

**Chapter 5
BUILDINGS AND BUILDING REGULATIONS**

**ARTICLE I.
IN GENERAL**

Sec. 5-1. Building permit fees.

The fees for building permits of all kinds required by the provisions of this chapter shall be set from time to time by the city council and a schedule of such fees is on file in the inspection department.

Sec. 5-2. Charge for inspection requested in connection with insured loan on property.

The building official, or other official of the city, shall make a charge of twenty-five dollars (\$25.00) for each inspection made at the request of any person in connection with a Federal Housing Administration loan or other insured loan on property in the city.

Secs. 5-3--5-20. Reserved.

ARTICLE II.

BUILDING CODE AND CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

Sec. 5-21. Adopted.

There is hereby adopted by the City for the purpose of establishing methods, rules and regulations for the construction of buildings, the issuance or permits pertaining thereto and the duties of the building Official of the City, those certain Codes known as the International Building, Plumbing, Mechanical, Fuel Gas and Fire Codes, as promulgated by the Southern Building Code Congress International, Inc., which most recent editions are on file in the office of the Building Official of the City, except as amended hereafter, excluding all appendices.

Sec. 5-22. Construction Board of Adjustment and Appeals.

1.0 Appointment. There is hereby established a board to be called the Construction Board of Adjustment and Appeals, which shall consist of nine (9) members. The board shall be appointed by City Council.

2.0 Membership and Terms.

2.1 Membership. The Construction Board of Adjustment and Appeals should consist of nine (9) members. Such board members should be composed of individuals with knowledge and experience in the technical codes, such as design professionals, contractors or building industry representatives. In addition, there should be one (1) member at large from the building industry and one (1) member at large from the public. A board member shall not act in a case in which he has a personal or financial interest.

2.2 Terms. The terms of office of the board members shall be staggered so no more than one-third (1/3) of the board is appointed or replaced in any twelve-month period. The term shall be for a three-year period and appointees shall be eligible for reappointment. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made.

2.3 Quorum and Voting. A simple majority of the board shall constitute a quorum. In varying any provision of this Code, the affirmative votes of the majority present, but not less than three (3) affirmative votes, shall be required. In modifying a decision of the building official, not less than four (4) affirmative votes, but not less than a majority of the board, shall be required.

2.4 Secretary of Board. The Building Official shall act as secretary of the board and shall make a detailed record of all of board reverses or modifies a refusal, order, or disallowance of the Building Official or varies the application of any provision of this Code, the building official shall immediately take action in accordance with such decision. Every decision shall be promptly filed in writing in the office of the Building Official and shall be open to public inspection. A certified copy of the decision shall be sent by mail or otherwise to the appellant and a copy shall be kept publicly posted in the office of the Building Official for two (2) weeks after filing. Every decision of the board shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity.

3.0 Powers. The construction board of adjustment and appeals shall have the power as further defined in 4.0 to hear appeals of decisions and interpretations of the building official and consider variances of the technical codes.

4.0 Appeals.

4.1 Decision of the Building Official. The owner of a

building, structure or service system, or his duly authorized agent, may appeal a decision of the building official to the construction board of adjustment and appeals whenever any one of the following conditions are claimed to exist:

1. The building official rejected or refused to approve the mode or manner of construction proposed to be followed or materials to be used in the installation or alteration of a building, structure or service system.
2. The provisions of this code do not apply to this specific case.
3. That an equally good or more desirable form of installation can be employed in any specific case.
4. The true intent and meaning of this code or any of the regulations thereunder have been misconstrued or incorrectly interpreted.

4.2 Variances. The construction board of adjustments and appeals, when so appealed to and after a hearing, may vary the application of any provisions of this code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this or the technical codes or public interest, and also finds all of the following:

1. That special conditions and circumstances exist which are peculiar to the building, structure or service system involved and which are not applicable to others.
2. That the special conditions and circumstances do not result from the action or inaction of the applicant.
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other buildings, structures or service system.
4. That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure or service system.
5. That the grant of the variance will be in harmony with the general intent and purpose of this code and will not be detrimental to the public health, safety and general welfare.

4.2.1 Conditions of the Variance. In granting the variance, the board may prescribe a reasonable time limit within which the action for which the variance is

required shall be commenced or completed or both. In addition, the board may prescribe appropriate conditions and safeguards in conformity with this code. Violation of the conditions of a variance shall be deemed a violation of this code.

4.3 Notice of Appeal. Notice of appeal shall be in writing and filed within thirty (30) calendar days after the decision is rendered by the building official. Appeals shall be in a form acceptable to the building official.

4.4 Unsafe or Dangerous Buildings or Service Systems. In case of a building, structure or service system which, in the opinion of the building official, is unsafe, unsanitary or dangerous, the building official may, in his order, limit the time for such appeals to a shorter period.

5.0 Procedures of the Board.

5.1 Rules and Regulations. The board shall establish rules and regulations for its own procedure not inconsistent with the provisions of this code. The board shall meet on call of the chairman. The board shall meet within thirty (30) calendar days after notice of appeal has been received.

5.2 Decisions. The construction board of adjustment and appeals shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the board shall also include the reasons for the decision. If a decision of the board reverses or modifies a refusal, order, or disallowance of the building official or varies the application of any provision of this code, the building official shall immediately take action in accordance with such decision. Every decision shall be promptly filed in writing in the office of the building official and shall be open to public inspection. A certified copy of the decision shall be sent by mail or otherwise to the appellant and a copy shall be kept publicly posted in the office of the building official for two (2) weeks after filing. Every decision of the board shall be final, subject however to such remedy as any aggrieved party might have at law or in equity.

6.0 Violations and penalties. Any person, firm, corporation or agent who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish or move any structure, electrical, gas, mechanical or plumbing system, or has erected, constructed, altered, repaired, moved or

demolished a building, structure, electrical, gas, mechanical or plumbing system, in violation of a detailed statement or drawing submitted and permitted thereunder, shall be guilty of a misdemeanor. Each such person shall be considered guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed or continued, and upon conviction of any such violation such person shall be punished within the limits and as provided by state laws.

Secs. 5-23--5-40. Reserved.

**ARTICLE III.
UNSAFE BUILDINGS**

Sec. 5-41. Unsafe building abatement and removal.

There is hereby adopted by the City for the purposes of establishing methods, rules and regulations for the abatement of unsafe buildings that certain code known as the International Property Maintenance Code, most recent edition, which edition is on file in the office of the Building Official, excepting Sections 111.2, 111.2.1, 302.4, 302.8 and 303.14 of the International Property Maintenance Code. Moreover, Section 303.14 is revised to state "Dwelling units which do not have a central air conditioning system shall have screens on all exterior openable windows and doors used or required for ventilation. Screens on windows and doors must be tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every screen door shall have a self-closing device in good working condition."

Sec. 5-42. Failure of owner to comply with notice; remedy by city; collection of costs.

- (a) If the owner of any unsafe building shall fail to comply with the final notice and order of the city manager or his designated representative to repair, remedy or demolish any building determined to be unsafe in the city, the city manager may cause such unsafe building to be determined or removed.
- (b) Any and all furniture or personal property found within such building may be sold by the city and any all material resulting from the demolition of such unsafe building may be sold by the city and all proceeds thereof shall be credited against the cost of the removal or demolition. Any balance remaining from the sale of all furniture or personal property shall be held by the finance director of the city and disbursed to such persons as shall be found entitled

thereto. The demolition or removal of such building shall not preclude the prosecution of the owner for failing to comply with the provisions of this article.

- (c) If the materials of such building and any furniture or personal property found therein fail to bring a sufficient amount to defray the cost of demolition or removal, then the cost of demolition or any balance remaining thereon shall constitute a lien against the real property upon which such cost was incurred. The finance director shall maintain a ledger listing any and all liens resulting from the enforcement of this section.

Sec. 5-43. Security of dwelling units so as to prevent casual entrance by unauthorized personnel.

All units must be secured so as to preclude entrance into the dwelling units by unauthorized personnel.

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Sec. 5-43.2 Violation of Failure to Secure Dwelling Units.

The failure of the owner of any dwelling unit to secure a residential unit within ten (10) days after written demand by the City to secure the dwelling shall constitute a violation of this Code and be subject to general penalty as contained in Section 1-11 herein as a continuing violation. The City may at its option secure the dwelling and tax the coats of securing the unit as a lien upon the property.

Sec. 5-44. Violation of failure to secure dwelling units.

The failure of the owner of any dwelling unit to secure a residential unit within ten (10) days after written demand by the city to secure the dwelling shall constitute a violation of this Code and be subject to general penalty as contained in section 1-11 herein as a continuing violation. The city may at its option secure the dwelling and tax the costs of securing the unit as a lien upon the property.

Secs. 5-45--5-65. Reserved.

**ARTICLE IV.
DEMOLITION**

Sec. 5-66. Time limit established.

Whenever a building permit is issued for the demolition, tearing down or destruction of any building or structure in the city, the owner, contractor or person securing such permit shall complete the demolition, tearing down or destruction within thirty (30) days after beginning work. Demolition is defined as the act of razing and dismantling of a building or structure or portion thereof to the ground level.

Sec. 5-67. Extension of time.

Wherever a building or structure to be demolished is of such size that it cannot be demolished within thirty (30) days, the owner, contractor or person securing the building permit may apply to the building official for additional time within which to complete the tearing down or demolition; provided, that it is shown that work has been regularly and continuously performed and will be regularly and continuously performed until completion of the demolition.

Secs. 5-68--5-90. Reserved.

**ARTICLE V.
DWELLINGS AND DWELLING UNITS UNFIT FOR HUMAN HABITATION**

Sec. 5-91. Reserved.

Sec. 5-92. International Property Maintenance Code adopted.

There is hereby adopted by the City the International Property Maintenance Code, most recent edition, which edition is on file in the office of the Building Official of the City, excepting Sections 111.2, 111.2.1, 302.4, 302.8 and 303.14 of the International Property Maintenance Code.

Moreover, Section 303.14 is revised to state "Dwellings units which do not have a central air conditioning system shall have screens on all exterior openable windows and doors used or required for ventilation. Screens on windows and doors must be tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm) and every screen door shall have a self-closing device in good working condition."

Sec. 5-93. Declaration of existence of substandard dwellings and dwelling units.

The city council finds and hereby declares that there exist, within the corporate limits of the city, dwellings and dwelling units which are unfit for human habitation, due to dilapidation, defects increasing the hazards of fire, accident or other calamities, lack of ventilation, light or sanitary facilities, or other conditions rendering such dwellings and dwelling units unsafe or unsanitary, dangerous or detrimental to the health, safety or morals or otherwise inimical to the welfare of the residents of the city.

Sec. 5-94. Reserved.

Sec. 5-94.1. Rehabilitation director--Housing official.

The enforcement of this Code shall be by the community development director which shall be under the supervision of the city manager and shall have such assistance as may be deemed necessary.

Sec. 5-94.2. Reserved.

Sec. 5-95. Housing board of adjustments and appeals.

- (a) There is hereby created by the applicable governing body a board to be known as the housing board of adjustments and appeals, which shall consist of not less than three (3) members appointed by the governing body. The members shall be residents of the governed area. Members of the board shall be appointed for three-year terms, except that on the initial appointment, one (1) shall be appointed for one (1) year, one (1) for two (2) years and one (1) for three (3) years. Any one (1) or more members of said board shall be subject to removal or replacement by the appointing authority at any time for cause of stated charges after a public hearing before the appointing authority, and a vacancy on said board shall be filled by the appointing authority for the unexpired term of such vacancy. The members of said board shall serve without compensation.
- (b) As soon as practical after their appointment, the members of the housing board of adjustments and appeals shall meet and organize by electing a chairman, vice-chairman and secretary. Thereafter officers of the board shall be elected by the members at the first annual meeting of the board.
- (c) The board shall meet at regular intervals to be determined by the chairman but in any event the board shall meet within thirty (30) days after notice of appeal has been received. Reasonable notice of the place, time and date of such meetings shall be given all the members of the board and all interested parties in each case to be heard by the board.

- (d) All minutes of the board meetings shall be public records and the secretary of the board shall keep all records and perform such additional duties as the board may deem proper.
- (e) The duties of the housing board of adjustments and appeals shall be:
 - (1) To consider and determine appeals whenever it is claimed that the true intent and meaning of this Code or any of its regulations have been misconstrued or wrongly interpreted.
 - (2) To permit, in appropriate cases where the application of the requirement of this Code in the allowance of the stated time for the performance of any action required hereunder would appear to cause undue hardship on an owner, one (1) or more extensions of time, not to exceed one hundred twenty (120) days each, from the date of such decision of the board. Applications for additional extensions of time shall be heard by the board. Such requests for additional extensions of time shall be filed with the housing official not less than thirty (30) days prior to the expiration of the current extensions.
- (f) An appeal should not be considered where an appeal case has been previously decided involving the same premises.
- (g) The housing board of adjustments and appeals shall establish its own rules of procedure for accomplishment of its duties and functions, provided that such rules shall not be in conflict with the provisions of this Code and the laws of the state.
- (h) All decisions of the housing board of adjustments and appeals to vary the application of any provision of this Code or to modify an order of the housing official shall specify in what manner such variance or modification is made, the condition upon which it is made, and the reasons therefor. Every decision shall be in writing and shall indicate the vote upon the decision. A copy of all decisions shall be promptly filed in the office of the housing official and shall be open to public inspection. The secretary shall notify the appellant in writing of the final action of the board.
- (i) Any person receiving written notice from the housing official of deficiencies in his property under this Code may within five (5) days following the date of such notice enter an appeal in writing. The community development director shall consider the appeal and issue a written determination of the appeal. Such appeal shall state the location of the property, the date of the notice of violations and the number of such notice. The appellant must state the variance

or modification requested, the reasons therefor and the hardship or conditions upon which the appeal is made.

Sec. 5-95.1. Posting of order.

If the dwelling is not occupied at the time of the order, the housing services manager shall proceed immediately to post notice of the order which will prevent further human habitation. If the dwelling unit is occupied, notice of the order will not be posted at this point in the procedure.

Sec. 5-95.2. Requests for extensions of time.

Housing services manager shall not entertain any requests for an extension of time with compliance with the requirements of the Standard Housing Code unless the owner has shown a bona fide effort to bring the property into Code compliance.

Secs. 5-96--5-98. Reserved.

Sec. 5-99. Noncompliance of owner with order to repair or demolish; closing of dwelling by placarding.

If the owner shall fail to comply with a final order of the rehabilitation director or the director of planning and community development, as the case might be, to repair, alter, improve, vacate, close or demolish any dwelling or dwelling unit, the rehabilitation director shall close the dwelling or dwelling unit and cause to be posted on the main entrance of such dwelling or dwelling unit the following notice:

"This building is unfit for human habitation; the use or occupancy of this building for human habitation is prohibited and unlawful."

Thereafter, it shall be unlawful to occupy or permit the occupancy of the dwelling or dwelling unit, or to collect or receive any rent therefrom until approval is secured from and such placard is removed by a housing official. The housing official shall remove such placard whenever the defects upon which the condemnation and placarding action were based have been eliminated.

Sec. 5-100. Demolition of dwelling; sale of materials and disposition of proceeds; lien for cost of demolition.

- (a) If the owner shall fail to comply with a final order of the rehabilitation director and/or the director of planning and

community development, as the case may be, the rehabilitation director may cause such dwelling or dwelling unit to be demolished or removed. The rehabilitation director shall then sell the materials of such dwelling or dwelling unit and any furniture or personal property found within such dwelling unit and shall credit the proceeds of such sale against the cost of removal or demolition, and any balance remaining shall be deposited to the clerk of the circuit court for the county by the director and shall be disbursed by the court to such persons as it shall find to be entitled thereto by final order or decree of the court. The demolition or removal of the dwelling or dwelling unit by the rehabilitation director shall not preclude the prosecution of the owner for failure to comply with any final order.

- (b) If the materials of such dwelling or dwellings and any furniture or personal property found within such dwelling unit fail to amount to the cost of demolition of same, then the cost of demolition or any balance remaining due thereon shall be a lien against the real property upon which such cost was incurred.

Sec. 5-101. Methods of service of complaints, orders, etc.

Complaints, findings and orders issued by the community development director pursuant to this article, shall be served upon the required persons either personally or by registered mail or certified mail, but if the whereabouts of such persons is unknown and cannot be ascertained by the community development director in the exercise of reasonable diligence and the community development director shall make an affidavit to that effect, then the serving of such complaints, findings or orders upon such persons may be made by publishing the same once a week for two (2) consecutive weeks in a newspaper of general circulation in the city. A copy of such complaint, finding or order shall also be posted in a conspicuous place on the premises affected by the complaint, finding or order.

Sec. 5-102. Responsibility of occupant.

The occupant shall be responsible for:

- (1) Keeping water and electrical service turned on to the property at all times when the dwelling is occupied by humans;
- (2) Protecting the water system serving the dwelling by cutting off and draining the system in cold weather where cutoffs are provided by the owner;

- (3) Providing adequate covered metal containers with tight-fitting lids for refuse and trash and maintaining the dwelling or dwelling unit in a clean and sanitary condition, free from accumulation of filth, dirt, rubbish or garbage and free from vermin infestation or harbors. This shall be the responsibility of the occupant with the exception of the shared or public portion of multi-dwelling, which portion shall be the responsibility of the owner.

Sec. 5-103. Violations of article by occupant of dwelling.

Any occupant, individually, or the representative of any occupant, who interferes in the enforcement of this article or who fails to comply with any orders issued by the rehabilitation director and/or the director of planning and community development, as the case might be, when such orders apply to the occupant of the dwelling or dwelling unit, or who shall damage, mutilate or remove or who shall cause to be damaged, mutilated or removed from or in a dwelling or dwelling unit any of its facilities or any other part or parcel of the dwelling or dwelling unit, or shall willfully or maliciously deposit any material in any plumbing fixture which results in the obstruction of the sanitary sewer or the chokage of the plumbing fixture, upon conviction thereof before the city recorder, shall be punished as provided by section 5-105. This provision shall not relieve the owner of the responsibility of relieving any plumbing chokage.

Sec. 5-104. Reserved.

Sec. 5-105. Penalty for violation of article.

The owner of any dwelling or dwelling unit unfit for human habitation under the various sections of this article who shall fail to comply with any final orders to repair, vacate or demolish such dwelling or dwelling unit issued by the rehabilitation director and/or the director of planning and community development, as the case might be, shall be guilty of a misdemeanor. Any person removing or defacing any notice posted on any dwelling or dwelling unit by any authorized officer under the terms of this article shall be guilty of a misdemeanor, and any person, individually, or as the representative of any person, who shall otherwise violate any of the terms or provisions of this article, or interfere in any way with the enforcement thereof, or shall receive or collect rental accruing after the expiration of the time limit set forth in any final order issued by the rehabilitation director and/or the director of planning and community development, as the case might be, or who shall damage, mutilate or remove or who shall cause to be damaged, mutilated or removed from or in a dwelling or dwelling unit any of its facilities referred to in section 5-9 shall be guilty of a misdemeanor.

Sec. 5-106. Article cumulative; not to restrict city's power to declare, abate, etc., nuisances.

Nothing in this article shall be construed to impair or limit in any way the power of the city to define or declare nuisances and to cause their removal or abatement by summary proceedings or otherwise. The measures and procedures provided for in this article do not supersede, and this article does not repeal, any other measures or procedures which are provided by ordinance or by state law for the elimination, repair or correction of the conditions referred to in section 5-93, but the measures and procedures provided for in this article shall be in addition to the others.

Secs. 5-107--5-130. Reserved.

**ARTICLE VI.
ELECTRICITY**

Sec. 5-131. Short title.

This article may be known as the "Electrical Ordinance."

Sec. 5-132. Definitions.

The following terms, wherever used or referred to in this article, shall have the meanings ascribed to them in this section unless in any case a different meaning is clearly indicated by the context:

Electrical contractor means any person engaging in the business of electrical installation, construction and repair.

Helper or *apprentice* means anyone using or handling any tools or material of the electrical construction trade.

Journeyman electrician means any person who shall have passed the journeyman electrical examination as set out in this article and who shall have been issued a certificate by the board of electrical examiners.

Master electrician means any person who shall have passed the master electrical examination as set out in this article, and who shall have been issued a certificate by the board of electrical examiners.

Sec. 5-133. Applicability of article.

This article shall not cover minor electrical repairs, involving no new work, alteration or change whatever that may be necessary or incident to the maintenance only in good condition of an established plant, installation or system of wiring, but this qualification does not extend to installation of new circuits or the extension of any circuits already installed, or the installation of any apparatus, devices or materials whatever for which a permit is required under this article.

Sec. 5-134. Reserved.

Secs. 5-135--5-155. Reserved.

Sec. 5-156. Powers and duties of Electrical Inspector

It shall be the duty of the chief electrical inspector to inspect or have inspected all electrical construction, installation and equipment of whatever character whether inside or outside of buildings and he shall have power to order removed, repaired, or rebuilt any such construction, installation or equipment when in his judgment, life or property will be better protected thereby; and it shall be his duty to see that all laws of force now or that may hereafter be enacted, governing electrical energy or construction, are strictly complied with. The term "chief electrical inspector," as used in this article, shall be construed to mean the chief electrical inspector or his deputized representative.

Sec. 5-157. Records and reports.

The chief electrical inspector's office shall keep a full and complete daily record of all work done, permits issued, examinations made and other official work performed, as required by this article, and shall make a report thereof to the city council through the electrical advisory board on or before January first of each year.

Sec. 5-158. Right of entry.

The chief electrical inspector shall have the right in the discharge of his duties, to enter any building under construction or completed, any manhole or subway or climb any pole for the purpose of examining and testing the electrical wires, construction or appliance therein or thereon contained, and for that purpose he shall be given prompt access to all buildings, public or private, and to all manholes, subways, or poles on application to the individual or company owning or in charge of same.

Sec. 5-159. Authority to cut off current.

In any case of failure to comply with this article the chief electrical inspector shall have authority, after due notice, to cut out lights or current in any locality concerned and to enforce discontinuance of the same until such requirements are complied with.

Sec. 5-160. Condemnation of certain equipment, wiring, etc.

The chief electrical inspector have authority to condemn any electric wiring, equipment or appliance which, in his opinion, is unsafe to life or property and after three (3) days' notice shall order the current discontinued from such electric wiring, equipment or appliance.

Sec. 5-161. Appeals from order of.

Appeal may be made from any order of the chief electrical inspector to the electrical advisory board, and the order of the board shall be final in the matter.

Sec. 5-162. Promulgation of rules and regulations.

The chief electrical inspector shall have the authority to promulgate rules and regulations in order to put into effect the intent and purpose of this article. All rules and regulations so promulgated shall be subject to the approval of the electrical advisory board.

Secs. 5-163--5-180. Reserved.

Sec. 5-181. Qualifications; registration.

Any person desiring to operate as a master or journeyman electrician shall hold:

- (1) A city certification as a master or journeyman electrician; or
- (2) A master or journeyman certificate from state municipal association; or
- (3) A certification as an electrical contractor by the state; and must be registered prior to work with the Building Official of the city.

Sec. 5-182. Issuance of certificates.

The Building Official shall issue certificates to existing City certified master or journeyman electricians. The City shall

charge a fee of \$10.00 for each certificate or re-issuance of a certificate lost or destroyed.

Secs. 5-183--5-185. Reserved.

Sec. 5-188. Reciprocity.

The Building Official shall recognize a holder of an equal or better certificate from another jurisdiction upon satisfying himself that the standards and qualifications required by the other jurisdiction are equivalent to those required by the City of Spartanburg.

Secs. 5-189--5-210. Reserved.

Sec. 5-211. National Electrical Code adopted.

There is hereby adopted for the purpose of the practical safeguarding of persons and of buildings and their contents from hazards arising from the use of electricity for light, heat, power, radio, signaling and for other purposes, that certain electrical code, being particularly the National Electrical Code promulgated by the National Fire Protection Association, Quincy, Massachusetts, most recent edition, which edition is on file in the office of the building official of the city.

Sec. 5-212. Ruling from inspector when installation damaged by fire.

Before beginning work on any electrical installation damaged by fire, a ruling shall be obtained from the chief electrical inspector as to what portion of the wiring must be replaced.

Sec. 5-213. Removal of old wiring.

Any person making changes in wiring installation of old buildings shall be required to remove all wiring which is not connected and which can be readily removed.

Secs. 5-214--5-235. Reserved.

Sec. 5-236. Supervision of work by master electrician.

It shall be unlawful to do any work of electrical installation, construction or repair unless such work be done by or under the

personal and continuous supervision of a master electrician, as defined in this article.

Sec. 5-237. Inspections; issuance of certificates of approval.

Upon the notification of the completion of the work it shall then be the duty of the chief electrical inspector to inspect such wiring or work, and if approved by him as being in conformity with this article, the rules prescribed hereunder, the statutes of the state and the approved methods of construction for safety to life and property, he shall issue a certificate to be known as a certificate of approval which shall authorize the current to be turned on. It shall be unlawful for the current to be turned on until such certificate of approval has been obtained. This section shall not apply to cases where temporary approval may be granted as set out in this article. It shall be the duty of the electrical contractor to notify the electrical inspector for the city of all requests for inspection at least twenty-four (24) hours prior to the time such inspection is desired.

Sec. 5-238. Issuance of certificate of inspection prior to concealing work.

It shall be unlawful for any person, his agents or employees to cover or conceal any electric light or power wiring in the city except upon the following conditions. Whenever it is desired to conceal any electrical wiring, the chief electrical inspector shall be notified and it shall then be his duty to inspect such wiring and if approved by him as being in conformity with this article, the rules prescribed hereunder, the statutes of the state, and the approved methods of construction for the safety to life and property he shall issue a certificate to be known as a certificate of inspection which shall authorize the concealing of the wiring.

Sec. 5-239. Submission of layout prior to certain installations.

Before starting work on installation for systems over six hundred (600) volts, a completed layout in detail shall be submitted to the chief electrical inspector.

Sec. 5-240. Turning on current at buildings damaged by fire.

Electric service shall not be resumed on or in the premises of any building or structure damaged by fire without approval of the chief electrical inspector.

Sec. 5-241. Journeyman electrician's certificate; helpers and apprentices under journeyman electrician; supervision of journeyman electricians.

A journeyman electrician's certificate shall entitle the holder thereof to personally perform the work of installing, maintaining, altering or repairing wiring, devices or equipment. He shall be allowed two (2) helpers or apprentices who shall not be required to pass an examination or secure a certificate provided such helpers or apprentices shall only engage in work under the direct supervision of a certified electrician. A journeyman electrician shall at all times be working under the general supervision of a certified master electrician.

Secs. 5-242--5-260. Reserved.

Sec. 5-261. Application for temporary service.

The application for temporary service shall state the period of time the service is required and the necessity for same.

Sec. 5-262. When temporary wiring to be installed.

Temporary wiring may be installed when written permission is secured from the chief electrical inspector for the following purposes:

- (1) To be used to supply power for the purpose of hoisting material used in building under construction or remodeling and for the purpose of lighting such building or structures used in connection with the construction of such buildings;
- (2) For the purpose of lighting tents or buildings used for religious gatherings or shows where such tents or buildings will only be used for a short duration of time, or for decorative purposes where wiring will only be used a short time.

Sec. 5-263. Temporary approvals.

- (a) *When to be issued generally.* Temporary approvals may be issued covering work as outlined in section 2-62, when such work is installed in such manner as not to endanger life or property.
- (b) *Issued for turning current on parts of wiring.* Temporary approvals may be issued for the purpose of allowing current to be turned on certain parts of wiring installations which have been made safe to the satisfaction of the chief electrical inspector in order to allow the testing out of certain electrical equipment, and in order to allow tenants,

lessees or owners of the use of certain completed parts of buildings before the entire job is completed.

- (c) *Term.* No temporary approval shall be issued for a period of more than ninety (90) days. If necessary for temporary work to remain for more than ninety (90) days, request for such extension of temporary approval shall be made in writing by the person holding the permit.
- (d) *Procedure upon expiration.* Upon expiration of temporary approval such approval shall be immediately discontinued, unless approval for extension of time is obtained from the chief electrical inspector.

Secs. 5-264--5-285. Reserved.

Sec. 5-286. Permits.

- (a) *Required; application.* Before beginning any work of electrical installation, construction or repair, or any changes which would increase the load, an application for permit shall be made to the chief electrical inspector on forms furnished for that purpose, which application shall contain an accurate and detailed account of the electrical work contemplated as provided for in the forms furnished.
- (b) *For additional work.* If after obtaining permit for electrical work it is found necessary to change or increase the load of electric current, an application for permit shall be filed covering the additional work.
- (c) *Refusal where defects exist.* Any person who shall fail to correct any defects in his work within five (5) days after having been duly notified of such defects by the chief electrical inspector shall not receive any further permit until such defects have been corrected. Immediately after the correction of such defect or defects the chief electrical inspector shall be notified of such corrections.

Sec. 5-287. Business license required.

Every person desiring to engage in the business of electrical installation, construction or repair in the city shall before doing so obtain a business license therefor, the fee for which shall be as prescribed in the license ordinance of the city.

Sec. 5-288. Fees generally.

The fees to be paid for inspection of electrical work shall be as required by the provisions of this article, shall be set from

time to time by the city council, and a schedule of such fees is on file in the inspection department.

Secs. 5-289--5-310. Reserved.

Sec. 5-311. Violations by master electricians.

Any master electrician who shall have been licensed as such under the provisions of this article who violates any of the provisions of this article, or who certifies under oath to the chief electrical inspector he has supervised the installation, construction or repair of any electrical work, when in fact he has not, shall be cited by the chief electrical inspector to appear before the electrical advisory board to show cause why his certificate as a master electrician should not be revoked. After such citation has been personally served upon the master electrician he shall have the right to appear before the electrical advisory board and offer such evidence in his behalf as he deems necessary. At the same time the chief electrical inspector shall offer evidence showing the violations as charged. After hearing the evidence the electrical advisory board shall then, by a majority vote, find him guilty or not guilty as the evidence warrants. If found guilty, the committee may revoke the certificate or impose a suspension of his certificate for a period up to ninety (90) days. If found not guilty, the charges shall be dropped. If the person so cited to appear shall fail to appear at the time and place specified in the citation, his certificate shall be automatically suspended by the committee until such time as he does appear before the committee and answers the charges. When a certificate has been revoked as herein provided, the licensee thereunder shall not be allowed to act as a master electrician again in the city until he has passed the examination provided for in this article as it relates to new applicants.

Sec. 5-312. Violations by persons engaging in electrical business.

Every person desiring to engage in the business of electrical installation, construction or repair in the city, who, before doing so shall fail to obtain a business license therefor, shall be subject to punishment and penalty as prescribed in the business license ordinance of the city.

Sec. 5-313. Forfeiture of license or certificate for continued violations.

Any person who shall continue to or persistently violate any of the provisions of this article shall forfeit his license or certificate issued under the terms of this article, and the re-

issuance of any license or certificate so forfeited shall only be after recommendation to that effect by the electrical advisory board.

Sec. 5-314. Liability for damages, injuries, etc.

Nothing contained in this article shall be construed to relieve any person from liability, or moral responsibility, for damages or injury to life or property.

Sec. 5-315. Penalty for violation of article.

Any person who shall violate any of the provisions of this article for which no specific penalty has been provided, or who shall fail, neglect or refuse to comply with any order of the chief electrical inspector given in pursuance and by authority of this article, or who shall willfully aid or assist in the violation of any of the provisions of this article shall upon conviction thereof, be punished in accordance with section 1-11.

Secs. 5-316--5-335. Reserved.

**ARTICLE VII.
GAS**

Sec. 5-336. International Gas Fuel Code adopted.

For the purpose of providing minimum standards, provisions and requirements for the safe installation of consumer's gas piping and gas appliances, there is hereby adopted the International Gas Fuel Code, most recent edition, which edition is on file in the office of the Building Official of the City.

Secs. 5-337--5-360. Reserved.

**ARTICLE VIII.
HEATING, VENTILATING AND AIR CONDITIONING**

Sec. 5-361. International Mechanical Code adopted.

For the purpose of regulating the installation and maintenance of all mechanical equipment in the City, so as to protect the health, sanitation, public safety and welfare of the people of the City, there is hereby adopted the International Mechanical Code, most recent edition, which edition is on file in the office of the Building Official of the City.

Sec. 5-362. Schedule of permit fees.

The fees for the installation of any heating, air conditioning or other mechanical equipment required by the provisions of this article, shall be set from time to time by the city council, and a schedule of such fees is on file in the inspection department.

Sec. 5-363. Reserved.

Sec. 5-364. Certification of masters and journeymen.

- (a) *Qualifications; registration.* Any person desiring to operate as a master or journeyman heating and air conditioning person shall hold:
- (1) A city certificate as a master or journeyman HVAC person; or
 - (2) A master or journeyman HVAC person certificate from the state municipal association; or
 - (3) A certification as an HVAC contractor by the state; and must be registered with the mechanical inspector of the city prior to any work.
- (b) *Issuance of certificates.* The Building Official shall issue certificated to City-certified master or journeyman HVAC persons. The City shall charge a fee of \$10.00 for each certificate issued or for re-issuance of a certificate of a certificate lost or destroyed.
- (c) *Reciprocity.* The Building Official shall recognize a holder of an equal or better certificate from another jurisdiction upon satisfying himself that the standards and qualifications required by the other jurisdiction are equivalent to those required by the City of Spartanburg.

Secs. 5-365--5-385. Reserved.

**ARTICLE IX.
HISTORIC BUILDINGS**

Secs. 5-386--5-405. Reserved.

Sec. 5-406. Definitions.

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

Building system means any utility, mechanical, electrical, structural, egress or fire protection and safety system.

Enforcement authority means the building official and fire chief.

Historic buildings or districts means any building or area so designated by the state department of archives and history or city council being placed on the state or local register for historic buildings.

Sec. 5-407. Intent and purposes.

- (a) The intent of this division is to:
- (1) Provide guidelines for the uniform application of fire and building related codes to historic buildings and structures;
 - (2) Define certain terms;
 - (3) Provide acceptable alternative safeguards to requirements of various fire and building code provisions where strict compliance is not practical;
 - (4) Specify various hazardous conditions in historic buildings and structures which should not be permitted to exist;
 - (5) Provide construction and fire safety standards for historic buildings;
 - (6) Exempt historic buildings from certain laws and regulations;
 - (7) Provide for other matters relative thereto.
- (b) The purpose of this division is to encourage the rehabilitation, restoration, stabilization or preservation of historic buildings throughout the city and encourage the preservation of buildings and structures deemed to be historic; provided, however, such rehabilitation and preservation efforts should provide for the upgrading of the safety features of the building or structure to provide a practical level of safety to the public and surrounding

property. This division also provides guidance regarding acceptable alternative solutions and encourages enforcement authorities to utilize alternative compliance concepts wherever practical to permit the continued use of historic buildings and structures without overly restrictive financial burdens on owners or occupants.

- (c) This division shall not be applicable to new construction, except as specifically provided in this division.

Sec. 5-408. Application of division.

This division authorizes the enforcement authority to permit the repair, alteration, addition or change of use or occupancy of historic buildings without total compliance with any rule, regulation, code or standard for new construction requirements under the following conditions:

- (1) All noted conditions hazardous to life, based on the provisions of applicable state and local standards or codes for historic buildings, and outlined in section 5-409, shall be corrected to a reasonable and realistic degree as set forth in this division.
- (2) The degree of compliance of the building and applicable codes after changes must be below that existing before the changes.

Sec. 5-409. Hazardous conditions.

With reference to authorized historic buildings the enforcement authority should ensure that any of the conditions or defects described in this section are identified and corrected as deemed appropriate and through the utilization of appropriate compliance alternatives:

- (1) *Structural*. Any building or structure or portion thereof which is in imminent danger of collapse because of but not limited to the following factors:
 - a. Dilapidation, deterioration or decay,
 - b. Faulty structural design or construction,
 - c. The removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building, or
 - d. The deterioration, decay or inadequacy of the foundation;

- (2) *Number of exits.* Less than two (2) approved independent, remote and properly protected exitways serving every story of a building, except where a single exit-way is permitted by the applicable building code;
- (3) *Capacity of exits.* Any required door, aisle, passageway, stairway or other required means of egress which is not of sufficient capacity to provide for the population of the portions of the building served and which is not so arranged as to provide safe and adequate means of egress to a place of safety;
- (4) *Mechanical systems.* Utilities and mechanical systems not in conformance with the codes in effect at the time of construction of a building which create a serious threat of fire or threaten the safety of the occupants of the building.

Sec. 5-410. Additions.

Additions to a historic building shall comply with the applicable requirements of state and local laws, rules, regulations, codes and standards for new construction. Such additions shall not impose loads either vertical or horizontal which would cause the existing building to be subjected to stresses exceeding those permitted under new construction. If the existing building does not comply with the standards provided in this division and the authorized enforcement authority finds that the addition adversely affects the performance of the total building, the authorized enforcement authority may require:

- (1) The new addition to be separated from the existing structure by at least a two-hour fire wall openings therein properly protected; or
- (2) The installation of an approved automatic fire suppression system; or
- (3) Other remedies which may be deemed appropriate by the enforcement authority.

Sec. 5-411. Minor alterations and new mechanical systems.

Minor alterations or repairs which do not adversely affect the performance or safety of the building may be made with the same or like materials. Historic buildings and structures which, in part or as a whole, do not meet the requirements of the applicable code for new construction may be altered or repaired without further compliance to any such code by utilizing the provisions of this division, provided their present degree of compliance to any applicable construction or fire safety code is

not reduced. Any new mechanical systems installed shall conform to applicable codes for new construction to the fullest extent practical as approved by the authorized enforcement authorities.

Sec. 5-412. Change in use.

- (a) A total change in the use or occupancy of an historic building which would cause a greater hazard to the public shall not be made unless such building is made to comply with the requirements of the applicable state and local rules, regulations, codes, and standards for the new use or occupancy; provided, however, the compliance alternative provisions of this division may be utilized by enforcement authorities where total or strict compliance with applicable state or local rules, regulations, codes or standards is not practical.
- (b) When the proposed use is of equal or lesser hazard as determined by the enforcement authority, further compliance with any code for new construction is not required unless otherwise provided in this division. Alterations or repairs to an existing building or structure which do not adversely affect the performance of the building may be made with like materials. Any proposed change to the existing building or change in type of contents of the existing building shall not increase the fire hazard to adjacent buildings or structures. If the fire hazard to adjacent buildings or structures is increased, then requirements of applicable construction or fire safety codes for exterior walls shall apply.

Sec. 5-413. Change in use of a portion of a building.

- (a) If a portion of a building is changed to a new use or occupancy and that portion is separated from the remainder of the building with vertical or horizontal fire separations complying with applicable state or local rules, regulations, codes or standards or with compliance alternatives, then the portion changed shall be made to comply to the applicable requirements for the new use or occupancy to the extent noted in this section.
- (b) If a portion of the building is changed to a new use or occupancy and that portion is not separated from the remainder of the building as noted in subsection (a), then the provisions of the applicable state and local rules, regulations, codes and standards applying to each use or occupancy of the building shall apply to the entire building to the extent noted in this section; provided, however, if there are conflicting provisions in requirements for the various uses or occupancies, the authorized enforcement authority shall apply the strictest requirements.

Sec. 5-414. Floor loading.

Any proposed change in the use or occupancy of an existing building or portion thereof which could increase the floor loading should be investigated by a state registered professional engineer to determine the adequacy of the existing floor system to support the increased loads. If the existing floor system is found to be inadequate, it should be modified to support the increased loads or the proposed allowable floor loading shall be reduced by and posted by the appropriate enforcement authority.

Sec. 5-415. Documentation.

When any compliance alternative is approved, the owner shall document all such changes and file same with the city and one (1) copy shall be maintained by the appropriate office for future reference.

Sec. 5-416. Compliance alternatives.

Sections 5-406 through 5-410 contain generally acceptable compliance alternatives illustrating principles which shall be applied to the rehabilitation of historic buildings by the enforcement authority. It is recognized that all building systems interact with each other; therefore, any consideration of compliance alternatives should take into account all existing and proposed conditions to determine their acceptability. The compliance alternatives are not all-inclusive and do not preclude consideration and approval of other alternatives by the enforcement authority.

- (1) Compliance alternatives for an inadequate number of exits include, but are not limited to, the following:
 - a. Provide connecting fire-exit balconies acceptable to the enforcement authority between buildings;
 - b. Provide alternate exit or egress facilities leading to safety outside the building or to a place of safe refuge in the building or an adjoining building as acceptable to the enforcement authority;
 - c. Provide an exterior fire escape or escapes as acceptable to the enforcement authority where the providing of enclosed interior or enclosed exterior stairs is not practical; or
 - d. Install early fire warning and fire suppression systems.

- (2) Compliance alternatives for excessive travel distances to an approved exit include the following:
 - a. Install an approved smoke detection system throughout the building;
 - b. Install an approved complete automatic fire suppression system;
 - c. Subdivide the exit travel route with smoke-stop doors acceptable to the enforcement authority;
 - d. Increase the fire resistance rating of corridor walls and doors; or
 - e. Provide additional approved means of escape.
- (3) Compliance alternatives for unenclosed or improperly enclosed exit stairways or vertical shafts include, but are not limited to the following:
 - a. Improve enclosure of exit stairway;
 - b. Add a partial fire suppression system;
 - c. Add a sprinkler draft curtain; or
 - d. Add a smoke detection system.
- (4) Compliance alternatives for inadequate or a total lack of fire partitions or fire separation walls shall be as set forth in paragraph (3).
- (5) Compliance alternatives for a lack of required protection of openings in exterior walls where fire exposure is a risk include the following:
 - a. Improve fire resistance of existing openings and protect them with fire-rated windows or doors as appropriate;
 - b. Seal the openings with fire-rated construction as approved by the enforcement authority; or
 - c. Install an approved fire suppression system.

Sec. 5-417. Reserved.

Sec. 5-418. Damage to historic buildings.

If a historic building or structure is damaged from fire or other casualty, it may be restored to the condition prior to the fire

or casualty using techniques and methods consistent with its original construction, or it shall meet the requirements for new construction of the applicable codes, standards, rules or regulations, provided these requirements do not significantly compromise the features for which the building was considered historically significant.

Secs. 5-419--5-440. Reserved.

**ARTICLE X.
MAINTENANCE OF COMMERCIAL BUILDINGS**

Sec. 5-441. International Property Maintenance Code Adopted.

There is hereby adopted the International Property Maintenance Code, most recent edition adopted by the state, including chapter 1 in its entirety, published by the International Code Council which edition is on file with the Code Official designated for enforcement of these provisions to the same extent and in the same manner as if it were printed in its entirety herein, with the following exceptions:

- A) The responsibilities of this Code, or for the department outlined within Section 103, will be divided among the appropriate department(s) as assigned by the City Manager.

Sec. 5-442. Definitions.

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

Accessory structure means a subordinate building, the use of which is incidental to that of the principal building on the same lot.

Building means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind which has enclosing walls for fifty (50) percent of its perimeter. The term "building" shall be construed as if followed by the words or part thereof.

Code Official means the supervising enforcement agent(s) of the City of Spartanburg, as designated by the City Manager, to enforce the provisions of this article.

Commercial building means any building, business or enterprise which requires the issuance of a temporary or

permanent Certificate of Occupancy. This includes such facilities as business and mercantile facilities or similar, boarding/room homes or similar, and the common area of multi-tenant family dwellings such as apartments.

Mixed occupancy means any building that is used for two (2) or more occupancies classified by different occupancy use groups.

Operator means any person who has charge, care or control of premises or a part thereof, whether with or without the knowledge and consent of the owner, or any person, individually or jointly, entitled to possession regardless of whether the premises are actually occupied or not.

Physical valuation means the estimated cost to replace the building in kind.

Premises means a lot, plot or parcel of land including the buildings or structures thereon, under control by the same operator, devoted to commercial use, together with all adjacent land.

Sec. 5-443. Purpose.

It is the purpose of this article to provide a practical method for the repair, or demolition of commercial buildings or structures when such buildings, from any cause, endanger the life, limb, health, property, safety, or welfare of the general public or their occupants or detract excessively from the appearance of the commercial area. The provisions of this article are cumulative with and in addition to any other remedy provided by law, including the current editions of International codes adopted by the City.

Sec. 5-444. Scope.

The provisions of this article shall apply to all commercial buildings that are now in existence or that may be built within the City limits.

Sec. 5-445. Compliance with article.

Every commercial building and the premises on which it is situated used or intended to be used for commercial business occupancy shall comply with the provisions of this article, whether or not such building shall have been constructed, altered or repaired before or after the enactment of this article, and irrespective of any permits or licenses which have been issued for the use or occupancy of the building, or for the installation

or repair of equipment or facilities prior to the effective date of this article. This article establishes minimum standards for the initial and continued occupancy and use of all such buildings, and does not replace or modify standards otherwise established for the construction, repair, alteration or use of the building, equipment or facilities contained therein except as otherwise provided in this article. Where there is mixed occupancy, any commercial business use therein shall be nevertheless regulated by, and subject to, the provisions of this article.

Sec. 5-446. Conflicting provisions.

In any case where the provisions of this article impose a higher standard than that set forth in other ordinances of the City or under the laws of the state, then the standard as set forth in this article shall prevail, but if the provisions of this article impose a lower standard than any other ordinance of the City or of the laws of the state, then the higher standard contained in any such other ordinance or law shall prevail.

Sec. 5-447. Damaged or dangerous; notice, appeal to board.

- (a) Whenever any building or structure is found by the Building Official or Fire Official to be damaged by fire, decay or other cause to the extent of fifty percent (50%) of its assessed value, written notice shall be served upon the owner thereof and upon the occupant thereof, if any, by certified mail or by personal service. Such notice shall state that it has been found that the building has or may be damaged by fire, decay or other cause to the extent of fifty percent (50%) of its assessed value, that it should be torn down and removed within thirty (30) days from the receipt of such notice or within a reasonable time as determined by the Code Official. The Code Official will prominently placard the structure as CONDEMNED.
- (b) If the Code Official determines that the condition of any building presents an imminent danger to the public health or safety, he may order the unsafe premises vacated immediately as well as any endangered adjacent premises, and may divert traffic from streets and sidewalks. The Code Official will prominently placard the structure as UNSAFE.

Sec. 5-448. Enforcement.

The International Property Maintenance Code and the provisions of this article shall be enforced by the person(s) and or department(s) designated by the City Manager. This shall replace the provisions established within Section 103.1 of the International Property Maintenance Code.

Sec. 5-449. Inspection; repairs; time limit.

Property owners or other responsible parties shall have thirty (30) days within which to obtain all necessary permits and commence any work required by this article. All such repairs shall be completed within a reasonable period of time but in no case shall such repairs exceed sixty (60) days except with the written approval of the Code Official.

Sec. 5-450. Appeals and adjustments.

Requests for appeals or adjustments of enforcement items shall be filed in writing with the Code Official supervising the enforcement activity, within ten (10) working days of the issued notice of violation for an administrative hearing. The Code Official will review the case information during the administrative hearing and overturn, amend, modify, or uphold the notice as issued. Upon failure to satisfactorily resolve the violation the Code Official will appropriately direct the case to either the Board of Adjustments and Appeals of the City or to the Municipal Court. Appeals based solely on challenging the interpretation of the Code Official regarding the application of the Code may be filed with the Board of Adjustments and Appeals within thirty (30) days of the administrative hearing. Appeals based on refusal to comply, continued violations, or regarding interpretation and application of the Code will be scheduled through the Municipal Court. Failure to appeal within the initial ten (10) working days waives the appeal process.

Sec. 5-451. Violation: penalty.

Any person violating this article or after due notice shall fail to comply with orders issued by the Code Official under the terms and provisions of this article shall be guilty of a misdemeanor and punished upon conviction in accordance with Section 1-11. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

Secs. 5-452--5-470. Reserved.

Sec. 5-471. Buildings - General.

The premises of occupied buildings and all structures thereon shall be kept free of all hazards to the safety of occupants, pedestrian and other persons utilizing the premises, including but not limited to the provisions of this division. All applicable sections of the International Property Maintenance Code, applicable International Codes, and this division, shall apply to occupied buildings and structures. Vacant buildings and

structures shall be maintained in accordance with Section 5-473. Any Occupied or Vacant building or structure with significant interior or exterior damage may be posted as UNSAFE or CONDEMNED in accordance with Section 5-447.

Sec. 5-472. Exterior.

- (a) **Foundation walls.** Foundation walls shall be kept structurally sound, free from defects and damages, and capable of bearing imposed loads safely. Where a wall of a building has become exposed as a result of demolition of adjacent buildings, such wall must have all doors, windows, vents or other similar openings closed with material of the type compromising the wall. No protrusions or loose material shall be in the wall. The exposed wall shall be painted, stuccoed or bricked so as not to detract from the aesthetics and value of adjacent property and weatherproofed if necessary to prevent deterioration of the wall.
- (b) **Chimneys, flues and vent attachments.** Chimneys, flues and vent attachments thereto shall be maintained structurally sound, free from defects and so as to capably perform at all times the functions for which they are designed. Chimneys, flues, gas vents or other draft producing equipment shall be structurally safe, durable, smoketight and capable of withstanding the action of the flue gasses.
- (c) **Windows.** All windows must be tight fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints or broken or loose mullions, etc., shall be replaced. All broken and missing windows shall be replaced with glass or plastic. All exposed wood shall be repaired and painted. All openings originally designed as windows shall be maintained as windows complete with seals, lintels, frame and glass unless specifically approved by the Code Official for enclosure. Where the Code Official approves the enclosure of a window, it must be so enclosed by either bricking the opening, blocking the opening with concrete blocks and stuccoing the exterior, or by boarding up the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion, and painted or stained to properly conform with the other exterior portions of the building.
- (d) **Cornices.** All cornices shall be made structurally sound and rotten or weakened portions shall be removed or replaced to match as closely as possible the original pattern.
- (e) **Advertising signs, structures and awnings.** All permanent signs, billboards, awnings and the like shall be maintained in good repair at all times so as not to constitute a nuisance or safety hazard. All nonoperative or broken

electrical signs shall be repaired and kept in good condition or be removed.

- (f) **Surfaces, etc.** All exterior surfaces shall be maintained free of cracked or broken glass, loose shingles, loose wood, crumbling stone or brick, loose or broken plastic or other similar hazardous conditions. All structures and decorative elements of building fronts and sides abutting public streets shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction techniques. Structures at the rear of buildings attached or unattached to the principal commercial structure shall be properly maintained and repaired. All miscellaneous elements on buildings, walls, and roofs and surrounding premises such as empty electrical or other conduits, unused electric meter boxes, or unused sign brackets shall be removed.

Sec. 5-473. Vacant buildings.

All unoccupied or vacant buildings and structures shall remain structurally sound and compliant with the exterior requirements of the International Property Maintenance Code, applicable International Codes, and the exterior requirements of Section 5-472. Interior walls and floors shall remain structurally sound and structurally in tact. Any unoccupied or vacant building or structure with significant interior or exterior damage may be posted as UNSAFE or CONDEMNED in accordance with Section 5-447.

All unoccupied or vacant structures or buildings shall be secured by their owners to prevent the entry of unauthorized persons or serving as a haven or nesting place for birds, rats and other vermin.

Secs. 5-474--5-495. Reserved.

**ARTICLE XI.
RESERVED**

Secs. 5-496--5-545. Reserved.

**ARTICLE XII.
PLUMBING**

Sec. 5-546. International Plumbing Code adopted.

- (a) There is hereby adopted the International Plumbing

Code, most recent edition, which edition is on file in the office of the Building Official of the City.

- (b) The International Plumbing Code, as adopted, shall apply to any structure which is connected with the sewer system of the City whether such structure is located within or without the City limits.

Sec. 5-547. Reserved.

Sec. 5-548. Certification of plumbers.

- (a) *Qualifications; registration.* Any person desiring to operate as a master or journeyman plumber shall hold:
 - (1) A city certificate as master or journeyman plumber; or
 - (2) A master or journeyman plumber certification from the state municipal association; or
 - (3) A certification as a plumbing contractor by the state; and must be registered with the plumbing inspector of the city prior to any work.
- (b) *Issuance of certificates.* The plumbing inspector shall issue certificates upon satisfactory evidence of technical competence as determined by the state, the state municipal association, or the city, upon payment of fees for such certificates.
- (c) *Reciprocity.* The Building Official shall recognize a holder of an equal or better certificate from another jurisdiction upon satisfying himself that the standards and qualifications required by the other jurisdiction are equivalent to those required by the City.

Sec. 5-549. Licensing and bonding of plumbers.

- (a) *Generally.* Before any person shall engage in the plumbing business within the city, he shall be qualified as set forth in this section, and a license shall be obtained from the city as required and a proper bond posted. Where any plumbing work is being done a master or journeyman plumber shall at all times be present on the job, and in actual control, and in charge of the work being done. At no time will there be permitted more than two (2) apprentices to each journeyman or master plumber. No work shall be performed involving actual mechanical work unless a master or journeyman plumber is present in full charge of the work.
- (b) *Illegal work; revocation of license.* Any person engaged in the plumbing business whose work does not conform to the

rules and regulations set out in this article, or whose workmanship or materials are of inferior quality, shall no notice from the plumbing inspector make necessary changes or corrections at once so as to conform to this article; if work has not been so changed after ten (10) days' notice from the plumbing inspector, the plumbing inspector shall then refuse to issue any more permits until such work has fully complied with the rules and regulations of this article. The director of inspection may appear before the governing authority and request that all licenses be revoked because of continuous violations. When the revocation of any such license is to be considered at any meeting, the person to whom the license has been issued shall have at least three (3) days' notice in writing of the time and place of such meeting, together with a statement of the ground upon which it is proposed to revoke such license.

- (c) *Bond required.* Before any person shall engage in the business of plumbing in the city he, it or they shall first obtain the proper license and deposit with the city a good and sufficient bond in the sum of five thousand dollars (\$5,000.00) to be approved by the city attorney, conditioned that the person, firm or corporation engaged in the plumbing business will faithfully observe all the laws pertaining to plumbing, drain laying, blasting and excavating; further, that the city shall be indemnified and saved harmless from all claims arising from accidents and damage of any character whatsoever caused by the negligence of such person engaged in the plumbing business, or by any other unfaithful inadequate work done either by himself or his agents or employees, and further that all dirt and other material excavated will be replaced in good condition with similar materials. Where such excavation is made in an unpaved street, or any street paved with chert or macadam, the word "street" as herein used, shall apply to sidewalks, curbs, gutters and street paving.
- (d) *Allowing one's name, license or bond to be used to obtain permit fraudulently.* No person engaged in the business of plumbing shall allow his name to be used by any other person directly or indirectly, to obtain a permit, or for the construction of any work under his, its or their name, license or bond; nor shall he, it or they make any misrepresentations or omissions in his return.

Sec. 5-550. Inspection fees.

- (a) *Established.* Fees for plumbing inspections required by the provisions of this article shall be set from time to time by the city council and a schedule of such fees is on file in the inspection department.

- (b) *For extra inspections.* The fee to be charged for extra inspections shall be fixed by the city manager on a periodic basis and a copy of same will be maintained at all times in the inspection department. "Extra plumbing inspection" shall mean additional inspection or inspection trips made by the plumbing inspector or his assistants, made necessary through the failure of any plumbing contractor or certified plumber in charge of the work to properly specify the location of the work, or failure to install plumbing or apparatus in proper manner, or to otherwise create conditions making such additional inspection trips necessary.

Sec. 5-551. Permit for installation of septic tank and drain field required; fee.

A permit for the installation of a septic tank and drain field will be required. Inspection fees for the installation shall be fixed by the city manager on a periodic basis and a copy of same will be maintained at all times in the inspection department.

Sec. 5-552. When sewer and water connections required.

Every person owning a house, apartment house, storehouse, restaurant or any building used for sleeping quarters or any building where any person is employed, which building abuts or adjoins a street or alley along which there is a public sewer, shall within thirty (30) days from the date of legal notice served by the city plumbing inspector or other authorized deputy, have sewer and water connections made to the building as described above, provided the sewer and water main is within three hundred (300) feet from the nearest point of the property. All above connections must be made according to the provisions of this article.

Sec. 5-553. Condemnation of defective material work; revocation of license for willful defects.

- (a) The plumbing inspector shall promptly condemn and order the removal of any defective material or work, and the presence of any willfully hidden defects shall be sufficient cause for the revocation of the plumber's license or certificate issued under this article.
- (b) All work must be left uncovered and convenient for inspection until inspected and approved.

Sec. 5-554. Reserved.

**ARTICLE XIII
ROOMING HOUSES**

Sec. 5-600. Application.

The following guidelines will apply to all existing rooming and boarding houses in residential areas within the City of Spartanburg. All new construction and repairs to existing rooming and boarding houses shall comply with the City of Spartanburg adopted International Building Code and the International Residential Code including the following requirements.

Sec. 5-610. Rooming houses defined.

A rooming house is any dwelling, or part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to three or more persons who are not husband or wife, son or daughter, mother or father, or sister or brother of the owner or operator. A rooming unit is any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

Sec. 5-620. License Required.

No person shall operate a rooming house unless he holds a valid rooming house business license provided by the City of Spartanburg's Finance Division.

Section 630. Rooming Houses Classifications.

Rooming houses shall comply with City Codes, the International Property Maintenance Code, International Residential Code, International Building Code, and all other associated codes adopted by the City. Rooming houses will be classified according to the following criteria:

- (a) Transient: Rooming housing that have transient clients, clients who remain in the property for less than 30 days, are classified as commercial property and must comply with the International Building Code and International Residential Code as applied.
- (b) Non Transient: Rooming housing that are single family dwellings and have non-transient clients, clients who remain in the property for 30 days or more, are classified as residential property and must comply with the International Residential Code and the International Property Maintenance Code as applied.

Sec. 5-640. Minimum Requirements.

- (a) Water Closet, Lavatory and Bath Facilities. At least one flush water closet, lavatory basin, and bathtub or shower, properly connected to a water and sewer system and in good

working condition, shall be supplies for each four rooms within a rooming house wherever such facilities are shared. All such facilities shall be located on the floor they serve within the dwelling so as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities.

- (b) Water Heater Required. Every lavatory basin and bathtub or shower shall be supplied with hot water at all times and comply with the International Code requirements for water systems.
- (c) Minimum Floor Area for Sleeping Purposes. Every room occupied for sleeping purposes by one person shall contain at least 70 sq. ft. (6.5 m²) of floor space and every room occupied for sleeping purposes by more than one person shall contain at least 50 sq. ft. (4.6 m²) of floor space for each occupant thereof.
- (d) Exit Requirements. Every rooming unit shall have safe, unobstructed means of egress leading to safe and open space at ground level as required by the building code of the applicable governing body.
- (e) Sanitary Conditions. The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors, and ceilings, and for maintenance of a sanitary conditions in every other part of the rooming house, and shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building is leased or occupied by the operator.