying one hundred percent (100%) of all utility expenses associated with the Premises during the Initial Term and any Renewal Term. Tenant warrants and agrees to establish accounts in its name with the providing/billing entity or authority and pay for all water, gas, power, electric current, garbage collection and removal, sewer charges, and all other utilities and utility charges and fees charged to the Premises during the term of this Lease and all extensions hereof. Tenant agrees to maintain all utilities at all times during its tenancy, regardless of whether or not Tenant is physically occupying the Premise.

V. CONDITION, USE, MAINTENANCE AND REPAIRS OF PREMISES

- 5.1 *Acceptance and Condition of the Premises.* The Parties mutually agree that Tenant shall take possession of the Premises on the Commencement Date. Tenant stipulates that he or she has examined the Premises, including the grounds and all buildings and improvements, and that they are, at the time of this Agreement, in good order, repair, and in a safe, clean and tenantable condition. Landlord has made no representation in connection with the Premises and shall not be liable for any latent defects therein; provided, however, that if such latent defects render the Premises uninhabitable for the purposes of this Lease, Tenant may at its option, and upon written notice to Landlord, terminate this Lease.

- 5.2 *Use of Premises.* Tenant shall use the Premises for the sole purpose of operating a vehicle rental service ("Permitted Use"). Any change in the use of the Premises may only be undertaken with the written consent of the Landlord. Tenant shall not use the Premises for any illegal purpose, nor violate any statute, regulation, rule or order of any governmental body in its use thereof, nor create or allow to exist any nuisances, nor do any act in or about the Premises or bring anything upon the Premises which will increase the premium for insurance on the Premises.

- 5.3 *Maintenance.* Tenant, at its sole cost and expense, shall handle or contract for the maintenance of the parking areas, landscaping, grounds and planting care for the Premises, and shall generally maintain the Premises in a neat and orderly condition.

- 5.4 *Repairs of Premises.* Tenant shall at its own expense keep the Premises in good repair. Tenant shall not perform any additional work upon the Premises without prior written consent of the Landlord. The Premises shall be maintained in a clean and orderly manner. In the event of any damage of the Premises which is the direct result of Tenant, Tenant shall, immediately upon receiving demand from Landlord, correct the damage.

- 5.5 *Tenant Improvements, Alterations, and Restorations.*

5.5.1 *Additional Improvements.* Tenant shall not make or permit to be made any structural alterations, modifications, additions, decorations or improvements to the Premises, nor

Landlord Initials _____ Tenant Initials _____

shall Tenant make or permit any other work whatsoever that would directly or indirectly involve the penetration or removal (whether permanent or temporary) of, or require access through, in, under, or above any floor, wall or ceiling, or surface or covering thereof in the Premises.

5.5.2 *Compliance.* Any improvements by Tenant on the Premise shall be performed diligently and in a first class workmanlike manner and in accordance with plans and specifications approved by Landlord, and shall comply with all legal requirements. Any of Tenant's Initial Improvements or other alterations, including, without limitation, moveable partitions that are affixed to the Premise (but excluding moveable, free standing partitions) and all carpeting, shall at once become part of the Premises and the property of Landlord.

5.6 *Right of Inspection.* Landlord shall have the unfettered right at all reasonable times during the Initial Term or any Renewal Term to enter the Premises for any reason whatsoever. Landlord agrees, when able, to provide Tenant with reasonable notice of said entry upon the Premises. No notice will be required in emergency situations or for access or entry upon the Premises.

VI. DESTRUCTION OR DAMAGE

6.1 If the Premises shall be damaged or destroyed during the term of this Lease by any casualty insured under Landlord's standard fire and casualty insurance, Landlord shall, except as otherwise provided in this Lease and subject to any delay or inability from causes beyond its control, repair and/or rebuild the same substantially to what had been the condition thereof immediately prior to such damage or destruction.

6.2 If the Premises shall be damaged or destroyed to the extent of fifty percent (50%) or more of the insurable value thereof, or if such casualty shall not have been insured against by Landlord's standard fire and casualty policies, then Landlord or Tenant may terminate this Lease or elect to repair such damage or rebuild the Premises. Within thirty (30) calendar days after any such casualty, Landlord shall notify Tenant whether Landlord intends to repair or rebuild the Premises, and Tenant shall notify Landlord whether Tenant intends to terminate this Lease. If Landlord elects to repair or rebuild the Premises, Landlord shall perform such repair or rebuilding as provided in this Agreement. If Landlord elects not to repair or rebuild, the Lease shall terminate without further notice and all further obligations of both parties hereunder shall cease (other than those which shall theretofore have accrued), effective as of the date on which Tenant ceases doing business on the Premises.

6.3 If Landlord elects to repair the Premises and Tenant does not elect to terminate the Lease, and if Landlord's repairs are not substantially completed within one hundred twenty (120) calendar days following the date of the casualty, then Tenant, upon not less than thirty (30) calendar days written notice to Landlord, may terminate this Lease if Landlord has not substantially completed such repairs within the time period (which shall not be less than 30 calendar days) set forth in such notice. Substantial completion, as used herein, shall mean that the Premises are restored to the condition that they may be occupied and utilized for their intended purpose, notwithstanding that there may be additional "punch list" or other non-essential items to be completed, which neither affect nor impact Tenant's use and enjoyment of the Premises. Nevertheless, Landlord shall diligently pursue the completion of all remaining work in a timely manner.

6.4 During any period of reconstruction or repair of the Premises, provided Tenant has not elected to terminate this Lease, Tenant may at its sole option continue the operation of Tenant's business in

Landlord Initials _____ Tenant Initials _____

the Premises to the extent reasonably practicable from the standpoint of good business practice. Tenant shall not interfere with the repair or restoration activities of Landlord or its contractors, and will adapt and modify its business activities as deemed necessary by Landlord to allow such repair or restoration activities to continue expeditiously.

6.5 During any period in which, by reason of any damage or destruction not resulting from the negligence of Tenant, Tenants employees, agents, or invitees, Tenant is unable to occupy all or a portion of the Premises, Tenant’s rent shall be appropriately abated for that part of the Premises rendered unusable for the conduct of Tenants business. Such abatement shall continue for the period commencing with such destruction or damage and ending with the substantial completion by Landlord of Landlord's repairs and/or rebuilding of the Premises, as described in this Lease.

VII. ASSIGNMENT AND SUBLETTING

The Tenant shall not, without the Landlord’s prior written consent: (i) mortgage, pledge, encumber, or otherwise transfer (whether voluntarily, by operation of law, or otherwise) this lease or any interest hereunder; (ii) allow any lien to attach to Tenant’s interest in the Premises or this Lease; (iii) permit the use or occupancy of the Premises or any part thereof by anyone for a purpose other than as set forth herein; (iv) assign or convey this Lease or any interest herein; or (v) sublet the Premises or any part thereof; and any attempt to consummate any of the foregoing without Landlord’s consent shall be void. Any assignment or subletting of this Lease must be approved in writing by Landlord, which approval shall not be unreasonably withheld. Assignment of the Lease will not relieve the Tenant or the Guarantors of their respective obligations under this Lease and Guaranty Agreement unless otherwise agreed by Landlord in writing.

VIII. TERMINATION. This Lease shall end on the Termination Date. This Lease may be terminated by Landlord prior to the Termination Date upon providing a thirty (30) day notice to Tenant and/or upon the occurrence of any default event as set forth in Section 8.

8.1 *Surrender of Property.* At the termination of this Lease, Tenant agrees to quit and deliver the Premises peaceably and quietly to Landlord, or its attorney, or other duly authorized agent, at the expiration or other termination of this Lease. The Tenant shall surrender the Premises in as good state and condition as delivered to Tenant at the commencement of this Lease, reasonable use and wear thereof expected.

8.2 *Hold Over.* If, without objection by Landlord, Tenant holds possession of the Premises after expiration of the term of this Lease, Tenant shall become a Tenant from month to month upon the terms herein specified, but at a monthly rent amount equivalent to 150% of the gross rent being paid (starting sixty (60) calendar days after the expiration of the term of this Lease) at the end of the term of this Lease, and all fees, assessments, costs and other items must continue to be paid pursuant to all the provisions set forth herein. Such month to month rent and other amounts shall be payable in advance on or before the fifteenth (15th) calendar day of each month.

IX. DEFAULT

9.1 *Default by Tenant.* The occurrence of any of the following shall constitute an event of default:

(a) The rent of any other sum of money payable under this Lease, whether to Landlord or otherwise, is not paid within ten (10) days of the due date.

Landlord Initials _____ Tenant Initials _____

- (b) Tenant's interest in the Lease of the Premises shall be subjected to any attachment, levy, or sale pursuant to any order or decree entered against Tenant in any legal proceeding and such order or decree shall not be vacated within thirty (30) days of entry thereof; unless with respect to any attachment, levy or sale, which cannot be vacated within thirty (30) days, Tenant in good faith shall have commenced and thereafter shall continue to diligently pursue the vacation of such order or decree by lawful means.
- (c) Tenant breaches or fails to comply with any term, provision, condition, or covenant of this Lease, other than the payment of rent, or with any of the rules and regulations now or hereafter established from time to time by the Landlord to govern the operation of the building and such breach or failure to comply is not cured within ten (10) days after written notice of such breach or failure to comply is given to Tenant.

9.2 *Remedies of Landlord.* Upon the occurrence of an event of default by Tenant other than a failure of Tenant to timely pay a sum that is due and payable, Landlord shall notify Tenant in writing of the event of default, and Tenant shall, within twenty (20) days of receipt of such written notice cure such event of default. Where the Tenant fails to cure such event of default within twenty (20) days of receipt of the above-referenced written notice, Landlord shall have the option to do and perform any one or more of the following in addition to, and not in limitation of, any other remedy or right permitted by law or in equity or by this Lease. In electing to do any one or more of the following courses of conduct, the Landlord must reasonably undertake its best efforts to properly mitigate any damages caused or sustained by Landlord due to the occurrence of an event of default by the Tenant. The options and courses of conduct which may be undertaken by the Landlord in an event of default by the Tenant are as follows:

- (a) Landlord, with or without terminating this Lease, may immediately or at any time thereafter re-enter the Premises and correct or repair any condition which shall constitute a failure on Tenant's part to keep, observe, perform, satisfy, or abide by any term, condition, covenant, agreement or obligation of this Lease or of the rules and regulations adopted by the Landlord or of any notice given Tenant by Landlord pursuant to the terms of this Lease, and Tenant shall fully reimburse and compensate Landlord on demand for all reasonable expenses.
- (b) Landlord, with or without terminating this Lease may immediately or at any time thereafter demand in writing that Tenant immediately vacate the Premises whereupon Tenant shall immediately vacate the Premises and, immediately remove therefrom all personal property belonging to Tenant, whereupon Landlord shall have the right to immediately re-enter and take possession of the Premises. Any such demand, re-entry and taking of possession of the Premises by Landlord shall not of itself constitute an acceptance by Landlord of a surrender of this Lease or of the Premises by Tenant and shall not of itself constitute a termination of this Lease by Landlord. In the event the Landlord re-enters and takes possession of the Premises as provided above and the Tenant has failed upon request by Landlord to immediately remove from the Premises all property belonging to or placed upon the Premises by the Tenant, the Landlord shall have the right to have such property of the Tenant removed from the Premises and reasonably be placed within a secure storage facility for a period of time not to exceed thirty (30) days, and all costs of handling, moving and storing such property of the Tenant shall be paid by the Tenant. Notwithstanding any of the foregoing, Landlord shall be required to comply with applicable South Carolina law regarding reentry and possession of the Premises.

Landlord Initials _____ Tenant Initials _____

- (c) Landlord may immediately or at any time thereafter terminate this Lease, and this Lease shall be deemed to have been terminated upon receipt by Tenant of written notice of such termination; upon such termination Landlord shall recover from Tenant all damages Landlord may suffer by reason of such termination including, without limitation, all arrearages in rentals, costs, charges, additional rentals, and reimbursements, the cost (including court costs and attorneys' fees) of recovering possession of the Premises, and, in addition thereto, Landlord at its election shall have and recover from Tenant either: (1) an amount equal to the excess, if any, of the total amount of all rents and other charges to be paid by Tenant for the remainder of the term of this Lease over the then reasonable rental value of the Premises for the remainder of the Term of this Lease, or (2) the rents and other charges which Landlord would be entitled to receive from Tenant if the Lease were not terminated. Such election shall be made by Landlord by serving written notice upon Tenant of its choice of the alternatives within thirty (30) days of the notice of termination. Notwithstanding anything hereunder to the contrary, Landlord must use its reasonable best efforts to re-let the Premises and abate Landlord's damages.
- 9.3 *No Waiver.* No course of dealing between Landlord and Tenant or any failure or delay on the part of Landlord in exercising any rights of Landlord under any provisions of this Lease shall operate as a waiver of any rights of Landlord, nor shall any waiver of a default on one occasion operate as a waiver of any subsequent default or any other default. No express waiver shall affect any condition, covenant, rule or regulation other than the one specified in such waiver and that one only for the time and in the manner specifically stated.
- 9.4 *No Election of Remedies.* The exercise by Landlord of any right or remedy shall not prevent the subsequent exercise by Landlord of other rights and remedies. All remedies provided for in this Lease are cumulative and may, at the election of Landlord, be exercised alternatively, successively, or in any other manner, and all remedies provided for in this Lease are in addition to any other rights provided for or allowed by law or in equity.
- 9.5 *Insolvency or Bankruptcy.* The appointment of a receiver to take possession of all or substantially all of the assets of Tenant, or an assignment by Tenant for the benefit of creditors, or any action taken or suffered by Tenant, or any action against Tenant, under any insolvency, bankruptcy, or reorganization, shall at Landlord's option constitute an event of default under this Lease. Upon the happening of any such event of default or at any time thereafter, this Lease shall terminate five (5) days after written notice of termination from Landlord to Tenant. In no event shall this Lease be assigned or assignable by operation of law or by voluntary or involuntary bankruptcy proceedings or otherwise and in no event shall this Lease or any rights or privileges hereunder be an asset of Tenant under any bankruptcy, insolvency, or reorganization proceedings.
- 9.6 *Abandonment.* Tenant shall not be considered to have abandoned or vacated the Premises as long as Tenant continues to pay rent and fulfill all other obligations of this Lease, regardless of whether Tenant is actually continuously occupying the space or not, unless Tenant gives notice of termination if and as allowed by this Lease. If Landlord's right of entry is exercised following abandonment of the Leased Premises by Tenant, then Landlord may consider any personal property belonging to Tenant and left on the Leased Premises to have been abandoned, in which case Landlord may dispose of all such personal property in any manner Landlord shall deem proper and is hereby relieved of all liability for doing so.

Landlord Initials _____ Tenant Initials _____

X. SALE OF PREMISES. In the event the Landlord hereunder, or any successor owner of the Premises, shall sell or convey the Premises, all liabilities and obligations on the part of the Landlord, or such successor owner, under this Lease accruing thereafter shall remain for a minimum sixty (60) days or the Tenant may enter into a new Lease with the successor owner.

XI. COMPLIANCE WITH LAWS. Tenant shall comply, at its own expense, with all statutes, regulations, rules, ordinances and orders of any governmental body, department, or agency thereof which apply to or result from Tenant’s use of the Premises.

XII. INSURANCE LIABILITY AND INDEMNIFICATION

12.1 *Insurance Liability.* Landlord has obtained Premise Liability Insurance, which does not cover Tenant's possessions or Tenant's negligence. Tenant must obtain a Renter's Insurance Policy, in an amount of no less than \$1,000,000 in commercial general liability, or other appropriate policies to cover damage or loss resulting from Tenant's negligence. Tenant shall name Landlord as an additional party in any and all insurance policies, and shall provide Landlord with a copy of all policies.

12.1.1 Tenant shall provide proof that payment for the insurance policy has been made initially and thereafter and that the policy has been renewed at least fifteen (15) calendar days prior to the anniversary of the initial year of this lease. Landlord may contact Tenant’s insurer(s) or insurer(s)' agent(s) directly at any time regarding Tenant’s coverage, coverage amounts, or other such relevant and reasonable issues related to this Lease.

12.2 *Indemnity.* Tenant hereby agrees to indemnify and hold harmless Landlord against and from any and all claims for property damage, or for personal injury, arising out of or in any way arising out of Tenant's use of the Leased Premises or from any activity, work, or thing done, permitted or suffered by Tenant in or about the Leased Premises.

12.3 *Liens.* If any mechanic’s or other lien is filed against the Premises for work claimed to have been for or materials furnished thereto, such lien shall be discharged by Tenant within Ten (10) days thereafter, at Tenant’s expense by full payment thereof by filing a bond required by law. Tenant’s failure to do so shall constitute a material default hereunder.

XIII. MISCELLANEOUS PROVISIONS

13.1 *Notices.* Any notice, communication, request, approval or consent which may be given or is required to be given under the terms of this Agreement shall be in writing and shall be transmitted (1) via hand delivery or express overnight delivery service to the Seller or the Purchaser, (2) via facsimile with the original to follow via hand delivery or overnight delivery service, or (3) via e-mail, provided that the sending party can show proof of delivery, as the case may be, at the addresses/numbers set forth below:

AS TO LANDLORD: Beaufort County
Attn: Beaufort County Administration
Post Office Box 1228
Beaufort, SC 29901

Copy To: Beaufort County
Attn: Beaufort County Public Facility Director

Landlord Initials _____ Tenant Initials _____

Post Office Box 1228
Beaufort, SC 29901

AS TO TENANT:

- 13.2 *Entire Agreement.* This Lease constitutes as the sole and entire agreement of Landlord and Tenant and no prior or contemporaneous oral or written representations or agreements between the parties affecting the Premises shall have any legal effect.
- 13.3 *Counterparts.* This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.
- 13.4 *Severability.* If any portion of this Lease shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Lease is invalid or unenforceable, then such provision shall be deemed to be written, construed and enforced as so limited.
- 13.5 *Amendment.* This Agreement cannot be amended orally or by a single party. No amendment or change to this Agreement shall be valid unless in writing and signed by both Parties to this Agreement.
- 13.6 *Captions.* The captions used in this Lease are for convenience only and do not in any way limit or amplify the terms and provisions hereof.
- 13.7 *Successors and Assigns.* The provisions of this Lease shall inure to the benefit of and be binding upon Landlord and Tenant, and their respective successors, heirs, legal representatives, and assigns.
- 13.8 *Applicable Law.* The laws of the State of South Carolina shall govern the interpretation, validity, performance and enforcement of this Lease; and, of any personal guarantees given in connection with this Lease.
- 13.9 *Authority.* Each individual and entity executing this Agreement hereby represents and warrants that he, she or it has the capacity set forth on the signature pages hereof with full power and authority to bind the party on whose behalf he, she or it is executing this Agreement to the terms hereof.
- 13.10 *Force Majeure.* Except for timely Rent payment, Landlord or Tenant shall not be in default hereunder when performance of any term or condition is prevented by a cause beyond its control.
- 13.11 *Time is of the Essence.* Time is of the essence of this Lease.
- 13.12 *Quiet Enjoyment.* Landlord hereby covenants, warrants and agrees that so long as Tenant is performing all of the covenants and agreements herein stipulated to be performed on the Tenant's part, Tenant shall at all times during the lease term have the peaceable quiet and enjoyment and

Landlord Initials _____ Tenant Initials _____

possession of the Premises without any manner of hindrance from Landlord or any person or persons lawfully claiming the Premises, or any part thereof.

IN WITNESS WHEREOF, and in acknowledgement that the parties hereto have read and understood each and every provision hereof, the Parties have caused this Agreement to be executed on the date first written above.

LANDLORD:

Witness

Beaufort County Administrator

Witness

TENANT:

Witness

By: _____
Its: _____

Witness

Landlord Initials _____ Tenant Initials _____



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

| |
|---|
| ITEM TITLE: |
| Text Amendment to the Community Development Code (CDC): Section 5.3.20 (Architectural Standards and Guidelines Applicability) and Appendix, Division A.1.20 (Community Preservation Districts - Relationship to the Community Development Code) to restrict that a shipping container or other similar portable storage container is not considered a dwelling. |
| MEETING NAME AND DATE: |
| County Council Meeting, November 14, 2022 |
| PRESENTER INFORMATION: |
| Robert Merchant, Planning and Zoning Department Director 5 minutes |
| ITEM BACKGROUND: |
| This ordinance is before Council for first reading in title only. A draft ordinance will before a public hearing is held. In addition, the ordinance will go the Planning Commission before third and final reading by County Council. |
| PROJECT / ITEM NARRATIVE: |
| This text amendment is a response to an inconsistency in the Community Development Code regarding the use of shipping containers as structures. Section 4.2.20.E(4) of the CDC prohibits the use of tractor trailers and shipping containers as accessory structures. The CDC, however, is silent on the use of shipping containers as a principal dwelling. This proposed ordinance will restrict the use of shipping containers as dwelling units. Ordinance is attached. |
| FISCAL IMPACT: |
| None |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends approval |
| OPTIONS FOR COUNCIL MOTION: |
| To approve or deny first reading of a text amendment to the Community Development Code (CDC): Section 5.3.20 (Architectural Standards and Guidelines Applicability) and Appendix, Division A.1.20 (Community Preservation Districts - Relationship to the Community Development Code) to restrict that a shipping container or other similar portable storage container is not considered a dwelling. |

ORDINANCE 2022 / __

**TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC):
SECTION 5.3.20 (ARCHITECTURAL STANDARDS AND GUIDELINES
APPLICABILITY) AND APPENDIX A, DIVISION A.1.20 (COMMUNITY
PRESERVATION DISTRICTS - RELATIONSHIP TO THE COMMUNITY
DEVELOPMENT CODE) TO RESTRICT THAT A SHIPPING CONTAINER OR
OTHER SIMILAR PORTABLE STORAGE CONTAINER IS NOT CONSIDERED A
DWELLING.**

WHEREAS, the Community Development Code in Section 4.2.20.E restricts the use of storage containers as accessory uses, but does not provide clear direction in their use as dwellings; and

WHEREAS, Article 5, Division 5.3 of the Community Development Code establishes architectural standards and guidelines for development in Beaufort County; and

WHEREAS, it is necessary for the Community Development Code to provide clear guidance on the use of shipping containers, other portable storage containers, travel trailers, and recreational vehicles (RVs) as dwellings or accessory uses;

NOW, THEREFORE be it ordained by County Council in meeting duly assembled that Section 5.3.20 and Appendix A, Division A.1.20 of the Community Development Code is hereby amended as set forth in Exhibit A hereto to prohibit the use of shipping containers, other portable storage containers, travel trailers, and recreational vehicles (RVs) as dwellings or accessory uses. Deletions in the existing code are stricken through. Additions are highlighted and underlined.

Adopted this ___ day of _____ 2022.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, JD, Clerk to Council

Division 5.3: Architectural Standards and Guidelines

Sections:

- 5.3.10 Purpose
- 5.3.20 Applicability
- 5.3.30 General Architectural Standards and Guidelines
- 5.3.40 Architectural Styles

5.3.10 Purpose

The purpose of this Division is as follows:

- A. To provide standards and guidelines that achieve and promote a consistently high level of design for the County's most intense and most visible development; and
- B. To encourage new and renovated buildings to reflect the distinct characteristics of Beaufort County Places.

5.3.20 Applicability

- A. **Within Transect Zones.** The standards and guidelines in Section 5.3.30 (General Architectural Standards) and Section 5.3.40 (Architectural Styles) are applicable to all proposed development within:
 1. The T4HC, T4HCO, T4VC and T4NC Zones.
 2. The T2 and T3 Zones with the exception of agricultural, single-family and two-family residential uses.
 3. A Traditional Community Plan, in locations where new development is intended to create walkable places of character, and for which a Transect-based Regulating Plan will be established.
- B. **Within Conventional Zones, Existing PUDs, and Community Preservation Districts.** Within Conventional Zones Existing PUDs, and Community Preservation Districts, all development located within 500 feet of the right-of-way of an arterial or major collector, with the exception of single-family and two-family residential, shall meet the standards in Section 5.3.30 (General Architectural Standards and Guidelines) and utilize Section 5.3.40 (Architectural Styles) as a "best practices manual" to achieve the standards in Section 5.3.30 (General Architectural Standards).
- C. **Within All Zones.** The use of any shipping container or the like, travel trailer, or recreational vehicle (RV) as a primary or accessory structure shall be prohibited in all zoning districts.
- D. **Standards and Guidelines.** This Division includes both standards and guidelines. Statements predicated by the words "shall" or "must" are to be interpreted as standards. Statements predicated by the words "should" or "may" are to be interpreted as guidelines.

5.3.30 General Architectural Standards and Guidelines

The purpose of the following general architectural standards and guidelines are to create a quality built environment that reflects the County's unique Lowcountry character. This is achieved by adhering to good architectural design principles and incorporating traditional architectural features, while blending harmoniously with the natural surroundings.

| Table A.1.20: Applicability of the Community Development Code to the Community Preservation Districts | |
|--|---|
| Article or Division | Applicability to CP Districts |
| Article 1: General Provisions | Applicable |
| Article 2: Multi-lot Single-Lot Community Scale Development | Limited Applicable (see below) |
| Division 2.1: Overview | Applicable |
| Division 2.2: General to Community Design | Applicable |
| Division 2.3: Traditional Community Plans | Applicability limited to CP Districts that permit Traditional Community Plans |
| Division 2.4: Multi-Family Oriented Communities | Not Applicable |
| Division 2.5: Manufactured Home Communities | Applicability limited to CP Districts that permit Manufactured Home Communities |
| Division 2.6: Commercial Oriented Communities | Not Applicable |
| Division 2.7: Developments within Rural Areas | Section 2.7.40 applicable to CP Districts that permit family compounds. |
| Division 2.8: Civic and Open Space Standards | Sections 2.8.50 and 2.8.60 are applicable. |
| Division 2.9: Thoroughfare Standards | Sections 2.9.40, 2.9.50, 2.9.60, and 2.9.80 are applicable. |
| Division 2.10: Transfer of Development Rights | Applicable ¹ |
| Article 3: Specific to Zones | Limited Applicable (see below) |
| Division 3.1: Establishment and Designation of Zones | Not Applicable |
| Division 3.2: Transect Zones | Not Applicable |
| Division 3.3: Conventional Zones | Not Applicable |
| Division 3.4: Overlay Zones | Overlay zones may overlay CP Districts |
| Article 4: Specific to Use | Limited Applicable (see below) |
| Division 4.1: Specific to Use | Not applicable |
| Division 4.2: Accessory Uses and Structures | Applicable |
| Division 4.3: Temporary Uses and Structures | Not applicable |
| Article 5: Supplemental to Zones | Limited Applicable (see below) |
| Division 5.1: Building Type Standards | Not applicable unless specific building type is referenced in this Appendix. |
| Division 5.2: Private Frontage Standards | Not Applicable |
| Division 5.3: Architectural Standards and Guidelines | Section 5.3.20 and 5.3.30 is are applicable. |
| Division 5.4: Fences and Walls | Applicable |
| Division 5.5: Off-Street Parking | Applicable |
| Division 5.6: Sign Standards | Applicable |
| Division 5.7: Exterior Lighting | Applicable |
| Division 5.8: Landscaping, Buffers, and Screening Standards | Applicable |
| Division 5.9: Neighborhood Compatibility Standards | Not Applicable |
| Division 5.10: Historic Preservation | Applicable |
| Division 5.11: Resource Protection Standards | Applicable |
| Division 5.12: Stormwater Standards | Applicable |
| Article 6: Subdivision and Land Development | Applicable |
| Article 7: Procedures | Applicable |
| Article 8: Nonconformities | Applicable |
| Article 9: Enforcement | Applicable |
| Article 10: Definitions | Not Applicable |

¹Applies only to sending and receiving areas located within CP districts.



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

| |
|--|
| ITEM TITLE: |
| Approval of an ordinance to provide maintenance work on private roads. |
| MEETING NAME AND DATE: |
| Community Services Committee Meeting – December 5, 2022 |
| PRESENTER INFORMATION: |
| Neil J. Desai, P.E., Public Works Director Jared Fralix, P.E., Assistant County Administrator, Infrastructure (15 Minutes) |
| ITEM BACKGROUND: |
| Per direction from the County Administrator, the Public Works & Legal Departments were tasked with creating a one-time work effort on private roads. This item was first discussed at Public Facilities Committee meeting on 8/22/22 and later discussed at the council in September and October. Upon discussion at the county council meeting on 10/3/22, a motion was made to postpone the public hearing and third reading of the ordinance until the December meeting and to refer the item back to the Community Services Committee to have additional information provided to Council. |
| PROJECT / ITEM NARRATIVE: |
| After meeting with Fire Department, they provided Public Works a list of 25 private dirt roads that needed immediate maintenance efforts. These 25 roads were inspected, and a general condition assessment of the roads was generated with an approximate cost estimate for these 25 roads. With the assistance of the GIS Department, a full list of all the Bft. Co. private dirt roads was created totaling 1139 private dirt roads equaling 287 miles. Additionally, work effort categorization was created with approximate costs that entails minimal effort costing \$10K per mile, medium effort costing \$18K per mile and large effort costing \$35K. |
| FISCAL IMPACT: |
| The fiscal impact to the County will vary from situation to situation. For example, a small fallen tree will require minimum effort and expenditure of County funds versus a private road needing crusher run or gravel. |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends referring this item back to County Council with the included information and backup materials for Council to consider a third reading and public hearing of the proposed ordinance. |
| OPTIONS FOR COUNCIL MOTION: |
| Motion to either approve the proposed ordinance to provide work on private roads and revoke the existing Policy Statements 15 & 17 and Ordinance 2016/13 that address similar concerns, or deny the proposed ordinance and continue utilizing existing Policy Statements 15 & 17 and Ordinance 2016/13 for work on private roads. |

ORDINANCE 2022/_____

AN ORDINANCE TO PROVIDE FOR LIMITED CIRCUMSTANCES WHERE COUNTY STAFF MAY PERFORM WORK ON PRIVATE PROPERTY

WHEREAS Beaufort County Council hereby finds that under limited circumstances, public resources may be properly used on private property; and

WHEREAS County Council wishes to define the circumstances and limitations under which such resources may be used;

NOW, THEREFORE, be it ordained by Beaufort County Council, in meeting duly assembled, as follows:

I. Emergency maintenance of roads.

(a) No work may be performed on any roadway not already maintained by the County unless the county administrator determines that access to such roadway is necessary for the performance of one or more public functions, that the work would constitute a public purpose that and the following conditions exist:

(1) Such a roadway is the only access for one (1) or more property owners or residences, and

(2) Emergency medical services, sheriff department vehicles and other County vehicles cannot, in the lawful performance of their duties, gain full and immediate access to at least one (1) residence unless road scraping is performed, and

(3) At least one (1) of the properties to be accessed is used as a primary residence.

(b) Any work pursuant to this section will be done on a one-time basis only. In such cases, the County Department of Public Works is limited to the minimum improvements that will allow full and immediate access to the affected residences. Crusher run, gravel, pipe or other materials will not be routinely provided.

II. Other use of public resources on ostensibly private property.

The County Administrator may also direct the use of public forces and resources if he/she makes a finding that such is necessary in the following circumstances:

(a) In the event of a declared national emergency or natural disaster such as floods, tornadoes, hurricanes, earthquakes, or other acts of God or manmade disasters of similar consequences, such as explosions, fires, pollution, and other dangerous conditions; and

(b) For use upon borrow pits purchased, donated, or leased to the county for construction materials, and roads providing access thereto; and

- (c) To clean up, repair or resurface property which has been damaged or altered by the parking, storage, or transporting of county equipment or material; and
- (d) To settle or compromise litigation that is threatened or instituted because of some condition created by or for which the County is legally responsible or liable; and
- (e) For temporary detours or bypasses while County roads or bridges are being constructed, repaired, resurfaced, or maintained; and
- (f) To aid municipalities, special purpose districts, and special tax districts within Beaufort County in the construction, repair, or maintenance of roadways or other projects located within municipal or district boundaries; and
- (g) To provide minimally necessary ingress and egress, such determination to be made at the sole discretion of either the prevailing Fire Chief within that district or the EMS Director or his/her designee, when a public health or medical emergency exists or upon request and certification signed by licensed medical doctor that an urgent medical need exists or by a licensed funeral director that a need exists for receiving or burial of a deceased person. The Fire Chief or EMS Director is to furnish to the County Administrator a statement showing the name of the property owner, the property address, the request, and certification from the licensed professional, and the materials, labor, and equipment used within five business days of completing such work.
- (h) With the exception of the above seven instances, no use of County equipment upon private property shall be permitted, Additionally, any private road that services a commercial property there shall be no use of County equipment. Any County official or employee violating these rules and regulations shall be subject to disciplinary action by the County Administrator and any violations of the rules and regulations contained herein shall be reported to County Council by the County Administrator, provided, however, nothing contained herein shall be construed or interpreted in any manner to restrict the use of County equipment for the ordinary County purposes as provided by law.

IT IS SO ORDAINED this _____ day of ____, 2022.

Joseph Passiment, Council Chair

Attest:

Sarah Brock, Clerk to Council



County Council Meeting Beaufort County, SC

This meeting was held in person at the County Council Chambers, 100 Ribaut Road, Beaufort, and virtually through Zoom.

Monday, October 03, 2022
6:00 PM

MINUTES

Watch the video stream available on the County's website to hear the Council's discussion of a specific topic or the complete meeting. <https://beaufortcountysc.new.swagit.com/videos/185935>

1. CALL TO ORDER

Chairman Passiment called the meeting to order at 6:00 PM.

PRESENT

Chairman Joseph F. Passiment
Vice Chairman D. Paul Sommerville
Council Member Logan Cunningham
Council Member Brian Flewelling
Council Member York Glover
Council Member Chris Hervocho
Council Member Alice Howard
Council Member Mark Lawson
Council Member Lawrence McElynn
Council Member Stu Rodman

ABSENT

Council Member Gerald Dawson

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Council Member Howard led the Pledge of Allegiance and Invocation.

3. FOIA

Chairman Passiment noted that Public Notification of this meeting had been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act.

4. APPROVAL OF AGENDA

Motion: It was moved by Council Member Rodman, Seconded by Council Member Glover, to approve the agenda.

The Vote - The motion was approved without objection.

5. APPROVAL OF MINUTES

Motion: It was moved by Council Member Glover, Seconded by Council Member Howard, to approve the minutes of September 12 and September 26, 2022.

The Vote - The motion was approved without objections.

6. ADMINISTRATOR'S REPORT

Please watch the video stream available on the County's website to view the complete discussion.

<https://beaufortcountysc.new.swagit.com/videos/185935?ts=221>

County Administrator Eric Greenway thanked Beaufort County staff for their Hurricane Ian response efforts and introduced four new employees, Octavia Evans, Kyla Hope, Eric Larson, and Brad Mull.

7. CITIZEN COMMENTS

Please watch the video stream available on the County's website to view the complete discussion.

<https://beaufortcountysc.new.swagit.com/videos/185935?ts=472>

Gary Sterling

Joe Mack

Jessie White

8. LIASION AND COMMITTEE REPORTS

Council Member Glover thanked Mr. Sterling for supporting the St. Helena Performing Arts Center.

9. APPROVAL OF CONSENT AGENDA

Motion: It was moved by Council Member Howard, Seconded by Council Member Rodman, to approve the consent agenda.

The Vote - The motion was approved without objection.

10. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE TO PROVIDE MAINTENANCE WORK ON PRIVATE ROADS

Please watch the video stream available on the County's website to view the complete discussion.

<https://beaufortcountysc.new.swagit.com/videos/185935?ts=1080>

Motion: It was moved by Council Member Glover, Seconded by Council Member Flewelling, to approve the public hearing and third reading of an ordinance to provide maintenance work on private roads.

Discussion: Council Member Glover commented on land ownership, Heir's property, and access to emergency services.

Council Member Rodman asked if a nominal charge could bridge the legality gap.

Motion to Postpone: It was moved by Council Member Cunningham, Seconded by Council Member Rodman, to postpone the public hearing and third reading of the ordinance until the December meeting and to refer the item back to the Community Services Committee to have additional information provided to Council.

Discussion: Vice Chairman Sommerville, Council Member Flewelling, and Council Member Howard opposed the motion to postpone.

Council Member Lawson voiced his support for the motion to postpone to address cost concerns.

County Administrator Greenway commented on limitations provided by the ordinance and clarified hurricane response clean-up on private property.

Council Member McElynn and County Administrator Greenway discussed if there were previous situations of paving private roads.

Council Member Hervochon and County Administrator Greenway discussed the difference between a roadway and a driveway.

The Vote - Voting Yea: Chairman Passiment, Council Member Cunningham, Council Member Hervochon, Council Member Lawson, Council Member McElynn, and Council Member Rodman. Voting Nay: Vice Chairman Sommerville, Council Member Flewelling, Council Member Glover, and Council Member Howard. The motion to postpone passed 6:4.

11. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE TO AMEND BEAUFORT COUNTY ORDINANCE 2022/33 FOR THE FISCAL YEAR 2022-23 BEAUFORT COUNTY BUDGET TO PROVIDE FOR ADDITIONAL APPROPRIATIONS TO PAY FOR FISCAL YEAR 2022 CARRYOVERS, USE OF FUND BALANCE FOR PROPERTY ACQUISITION AND TRANSPORTATION PROJECTS, AND THE USE OF CURRENT YEAR FUNDS FOR CAPITAL PROJECTS AND EQUIPMENT PURCHASES, DEFEASE/REFUND GENERAL OBLIGATION BONDS, AND OTHER MATTERS RELATED THERETO

Please watch the video stream available on the County's website to view the complete discussion.

<https://beaufortcountysc.new.swagit.com/videos/185935?ts=2364>

Motion: It was moved by Council Member Rodman, Seconded by Council Member Howard, to approve the public hearing and second reading of an ordinance to amend Beaufort County Ordinance 2022/33 for the fiscal year 2022-23 Beaufort County Budget to provide for additional appropriations to pay for the fiscal year 2022 carryovers, use of fund balance for property acquisition and transportation projects, and the use of current year funds for capital projects and equipment purchases, defease/refund general obligation bonds, and other matters related thereto.

County Administrator Greenway discussed the two options for the additions.

- 15 John Galt expansion for a total cost of 232,950 for a 1,884 square-foot addition for voter registration machine storage
- Harris Pillow building addition for \$90,599.10 for a 30 by 50 wire cage system to improve storage space

Council Member Howard and County Administrator Greenway discussed if there were roof leaks and security concerns with the Harris Pillow building.

Council Member Flewelling and County Administrator Greenway discussed why the appropriation is being added to the budget amendment versus waiting until the next budget year.

Council Member Cunningham and County Administrator Greenway discussed the timeline for the addition's completion.

Council Member McElynn and County Administrator Greenway discussed the Board of Voter Registration and Elections' recommendation and storage needs.

Council Member Hervochon and County Administrator Greenway discussed ownership of the Harris Pillow building. Council Member Hervochon commented that he does not think the addition is an appropriate use of the property.

Council Member McElynn discussed the equipment storage options and the DOD's restrictive easement on the Harris Pillow property that restricts the number of people allowed.

Council Member Cunningham asked a hypothetical question about if the property sale proceeds would reflect money spent on the building's improvements.

Council Member Glover asked about the square footage needed for storage and his preference to wait for a request from the Board of Voter Registration and Elections that makes clear their property preference.

Council Member Flewelling asked if the Facilities Needs Assessment addressed the issue and commented on the property addition options.

Chairman Passiment asked about the number of employees working at the John Galt property.

Motion to Amend: It was moved by Council Member McElynn, Seconded by Council Member Cunningham, to amend the budget to appropriate an additional \$240,000 for a 1,800-square-foot addition for the voter registration facility located at 15 John Galt Road.

Discussion: Council Members Rodman, Howard, and Glover opposed the motion to amend.

The Vote - The motion to amend passed 7:3.

Chairman Passiment opened the floor for public comment.

No one came forward.

Chairman Passiment closed the public comment.

Council Member Cunningham asked if a second story could be added.

Council Member Rodman reiterated his opposition.

Deputy County Administrator Richland discussed the option to defease.

The Vote - The motion, as amended, was approved without objection.

12. SECOND READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE SALE OF COUNTY OWNED REAL PROPERTIES IDENTIFIED AS 1407 KING STREET AND 600 WILMINGTON STREET, CITY OF BEAUFORT

Motion: It was moved by Council Member Glover, Seconded by Council Member Howard, to approve the second reading of an ordinance authorizing the County Administrator to execute any and all documents necessary for the sale of county-owned real properties identified as 1407 King Street and 600 Wilmington Street, City of Beaufort.

Discussion: Council Members Hervochon and Flewelling opposed the motion.

The Vote - The motion was approved by 8:2.

13. SECOND READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO BEAUFORT COUNTY CODE OF ORDINANCES CHAPTER 2, ARTICLE VIII, DIVISION 2, SECTION 2-619 TO REQUIRE A PROPERTY IDENTIFICATION NUMBER ON QUIT CLAIM DEEDS

Motion: It was moved by Council Member Glover, Seconded by Council Member Rodman, to approve the second reading of an ordinance for a text amendment to Beaufort County Code of Ordinances Chapter 2, Article VIII, Division 2, Section 2-619 to require a property identification number on quit claim deeds.

Discussion: Council Member Flewelling opposed the motion.

The Vote - The motion was approved by 9:1.

14. SECOND READING OF AN ORDINANCE TO AMEND BEAUFORT COUNTY ORDINANCE 2022/33 FOR THE FISCAL YEAR 2022-23 BEAUFORT COUNTY BUDGET TO PROVIDE FOR DISTRIBUTIONS FROM MYRTLE PARK PHASE II FUND AND OTHER MATTERS RELATED THERETO. (FISCAL IMPACT: Beaufort County put a

substantial amount of capital into this project \$828,576. Staff feels that the County should be reimbursed for its investment in the property)

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Rodman, to approve the second reading of an ordinance to amend Beaufort County Ordinance 2022/33 for the fiscal year 2022-23 Beaufort County Budget to provide for Distributions from Myrtle Park Phase II Fund and other matters related thereto.

The Vote - The motion was approved without objection.

15. **SECOND READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO AN EXCHANGE, PURCHASE AND/OR SALE AGREEMENT WITH THE TOWN OF HILTON HEAD ISLAND FOR THE SALE AND PURCHASE OF REAL PROPERTY CONSISTING OF 68 HELMSMAN WAY, 43 JENKINS ROAD, 70 BAYGALL ROAD, AND 152 WILLIAM HILTON PARKWAY**

Motion: It was moved by Council Member Rodman, Seconded by Council Member Glover, to approve the second reading of an ordinance authorizing the County Administrator to enter into an exchange, purchase, and/or sale agreement with the Town of Hilton Head Island for the sale and purchase of real property consisting of 68 Helmsman Way, 43 Jenkins Road, 70 Baygall Road, and 152 William Hilton Parkway.

The Vote - The motion was approved without objection.

16. **SECOND READING OF AN ORDINANCE TO ESTABLISH A REGIONAL HOUSING TRUST FUND AND OTHER MATTERS RELATED THERETO**

Motion: It was moved by Council Member Howard, Seconded by Council Member Glover, to approve the second reading of an ordinance to establish a Regional Housing Trust Fund and other matters related thereto.

The Vote - The motion was approved without objection.

17. **FIRST READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE BEAUFORT COUNTY PROCUREMENT CODE, DIVISION 4, SECTION 2-509, AUTHORITY AND DUTIES OF PURCHASING DIRECTOR AND THE CHIEF FINANCIAL OFFICER**

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Rodman, to approve the first reading of an ordinance for a text amendment to the Beaufort County Procurement Code, Division 4, Section 2-509, Authority and Duties of Purchasing Director and the Chief Financial Officer.

The Vote - The motion was approved without objection.

18. **FIRST READING OF AN ORDINANCE AMENDING BEAUFORT COUNTY CODE OF ORDINANCES CHAPTER 2, ARTICLE II, SECTION 2-28 REGARDING COUNCIL SALARIES**

Please watch the video stream available on the County's website to view the complete discussion.

<https://beaufortcountysc.new.swagit.com/videos/185935?ts=4218>

Motion: It was moved by Council Member McElynn, Seconded by Council Member Cunningham, to approve the first reading of an ordinance amending Beaufort County Code of Ordinances Chapter 2, Article II, Section 2-28 regarding Council salaries.

Discussion: Council Member McElynn discussed the salary adjustment and the salary structures for Council Members, the Council Vice Chair, and the Council Chair.

Council Member Howard commented on her approval of the last salary adjustment because of the removal of stipends and opposed the motion.

Council Member Cunningham discussed flexibility requirements and compensation to supplement the loss of work income in order to get the best representation.

Council Member Flewelling opposed the motion because it had not gone through a Council committee.

Chairman Passiment clarified the timeline of the ordinance.

Council Member Glover opposed the motion.

Council Member Hervochon opposed the motion and stated that Council salaries should rise to the level of the Treasurer and Auditor. Council Member Hervochon also reiterated Council Member Cunningham’s point about attracting the best candidates and Council Member Flewelling’s point about the item not going through a committee.

Council Member Lawson opposed the motion and referenced an issue with the ordinance’s timing.

The Vote - Voting Yea: Chairman Passiment, Vice Chairman Sommerville, Council Member Cunningham, and Council Member McElynn. Voting Nay: Council Member Flewelling, Council Member Glover, Council Member Hervochon, Council Member Howard, and Council Member Lawson. Voting Abstaining: Council Member Rodman. The motion was defeated at 4:5.


19. CITIZEN COMMENTS

No one came forward.

20. ADJOURNMENT

Adjourned: 7:23 PM

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: 
Joseph F. Passiment, Jr., Chairman

ATTEST:


Sarah W. Brock, Clerk to Council

Ratified: October 24, 2022

**RESOLUTION
Policy Statement 15**

A RESOLUTION APPROVING THE BEAUFORT COUNTY POLICY FOR WORKING ON PRIVATE PROPERTY.

WHEREAS, Beaufort County employees shall not enter private property for the purpose of correcting drainage problems, unless the Engineering Department, the Stormwater Management Utility, or the Public Works Department can conclusively determine that actions of Beaufort County or another government entity created the problem. County employees shall obtain permission from the private property owner, in the form of formal written easements or rights-of-way, before entering the private property to correct problems caused by the actions of Beaufort County or other government entities. The County Administrator may recommend an exception to this policy based upon the health and welfare of the residents of the private property in question or their neighbors, and refer his recommendation to the Public Facilities Committee for its review and recommendation to the Council.

WHEREAS, This policy encourages Beaufort County employees to secure easements or rights-of-way to traverse property with ditches and other infrastructure so as to move water in the best interest of the Beaufort County Stormwater Management Program. Before any drainage work on private property may be done without properly executed easements or rights-of-way obtained in accordance with paragraph 2 above, the County Administrator must approve the work, after appropriate recommendation(s) from the Engineering and/or Public Works Departments.

NOW THEREFORE, BE IT RESOLVED, the Beaufort County Council does approve the Policy for Working on Private Property.

Adopted this 10th day of September 2012.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: Wm. Weston J. Newton
Wm. Weston J. Newton, Chairman

ATTEST:

Suzanne M. Rainey
Suzanne M. Rainey, Clerk to Council

Amending Policy Statement #15, adopted July 28, 2003.

RESOLUTION**A RESOLUTION APPROVING THE BEAUFORT COUNTY POLICY FOR WORKING ON PRIVATE PROPERTY.**

WHEREAS, Beaufort County Council has designated certain public roads that are maintained by the County's Public Works Department. (Other "public roads" within the County are designated and maintained by the Federal or State governments). All public roads are designated and maintained as public roads by the County Public Works Department; all other roads are private roads. Beaufort County employees shall not enter private property for the purpose of repairing or improving non-public roads, except as provided hereunder.

- (A) Citizens who have not asked for their roads to be converted from private road(s) to a public road(s) may apply to the County Administrator (County Engineer) by petition to have their road(s) classified as "County maintained public roads" Such roads shall not be maintained until the appropriate rights-of-way or easement are donated to the County, and the property owner agrees the road(s) will be designated a "public road(s)" and the petition has been accepted.
- (B) It is the policy of Beaufort County that it will not maintain "private driveways" as defined herein. A "private driveway" is defined as any vehicular pathway where ownership of the land abutting both sides of such pathway is the same and the pathway serves less than six (6) discrete dwelling units, and the property owners have not granted either an easement or a right-of-way to the County, as appropriate and the road is not designated as a public road.
- (C) Exceptions to this policy may be granted, on a case-by-case basis, by a majority vote of County Council upon the recommendation of the County Administrator. Exceptions to this policy will be considered: upon receipt of a petition in writing from all the property owner(s) of a "private driveway" that serves five (5) or more discrete dwelling units, and the property owner(s) agreement to execute either an easement or a right-of-way (or assignment thereof) to the County as appropriate, and accept a public road designation. The County Administrator may recommend an exception to this policy based upon medical needs of occupants of private dwelling units abutting "private driveways", and refer his recommendation to the Public Services Committee for its review and recommendation to Council.

WHEREAS, Beaufort County employees shall not enter private property for the purpose of correcting drainage problems, unless the Engineering Department, the Stormwater Management Utility, or the Public Works Department can conclusively determine that actions of Beaufort County or another government entity created the problem. County employees shall obtain permission from the private property owner, preferably in the form of formal written easements or rights-of-way, before entering the private property to correct problems caused by the actions of Beaufort County or other government entities. The County Administrator may recommend an exception to this policy based upon the health and welfare of the residents of the

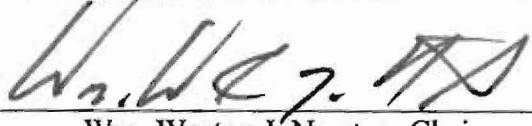
private property in question or their neighbors, and refer his recommendation to the Public Services Committee for its review and recommendation to the Council.

WHEREAS, This policy encourages Beaufort County employees to secure easements or rights-of-way to traverse property with ditches and other infrastructure so as to move water in the best interest of the Beaufort County Stormwater Management Program. Before any drainage work on private property may be done without properly executed easements or rights-of-way obtained in accordance with paragraph 2 above, the County Administrator must approve the work, after appropriate recommendation(s) from the Engineering and/or Public Works Departments.

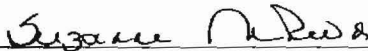
NOW THEREFORE, BE IT RESOLVED, the Beaufort County Council does approve the Policy for Working on Private Property.

Adopted this 28th day of July, 2003.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: 
Wm. Weston J. Newton, Chairman

ATTEST:


Suzanne M. Rainey, Clerk to Council

Policy Statement
PS-17

POLICY FOR THE ACCEPTANCE OF PRIVATE ROADS

Policy Statement (PS-15), adopted by County Council on July 28, 2003, outlined the County's policy with regard to "Working on Private Property". As a related issue, Policy Statement-15 (PS-15) also outlines a general procedure for qualifying and accepting private roads into the County's road maintenance inventory.

The demand for private road acceptance has grown significantly since the adoption of PS-15. County Council recognizes the necessity of treating private road acceptance as a separate issue, and wishes to clarify and refine the acceptance procedure. The new policy set forth herein, is intended to supersede only those portions of PS-15 that deal with the acceptance of private roads and the definitions of "private road" and "private driveway".

Definitions:

1. Private road: a road, street or other vehicular pathway, paved or unpaved, that is owned and maintained by a non-governmental body (e.g., private individual or individuals), property owners association, developer, etc., and that has not been designated for public use.
2. Private driveway: a vehicular pathway where ownership of the land abutting both sides of such pathway is the same.
3. Dwelling unit: any residential unit, including detached, single-family dwellings, townhouse units, condominium units, individual apartments, and mobile homes. Dwellings may be owner-occupied or rental units

Qualifying Requirements

To be considered for acceptance, a private road must meet each of the four criteria listed below:

1. Not a "private driveway as defined above
2. Directly accessible by a public road
3. Serve at least six (6) dwelling units
4. Property owners must submit a "Road Acceptance Application" as outlined below.

Road Acceptance Application

1. Submission of written application (petition): any property owner with land abutting a private road may request a "Road Acceptance Application" from the County Engineering Division:

- (a) Requests will be forwarded to the R/W Manager who will return an application form and a list of the names and mailing addresses of the abutting property owners;
 - (b) It will be the applicant's responsibility to have each and every owner sign the application and then return the completed document to the R/W Manager. One hundred percent (100%) participation on the part of the property owners is required for acceptance consideration;
 - (c) The R/W Manager will ensure that all necessary signatures have been obtained. He/she will notify the applicant of any deficiencies.
2. The completed application indicates the property owners' willingness to:
- (a) Donate that amount of land needed to assemble a 50-foot wide right-of-way. A lesser right-of-way may be considered if it can be demonstrated that it is not feasible to assemble a full 50' right-of-way;
 - (b) Donate any existing or proposed drainage easements that the Public Works Department considers necessary for adequate drainage;
 - (c) Have the road designated for public use.
3. The completed application also indicates the property owners' permission for County employees to enter their property, as necessary, for the purpose of inspecting the existing roadway, assessing drainage needs, and surveying the proposed 50' right-of-way.

Right-Of-Way Deeds

When it is determined that an application has been properly executed, the R/W Manger will prepare the necessary right-of-way deeds. Each deed will reference the County's survey of the proposed 50' right-of-way. The deeds will be mailed to the property owner at the address used by the County Treasurer for property tax mailings. All deeds must be properly executed and returned to the R/W Manager.

Road Inspection

R/W Manager will determine the length of the road and the number of discrete dwelling units served by the road. He/she will pass this information on to the Public Works Director, whose staff will conduct an inspection of the existing roadway for the purpose of assessing needed repairs, drainage adequacy, and the estimated cost of bringing the road up to acceptable condition. A summary of these findings, along with comments and recommendations, will be returned to the R/W Manager.

Public Facilities Committee Agenda Item

The R/W Manager will prepare an agenda item summarizing all the data regarding the subject road. The agenda item will include the recommendations, if any, of the Engineering Division and Public Works Department.

Public Facilities Committee and County Council

An affirmative vote by simple majority, first by the Public Facilities Committee and then by County Council, is required for road acceptance.

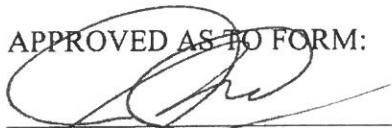
NOW, THEREFORE, BE IT RESOLVED, the Beaufort County Council has approved the Policy for the Acceptance of Private Roads.

Adopted this 28th day of October, 2013.


COUNTY COUNCIL OF BEAUFORT COUNTY

By: 
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:


Joshua A. Gruber, Staff Attorney

ATTEST:


Suzanne M. Rainey, Clerk to Council

ORDINANCE 2016 / 13

AN ORDINANCE CREATING PROCEDURE FOR ESTABLISHING DIRT ROAD MAINTENANCE AND THE ESTABLISHMENT OF A SPECIAL PURPOSE TAX DISTRICT TO COVER COSTS ASSOCIATED WITH IMPROVEMENTS

WHEREAS, Beaufort County has a duty to provide for the general public works including roads, drainage, bridges and related access services.

WHEREAS, Beaufort County has several hundred miles of paved and unpaved roads including an undetermined number of miles of dirt surface roads that are private or not otherwise a part of the County Road System; and

WHEREAS, a majority of these dirt surface roads serve as the sole means of ingress and egress by many Beaufort County residents and taxpayers and are not generally maintained creating difficulty for persons living on them to have a reasonable means of access to their property; and

WHEREAS, Beaufort County Council recognizes that in order for its residents and citizens to have reasonable access to government provided services including fire and EMS, work, church and other opportunities, a reasonable means of getting to and from their residences is essential; and

WHEREAS, Beaufort County Council recognizes that some private roads are in need of one-time repair by the County based on hardship conditions; therefore, a procedure should be put in place for a resident to petition for repair and establish payment of the benefits received; and

WHEREAS, S.C. Code Sec. 4-9-30(5)(a)(ii) allows for the establishment of a Special Tax District when a petition is submitted to the County Council signed by seventy – five percent or more of the resident freeholders who own at least seventy – five percent of the assessed valuation of the real property in the proposed special tax district and upon certification of the petition County Council may pass an ordinance establishing the special tax district; and

WHEREAS, it should be noted that at no time will this petition process be utilized to develop a road in an area which is underdeveloped and in which the property owners are seeking assistance from the County to build a road in order for them to subdivide their land to make a profit.

NOW, THEREFORE, BE IT ORDAINED, by Beaufort County Council that the following procedure is enacted for the one-time repair of a private road based on hardship conditions and the establishment of a special tax district for the benefits gained from some such improvement.

CHAPTER 34, Article 1

Section 34.1 PURPOSE

Beaufort County Council recognizes that some private roads are in need of one-time repair by the County based on hardship conditions so its residents and citizens can have reasonable access to government provided services including fire and EMS, work, church and other opportunities.

Section 34.2 PROCEDURE


- 1) Upon receipt of a signed petition of the residents for a one-time maintenance request, the Beaufort County Public Works Director will review the roadway and determine whether roadway maintenance is necessary and appropriate.
- 2) If deemed necessary and appropriate and the one-time maintenance would provide reasonable access to government-provided services including fire and EMS, work, church and other opportunities, the Public Works Director shall prepare a cost estimate for road maintenance and provide a copy to the property owners.
- 3) Upon receipt of the cost estimate, seventy – five percent or more of the resident freeholders who own at least seventy – five percent of the assessed valuation of the real property adjacent to any road proposed roadway project shall sign a petition affirming the approval of establishment of a special purpose tax district for the purpose of a one-time roadway maintenance project.
- 4) After receiving 75% approval from the resident freeholders, the Public Works Director will forward the cost estimate and maintenance proposal to County Council for review and approval.
- 5) Upon approval, County Council shall create a special tax district pursuant to S.C. Code Sec. 4-9-30(5)(a)(ii) to cover the costs of the maintenance.

Adopted this 23rd day of May, 2016.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: 
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:


Thomas J. Keaveny, II, County Attorney

ATTEST:


Suzanne M. Rainey, Clerk to Council

First Reading: April 25, 2016
Second Reading: May 9, 2016
Public Hearing: May 23, 2016
Third and Final Reading: May 23, 2016

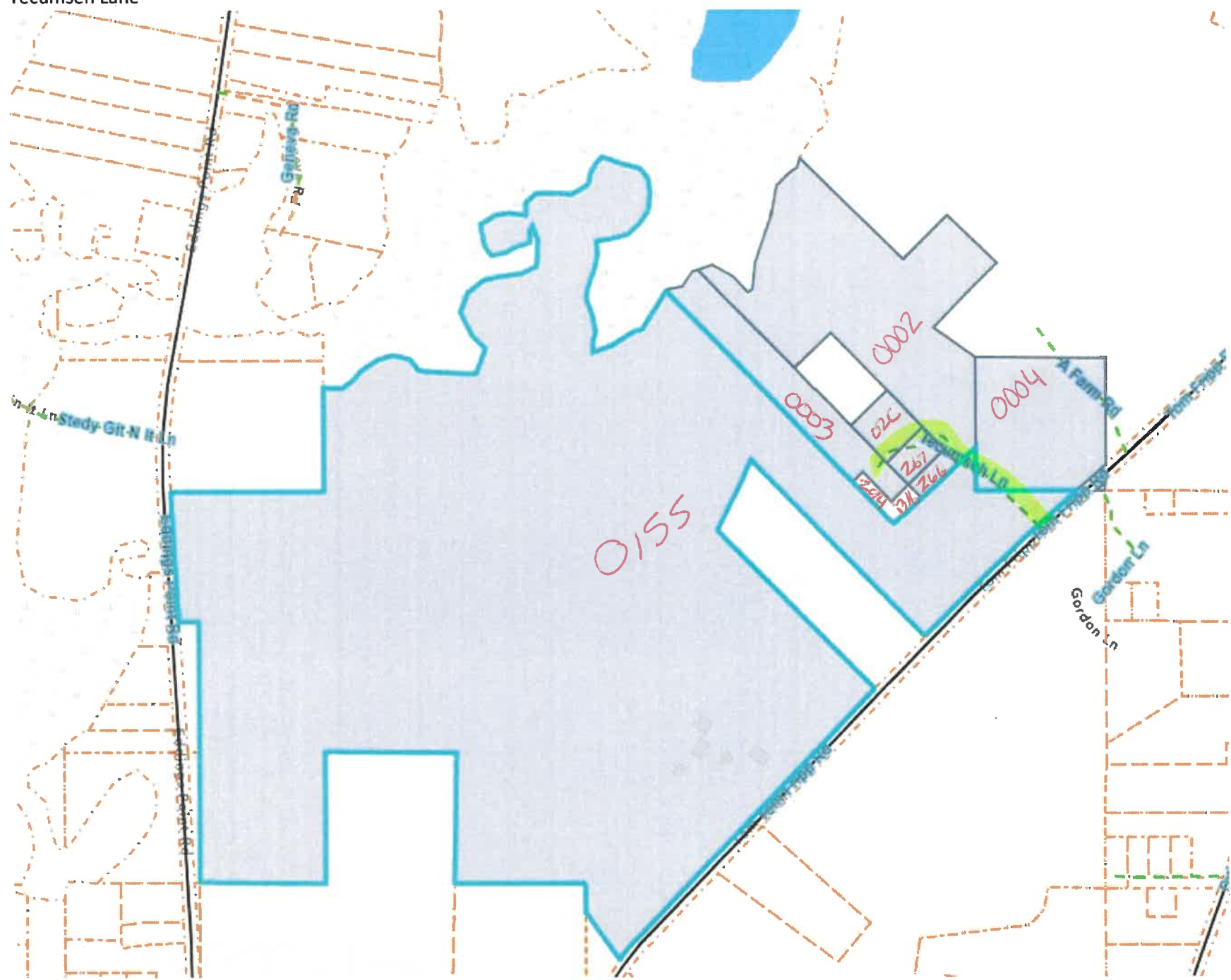
Chronology

- Third and final reading occurred on May 23, 2016 / Vote 11:0
- Second reading approval occurred on May 9, 2016 / Vote 10:1
- First reading approval occurred on April 25, 2016 / Vote 9:0
- Public Facilities Committee discussion and recommendation to approve ordinance on first reading. Approval occurred on April 18, 2016 / Vote 5:1

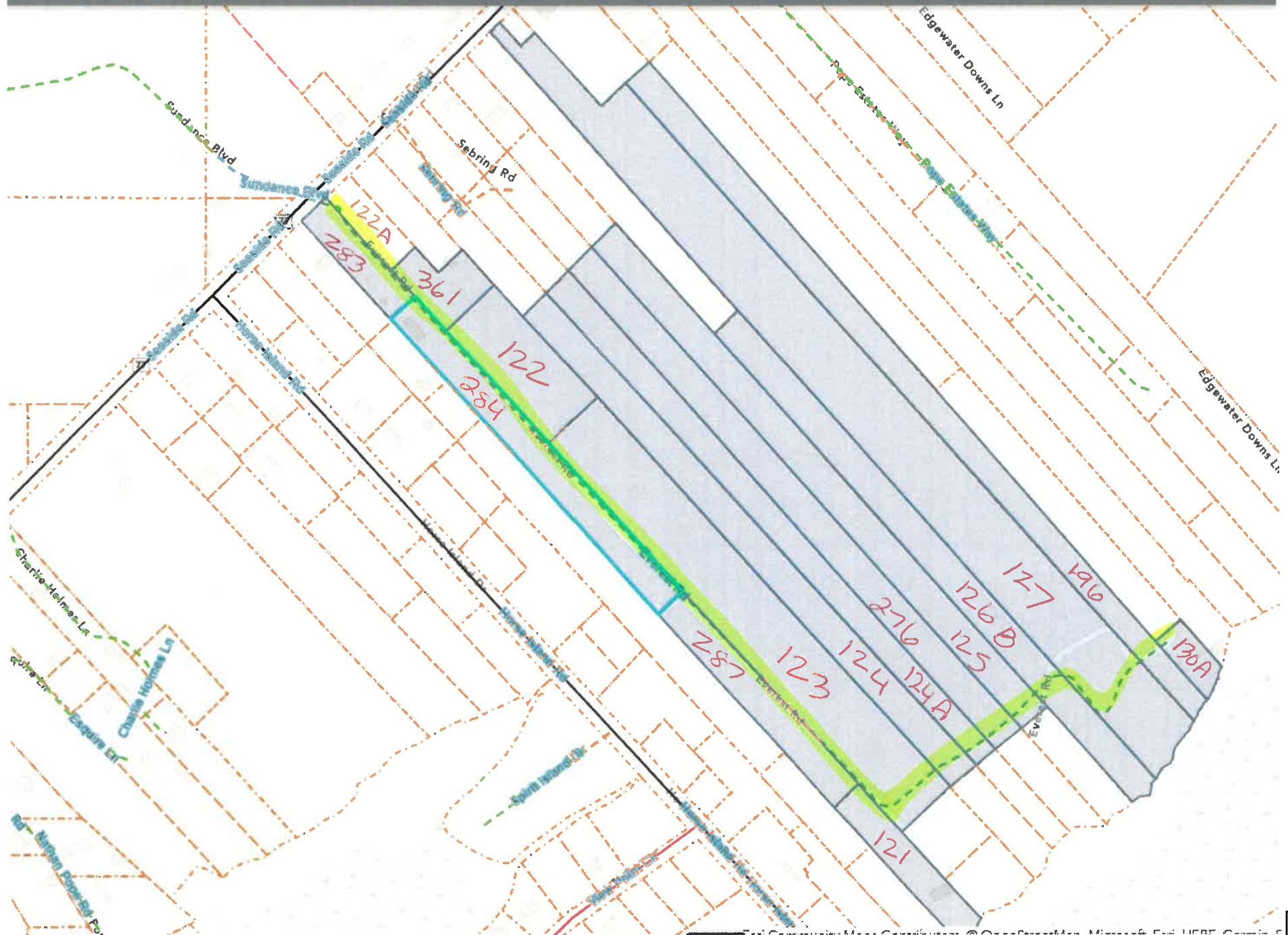
=> Parcels



Tecumseh Lane = 9 parcels



Everest Road = 16 Parcels

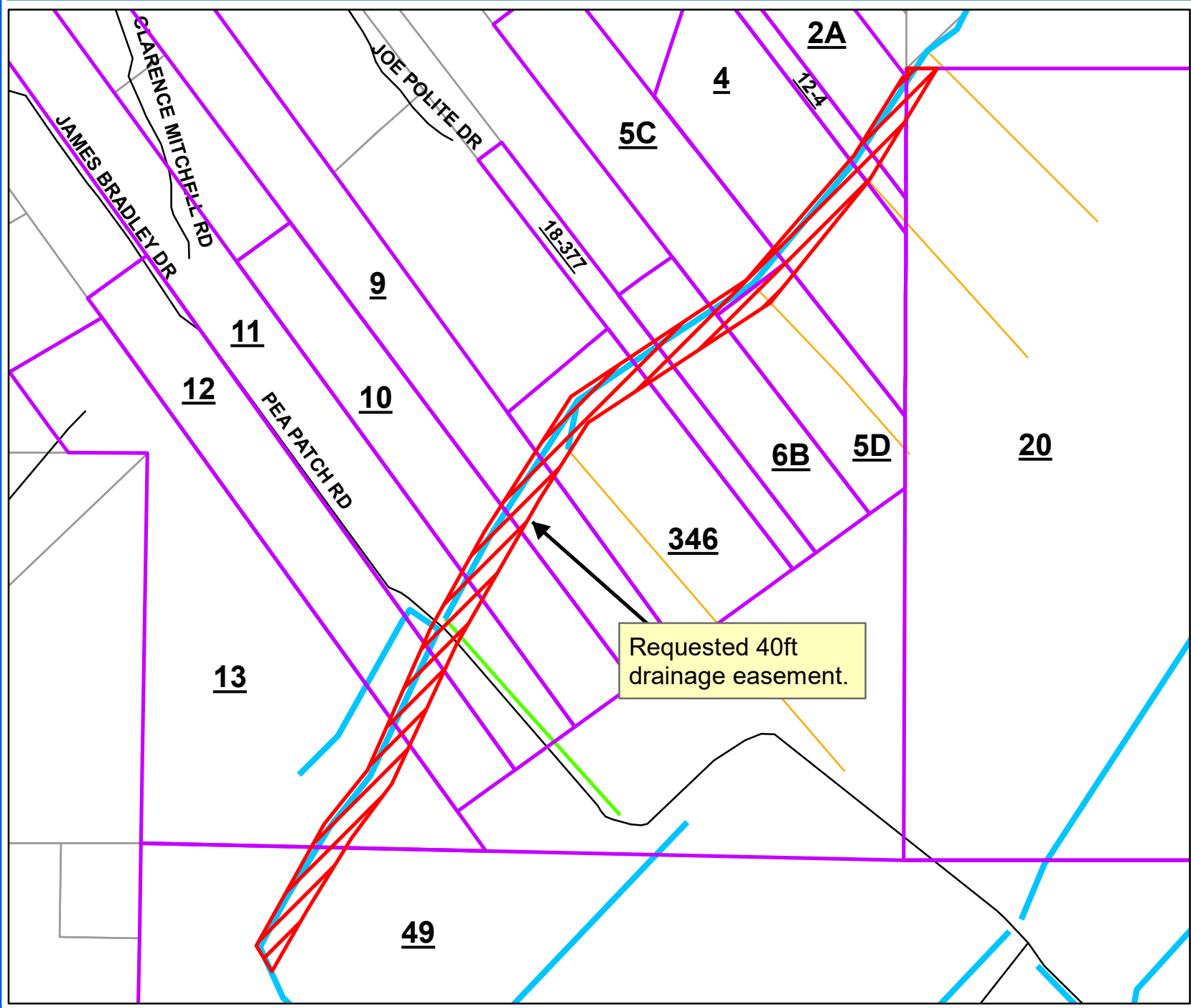


Item 13.

(Exhibit A)
R300-18
Pea Patch Rd 1

Activity: Drainage
Easement

Township:
St. Helena



Legend

- Requested Esmt
- Drainage**
- River
- Creek/Stream
- River/Creek/Marsh BANK
- Channel (fka Outfall)
- Channel Pipe
- Roadside
- Roadside Pipe
- Road Pipe
- Crossline Pipe
- Driveway Pipe
- Lateral
- Lateral Pipe
- Access Pipe
- Bleeder Pipe



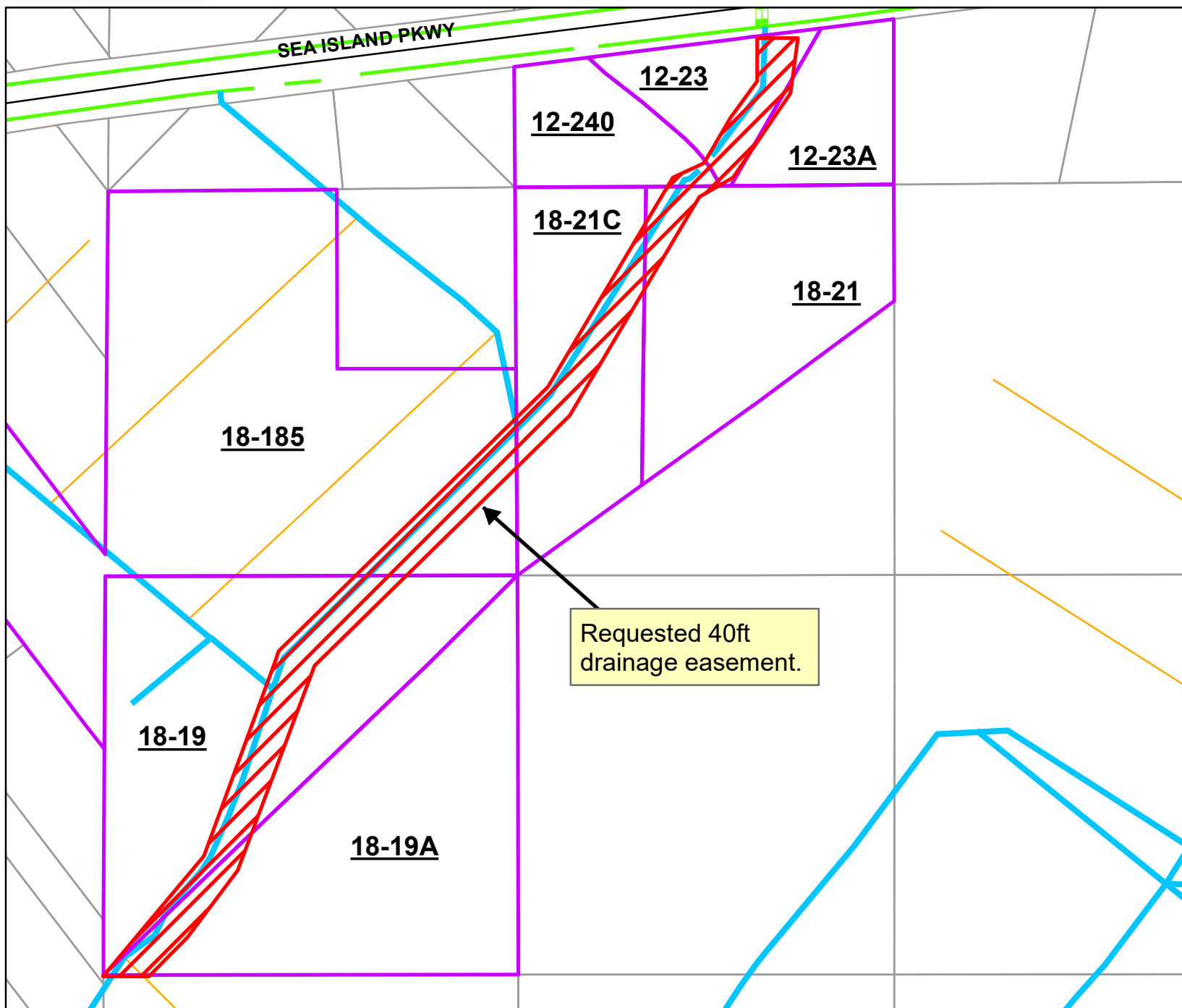
1 inch = 233 feet

Item 13.

(Exhibit A)
R300-
Pea Patch Rd 2

Activity: Drainage
Easement

Township:
St. Helena



Legend

- Requested Esmt
- Drainage**
- River
- Creek/Stream
- River/Creek/Marsh BANK
- Channel (fka Outfall)
- Channel Pipe
- Roadside
- Roadside Pipe
- Road Pipe
- Crossline Pipe
- Driveway Pipe
- Lateral
- Lateral Pipe
- Access Pipe
- Bleeder Pipe

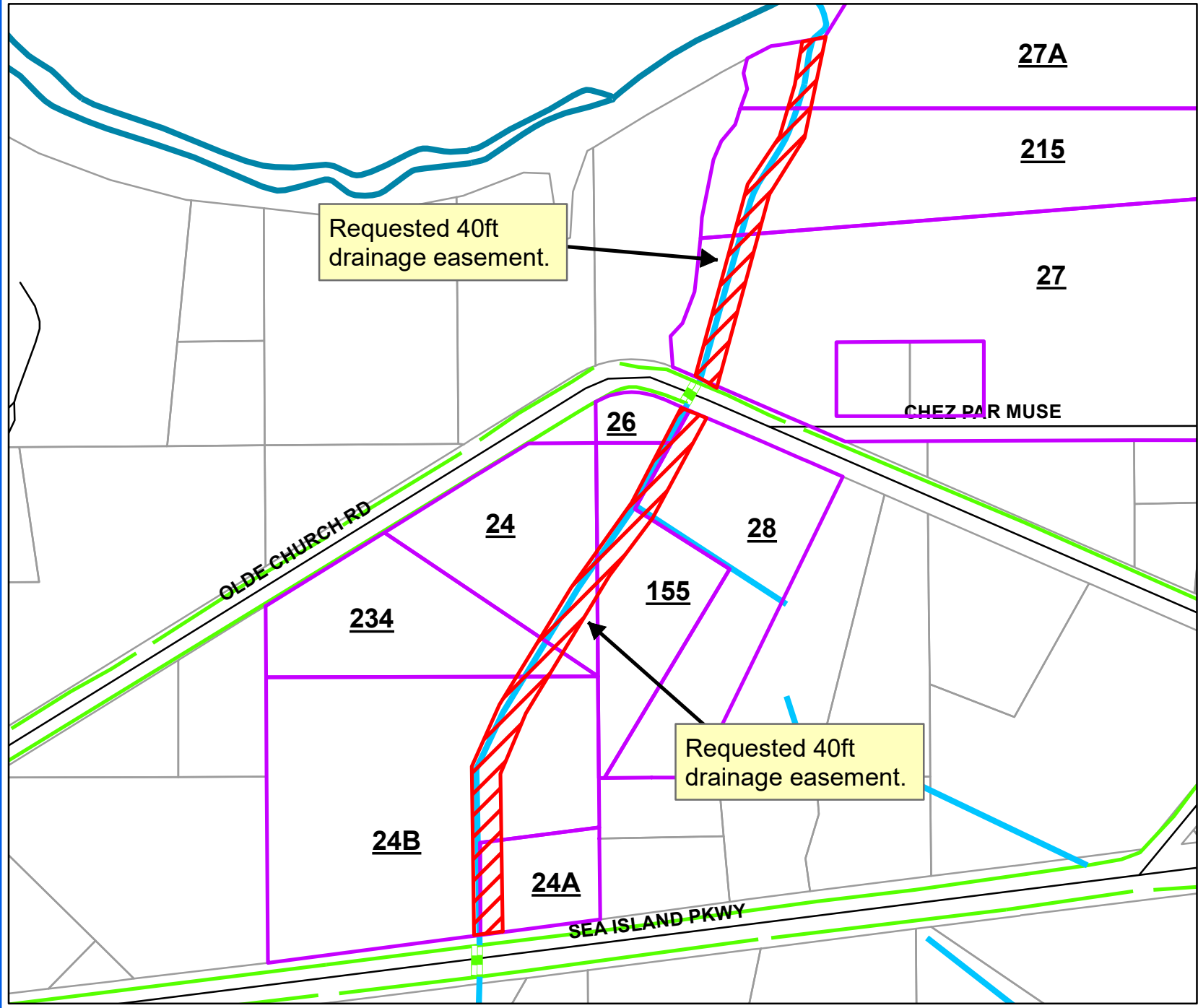


1 inch = 233 feet

(Exhibit A)
R300-12
Pea Patch Rd 3

Activity: Drainage
Easement

Township:
St. Helena



Legend

- Requested Esmt
- Drainage**
- River
- Creek/Stream
- River/Creek/Marsh BANK
- Channel (fka Outfall)
- Channel Pipe
- Roadside
- Roadside Pipe
- Road Pipe
- Crossline Pipe
- Driveway Pipe
- Lateral
- Lateral Pipe
- Access Pipe
- Bleeder Pipe



1 inch = 276 feet



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

| |
|--|
| ITEM TITLE: |
| A RESOLUTION DECLARING THE RESULTS OF A REFERENDUM TO IMPOSE A ONE (1) PERCENT SALES AND USE TAX SUBJECT TO THE REFERENDUM CALLED FOR BY ORDINANCE 2022/36 |
| MEETING NAME AND DATE: |
| County Council, December 12, 2022 |
| PRESENTER INFORMATION: |
| Thomas J. Keaveny, II 5 Minutes |
| ITEM BACKGROUND: |
| On August 8, 2022, Council adopted Ordinance 2022/36 which called for the imposition of a one (1) percent sales and use tax, subject to a referendum, to raise \$100,000,000 over the course of two years to procure open lands or green space for preservation. S. C. Code Sec. 4-10-1020(E) and Ordinance 2022/36, both, require that upon receipt of the returns of the referendum, the county's governing body must, by resolution, declare the results. |
| PROJECT / ITEM NARRATIVE: |
| The purpose of the attached Resolution is to satisfy the requirements of both the state statute and Beaufort County's Ordinance. |
| FISCAL IMPACT: |
| The Resolution itself has no fiscal impact on the County. |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends adoption of the Resolution declaring the results of the referendum. |
| OPTIONS FOR COUNCIL MOTION: |
| Adoption of the Resolution. |

RESOLUTION 2022 /

A RESOLUTION DECLARING THE RESULTS OF A REFERENDUM TO IMPOSE A ONE (1) PERCENT SALES AND USE TAX SUBJECT TO THE REFERENDUM CALLED FOR BY ORDINANCE 2022/36

WHEREAS, on the 8th day of August 2022, County Council adopted an ordinance (Ordinance 2022/36) to levy and impose a one (1) percent sales and use tax, subject to a referendum, within Beaufort County subject to Section 4-10-1010 et seq. of the Code of Laws of South Carolina, 1976 as amended; to define the specific purposes and designate projects for which the proceeds of the tax may be used; to provide the maximum time for which such tax may be imposed; to provide the estimated cost of the projects funded from the proceeds of the tax; to provide for a county-wide referendum on the imposition of the sales and use tax and the issuance of general obligation bonds and to prescribe the contents of the ballot questions in the referendum; to provide for the administration of the tax, if approved; to provide for the payment of the tax, if approved; and to provide for other matters relating thereto; and

WHEREAS, on the 8th day of November 2022, a referendum on the questions set forth in Ordinance 2022/36 was held. Thereafter, Council received from the Beaufort County Board of Elections the Official Results of the referendum (“Official Results”) (Exhibit “A”). The referendum was approved. The Official Results indicate that by a vote of 36,323 (53.03%) to 32,178 (46.97%) voters approved the imposition of a special one percent (1%) sales and use tax to be imposed in Beaufort County for not more than two (2) years to raise up to \$100,000 for preservation procurements for the purpose of procuring open and green space through the acquisition of interests in real property located within or outside the boundaries of Beaufort County (Question 1). The Official Results further indicate that by a vote of 35,862 (52.32%) to 32,679 (47.68%), voters approved the issuance of not exceeding \$100,000 in principal amount of general obligation bonds of Beaufort County maturing over a period of not to exceed two (2) years to fund the procurement of open lands and green space (Question 2); and

WHEREAS, state statute and Ordinance 2022/36, both, provide that upon receipt of the returns of the referendum, the county’s governing body must, by resolution, declare the results thereof.

NOW, THEREFORE, BE IT RESOLVED that the County Council of Beaufort County, South Carolina, does hereby adopt this Resolution and declare the results of the referendum required by Ordinance 2022/36 as set forth herein above.

Adopted this 12th day of December 2022.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council

Election Results Report
General Election
November 8, 2022

Beaufort County, SC

1% Sales and Use Tax for Open Land and Green Spaces Question 1

Vote For 1

| | TOTAL | VOTE % |
|-------------------------------|---------------|----------------|
| Yes, In Favor of the Question | 36,323 | 53.03% |
| No, Opposed to the Question | 32,178 | 46.97% |
| Total Votes Cast | 68,501 | 100.00% |

1% Sales and Use Tax for Open Land and Green Spaces Question 2

Vote For 1

| | TOTAL | VOTE % |
|-------------------------------|---------------|----------------|
| Yes, In Favor of the Question | 35,862 | 52.32% |
| No, Opposed to the Question | 32,679 | 47.68% |
| Total Votes Cast | 68,541 | 100.00% |

City Council Hardeeville

Vote For 2

| | TOTAL | VOTE % |
|-------------------------|-----------|----------------|
| Valarie Guzman | 15 | 41.67% |
| Steve Meersman | 7 | 19.44% |
| Andy Robinson | 10 | 27.78% |
| Stephen Schutz | 4 | 11.11% |
| Write-In Totals | 0 | 0.00% |
| Total Votes Cast | 36 | 100.00% |



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

| |
|---|
| ITEM TITLE: |
| <i>Zoning Map Amendment/Rezoning Request for 4.25 acres at 175 Fording Island Road (R600 022 000 011A 0000) from T2 Rural to C5 Regional Center Mixed Use</i> |
| MEETING NAME AND DATE: |
| <i>Natural Resources Committee Meeting, October 10, 2022</i> |
| PRESENTER INFORMATION: |
| <i>Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion)</i> |
| ITEM BACKGROUND: |
| <i>This rezoning application went before the Beaufort County Planning Commission at their September 8, 2022 meeting. At that time, the Commission voted unanimously to recommend conditional approval of the rezoning. The two conditions of approval are:</i> <i>1) The existing curb cut on the property must be abandoned and no new curb cut will be permitted. 2) 175 Fording Island Road (R600 022 000 011A 0000) will be consolidated into the adjacent Honda dealership property (R600 021 000 0008 0000).</i> |
| PROJECT / ITEM NARRATIVE: |
| <i>The applicant seeks to change the zoning of a 4.25-acre lot at 175 Fording Island Road from T2 Rural (T2R) to C5 Regional Center Mixed Use (C5). The property is currently the site of a vacant, detached single family home. The application packet includes a conceptual plan that proposes expanding the Honda dealership, which is located next door.</i> |
| FISCAL IMPACT: |
| <i>Not applicable</i> |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| <i>Though the proposed zoning change from T2R to C5 is in conflict with the Future Land Use designation laid out in the 2040 Comprehensive Plan and the Community Development code, it is compatible with the changed conditions of the area as a result of the recent Pepper Hall rezoning approved by Council and the Honda dealership's zoning. Staff recommends approval.</i> |
| OPTIONS FOR COUNCIL MOTION: |
| <i>To approve or deny the zoning amendment for 175 Fording Island Road from T2 Rural to C5 Regional Center Mixed Use.</i> |

ORDINANCE 2022/_____

AN ORDINANCE TO AMEND THE ZONING MAP OF BEAUFORT COUNTY TO CHANGE PARCEL ID NUMBER R600 022 000 011A 0000 FROM T2 RURAL TO C5 REGIONAL CENTER MIXED USE

WHEREAS, parcel ID number R600 022 000 011A 0000 is currently zoned as T2 Rural; and

WHEREAS, the owner of the parcel has requested to change the zoning from T2 Rural to C5 Regional Center Mixed Use; and

WHEREAS, the Beaufort County Planning Commission considered the request on September 8, 2022, voting to recommend that County Council approve the request with conditions; and

WHEREAS, County Council now wishes to amend the zoning map to change the parcel’s zoning from T2 Rural to C5 Regional Center Mixed Use.

NOW, THEREFORE be it ordained by County Council in a meeting duly assembled as follows:

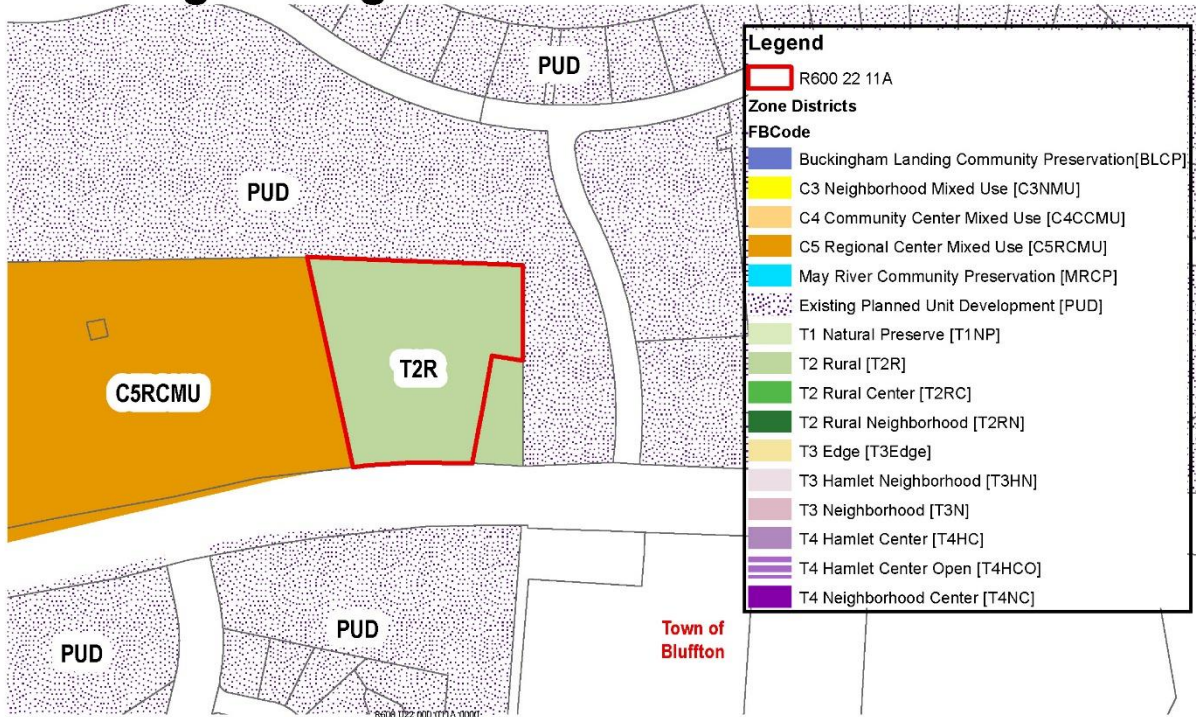
1. The zoning map of the County is hereby amended to reflect the zoning of Parcel ID Number R600 022 000 011A 0000 as C5 Regional Center Mixed Use.
2. Staff is directed to make the changes to the zoning map and to report to all persons necessary or helpful that the zoning has so changed.

Ordained this ____ day of _____, 2022

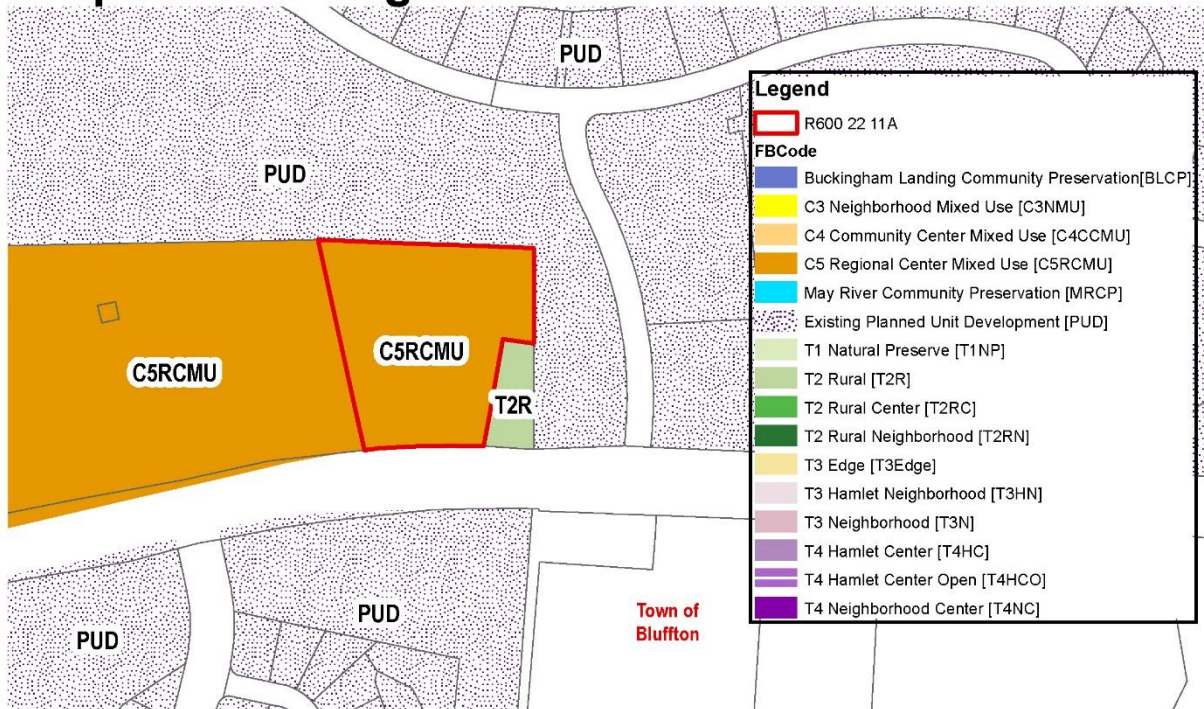
Joseph Passiment, Chairman

Sarah Brock, Clerk to Council

Existing Zoning



Proposed Zoning





MEMORANDUM

TO: Beaufort County Natural Resources Committee

FROM: Juliana Smith, Beaufort County Planning and Zoning Department

DATE: October 10, 2022

SUBJECT: Zoning Map Amendment/Rezoning Request for 4.25 acres at 175 Fording Island Road (R600 022 000 011A 0000) from T2 Rural (T2R) to C5 Regional Center Mixed Use (C5); Applicant: Laura Lewis

STAFF REPORT:

A. BACKGROUND:

Case No. CDPA-000020-2022

Owner/Applicant: Laura Lewis

Property Location: Located at 175 Fording Island Road

District/Map/Parcel: R600 022 000 011A 0000

Property Size: 4.25 acres

Current Future Land Use Designation: Community Commercial

Current Zoning District: T2 Rural

Proposed Zoning District: C5 Regional Center Mixed Use

B. SUMMARY OF REQUEST: The applicant seeks to change the zoning of a 4.25-acre lot at 175 Fording Island Road from T2 Rural (T2R) to C5 Community Center Mixed Use (C5). The property is currently the site of a vacant, detached single family home. The owner has been approached by Hilton Head Honda, which sits on the neighboring property, to purchase the property with the intent to extend their operations (see attached conceptual plan). As a part of the due-diligence period in Hilton Head Honda’s purchase of the property, the owner is seeking a zoning map amendment.

C. EXISTING ZONING: The lot is currently zoned T2R, which is intended to preserve the rural character of Beaufort County. This zone applies to areas that consist of sparsely settled lands in an open or cultivated state. It may include large lot residential, farms where animals are raised or crops are grown, parks, woodland, grasslands, trails, and open space areas. Residential development is permitted at a density of one (1) dwelling unit per three (3) acres. T2R also permits very limited non-residential uses.

- D. PROPOSED ZONING:** The proposed C5 zoning district permits a full range of retail, service, and office uses. Due to the intensity of the district, it can accommodate regional and community commercial and business activities, including larger commercial activities that serve the entire County or highway-oriented businesses that need to be located on major highways. The design requirements for this zone are intended to create more attractive commercial areas than can be found in other counties in order to maintain the attractive tourist and business environment and produce minimal impacts on surrounding residential areas. C5 zoning shall be located in areas designated “regional commercial” in the Comprehensive Plan.
- E. COMPREHENSIVE PLAN FUTURE LAND USE MAP:** This 4.25-acre lot is designated Community Commercial on the Future Land Use Map which is associated with the C4 Community Center Mixed Use zoning district. The Comprehensive Plan states that these areas typically serve nearby residential areas, such as a shopping district anchored by a grocery store.
- F. ZONING MAP AMENDMENT REVIEW STANDARDS:** In determining whether to adopt or deny a proposed Zone Map Amendment, the County Council shall weigh the relevance of and consider whether and the extent to which the proposed amendment:
1. **Is consistent with and furthers the goals, and policies of the Comprehensive Plan and the purposes of this Development Code;** The Land Use chapter of the 2040 Comprehensive Plan indicates this area as Community Commercial. The proposed zoning is inconsistent with the Community Commercial future land use.
 2. **Is not in conflict with any provision of this Development Code, or the Code of Ordinances;** The proposed zoning district is consistent with the neighboring parcel to the west, which is zoned C5. However, the Community Development Code expressly states that C5 shall only be located in areas where the future land use is designated Regional Commercial. This area is designated Community Commercial.
 3. **Addresses a demonstrated community need;** N/A.
 4. **Is required by changed conditions;** Given the commercial nature of this portion of the corridor, T2 Rural zoning is no longer appropriate. This 4.25-acre lot is one of two remaining T2 Rural properties on this stretch of Fording Island Road. The other T2 Rural property is the neighboring property to the east. Both represent holdovers from a time when this corridor was indeed rural. Additionally, the neighboring Honda dealership is zoned C5. And, in October 2016, County Council approved the rezoning of Pepper Hall, which is on the western side of the extant Honda Dealership. That rezoning converted the land use in the area to C5. In sum, it is appropriate to rezone this property to a more commercially oriented use given the present-day conditions on this portion of Highway 278.
 5. **Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land;** It is compatible with existing uses surrounding the property. To the west of this lot there is a Hilton Head Honda dealership, zoned C5 Regional Center Mixed Use. The lot to the east is zoned T2 Rural and, as mentioned in #4, is a lot held over from a time when Highway 278 was more rural. To the north, the property borders an undeveloped and unplatted open-space portion of the Berkeley Hall PUD that is

owned by the Berkeley Hall HOA. Fording Island Road, also known as Highway 278, borders the property's southern edge. Directly across Fording Island Road is the Island West PUD.

6. **Would not adversely affect nearby lands;** See 5 above.
7. **Would result in a logical and orderly development pattern;**
See 4, 5, and 6 above.
8. **Would not result in adverse impacts on the natural environment – including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment:** Any future development would be required to adhere to the natural resource protections, tree protections, wetland protections, and stormwater standards in the Community Development Code and Stormwater BMP Manual. The conceptual plan submitted shows a proposal for how the development would avoid significant wetlands that are on the property.
9. **Would result in development that is adequately served by public facilities (e.g. streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities):** The property is not served by sewer or water, though both are nearby making extensions achievable. Otherwise, the proposed commercial development is adequately served by public facilities.

G. STAFF RECOMMENDATION: Though the proposed zoning change from T2R to C5 is in conflict with the Future Land Use designation laid out in the 2040 Comprehensive Plan and the Community Development code, it is compatible with the changed conditions of the area as a result of the recent Pepper Hall rezoning approved by Council and the Honda dealership's zoning. Staff recommends approval.

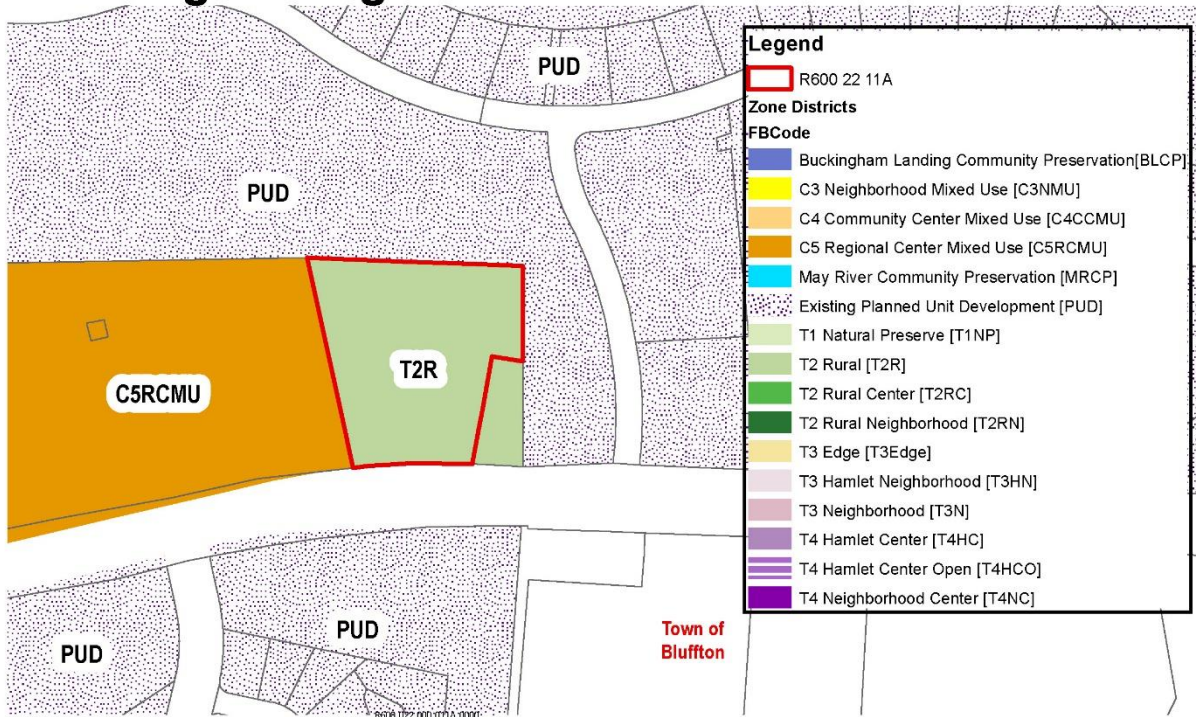
H. BEAUFORT COUNTY PLANNING COMMISSION: At the September 8, 2022 meeting of the Beaufort County Planning Commission, the Commission voted unanimously to recommend conditional approval of the rezoning. The two conditions of approval are:

- 1) The existing curb cut on the property must be abandoned and no new curb cut will be permitted.
- 2) 175 Fording Island Road (R600 022 000 011A 0000) will be consolidated into the adjacent Honda dealership property (R600 021 000 0008 0000).

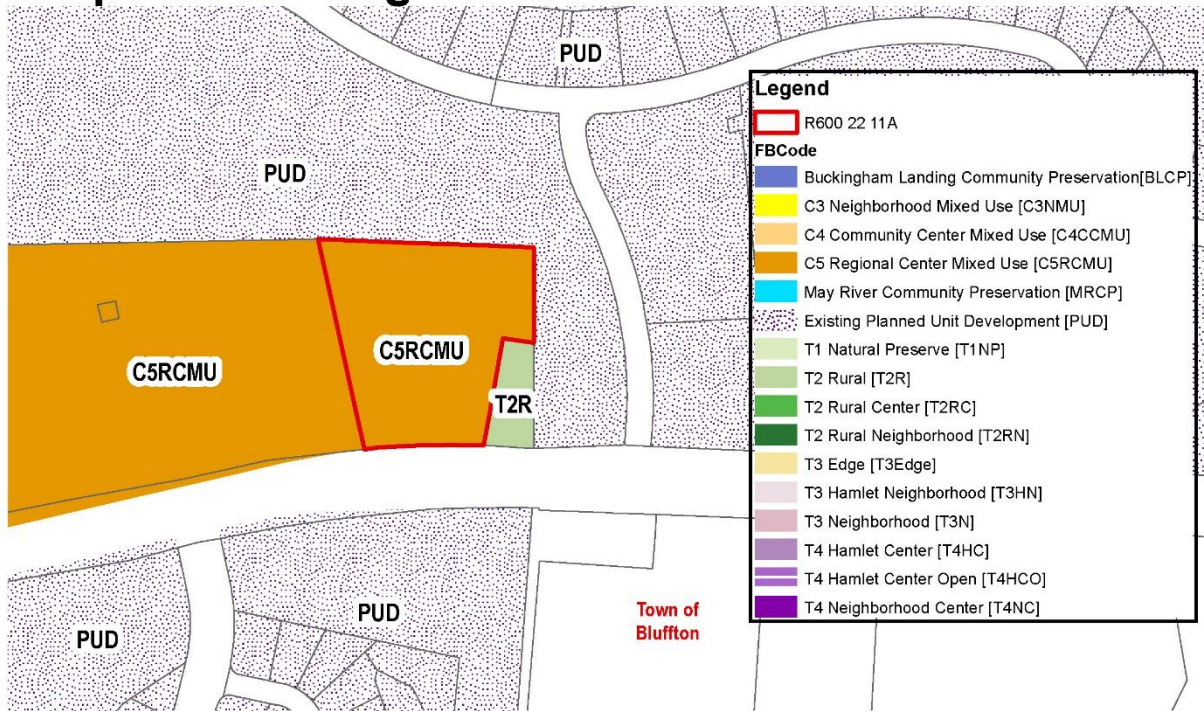
I. ATTACHMENTS

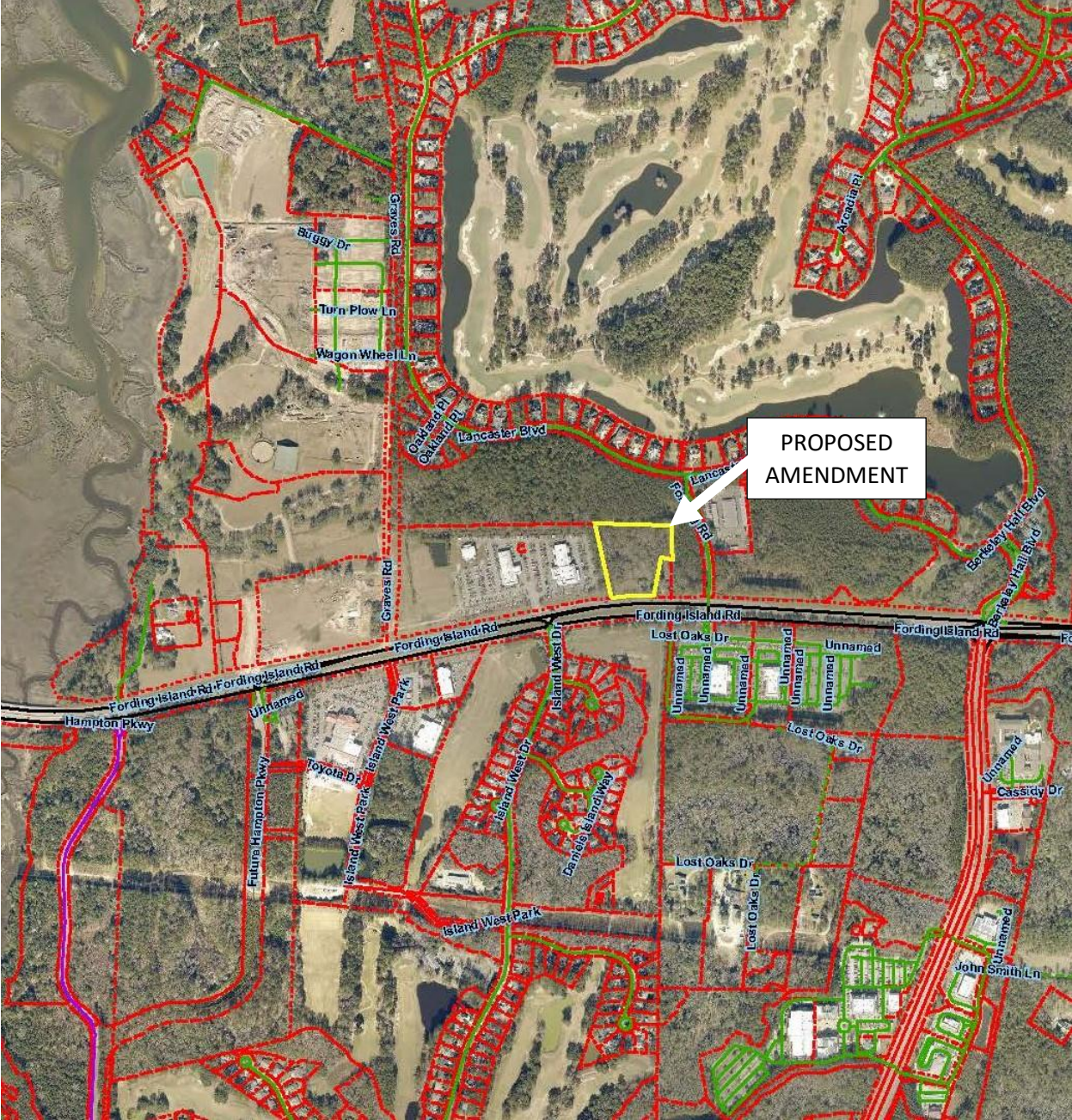
- Zoning Map (existing and proposed)
- Location Map
- Conceptual Site Plan submitted with the Application

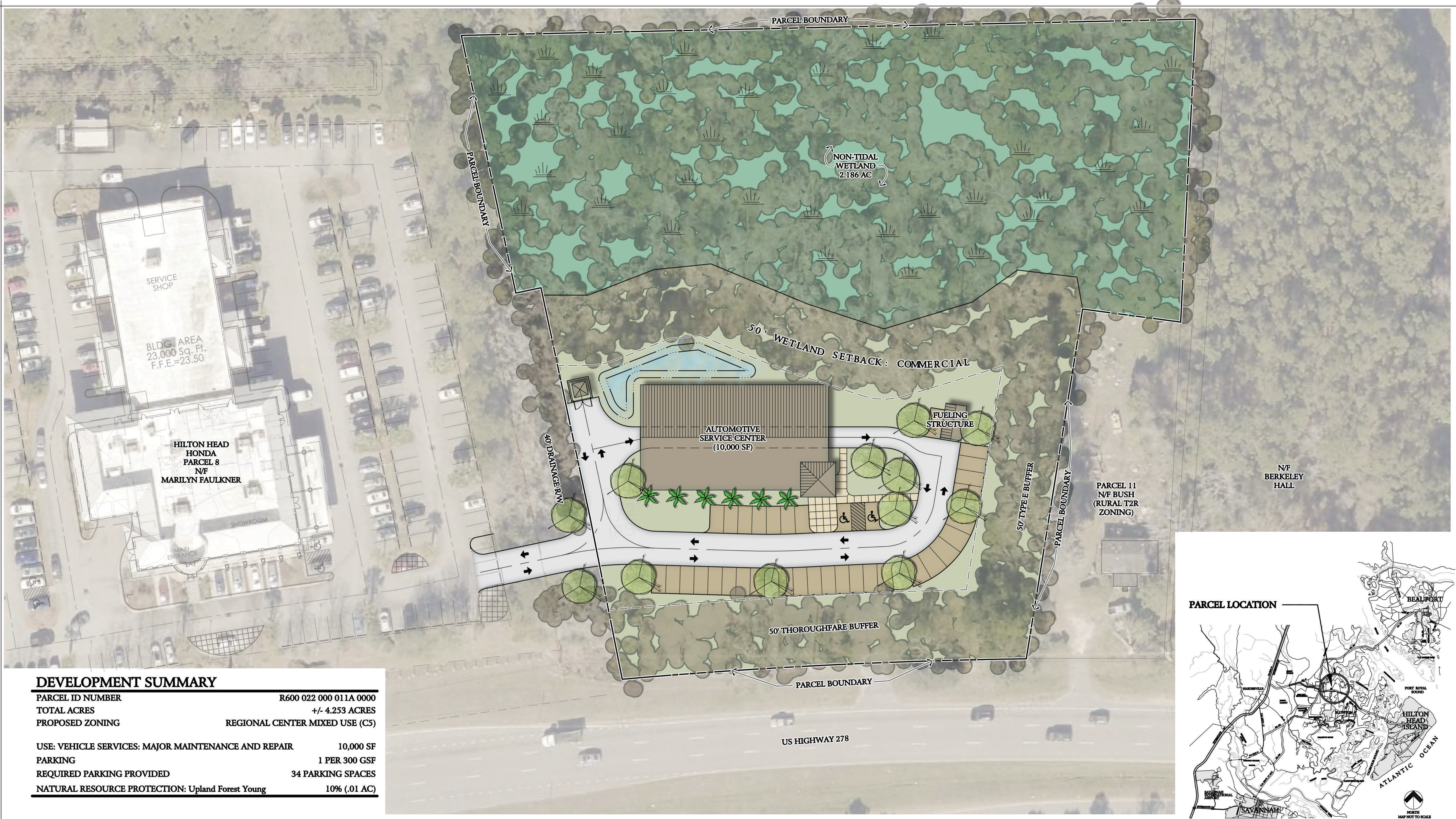
Existing Zoning



Proposed Zoning

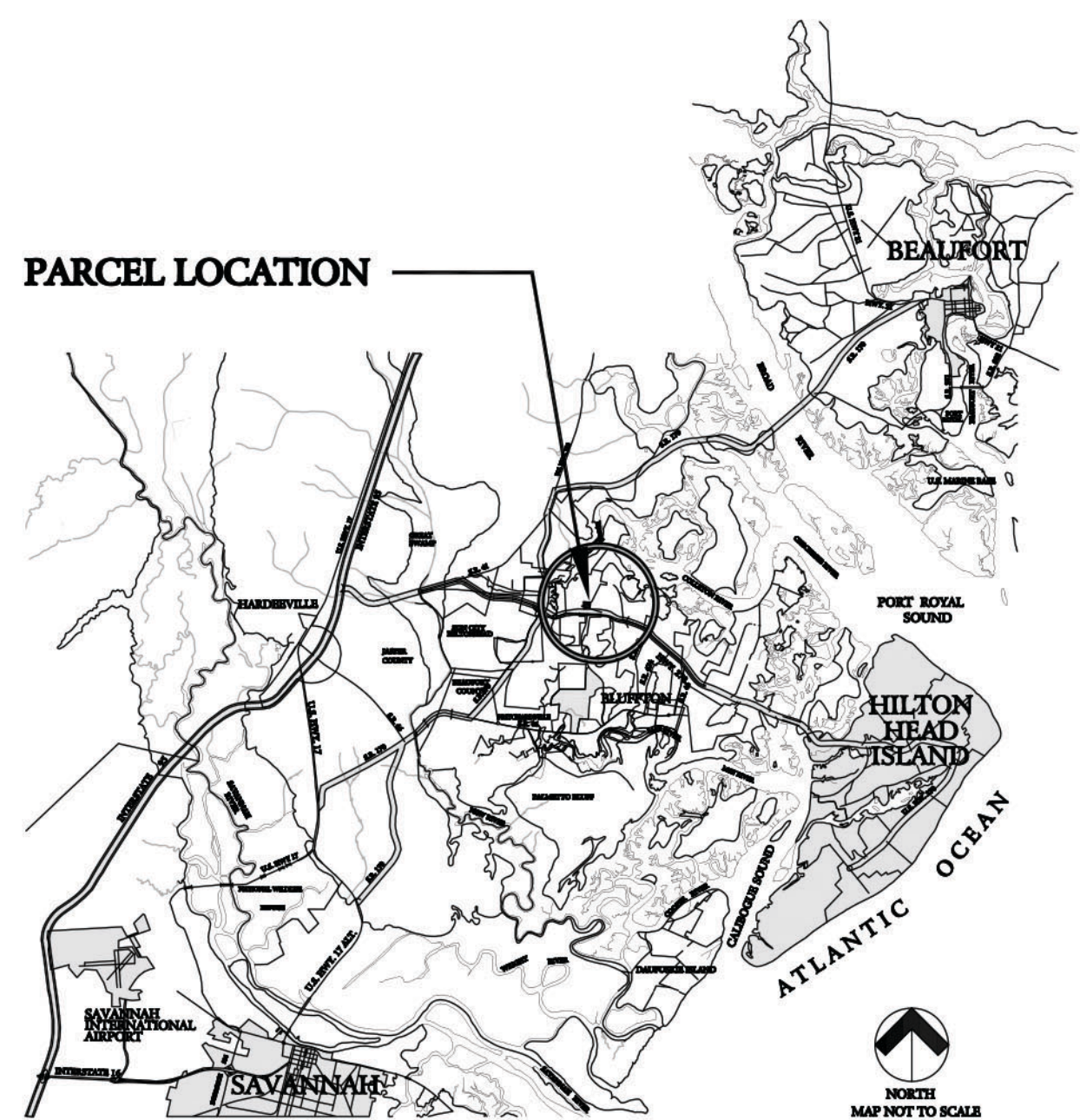






DEVELOPMENT SUMMARY

| | |
|---|--------------------------------|
| PARCEL ID NUMBER | R600 022 000 011A 0000 |
| TOTAL ACRES | +/- 4.253 ACRES |
| PROPOSED ZONING | REGIONAL CENTER MIXED USE (C5) |
| USE: VEHICLE SERVICES: MAJOR MAINTENANCE AND REPAIR | 10,000 SF |
| PARKING | 1 PER 300 SF |
| REQUIRED PARKING PROVIDED | 34 PARKING SPACES |
| NATURAL RESOURCE PROTECTION: Upland Forest Young | 10% (.01 AC) |

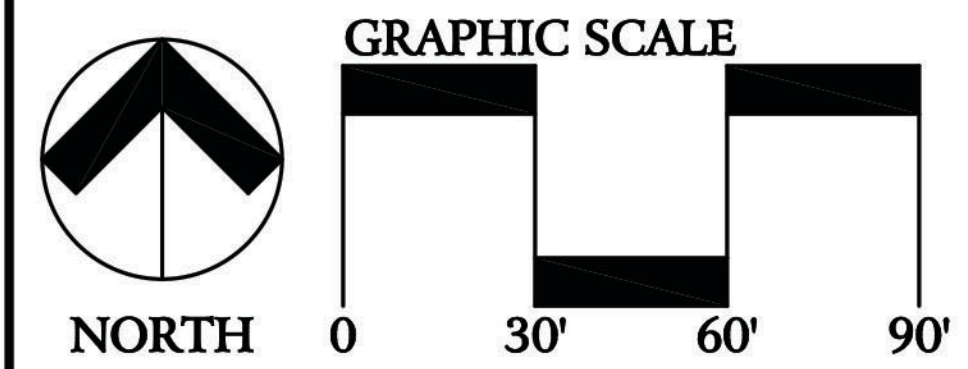


PREPARED FOR:
MFF Enterprises, LLC
 PREPARED BY:

J. K. TILLER ASSOCIATES, INC.
 LAND PLANNING LANDSCAPE ARCHITECTURE
 181 BLUFFTON ROAD, SUITE F203 BLUFFTON, SC 29910
 Voice: 843.815.4800 jktiller@jktiller.com Fax: 843.815.4802

HILTON HEAD HONDA SERVICE CENTER CONCEPTUAL SITE PLAN #1

BEAUFORT COUNTY, SOUTH CAROLINA
 APRIL 6, 2022



THIS IS A CONCEPTUAL PLAN AND IS SUBJECT TO CHANGE. ALL SURVEY INFORMATION AND SITE BOUNDARIES WERE COMPILED FROM A VARIETY OF UNVERIFIED SOURCES AT VARIOUS TIMES AND AS SUCH ARE INTENDED TO BE USED ONLY AS A GUIDE. ALL PROPERTY LINES, TRACT DIMENSIONS AND NARRATIVE DESCRIPTIONS ARE FOR GRAPHIC REPRESENTATION ONLY, AS AN AID TO SITE LOCATION AND POTENTIAL LAND USE, AND ARE NOT LEGAL REPRESENTATIONS AS TO FUTURE USES OR LOCATIONS. J. K. TILLER ASSOCIATES, INC. ASSUMES NO LIABILITY FOR ITS ACCURACY OR STATE OF COMPLETION, OR FOR ANY DECISIONS (REQUIRING ACCURACY) WHICH THE USER MAY MAKE BASED ON THIS INFORMATION.



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

| |
|--|
| ITEM TITLE: |
| <i>Text Amendment to the Community Development Code (CDC): Section 5.11.60 (River Buffer) to clarify penalties for removing trees from the river buffer area without first obtaining appropriate tree removal permits.</i> |
| MEETING NAME AND DATE: |
| <i>Natural Resources Committee Meeting, October 10, 2022</i> |
| PRESENTER INFORMATION: |
| <i>Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion)</i> |
| ITEM BACKGROUND: |
| <i>Staff have been reviewing the Community Development Code (CDC) for necessary amendments as a result of the adoption of the 2040 Comprehensive Plan. During our review, staff have identified necessary major and minor corrections to the CDC to improve and clarify its standards, including changes to the County's river buffer standards. At their September 8, 2022 meeting, the Beaufort County Planning Commission voted unanimously to recommend approval of the amendments.</i> |
| PROJECT / ITEM NARRATIVE: |
| <i>To provide clarity, section 5.11.60.F.4 has been added. This new section mirrors, almost in its entirety, the penalties outlined in Section 5.11.100.D.6, which address penalties for illegal tree removals prior to acquiring a development permit. Specifically, the new section identifies mitigation replanting requirements, including the number and size of trees that must be replanted to mitigate for trees illegally removed from the river buffer. An important difference is that illegal removal of trees in the river buffer will trigger a penalty requiring replacement at 2x the total caliper inches lost in illegal tree removals in the river buffer, as opposed to 1.25x for other illegal tree removals. It additionally provides a provision for mitigation in the form of a reforestation fee only after all possible efforts to replant trees have been made by directly referencing Section 5.11.100.D.7 (Reforestation Fee.).</i> |
| FISCAL IMPACT: |
| <i>Not applicable.</i> |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| <i>Staff recommends approval.</i> |
| OPTIONS FOR COUNCIL MOTION: |
| <i>To approve or deny the proposed amendment to the Community Development Code (CDC): Section 5.11.60 (River Buffer)</i> |

ORDINANCE 2022 / __

**TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC):
SECTION 5.11.60 (RIVER BUFFER) TO CLARIFY PENALTIES FOR REMOVING
TREES FROM THE RIVER BUFFER WITHOUT APPROPRIATE PERMITS.**

WHEREAS, the Community Development Code permits tree removals in the river buffer after appropriate tree removal permits have been issued; and

WHEREAS, Section 5.11.60 of the Community Development Code sets out the development standards for river buffers, but does not explicitly address penalties for illegal tree removals in the river buffer; and

WHEREAS, it is necessary for the Community Development Code to provide clear guidance on development standards and penalties to achieve orderly development of river buffers; and

WHEREAS, the Beaufort County Planning Commission considered the ordinance amendments on September 8, 2022, voting to recommend that County Council approve the proposed amendments; and

NOW, THEREFORE be it ordained by County Council in a meeting duly assembled that Section 5.11.60 of the Community Development Code is hereby amended as set forth in Exhibit A hereto. Deletions in the existing code are stricken through. Additions are highlighted and underlined.

Adopted this ___ day of _____ 2022.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, JD, Clerk to Council

5.11.60 River Buffer

F. Buffer Disturbance. There shall be no disturbance of the river buffer established in Table 5.11.60.A, except as allowed for bulkheads, rip-rap and erosion control devices, view corridors, and other allowable disturbances authorized in this Section.

1. **Re-vegetation.** Any disturbance of the shoreline within the river buffer landwards of the OCRM critical line shall require submission of a re-vegetation plan. A principle objective of the plan is to preserve and replace as much of the on-site pre-construction native vegetation to the extent possible. Other acceptable landscaping plants are found in the SCDHEC publication entitled "Backyard Buffers", publication CR-003206 (11/00). The re-vegetation plan shall be prepared by a landscape designer or landscape architect. The re-vegetation plan shall be designed so that upon plant maturity, the disturbed area is completely vegetated.
2. **Removal of Trees.** Except for invasive species; see Section 5.11.100.G (Removal of Invasive Tree Species), removal of any tree within a river buffer shall require a tree removal permit; see Section 7.2.50 (Tree Removal Permit). Removal of trees shall require plant back inch for inch (DBH) of trees removed, except in those instances in which a tree is dead, hollow, or has another condition that poses a hazard to people or structures on the property or adjoining property as determined in writing by a certified arborist. In those cases, the tree shall be replaced with one 2.5-inch minimum caliper tree. If all tree inches cannot be planted back on site due to site constraints, the remaining tree inches shall be subject to a general county reforestation fee; see Section 5.11.100.D.3 (Reforestation Fee).
3. **Slope Stabilization of Re-Vegetated Areas.** Re-vegetation of areas landward of the OCRM critical line with slope topography in excess of a 1:3 slope shall also include slope stabilization measures in compliance with SCDOT standards, as set forth in Section 205, Embankment Construction, of the SCDOT Standard Specifications for Highway Construction, Edition of 2000, as amended.
4. **Penalty for Removing Trees Prior to Permitting.** If trees are cut down prior to receiving all necessary permits from the County, mitigation will be required to replace the removed trees. Mitigation shall involve the replanting of trees a minimum of 2.5 caliper inches with a total caliper equal to 2 times that of the DBH of the trees removed. If all tree inches cannot be planted back on site due to site constraints, the remaining tree inches shall be subject to a general county reforestation fee; see Section 5.11.100.D.7 (Reforestation Fee). Reforestation fees will only be considered after all possible mitigation trees are planted within the river buffer.



MEMORANDUM

TO: Beaufort County Natural Resources Committee

FROM: Juliana Smith, Beaufort County Planning and Zoning Department

DATE: October 10, 2022

SUBJECT: Proposed Text Amendments to Section 5.11.60 (River Buffer)

STAFF REPORT:

A. BACKGROUND:

Proposed changes to Section 5.11.60 (River Buffer) will clarify penalties for removing trees from the buffer area without first obtaining appropriate tree removal permits. Beaufort County has made efforts to explicitly protect river buffers from disturbance in order to protect properties from erosion, to stabilize stream banks, to protect water quality, to maintain natural habitat for native flora and fauna, and to protect viewsheds from our waterways. Yet, the Community Development Code does not provide clear guidance on the appropriate penalties if a property owner illegally removes trees from the River Buffer. This amendment seeks to provide clarity on the required mitigation and/or fee required if trees are illegally removed from river buffers.

B. SUMMARY OF PROPOSED REVISIONS: To provide clarity, section 5.11.60.F.4 has been added. This new section mirrors, almost in its entirety, the penalties outlined in Section 5.11.100.D.6, which address penalties for illegal tree removals prior to acquiring a development permit. Specifically, the new section identifies mitigation replanting requirements, including the number and size of trees that must be replanted to mitigate for trees illegally removed from the river buffer. An important difference is that illegal removal of trees in the river buffer will trigger a penalty requiring replacement at 2x the total caliper inches lost in illegal tree removals in the river buffer, as opposed to 1.25x for other illegal tree removals. It additionally provides a provision for mitigation in the form of a reforestation fee only after all possible efforts to replant trees have been made by directly referencing Section 5.11.100.D.7 (Reforestation Fee.).

C. STAFF RECOMMENDATION: Staff recommends approval.

D. BEAUFORT COUNTY PLANNING COMMISSION: At the September 8, 2022 meeting of the Beaufort County Planning Commission, the Commission voted unanimously to recommend approval of the text amendments.

E. ATTACHMENTS: Revised Community Development Code Section 5.11.60 (River Buffer)

5.11.60 River Buffer

F. Buffer Disturbance. There shall be no disturbance of the river buffer established in Table 5.11.60.A, except as allowed for bulkheads, rip-rap and erosion control devices, view corridors, and other allowable disturbances authorized in this Section.

1. **Re-vegetation.** Any disturbance of the shoreline within the river buffer landwards of the OCRM critical line shall require submission of a re-vegetation plan. A principle objective of the plan is to preserve and replace as much of the on-site pre-construction native vegetation to the extent possible. Other acceptable landscaping plants are found in the SCDHEC publication entitled "Backyard Buffers", publication CR-003206 (11/00). The re-vegetation plan shall be prepared by a landscape designer or landscape architect. The re-vegetation plan shall be designed so that upon plant maturity, the disturbed area is completely vegetated.
2. **Removal of Trees.** Except for invasive species; see Section 5.11.100.G (Removal of Invasive Tree Species), removal of any tree within a river buffer shall require a tree removal permit; see Section 7.2.50 (Tree Removal Permit). Removal of trees shall require plant back inch for inch (DBH) of trees removed, except in those instances in which a tree is dead, hollow, or has another condition that poses a hazard to people or structures on the property or adjoining property as determined in writing by a certified arborist. In those cases, the tree shall be replaced with one 2.5-inch minimum caliper tree. If all tree inches cannot be planted back on site due to site constraints, the remaining tree inches shall be subject to a general county reforestation fee; see Section 5.11.100.D.3 (Reforestation Fee).
3. **Slope Stabilization of Re-Vegetated Areas.** Re-vegetation of areas landward of the OCRM critical line with slope topography in excess of a 1:3 slope shall also include slope stabilization measures in compliance with SCDOT standards, as set forth in Section 205, Embankment Construction, of the SCDOT Standard Specifications for Highway Construction, Edition of 2000, as amended.
4. **Penalty for Removing Trees Prior to Permitting.** If trees are cut down prior to receiving all necessary permits from the County, mitigation will be required to replace the removed trees. Mitigation shall involve the replanting of trees a minimum of 2.5 caliper inches with a total caliper equal to 2 times that of the DBH of the trees removed. If all tree inches cannot be planted back on site due to site constraints, the remaining tree inches shall be subject to a general county reforestation fee; see Section 5.11.100.D.7 (Reforestation Fee). Reforestation fees will only be considered after all possible mitigation trees are planted within the river buffer.



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

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|---|
| ITEM TITLE: |
| AN ORDINANCE AMENDING THE BEAUFORT COUNTY CODE OF ORDINANCES, CHAPTER 74 – BUILDING AND BUILDING REGULATIONS, SECTION 74-64, ADOPTION OF BUILDING CODES (AMENDS CODE OF ORDINANCES TO ADOPT THE 2021 STATE MANDATED CODE EDITIONS) |
| MEETING NAME AND DATE: |
| Natural Resources Committee - October 10, 2022 |
| PRESENTER INFORMATION: |
| Chuck Atkinson, ACA Development and Recreation <i>5 Minutes</i> |
| ITEM BACKGROUND: |
| On October 6, 2021, the South Carolina Building Codes Council adopted the latest editions of the mandatory codes and appendices with modifications, as referenced in S.C. Code Ann. §6-9-50 (1976, as amended), to be enforced by all municipalities and counties in South Carolina. The Council established the implementation date for local jurisdictions as January 1, 2023. Local adoption of the latest state mandated code editions is required under state law. |
| PROJECT / ITEM NARRATIVE: |
| Local adoption of state mandated building code editions |
| FISCAL IMPACT: |
| No Fiscal Impact. |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Staff recommends approval. |
| OPTIONS FOR COUNCIL MOTION: |
| Motion to approve/deny - AN ORDINANCE AMENDING THE BEAUFORT COUNTY CODE OF ORDINANCES, CHAPTER 74 – BUILDING AND BUILDING REGULATIONS, SECTION 74-64, ADOPTION OF BUILDING CODES (AMENDS CODE OF ORDINANCES TO ADOPT THE 2021 STATE MANDATED CODE EDITIONS) Move forward to Council for First Reading |



South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
 110 Centerview Dr • Columbia • SC • 29210
 P.O. Box 11329 • Columbia • SC • 29211-1329
 Phone: 803-896-4688 • contact.bcc@llr.sc.gov • Fax: 803-896-4814
 llr.sc.gov/bcc

2021 MODIFICATION INDEX

*Modification Index numbers below are hyperlinked to the referenced modifications. The LLR logo on each modification page links back to index.

| MODIFICATION INDEX NUMBER | CODE SECTION | REQUESTING ASSOCIATION/ JURISDICTION | NEW/ CONTINUATION |
|-----------------------------|---|--|-------------------|
| 2021 IBC | | | |
| IBC 2021-01 | [A] 101.4.7 Existing Buildings | American Concrete Institute (ACI) | New |
| IBC 2021-02 | 202 Definitions | BOASC | Continuation |
| IBC 2021-04 | 303.4 Assembly Group A-3 | BOASC | Continuation |
| IBC 2021-05 | 312.1 General "Primitive Camp Structure" | BOASC | Continuation |
| IBC 2021-07 | 706.1 General | BOASC | Continuation |
| IBC 2021-10 | 1010.2.14 Controlled egress doors in Groups I-1 and I-2 (also in IFC) | Midlands Fire Marshal's Association | New |
| IBC 2021-11 | 1016.2 Egress through intervening spaces | BOASC | Continuation |
| IBC 2021-14 | 1803.2 Investigations required | BOASC | Continuation |
| IBC 2021-16 | 1907.1 General | Structural Engineers | Continuation |
| IBC 2021-17 | 2303.2.2 Other means during manufacture | BOASC | Continuation |
| IBC 2021-18 | Appendix H Signs | Structural Engineers | Continuation |
| 2021 IRC | | | |
| IRC 2021-01 | R202 Definitions - Accepted Eng. Practice | Coastal Code Enforcement Association of SC | Continuation |
| IRC 2021-02 | R202 Definitions - Crawl Space | HBA of SC | New |
| IRC 2021-04 | R301.2.1 Wind Design Criteria | HBA of SC | New |
| IRC 2021-05 | R301.2.2.1 Determination of seismic design category | HBA of SC | New |
| IRC 2021-06 | R302.1 Exterior Walls (Add Exception 6) | Coastal Code Enforcement Association of SC | Continuation |
| IRC 2021-07 | R302.1 Exterior Walls (Add Exception 7) | BOASC | New |
| IRC 2021-09 | R302.4.1 Through penetrations | BOASC | New |
| IRC 2021-10 | R302.5.1 Opening protection | HBA of SC | Continuation |
| IRC 2021-11 | R302.13 Fire Protection of floors | HBA of SC | Continuation |
| IRC 2021-12 | R303.4 Mechanical ventilation | Coastal Code Enforcement Association of SC | Continuation |
| IRC 2021-13 | Figure R307.1 Minimum Fixture Clearances | HBA of SC | Continuation |
| IRC 2021-15 | R311.7.5.1 Risers | Structural Engineers Association of SC | Continuation |
| IRC 2021-16 | R312.1.1 Where required | HBA of SC | Continuation |
| IRC 2021-17 | R312.2 Window fall protection | HBA of SC | Continuation |
| IRC 2021-18 | R313 Automatic Fire Sprinkler Systems | HBA of SC | Continuation |
| IRC 2021-22 | R317.1.1 Field treatment | Structural Engineers Association of SC | Continuation |
| IRC 2021-23 | R318.1 Subterranean termite control methods | HBA of SC | Continuation |
| IRC 2021-24 | R318.4 Foam Plastic Protection | HBA of SC | Continuation |
| IRC 2021-25 | R318.5 Termite Inspection Strip | HBA of SC | New |
| IRC 2021-28 | R322.1 General | BOASC | Continuation |
| IRC 2021-29 | R326.3 Story above grade plane | HBA of SC | New |
| IRC 2021-31 | R404.1.9.2 Masonry Piers Supporting floor girders | HBA of SC & Structural Engineers Association of SC | Continuation |

| MODIFICATION INDEX NUMBER | CODE SECTION | REQUESTING ASSOCIATION/ JURISDICTION | NEW/ CONTINUATION |
|----------------------------------|---|---|----------------------------|
| IRC 2021-32 | R408.3 Unvented Crawl Space | Structural Engineers Association of SC | Continuation |
| IRC 2021-33 | R408.3(2.2) Unvented crawl space | HBA of SC | New |
| IRC 2021-34 | R408.4 Access | HBA of SC | Continuation |
| IRC 2021-35 | R408.8 Under-floor vapor retarder | HBA of SC | New |
| IRC 2021-36 | R502.11.4 Truss design drawings | HBA of SC | Continuation |
| IRC 2021-37 | R506.2.3 Vapor retarder | Structural Engineers Association of SC | Continuation |
| IRC 2021-38 | R606.7 Piers | Structural Engineers Association of SC | Continuation |
| IRC 2021-39 | R802.10.1 Truss design drawings | HBA of SC | Continuation |
| IRC 2021-40 | R905.2.8.5 Drip Edge | HBA of SC | Continuation |
| IRC 2021-41 | Chapter 11 Energy Efficiency | HBA of SC | Continuation |
| IRC 2021-42 | M1411.6 Insulation of refrigerant piping | HBA of SC | Continuation |
| IRC 2021-43 | M1411.9 Locking access port caps | HBA of SC | Continuation |
| IRC 2021-44 | M1502.3 Duct termination | HBA of SC | Continuation |
| IRC 2021-45 | M1502.4.2 Duct Installation | HBA of SC | Continuation |
| IRC 2021-46 | M1502.4.6 Duct length | HBA of SC | Continuation |
| IRC 2021-47 | M1503.6 Makeup air | HBA of SC | Continuation |
| IRC 2021-48 | M1504.3 Exhaust Openings | HBA of SC | Continuation |
| IRC 2021-49 | M1601.4.1 Joints, Seams and Connections | HBA of SC | Continuation |
| IRC 2021-50 | G2418.2 Design and installation | HBA of SC | Continuation |
| IRC 2021-51 | P2503.6 Shower liner test | HBA of SC | Continuation |
| IRC 2021-52 | P2503.6 Shower liner test | HBA of SC | New (Adds to continuation) |
| IRC 2021-53 | P2603.2.1 Protection against physical damage | HBA of SC | New |
| IRC 2021-54 | P2603.5 Freezing | HBA of SC | Continuation |
| IRC 2021-55 | P2603.5 Freezing | HBA of SC | New (Adds to continuation) |
| IRC 2021-56 | P2705.1 (3) General | HBA of SC | New |
| IRC 2021-57 | P2708.4 Shower control valves | HBA of SC | New |
| IRC 2021-58 | P2713.3 Bathtub and whirlpool bathtub valves | HBA of SC | New |
| IRC 2021-60 | P2903.10 Hose bibb | HBA of SC | Continuation |
| IRC 2021-62 | P2904.2.4.2.1 Additional requirements for pendant sprinklers | SC Master Plumbers Association | New |
| IRC 2021-66 | E3606.5 Surge Protection | HBA of SC | New |
| IRC 2021-67 | E3802.4 In unfinished basements | HBA of SC | Continuation |
| IRC 2021-69 | E3901.4.2 (1) – Island and peninsular countertops and work spaces | HBA of SC | New |
| IRC 2021-70 | E3902 Ground-Fault & Arc-Fault Circuit-Interrupter Protection | HBA of SC | New |
| IRC 2021-71 | E3902.5 Basement Receptacles | HBA of SC | New |
| IRC 2021-73 | E3902.17 Arc-Fault Circuit Interrupter Protection | HBA of SC | Continuation |
| IRC 2021-75 | E4002.14 Tamper-resistant receptacles | HBA of SC | New |
| IRC 2021-76 | Chapter 44 Referenced Standards | AHRI | New |
| IRC 2021-77 | Appendix AH Patio Covers | Structural Engineers Association of SC | Continuation |
| IRC 2021-78 | Appendix AJ Existing Buildings and Structures | Structural Engineers Association of SC | Continuation |
| IRC 2021-79 | Appendix AQ Tiny Houses | BOASC | Continuation |

| MODIFICATION INDEX NUMBER | CODE SECTION | REQUESTING ASSOCIATION/ JURISDICTION | NEW/ CONTINUATION |
|---------------------------|--|--------------------------------------|-------------------|
| 2021 IFC | | | |
| IFC 2021-02 | 202 General definitions - Primitive camp structure | BOASC | Continuation |
| IFC 2021-03 | 202 General definitions - A-3 occupancies | BOASC | Continuation |
| IFC 2021-04 | 202 General definitions - Recreational Fire | SC Fire Marshal's Association | Continuation |
| IFC 2021-05 | 315.3.3 Equipment rooms | Midlands Fire Marshal's Association | New |
| IFC 2021-07 | 319.11 Clearance requirements (New Section) | Midlands Fire Marshal's Association | New |
| IFC 2021-08 | 503.1.2 Additional Access | HBA of SC | New |
| IFC 2021-09 | 503.1.2.1 One- or two-family dwelling residential developments having less than 50 units (New section) | HBA of SC | New |
| IFC 2021-10 | 503.2.1 Dimensions | HBA of SC | Continuation |
| IFC 2021-11 | 507.1 Required water supply | Charleston Fire Department | Continuation |
| IFC 2021-12 | 507.5.1 Where Required | Charleston Fire Department | Continuation |
| IFC 2021-13 | 507.5.1.1 Hydrant for standpipe systems | Midlands Fire Marshal's Association | New |
| IFC 2021-14 | 507.5.4 Obstruction | Midlands Fire Marshal's Association | New |
| IFC 2021-16 | 607.1 General | Midlands Fire Marshal's Association | New |
| IFC 2021-19 | 901.6.3 Records | Charleston Fire Department | Continuation |
| IFC 2021-22 | 907.6.5 Access | Midlands Fire Marshal's Association | New |
| IFC 2021-24 | 1010.2.14 Controlled egress doors in Groups I-1 and I-2 (Also in IBC) | Midlands Fire Marshal's Association | New |
| IFC 2021-25 | 1016.2 Egress through intervening spaces | Charleston Fire Department | Continuation |
| IFC 2021-31 | 2303.2.2 Testing (New section) | Midlands Fire Marshal's Association | New |
| IFC 2021-33 | 2305.5 Fire extinguishers | Midlands Fire Marshal's Association | New |
| IFC 2021-34 | 2307.4 Location of dispensing operations and equipment | SCPGA | Continuation |
| IFC 2021-35 | 2307.7 Public fueling of motor vehicles | SCPGA | Continuation |
| IFC 2021-38 | 6101.1 Scope | SC Fire Marshal's Association | Continuation |
| IFC 2021-41 | 6106.1 Attendants | SC Fire Marshal's Association | Continuation |
| IFC 2021-42 | 6107.4 Protecting containers from vehicles | SC Fire Marshal's Association | Continuation |
| IFC 2021-43 | 6109.13 Protection of containers | SC Fire Marshal's Association | Continuation |
| IFC 2021-44 | 6110.1 Removed from service | SC Fire Marshal's Association | Continuation |
| IFC 2021-45 | 6111.2.1 Near residential, educational and institutional occupancies and other high-risk areas | SC Fire Marshal's Association | Continuation |
| 2021 IPC | | | |
| IPC 2021-01 | 202 General Definitions - Drinking Fountain | Carolinas AGC | New |
| IPC 2021-02 | 202 General Definitions - Bottle Filling Station | Carolinas AGC | New |
| IPC 2021-03 | 202 General Definitions - Water Cooler | Carolinas AGC | New |
| IPC 2021-04 | 202 General Definitions - Water Dispenser | Carolinas AGC | New |
| IPC 2021-05 | Table 403.1 Minimum number of required plumbing fixtures | Carolinas AGC | New |
| IPC 2021-06 | 410.4 Substitution | Carolinas AGC | New |
| 2021 IMC | | | |
| IMC 2021-01 | 504.9.2 Duct Installation | BOASC | Continuation |
| IMC 2021-02 | Table 1103.1 Refrigerant Classification Amount and OEL | AHRI | New |

| MODIFICATION INDEX NUMBER | CODE SECTION | REQUESTING ASSOCIATION/ JURISDICTION | NEW/ CONTINUATION |
|----------------------------------|---|---|--------------------------|
| IMC 2021-03 | 1104.3 System Application Requirements | AHRI | New |
| IMC 2021-04 | Chapter 15 Referenced Standards | AHRI | New |
| 2021 IFGC | | | |
| IFGC 2021-01 | 401.9 Identification | SCPGA | Continuation |
| IFGC 2021-02 | 401.10 Third-party testing and certification | SCPGA | Continuation |
| IFGC 2021-03 | 412.4 Listed equipment | SCPGA | Continuation |
| IFGC 2021-04 | 412.6 Location | SCPGA | Continuation |
| IFGC 2021-05 | 412.8.3 Vehicle impact protection | SCPGA | Continuation |
| IFGC 2021-06 | 412.10 Private fueling of motor vehicles | SCPGA | Continuation |
| IFGC 2021-07 | 505.1.1 Commercial cooking appliances vented by exhaust hoods | Piedmont Natural gas | Continuation |
| 2020 NEC | | | |
| NEC 2020-03 | 210.8(A)(5) Basements | HBA of SC | New |
| NEC 2020-04 | 210.8(F) Outdoor Outlets | HBA of SC | New |
| NEC 2020-05 | 210.12 Arc-Fault Circuit-Interpreter Protection | HBA of SC | New |
| NEC 2020-06 | 230.67 Surge Protection | HBA of SC | New |



South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Building Code

Modification Index Number: IBC 2021-01

Code Section: [A] 101.4.7 Existing Buildings

Modification:

[A] 101.4.7 Existing buildings. The provisions of the South Carolina Existing Building Code shall apply to matters governing the repair, alternation, change of occupancy, addition to and relocation of existing buildings.

101.4.7.1 Structural Concrete. In addition, assessment, repairs, and restoration of structural concrete in accordance with ACI 562 shall be permitted.

Exception:
ACI 562 shall not be used for the evaluation or design of repairs or rehabilitation of elements of seismic force-resisting system that result in strength, stiffness, or ductility of those elements different from the pre-damage condition.

Add new referenced standard to Chapter 16 as follows:

ACI American Concrete Institute
38800 Country Club Drive
Farmington Hills, MI 48331
Standard reference number Title Referenced in code section number
562-19 Code Requirements for Assessment, Repair, and Rehabilitation of Existing Concrete Structures
101.4.7.1

Proponent: American Concrete Institute (ACI)

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| n/a | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Building Code

Modification Index Number: IBC 2021-02

Code Section: 202 Definitions

Modification:

VAPOR RETARDER, GROUND CONTACT. Ground contact vapor retarder class shall be defined using the requirements of ASTM E1745, Class A, B, or C-Standard specification for water vapor retarders used in contact with soil or granular fill under concrete slabs.

PRIMITIVE CAMP STRUCTURE. Shall include any structure permanent or temporary in nature, used for outdoor camping (transient), open on at least one side with no fully enclosed habitable spaces, less than 400 square feet under roof, and not classified as a residential occupancy due to lack of electrical, plumbing, mechanical and sprinkler systems.

Proponent: BOASC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IBC 2018 | IBC 2018 01 | 202 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Building Code

Modification Index Number: IBC 2021-04

Code Section: 303.4 Assembly Group A-3

Modification:

303.4 Assembly Group A-3. Group A-3 occupancy includes assembly uses intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A including, but not limited to:

- Amusement arcades
- Art galleries
- Bowling alleys
- Community halls
- Courtrooms
- Dance halls (not including food or drink consumption)
- Exhibition halls
- Funeral parlors
- Greenhouses* for the conservation and exhibition of plants that provide public access
- Gymnasiums (without spectator seating)
- Indoor *swimming pools* (without spectator seating)
- Indoor tennis courts (without spectator seating)
- Lecture halls
- Libraries
- Museums
- Places of religious worship*
- Pool and billiard parlors
- Structures, without a commercial kitchen, used in agritourism activity as defined by S.C. Code Ann. 46-53-10(1)
- Waiting areas in transportation terminals

Proponent: BOASC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IBC 2018 | IBC 2018 02 | 303.4 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Building Code

Modification Index Number: IBC 2021-05

Code Section: 312.1 General.

Modification:

SECTION 312

UTILITY AND MISCELLANEOUS GROUP U

312.1 General. Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Group U shall include, but not be limited to, the following:

- Agricultural buildings*
- Aircraft hangars, accessory to a one- or two-family residence (see Section 412.4)
- Barns
- Carports
- Communication equipment structures with a *gross floor area* of less than 1,500 square feet (139 m²)
- Fences more than 7 feet (2134 mm) in height
- Grain silos, accessory to a residential occupancy
- Livestock shelters
- Primitive Camp Structures**
- Private garages*
- Retaining walls
- Sheds
- Stables

Proponent: BOASC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IBC 2018 | IBC 2018 03 | 312.1 |
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South Carolina Department of Labor, Licensing and Regulation
 South Carolina Building Codes Council
 2021 Modification Index

Item 4.

Applicable Code: 2021 International Building Code

Modification Index Number: IBC 2021-07

Code Section: 706.1 General

Modification:

706.1 General. *Fire walls* shall be constructed in accordance with Sections 706.2 through 706.11. Each portion of a building separated by one or more firewalls may be considered a separate building. The extent and location of such *fire walls* shall provide a complete separation. Where a *fire wall* separates occupancies that are required to be separated by a *fire barrier* wall, the most restrictive requirements of each separation shall apply.

Proponent: BOASC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IBC 2018 | IBC 2018 05 | 706.1 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Building Code

Modification Index Number: IBC 2021-10

Code Section: 1010.2.14 Controlled egress doors in Group I-1 and I-2

Modification:

1010.2.14 Controlled egress doors in Groups I-1, I-2, and I-4 (Adult Day Care Occupancy only).

Electric locking systems, including electro-mechanical locking systems and electromagnetic locking systems, shall be permitted to be locked in the means of egress in Group I-1, I-2, and I-4 (Adult Day Care occupancy only) occupancies where the clinical needs of persons receiving care require their containment. Controlled egress doors shall be permitted in such occupancies where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or an approved automatic smoke detection system installed in accordance with Section 907, provided that the doors are installed and operate in accordance with all of the following:

1. The door locks shall unlock on actuation of the automatic sprinkler system or automatic smoke detection system.
2. The door locks shall unlock on loss of power controlling the lock or lock mechanism.
3. The door locking system shall be installed to have the capability of being unlocked by a switch located at the fire command center, a nursing station or other approved location. The switch shall directly break power to the lock.
4. A building occupant shall not be required to pass through more than one door equipped with a controlled egress locking system before entering an exit.
5. The procedures for unlocking the doors shall be described and approved as part of the emergency planning and preparedness required by Chapter 4 of the International Fire Code.
6. All clinical staff shall have the keys, codes or other means necessary to operate the locking systems.
7. Emergency lighting shall be provided at the door.
8. The door locking system units shall be listed in accordance with UL 294.

Exceptions:

1. Items 1 through 4 shall not apply to doors to areas occupied by persons who, because of clinical needs, require restraint or containment as part of the function of a psychiatric or cognitive treatment area.
2. Items 1 through 4 shall not apply to doors to areas where a listed egress control system is utilized to reduce the risk of child abduction from nursery and obstetric areas of a Group I-2 hospital.

Proponent: Midlands Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
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| n/a | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Building Code

Modification Index Number: IBC 2021-11

Code Section: 1016.2 Egress through intervening spaces

Modification:

1016.2 Egress through intervening spaces. Egress through intervening spaces shall comply with this section.

1. Exit access through an enclosed elevator lobby is permitted. Where access to two or more exits or exit access doorways is required in Section 1006.2.1, access to not less than one of the required exits shall be provided without travel through the enclosed elevator lobbies required by Section 3006 of the South Carolina Building Code. Where the path of exit access travel passes through an enclosed elevator lobby, the level of protection required for the enclosed elevator lobby is not required to be extended to the exit unless direct access to an exit is required by other sections of this code.
2. Egress from a room or space shall not pass through adjoining or intervening rooms or areas, except where such adjoining rooms or areas and the area served are accessory to one or the other, are not a Group H occupancy and provide a discernible path of egress travel to an exit.

Exception: Means of egress are not prohibited through adjoining or intervening rooms or spaces in a Group H, S or F occupancy where the adjoining or intervening rooms or spaces are the same or a lesser hazard occupancy group.
3. An exit access shall not pass through a room that can be locked to prevent egress.
4. Means of egress from dwelling units or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms.

Exception: Dwelling units or sleeping areas in R-1 and R-2 occupancies shall be permitted to egress through other sleeping areas serving adjoining rooms that are part of the same dwelling unit or guest room.
5. Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes.

Exceptions:
 1. Means of egress are not prohibited through a kitchen area serving adjoining rooms constituting part of the same dwelling unit or sleeping unit.
 2. Means of egress are not prohibited through stockrooms in Group M occupancies where all of the following are met:
 - 2.1. The stock is of the same hazard classification as that found in the main retail area.
 - 2.2. Not more than 50 percent of the exit access is through the stockroom.
 - 2.3. The stockroom is not subject to locking from the egress side.
 - 2.4. There is a demarcated, minimum 44-inch-wide (1118 mm) aisle defined by ~~full- or partial-height fixed walls~~ a wall not less than 42 inches high or similar construction that will maintain the required width and lead directly from the retail area to the exit without obstructions.

Proponent: BOASC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IBC 2018 | IBC 2018 10 | 1016.2 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Building Code

Modification Index Number: IBC 2021-14

Code Section: 1803.2 Investigations required

Modification:

1803.2 Investigations required. Geotechnical investigations shall be conducted in accordance with Sections 1803.3 through 1803.5.

Exception:

1. The *building official* shall be permitted to waive the requirement for a geotechnical investigation where satisfactory data from adjacent areas is available that demonstrates an investigation is not necessary for any of the conditions in Sections 1803.5.1 through 1803.5.6 and Sections 1803.5.10 and 1803.5.11.

2. For single story buildings not more than 5,000 sq ft and not more than 30ft in height, a site specification investigation report is not required if the seismic design category is determined by the design professional in accordance with Chapter 20 of ASCE 7.

Proponent: BOASC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IBC 2018 | IBC 2018 11 | 1803.2 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Building Code

Modification Index Number: IBC 2021-16

Code Section: 1907.1 General

Modification:

SECTION 1907

MINIMUM SLAB PROVISIONS

1907.1 General. The thickness of concrete floor slabs supported directly on the ground shall be not less than 3½ inches (89 mm). A 6-mil (0.006 inch; 0.15 mm) 10-mil (0.010 inch) polyethylene ground contact vapor retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the base course or subgrade and the concrete floor slab, or other *approved* equivalent methods or materials shall be used to retard vapor transmission through the floor slab.

Exception: A vapor retarder is not required:

1. For detached structures accessory to occupancies in Group R-3, such as garages, utility buildings or other unheated facilities.
2. For unheated storage rooms having an area of less than 70 square feet (6.5 m²) and carports attached to occupancies in Group R-3.
3. For buildings of other occupancies where migration of moisture through the slab from below will not be detrimental to the intended occupancy of the building.
4. For driveways, walks, patios and other flatwork that will not be enclosed at a later date.
5. Where *approved* based on local site conditions.

Proponent: Structural Engineers' Association of SC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IBC 2018 | IBC 2018 12 | 1907.1 |
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South Carolina Department of Labor, Licensing and Regulation
 South Carolina Building Codes Council
 2021 Modification Index

Applicable Code: 2021 International Building Code

Modification Index Number: IBC 2021-17

Code Section: 2303.2.2 Others means during manufacture

Modification:

2303.2.2 Other means during manufacture. For wood products impregnated with chemicals by other means during manufacture, the treatment shall be an integral part of the manufacturing process of the wood product. The treatment shall provide permanent protection to all surfaces of the wood product. ~~The use of paints, coating, stains or other surface treatments is not an approved method of protection as required in this section.~~

Proponent: BOASC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IBC 2018 | IBC 2018 13 | 2303.2.2 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Building Code

Modification Index Number: IBC 2021-18

Code Section: Appendix H Signs

Modification:

Appendix H was adopted for use statewide.

Appendix H Signs

Appendix H gathers in one place the various code standards that regulate the construction and protection of outdoor signs. Whenever possible, this appendix provides standards in performance language, thus allowing the widest possible application.

Proponent: Structural Engineers Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IBC 2018 | IBC 2018 14 | Appendix H |
| IBC 2015 | IBC 2015 07 | Appendix H |
| IBC 2012 | IBC 2012 05 | Appendix H |
| | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-01

Code Section: R202 Definitions

Modification:

ACCEPTED ENGINEERING PRACTICE - The performance design of structures and/or structural elements that vary from prescriptive design methods of this code. Such design shall be made with accepted design standards by a South Carolina licensed Architect or Engineer as permitted by existing state law.

Proponent: Coastal Code Enforcement Association of SC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 01 | R202 Definitions |
| IRC 2015 | IRC 2015 01 | R202 Definitions |
| IRC 2012 | IRC 2012 01 | R202 Definitions |
| | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-02

Code Section: R202 Definitions

Modification:

[RB] CRAWL SPACE. An underfloor space that is not a *basement*. Spaces under decks and porches that do not contain mechanical equipment are not to be considered crawlspaces.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-04

Code Section: R301.2.1 Wind design criteria

Modification:

R301.2.1 Wind design criteria. Buildings and portions thereof shall be constructed in accordance with the wind provisions of this code using the ultimate design wind speed in Table R301.2 as determined from Figure R301.2(2) the previously published maps by the S.C. Building Codes Council. The local building official may delineate the wind design category within their jurisdiction, as long as, it does not surpass those provided on the Applied Technology Council (ATC) website. The structural provisions of this code for wind loads are not permitted where wind design is required as specified in Section R301.2.1.1. Where different construction methods and structural materials are used for various portions of a building, the applicable requirements of this section for each portion shall apply. Where not otherwise specified, the wind loads listed in Table R301.2.1(1) adjusted for height and exposure using Table R301.2.1(2) shall be used to determine design load performance requirements for wall coverings, curtain walls, roof coverings, exterior windows, skylights, garage doors and exterior doors. Asphalt shingles shall be designed for wind speeds in accordance with Section R905.2.4. *Metal roof shingles* shall be designed for wind speeds in accordance with Section R905.4.4. A continuous load path shall be provided to transmit the applicable uplift forces in Section R802.11 from the *roof assembly* to the foundation. Where ultimate design wind speeds in Figure R301.2(2) are less than the lowest wind speed indicated in the prescriptive provisions of this code, the lowest wind speed indicated in the prescriptive provisions of this code shall be used.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-05

Code Section: R301.2.2.1 Determination of seismic design category

Modification:

R301.2.2.1 Determination of seismic design category. Buildings shall be assigned a seismic design category in accordance with the previously published maps by the S.C. Building Codes Council. ~~Figures R301.2.2.1(1) through R301.2.2.1(6).~~ The local building official may delineate the seismic design category within the jurisdiction, as long as, it does not surpass those provided on the Applied Technology Council (ATC) website.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-06

Code Section: R302.1 Exterior walls

Modification:

R302.1 Exterior walls. Construction, projections, openings and penetrations of exterior walls of *dwelling*s and accessory buildings shall comply with Table R302.1(1); or *dwelling*s equipped throughout with an *automatic sprinkler system* installed in accordance with Section P2904 shall comply with Table R302.1(2).

Exceptions:

1. Walls, projections, openings or penetrations in walls perpendicular to the line used to determine the *fire separation distance*.
2. Walls of *individual dwelling units* and their *accessory structures* located on the same *lot*.
3. Detached tool sheds and storage sheds, playhouses and similar structures exempted from *permits* are not required to provide wall protection based on location on the *lot*. Projections beyond the exterior wall shall not extend over the *lot line*.
4. Detached garages accessory to a *dwelling* located within 2 feet (610 mm) of a *lot line* are permitted to have roof eave projections not exceeding 4 inches (102 mm).
5. Foundation vents installed in compliance with this code are permitted.
6. Fire separation distance.
 - a. The minimum fire separation distance for improvement constructed on a lot shown on: [i] a recorded bonded or final subdivision plat, or [ii] a sketch plan, site plan, plan of phased development or preliminary plat approved by the local governing authority which was recorded or approved prior to the implementation of IRC 2012 which shows or describes lesser setbacks than the fire separation distances provided in Table R302.1(1) shall be equal to the lesser setbacks, but in no event less than 3 feet.
 - b. The minimum fire separation distance for improvements constructed on a lot where the local governing authority has prior to the implementation of IRC 2012: [i] accepted exactions or issued conditions, [ii] granted a special exception, [iii] entered into a development agreement, [iv] approved a variance, [v] approved a planned development district, or [vi] otherwise approved a specific development plan which contemplated or provided for setbacks less than the fire separation distances provided in Table R302.1(1) shall be equal to the lesser setback, but in no event less than 3 feet.

Proponent: Coastal Code Enforcement Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 04 | R302.1 |
| IRC 2015 | IRC 2015 01 | R302.1 |
| IRC 2012 | IRC 2012 02 | R302.1 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-07

Code Section: R302.1 Exterior walls

Modification:

R302.1 Exterior walls. Construction, projections, openings and penetrations of exterior walls of *dwelling*s and accessory buildings shall comply with Table R302.1(1); or *dwelling*s equipped throughout with an *automatic sprinkler system* installed in accordance with Section P2904 shall comply with Table R302.1(2).

Exceptions:

1. Walls, projections, openings or penetrations in walls perpendicular to the line used to determine the *fire separation distance*.
2. Walls of *individual dwelling units* and their *accessory structures* located on the same *lot*.
3. Detached tool sheds and storage sheds, playhouses and similar structures exempted from *permits* are not required to provide wall protection based on location on the *lot*. Projections beyond the exterior wall shall not extend over the *lot line*.
4. Detached garages accessory to a *dwelling* located within 2 feet (610 mm) of a *lot line* are permitted to have roof eave projections not exceeding 4 inches (102 mm).
5. Foundation vents installed in compliance with this code are permitted.
6. Fire separation distance.
 - a. The minimum fire separation distance for improvement constructed on a lot shown on: [i] a recorded bonded or final subdivision plat, or [ii] a sketch plan, site plan, plan of phased development or preliminary plat approved by the local governing authority which was recorded or approved prior to the implementation of IRC 2012 which shows or describes lesser setbacks than the fire separation distances provided in Table R302.1(1) shall be equal to the lesser setbacks, but in no event less than 3 feet.
 - b. The minimum fire separation distance for improvements constructed on a lot where the local governing authority has prior to the implementation of IRC 2012: [i] accepted exactions or issued conditions, [ii] granted a special exception, [iii] entered into a development agreement, [iv] approved a variance, [v] approved a planned development district, or [vi] otherwise approved a specific development plan which contemplated or provided for setbacks less than the fire separation distances provided in Table R302.1(1) shall be equal to the lesser setback, but in no event less than 3 feet.
7. Aesthetic roof and siding projections may extend beyond the common wall of a townhouse unit over an adjoining unit's property line as long as the construction of the projection does not damage the integrity of the fire rated assembly, the projection is completely supported by the common wall, the projection is protected by one hour construction or fire retardant-treated wood, and the projection is limited to 18-inches. These projections shall not contain any plumbing, electrical or mechanical installations. An easement may be required by the jurisdiction to ensure future access to this projection for repair and maintenance.

*Modification adds to modified language in IRC 2021-06.

Proponent: BOASC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-09

Code Section: R302.4.1 Through penetrations

Modification:

R302.4.1 Through penetrations. Through penetrations of fire-resistance-rated wall or floor assemblies shall comply with Section R302.4.1.1 or R302.4.1.2. No penetrations shall pass completely through the fire rated assembly separating townhouse units.

Exceptions:

1. Where the penetrating items are steel, ferrous or copper pipes, tubes or conduits, the annular space shall be protected as follows:
 - 1.1. In concrete or masonry wall or floor assemblies, concrete, grout or mortar shall be permitted where installed to the full thickness of the wall or floor assembly or the thickness required to maintain the fire-resistance rating, provided that both of the following are complied with:
 - 1.1.1. The nominal diameter of the penetrating item is not more than 6 inches (152 mm).
 - 1.1.2. The area of the opening through the wall does not exceed 144 square inches (92 900 mm²).
 - 1.2. The material used to fill the annular space shall prevent the passage of flame and hot gases sufficient to ignite cotton waste where subjected to ASTM E119 or UL 263 time temperature fire conditions under a positive pressure differential of not less than 0.01 inch of water (3 Pa) at the location of the penetration for the time period equivalent to the fire-resistance rating of the construction penetrated.
2. The annular space created by the penetration of water-filled fire sprinkler piping, provided that the annular space is filled using a material complying with Item 1.2 of Exception 1.

Proponent: BOASC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
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2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-10

Code Section: R302.5.1 Opening protection

Modification:

R302.5.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1³/₈ inches (35 mm) in thickness, solid or honeycomb-core steel doors not less than 1³/₈ inches (35 mm) thick, or 20-minute fire-rated doors. ~~Doors shall be self-latching and equipped with a self-closing or automatic-closing device.~~

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 05 | R302.5.1 |
| IRC 2015 | IRC 2015 05 | R302.5.1 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-11

Code Section: R302.13 Fire protection of floors

Modification:

R302.13 Fire protection of floors. Floor assemblies that are not required elsewhere in this code to be fire-resistance rated, shall be provided with a 1/2-inch (12.7 mm) gypsum wallboard membrane, 5/8-inch (16 mm) *wood structural panel* membrane, or equivalent on the underside of the floor framing member. Penetrations or openings for ducts, vents, electrical outlets, lighting, devices, luminaires, wires, speakers, drainage, piping and similar openings or penetrations shall be permitted.

Exceptions:

1. Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with Section P2904, NFPA 13D, or other *approved* equivalent sprinkler system.
2. ~~Floor assemblies located directly over a crawl space not intended for storage or for the installation of fuel-fired or electric-powered heating appliances.~~ Floor assemblies located directly over a crawl space.
3. Portions of floor assemblies shall be permitted to be unprotected where complying with the following:
 - 3.1. The aggregate area of the unprotected portions does not exceed 80 square feet (7.4 m2) per story.
 - 3.2. Fireblocking in accordance with Section R302.11.1 is installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.
4. Wood floor assemblies using dimension lumber or *structural composite lumber* equal to or greater than 2-inch by 10-inch (50.8 mm by 254 mm) nominal dimension, or other *approved* floor assemblies demonstrating equivalent fire performance.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 06 | R302.13 |
| IRC 2015 | IRC 2015 06 | R302.13 |
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South Carolina Department of Labor, Licensing and Regulation
 South Carolina Building Codes Council
 2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-12

Code Section: R303.4 Mechanical ventilation

Modification:

R303.4 Mechanical ventilation. Buildings and dwelling units complying with Section N1102.4.1 shall be provided with mechanical ventilation in accordance with Section M1505, or with other *approved* means of ventilation.

(Section deleted without substitution)

Proponent: Coastal Code Enforcement Association of SC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 07 | R303.4 |
| IRC 2015 | IRC 2015 07 | R303.4 |
| IRC 2012 | IRC 2012 05 | R303.4 |
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Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-13

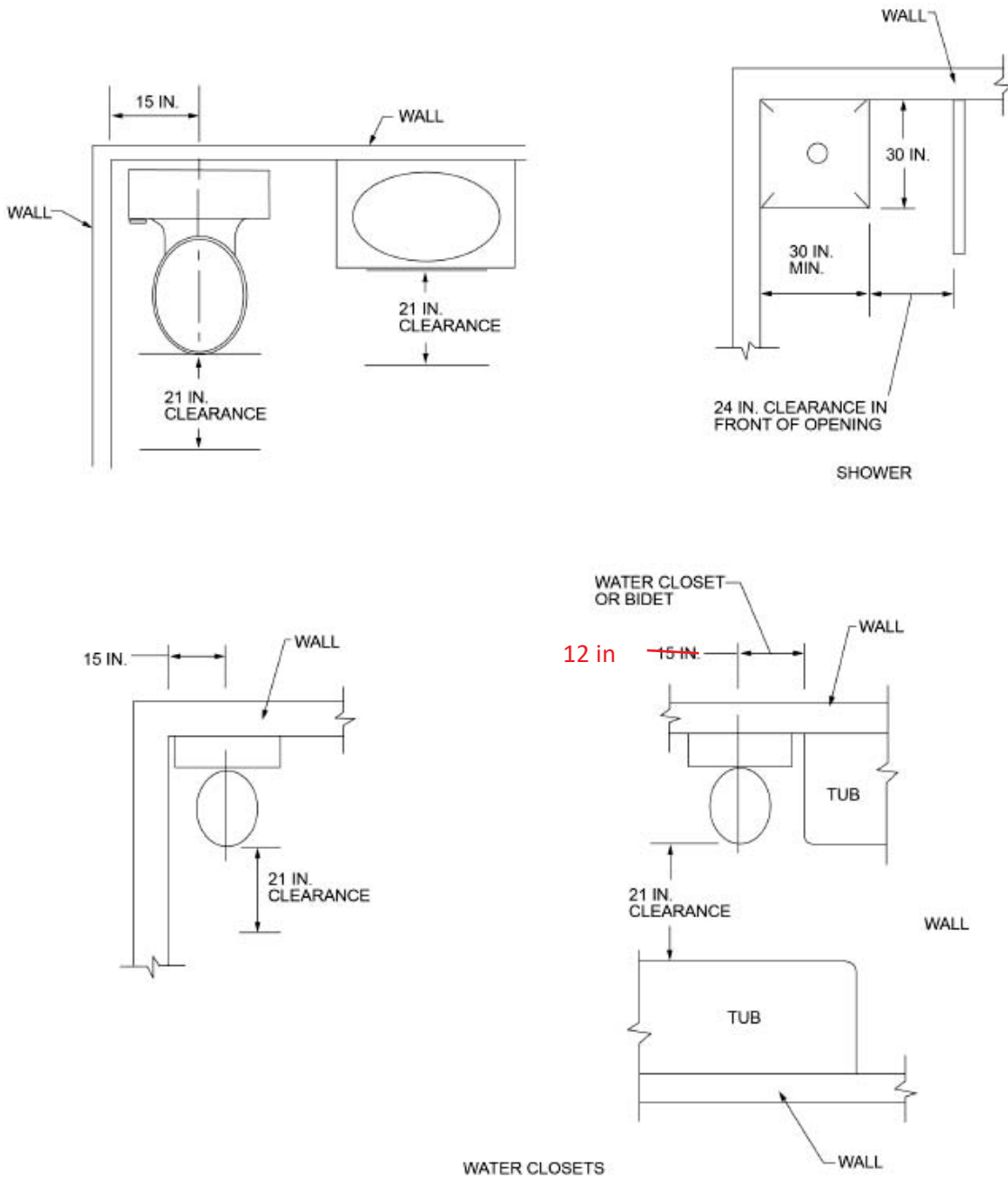
Code Section: Figure R307.1 Minimum Fixture Clearances

Modification:

Change the minimum dimension for the side clearance between bathtub and water closet or bidet from 15 inches to 12 inches. See Figure on next page.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 08 | Figure R307.1 |
| IRC 2015 | IRC 2015 08 | Figure R307.1 |
| IRC 2012 | IRC 2012 06 | Figure R307.1 |
| IRC 2006 | IRC 2006 09 | Figure R307.1 |
| IRC 2003 | IRC 2003 05 | Figure R307.2 |



For SI: 1 inch = 25.4 mm.

FIGURE R307.1
MINIMUM FIXTURE CLEARANCES



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Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-15

Code Section: R311.7.5.1 Risers

Modification:

R311.7.5.1 Risers. The maximum riser height shall be ~~not more than 7¾ inches (196 mm).~~ The maximum riser height for masonry stairs shall be 8 inches (203 mm). The *riser* height shall be measured vertically between leading edges of the adjacent treads. The greatest *riser* height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). *Risers* shall be vertical or sloped from the underside of the *nosing* of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. At open *risers*, openings located more than 30 inches (762 mm), as measured vertically, to the floor or *grade* below shall not permit the passage of a 4-inch-diameter (102 mm) sphere.

Exceptions:

1. The opening between adjacent treads is not limited on *spiral stairways* stairs with a total rise of 30 inches (762 mm) or less.
2. The *riser* height of *spiral stairways* shall be in accordance with Section R311.7.10.1.

Proponent: Structural Engineers Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 09 | R311.7.5.1 |
| IRC 2015 | IRC 2015 09 | R311.7.5.1 |
| IRC 2012 | IRC 2012 07 | R311.7.5.1 |
| | | |
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2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-16

Code Section: R312.1.1 Where required

Modification:

R312.1.1 Where required. *Guards* shall be provided for those portions of open-sided walking surfaces, including floors, stairs, *ramps* and landings that are located more than 30 inches (762 mm) measured vertically to the floor or *grade* below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Insect screening shall not be considered as a *guard*.

Guards shall be located along open sided walking surfaces of all decks, porches, balconies, floors, stairs, ramps and landings that are located more than 30 inches measured vertically to the floor or grade below and at any point where a downward slope exceeds 3V:12H within 36 inches (914 mm) horizontally to the edge of the open side. Insect screening shall not be considered as a guard.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 10 | R312.1.1 |
| IRC 2015 | IRC 2015 10 | R312.1.1 |
| IRC 2012 | IRC 2012 08 | R312.1.1 |
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2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-17

Code Section: R312.2 Window fall protection

Modification:

R312.2 Window fall protection. Window fall protection shall be provided in accordance with Sections R312.2.1 and R312.2.2

Deleted without substitution.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 11 | R312.2 |
| IRC 2015 | IRC 2015 11 | R312.2 |
| IRC 2012 | IRC 2012 09 | R312.2 |
| | | |
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Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-18

Code Section: R313 Automatic Fire Sprinkler Systems

Modification:

SECTION R313

AUTOMATIC FIRE SPRINKLER SYSTEMS

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall not be required to be installed in townhouses when constructed in accordance with R302.2.

Exception: An automatic residential fire sprinkler system shall not be required where *additions* or *alterations* are made to existing *townhouses* that do not have an automatic residential fire sprinkler system installed.

R313.1.1 Design and installation. Automatic residential fire sprinkler systems for *townhouses* when installed shall be designed and installed in accordance with Section P2904 or NFPA 13D.

R313.2 One- and two-family dwellings automatic sprinkler systems. An automatic residential fire sprinkler system shall be installed shall not be required to be installed in one- and two-family dwellings.

Exception: An automatic residential fire sprinkler system shall not be required for *additions* or *alterations* to existing buildings that are not already provided with an automatic residential fire sprinkler system.

R313.2.1 Design and installation. Automatic residential fire sprinkler systems when installed shall be designed and installed in accordance with Section P2904 or NFPA 13D.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 12 | R313 |
| IRC 2015 | IRC 2015 12 | R313 |
| IRC 2012 | IRC 2012 10 | R313.1 |
| IRC 2012 | IRC 2012 11 | R313.2 |
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Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-22

Code Section: R317.1.1 Field treatment

Modification:

R317.1.1 Field treatment. Field-cut ends, notches and drilled holes of preservative-treated wood shall be treated in the field in accordance with AWP A M4 or in accordance with the preservative-treated wood product manufacturer's recommendations.

Proponent: Structural Engineers Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 14 | R317.1.1 |
| IRC 2015 | IRC 2015 13 | R317.1.1 |
| IRC 2012 | IRC 2012 12 | R317.1.1 |
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Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-23

Code Section: R318.1 Subterranean termite control methods

Modification:

R318.1 Subterranean termite control methods. In areas subject to damage from termites as indicated by Table R301.2, protection shall be by one, or a combination, of the following methods:

1. Chemical termiticide treatment in accordance with Section R318.2.
2. Termite-baiting system installed and maintained in accordance with the *label*.
3. Pressure-preservative-treated wood in accordance with the provisions of Section R317.1.
4. Naturally durable termite-resistant wood.
5. Physical barriers in accordance with Section R318.3 and used in locations as specified in Section R317.1.
6. Cold-formed steel framing in accordance with Sections R505.2.1 and R603.2.1.
7. Treatments may be conducted as outlined in Section 27-1085 of the Rules and Regulations for the Enforcement of the SC Pesticide Control Act and enforced by the Clemson University Department of Pesticide Regulation.

Proponent: Home Builders Association of SC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 15 | R318.1 |
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2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-24

Code Section: R318.4 Foam plastic protection

Modification:

R318.4 Foam plastic protection. In areas where the probability of termite infestation is “very heavy” as indicated in Figure R318.4, extruded and expanded polystyrene, polyisocyanurate and other foam plastics shall not be installed on the exterior face or under interior or exterior foundation walls or slab foundations located below *grade*. The clearance between foam plastics installed above *grade* and exposed earth shall be not less than 6 inches (152 mm). For crawl space applications, foam plastic shall be installed so as to provide a termite inspection gap of no less than 6 inches along the top of the foundation wall and foundation sill plate.

Exceptions:

1. Buildings where the structural members of walls, floors, ceilings and roofs are entirely of *noncombustible materials* or pressure-preservative-treated wood.
2. Where in addition to the requirements of Section R318.1, an *approved* method of protecting the foam plastic and structure from subterranean termite damage is used.
3. On the interior side of basement *walls*.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 16 | R318.4 |
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Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-25

Code Section: R318.5 Termite Inspection Strip

Modification:

R318.5 Termite Inspection Strip. Where foam plastic is applied in accordance with R318.4 a continuous 6” strip centered along the sill plate shall be left open for termite activity inspection.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-28

Code Section: R322.1 General

Modification:

R322.1 General. Buildings and structures constructed in whole or in part in flood hazard areas, including A or V Zones and Coastal A Zones, as established in Table R301.2, and substantial improvement and *repair* of substantial damage of buildings and structures in flood hazard areas, shall be designed and constructed in accordance with the provisions contained in this section. Buildings and structures that are located in more than one flood hazard area shall comply with the provisions associated with the most restrictive flood hazard area. Buildings and structures located in whole or in part in identified floodways shall be designed and constructed in accordance with ASCE 24. Where there is a conflict with this code section and a locally adopted flood ordinance, the more restrictive provision shall apply.

Proponent: BOASC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 18 | R322.1 |
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2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-29

Code Section: R326.3 Story above grade plane

Modification:

R326.3 Story above grade plane. A habitable attic shall be considered a story above *grade plane*.

Exceptions: A habitable attic shall not be considered to be a story above *grade plane* provided that the habitable attic meets all the following:

1. The aggregate area of the habitable attic is either of the following:
 - 1.1. Not greater than ~~one-third~~ three-fourths of the floor area of the story below.
 - 1.2. Not greater than ~~one-half~~ of the floor area of the story below where the habitable attic is located within a dwelling unit equipped with a fire sprinkler system in accordance with Section P2904.
2. The occupiable space is enclosed by the roof assembly above, knee walls, if applicable, on the sides and the floor-ceiling assembly below.
3. The floor of the habitable attic does not extend beyond the exterior walls of the story below.
4. Where a habitable attic is located above a third story, the dwelling unit or townhouse unit shall be equipped with a fire sprinkler system in accordance with Section P2904.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-31

Code Section: R404.1.9.2 Masonry piers supporting floor girders

Modification:

R404.1.9.2 Masonry piers supporting floor girders. Masonry piers supporting wood girders sized in accordance with Tables R602.7(1) and R602.7(2) shall be permitted in accordance with this section. Piers supporting girders for interior bearing walls shall have a minimum nominal dimension of 12 inches (305 mm) and a maximum height of 10 feet (3048 mm) be filled solidly with grout or type M or S mortar and shall have a minimum nominal dimension of 8 inches (203 mm) and a maximum height not exceeding 10 times the nominal thickness from top of footing to bottom of sill plate or girder. Piers supporting girders for exterior bearing walls shall have a minimum nominal dimension of 12 inches (305 mm) and a maximum height of 4 feet (1220 mm) from top of footing to bottom of sill plate or girder. Piers supporting beams and girders for exterior bearing walls shall be filled solidly with grout or type M or S mortar, shall contain a minimum of one #4 (13 mm) dowel mid-depth, and shall have a minimum nominal dimension of 8 inches (203 mm) and a maximum height of 4 times the nominal thickness from top of footing to bottom of sill plate or girder unless it can be shown by accepted engineering practice that there is sufficient foundation wall along the foundation line to resist the imposed lateral loads, in which case the maximum height shall not exceed 10 times the nominal thickness. Girders and sill plates shall be anchored to the pier or footing in accordance with Section R403.1.6 or Figure R404.1.5.3. Floor girder bearing shall be in accordance with Section R502.6.

Proponent: HBA of SC & Structural Engineers Association of SC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 20 | R404.1.9.2 |
| IRC 2015 | IRC 2015 16 | R404.1.9.2 |
| IRC 2012 | IRC 2012 13 | R404.1.9.2 |
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Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-32

Code Section: R408.3 Unvented crawl space

Modification:

R408.3 Unvented crawl space. For unvented under-floor spaces, the following items shall be provided:

1. Exposed earth shall be covered with a continuous ~~Class I~~ vapor retarder meeting ASTM E1745 Class A. Joints of the vapor retarder shall overlap by 6 inches (152 mm) and shall be sealed or taped. The edges of the vapor retarder shall extend not less than 6 inches (152 mm) up the stem wall and shall be attached and sealed to the stem wall or insulation.
2. One of the following shall be provided for the under-floor space:
 - 2.1. Continuously operated mechanical exhaust ventilation at a rate equal to 1 cubic foot per minute (0.47 L/s) for each 50 square feet (4.7m²) of *crawl space* floor area, including an air pathway to the common area (such as a duct or transfer grille), and perimeter walls insulated in accordance with Section N1102.2.10.1 of this code.
 - 2.2. *Conditioned air* supply sized to deliver at a rate equal to 1 cubic foot per minute (0.47 L/s) for each 50 square feet (4.7 m²) of under-floor area, including a return air pathway to the common area (such as a duct or transfer grille), and perimeter walls insulated in accordance with Section N1102.2.10.1 of this code.
 - 2.3. Plenum in existing structures complying with Section M1601.5, if under-floor space is used as a plenum.
 - 2.4. Dehumidification sized in accordance with manufacturer's specifications.

Proponent: Structural Engineers Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 21 | R408.3 |
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Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-33

Code Section: R408.3(2.2) Unvented crawl space

Modification:

R408.3 Unvented crawl space. For unvented under-floor spaces, the following items shall be provided:

1. Exposed earth shall be covered with a continuous vapor retarder meeting ASME E1745 Class A. Joints of the vapor retarder shall overlap by 6 inches (152 mm) and shall be sealed or taped. The edges of the vapor retarder shall extend not less than 6 inches (152 mm) up the stem wall and shall be attached and sealed to the stem wall or insulation.
2. One of the following shall be provided for the underfloor space:
 - 2.1. Continuously operated mechanical exhaust ventilation at a rate equal to 1 cubic foot per minute (0.47 L/s) for each 50 square feet (4.7m²) of *crawl space* floor area, including an air pathway to the common area (such as a duct or transfer grille), and perimeter walls insulated in accordance with Section N1102.2.10.1 of this code.
 - 2.2. *Conditioned air* supply sized to deliver at a rate equal to 1 cubic foot per minute (0.47 L/s) for each 50 square feet (4.7 m²) of underfloor area, including a return air pathway to the common area (such as a duct or transfer grille), and perimeter walls insulated in accordance with ~~Section N1102.2.10.1 of this code~~ the S.C. Energy Code.
 - 2.3. Plenum in existing structures complying with Section M1601.5, if under-floor space is used as a plenum.
 - 2.4. Dehumidification sized in accordance with manufacturer's specifications.

Proponent: Home Builders Association of South Carolina

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| N/A | | |
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Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-34

Code Section: R408.4 Access

Modification:

R408.4 Access. Access shall be provided to all under-floor spaces. Access openings through the floor shall be not smaller than 18 inches by 24 inches (457 mm by 610 mm). Openings through a perimeter wall shall be not less than 16 inches by 24 inches (407 mm by 610 mm). Where any portion of the through-wall access is below *grade*, an areaway not less than 16 inches by 24 inches (407 mm by 610 mm) shall be provided. The bottom of the areaway shall be below the threshold of the access opening. ~~Through wall access openings shall not be located under a door to the residence.~~ See Section M1305.1.3 for access requirements where mechanical *equipment* is located under floors.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 22 | R408.4 |
| IRC 2015 | IRC 2015 17 | R408.4 |
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Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-35

Code Section: R408.8 Under-floor vapor retarder

Modification:

R408.8 Under-floor vapor retarder. In Climate Zones 1A, 2A and 3A below the warm-humid line, a continuous Class I or II vapor retarder shall be provided on the exposed face of air-permeable insulation installed between the floor joists and exposed to the grade in the under-floor space. The vapor retarder shall have a maximum water vapor permeance of 1.5 perms when tested in accordance with Procedure B of ASTM E96.

Exception: The vapor retarder shall not be required in unvented *crawl spaces* constructed in accordance with Section R408.3.

Deleted without substitution.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-36

Code Section: R502.11.4 Truss design drawings

Modification:

R502.11.4 Truss design drawings. *Truss design drawings*, prepared in compliance with Section R502.11.1, shall be submitted to the *building official* ~~and approved prior to installation at the time of their inspection.~~ *Truss design drawings* shall be provided with the shipment of trusses delivered to the job site. *Truss design drawings* shall include, at a minimum, the information specified as follows:

1. Slope or depth, span and spacing.
2. Location of all joints.
3. Required bearing widths.
4. Design loads as applicable:
 - 4.1. Top chord *live load*.
 - 4.2. Top chord dead load.
 - 4.3. Bottom chord *live load*.
 - 4.4. Bottom chord dead load.
 - 4.5. Concentrated loads and their points of application.
 - 4.6. Controlling wind and earthquake loads.
5. Adjustments to lumber and joint connector design values for conditions of use.
6. Each reaction force and direction.
7. Joint connector type and description, such as size, thickness or gage, and the dimensioned location of each joint connector except where symmetrically located relative to the joint interface.
8. Lumber size, species and grade for each member.
9. Connection requirements for:
 - 9.1. Truss-to-girder-truss.
 - 9.2. Truss ply-to-ply.
 - 9.3. Field splices.
10. Calculated deflection ratio, maximum description for live and total load, or both.
11. Maximum axial compression forces in the truss members to enable the building designer to design the size, connections and anchorage of the permanent continuous lateral bracing. Forces shall be shown on the truss drawing or on supplemental documents.
12. Required permanent truss member bracing location.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 23 | R502.11.4 |
| IRC 2015 | IRC 2015 18 | R502.11.4 |
| IRC 2012 | IRC 2012 14 | R502.11.4 |
| IRC 2006 | IRC 2006 21 | R502.11.4 |
| IRC 2003 | IRC 2003 17 | R502.11.4 |



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Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-37

Code Section: R506.2.3 Vapor retarder

Modification:

R506.2.3 Vapor retarder. A minimum 10-mil (0.010 inch; 0.254 mm) vapor retarder conforming to ASTM E1745 Class A requirements with joints lapped not less than 6 inches (152 mm) shall be placed between the concrete floor slab and the base course or the prepared subgrade where a base course does not exist.

Exception: The vapor retarder is not required for the following:

1. ~~Garages~~, utility buildings and other unheated *accessory structures*.
2. For unheated storage rooms having an area of less than 70 square feet (6.5 m²) and carports.
3. Driveways, walks, patios and other flatwork not likely to be enclosed and heated at a later date.
4. Where *approved* by the *building official*, based on local site conditions.

Proponent: Structural Engineers Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 24 | R506.2.3 |
| IRC 2015 | IRC 2015 19 | R506.2.3 |
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Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-38

Code Section: R606.7 Piers

Modification:

R606.7 Piers. The unsupported height of masonry piers shall not exceed 10 times their least dimension. Where structural clay tile or hollow *concrete masonry units* are used for isolated piers to support beams and girders, the cellular spaces shall be filled solidly with grout or Type M or S mortar, except that unfilled hollow piers shall be permitted to be used if their unsupported height is not more than four times their least dimension. Where *hollow masonry units* are solidly filled with grout or Type M, S or N mortar, the allowable compressive stress shall be permitted to be increased as provided in Table R606.9.

Proponent: Structural Engineers Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 25 | R606.7 |
| IRC 2015 | IRC 2015 20 | R606.7 |
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Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-39

Code Section: R802.10.1 Truss design drawings

Modification:

R802.10.1 Truss design drawings. *Truss design drawings*, prepared in conformance to Section R802.10.1, shall be provided to the *building official* and ~~approved prior to installation~~ at the time of their inspection. *Truss design drawings* shall be provided with the shipment of trusses delivered to the job site. *Truss design drawings* shall include, at a minimum, the following information:
 (items 1-12 unchanged)

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 26 | R802.10.1 |
| IRC 2015 | IRC 2015 21 | R802.10.1 |
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South Carolina Department of Labor, Licensing and Regulation
 South Carolina Building Codes Council
 2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-40

Code Section: R905.2.8.5 Drip edge

Modification:

R905.2.8.5 Drip edge. A drip edge shall be provided at eaves and rake edges of shingle roofs. Adjacent segments of drip edge shall be overlapped not less than 2 inches (51 mm). Drip edges shall extend not less than 1/4 inch (6.4 mm) below the roof sheathing and extend up back onto the *roof deck* not less than 2 inches (51 mm). Drip edges shall be mechanically fastened to the *roof deck* at not more than 12 inches (305 mm) o.c. with fasteners as specified in Section R905.2.5. *Underlayment* shall be installed over the drip edge along eaves and under the drip edge along rake edges. A drip edge shall be provided at eaves and rake edges of asphalt shingle roofs where required by the manufacturer.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 27 | R905.2.8.5 |
| IRC 2015 | IRC 2015 22 | R905.2.8.5 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-41

Code Section: Chapter 11 Energy Efficiency

Modification:

**CHAPTER 11 [RE]
ENERGY EFFICIENCY**

Chapter deleted without substitution. The State of South Carolina has specific energy standards in statutory form (Re: Title 6, Chapter 9, Building Codes and Title 6, Chapter 10, Building Energy Efficiency Standard Act). To eliminate any possible conflicts concerning the insulation requirements for single and two family residential buildings between the International Residential Code and state law, Chapter 11 was deleted.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 28 | Chapter 11 |
| IRC 2015 | IRC 2015 22 | Chapter 11 |
| IRC 2012 | IRC 2012 16 | Chapter 11 |
| IRC 2006 | IRC 2006 27 | Chapter 11 |
| IRC 2003 | IRC 2003 21 | Chapter 11 |



South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-42

Code Section: M1411.6 Insulation and refrigerant piping

Modification:

M1411.6 Insulation of refrigerant piping. Piping and fittings for refrigerant vapor (suction) lines shall be insulated with insulation having a thermal resistivity of ~~not less than R-3~~ at least R 2.5 hr. ft 2 F/Btu and having external surface permeance not exceeding 0.05 perm [2.87 ng/(s × m² × Pa)] when tested in accordance with ASTM E96.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 29 | M1411.6 |
| IRC 2015 | IRC 2015 24 | M1411.6 |
| IRC 2012 | IRC 2012 18 | M1411.6 |
| IRC 2006 | IRC 2006 28 | M1411.5 |
| IRC 2003 | IRC 2003 22 | M1411.4 |



South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-43

Code Section: M1411.9 Locking access port caps

Modification:

M1411.9 Locking access port caps. Refrigerant circuit access ports located outdoors shall be fitted with locking type tamper-resistant caps or shall be otherwise secured to prevent unauthorized access.

Deleted without substitution.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 30 | M1411.8 |
| IRC 2015 | IRC 2015 25 | M1411.6 |
| IRC 2012 | IRC 2012 18 | M1411.6 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-44

Code Section: M1502.3 Duct termination

Modification:

M1502.3 Duct termination. Exhaust ducts shall terminate on the outside of the building. Exhaust duct terminations shall be in accordance with the dryer manufacturer's installation instructions. ~~If the manufacturer's instructions do not specify a termination location, the exhaust duct shall terminate not less than 3 feet (914 mm) in any direction from openings into buildings, including openings in ventilated soffits.~~ Exhaust duct terminations shall be equipped with a backdraft damper. Screens shall not be installed at the duct termination.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 31 | M1502.3 |
| IRC 2015 | IRC 2015 26 | M1502.3 |
| IRC 2012 | IRC 2012 19 | M1502.3 |
| IRC 2006 | IRC 2006 29 | M1502.2 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-45

Code Section: M1502.4.2 Duct installation

Modification:

M1502.4.2 Duct installation. Exhaust ducts shall be supported at intervals not to exceed 8 feet and within 16 inches of each side of a joint that is not installed in a vertical orientation, 12 feet (3658 mm) and shall be secured in place, making rigid contact with the duct at not less than 4 equally spaced points or 2/3rds contact if strap is used. All brackets or strapping must be noncombustible. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. The overlap shall comply with Section M1601.4.2. Ducts shall not be joined with screws or similar devices that protrude into the inside of the duct. Exhaust ducts joints shall be sealed in accordance with Section M1601.4.1. and shall be mechanically fastened. Ducts shall not be joined with screws or similar fasteners that protrude more than 1/8 inch (3.2 mm) into the inside of the duct. Where dryer exhaust ducts are enclosed in wall or ceiling cavities, such cavities shall allow the installation of the duct without deformation. The duct work may be ovalized as long as it terminates in an approved duct box. Minor imperfections located on the duct, in areas other than along the seam, do not constitute a violation.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 32 | M1502.4.2 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-46

Code Section: M1502.4.6 Duct length

Modification:

M1502.4.6 Duct length. ~~The maximum allowable exhaust duct length shall be determined by one of the methods specified in Sections M1502.4.6.1 through M1502.4.6.3.~~ The maximum length of a clothes dryer exhaust duct shall not exceed 35 feet (10668 mm) from the dryer location to the wall or roof termination.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 33 | M1502.4.5 |
| IRC 2015 | IRC 2015 27 | M1502.4.4 |
| IRC 2012 | IRC 2012 20 | M1502.4.4 |
| IRC 2006 | IRC 2006 30 | M1502.6 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-47

Code Section: M1503.6 Makeup air

Modification:

M1503.6 Makeup air required. Where one or more gas, liquid or solid fuel-burning *appliance* that is neither directvent nor uses a mechanical draft venting system is located within a dwelling unit's air barrier, each exhaust system capable of exhausting in excess of 400 cubic feet per minute (0.19 m³/s) shall be mechanically or passively provided with makeup air at a rate approximately equal to the exhaust air rate. Such makeup air systems shall be equipped with not fewer than one damper complying with Section M1503.6.2.

Exception: Makeup air is not required for exhaust systems installed for the exclusive purpose of space cooling and intended to be operated only when windows or other air inlets are open.

Exhaust hood systems capable of exhausting more than 400 cubic feet per minute (0.19m³ /s) shall be mechanically or naturally provided with makeup air at a rate approximately equal to the exhaust air rate more than 400 cubic feet per minute. Such makeup air systems shall be equipped with not less than one damper. Each damper shall be a gravity damper or an electrically operated damper that automatically opens when the exhaust system operates. Dampers shall be accessible for inspection, service, repair and replacement without removing permanent construction or any other ducts not connected to the damper being inspected, serviced, repaired or replaced.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 34 | M1503.6 |
| IRC 2015 | IRC 2015 28 | M1503.4 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-48

Code Section: M1504.3 Exhaust openings

Modification:

M1504.3 Exhaust openings. Air exhaust openings shall terminate as follows:

1. Not less than 3 feet (914 mm) from property lines.
2. Not less than 3 feet (914 mm) from gravity air intake openings, operable windows and doors.
3. Not less than 10 feet (3048 mm) from mechanical air intake openings except where the exhaust opening is located not less than 3 feet (914 mm) above the air intake opening. Openings shall comply with Sections R303.5.2 and R303.6.

Exception: Bathrooms, water closets and shower spaces.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 35 | M1504.3 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-49

Code Section: M1601.4.1 Joints, Seams and Connections

Modification:

M1601.4.1 Joints, seams and connections. Longitudinal and transverse joints, seams and connections in metallic and nonmetallic ducts shall be constructed as specified in SMACNA *HVAC Duct Construction Standards --Metal and Flexible* and NAIMA *Fibrous Glass Duct Construction Standards*. Joints, longitudinal and transverse seams, and connections in ductwork shall be securely fastened and sealed with welds, gaskets, mastics (adhesives), mastic plus-embedded-fabric systems, liquid sealants or tapes. Tapes and mastics used to seal fibrous glass ductwork shall be *listed* and *labeled* in accordance with UL 181A and shall be marked “181A-P” for pressure sensitive tape, “181 A-M” for mastic or “181 A-H” for heat-sensitive tape.

Tapes and mastics used to seal metallic and flexible air ducts and flexible air connectors shall comply with UL 181B and shall be marked “181 B-FX” for pressure-sensitive tape or “181 BM” for mastic. Duct connections to flanges of air distribution system *equipment* shall be sealed and mechanically fastened. Mechanical fasteners for use with flexible nonmetallic air ducts shall comply with UL 181B and shall be marked 181B-C. Crimp joints for round metallic ducts shall have a contact lap of not less than 1 inch (25 mm) and shall be mechanically fastened by means of not less than three sheet-metal screws or rivets equally spaced around the joint. Closure systems used to seal all ductwork shall be installed in accordance with the manufacturers' instructions.

Exceptions:

1. Spray polyurethane foam shall be permitted to be applied without additional joint seals.
2. Where a duct connection is made that is partially without access, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.
3. For ducts having a static pressure classification of less than 2 inches of water column (500 Pa), additional closure systems shall not be required for continuously welded joints and seams and locking-type joints and seams. ~~This exception shall not apply to snap-lock and button-lock type joints and seams that are located outside of conditioned spaces.~~

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 36 | M1601.4.1 |
| IRC 2015 | IRC 2015 29 | M1601.4.1 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-50

Code Section: G2418.2 Design and installation

Modification:

G2418.2 (407.2) Design and installation. *Piping* shall be supported with metal pipe hooks, metal pipe straps, metal bands, metal brackets, metal hangers or building structural components suitable for the size of *piping*, of adequate strength and quality, and located at intervals so as to prevent or damp out excessive vibration. *Piping* shall be anchored to prevent undue strains on connected *appliances* and shall not be supported by other *piping*. Pipe hangers and supports shall conform to the requirements of MSS SP-58 and shall be spaced in accordance with Section G2424. Supports, hangers and anchors shall be installed so as not to interfere with the free expansion and contraction of the *piping* between anchors. The components of the supporting *equipment* shall be designed and installed so that they will not be disengaged by movement of the supported *piping*.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 37 | G2418.2 |
| IRC 2015 | IRC 2015 30 | G2418.2 |
| IRC 2012 | IRC 2012 21 | G2418.2 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-51

Code Section: P2503.6 Shower liner test

Modification:

P2503.6 Shower liner test. Where shower floors and receptors are made watertight by the application of materials required by Section P2709.2, the completed liner installation shall be tested. The pipe from the shower drain shall be plugged watertight for the test. The floor and receptor area shall be filled with potable water to a depth of not less than 2 inches (51 mm) measured at the threshold. Where a threshold of not less than 2 inches (51 mm) in height does not exist, a temporary threshold shall be constructed to retain the test water in the lined floor or receptor area to a level not less than 2 inches (51 mm) in depth measured at the threshold. The water shall be retained Shower liner shall be tested to the lesser of the depth of threshold or 2” and shall be operated at normal pressure for a test period of not less than 15 minutes and there shall not be evidence of leakage.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 38 | P2503.6 |
| IRC 2015 | IRC 2015 31 | P2503.6 |
| IRC 2012 | IRC 2012 22 | P2503.6 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-52

Code Section: P2503.6 Shower liner test

Modification:

P2503.6 Shower liner test. Where shower floors and receptors are made watertight by the application of materials required by Section P2709.2, the completed liner installation shall be tested. Shower liner shall be tested to the lesser of the depth of threshold or 2” and shall be operated at normal pressure for a test period of not less than 15 minutes and there shall not be evidence of leakage. The shower liner test shall be performed at the final plumbing inspection.

*Modification adds to modified language in IRC 2021-51.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
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2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-53

Code Section: P2603.2.1 Protection against physical damage

Modification:

P2603.2.1 Protection against physical damage. In concealed locations, where piping, other than cast-iron or galvanized steel, is installed through holes or notches in studs, joists, rafters or similar members less than 1¼ inches (31.8 mm) from the nearest edge of the member, the pipe shall be protected by steel shield plates. Such shield plates shall have a thickness of not less than 0.0575 inch (1.463 mm) (No. 16 Gage). Such plates shall cover the area of the pipe where the member is notched or bored, and shall extend not less than 2 inches (51 mm) above sole plates and below top plates. Steel shield plates shall not be secured with nails or screws, unless required by the manufacturer.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-54

Code Section: P2603.5 Freezing

Modification:

P2603.5 Freezing. In localities having a winter design temperature of 32°F (0°C) or lower as shown in Table R301.2 of this code, a water, soil or waste pipe shall not be installed outside of a building, in exterior walls, in *attics* or crawl spaces, or in any other place subjected to freezing temperature unless adequate provision is made to protect it from freezing by insulation or heat or both. Water service pipe shall be installed not less than 12 inches (305 mm) deep and not less than 6 inches (152 mm) below the frost line.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 39 | P2603.5 |
| IRC 2015 | IRC 2015 32 | P2603.5 |
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South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-55

Code Section: P2603.5 Freezing

Modification:

P2603.5 Freezing. In localities having a winter design temperature of 32°F (0°C) or lower as shown in Table R301.2 of this code, a water pipe shall not be installed outside of a building, in exterior walls, in *attics* or crawl spaces, or in any other place subjected to freezing temperature unless adequate provision is made to protect it from freezing by insulation or heat or both. Water service pipe shall be installed not less than 12 inches (305 mm) deep and not less than 6 inches (152 mm) below the frost line.

Exception: Water pipes that are installed on the warm in winter side of the building envelope, i.e. above the insulation line in a floor system or below the insulation line in an attic, do not need additional pipe insulation.

*Modification adds to modified language in IRC 2021-54.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| n/a | | |
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South Carolina Department of Labor, Licensing and Regulation
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2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-56

Code Section: P2705.1(3) General

Modification:

P2705.1 General. The installation of fixtures shall conform to the following:

1. Floor-outlet or floor-mounted fixtures shall be secured to the drainage connection and to the floor, where so designed, by screws, bolts, washers, nuts and similar fasteners of copper, copper alloy or other corrosion-resistant material.
2. Wall-hung fixtures shall be rigidly supported so that strain is not transmitted to the plumbing system.
3. Where fixtures come in contact with walls and floors, the contact area shall be watertight.

Exception: Water closets and/or bidets shall not be required to be caulked to flooring surface.

4. Plumbing fixtures shall be usable.
5. Water closets, lavatories and bidets. A water closet, lavatory or bidet shall not be set closer than 15 inches (381 mm) from its center to any side wall, partition or vanity or closer than ~~30 inches (762 mm)~~ 27 inches center-to-center between adjacent fixtures. There shall be a clearance of not less than 21 inches (533 mm) in front of a water closet, lavatory or bidet to any wall, fixture or door.
6. The location of piping, fixtures or equipment shall not interfere with the operation of windows or doors.
7. In flood hazard areas as established by Table R301.2, plumbing fixtures shall be located or installed in accordance with Section R322.1.6.
8. Integral fixture-fitting mounting surfaces on manufactured plumbing fixtures or plumbing fixtures constructed on site, shall meet the design requirements of ASME A112.19.2/CSA B45.1 or ASME A112.19.3/CSA B45.4.

*Modification includes the approved portion of IRC 2021-14 in (5).

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
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| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-57

Code Section: P2708.4 Shower control valves

Modification:

P2708.4 Shower control valves. Individual shower and tub/shower combination valves shall be balanced-pressure, thermostatic or combination balanced-pressure/thermostatic valves that conform to the requirements of ASSE 1016/ASME 112.1016/CSA B125.16 or ASME A112.18.1/CSA B125.1. ~~Shower control valves shall be rated for the flow rate of the installed shower head. Such valves shall be installed at the point of use.~~ Shower and tub/shower combination valves required by this section shall be equipped with a means to limit the maximum setting of the valve to 120°F (49°C), which shall be field adjusted in accordance with the manufacturer's instructions to provide water at a temperature not to exceed 120°F (49° C). In-line thermostatic valves shall not be utilized for compliance with this section.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
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2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-58

Code Section: P2713.3 Bathtub and whirlpool bathtub valves

Modification:

P2713.3 Bathtub and whirlpool bathtub valves. Bathtubs and whirlpool bathtub valves shall have or be supplied by a water-temperature-limiting device that conforms to ASSE 1070/ASME A112.1070/CSA B125.70, except where such valves are combination tub/shower valves in accordance with Section P2708.4. The water-temperature-limiting device required by this section shall be equipped with a means to limit the maximum setting of the device to 120°F (49°C), and, where adjustable, shall be field-adjusted in accordance with the manufacturer's instructions to provide hot water at a temperature not to exceed 120°F (49°C). Access shall be provided to water-temperature-limiting devices that conform to ASSE 10705/ASME A112.1070/CSA B125.70.

Exception: Access is not required for nonadjustable water-temperature-limiting devices that conform to ASSE 1070/ASME A112.1070/CSA B125.70 and are integral with a fixture fitting, provided that the fixture fitting itself can be accessed for replacement.

Hot water supplied to bathtubs and whirlpool bathtubs shall be limited to a temperature of not greater than 120°F (49°C) by a water-temperature limiting device that conforms to ASSE 1070/ASME A112.1070/CSA B125.70 or CSA B125.3, except where such protection is otherwise provided by a combination tub/shower valve in accordance with Section P2708.4.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
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Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-60

Code Section: P2903.10 Hose bib

Modification:

P2903.10 Hose bib. Hose bibbs subject to freezing, including the “frostproof” type, shall be equipped with an accessible stop-and-waste-type valve inside the building so that they can be controlled and drained during cold periods.
Exception: Frostproof hose bibbs installed such that the stem extends through the building insulation into an open heated or *semiconditioned space* need not be separately valved (see Figure P2903.10).

Section deleted without substitution.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 40 | P2903.10 |
| IRC 2015 | IRC 2015 33 | P2903.10 |
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South Carolina Department of Labor, Licensing and Regulation
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2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-62

Code Section: P2904.2.4.2.1 Additional requirements for pendant sprinklers

Modification:

P2904.2.4.2.1 Additional requirements for pendent sprinklers. Pendent sprinklers within 3 feet (915 mm) of the center of a ceiling fan, surface mounted ceiling luminaire or similar object shall be considered to be obstructed, and additional sprinklers shall be installed.

Exception: Pendant sprinklers within 3 feet (915 mm) of the center of a ceiling fan shall not be considered to be obstructed if the total area of the fan blades do not exceed more than 50 percent of the plan area view.

Proponent: South Carolina Master Plumbers Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
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| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
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Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-66

Code Section: E3606.5 Surge protection

Modification:

~~**E3606.5 Surge protection.** All services supplying one- and two-family dwelling units shall be provided with a surgeprotective device (SPD) installed in accordance with Sections E3606.5.1 through E3606.5.3.~~

~~**E3606.5.1 Location.** The SPD shall be an integral part of the service equipment or shall be located immediately adjacent thereto.~~

~~**Exception:** The SPD shall not be required to be located in the service equipment if located at each next-level distribution equipment downstream toward the load.~~

~~**E3606.5.2 Type.** The SPD shall be a Type 1 or Type 2 SPD.~~

~~**E3606.5.3 Replacement.** Where service equipment is replaced, all of the requirements of this section shall apply. [230.67]~~

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
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| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
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2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-67

Code Section: E3802.4 In unfinished basements

Modification:

E3802.4 In unfinished basements and crawl spaces. Where Type NM or SE cable is run at angles with joists in unfinished basements and crawl spaces, cable assemblies containing two or more conductors of sizes 6 AWG and larger and assemblies containing three or more conductors of sizes 8 AWG and larger shall not require additional protection where attached directly to the bottom of the joists. Smaller cables shall be run either through bored holes in joists or on running boards. Type NM or SE cable installed on the wall of an unfinished basement shall be permitted to be installed in a *listed* conduit or tubing or shall be protected in accordance with Table E3802.1. Conduit or tubing shall be provided with a suitable insulating bushing or adapter at the point where the cable enters the raceway. The sheath of the Type NM or SE cable shall extend through the conduit or tubing and into the outlet or device box not less than 1/4 inch (6.4 mm). The cable shall be secured within 12 inches (305 mm) of the point where the cable enters the conduit or tubing. Metal conduit, tubing, and metal outlet boxes shall be connected to an equipment grounding conductor complying with Section E3908.14. [334.15(C)]

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 42 | E3802.4 |
| IRC 2015 | IRC 2015 35 | E3802.4 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-69

Code Section: E3901.4.2 (1) Island and peninsular countertops and work spaces

Modification:

E3901.4.2 Island and peninsular countertops and work spaces. Receptacle outlets shall be installed in accordance with the following: [210.52(C)(2)]

1. At least one receptacle outlet shall be provided for the first 9-square feet 6 feet of length (0.84 m²), or fraction thereof, of the countertop or work surface. ~~A receptacle outlet shall be provided for every additional 18 square feet (1.7 m²), or fraction thereof, of the countertop or work surface.~~ [210.52(C)(2)(a)] A minimum of two receptacle outlets shall be provided for any island over 6 feet long.
2. At least one receptacle outlet shall be located within 2 feet (600 mm) of the outer end of a peninsular countertop or work surface. Additional receptacle outlets shall be permitted to be located as determined by the installer, designer or building owner. The location of the receptacle outlets shall be in accordance with Section E3901.4.3. [210.52(C)(2)(b)]

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-70

Code Section: E3902 Ground-Fault and Arc-Fault Circuit-Interrupter Protection

Modification:

SECTION E3902
GROUND-FAULT AND ARC-FAULT
CIRCUIT-INTERRUPTER PROTECTION

Entire section E3902.1 - E3902.18 modified to remove “through 250 volt” from text.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-71

Code Section: E3902.5 Basement receptacles

Modification:

E3902.5 Basement receptacles. 125-volt receptacles installed in basements and supplied by single phase branch circuits rated 150 volts or less to ground shall have ground-fault circuit-interrupter protection for personnel. [210.8(A)(5)]

Exceptions:

1. A receptacle supplying only a permanently installed fire alarm or burglar alarm system. A receptacle installed in accordance with this exception shall not be considered as meeting the requirement of Section E3901.9. Receptacles installed in accordance with this exception shall not be considered as meeting the requirement of Section E3901.9. [210.8(A)(5) Exception]

2. Receptacles in walk-out basements are excluded from this requirement.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-73

Code Section: E3902.17 Arc-fault circuit interrupter protection

Modification:

E3902.17 Arc-fault circuit interrupter protection. In areas other than kitchen and laundry areas, Bbranch circuits that supply 120-volt, single-phase, 15- and 20- ampere outlets installed in kitchens, family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreations rooms, closets, hallways, laundry areas and similar rooms or areas shall be protected by any of the following: [210.12(A)]

(language in 1 - 6 unchanged)

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 44 | 3902.16 |
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South Carolina Department of Labor, Licensing and Regulation
 South Carolina Building Codes Council
 2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-75

Code Section: E4002.14 Tamper-resistant receptacles

Modification:

E4002.14 Tamper-resistant receptacles. In areas specified in Section E3901.1, 15- and 20-ampere, 125- and 250-volt nonlocking-type receptacles shall be *listed* tamper-resistant receptacles. [406.12]

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-77

Code Section: Appendix AH Patio Covers

Modification:

APPENDIX AH
PATIO COVERS

Appendix adopted for use statewide.

Proponent: Structural Engineers Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 45 | Appendix H |
| IRC 2015 | IRC 2015 36 | Appendix H |
| IRC 2012 | IRC 2012 25 | Appendix H |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-78

Code Section: Appendix AJ Existing Buildings and Structures

Modification:

APPENDIX AJ
EXISTING BUILDINGS AND STRUCTURES

Appendix adopted for use statewide.

Proponent: Structural Engineers Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 46 | Appendix J |
| IRC 2015 | IRC 2015 37 | Appendix J |
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South Carolina Department of Labor, Licensing and Regulation
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2021 Modification Index

Item 4.

Applicable Code: 2021 International Residential Code

Modification Index Number: IRC 2021-79

Code Section: Appendix AQ Tiny Houses

Modification:

**APPENDIX AQ
TINY HOUSES**

Appendix adopted for use statewide.

Proponent: BOASC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IRC 2018 | IRC 2018 47 | Appendix Q |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-02

Code Section: 202 General definitions

Modification:

Primitive Camp Structure: Shall include any structure permanent or temporary in nature, used for outdoor camping (transient), open on at least one side with no fully enclosed habitable spaces, less than 400 square feet under roof, and not classified as a residential occupancy due to lack of electrical, plumbing, mechanical, and sprinkler systems.

Proponent: BOASC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 02 | 202 |
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South Carolina Department of Labor, Licensing and Regulation
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2021 Modification Index

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-03

Code Section: 202 General definitions

Modification:

[BG] Assembly Group A-3. Group A-3 occupancy includes assembly uses intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A, including, but not limited to:

- Amusement arcades
- Art galleries
- Bowling alleys
- Community halls
- Courtrooms
- Dance halls (not including food or drink consumption)
- Exhibition halls
- Funeral parlors
- Greenhouses with public access for the conservation and exhibition of plants
- Gymnasiums (without spectator seating)
- Indoor swimming pools (without spectator seating)
- Indoor tennis courts (without spectator seating) Lecture halls
- Libraries
- Museums
- Places of religious worship
- Pool and billiard parlors
- Structures without a commercial kitchen, used in agritourism activity as defined by S.C. Code Ann. 46-53-10(1)
- Waiting areas in transportation terminals

Proponent: BOASC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 03 | 202 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-04

Code Section: 202 General definitions

Modification:

RECREATIONAL FIRE. An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial to include sky lanterns, cooking, warmth or similar purpose.

Proponent: South Carolina Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 01 | 202 |
| IFC 2015 | IFC 2015 01 | 202 |
| IFC 2012 | IFC 2012 01 | 202 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-05

Code Section: 315.3.3 Equipment rooms

Modification:

315.3.3 Equipment rooms. ~~Combustible~~ Material shall not be stored in boiler rooms, mechanical rooms, electrical equipment rooms or in *fire command centers* as specified in Section 508.1.5. Rooms shall be labeled with approved signage “No storage allowed”.

Proponent: Midlands Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-07

Code Section: 319.11 Clearance requirements

Modification:

319.11 Mobile cooking operations. Shall be separated from buildings, structures, canopies, tents, combustible materials, vehicles, and other cooking operations by a minimum of 10 feet. Exhaust shall be directed away from openings, air intakes and away from any means of egress.

Proponent: Midlands Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-08

Code Section: 503.1.2 Additional access

Modification:

503.1.2 Additional access. The *fire code official* is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

Exception. Where two fire apparatus access roads are required by Section 503.1.2 ~~or this appendix~~, the additional fire apparatus access road is permitted to be a driveway, pathway, court or other approved *fire lane* not accessible to public motor vehicles where designed by a registered design professional to meet the loading requirements and minimum specifications of Section 503 ~~and this appendix~~, and the surface provides all-weather driving capabilities. Marking or signs shall be provided in accordance with Section 503.3 and Section D103.6

*The language above has been updated as of 8-25-2022 and the previous reference to Appendix D was a scrivener's error.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
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| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-09

Code Section: 503.1.2.1

Modification:

503.1.2.1 One- or two-family dwelling residential developments having less than 50 units. Developments of one- or two-family dwellings where the number of dwelling units does not exceed 50 shall be permitted to have a single approved fire apparatus access road provided all of the following requirements are met.

1. The minimum unobstructed width of the single fire apparatus access road shall be 26 feet (7925 mm) and shall otherwise comply with Section 503.
2. A minimum of one fire hydrant on each side of the fire apparatus access road in accordance with Section 507.5 shall be provided. The fire code official shall be permitted to require additional hydrants and hydrant spacing based on the length of the fire apparatus access road, fire flow requirements, and the distance from any point on the street or road frontage to a hydrant.
3. The development is not located in a wildland-urban interface area as defined in the International Wildland-Urban Interface Code.

Future Development. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-10

Code Section: 503.2.1 Dimensions

Modification:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 05 | 503.2.1 |
| IFC 2015 | IFC 2015 04 | 503.2.1 |
| IFC 2012 | IFC 2012 04 | 503.2.1 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-11

Code Section: 507.1 Required water supply

Modification:

507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises on which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction to meet the necessary fire flow as determined by the fire code official. Where public water supply is inadequate or not available, an approved alternative water source meeting the fire flow requirements shall be provided. Fire flow performance tests shall be witnessed by the fire official or representative prior to final approval.

Exception. One- and two-family dwellings, including attached or detached accessory structures.

Proponent: Charleston Fire Department

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 06 | 507.1 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-12

Code Section: 507.5.1 Where Required

Modification:

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than ~~400 feet (122 m)~~ 500 feet (152m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Location. The location and number of hydrants shall be designated by the fire official, but in no case shall the distance between installed fire hydrants exceed 1000 feet (305m). Fire hydrants shall be located within 500 feet (152m) of all fire fighter access points when measured along the normal routes of fire department vehicle access which conforms to the requirements of Section 503. No point of the exterior of a building shall be located more than 500 feet (152m) from a hydrant accessible to fire department vehicles as provided in Section 503.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

Proponent: Charleston Fire Department

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 07 | 507.5.1 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-13

Code Section: 507.5.1.1 Hydrant for standpipe systems

Modification:

507.5.1.1 Hydrant for standpipe systems. Buildings equipped with a standpipe or fire sprinkler system installed in accordance with Section 903 or 905 shall have a fire hydrant within 100 feet (30 480 mm) of the fire department connections.

Exception: The distance shall be permitted to exceed 100 feet (30 480 mm) where *approved* by the *fire code official*.

Proponent: Midlands Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-14

Code Section: 507.5.4 Obstruction

Modification:

507.5.4 Obstruction. Unobstructed access to fire hydrants shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants. No parking shall be allowed within 15 feet of a fire hydrant.

Proponent: Midlands Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-16

Code Section: 607.1 General

Modification:

607.1 General. Storage of cooking oil (grease) in commercial cooking operations utilizing above-ground tanks with a capacity greater than 60 gal (227 L) installed within a building shall comply with Sections 607.2 through 607.7 and NFPA 30. For purposes of this section, cooking oil shall be classified as a Class IIIB liquid unless otherwise determined by testing. These tanks shall have the contents identified as outlined in Section 5703.5.

Proponent: Midlands Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-19

Code Section: 901.6.3 Records

Modification:

901.6.3 Records. Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained. Copies of the inspection reports shall be sent to the local jurisdiction by the servicing vendor as prescribed by the fire code official.

Proponent: Charleston Fire Department

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 08 | 901.6.3 |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-22

Code Section: 907.6.5 Access

Modification:

907.6.5 Access. Access shall be provided to each fire alarm device and notification appliance for periodic inspection, maintenance and testing. Fire alarm notification devices shall be unobstructed and visible at all times.

Proponent: Midlands Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-24

Code Section: 1010.2.14 Controlled egress doors in Groups I-1 and I-2

Modification:

[BE] 1010.2.14 Controlled egress doors in Groups I-1, I-2 and I-4 (Adult Day Care occupancy only). Electric locking systems, including electromechanical locking systems and electromagnetic locking systems, shall be permitted to be locked in the means of egress in Group I-1, I-2 and I-4 (Adult Day Care occupancy only) occupancies where the clinical needs of persons receiving care require their containment. Controlled egress doors shall be permitted in such occupancies where the building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or an *approved* automatic smoke detection system installed in accordance with Section 907, provided that the doors are installed and operate in accordance with all of the following:

1. The door locks shall unlock on actuation of the automatic sprinkler system or automatic smoke detection system.
2. The door locks shall unlock on loss of power controlling the lock or lock mechanism.
3. The door locking system shall be installed to have the capability of being unlocked by a switch located at the fire command center, a nursing station or other approved location. The switch shall directly break power to the lock.
4. A building occupant shall not be required to pass through more than one door equipped with a controlled egress locking system before entering an exit.
5. The procedures for unlocking the doors shall be described and approved as part of the emergency planning and preparedness required by Chapter 4 of the International Fire Code.
6. All clinical staff shall have the keys, codes or other means necessary to operate the locking systems.
7. Emergency lighting shall be provided at the door.
8. The door locking system units shall be listed in accordance with UL 294.

Exceptions:

1. Items 1 through 4 shall not apply to doors to areas occupied by persons who, because of clinical needs, require restraint or containment as part of the function of a psychiatric or cognitive treatment area.
2. Items 1 through 4 shall not apply to doors to areas where a listed egress control system is utilized to reduce the risk of child abduction from nursery and obstetric areas of a Group I-2 hospital.

Proponent: Midlands Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
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2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-25

Code Section: 1016.2 Egress through intervening spaces

Modification:

1016.2 Egress through intervening spaces. Egress through intervening spaces shall comply with this section.

1. Exit access through an enclosed elevator lobby is permitted. Where access to two or more exits or exit access doorways is required in Section 1006.2.1, access to not less than one of the required exits shall be provided without travel through the enclosed elevator lobbies required by Section 3006 of the South Carolina Building Code. Where the path of exit access travel passes through an enclosed elevator lobby, the level of protection required for the enclosed elevator lobby is not required to be extended to the exit unless direct access to an exit is required by other sections of this code.
2. Egress from a room or space shall not pass through adjoining or intervening rooms or areas, except where such adjoining rooms or areas and the area served are accessory to one or the other, are not a Group H occupancy and provide a discernible path of egress travel to an exit.

 Exception: Means of egress are not prohibited through adjoining or intervening rooms or spaces in a Group H, S or F occupancy where the adjoining or intervening rooms or spaces are the same or a lesser hazard occupancy group.
3. An exit access shall not pass through a room that can be locked to prevent egress.
4. Means of egress from dwelling units or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms.

 Exception: Dwelling units or sleeping areas in R-1 and R-2 occupancies shall be permitted to egress through other sleeping areas serving adjoining rooms that are part of the same dwelling unit or guest room.
5. Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes.

 Exceptions:
 1. Means of egress are not prohibited through a kitchen area serving adjoining rooms constituting part of the same dwelling unit or sleeping unit.
 2. Means of egress are not prohibited through stockrooms in Group M occupancies where all of the following are met:
 - 2.1. The stock is of the same hazard classification as that found in the main retail area.
 - 2.2. Not more than 50 percent of the exit access is through the stockroom.
 - 2.3. The stockroom is not subject to locking from the egress side.
 - 2.4. There is a demarcated, minimum 44-inch-wide (1118 mm) aisle defined by ~~full- or partial-height fixed walls~~ a wall not less than 42 inches high or similar construction that will maintain the required width and lead directly from the retail area to the exit without obstructions.

Proponent: Charleston Fire Department

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 11 | 1016.2 |
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Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-31

Code Section: 2303.2.2 Testing

Modification:

2303.2.2 Testing. Emergency disconnect switches shall be tested annually by the responsible party to ensure proper operation; records of testing shall be maintained on site for inspection. Any switches determined to be faulty, the fuel pumps they serve shall be taken out of service until the emergency shutoff switch is placed back into service.

Proponent: Midlands Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-33

Code Section: 2305.5 Fire extinguishers

Modification:

2305.5 Fire extinguishers. *Approved* portable fire extinguishers complying with Section 906 with a minimum rating of 2-A:20-B:C shall be provided and located such that an extinguisher is not more than ~~75 feet (22 860 mm)~~ 50 feet (15 240 mm) from pumps, dispensers or storage tank fill-pipe openings.

Proponent: Midlands Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-34

Code Section: 2307.4 Location of dispensing operations and equipment

Modification:

2307.4 Location of dispensing operations and equipment. The point of transfer for LP-gas dispensing operations shall be separated from buildings and other exposures in accordance with NFPA 58 Table 6.7.2.1 and IFC Section 2306.7, the following:

1. Not less than 25 feet (7620 mm) from buildings where the exterior wall is not part of a fire-resistance-rated assembly having a rating of 1 hour or greater.
2. Not less than 25 feet (7620 mm) from combustible overhangs on buildings, measured from a vertical line dropped from the face of the overhang at a point nearest the point of transfer.
3. Not less than 25 feet (7620 mm) from the lot line of property that can be built on.
4. Not less than 25 feet (7620 mm) from the centerline of the nearest mainline railroad track.
5. Not less than 10 feet (3048 mm) from public streets, highways, thoroughfares, sidewalks and driveways.
6. Not less than 10 feet (3048 mm) from buildings where the exterior wall is part of a fire-resistance-rated assembly having a rating of 1 hour or greater.

Exception: The point of transfer for LP-gas dispensing operations need not be separated from canopies that are constructed in accordance with the International Building Code and that provide weather protection for the dispensing equipment.

LP-Gas containers shall be located in accordance with Chapter 61. LP-gas storage and dispensing equipment shall be located outdoors and in accordance with Section 2306.7.

Proponent: South Carolina Propane Gas Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 12 | 2307.4 |
| IFC 2015 | IFC 2015 09 | 2307.4 |
| IFC 2012 | IFC 2012 09 | 2307.4 |
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South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-35

Code Section: 2307.7 Public fueling of motor vehicles

Modification:

2307.7 Public fueling of motor vehicles. Self-service LP-gas dispensing systems, including key, code and card lock dispensing systems, shall be limited to the filling of permanently mounted containers providing fuel to the LP-gas powered vehicle.

The requirements for self-service LP-gas dispensing systems shall be in accordance with the following:

1. The arrangement and operation of the transfer of product into a vehicle shall be in accordance with this section and Chapter 61.
2. The system shall be provided with an emergency shutoff switch located within 100 feet (30 480 mm) of, but not less than 20 feet (6096 mm) from, dispensers.
3. The owner of the LP-gas motor fuel-dispensing facility or the owner's designee shall provide for the safe operation of the system and the training of users.
4. The dispenser and hose-end valve shall release not more than 1/8 fluid ounce (4 cc) of liquid to the atmosphere upon breaking the connection with the fill valve on the vehicle.
5. Portable fire extinguishers shall be provided in accordance with Section 2305.5.
6. Warning signs shall be provided in accordance with Section 2305.6.
7. The area around the dispenser shall be maintained in accordance with Section 2305.7.

Proponent: South Carolina Propane Gas Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 13 | 2307.7 |
| IFC 2015 | IFC 2015 11 | 2307.7 |
| IFC 2012 | IFC 2012 11 | 2307.6 |
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Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-38

Code Section: 6101.1 Scope

Modification:

6101.1 Scope. Storage, handling and transportation of liquefied petroleum gas (LP-gas) and the installation of LP-gas equipment pertinent to systems for such uses shall comply with this chapter and NFPA 58. Properties of LP-gases shall be determined in accordance with ~~Appendix~~ Annex B of NFPA 58.

Proponent: South Carolina Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 14 | 6101.1 |
| IFC 2015 | IFC 2015 12 | 6101.1 |
| IFC 2012 | IFC 2012 12 | 6101.1 |
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2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-41

Code Section: 6106.1 Attendants

Modification:

6106.1 Attendants. Dispensing of LP-gas shall be performed by a qualified attendant that meets the requirements of this section and NFPA 58 Section 4.4.

Proponent: South Carolina Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 17 | 6106.1 |
| IFC 2015 | IFC 2015 16 | 6106.1 |
| IFC 2012 | IFC 2012 16 | 6106.1 |
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2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-42

Code Section: 6107.4 Protecting containers from vehicles

Modification:

6107.4 Protecting containers from vehicles. Where exposed to vehicular damage due to proximity to alleys, driveways or parking areas, LP-gas containers, regulators and piping shall be protected in accordance with NFPA 58.

Exception: An alternative method may be used that meets the intent of this section with the approval of the AHJ.

Proponent: South Carolina Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 18 | 6107.4 |
| IFC 2015 | IFC 2015 18 | 6107.4 |
| IFC 2012 | IFC 2012 18 | 6107.4 |
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 2021 Modification Index

Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-43

Code Section: 6109.13 Protection of containers

Modification:

6109.13 Protection of containers. LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle impact protection shall be provided as required by ~~Section 6107.4.~~ the fire code official in accordance with Section 312 or NFPA 58 8.4.2.2.

Exception: Vehicle impact protection shall not be required for protection of LP-gas containers where the containers are kept in lockable, ventilated cabinets of metal construction.

Proponent: South Carolina Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 20 | 6109.13 |
| IFC 2015 | IFC 2015 22 | 6109.13 |
| IFC 2012 | IFC 2012 22 | 6109.13 |
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Item 4.

Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-44

Code Section: 6110.1 Removed from service

Modification:

6110.1 Removed from service Containers not connected for service at customer locations. LP-gas containers at customers' locations that are not connected for service whose use has been discontinued shall comply with both all of the following:

1. — Be disconnected from appliance piping.
- 2.1. Have LP-gas container outlets, except relief valves, closed and or plugged or capped.
- 3.2. Be positioned with the relief valve in direct communication with the LP-gas container vapor space.

Proponent: SC Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 21 | 6110.1 |
| IFC 2015 | IFC 2015 23 | 6110.1 |
| IFC 2012 | IFC 2012 23 | 6110.1 |
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Applicable Code: 2021 International Fire Code

Modification Index Number: IFC 2021-45

Code Section: 6111.2.1

Modification:

6111.2.1 Near residential, educational and institutional occupancies and other high-risk areas. LP-gas tank vehicles shall not be left unattended at any time on residential streets or within 500 feet (152 m) of a residential area, apartment or hotel complex, educational facility, hospital or care facility. Tank vehicles shall not be left unattended at any other place that would, in the opinion of the *fire code official*, pose an extreme life hazard.

Separation distance requirements may be reduced to not less than 50 feet as approved by the fire code official, based upon a completed fire safety analysis and consideration of special features such as topographical conditions, capacity of the LP-gas vehicle and the capabilities of the local fire department. The Office of the State Fire Marshal will provide an approved fire safety analysis to be utilized for this specific requirement.

Proponent: South Carolina Fire Marshal's Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFC 2018 | IFC 2018 22 | 6111.2.1 |
| IFC 2015 | IFC 2015 24 | 6111.2.1 |
| IFC 2012 | IFC 2012 24 | 6111.2.1 |
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Applicable Code: 2021 International Plumbing Code

Modification Index Number: IPC 2021-01

Code Section: 202 General Definitions

Modification:

DRINKING FOUNTAIN. A plumbing fixture that is connected to the potable water distribution system and the drainage system. The fixture allows the user to obtain a drink directly from a stream of flowing water without the use of any accessories. Such fixtures can be separate from or integral to a bottle filling station.

Proponent: Carolinas AGC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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Item 4.

Applicable Code: 2021 International Plumbing Code

Modification Index Number: IPC 2021-02

Code Section: 202 General Definitions

Modification:

BOTTLE FILLING STATION. A type of water dispenser that is connected to the potable water distribution system and the drainage system. The fixture is designed and intended for automatically or manually filling personal use drinking water bottles or containers not less than 10 inches (254 mm) in height and is in compliance with the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.) Such fixtures can be separate from or integral to a drinking fountain and can incorporate a water filter and a cooling system for chilling the drinking water.

Proponent: Carolinas AGC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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Item 4.

Applicable Code: 2021 International Plumbing Code

Modification Index Number: IPC 2021-03

Code Section: 202 General Definitions

Modification:

WATER COOLER. A drinking fountain or bottle filling station that incorporates a means of reducing the temperature of the water supplied to it from the potable water distribution system.

Proponent: Carolinas AGC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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Item 4.

Applicable Code: 2021 International Plumbing Code

Modification Index Number: IPC 2021-04

Code Section: 202 General Definitions

Modification:

WATER DISPENSER. A plumbing fixture that is automatic or manually controlled by the user for the purpose of dispensing potable drinking water into a receptacle such as a cup, glass or bottle. Such fixture is connected to the potable water distribution system of the premises. This definition includes a freestanding apparatus for the same purpose that is not connected to the potable water distribution system and that is supplied with potable water from a container, bottle or reservoir.

Proponent: Carolinas AGC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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2021 Modification Index**

Item 4.

Applicable Code: 2021 International Plumbing Code

Modification Index Number: IPC 2021-05

Code Section: Table 403.1 Minimum Number of Required Plumbing Fixtures

Modification:

Add column to table - BOTTLE FILLING STATION

Row 3 Educational, under Bottle Filling Station column. add: 1 per 200 with placement of 1 on each floor (or wing, or other building section) and 1 in school food service areas

See Attachment

Proponent: Carolinas AGC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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Table 403.1
Minimum Number of Required Plumbing Fixtures^a (See Sections 403.1.1 and 403.2)

| No. | Classification | Description | Water Closets (Urinals: See Section 424.2) | | Lava- to- ries | | Bathtubs/ Showers | Drinking Fountain (See Section 410) | Other | Bottle Filling Station |
|-----|----------------|---------------------------|--|---|----------------------|---|----------------------|---|----------------------|--|
| | | | M | F | M | F | | | | |
| 3 | Educational | Educational Facilities | 1 per 50 | | 1 per 50 | | – | 1 per 100 | 1 service sink | <u>1 per 200 with placement of 1 on each floor (or wing or other building section) and 1 in school food service areas.</u> |



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Applicable Code: 2021 International Plumbing Code

Modification Index Number: IPC 2021-06

Code Section: 410.4 Substitution

Modification:

410.4 Substitution. Where restaurants provide drinking water in a container free of charge, drinking fountains shall not be required in those restaurants. In other *occupancies* where three or more drinking fountains are required, *water dispensers* shall be permitted to be substituted for not more than 50 percent of the required number of drinking fountains. In educational settings, 50 percent of the required number of drinking fountains must incorporate a bottle filling station.

Proponent: Carolinas AGC

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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Item 4.

Applicable Code: 2021 International Mechanical Code

Modification Index Number: IMC 2021-01

Code Section: 504.9.2 Duct Installation

Modification:

504.9.2 Duct installation. Exhaust ducts shall be supported at intervals not to exceed 8 feet and within 16 inches of each side of a joint that is not installed in a vertical orientation, ~~4-foot (1219 mm) intervals and~~ secured in place, making rigid contact with the duct at not less than 4 equally spaced points or 2/3rds contact if strap is used. All brackets and strapping must be noncombustible. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. ~~Ducts shall not be joined with screws or similar fasteners that protrude more than 1/8 inch (3.2 mm) into the inside of the duct. The overlap shall comply with Section 603.4.2. Ducts shall not be joined with screws or similar devices that protrude into the inside of the duct.~~ Exhaust ducts shall be sealed in accordance with Section 603.9.

Where dryer exhaust ducts are enclosed in wall or ceiling cavities, such cavities shall allow the installation of the duct without deformation. The duct work may be ovalized as long as it terminates in an approved duct box. Minor imperfections located on the duct, in areas other than along the seam, do not constitute a violation of this section.

Proponent: Building Official Association of South Carolina (BOASC)

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IMC 2018 | IMC 2018 01 | 504.8.2 |
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Item 4.

Applicable Code: 2021 International Mechanical Code

Modification Index Number: IMC 2021-02

Code Section: Table 1103.1 Refrigerant Classification Amount and OEL

Modification:

Footnote:
 c. The ASHRAE Standard 34 flammability classification for this refrigerant is 2L, which is a subclass of Class 2.

Proponent: Air Conditioning, Heating, Refrigeration Institute (AHRI)

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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Item 4.

Applicable Code: 2021 International Mechanical Code

Modification Index Number: IMC 2021-03

Code Section: 1104.3 System Application Requirements

Modification:

1104.3.1 Air conditioning for human comfort. High probability systems used for human comfort shall use Group A1 or A2L refrigerant. In other than industrial *occupancies* where the quantity in a single independent circuit does not exceed the amount in Table 1103.1, Group B1, B2 and B3 refrigerants shall not be used in high-probability systems for air conditioning for human comfort.

Proponent: Air Conditioning, Heating, Refrigeration Institute (AHRI)

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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Item 4.

Applicable Code: 2021 International Mechanical Code

Modification Index Number: IMC 2021-04

Code Section: Chapter 15 Referenced Standards

Modification:

| | |
|-----------------------------------|---|
| CSA | |
| <u>C22.2 No. 60335-2-40 -2019</u> | <u>Household and Similar Electrical Appliances - Safety - Part 2_40: Particular Requirements for Electrical Heat Pumps, Air-Conditioners and Dehumidifiers - 3rd Edition</u> <u>908.1, 916.1, 918.2, 1101.2</u> |
| UL | |
| <u>60335-2-40-17 2019</u> | <u>Household and Similar Electrical Appliances - Safety - Part 2_40: Particular Requirements for Electrical Heat Pumps, Air-Conditioners and Dehumidifiers</u> <u>908.1, 916.1, 918.1, 918.2, 1101.2</u> |

Proponent: Air Conditioning, Heating, Refrigeration Institute (AHRI)

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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Item 4.

Applicable Code: 2021 International Fuel Gas Code

Modification Index Number: IFGC 2021-01

Code Section: 401.9 Identification

Modification:

401.9 Identification. Each length of pipe and tubing and each pipe fitting, utilized in a fuel gas system, shall bear the identification of the manufacturer.

Exceptions:

1. Steel pipe sections that are 2 feet (610 mm) and less in length and are cut from longer sections of pipe.
2. Steel pipe fittings 2 inches and less in size.
3. Where identification is provided on the product packaging or crating.
4. Where other *approved* documentation is provided.

Section deleted without substitution.

Proponent: South Carolina Propane Gas Association (SCPGA)

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFGC 2018 | IFGC 2018 01 | 401.9 |
| IFGC 2015 | IFGC 2015 01 | 401.9 |
| IFGC 2012 | IFGC 2012 01 | 401.9 |
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Item 4.

Applicable Code: 2021 International Fuel Gas Code

Modification Index Number: IFGC 2021-02

Code Section: 401.10 Third-Party Testing and Certification

Modification:

401.10 Piping materials standards. Piping, tubing and fittings shall be manufactured to the applicable referenced standards, specifications and performance criteria listed in Section 403 and shall be identified in accordance with Section 401.9. **Third-party testing and certification.** All piping, tubing and fittings shall comply with the applicable referenced standards, specifications and performance criteria of this code, including Section 403 of the South Carolina Fuel Gas Code and corresponding sections.

Proponent: South Carolina Propane Gas Association (SCPGA)

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFGC 2018 | IFGC 2018 02 | 401.10 |
| IFGC 2015 | IFGC 2015 02 | 401.10 |
| IFGC 2012 | IFGC 2012 02 | 401.10 |
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Item 4.

Applicable Code: 2021 International Fuel Gas Code

Modification Index Number: IFGC 2021-03

Code Section: 412.4 Listed Equipment

Modification:

[F] 412.4 Listed equipment. Hoses, hose connections, vehicle fuel connections, dispensers, LP-gas pumps and electrical equipment used for LP-gas shall comply with the requirements of NFPA 58 *be listed*.

Proponent: South Carolina Propane Gas Association (SCPGA)

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFGC 2018 | IFGC 2018 03 | 412.4 |
| IFGC 2015 | IFGC 2015 03 | 412.4 |
| IFGC 2012 | IFGC 2012 03 | 412.4 |
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Item 4.

Applicable Code: 2021 International Fuel Gas Code

Modification Index Number: IFGC 2021-04

Code Section: 412.6 Location

Modification:

[F] 412.6 Location. The point of transfer for LP-gas dispensing operations shall be separated from buildings and other exposures in accordance with the following:

1. Not less than 25 feet (7620 mm) from buildings where the exterior wall is not part of a fire-resistance-rated assembly having a rating of 1 hour or greater.
2. Not less than 25 feet (7620 mm) from combustible overhangs on buildings, measured from a vertical line dropped from the face of the overhang at a point nearest the point of transfer.
3. Not less than 25 feet (7620 mm) from the lot line of property that can be built upon.
4. Not less than 25 feet (7620 mm) from the centerline of the nearest mainline railroad track.
5. Not less than 10 feet (3048 mm) from public streets, highways, thoroughfares, sidewalks and driveways.
6. Not less than 10 feet (3048 mm) from buildings where the exterior wall is part of a fire-resistance-rated assembly having a rating of 1 hour or greater.

In addition to the fuel dispensing requirements of the South Carolina Fire Code, the point of transfer for dispensing operations shall be 25 feet (7620 mm) or more from buildings having combustible exterior wall surfaces, buildings having noncombustible exterior wall surfaces that are not part of a 1-hour fire-resistance-rated assembly or buildings having combustible overhangs, property which could be built on, and railroads; and at least 10 feet (3048 mm) from public streets or sidewalks and buildings having noncombustible exterior wall surfaces that are part of a fire-resistance-rated assembly having a rating of 1 hour or more; and 5 feet from driveways.

Exceptions:

1. The point of transfer for LP-gas dispensing operations need not be separated from canopies providing weather protection for the dispensing equipment that are constructed in accordance with the International Building Code and that provide weather protection for the dispensing equipment. Liquefied petroleum gas containers shall be located in accordance with the International Fire Code.
2. The separation from driveways is not required where the driveway serves the vehicle fuel dispenser.

Liquefied petroleum gas containers shall be located in accordance with the International Fire Code. Liquefied petroleum gas storage and dispensing equipment shall be located outdoors and in accordance with the International South Carolina Fire Code.

Proponent: South Carolina Propane Gas Association (SCPGA)

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFGC 2018 | IFGC 2018 04 | 412.6 |
| IFGC 2015 | IFGC 2015 04 | 412.6 |
| IFGC 2012 | IFGC 2012 04 | 412.6 |
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Applicable Code: 2021 International Fuel Gas Code

Modification Index Number: IFGC 2021-05

Code Section: 412.8.3 Vehicle Impact Protection

Modification:

[F] 412.8.3 Vehicle impact protection. Where installed within 10 feet (3048 mm) of vehicle traffic, LP-gas storage containers, pumps and dispensers shall be protected in accordance with Section 2307.5, Item 2 of the International Fire Code.

Exception: An alternative method may be used that meets the intent of this section with the approval of the AHJ.

Proponent: South Carolina Propane Gas Association

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFGC 2018 | IFGC 2018 06 | 412.8.3 |
| IFGC 2015 | IFGC 2015 05 | 412.8.3 |
| IFGC 2012 | IFGC 2012 05 | 412.7.3 |
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Item 4.

Applicable Code: 2021 International Fuel Gas Code

Modification Index Number: IFGC 2021-06

Code Section: 412.10 Private fueling of motor vehicles

Modification:

412.10 Private fueling of motor vehicles. Self-service LP-gas dispensing systems, including key, code and card lock dispensing systems, shall not be open to the public. In addition to the requirements of the South Carolina Fire Code, self-service LP-gas dispensing systems shall be provided with an emergency shutoff switch located within 100 feet (30 480 mm) of, but not less than 20 feet (6096 mm) from, dispensers and the owner of the dispensing facility shall ensure the safe operation of the system and the training of users.

Proponent: South Carolina Propane Gas Association (SCPGA)

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFGC 2018 | IFGC 2018 07 | 412.10 |
| IFGC 2015 | IFGC 2015 06 | 412.10 |
| IFGC 2012 | IFGC 2012 06 | 412.8 |
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Applicable Code: 2021 International Fuel Gas Code

Modification Index Number: IFGC 2021-07

Code Section: 505.1.1 Commercial cooking appliances vented by exhaust hoods

Modification:

505.1.1 Commercial cooking appliances vented by exhaust hoods. Where commercial cooking appliances are vented by means of the Type I or II kitchen exhaust hood system that serves such appliances, the exhaust system shall be fan powered and the appliances shall be interlocked with the exhaust hood system to prevent appliance operation when the exhaust hood system is not operating. ~~The method of interlock between the exhaust hood system and the appliances equipped with standing pilot burner ignition systems shall not cause such pilots to be extinguished.~~ Where a solenoid valve is installed in the gas piping as part of an interlock system, gas piping shall not be installed to bypass such valve. Dampers shall not be installed in the exhaust system.

Exception: An interlock between the cooking appliance(s) and the exhaust hood system shall not be required for appliances that are of the manually operated type and are factory equipped with standing pilot burner ignition systems. ~~where heat sensors or other approved methods automatically activate the exhaust hood system when cooking operations occur.~~

Proponent: Piedmont Natural Gas

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| IFGC 2018 | IFGC 2018 08 | 505.1.1 |
| IFGC 2015 | IFGC 2015 07 | 505.1.1 |
| IFGC 2012 | IFGC 2012 07 | 505.1.1 |
| IFGC 2006 | IFGC 2006 01 | 505.1.1 |
| IFGC 2003 & 2000 | IFGC 2003 02,IFGC 2000 02 | 505.1.1 |



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Applicable Code: 2020 National Electrical Code

Modification Index Number: NEC 2020-03

Code Section: 210.8(A)(5) Dwelling Units

Modification:

210.8(A) Dwelling Units. All 125-volt ~~through 250-volt~~ receptacles installed in the locations specified in 210.8(A)(1) through (A)(11) and supplied by single-phase branch circuits rated 150 volts or less to ground shall have ground-fault circuit-interrupter protection for personnel.

- (1) Bathrooms.
- (2) Garages and also accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work areas, and areas of similar use.
- (3) Outdoors.
Exception to (3): Receptacles that are not readily accessible and are supplied by a branch circuit dedicated to electric snow-melting, deicing, or pipeline and vessel heating equipment shall be permitted to be installed in accordance with 426.28 or 427.22, as applicable.
- (4) Crawl spaces - at or below grade level.
- (5) Basements
Exception No. 1 to (5): A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit-interrupter protection.
Exception No. 2 to (5): Receptacles in walk-out basements are excluded from this requirement.

Receptacles installed under the exception to 210.8(A)(5) shall not be considered as meeting the requirements of 210.52(G).

- (6) Kitchens - where the receptacles are installed to serve the countertop surfaces.
- (7) Sinks - where receptacles are installed within 1.8 m (6 ft) from the top inside edge of the bowl of the sink.
- (8) Boathouses.
- (9) Bathtubs or shower stalls - where receptacles are installed within 1.8 m (6 ft) of the outside edge of the bathtub or shower stall.
- (10) Laundry areas.
Exception to (1) through (3), (5) through (8), and (10): Listed locking support and mounting receptacles utilized in combination with compatible attachment fittings installed for the purpose of serving a ceiling luminaire or ceiling fan shall not be required to be ground-fault circuit-interrupter protected. If a general-purpose convenience receptacle is integral to the ceiling luminaire or ceiling fan, GFCI protection shall be provided.
- (11) Indoor damp and wet locations.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
 South Carolina Building Codes Council
 2021 Modification Index

Item 4.

Applicable Code: 2020 National Electrical Code

Modification Index Number: NEC 2020-04

Code Section: 210.8(F) Outdoor Outlets

Modification:

210.8(F) Outdoor Outlets. All outdoor outlets for dwellings, other than those covered in 210.8(A)(3), Exception to (3), that are supplied by single-phase branch circuits rated 150 volts to ground or less, 50 amperes or less, shall have ground-fault circuit-interrupter protection for personnel.

Exception: Ground-fault circuit-interrupter protection shall not be required on lighting outlets other than those covered in 210.8(C).

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Item 4.

Applicable Code: 2020 National Electrical Code

Modification Index Number: NEC 2020-05

Code Section: 210.12(A) Dwelling Units

Modification:

210.12(A) Dwelling Units. All 120_volt, single_phase, 15_ and 20_ ampere branch circuits supplying outlets or devices installed in dwelling unit ~~kitchens~~, family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreation rooms, closets, hallways, ~~laundry areas~~, or similar rooms or areas shall be protected by any of the means described in 210.12(A)(1) through (6):

Items (1) through (6) and Exception to remain as written.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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South Carolina Department of Labor, Licensing and Regulation
South Carolina Building Codes Council
2021 Modification Index

Applicable Code: 2020 National Electrical Code

Modification Index Number: NEC 2020-06

Code Section: 230.67 Surge Protection

Modification:

230.67 Surge Protection.

~~(A) Surge-Protective Device.~~ All services supplying dwelling units shall be provided with a surge-protective device (SPD).

~~(B) Location.~~ The SPD shall be an integral part of the service equipment or shall be located immediately adjacent thereto.

Exception: The SPD shall not be required to be located in the service equipment as required in (B) if located at each next level distribution equipment downstream toward the load.

~~(C) Type.~~ The SPD shall be a Type 1 or Type 2 SPD.

~~(D) Replacement.~~ Where service equipment is replaced, all of the requirements of this sections shall apply.

This section is deleted without substitution.

Proponent: Home Builders Association of South Carolina

| Previous Code Cycles | Previous Modification Index Number | Previous Code Section |
|----------------------|------------------------------------|-----------------------|
| N/A | | |
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2021 South Carolina Code Adoptions

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

The adopted modifications and the mandatory codes are as follows:

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

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

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

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

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

ORDINANCE NO. 2022 / ____

AN ORDINANCE AMENDING THE BEAUFORT COUNTY CODE OF ORDINANCES, CHAPTER 74 – BUILDING AND BUILDING REGULATIONS, SECTION 74-64, ADOPTION OF BUILDING CODES (AMENDS CODE OF ORDINANCES TO ADOPT THE 2021 STATE MANDATED CODE EDITIONS).

WHEREAS, Beaufort County (“County”) adopts the most current building codes as established the South Carolina Building Codes Council pursuant to Ordinance 2018/38; and

WHEREAS, currently Beaufort County applies the 2018 code editions pursuant to the established effective dates by the South Carolina Building Codes Council of said code; and

NOW THEREFORE, BE IT ORDAINED the Beaufort County Council does hereby amend Section 74-64 of the Beaufort County Code of Ordinances that are highlighted in **RED** shall be added text and lined through shall be deleted text.

Sec. 74-64. - Adoption of building codes.

The regulations of the following standards codes recommended and published in book form and hereby adopted as the regulations governing the construction of buildings and other structures in the county with effective dates established by the South Carolina Building Code Council; and it shall be unlawful to erect or construct any building or structure in the county in violation of, or without complying with, these regulations:

~~2018~~ **2021** International Building Code with SC modifications, Including Chapter 1

~~2018~~ **2021** International Residential Code with SC modifications, Including Chapter 1

~~2018~~ **2021** International Fire Code with SC modifications

~~2018~~ **2021** International Plumbing Code with SC modification

~~2018~~ **2021** International Mechanical Code with SC modifications

~~2018~~ **2021** International Fuel Gas Code with SC modifications

2009 South Carolina Energy Conservation Code with SC modification

~~2017~~ **2020** National Electrical Code (NFPA 70) with SC modifications

~~2018~~ **2021** International Existing Building Code

DONE this ____ day of _____, 2022.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____

Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

| |
|--|
| ITEM TITLE: |
| Approval of Talbert, Bright and Ellington Work Authorization 2119-1905, Amendment 1 |
| MEETING NAME AND DATE: |
| Public Facilities Committee November 21, 2022 |
| PRESENTER INFORMATION: |
| Jon Rembold, Airports Director 5 minutes |
| ITEM BACKGROUND: |
| The original Work Authorization 2119-1905 was approved by County Council January 13, 2020. Airports Board review/approval November 17, 2022 |
| PROJECT / ITEM NARRATIVE: |
| The terminal improvements project bids were received in June 2022. Due to inflation, the bids received exceeded the project budget. After evaluating several options over the ensuing weeks, the project team and county administration agreed to phase the project and re-bid it by phase, beginning with a scope of work that is fully funded with on-hand funds and funding that has already been granted to Beaufort County. This amendment to WA 2119-1905 re-engages the project engineering and architectural team to produce revised bid documents according to the phasing plan. The amendment also provides additional Resident Project Representative (Quality Control) budget to handle overlaps in project disciplines as well as allowing for the potential of extended construction hours during the project. |
| FISCAL IMPACT: |
| 90% of the funding will be provided by the FAA (AIP Grant 45) which is already awarded and has been used for project soft costs to date; The 10% project match will be provided by airport revenues or by South Carolina grant funding pledged by the General Assembly as part of the FY 2023 budget. The total value of this Work Authorization shall not exceed \$1,661,566.48 without additional authorization. |
| STAFF RECOMMENDATIONS TO COUNCIL: |
| Move Talbert, Bright and Ellington Work Authorization 2119-1905, Amendment 1 to Council with a recommendation to approve. |
| OPTIONS FOR COUNCIL MOTION: |
| Approve or deny Talbert, Bright and Ellington Work Authorization 2119-1905, Amendment 1 |

HILTON HEAD ISLAND AIRPORT
HILTON HEAD ISLAND, SOUTH CAROLINA
WORK AUTHORIZATION 19-05
October 17, 2022
PROJECT NO.: TBE NO. 2119-1905
Amendment 1

It is agreed to undertake the following work in accordance with the provisions of our Contract for Professional Services.

Original Description of Work Authorized: The Talbert Bright & Ellington, Inc. (TBE) project team will provide design, bidding (provision of plans, response to questions, bid opening), and construction administration services for the Hilton Head Airport (HXD) in Hilton Head, South Carolina for the expansion and renovation of the existing commercial terminal building.

The project will be based on results of multiple iterations of schematic layouts created to rehabilitate and expand the existing terminal, as well as input from the local terminal stakeholder group on November 6, 2019. For the purposes of this proposal, the project will consist of the following:

- Construction and rehabilitation of the terminal building and concourse. A sketch of the proposed locations of construction is included at the end of this work authorization.
- The construction of the existing terminal will consist of:
 - Add two bag claim devices and expand in-bound baggage make-up
 - Relocate rental car counters and allow for 4 counters with office space
 - Add ATO office space and relocate ticket counters to allow for additional queuing
 - Rework TSA bag screening and design for a future automated outbound baggage make- up device
 - Renovate existing bathrooms
 - Relocate holdroom area to the expansion portion of this project and prepare existing holdroom space as shell for future use
- The rehabilitation portion of the Terminal and Concourse will consist of:
 - Provide queuing, new TSA offices and 2 security checkpoint lanes
 - Provide jetway and holdroom space for 3 gates (accommodating ERJ-175s) with 2 gates served by passenger boarding bridges and 1 gate served by ground-boarding
 - Provide new restrooms and retail areas
- General functional circulation and wayfinding
- Rework and add to the existing curb length including drop-off and pick-up requirements
 - Provide 4 lanes of vehicular traffic on the landside of the terminal building
 - Modify existing parking lot to accommodate the new lanes of traffic
 - Modify access from landside to aircraft ramp on north side of terminal building
- Locate and provide for kiosks, ticket counters, and queuing needs
- Provide for Airport Administration Areas, TSA Leased Areas, Police Area

Talbert, Bright and Ellington, Inc.

Work Authorization 2119-1905

Amendment 1

1

- Security Screening Checkpoint (SSCP) layout, operations and queuing, exit lane configuration and staffing
- Support areas including maintenance, storage, janitorial and utility spaces
- Compliance with ADAAG and ANSI requirements
- Site landscaping improvements
- The entire project will be designed through 100% Construction Documents for the LLR, FAA and DRB reviews and the scope includes Bidding/Permitting services.

The following is a breakdown provided for each discipline. In order to give shape and size to the terminal facility during the previous planning phase of the project, a significant number of assumptions were made about the existing building and programmatic requirements. The project team is now moving on to the design phase of the project that consists of pre-design and programming, schematic design, design development, construction documents, and bidding/permitting phases. The schematic layout will be evaluated in greater detail during the early stages of design so as not to create problems as the project progresses. The work that took place during the Terminal Study phase of the project was used to determine the quantity, size, and placement of Terminal components to match facility needs with enplanement forecasts. The design team needs to test any assumptions resulting from the schematic design in order to determine the actual design. We also need to work with the appropriate agencies to determine actual sizes and locations.

This does not necessarily mean that the schematic design assumptions will change dramatically, but that the actual program, placement, and size of spaces needs to be determined, reviewed, and approved by the appropriate agencies in order for the Schematic Design phase to begin.

A. PROGRAM MANAGEMENT/ARCHITECTURAL COORDINATION

TBE is responsible for program management and for ensuring a successful, efficient, and cost-effective design and construction process for all elements of the project. TBE is responsible for the following duties:

1. Complete Terminal Expansion and Renovation Program management including coordination between the Architect, all subconsultants, agencies, stakeholders, etc.
2. Coordinate with team members to incorporate information and design data that spans the various disciplines.
3. Providing document coordination and application to all relevant project documents and files through the entire project duration.
4. Documentation of meetings including the drafting & finalizing of the meeting agenda, recording and issuing meeting minutes and tracking meeting action items to completion.
5. Management of the RFI process during the design and bidding of the Project to provide a cohesive approach across the Program, including review and distribution to the appropriate discipline leads.
6. Serving as the main point of contact between HXD and the team members for project design, bidding and construction.

7. Providing all required special and additional services to complete the goals of the program as a whole, including each project element. For example: surveying, geotechnical investigations, quality assurance testing, etc.
8. Reviewing and processing of subconsultant and contractors' invoices and applications for payment.
9. During the construction phase of the project, TBE will review monthly schedule updates provided by the construction contractor to ensure compliance with specifications as follows:
 - Schedule updates will be reviewed for technical compliance with the specifications.
 - Schedule updates will be reviewed for achievability/constructability with a focus on the following.
 - Critical and near critical paths
 - Contractor resources
 - Construction phasing and coordination with other entities (airport operations, utilities, etc.)
 - Cash flow to ensure the project is delivered on time and under budget.
 - Budgeted and actual costs are in line with pay applications.
10. During the construction phase of the project, TBE will report findings to the project team to ensure that the contractor remains on schedule for all interim and contract completion dates. This information will be critical to the team in order to manage contractor resources, phasing and payment schedule.

B. PRE-DESIGN/PROGRAMMING

I. Architectural

1. Develop and define scope of services:
 - Confirm program and deliverables
 - Confirm components with anticipated funding program
2. Confirm design constraints:
 - Confirm limits of design with owner for each discipline
 - Identify existing design problems to be addressed in proposed projects
3. Confirm documentation requirements:
 - Confirm CAD and file-sharing software, standards and procedures for creating and distributing the project documents, methods and stakeholders for communication
4. Confirm project delivery method (design/bid/build) and alternative management options
5. Confirm stakeholder approvals (Airlines, Air Carriers, TSA, FAA, others)
6. Confirm preliminary construction budget and availability of monies by year:
 - Confirm overall budget goals
 - Budgets, provided by the cost consultant, will include construction costs for each phase of project

- Identify methods for value engineering evaluation
- 7. Assess cost eligibility for terminal improvements
- 8. Confirm authorities having jurisdiction (HXD) required procedures and approval processes (zoning, county, city, DOI)
 - Confirm applicable codes and zoning ordinances:
 - Confirm requirements, milestones, response and incorporation procedures
- 9. Coordinate with Cost Consultant on cost-estimating
 - Define methods and milestones for developing construction cost opinions
 - Working session with third-party cost estimator to confirm basic assumptions regarding historical similar costs and geographic impacts
- 10. Schedule, attend, conduct and document on-site project review meetings (2 meetings)
- 11. Assemble, review and submit deliverables

II. Structural Engineering

1. Confirm components of projects and deliverables
2. Establish Owner criteria and design constraints
3. Initial field investigation site visits for documentation of existing structural systems

III. Geotechnical Engineering

1. Geotechnical exploration
 - Contact SC One-Call Center (PUPS) to mark existing utilities
 - Meet with airport personnel to coordinate field activities
 - 13 cone penetration tests (CPT) – 11 to 30 feet – 2 to 100 feet
 - Shear wave velocity (SWV) testing for one of the 100-foot CPTs
2. Geotechnical engineering and reporting
 - General geologic overview of the subject site
 - Soil conditions encountered and pertinent engineering properties
 - Groundwater depth
 - Suitable foundation system(s)
 - Minimum bearing depth
 - Design bearing capacity
 - Settlement estimates (total and differential)
 - Passive earth pressure coefficient, soil unit weight, and base friction value
 - Seismic site characterization
 - Preliminary liquefaction assessment
 - Slab-on-grade design recommendations, including k-value
 - Field and recommended CBR for subgrade areas under proposed vehicular drive/parking areas pavement design
 - Unified Soils Classifications of existing subgrade soils
 - Soil profile depths, existing blows per foot, water table depth after 24 hours for each civil site boring location
 - Pavement materials and associated depths for civil site borings in existing paved areas
 - Site grading/earthwork recommendations, including suitability of onsite soils for

- reuse and compaction guidelines
- Comments relating to adverse geotechnical conditions

IV. Mechanical, Electrical, Plumbing, Fire Protection, IT and Security Engineering

1. Confirm components of projects and deliverables
2. Establish Owner criteria and design constraints
 - Define MEPFP spatial requirements
 - Review specific building system questions
 - Review specific IT systems requirements, in coordination with the Owner staff and Owner's vendors
 - Review specific security system requirements, in coordination with the Owner staff and Owner's vendors
3. Initial field investigation site visits for documentation of existing MEPFP systems

V. Civil Engineering

1. Confirm components of projects and deliverables
2. Review and evaluate all existing design documentation
3. Initial field investigation site visits for documentation of existing conditions

VI. Specialty Lighting Design

1. Confirm components of projects and deliverables

VII. Baggage Handling Systems

1. Confirm components of projects and deliverables
2. Review and evaluate all existing design documentation
3. Field survey existing conditions to determine where system interface between existing and new conveyor line rights-of-way and coordinate field survey review with all design team disciplines
4. Perform a statistical analysis of the design to verify that it will meet capacity requirements and other performance criteria
5. Development for required phasing approach
6. Provide rough order of magnitude (ROM) estimate of probable BHS costs
7. Provide rough order of magnitude (ROM) estimate of BHS power requirements

VIII. Aircraft Support Systems

1. Confirm and develop project scope, Aircraft Gate Equipment requirements and aircraft mix/planning requirements

IX. Code Consulting

1. Determine applicable codes
2. Review and prepare code analysis of existing building

X. Graphics and Signage

1. Confirm components of projects and deliverables
2. Review specific building system requirements:

- Perform existing conditions research to define and confirm signage program requirements

XI. Landscape Improvements

1. Data gathering (topo conditions, drainage constraints, access and circulation availability, easements and right-of-way, existing and proposed architectural and engineering elements, aerial photos, tree and other natural feature surveys)
2. Coordination with design team
3. Review of site development guidelines or jurisdictional ordinances
4. Review site program
5. Contact relative reviewing agencies to determine specific requirements for the project
6. Prepare base file with survey, site plan and grading plans
7. Site visit to review existing site conditions and add to base information (1 visit)

XII. Deliverables

1. Plan and written documents with programming, placement, and initial design based on input and coordination with appropriate agencies and their approval:
 - Provide detailed written program document defining all required spaces (with square footages noted) to include equipment, building systems, and furnishings
 - Provide program building plans illustrating written program for all new and renovated areas
 - Provide sub-consultants' preliminary analysis reports as defined in scope above
 - Provide CAD base plans of existing building to all consultants
 - Geotechnical engineering report
2. Development and preparation of a "Pre-Design/Preliminary Alternatives Analysis Report" TSA BHS Submittal (based on PGDS requirements) suitable for submission to TSA and generally expected to contain the following:
 - Flight Schedule Analysis
 - Planning Premises
 - Zoning scheme definitions
 - Preliminary screening alternatives explored, alternatives evaluation and preferred alternate selection
 - Order of magnitude cost estimate
 - Staffing level estimates and Life Cycle Costs

C. SCHEMATIC DESIGN – 30% REVIEW PACKAGE – LLR, DRB and FAA SUBMITTALS

I. Architectural

1. Confirm analysis and documentation of existing building:
 - Finalize analysis of existing conditions
 - Confirm modifications made since master plan exercise
2. Confirm owner program and gross floor area:
 - Confirm building requirements and total square footage

3. Confirm space allocation and departmental proximity requirements:
 - Confirm square footages for each department, agency and tenant
 - Confirm sizes and spatial relationships among the various types of spaces
4. Perform code analysis and establish life safety requirements:
 - Synthesize local, state, and federal codes and requirements affecting the project
 - Develop design strategies for implementing code requirements
 - Develop building design to exceed code requirements for egress, number of exits, and exit travel distances
 - Attend AHJ review meeting in Beaufort County
5. Confirm site plan design requirements:
 - Review existing site conditions
 - Identify areas of site requiring modifications based on proposed design
6. Determine building and envelope systems for exterior walls and roof:
 - Analyze existing building envelope and roof and identify areas of weakness
 - Research cladding and envelope systems for enhancing building performance
 - Select materials well suited to the demands of the project
 - Develop preliminary energy analysis of building envelope
7. Assess cost eligibility for terminal improvements
8. Prepare preliminary construction cost opinion with third party cost estimator
9. Submit packages to LLR, DRB and FAA
 - Attend LLR review in Columbia
 - Attend DRB review in Hilton Head Island
 - Respond to and incorporate comments as required
10. Schedule, attend and conduct stakeholder meetings at HXD (4 meetings)
11. Conduct quality control review
12. Assemble, review and submit deliverables

II. Structural Engineering

1. Review specific building system requirements:
 - Perform preliminary analysis of existing building systems performance
2. Assess existing building lateral load system design and impact on Terminal renovation and expansion
3. Provide review and coordination with geotechnical consultant as related to foundation design requirements
4. Consider alternative structural solutions for the building structure
5. Establish structural system, foundation slab, framing grid and estimated floor to floor heights
6. Virtual participation in stakeholder meetings
7. Attend on-site stakeholder meetings to review comments (2 meetings)
8. Review cost estimate
9. Attend quality control review

III. Mechanical, Electrical, Plumbing, Fire Protection, IT and Security Engineering

1. Analysis of existing mechanical, electrical, plumbing and fire protection systems:
 - Field investigation site visits for detailed documentation of existing MEPFP

- systems
- MEPFP engineers to perform on-site assessments of existing systems and provide report of findings to owner
2. Determine MEPFP systems to be used:
 - Determine types of systems to be used based on performance, energy efficiency, and assessment of existing systems
 - Identify location for domestic water service and backflow preventers, if new are required
 - Confirm plumbing piping materials for domestic water, waste and vent, and storm drainage.
 - Confirm water heater locations. Confirm types (point of use, tank type) of water heaters. Confirm gas (if available) or electric water heaters.
 - Confirm expectations of re-use for existing roof drain leaders where practical and where new roof leaders need to be relocated for new roof construction areas
 - Confirm replacement of existing plumbing fixtures with new fixtures that are accessible and that exceed the water savings requirements of the Energy Policy Act of 1992; Confirm requirements for low flow toilets (128 gallons/flush), low flow (0.125 gallons/flush) or waterless urinals and low flow faucets (0.5 gpm)
 - Confirm keeping or replacement of the existing air handling units.
 - Confirm desire to utilize energy recovery system in new air handling units
 - Confirm types of air handling system for expansion areas. Confirm locations of interior and exterior equipment.
 - Confirm location(s) of transformers
 - Confirm keeping or replacement of distribution equipment
 - Confirm generator requirements
 - Reconfigure if necessary existing generator distribution
 - Provide fixtures with LED lamp source
 - Confirm desire for daylight harvesting in coordination with the Owner
 - Provide automatic lighting controls
 - Replace older exit signs
 - Provide smoke detection in common, storage, electrical, and mechanical areas where none presently exist
 - Confirm upgrade of the Fire Alarm Control Panel
 - Perform code analysis
 - Identify documentation requirements
 - Provide preliminary HVAC equipment sizing
 - Provide preliminary electrical load sizing.
 - Coordination as required with Specialty Lighting Design Consultant
 3. Determine IT and Security systems and equipment to be used, as coordinated with the Owner staff and Owner's vendor:
 - Preliminary design of structured cabling for voice and data
 - Preliminary design of card reader access system for owner, TSA, tenants
 - Preliminary design of surveillance systems
 - Preliminary design of intrusion systems

- Preliminary design of wireless systems
 - Preliminary design of paging systems
4. Virtual participation in stakeholder meetings
 5. Attend on-site stakeholder meeting to review comments (4 meetings)
 6. Review cost estimate
 7. Attend quality control review

IV. Civil Engineering

1. Compile information and reconcile concept
2. Development schematic design geometric layouts of the Terminal Curbside, Terminal Road, and existing parking lot revisions.
3. Development schematic design grading and drainage layouts of the Terminal Curbside, Terminal Road, and existing parking lot revisions.

V. Specialty Lighting Design

1. Review specific building system requirements:
 - Perform preliminary analysis of existing building systems performance
2. Develop exterior and interior lighting scenarios:
 - Identify requirements and locations for artificial lighting
 - Develop lighting concepts with Architect to be reviewed and approved by the owner
3. Prepare preliminary lighting fixture schedules
4. Perform foot candle calculations to confirm lighting level requirements as required
5. Prepare preliminary dimmer/lighting control schedule
6. Virtually attend quality control review

VI. Baggage Handling Systems

1. Further develop and coordinate the baggage handling system design with all disciplines
2. Continued updates/development for overall phasing approach
3. Model trace baggage carts and anticipated ramp operations
4. Production of detailed equipment manifests
5. Updates/revisions for BOD document as required
6. Specification development
 - Updated Basis of Design Report
 - Updated Plans and Sections with level of detail prescribed in PGDS
 - Updated Conveyor Manifest (approximate conveyor lengths and belt speeds)
 - Outline of Reporting Capabilities
 - Baggage and data flow charts
 - Updated estimate of probable BHS costs
 - Updated estimate of BHS power requirements
 - Updated project/phasing schedule
7. Continued updates/development of BHS Cost Estimates
8. Continued updates/development BHS Power Requirements and Heat Load

- projections
9. Virtual participation in stakeholder meetings
 10. Attend on-site stakeholder meetings to review design (2 meetings)
 11. Virtually attend quality control review

VII. Aircraft Support Systems

1. Conduct Site Survey and attend planning meeting at HXD
 - Compile and verify existing data
 - Compile and provide existing CAD files to project team from past HXD projects completed by the Contractor
 - Coordinate and verify existing CAD layouts with existing terminal building CAD drawings
2. Develop plans
 - Develop draft aircraft parking plans for all gates that are part of the terminal expansion. Layouts to include striping from the vehicle service roads to the gate parking positions, including vehicle service roads and vehicle parking as necessary.
 - Model trace aircraft layouts showing aircraft maneuvering as necessary along with jet blast evaluation
 - Review and coordinate fuel hydrant locations coordinated with the aircraft parking plans. (if there will be fuel pits)
3. Develop specifications
 - Generate SD Level PBB specifications, selections, layouts, foundation locations, foundation loads, and equipment general layout designs
 - Generate SD Level PBB walkway specifications, foundation locations, foundation loads, and equipment general layout designs
 - Generate SD Level point of use (POU) 400 Hz ground power specifications, and general equipment layout designs
 - Generate SD Level POU preconditioned air (PCA) specifications, and general equipment layout designs
 - Generate SD Level potable water cabinet specifications, cabinet locations, and general equipment layout designs
 - Generate SD Level baggage valet specification, locations, and general equipment layout designs
 - Generate SD Level aircraft docking guidance unit specifications, locations, and general equipment layout designs
 - Generate SD Level electric GSE charging system specifications, locations, and general equipment layout designs - based on a distributed style system
4. Provide coordination with Architectural, MEP, Civil and Structural disciplines for preliminary planning for terminal building interface requirements, electrical requirements and PBB foundation design Depending on the type of GBL system anticipated, terminal building penetrations and security coordination may be required
5. Provide budget
 - Provide budget estimates for Aircraft Gate Equipment and apron markings

- Provide preliminary construction budget based on additional design details identified in this Phase
- 6. Virtual participation in stakeholder meetings
- 7. Attend on-site stakeholder meeting to review design (1 meeting)
- 8. Virtually attend quality control review

VIII. Cost Estimating

1. Provide cost estimate of design

IX. Code Consulting

1. Review design and prepare code summary

X. Graphics and Signage

1. Develop new visual/graphics themes and standards:
 - General conceptual design of proposed visual themes and program aesthetics
 - Confirm owner approval of proposed conceptual design
2. Review cost estimate
3. Virtually attend quality control review

XI. Deliverables - 30% Review Package – LLR, DRB and FAA Packages

1. Provide written and plan documents:
 - Provide preliminary specifications for major building components
 - Provide schematic building plans, elevations and sections illustrating to scale written program requirements for all new and renovated areas
 - Provide sub-consultants design narratives as defined in scope above
 - Provide sub-consultants' preliminary design plans/reports as defined in scope above
 - Provide construction cost estimate
 - Provide interior and exterior renderings illustrating main building areas for client review and approval
2. Development and preparation of a "30% Design" TSA BHS Submittal (based on PGDS requirements) suitable for submission to TSA and generally expected to contain the following;
 - Updated Basis of Design Report
 - Order of magnitude cost estimate updates
 - Program Schedule Development
 - Phasing and Constructability Memo
 - Updated Plans and Sections with level of detail prescribed in PGDS
 - Responses to review comments received in previous phase
 - Preparation of a Threat Bag Removal Procedure

D. DESIGN DEVELOPMENT – 60% REVIEW PACKAGE

I. Architectural

1. Incorporate modifications to drawings and specifications from schematics review:
 - Coordinate revisions to building design across all disciplines
2. Establish drawing layout methods and conventions:
 - Coordinate construction document standards
3. Coordinate location of site grading and underground utilities:
 - Develop solutions for grading and utilities with proposed building design
4. Development of base building layouts:
 - Refine building plans in greater detail, incorporating structural requirements and material and envelope selections
 - Develop reflected ceiling plans, incorporating lighting and MEPF fixtures
5. Provide shell building and envelope requirements:
 - Select basis of design envelope/window/door manufacturers
 - Integrate envelope selections into building design
6. Determine interior finishes/millwork:
 - Select finish materials and identify areas requiring millwork
 - Develop interior elevations with material selections
7. Determine sustainable building components:
 - Determine level of sustainability desired by owner
 - Develop solutions for achieving sustainability/energy efficiency goals
8. Coordination of building systems into building design:
 - Integrate MEPF systems with building plans, sections, and details
9. Final determination of code requirements and life safety systems:
 - Prepare preliminary life safety plans demonstrating compliance with egress requirements
 - Coordinate with MEPF systems to ensure life safety compliance
 - Coordinate with Supporting Architect for incorporation of code compliance issues
 - Coordinate local, state, and federal code requirements with building design
10. Assess cost eligibility for terminal improvements
11. Complete edit set of contract specifications:
 - Update specifications to reflect materials and systems selections
12. Update construction cost opinion/obtain preliminary contractor pricing:
 - Update budget to reflect building design
 - Procure up-to-date budgetary information from an independent cost estimator
 - Assess cost eligibility for terminal improvements
13. Coordination with AHJ:
 - Integrate comments into building design and layout of specialty equipment
14. Schedule, attend, conduct and document stakeholder meetings at HXD (4 meetings)
15. Conduct quality control review:
 - Schedule and conduct coordination meeting with all disciplines to review progress
16. Assemble, review and submit deliverables

II. Structural Engineering

1. Develop selected structural system
2. Produce further detailed foundation and framing plans, including laterally system,

- framing member sizes, and plan dimensions
- 3. Provide preliminary framing sizes
- 4. Coordinate with the geotechnical consultant as related to foundation requirements
- 5. Provide outline specifications
- 6. Provide preliminary details
- 7. Review cost estimate
- 8. Participate in quality control review
- 9. Virtual participation in stakeholder meetings
- 10. Participation in on-site stakeholder meetings (2 meetings)

III. Mechanical, Electrical, Plumbing, Fire Protection, IT and Security Engineering

1. Provide selections and locations of owner-selected equipment/specialties:
 - Coordinate equipment with building layout
 - Identify any MEPFP systems/services required for installation
2. Provide MEPFP design development requirements:
 - Provide HVAC loads and electrical load calculations
 - Provide MEPFP equipment selections
 - Provide MEPFP and fire alarm drawings
3. Coordinate building systems into building design:
 - Finalize selections and locations of owner selected equipment and specialties
 - Provide final determination of code requirements and life safety systems
4. Determine exterior and interior lighting design and fixtures
5. Examine existing communication pathway and space requirements for communications
6. Develop design of IT systems identified in schematic design Develop drawings and specifications for IT systems and equipment
7. Develop design of security systems identified in schematic design Develop drawings and specifications for security systems and equipment
8. Examine existing communications infrastructure for connectivity:
9. Ongoing coordination with Architect and consultants
10. Coordination as required with Specialty Lighting Design Consultant
11. Provide outline specifications
12. Provide comments after review of estimator's construction cost opinion
13. Coordination with HXD as required:
 - Coordinate with TSA, tenants and code officials
 - Owner review and approval
14. Review cost estimate
15. Participate in quality control review
16. Virtual participation in stakeholder meetings
17. Participation in on-site stakeholder meetings (4 meetings)

IV. Civil Engineering

1. Compile information and reconcile concept from schematic design phase
2. 60% Design the Construction Safety and Phasing Plan (CSPP) to detail the safety

- requirements and overall phasing of the project. Production of the CSPP document and submittal to the FAA for review and approval.
3. 60% Demolition Plans for the limits of construction
 4. 60% Geometric Plans of the Terminal Curbside, Terminal Road, and modifications of the existing parking areas impacted by the proposed 4 new vehicular lanes in front of the proposed terminal building front.
 5. 60% Grading and Drainage Plans of the Terminal Curbside, Terminal Road, and existing parking areas. Drainage shall include the collection of all storm water and conveyance to the appropriate existing drainage system. Modifications to the existing Airport Stormwater Master Plan addressing increase in impervious area from this project. 60% design of stormwater detention/control improvements required from increase in impervious area.
 6. 60% Design of temporary sediment and erosion control measures for the project.
 7. 60% Pavement Markings Plans and Marking Details of the Terminal Curbside, Terminal Road, and existing parking areas.
 8. 60% Utility design to within five (5) feet of the building.
 9. 60% Miscellaneous Details sheets.
 10. Preparing quantities of the civil site items along with an engineer's opinion of probable cost at the 60% design level.
 11. Preparation of the draft engineering report as required by the FAA.
 12. Draft technical specifications pertaining to the civil site items.
 13. Quality assurance reviews of the civil site items and coordination with design team members.

V. Specialty Lighting Design

1. Develop exterior and interior lighting design and fixtures:
 - Analyze daylighting models to determine artificial light requirements
 - Select basis of design lighting fixtures and mounting options to be reviewed and approved by the owner
2. Develop lighting fixture schedules
3. Develop dimmer/lighting control schedules
4. Review cost estimate
5. Virtual participation in quality control review

VI. Baggage Handling Systems

VII. Landscape Improvements

1. Prepare Planting Plan, Planting Schedule and Details for the following areas
 - Parking lot median plantings
 - Foundation plantings
 - Gravel parking screening
2. Prepare narrative for DRB submittal regarding planting plan
3. Conduct plan take off and prepare estimate of probable cost
4. Project coordination with client and design team
5. Provide plans for Town of Hilton Head DRB permit submittal and review
6. Make minor revisions based on Town of Hilton Head DRB

7. Prepare Planting Plan for Town of Hilton Head DPR Approval
8. Prepare narrative for DPR submittal
9. Revise Planting Plan based on Town of Hilton Head DPR comments
10. Prepare revised estimate of probable cost
11. Provide response to Town of Hilton Head DPR comments
12. Prepare construction documents consisting of drawings and specifications for bidding of all planting design improvements included in Landscape Design and Development and based on Town Hilton Head development permit approved plans:
 - Prepare final construction planting plan with plant list, planting details and technical specification
 - Prepare final estimate of Probable Cost
 - Review plans for errors and omissions
 - Coordinate and submit Construction Document plans and specifications
 - Site and landscape improvements referred to may include but are not limited to:
 - Clearing and grubbing
 - Surface grading and drainage
 - Location and design of pedestrian walkways and hardscape areas
 - Lawns and plantings
 - Irrigation specification

VIII. Aircraft Support Systems

1. Incorporate DD comments and revision requests from stakeholders
2. Continue development of plans
 - Continue development of aircraft parking plans for all gates that are part of the terminal expansion. Layouts to include striping from the vehicle service roads to the gate parking positions, including vehicle service roads and vehicle parking as necessary.
 - Review and coordinate fuel hydrant locations coordinated with the aircraft parking plans. (if there will be fuel pits)
3. Continue development of specifications
 - Model trace aircraft layouts showing aircraft maneuvering as necessary along with jet blast evaluation
 - Generate DD Level PBB specifications, selections, layouts, foundation locations, foundation loads, and equipment general layout designs
 - Generate DD Level PBB walkway specifications, foundation locations, foundation loads, and equipment general layout designs
 - Generate DD Level point of use (POU) 400 Hz ground power specifications, and general equipment layout designs
 - Generate DD Level POU preconditioned air (PCA) specifications, and general equipment layout designs
 - Generate DD Level potable water cabinet specifications, cabinet locations, and general equipment layout designs
 - Generate DD Level baggage valet specification, locations, and general equipment layout designs

- Generate DD Level aircraft docking guidance unit specifications, locations, and general equipment layout designs
 - Generate DD Level electric GSE charging system specifications, locations, and general equipment layout designs - based on a distributed style system
4. Provide probable cost opinion of items in scope
 5. Virtual participation in quality control review
 6. Virtual participation in stakeholder meetings
 7. On-site participation at stakeholder meeting to review design (1 meeting)

IX. Cost Estimating

1. Provide updated cost estimate of design

X. Code Consulting

1. Review design and update code summary

XI. Graphics and Signage

1. Finalize graphic design and fabrication specifications:
 - Finalize program sign types including material, color, size, and fabrication specifications for design intent
2. Virtual participation in quality control review

XII. Deliverables – 60% Review Package

1. Provide written and plan documents:
 - Provide outline specifications for all building components
 - Provide design development building plans, elevations, sections, and finish schedules illustrating the full scope of work for all new and renovated building areas to include all required building code related assemblies
 - Provide sub-consultants' design development plans and outline specifications as defined in scope above
 - Provide updated construction cost estimate
 - Provide updated interior and exterior renderings illustrating main building areas for client review and approval

E. CONTRACT DOCUMENTS 100% REVIEW PACKAGE – LLR, DRB and FAA FINAL REVIEW PACKAGE

I. Architectural

1. Incorporate modifications to drawings and specifications from design development review:
 - Coordinate revisions to building design across all disciplines
2. Provide final background plans to engineers and consultants:
 - Issue background drawings to consultants for use in preparing final drawings
3. Final coordination of all systems with consultants:
 - Review and integrate building systems in each discipline with building design
4. Provide complete construction drawings

5. Provide complete construction specifications
 - Coordinate front end with civil and FAA
6. Coordinate with cost consultant to provide final cost estimate
7. Submit packages to LLR, DRB and FAA
 - Review final building design with code officials and authorities having jurisdiction
 - Attend on-site review with LLR in Columbia
 - Attend on-site review with DRB in Hilton Head
8. Schedule, attend, conduct and document stakeholder meetings at HXD (4 meetings)
9. Conduct quality control review:
 - Schedule and conduct coordination meeting with all disciplines ahead of final deadline
10. Assemble, review and submit deliverables

II. Structural Engineering

1. Complete the gravity and lateral design of the structure
2. Provide complete construction documents and specifications
3. Provide Statement of Special Inspections per Chapter 17 of the 2015 SCSBC
4. Review cost estimate
5. Participate in quality control review
6. Virtual participation in stakeholder meetings
7. Participation at final on-site stakeholder meetings to review comments (2 meetings)

III. Mechanical, Electrical, Plumbing, Fire Protection, IT and Security Engineering

1. Incorporate modifications into drawings and specifications:
 - Provide MEPFP construction drawing information
 - Provide final HVAC loads and equipment selections
 - Provide final plumbing calculations and equipment selections
 - Provide final MEPFP and fire alarm system drawings
2. Coordinate building systems into building design
3. Provide electrical circuiting and panel schedules
4. Provide final determination of code requirements and life safety systems
5. Coordinate connectivity of existing communication infrastructure:
 - Identify pathway and space requirements for communications
6. Finalize IT design and provide final drawings and specifications
 - Incorporate infrastructure and pathway recommendations to accommodate future expansion
7. Finalize security design and provide final drawings and specifications
8. Provide complete drawings and specifications
9. Review cost estimate
10. Participate in quality control review
11. Virtual participation in stakeholder meetings
12. Participation at final on-site stakeholder meeting to review comments (4 meetings)

IV. Civil Engineering

1. Compile information and reconcile concept from 60% review
2. 100% Design the Construction Safety and Phasing Plan (CSPP) to detail the safety requirements and overall phasing of the project. Production of the CSPP document and submittal to the FAA for review and approval.
3. 100% Demolition Plans for the limits of construction
4. 100% Geometric Plans of the Terminal Curbside, Terminal Road, and existing parking areas.
5. 100% Grading and Drainage Plans of the Terminal Curbside, Terminal Road, and existing parking areas. Drainage shall include the collection of all storm water and conveyance to the appropriate existing drainage system. Final design of stormwater detention/control improvements required from increase in impervious area.
6. 100% Design of temporary sediment and erosion control measures for the project. Submittal of sediment and erosion control plans, calculations and report to SCDHEC/OCRM for review and approval.
7. 100% Pavement Markings Plans and Marking Details of the Terminal Curbside, Terminal Road, and existing parking areas.
8. 100% Utility design to within five (5) feet of the building.
9. 100% Miscellaneous Details sheets.
10. Filing of the 7460 for the final building/site condition.
11. Create Construction Safety and Phasing Plan (CSPP) and submit to FAA for review.
12. Preparing quantities of the civil site items along with an engineer's opinion of probable cost.
13. Preparation of the engineering report as required by the FAA.
14. Technical specifications pertaining to the civil site items.
15. Quality assurance reviews of the civil site items and coordination with design team members.

V. Specialty Lighting Design

1. Finalize exterior and interior lighting design and fixtures
2. Finalize lighting level calculations for all fixtures
3. Coordinate fixture types, quantities, locations and mounting heights with Architectural drawings
4. Review cost estimate
5. Participate in quality control review

VI. Baggage Handling Systems

1. Further develop and coordinate the baggage handling system design with all disciplines
2. Continued updates/development for overall phasing approach
3. Production of detailed equipment manifests
4. Updates/revisions for BOD document as required
5. Specification detailed development
6. Development and preparation of a 100% TSA Submittal (based on PGDS requirements) suitable for submission to TSA and generally expected to contain the

following;

- Updated Basis of Design Report
 - Updated Plans and Sections with level of detail prescribed in PGDS
 - Updated Conveyor Manifest (approximate conveyor lengths and belt speeds)
 - Outline of Reporting Capabilities
 - Baggage and data flow charts
 - Updated estimate of probable BHS costs
 - Updated estimate of BHS power requirements
 - Updated project/phasing schedule
 - Preparation of a bag tracking description
 - Preparation of a preliminary contingency plan
 - Preparation of a Threat Bag Removal Procedure
7. Continued updates/development of BHS Cost Estimates
 8. Continued updates/development BHS Power Requirements and Heat Load projections
 9. Virtual participation in quality control review
 10. Virtual participation in stakeholder meetings
 11. On-site participation at stakeholder meetings to review comments (2 meetings)

VII. Landscape Improvements

Construction documents consisting of drawings and specifications for bidding of all planting design improvements included in Landscape Design and Development and based on Town of Hilton Head development permit approved plans:

1. Prepare final Construction Planting Plan with plant list, planting details and technical specification
2. Provide Irrigation Design Package for foundation planting at proposed Airport Terminal to include plans, details, and written irrigation specifications (Provided by subconsultant, Simmons Irrigation)
3. Prepare final estimate of Probable Cost
4. Review plans for errors and omissions
5. Coordinate and submit Construction Document Plans and Specification to TBE for placement into Bid Package of all disciplines (digital submission)
6. Site and Landscape Improvements referred to may include but are not limited to:
 - Clearing and Grubbing
 - Surface grading and drainage (Provided by TBE and Ward Edwards Engineering)
 - Location and design of pedestrian walkways and hardscape areas (Provided by TBE)
 - Site engineering (Provided by TBE)
 - Outdoor lighting locations and type (parking area lighting design provided by utility or TBE)
 - Lawns and plantings
 - Signage (Provided by TBE)
 - Fences (Provided by TBE)
 - Site furnishings (Provided by TBE)
 - Irrigation (Provided by subconsultant, Simmons Irrigation)

VIII. Aircraft Support Systems

1. Incorporate DD comments and revision requests from stakeholders
2. Finalize aircraft parking plans for all gates that are part of the terminal expansion. Layouts to include striping from the vehicle service roads to the gate parking positions, including vehicle service roads and vehicle parking as necessary.
3. Model trace aircraft layouts showing aircraft maneuvering as necessary along with jet blast evaluation
4. Generate CD Plans and Specifications
 - PBB specifications, selections, layouts, foundation locations, foundation loads, and equipment general layout designs
 - PBB walkway specifications, foundation locations, foundation loads, and equipment general layout designs
 - Point of use (POU) 400 Hz ground power specifications, and general equipment layout designs
 - POU preconditioned air (PCA) specifications, and general equipment layout designs
 - Potable water cabinet specifications, cabinet locations, and general equipment layout designs
 - Baggage valet specification, locations, and general equipment layout designs
 - Aircraft docking guidance unit specifications, locations, and general equipment layout designs
 - Electric GSE charging system specifications, locations, and general equipment layout designs - based on a distributed style system
5. Review and coordinate fuel hydrant locations coordinated with the aircraft parking plans. (if there will be fuel pits)
6. Provide probable cost opinion of items in scope
7. Virtual participation in quality control review
8. Virtual participation in stakeholder meetings
9. On-site participation at stakeholder meeting to review design (1 meeting)

IX. Code Consulting

1. Provide final code summary
2. Attend LLR code meeting in Columbia

X. Graphics and Signage

1. Finalize signage locations, quantities, and messaging:
 - Confirm owner review and approval
2. Provide final graphics drawings and fabrication specifications:
 - Confirm owner review and approval

XI. Deliverables

1. Provide written and plan documents:
 - Provide construction specifications for all building components

- Provide construction document plans, elevations, sections, details, schedules, and building code data defining for the contractor the full scope of work including desired construction phasing for all new and renovated building areas
 - Provide sub-consultants' construction document plans and specifications as defined in scope above
 - Provide final construction cost estimate
 - Provide list and details of construction alternatives
2. Provide sealed construction documents (3 gates with 1 gate alternate only) plans and specifications

F. BIDDING AND PERMITTING

I. Architectural

1. Assist in preparation of bid advertisement
 - Coordinate with newspaper/websites/plan rooms
 - Submit electronic copy of plans to plan rooms
2. Attend on-site pre-bid conference
 - Prepare agenda and sign-in sheet, conduct meeting, prepare pre-bid minutes, prepare and submit addendum
3. Respond to bidders' questions and requests for clarifications:
 - Record questions and prepare answers to be included in addenda
4. Prepare and distribute addenda as required:
 - Revise drawings/specifications; include with answers to bidders' questions
 - Incorporate addenda into drawings set
5. Submit drawings for permit:
 - Schedule application for permit and respond to reviewer comments
6. Assist in preparation of bid summary form
7. Post bid:
 - Assist owner with distribution of final contract documents incorporating all revisions

II. Structural Engineering

1. Respond to bidder's questions and requests for clarification
2. Prepare addenda with revised drawings as necessary

III. Mechanical, Electrical, Plumbing, Fire Protection, IT and Security Engineering

1. Respond to bidder's questions and requests for clarification
2. Prepare addenda with revised drawings as necessary

IV. Civil Engineering

1. Coordinate project advertisement
2. Coordinate and distribute bid documents
3. Attend and facilitate pre-bid meeting

4. Respond to bidder's questions and requests for clarifications
5. Prepare addenda
6. Prepare bid tabulation and distribute to Sponsor, SCAC and FAA
7. Review bids and recommend award of the project

V. Specialty Lighting Design

1. Respond to bidder's questions and requests for clarification
2. Prepare addenda with revised drawings as necessary

VI. Baggage Handling Systems

1. Pre-qualification of bidders
2. Respond to questions from Bidders or proposers and clarifications or interpretations of the Bid Documents
3. Technical evaluation of the BHS proposals
4. Review and coordination of data furnished by the bidders or proposers for the Project
5. Assist in evaluating and recommending the most qualified firm and the best value proposal
6. Attend on-site pre-bid meeting

VII. Aircraft Support Systems

1. Respond to bidder's questions and requests for clarification
2. Prepare addenda with revised drawings as necessary

VIII. Graphics and Signage

1. Respond to bidder's questions and requests for clarification
2. Prepare addenda with revised drawings as necessary

IX. Landscape Improvements

1. Attend pre-bid meeting
2. Respond to bidder's questions and requests for clarification
3. Assist with addenda related to landscape improvements

X. Deliverables

1. Written and plan documents:
 - Submit construction documents to code review agencies for building permit approval
 - Provide bid addenda and bid tabulation summary
 - Provide written contact solicitation report for DBE and local firm bid participation
 - Provide verified list of participating DBE and local firms for low bidders showing percentages of participation for each
 - Submit architect's recommendation of contractor for award letter

G. CONSTRUCTION CONTRACT ADMINISTRATION (CA)

I. Architectural

1. Review shop drawings and submittals for compliance with construction documents
2. Provide bulletin drawings as required
3. Review change order requests
4. Conduct 40 on-site construction progress meetings, prepare and distribute minutes and correspondence; conduct site observations, prepare and distribute field reports
5. Coordinate with third-party Special Inspector (SI)
6. Coordinate with consultants
7. Review and coordinate overall project schedule and schedule updates
8. Review contractor's applications for payment
9. Conduct final on-site punch list and follow-up site visit to confirm completion
10. Submit record drawings and specifications to the Owner
Submit

II. Structural Engineering

1. Review shop drawings and submittal data for compliance with construction documents
2. Provide bulletin drawings as required
3. Respond to RFIs during construction
4. 10 on-site construction progress meetings, conduct site observations, prepare and distribute field reports
5. Virtually attend construction progress meetings
6. Conduct final on-site punch list and follow-up site visit to confirm completion
7. Prepare record drawings based on contractor field mark-up as-built drawings

III. Mechanical, Electrical, Plumbing, Fire Protection, IT and Security Engineering

1. Review shop drawings and submittal data for compliance with construction documents
2. Provide bulletin drawings as required
3. Respond to RFIs during construction
4. Make up to 20 site visits per discipline during construction for progress meeting attendance and site observation of work performed. Prepare and distribute observation reports for each visit
5. Virtually attend construction progress meetings
6. Make site visits following substantial completion for inspection and verification required to prepare SC Energy Code compliance statements for HVAC, hot water, and lighting systems
7. Conduct final on-site punch list and follow-up site visit to confirm completion
8. Prepare record drawings based on contractor field mark-up as-built drawings

IV. Civil Engineering

1. Prepare contract documents and Released for Construction (RFC) plans and specifications
2. Coordinate award of the contract
3. Attend and facilitate the pre-construction conference, and prepare/publish pre-

- construction meeting minutes
- 4. Review and coordinate overall project schedule and schedule updates
- 5. Review shop drawings and submittals for compliance with construction documents
- 6. Provide bulletin drawings as required
- 7. Respond to RFIs during construction
- 8. Attend and facilitate construction progress meetings and prepare/publish meeting minutes
- 9. Review and coordinate field changes
- 10. Review quality assurance testing results and coordinate results with contractor. Update PWL spreadsheets with testing results.
- 11. 1 site visit following substantial completion to confirm completion of the project and compliance with the bid documents
- 12. Attend final inspection of project, and prepare/publish punchlist
- 13. Prepare final engineer's report and submit to FAA.
- 14. Develop and distribute Civil record drawings

V. Specialty lighting

- 1. Review shop drawings and submittals for specialty lighting
- 2. Respond to RFIs during construction

VI. Baggage Handling Systems

- 1. Review shop drawings and submittals for compliance with construction documents
- 2. Provide bulletin drawings as required
- 3. Respond to RFIs during construction
- 4. Virtually attend construction progress meetings
- 5. 5 on-site construction progress meetings, conduct site observations, prepare and distribute field reports
- 6. 1 site visit following substantial completion to confirm completion of the project and compliance with the bid documents

VII. Aircraft Support Systems

- 1. Review shop drawings and submittals
- 2. Provide bulletin drawings as required
- 3. Respond to RFIs during construction
- 4. Virtually attend construction progress meetings
- 5. 4 on-site construction progress meetings, conduct site observations, prepare and distribute field reports
- 6. 1 site visit following substantial completion to confirm completion of the project and compliance with the bid documents

VIII. Graphics and Signage

- 1. Review shop drawings and submittals
- 2. Provide bulletin drawings as required
- 3. Respond to RFIs during construction

IX. Landscape Improvements

1. Process and review landscape contractor's plant substitution submittals as necessary
2. Conduct site visits and observe installation and document site observations
3. Prepare punch list for landscape improvement items
4. Prepare one-year warranty punch list of all landscape improvements

X. Quality Assurance Testing (Billed at Cost, Not-to-Exceed, Plus a Fixed Fee included in Architectural Lump Sum)

1. Special Inspections for Soils and Foundations
 - Building pad backfill
 - In-place field density testing
 - Shallow foundation evaluations
 - Undercutting observations
2. Special Inspections for Reinforced Concrete
 - Building concrete mix designs
 - Building reinforcing steel, anchor boot, and embed evaluations
 - Building post installed reinforcing steel
 - Building concrete conveyance and consolidation
 - Building concrete sampling and testing
 - Building concrete curing
 - Floor flatness and levelness testing
3. Special Inspections for Structural Masonry
 - Submittal review prior to construction
 - Masonry reinforcing steel, post installed anchors and embed evaluations
 - Structural masonry mortar and grout preparation
 - Cell cleanliness observation
 - Hot/Cold weather procedures
 - Grout placement observations
 - Grout testing
 - Mortar compressive strength testing
 - Mortar-aggregate-ratio testing
4. Special Inspections for Structural Steel
 - Inspection of fabricators
 - Material certifications
 - Welder certifications and procedures
 - Visual weld observations
 - High-strength bolting
 - Steel frame joint details
 - Framing details
 - Mechanical connections
5. Special Inspections for Sprayed Fire-Resistant Materials (SFRM)
 - Submittal review
 - Substrate preparation
 - Thickness measurements
 - Density tests

- Cohesion/Adhesion (bond) tests
6. Reporting and Meeting Attendance
 - Daily reports
 - Interim reports/test results
 - Pre-installation meetings
 - Monthly project progress meetings
 7. Site Testing
 - Develop Proctor curve for subgrade soils
 - Develop Proctor curve for aggregate base course
 - Subgrade Soils (moisture and density)
 - Aggregate Base Course (gradation, moisture and density)
 - Concrete (air content, slump, compressive strength)
 - Bituminous concrete (laboratory and field properties)
 - Proof roll of subgrades
 - Welds

Exclusions: The following items are not included in this Work Authorization.

1. Environmental documentation, permitting and mitigation of onsite wetlands impacted by this project. These services will be provided under a separate Work Authorization.
2. Design of domestic water distribution systems that increase the existing domestic water service to the commercial terminal building. It is assumed that the existing domestic water service provides adequate pressure and flow for the existing demands to remain and the proposed demands to be imposed by the proposed terminal building improvements.
3. Design of sanitary sewer collection systems that increase the existing capacity of the sanitary service to the commercial terminal building. It is assumed that the existing sanitary sewer service provides adequate flow capacity for the existing demands to remain and the proposed demands to be imposed by the proposed terminal building improvements.

Amendment 1 Description of Work Authorized: On June 23, 2022, bids were opened for the terminal project, resulting in a total program cost of over \$76 million. Based on the extent of the program versus the funding available, it has been determined that the project would be phased in an effort initiate construction and move the program forward.

Amendment 1 of this work authorization addresses the repackaging of the construction plans and specifications into phases, the repackaging and bidding of Phase 1 (which will include the new roadway in front of the terminal and parking lot expansion and hold room and TSA area), and construction administration and inspection services (including quality assurance testing).

Estimated Time Schedule: Work shall be completed in accordance with the schedule established and agreed upon by the Owner and Engineer.

Cost of Services: The method of payment shall be in accordance with Article 6 – Compensation of the contract. The work shall be performed in accordance with the Master Contract as a lump sum of **\$293,653.25** including expenses. Special services shall be performed on a not to exceed basis with a budget of **\$1,367,913.230**, which includes reimbursable expenses. For a total of **\$1,661,566.18**.

| | |
|-------------------|----------------|
| Original Contract | \$6,199,287.50 |
| Amendment 1 | \$1,661,566.48 |
| TOTAL | \$7,860,853.98 |

Agreed as to Scope of Services, Time Schedule and Budget:

APPROVED:
BEAUFORT COUNTY

APPROVED:
TALBERT, BRIGHT & ELLINGTON,
INC.

Title

Vice President
Title:

Date:

Date:

Witness:

Witness:

Talbert, Bright and Ellington, Inc.

APPENDIX A FEE PROPOSAL

FEE COMPARISON

| <u>Phase</u> | <u>Original Contract</u> | <u>Amendment (based on 2-year construction program)</u> | <u>Difference</u> |
|---|------------------------------|---|-----------------------|
| Preliminary Design | \$55,245.00 | \$69,587.00 | \$14,342.00 |
| Program Management/Architectural Coordination Design | \$285,200.00 \$189,789.00 | \$285,200.00 \$189,789.00 | \$0.00 \$0.00 |
| Design Repackage | \$0.00 | \$90,160.00 | \$90,160.00 |
| Bidding | \$21,683.00 | \$21,683.00 | \$0.00 |
| Bidding Repackage | \$0.00 | \$17,246.00 | \$17,246.00 |
| Construction Administration | \$280,722.00 | \$344,790.00 | \$64,068.00 |
| | | | |
| Expenses | \$110,577.00 | \$ 218,414.25 | \$107,837.25 |
| HNTB - Scheduling | \$30,000.00 | \$30,000.00 | \$0.00 |
| Wilson Group - Pre-Design/Programming | \$167,267.50 | \$167,267.50 | \$0.00 |
| Wilson Group - Schematic Design | \$300,207.50 | \$300,207.50 | \$0.00 |
| Wilson Group - Design Development | \$631,005.00 | \$631,005.00 | \$0.00 |
| Wilson Group - Bid Documents | \$875,638.75 | \$826,255.75 | (\$49,383.00) |
| Wilson Group - Bidding and Permitting | \$223,531.25 | \$201,178.13 | (\$22,353.12) |
| Wilson Group - Repackage | \$0.00 | \$ 389,398.05 | \$389,398.05 |
| Wilson Group - Construction Administration | \$999,925.00 | 1,293,741.95 | \$293,816.95 |
| DBE Plan | \$13,800.00 | \$8,466.30 | (\$5,333.70) |
| Topographic Survey | \$16,100.00 | \$28,405.00 | \$12,305.00 |
| Pre-design Geotechnical | \$34,500.00 | \$13,943.75 | (\$20,556.25) |
| Sediment/Erosion Control Design | \$32,200.00 | \$37,781.53 | \$5,581.53 |
| Stormwater/Storm Drainage Design | \$74,750.00 | \$96,398.20 | \$21,648.20 |
| Stormwater/Storm Drainage CA | \$97,474.00 | \$97,474.00 | \$0.00 |
| Landscape Design | \$21,562.50 | 60,275.57 | \$38,713.07 |
| QA Testing | \$460,000.00 | \$460,000.00 | \$0.00 |
| As Built Survey | \$34,500.00 | \$34,500.00 | \$0.00 |
| Subtotal | | | |
| | | | |
| Resident Project Representative | | | |
| <u>Cost Plus Budget</u> | | | |
| Estimated Manhours | \$1,010,730.00 | \$1,592,214.00 | \$581,484.00 |
| Estimated Days | \$223,680.00 | \$303,710.00 | \$80,030.00 |
| Estimated Expenses | \$9,200.00 | \$51,762.50 | \$42,562.50 |
| Total | \$6,199,287.50 | \$7,860,853.98 | \$1,661,566.48 |

MANHOUR ESTIMATE

TERMINAL EXPANSION AND RENOVATION AMENDMENT 1
 HILTON HEAD ISLAND AIRPORT
 HILTON HEAD ISLAND, SC
 AIP PROJECT NO: 3-45-0030-045-2019 and 3-45-0030-050-2022
 SCAA PROJECT NO:
 CLIENT PROJECT NO:
 TBE PROJECT NO: 2119-1905

October 14, 2022

PROGRAM MANAGEMENT/ARCHITECTURAL COORDINATION

| DESCRIPTION | PRIN \$ 290 | SPM \$ 250 | PM \$ 220 | E5 \$ 180 | E4 \$ 150 | E2 \$ 110 | E1 \$ 90 | T5 \$ 150 | AD5 \$ 140 | AD3 \$ 66 |
|---|----------------|---------------|--------------|--------------|--------------|--------------|-------------|--------------|---------------|--------------|
| Coord. w/design team, agencies, and stakeholders | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Coord. info and design data w/design team | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Project documents and files coord. with design team | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Design and construction document control | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Coord./Conduct design team meetings | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Design team meetings minutes and track action items | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Coord. RFI, and construction items with team | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Coord. design and construction between Owner/team | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Review and process design team invoices | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| MANHOUR TOTAL | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

DIRECT LABOR EXPENSES:

| CLASSIFICATION | BILL RATE | EST. MHRS | EST. COST |
|------------------------|--------------|--------------|--------------|
| Principal | PRIN \$ 290 | - | \$ - |
| Senior Project Manager | SPM \$ 250 | - | \$ - |
| Project Manager | PM \$ 220 | - | \$ - |
| Engineer V | E5 \$ 180 | - | \$ - |
| Engineer IV | E4 \$ 150 | - | \$ - |
| Engineer II | E2 \$ 110 | - | \$ - |
| Engineer I | E1 \$ 90 | - | \$ - |
| Technician V | T5 \$ 150 | - | \$ - |
| Admin. Assistant V | AD5 \$ 140 | - | \$ - |
| Admin. Assistant III | AD3 \$ 66 | - | \$ - |
| | Total | - | \$ - |
| SUBTOTAL | | | \$ - |

DIRECT EXPENSES:

| EXPENSE DESCRIPTION | UNIT | UNIT RATE | EST. UNITS | EST. COST |
|---|------|--------------|---------------|--------------|
| Telephone | LS | \$ 500 | 0 | \$ - |
| Postage | LS | \$ 500 | 0 | \$ - |
| Miscellaneous expenses (prints, faxes, copies) | LS | \$ 5,000 | 0 | \$ - |
| SUBTOTAL | | | | \$ - |

SCOPE OF SUBCONTRACTED SERVICES:

| EXPENSE DESCRIPTION | UNIT RATE | EST. UNITS | EST. COST |
|--|--------------|---------------|--------------|
| SUBTOTAL | | | \$ - |
| TOTAL PROGRAM MANAGEMENT/ARCHITECTURAL COORD. COST: | | | \$ - |

MANHOOR ESTIMATE

TERMINAL EXPANSION AND RENOVATION AMENDMENT 1

HILTON HEAD ISLAND AIRPORT
 HILTON HEAD ISLAND, SC
 AIP PROJECT NO: 3-45-0030-045-2019 and 3-45-0030-050-2022
 SCAA PROJECT NO:
 CLIENT PROJECT NO:
 TBE PROJECT NO: 2119-1905

October 14, 2022

PRELIMINARY DESIGN PHASE (01)

| DESCRIPTION | PRIN \$ 290 | SPM \$ 250 | PM \$ 220 | E5 \$ 180 | E4 \$ 150 | E2 \$ 110 | E1 \$ 90 | T5 \$ 150 | AD5 \$ 140 | AD3 \$ 66 |
|--|----------------|---------------|--------------|--------------|--------------|--------------|-------------|--------------|---------------|--------------|
| Preliminary project review w/Owner | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Coordination and Meetings (2) With FAA | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Develop project scope/contract | 2 | 4 | 2 | 0 | 0 | 0 | 0 | 1 | 2 | 2 |
| Coordinate with subconsultants | 2 | 6 | 0 | 0 | 0 | 0 | 0 | 2 | 2 | 0 |
| Determine project approach | 4 | 4 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Meetings (2) with Airport and Airlines | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Develop preliminary estimate | 4 | 6 | 4 | 4 | 0 | 0 | 2 | 4 | 1 | 0 |
| MANHOOR TOTAL | 12 | 20 | 14 | 4 | 0 | 0 | 2 | 7 | 5 | 2 |

DIRECT LABOR EXPENSES:

| CLASSIFICATION | BILL RATE | EST. MHRS | EST. COST |
|------------------------|--------------|--------------|---------------------|
| Principal | PRIN \$ 290 | 12 | \$ 3,480 |
| Senior Project Manager | SPM \$ 250 | 20 | \$ 5,000 |
| Project Manager | PM \$ 220 | 14 | \$ 3,080 |
| Engineer VI | E5 \$ 180 | 4 | \$ 720 |
| Engineer IV | E4 \$ 150 | - | \$ - |
| Engineer II | E2 \$ 110 | - | \$ - |
| Engineer I | E1 \$ 90 | 2 | \$ 180 |
| Technician V | T5 \$ 150 | 7 | \$ 1,050 |
| Admin. Assistant V | AD5 \$ 140 | 5 | \$ 700 |
| Admin. Assistant III | AD3 \$ 66 | 2 | \$ 132 |
| | Total | 66 | |
| SUBTOTAL | | | \$ 14,342.00 |

DIRECT EXPENSES:

| EXPENSE DESCRIPTION | UNIT | UNIT RATE | EST. UNITS | EST. COST |
|---|------|--------------|---------------|---------------------|
| Telephone | LS | \$ 75 | 0 | \$ - |
| Postage | LS | \$ 100 | 0 | \$ - |
| Miscellaneous expenses (prints, faxes, copies) | LS | \$ 900 | 0 | \$ - |
| Mileage | MI | \$ 0.60 | 0 | \$ - |
| Per Diem | EA | \$ 233.00 | 0 | \$ - |
| SUBTOTAL | | | | \$ - |
| TOTAL PRELIMINARY DESIGN COST: | | | | \$ 14,342.00 |

MANHOOR ESTIMATE

TERMINAL EXPANSION AND RENOVATION AMENDMENT 1
 HILTON HEAD ISLAND AIRPORT
 HILTON HEAD ISLAND, SC
 AIP PROJECT NO: 3-45-0030-045-2019 and 3-45-0030-050-2022
 SCAA PROJECT NO:
 CLIENT PROJECT NO:
 TBE PROJECT NO: 2119-1905

October 14, 2022

DESIGN PHASE (04) - PHASE I REPACKAGE

| DESCRIPTION | PRIN \$ 290 | SPM \$ 250 | PM \$ 220 | E5 \$ 180 | E4 \$ 150 | E2 \$ 110 | E1 \$ 90 | T5 \$ 150 | AD5 \$ 140 | AD3 \$ 66 |
|--|----------------|---------------|--------------|--------------|--------------|--------------|-------------|--------------|---------------|--------------|
| PLANS | | | | | | | | | | |
| Cover Sheet | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 |
| Quantities and General Notes | 0 | 2 | 0 | 2 | 0 | 0 | 0 | 2 | 1 | 0 |
| Construction Safety and Phasing Plans | 2 | 8 | 0 | 0 | 0 | 16 | 0 | 12 | 0 | 0 |
| Demolition Plan | 1 | 4 | 0 | 8 | 0 | 8 | 0 | 16 | 0 | 0 |
| Geometric Plans-Landside | 2 | 16 | 0 | 12 | 0 | 0 | 0 | 24 | 0 | 0 |
| Geometric Plans-Airside | 1 | 6 | 0 | 8 | 0 | 0 | 0 | 8 | 0 | 0 |
| Grading Plans and Drainage Plans | 4 | 12 | 0 | 16 | 0 | 0 | 0 | 24 | 0 | 0 |
| Joint Layout Plan and Details | 2 | 6 | 0 | 8 | 0 | 0 | 0 | 12 | 0 | 0 |
| Joint Elevation Plan | 1 | 4 | 0 | 0 | 12 | 0 | 0 | 16 | 0 | 0 |
| Pavement Marking Plans | 0 | 2 | 0 | 0 | 4 | 0 | 0 | 12 | 0 | 0 |
| Pavement Marking Details | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 6 | 0 | 0 |
| Miscellaneous Details | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 2 | 0 | 0 |
| DESIGN | | | | | | | | | | |
| Coordination/Meetings w/ Owner and FAA (2) | 8 | 16 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 |
| Coordination with TBE Subconsultants | 4 | 8 | 0 | 4 | 0 | 0 | 0 | 6 | 0 | 0 |
| CSPD Document | 1 | 2 | 0 | 0 | 0 | 6 | 0 | 0 | 1 | 0 |
| Pavement Design | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| FAA 7460 Filing | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| Town of Hilton Head Island Permit Coord. Asst. | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tree Removal Caliper-Inch Calcs | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Quantities and Construction Estimates | 1 | 6 | 0 | 8 | 0 | 4 | 0 | 8 | 0 | 0 |
| Specifications | 1 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 |
| Design Review Meetings (3) | 4 | 6 | 0 | 6 | 0 | 0 | 0 | 4 | 0 | 0 |
| Quality assurance plan | 2 | 2 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Revisions | 1 | 4 | 8 | 0 | 0 | 8 | 0 | 16 | 2 | 0 |
| MANHOOR TOTAL | 36 | 115 | 16 | 76 | 16 | 43 | 0 | 172 | 6 | 0 |

DIRECT LABOR EXPENSES:

| CLASSIFICATION | | BILL RATE | EST. MHRS | EST. COST |
|------------------------|-------|--------------|--------------|---------------------|
| Principal | PRIN | \$ 290 | 36 | \$ 10,440 |
| Senior Project Manager | SPM | \$ 250 | 115 | \$ 28,750 |
| Project Manager | PM | \$ 220 | 16 | \$ 3,520 |
| Engineer VI | E5 | \$ 180 | 76 | \$ 13,680 |
| Engineer IV | E4 | \$ 150 | 16 | \$ 2,400 |
| Engineer II | E2 | \$ 110 | 43 | \$ 4,730 |
| Engineer I | E1 | \$ 90 | - | \$ - |
| Technician V | T5 | \$ 150 | 172 | \$ 25,800 |
| Admin. Assistant V | AD5 | \$ 140 | 6 | \$ 840 |
| Admin. Assistant III | AD3 | \$ 66 | - | \$ - |
| | Total | | 480 | |
| SUBTOTAL | | | | \$ 90,160.00 |

DIRECT EXPENSES:

MANHOOR ESTIMATE

TERMINAL EXPANSION AND RENOVATION AMENDMENT 1
 HILTON HEAD ISLAND AIRPORT
 HILTON HEAD ISLAND, SC
 AIP PROJECT NO: 3-45-0030-045-2019 and 3-45-0030-050-2022
 SCAA PROJECT NO:
 CLIENT PROJECT NO:
 TBE PROJECT NO: 2119-1905

October 14, 2022

DESIGN PHASE (04) - PHASE I REPACKAGE

| EXPENSE DESCRIPTION | UNIT | UNIT RATE | EST. UNITS | EST. COST |
|---|------|--------------|---------------|---------------------|
| Telephone | LS | \$ 250 | 1 | \$ 250.00 |
| Postage | LS | \$ 500 | 1 | \$ 500.00 |
| Miscellaneous expenses (prints, faxes, copies) | LS | \$ 7,500 | 1 | \$ 7,500.00 |
| Mileage | MI | \$ 0.60 | 5,100 | \$ 3,060.00 |
| Per Diem | EA | \$ 233.00 | 18 | \$ 4,194.00 |
| <i>SUBTOTAL</i> | | | | \$ 15,504.00 |

SCOPE OF SUBCONTRACTED SERVICES:

| EXPENSE DESCRIPTION | UNIT RATE | EST. UNITS | COST |
|--------------------------------------|----------------|---------------|----------------------|
| Architectural Pre-Design/Programming | \$ - | 1 | \$ - |
| Architectural Schematic Design | \$ - | 1 | \$ - |
| Architectural Design Development | \$ - | 1 | \$ - |
| Architectural Bid Documents | \$ (49,383.00) | 1 | \$ (49,383.00) |
| Architectural Phase I Repackaging | \$ 389,398.05 | 1 | \$ 389,398.05 |
| DBE Plan for FY 2020-2022 | \$ (5,333.70) | 1 | \$ (5,333.70) |
| Topographic Survey | \$ 12,305.00 | 1 | \$ 12,305.00 |
| Pre-Design Geotechnical | \$ (20,556.25) | 1 | \$ (20,556.25) |
| Sediment/Erosion Control Design | \$ 5,581.53 | 1 | \$ 5,581.53 |
| Stormwater/Storm Drainage Design | \$ 21,648.20 | 1 | \$ 21,648.20 |
| Landscape Design | \$ 2,250.57 | 1 | \$ 2,250.57 |
| <i>SUBTOTAL</i> | | | \$ 355,910.40 |
| TOTAL DESIGN COST: | | | \$ 461,574.40 |

MANHOUR ESTIMATE

TERMINAL EXPANSION AND RENOVATION AMENDMENT 1
 HILTON HEAD ISLAND AIRPORT
 HILTON HEAD ISLAND, SC
 AIP PROJECT NO: 3-45-0030-045-2019 and 3-45-0030-050-2022
 SCAA PROJECT NO:
 CLIENT PROJECT NO:
 TBE PROJECT NO: 2119-1905

October 14, 2022

BIDDING PHASE (05) - PHASE I REPACKAGE

| DESCRIPTION | PRIN | SPM | PM | E5 | E4 | E2 | E1 | T5 | AD5 | AD3 |
|------------------------------|----------|-----------|----------|-----------|----------|----------|----------|----------|-----------|----------|
| | \$ 290 | \$ 250 | \$ 220 | \$ 180 | \$ 150 | \$ 110 | \$ 90 | \$ 150 | \$ 140 | \$ 66 |
| Coordinate advertisement | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 |
| Coord./Distribution bid docs | 0 | 2 | 0 | 0 | 0 | 2 | 0 | 0 | 2 | 0 |
| Prebid meeting | 0 | 8 | 0 | 8 | 0 | 0 | 0 | 0 | 0 | 0 |
| Bidder question & answers | 2 | 6 | 0 | 8 | 0 | 0 | 0 | 0 | 2 | 2 |
| Prepare addenda | 2 | 8 | 0 | 4 | 4 | 0 | 0 | 4 | 6 | 4 |
| Bid tabulation | 0 | 1 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 |
| Bid Review/Award Recomm. | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| MANHOUR TOTAL | 4 | 31 | 0 | 24 | 6 | 0 | 0 | 6 | 13 | 6 |

DIRECT LABOR EXPENSES:

| CLASSIFICATION | | BILL RATE | EST. MHRS | EST. COST |
|------------------------|------|-----------|-----------|---------------------|
| Principal | PRIN | \$ 290 | 4 | \$ 1,160 |
| Senior Project Manager | SPM | \$ 250 | 31 | \$ 7,750 |
| Project Manager | PM | \$ 220 | - | \$ - |
| Engineer V | E5 | \$ 180 | 24 | \$ 4,320 |
| Engineer IV | E4 | \$ 150 | 6 | \$ 900 |
| Engineer II | E2 | \$ 110 | - | \$ - |
| Engineer I | E1 | \$ 90 | - | \$ - |
| Technician V | T5 | \$ 150 | 6 | \$ 900 |
| Admin. Assistant V | AD5 | \$ 140 | 13 | \$ 1,820 |
| Admin. Assistant III | AD3 | \$ 66 | 6 | \$ 396 |
| | | Total | 90 | |
| SUBTOTAL | | | | \$ 17,246.00 |

DIRECT EXPENSES:

| EXPENSE DESCRIPTION | UNIT | UNIT RATE | EST. UNITS | EST. COST |
|---|------|-----------|------------|--------------------|
| Telephone | LS | \$ 200 | 1 | \$ 200.00 |
| Postage | LS | \$ 250 | 1 | \$ 250.00 |
| Copying | LS | \$ 500 | 1 | \$ 500.00 |
| Reproduction | LS | \$ 1,000 | 1 | \$ 1,000.00 |
| Miscellaneous expenses (prints, faxes, copies) | LS | \$ 750 | 1 | \$ 750.00 |
| Mileage | MI | \$ 0.60 | 850 | \$ 510.00 |
| Per Diem | EA | \$ 251.00 | 2 | \$ 502.00 |
| EXPENSE DESCRIPTION | | | | \$ 3,712.00 |

SCOPE OF SUBCONTRACTED SERVICES:

| EXPENSE DESCRIPTION | UNIT RATE | EST. UNITS | EST. COST |
|--------------------------------------|----------------|------------|-----------------------|
| Architectural Bidding and Permitting | \$ (22,353.12) | 1 | \$ (22,353.12) |
| SUBTOTAL | | | \$ (22,353.12) |
| TOTAL BIDDING COST: | | | \$ (1,395.12) |

MANHOOR ESTIMATE

TERMINAL EXPANSION AND RENOVATION AMENDMENT 1
 HILTON HEAD ISLAND AIRPORT
 HILTON HEAD ISLAND, SC
 AIP PROJECT NO: 3-45-0030-045-2019 and 3-45-0030-050-2022
 SCAA PROJECT NO:
 CLIENT PROJECT NO:
 TBE PROJECT NO: 2119-1905

October 14, 2022

CONSTRUCTION ADMINISTRATION (06)

| DESCRIPTION | PRIN | SPM | PM | E5 | E4 | E2 | E1 | T5 | AD5 | AD3 |
|--------------------------------------|--------|--------|--------|--------|--------|--------|-------|-------|--------|-------|
| | \$ 290 | \$ 250 | \$ 220 | \$ 180 | \$ 150 | \$ 110 | \$ 90 | \$150 | \$ 140 | \$ 66 |
| Develop project scope/contract | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 |
| Prepare contract docs and RFC plans | 0 | 4 | 0 | 8 | 0 | 0 | 0 | 4 | 4 | 0 |
| Coordinate award of contract | 2 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 |
| Coordination with TBE Subconsultants | 1 | 16 | 0 | 4 | 0 | 0 | 0 | 4 | 8 | 0 |
| Coord./assist/conduct precon conf. | 0 | 10 | 0 | 0 | 0 | 0 | 0 | 2 | 2 | 0 |
| Assist with Precon minutes | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 |
| Coordinate/review project schedule | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Coordinate/review submittals | 0 | 36 | 0 | 12 | 8 | 0 | 8 | 0 | 8 | 0 |
| Constr. visits/Progress Mtgs | 32 | 832 | 0 | 16 | 0 | 0 | 0 | 0 | 10 | 0 |
| Construction reports/Mtg Minutes | 4 | 48 | 0 | 4 | 0 | 0 | 0 | 0 | 8 | 0 |
| Review/coordinate field changes | 4 | 24 | 0 | 12 | 0 | 0 | 12 | 8 | 6 | 0 |
| Review QA Test Results/Invoices | 2 | 20 | 0 | 0 | 16 | 0 | 0 | 0 | 6 | 0 |
| Construction correspondence | 4 | 32 | 0 | 8 | 0 | 0 | 0 | 8 | 12 | 0 |
| Requests for partial payment assist | 0 | 24 | 0 | 0 | 48 | 0 | 0 | 0 | 24 | 0 |
| Final inspection/punchlist | 8 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 |
| Final Engineer's Report | 0 | 8 | 0 | 4 | 0 | 0 | 0 | 0 | 4 | 0 |
| Develop Civil record drawings | 0 | 16 | 0 | 32 | 0 | 0 | 0 | 36 | 2 | 0 |
| MANHOOR TOTAL | 59 | 1094 | 0 | 100 | 72 | 0 | 20 | 62 | 102 | 0 |

DIRECT LABOR EXPENSES:

| CLASSIFICATION | BILL RATE | EST MHRS | EST COST |
|------------------------|-------------|----------|----------------------|
| Principal | PRIN \$ 290 | 59 | \$ 17,110 |
| Senior Project Manager | SPM \$ 250 | 1,094 | \$ 273,500 |
| Project Manager | PM \$ 220 | - | - |
| Engineer V | E5 \$ 180 | 100 | \$ 18,000 |
| Engineer IV | E4 \$ 150 | 72 | \$ 10,800 |
| Engineer II | E2 \$ 110 | - | - |
| Engineer I | E1 \$ 90 | 20 | \$ 1,800 |
| Technician V | T5 \$ 150 | 62 | \$ 9,300 |
| Admin. Assistant V | AD5 \$ 140 | 102 | \$ 14,280 |
| Admin. Assistant III | AD3 \$ 66 | - | - |
| | Total | 1,509 | |
| SUBTOTAL | | | \$ 344,790.00 |

MANHOOR ESTIMATE

TERMINAL EXPANSION AND RENOVATION AMENDMENT 1
 HILTON HEAD ISLAND AIRPORT
 HILTON HEAD ISLAND, SC
 AIP PROJECT NO: 3-45-0030-045-2019 and 3-45-0030-050-2022
 SCAA PROJECT NO:
 CLIENT PROJECT NO:
 TBE PROJECT NO: 2119-1905

October 14, 2022

CONSTRUCTION ADMINISTRATION (06)

DIRECT EXPENSES:

| EXPENSE DESCRIPTION | UNIT | UNIT RATE | EST UNITS | EST COST |
|---|------|-----------|-----------|---------------------|
| Postage | LS | \$ 1,000 | 2 | \$ 2,000.00 |
| Copying | LS | \$ 5,000 | 2 | \$ 10,000.00 |
| Reproduction-Rel. for Const. | LS | \$ 15,000 | 1 | \$ 15,000.00 |
| Reproduction-As Built | LS | \$ 5,000 | 1 | \$ 5,000.00 |
| Miscellaneous expenses (prints, faxes, copies) | LS | \$ 1,000 | 2 | \$ 2,000.00 |
| Mileage | MI | \$ 0.63 | 51,250 | \$ 32,031.25 |
| Per Diem | EA | \$ 251.00 | 90 | \$ 22,590.00 |
| SUBTOTAL | | | | \$ 88,621.25 |

SCOPE OF SUBCONTRACTED SERVICES:

| EXPENSE DESCRIPTION | UNIT RATE | EST UNITS | EST COST |
|---|----------------|-----------|----------------------|
| Architectural and Civil QA Testing - NTE | \$0.00 | 1 | \$ - |
| Architectural Construction Administration | -\$999,925.00 | 1 | \$ (999,925.00) |
| Architectural Construction Administration | \$1,293,741.95 | 1 | \$ 1,293,741.95 |
| Stormwater Services - CA | \$0.00 | 1 | \$ - |
| Landscape CA | \$36,512.50 | 1 | \$ 36,512.50 |
| As-Built Survey - NTE | \$0.00 | 1 | \$ - |
| SUBTOTAL | | | \$ 330,329.45 |

| | |
|---|----------------------|
| TOTAL PHASE 6: | \$ 763,740.70 |
| TOTAL PHASE 06 LABOR: | \$ 344,790.00 |
| ORIGINAL CONTRACT AMOUNT LABOR: | \$ 280,772.00 |
| AMENDMENT 1 TOTAL: | \$ 64,018.00 |
| TOTAL PHASE 06 EXPENSES: | \$ 88,621.25 |
| ORIGINAL CONTRACT AMOUNT EXPENSES: | \$ 78,720.00 |
| AMENDMENT 1 TOTAL: | \$ 9,901.25 |

MANHOOR ESTIMATE

TERMINAL EXPANSION AND RENOVATION AMENDMENT 1
 HILTON HEAD ISLAND AIRPORT
 HILTON HEAD ISLAND, SC
 AIP PROJECT NO: 3-45-0030-045-2019 and 3-45-0030-050-2022
 SCAA PROJECT NO:
 CLIENT PROJECT NO:
 TBE PROJECT NO: 2119-1905

October 14, 2022

RESIDENT PROJECT REPRESENTATIVE (PHASE 51)
 CONTRACT TIME CALENDAR DAYS 720

| DESCRIPTION | RPR | SR. RPR |
|---|--------------|--------------|
| | \$ 110 | \$ 147 |
| DESCRIPTION | | |
| Project review/Preconstruction Conference | | 20 |
| Site mobilization | | 8 |
| On site inspection | 4,695 | 6,260 |
| Final inspection | | 10 |
| Follow up inspection | 470 | 626 |
| Site demobilization | | 8 |
| MANHOOR TOTAL | 5,211 | 6,932 |

DIRECT LABOR EXPENSES:

| CLASSIFICATION | | BILL RATE | EST MHRS | EST COST |
|--------------------------|---------|-----------|----------|------------------------|
| RESIDENT ENGINEER | RPR | \$ 110 | 5,211 | \$ 573,210 |
| SENIOR RESIDENT ENGINEER | SR. RPR | \$ 147 | 6,932 | \$ 1,019,004 |
| | | Total | 12,143 | |
| <i>SUBTOTAL</i> | | | | <i>\$ 1,592,214.00</i> |

DIRECT EXPENSES:

| EXPENSE DESCRIPTION | UNIT | UNIT RATE | EST UNITS | EST COST |
|---|------|-----------|-----------|---------------------|
| Telephone | LS | \$ 1,500 | 1 | \$ 1,500.00 |
| Postage | LS | \$ 200 | 1 | \$ 200.00 |
| Miscellaneous expenses (prints, faxes, supplies, copies) | LS | \$ 2,000 | 1 | \$ 2,000.00 |
| Mileage | MI | \$ 0.63 | 76,900 | \$ 48,062.50 |
| <i>SUBTOTAL</i> | | | | <i>\$ 51,762.50</i> |

PER DIEM:

| EXPENSE DESCRIPTION | UNIT | UNIT RATE | EST UNITS | EST COST |
|---------------------|------|-----------|-----------|----------------------|
| DAILY PER DIEM | PD | \$ 251 | 1210 | \$ 303,710 |
| | | Total | 1,210 | |
| <i>SUBTOTAL</i> | | | | <i>\$ 303,710.00</i> |

| | |
|--------------------------|-----------------|
| TOTAL PHASE 51: | \$ 1,947,686.50 |
| ORIGINAL CONTRACT AMOUNT | \$ 1,243,610.00 |
| AMENDMENT 1 TOTAL | \$ 704,076.50 |