

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas
The Honorable Teasa Kay Weaver

Circuit Case No. 2023-CP-46-01467
Appellate Case No. 2025-002054

RECEIVED

Aug 04 2026

SC Court of Appeals

Midway Baptist Church of York,

Respondent,

v.

County of York,

Appellant.

FINAL BRIEF OF APPELLANT

Brian A. Autry, SC Bar No.: 69401
W. Jacob Henerey, SC Bar No.: 102268
KENISON, DUDLEY & CRAWFORD, LLC
325 W. McBee Ave., Suite 301
Greenville, SC 29601
(864) 242-4899
autry@conlaw.com
henerey@conlaw.com

Laura Dover, SC Bar No.: 101521
COUNTY OF YORK
Interim County Attorney
26 West Liberty Street
P.O. Drawer 299
York, South Carolina 29745
(803) 684-4851

Attorneys for Appellant County of York

TABLE OF CONTENTS

TABLE OF AUTHORITIES	iii
STATEMENT OF ISSUES ON APPEAL	1
INTRODUCTION AND STATEMENT OF THE CASE.....	2
STATEMENT OF FACTS	3
STANDARD OF REVIEW	3
ARGUMENTS.....	4
I. The County Properly Classified the Occupancy	5
II. The Lower Court Misinterpreted the Building Code.....	8
III. The Court Should Have Deferred to the County’s Determination	10
A. There Is a Reasonable Basis for the County’s Decision	11
B. The Lower Court Improperly Considered the Content of Instruction	14
CONCLUSION.....	15

TABLE OF AUTHORITIES

Cases

<i>Davis v. S.C. Educ. Credit for Exceptional Needs Child. Fund</i> , 441 S.C. 187, 893 S.E.2d 330 (Ct. App. 2023).....	3, 4
<i>Deese v. S.C. State Bd. of Dentistry</i> , 286 S.C. 182, 332 S.E.2d 539 (Ct. App. 1985)	11
<i>Donevant v. Town of Surfside Beach</i> , 422 S.C. 264, 811 S.E.2d 744 (2018)	5
<i>Kiawah Dev. Partners, II v. S.C. Dep’t of Health & Env’t Control</i> , 411 S.C. 16, 766 S.E.2d 707 (2014)	11, 14
<i>S.C. Dep’t of Revenue v. Blue Moon of Newberry, Inc.</i> , 397 S.C. 256, 725 S.E.2d 480 (2012)	4, 9
<i>S.C. State Ports Auth. v. Jasper County</i> , 368 S.C. 388, 629 S.E.2d 624 (2006)	9
<i>Storm M.H. v. Charleston Cty. Bd. of Trs.</i> , 400 S.C. 478, 735 S.E.2d 492 (2012).....	9
<i>Whaley v. Dorchester Cty. Zoning Bd. of Appeals</i> , 337 S.C. 568, 524 S.E.2d 410 (1999)	12, 14

Statutes & Ordinances

S.C. Code Ann. § 6-9-5(A)	5
S.C. Code Ann. § 6-9-10(A)	5
S.C. Code Ann. § 6-9-40(A)	5
S.C. Code Ann. § 6-9-50(A)	5

Regulations

S.C. Code Ann. Regs. 8-236	5
S.C. Code Ann. Regs. 8-800	5
2021 South Carolina Building Code Preface	5, 6, 9
2021 South Carolina Building Code § 202	10

2021 South Carolina Building Code § 301.1	6
2021 South Carolina Building Code § 302.1	6, 8, 10
2021 South Carolina Building Code § 303.1.3	10
2021 South Carolina Building Code § 303.1.4	8, 10, 14
2021 South Carolina Building Code § 303.4	7
2021 South Carolina Building Code § 305.1	7, 8
2021 South Carolina Building Code § 305.1.1	8, 10, 14
2021 South Carolina Building Code § 508.1	6
2021 South Carolina Building Code § 508.2	7
2021 South Carolina Building Code § 508.2.1	7
2021 South Carolina Building Code § 508.2.4	7

STATEMENT OF ISSUES ON APPEAL

1. Appellant properly classified Respondent's operation of a K-12 school as an educational occupancy of Respondent's property.
2. The circuit court erred by ruling that the building code allowed Respondent to operate a K-12 school as an accessory to religious worship.
3. The circuit court erred by not deferring to Appellant's interpretation of the building code and by relying on the content of instruction to find that Appellant's interpretation of the building code was arbitrary and capricious.

INTRODUCTION AND STATEMENT OF THE CASE

In 2021, Midway Baptist Church of York (“Midway” or “Respondent”) began discussions with the County of York (the “County” or “Appellant”) about Midway’s proposed operation of a school on church property. The County denied Midway’s proposal on three separate occasions in 2022—May 10, May 25, and June 8—after concluding that the property did not meet the building or fire code requirements applicable to structures, or portions thereof, to be used for K-12 education.

On May 11, 2023, Midway filed a complaint seeking a declaratory judgment that it could operate a school under its current usage classification without making any changes to its property. The County answered on July 3, 2023, denying the allegations and asserting the defenses of res judicata and failure to exhaust administrative remedies based on Respondent’s failure to timely challenge the County’s occupancy classification.

The matter was referred to the master-in-equity for York County on April 24, 2024, and a bench trial was held on December 12, 2024. The court entered judgment in favor of Respondent on June 25, 2025, declaring that Midway could operate the school on its property and under its existing assembly occupancy.

The County filed a motion to reconsider on July 7, 2025. By order filed on September 8, 2025, the court amended its previous conclusions, made additional findings, and denied the County’s motion to reconsider.

The County filed a notice of appeal on October 6, 2025. This appeal followed.

STATEMENT OF FACTS

Midway is a church located in the western part of York County. Midway's campus includes three buildings: a sanctuary, a fellowship hall, and a Sunday School building/chapel (the "Sunday School Building").

In 2021, Midway decided to establish a private K-12 school that would become known as Midway Christian Academy (the "Academy"). Midway proposed operating the Academy out of the Sunday School Building and sought approval from the County to do so.

The Sunday School Building is currently classified for an Assembly Group A occupancy (specifically, A-3) under the building code.¹ Use of a structure for education through the twelfth grade requires an Educational Group E classification under the building code. The County determined that the operation of the Academy in the Sunday School Building would constitute a change in usage and that the Sunday School Building did not meet the requirements of the new usage classification under the building or fire code. Therefore, the County denied Midway's application. Unable to use the Sunday School Building, the Academy began operations in 2022 in adjacent Cherokee County.

Midway argues that the Academy can operate as an accessory use to the Sunday School Building's Group A occupancy without being reclassified as a Group E occupancy. The County disagrees and maintains that Respondent is attempting to convert a *carveout* intended for an *ancillary* use of a building into an *exception* for a separate *primary* use.

STANDARD OF REVIEW

A declaratory judgment action is inherently "neither legal nor equitable." *Davis v. S.C.*

¹ For ease of reference, the applicable portions of the building code are attached as exhibits to this brief. (See *infra* pp.5–6.)

Educ. Credit for Exceptional Needs Child. Fund, 441 S.C. 187, 197, 893 S.E.2d 330, 336 (Ct. App. 2023) (citation omitted). The standard of review on appeal therefore depends on “the nature of the underlying issue.” *Id.* (citation omitted).

The interpretation of a regulation “is a question of law to be determined by the court.” *S.C. Dep’t of Revenue v. Blue Moon of Newberry, Inc.*, 397 S.C. 256, 260, 725 S.E.2d 480, 483 (2012) (citation omitted). The appellate court reviews questions of law de novo, *id.*, and without deference to the lower court, *Davis*, 441 S.C. at 198, 893 S.E.2d at 336.

This appeal stems from the lower court’s interpretation of building codes, i.e., regulations. Therefore, the Court is free to correct the lower court’s errors without deference to that court’s opinion. Moreover, to the extent the parties seek injunctive relief, those claims arise in equity and “the appellate court may review the record and make findings of fact in accordance with its own view of a preponderance of the evidence.” *Davis*, 441 S.C. at 198, 893 S.E.2d at 336 (citation omitted).

ARGUMENTS

This case hinges on how to appropriately interpret specific provisions of the building code related to the operation of a religious school.² The lower court erred by concluding that the South Carolina Building Code (the “SCBC”) automatically allows buildings used for religious services to operate as K-12 schools without modification. On reconsideration, the court (1) clarified that the exception applied so long as the building or rooms were used for “religious education” and (2) found that K-12 instruction incorporating religious beliefs and activities qualified as religious education.

² Inherent to that discussion is consideration of the extent to which the General Assembly intended to exempt schools with a religious-based curriculum from complying with generally applicable safety requirements for the operation of a school.

In so ruling, the court ignored the context of the SCBC, viewed individual sections of the SCBC in isolation, and placed undue emphasis on what was being *taught*—the *content* of the instruction—as opposed to what was being *done*—the operation of a school. The court also failed to give proper deference to the County’s interpretation of the building codes it has been tasked with enforcing. These errors turned the SCBC on its head, allowing an “exception” for accessory religious instruction to swallow the “rule” for educational facilities.

I. The County Properly Classified the Occupancy

It is South Carolina’s public policy “to maintain reasonable standards of construction in buildings and other structures in the State consistent with the public health, safety, and welfare of its citizens.” S.C. Code Ann. § 6-9-5(A). The General Assembly has tasked the South Carolina Building Codes Council (the “Council”) with furthering this policy. *See id.* The Council is empowered to adopt (and amend) codes promulgated by the International Code Council, Inc., such as the International Building Code (the “IBC”). *Id.* §§ 6-9-40(A), -50(A). Local jurisdictions, such as the County, are required to enforce these codes. *Id.* § 6-9-10(A); S.C. Code Ann. Regs. 8-236; *see also Donevant v. Town of Surfside Beach*, 422 S.C. 264, 266, 811 S.E.2d 744, 745 (2018) (noting that a town building official “was charged by State and local law to carry out this policy”). The current SCBC is based on the 2021 IBC. *See* S.C. Code Ann. Regs. 8-800.

This case revolves around provisions found largely in chapter 3 of the SCBC, entitled “Occupancy Classification and Use.” 2021 SCBC Preface at xii, attached hereto as **Exhibit A**. As the preface to the SCBC notes, chapter 3 classifies buildings “based on the *purpose* or *purposes* for which they are used.” *Id.* (emphasis added). The goal is to classify structures to “provid[e] a reasonable level of protection or life safety for building occupants,” taking into account factors such as “the level of fire hazard associated with the specific occupancy” and “the type of

construction used for the building.” *Id.* at xiii. The classification determines “appropriate protection measures” and “threshold requirements for fire protection and means of egress systems.” *Id.*; *see also* SCBC § 301.1 (“Different classifications of occupancy and use represent varying levels of hazard and risk to building occupants and adjacent properties.”), attached hereto as **Exhibit B**.

Common sense recognizes that buildings are frequently used for different purposes at different times. Intuitively, society also recognizes that different rules may therefore apply to a building depending on the particular purpose for which it is being used at any given time. The SCBC puts this recognition into words, stating that as “the activities in [a] building . . . evolve and change” it can result in “a change of occupancy” requiring compliance with new provisions. SCBC Preface at xiii.

A building’s classification refers to the “designation of *the primary purpose* of the building, structure or portion thereof” and is “based on the nature of the hazards and risks to building occupants generally associated with *the intended purpose* of the building or structure.” SCBC § 302.1 (emphasis added). When a structure is “occupied at *different times* for *different purposes*,” it must “comply with *all* applicable requirements associated with such potential multipurpose.” *Id.* (emphasis added). This acknowledges that the same physical space may need to satisfy different requirements at different times, depending on *how* the space is used.

Whereas section 302 addresses the use of a structure at different *times*, section 508 concerns the use of different *parts* of a structure. (*See* R. p. 37 (SCBC § 508.1 (“Each *portion* of a building” (emphasis added)))).) Like section 302, section 508 requires each portion to be classified individually, according to its specific use. (*Id.*) This includes “[a]ccessory occupancies,” which “are those occupancies that are ancillary to the main occupancy of the

building or portion thereof.” (R. p. 37 (*Id.* § 508.2); (*see id.* § 508.2.1 (“Accessory occupancies shall be individually classified in accordance with [SCBC section] 302.1. The requirements of this code shall apply to each *portion* of the building based on the occupancy classification of that *space*.” (emphasis added))).) The importance of being an accessory occupancy is simply that there need not be any physical separation between it and the main occupancy. (R. p. 37 (*Id.* § 508.2.4).)

Respondent’s use of church property for worship services and related functions is properly classified under Assembly Group A-3. *See* SCBC § 303.4; (R. p. 8 (Order at 2).) That classification is not in dispute. (*See, e.g.*, R. p. 59 (Mot. Reconsider at 3).) This controversy emanates from a portion of the structure being used for purposes of operating a school, which the County found required an Educational Group E classification. *See* SCBC § 305.1; (R. p. 60 (Mot. Reconsider at 4).) The County’s determination is consistent with the plain language of the SCBC, furthers the goals of the SCBC, and takes into account the relationship between various code provisions.

The County’s decision reflects two key concepts discussed above: (1) use classification is based on a structure’s *primary use*, and (2) a single property can have multiple classifications over time. Applying these principles, the County correctly determined that operation of the Academy constituted a separate, primary use of that building and classified it accordingly.

The SCBC requires a building, “or a portion thereof,” to be classified Educational Group E when it is used “by six or more persons at any one time for educational purposes through the 12th grade.” SCBC § 305.1. Respondent does not dispute that the Academy satisfies that criteria. (*See* R. p. 121, lines 14–16 (Trial Tr. 31:14–16 (stating that the Academy has twenty-five students)); R. p. 141, lines 15–17 (*id.* 51:15–17 (describing the Academy’s curriculum as including every subject from kindergarten through twelfth grade))).)

The evidence also demonstrated that K-12 education would be the primary purpose of that portion of the building where the school was being operated. The Academy would function in the ordinary manner that other schools operate, including a typical school year with a summer break. (See R. p. 133, line 22–p. 134, line 3 (*id.* 43:22–44:3).) Students would arrive around 7:00 or 8:00 in the morning and stay until at least 2:45 in the afternoon. (R. p. 133, lines 2–4, 18–21 (*Id.* 43:2–4, 43:18–21).) Students would go to class, eat lunch, and have recess on the property. (See R. p. 154, line 16–p. 155, line 7; R. p. 155, lines 11–14; R. p. 156, lines 8–10 (*id.* 64:16–65:7, 65:11–14, 66:8–10).) Moreover, testimony confirmed that, aside from the Academy’s school operations, the property would otherwise be largely unused during that time. (R. p. 130, lines 9–15 (*Id.* 40:9–15).) Finally, like other schools, the Academy’s operation would indicate the presence of many more students, i.e., children, than adults. (See R. p. 121, lines 14–16 (*id.* 31:14–16 (testifying that the Academy had twenty-five students and planned on serving “[s]omewhere less than 100”)); R. p. 133, lines 5–6 (*id.* 43:5–6 (testifying that the Academy had three teachers))). Therefore, the County determined that the primary purpose of *the Academy’s* occupancy was educational and required a Group E classification. See SCBC §§ 302.1, 305.1.

II. The Lower Court Misinterpreted the Building Code

However, Respondent argued—and the lower court found—two provisions within the SCBC allowed the Academy to operate as an accessory to religious worship. The first provision, in section 303, states that “religious educational rooms and religious auditoriums” that are “[a]ccessory to places of religious worship” are not considered a separate occupancy so long as they stay under a certain occupancy limit. SCBC § 303.1.4 (emphasis added). The second carveout the trial court relied on is found in section 305 and clarifies the scope of the Group E classification. See SCBC § 305.1.1. The trial court invented and applied a three-prong test based

on these provisions to determine whether the Academy's use qualified for an A-3 classification. (*See* R. pp. 11–12 (Order at 5–6).) The court found that the Academy could operate under that classification if Respondent established “(1) religious educational room[s]; (2) accessory to a place of religious worship; with an (3) occupant load of less than 100 persons per room.” (R. p. 17 (Order on Mot. Reconsider at 2).)

The lower court overstated the significance of these “exceptions.” In so doing, the court violated basic rules of construction.

“A statute should not be construed by concentrating on an isolated phrase.” *S.C. State Ports Auth. v. Jasper County*, 368 S.C. 388, 398, 629 S.E.2d 624, 629 (2006). The same goes for regulations, which “are construed using the same canons of construction as statutes” and “must be construed as a whole rather than read in its component parts in isolation.” *Blue Moon of Newberry, Inc.*, 397 S.C. at 261, 725 S.E.2d at 483. However, if a “statute’s language is plain, unambiguous, and conveys a clear, definite meaning, the rules of statutory interpretation are not needed and the court has no right to impose another meaning.” *Storm M.H. v. Charleston Cty. Bd. of Trs.*, 400 S.C. 478, 488, 735 S.E.2d 492, 498 (2012).

To begin with, the lower court placed undue emphasis on two terms that are italicized in the SCBC: “occupant load” and “places of religious worship.” (R. p. 11 (Order at 5 (citing SCBC § 305.1.1))).) The court stated that because these terms were italicized, they were “the key characteristics” to determining whether section 305.1.1 allowed the Academy to operate with a Group A-3 classification. (*Id.*) However, this significance is not supported by the SCBC, which states that terms are italicized not to demonstrate importance, but to indicate that they are defined elsewhere in the building code. *See* SCBC Preface at viii. This misunderstanding led the lower

court to focus on whether the property was “intended for the performance of religious services”³ and designed for the exit of fewer than 100 people,⁴ (*see* R. pp. 11–12 (Order at 5–6)), when the court should have focused on the *purpose* for which the property was to be *used*. *See* SCBC § 302.1.

The court also failed to view these provisions in their proper context within the SCBC. Section 303.1.4 clarifies that applicable “religious educational rooms and religious auditoriums” used *in conjunction with* a place of religious worship do not constitute a separate “primary purpose” and are covered under the Assembly Group classification of the larger structure.⁵ *See id.* §§ 302.1, 303.1.4. Section 305.1.1 is a corollary to this provision and applies only if the structure *first* satisfies section 303.1.4. *See id.* § 305.1.1. It merely confirms that when a structure is serving an *accessory purpose* under section 303.1.4, it can continue to operate with a Group A-3 classification. *Id.* § 305.1.1 (citing *id.* § 303.1.4). In other words, the exception in section 305.1.1 applies *only* if the structure satisfies 303.1.4 *and* is functioning as an accessory to a place of worship in that moment. *See id.* §§ 303.1.4, 305.1.1. Section 305.1.1 is not a standalone exception that can convert an accessory into a primary use. *See id.* § 302.1.

III. The Court Should Have Deferred to the County’s Determination

The court also erred by failing to give appropriate deference to the County’s determination, as the County has been tasked with interpreting and implementing the SCBC within its jurisdiction.

³ (Resp’t’s Initial Br. at 27 (SCBC § 202 (“religious worship, place of”)).)

⁴ (Resp’t’s Initial Br. at 25 (SCBC § 202 (“occupant load”))); *see* SCBC § 202 (“means of egress”).

⁵ Similarly, a room used *for* assembly purposes that is affiliated with an *Educational Group* occupancy does not constitute a separate occupancy and can operate under that Group E classification. SCBC § 303.1.3.

Courts typically defer to the agencies tasked with enforcing their own regulations “because they have unique skill and expertise” in doing so. *Kiawah Dev. Partners, II v. S.C. Dep’t of Health & Env’t Control*, 411 S.C. 16, 34, 766 S.E.2d 707, 718 (2014). Therefore, courts should defer to an agency’s interpretation of “the statutes entrusted to its administration or its own regulations unless there is a compelling reason to differ,” such as the interpretation being “arbitrary, capricious, or manifestly contrary to the statute [or regulation].” *Id.* at 34–35, 766 S.E.2d at 718 (citations and internal quotation marks omitted). An arbitrary decision is one “without a rational basis, . . . based alone on one’s will and not upon any course of reasoning and exercise of judgment, . . . made at pleasure, without adequate determining principles, or . . . governed by no fixed rules or standards.” *Deese v. S.C. State Bd. of Dentistry*, 286 S.C. 182, 184–85, 332 S.E.2d 539, 541 (Ct. App. 1985). As the evidence adduced at trial reveals, the County’s determination is anything but arbitrary and capricious.

A. There Is a Reasonable Basis for the County’s Decision

In ruling on Appellant’s motion to reconsider, the court amended its previous ruling to defer to the County’s definition of “accessory to a place of religious worship”⁶ and “religious educational room.”⁷ (R. p. 18 (Order on Mot. Reconsider at 3).) However, the court disagreed with how the County applied those definitions and found the County’s decisions arbitrary and capricious. (R. p. 19 (*Id.* at 4).) This was error. The County’s interpretation of the building code is reasonable and consistent with both the plain meaning of the text and the underlying purpose of the code.

⁶ “[A]ccessory to a place of religious worship means associated with the principle [sic] use of the church, functions of the church, or church purpose.” (R. p. 18 (Order on Mot. Reconsider at 3).)

⁷ “[A] religious educational room is synonymous with religious education or a room used for that purpose.” (*Id.*)

Ample evidence supports the County’s conclusion that the Academy’s use of church property for daily K-12 education was not an accessory use of a place of religious worship as contemplated by the SCBC. “Accessory uses are those which are customarily incident to the principal use.” *Whaley v. Dorchester Cty. Zoning Bd. of Appeals*, 337 S.C. 568, 579, 524 S.E.2d 404, 410 (1999). They “must be clearly incidental to, and customarily found in connection with, the principal use.” *Id.* (citation omitted). Moreover, the “use must be one so necessary or commonly to be expected that it cannot be supposed that the ordinance was intended to prevent it.” *Id.* (citation and internal quotation marks omitted); (*see also* R. p. 217, lines 20–24 (Trial Tr. 127:20–24 (describing an ancillary use as one “that is necessary for the principal occupancy to properly function”))).

As Jamie Catoe, the County’s building official, testified, the property is currently classified as A-3 because its use (e.g., Sunday school classrooms) is clearly associated with its principal purpose (a place of religious worship). (R. p. 229, lines 3–12 (Trial Tr. 139:3–12).) No one disputes that characterization. Moreover, Catoe acknowledged that portions of the building that were *not* being used for K-12 school purposes by the Academy would remain classified A-3.⁸ (R. p. 229, lines 13–20 (*Id.* 139:13–20).) Therefore, only the portions of the Sunday School Building being used for educational purposes would be required to satisfy the requirements of a Group E classification. (*See* R. p. 229, lines 21–24 (*id.* 139:21–24).)

There is a substantial basis to support the County’s further conclusion that “religious education” includes things such as Sunday school and Bible study but does not include “K-12 [education] with a religious *based* curriculum.” (R. p. 18 (Order on Mot. Reconsider at 3 (emphasis added))). The two uses are fundamentally different, with K-12 education implicating a

⁸ (*See supra* discussion of SCBC § 508.)

distinct set of concerns. As Donnie Helms, the County’s senior deputy fire marshal, testified, the building’s current usage classification for worship and associated religious purposes contemplates occupancy for “several hours on Sunday morning, Wednesday night, a couple of meetings during the week,” not “loading th[e] building with students for . . . six, seven hours a day.” (R. p. 243, lines 20–25 (Trial Tr. 153:20–25).) Therefore, the County’s conclusion that these vastly different uses require different usage classifications is imminently reasonable.

Testimony from Deputy Building Official Jennifer Culver established that a Group E classification would require fire-rated doors and sheetrock walls to slow the spread of a fire and give occupants time to escape. (R. p. 210, line 25–p. 212, line 15 (Trial Tr. 120:25–122:15).) In contrast, Helms noted that the building’s floors are carpeted, its walls are covered in wood paneling, and its doors are hollow and made of a thin, wooden material. (R. p. 235 lines 7–10, p. 244, line 19–p. 245, line 3 (*Id.* 145:7–10, 154:19–155:3).) He also testified that the building’s stairwell would have a “chimney effect” that would help a fire spread through the building. (R. p. 240, lines 2–6 (*Id.* 150:2–6).) Helms’s testimony makes the significance of these differences clear: whereas proper construction would *contain a fire* for 35–40 minutes, the Sunday School Building’s construction would *encourage a fire to spread*. (R. p. 240, lines 22–p. 241, line 10 (*Id.* 150:22–151:10).) In the event of a fire, these conditions would be particularly hazardous for occupants of the Sunday School Building, which *did not have any fire alarms*. (R. p. 241, lines 21–24 (*Id.* 151:21–24).)

These findings provide ample support for Helm’s conclusion that the building was unsafe to operate as a school. (*See, e.g.*, R. p. 239, lines 17–24 (*id.* 149:17–24).) Given these risks, it is also incredibly doubtful that the legislature intended such buildings to qualify for an educational

usage classification. *Cf. Whaley*, 337 S.C. at 579, 524 S.E.2d at 410 (describing an accessory use as one that “cannot be supposed that the ordinance was intended to prevent” (citation omitted)).

B. The Lower Court Improperly Considered the Content of Instruction

In the original order, the lower court cautioned against “delv[ing] into whether [a school’s] curriculum, activity[,], or function sufficiently includes religious teachings, worship, service[,], or practices.” (R. p. 12 (Order at 6).) The court then undertook that very analysis, concluding that Respondent had proved that “the educational program in question [was] ‘religious.’” (*Id.*)

The court doubled down on this error when ruling on Appellant’s motion to reconsider. The court clarified that an A-3 classification would apply to rooms “synonymous with” or “used for” religious education. (R. p. 18 (Order on Mot. Reconsider at 3).) The court then discussed “the documentary evidence” that the Academy’s curriculum satisfied these criteria, including that “students will pray, read scripture, discuss their faith, and participate in religious activities, similar to church services, Sunday school, or [B]ible study.” (R. p. 19 (*Id.* at 4).) Therefore, the court expressly inquired into the *content* of the Academy’s instruction and activities and found that they were sufficiently “religious” for the Academy to be exempt from a Group E classification.

The SCBC does not use “religious” in a vacuum, however. The relevant code provisions apply to “religious educational *rooms*.” SCBC §§ 303.1.4, 305.1.1 (emphasis added). As this case reveals, the SCBC is ambiguous as to the definition of “religious educational rooms,” in which case the County’s interpretation is entitled to deference. *See Kiawah Dev. Partners*, 411 S.C. at 33, 766 S.E.2d at 717 (“If the statute or regulation is silent or ambiguous with respect to the specific issue, the court then must give deference to the agency’s interpretation of the statute or regulation” (citation and internal quotation marks omitted)). In furtherance of its duty to enforce the SCBC, the County interpreted these provisions and determined that the building code

required an A-3 classification only when “educational rooms” are being *used* for a “religious” purpose. The court erred by failing to defer to this conclusion.

By focusing on the *religious* part of “religious educational rooms,” the decisions below place improper emphasis on the content and methods of the Academy’s instruction. The court noted the various ways in which the Academy incorporates religious beliefs and practices in its daily operations. (*See* R. p. 19 (Order on Mot. Reconsider at 4).) However, what of a school that acts on its religious beliefs in more subtle ways than the Academy? Would a single prayer in the morning be enough? And what of a curriculum that is *influenced* by religious beliefs, but is outwardly secular? Whatever the answers to these questions, the court appoints itself gatekeeper to decide.

In contrast, the County’s interpretation of the SCBC is content-neutral and focuses on what Respondent is *doing*—K-12 education—not what Respondent is *teaching*. As the testimony of Catoe, Culver, and Helms discussed above reveals, this distinction makes plenty of “sense.” (*See* R. p. 18 (*id.* at 3).)

CONCLUSION

The SCBC establishes a set of rules to ensure that buildings are safe for their intended use. As one witness for Appellant testified, code provisions exist “because something happened in the past.” (R. p. 239, lines 18–19 (Trial Tr. 149:18–19).) The County is tasked with interpreting and enforcing those provisions to ensure that “something” does not happen again. The County’s responsibility is especially great in cases such as this, where the safety and indeed lives of children are at stake. The Court should give due deference to the County’s findings and reverse the decision below.

[Signature Page Follows]

Respectfully submitted,

s/W. Jacob Henerey

Brian A. Autry, SC Bar No.: 69401
W. Jacob Henerey, SC Bar No.: 102268
KENISON, DUDLEY & CRAWFORD, LLC
325 W. McBee Ave., Suite 301
Greenville, SC 29601
(864) 242-4899
autry@conlaw.com
henerey@conlaw.com

-And

Laura Dover, SC Bar No.: 101521
COUNTY OF YORK
Interim County Attorney
26 West Liberty Street
P.O. Drawer 299
York, South Carolina 29745
(803) 684-4851

Attorneys for Appellant

Greenville, South Carolina
August 4, 2026

2021 South Carolina Building Code

First Printing: October 2022

ISBN: 978-1-958581-70-4 (soft-cover edition)

ISBN: 978-1-958581-71-1 (PDF download)

COPYRIGHT © 2022
by
INTERNATIONAL CODE COUNCIL, INC.

ALL RIGHTS RESERVED. This 2021 *South Carolina Building Code* contains substantial copyrighted material from the 2021 *International Building Code*®, first printing, which is a copyrighted work owned by the International Code Council, Inc. (“ICC”). Without separate written permission from the copyright owner, no part of this publication may be reproduced, distributed or transmitted in any form or by any means, including, without limitation, electronic, optical or mechanical means (by way of example, and not limitation, photocopying or recording by or in an information storage and/or retrieval system). For information on use rights and permissions, please contact: ICC Publications, 4051 Flossmoor Road, Country Club Hills, Illinois 60478. Phone: 1-888-ICC-SAFE (422-7233).

Trademarks: “International Code Council,” the “International Code Council” logo, “ICC,” the “ICC” logo, “International Building Code,” “IBC” and other names and trademarks appearing in this book are registered trademarks of the International Code Council, Inc., and/or its licensors (as applicable), and may not be used without permission.

PREFACE

Introduction

The *International Building Code*® (IBC®) establishes minimum requirements for building systems using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new building designs. This 2021 edition is fully compatible with all of the International Codes® (I-Codes®) published by the International Code Council® (ICC®), including the *International Energy Conservation Code*® (IECC®), *International Existing Building Code*® (IEBC®), *International Fire Code*® (IFC®), *International Fuel Gas Code*® (IFGC®), *International Green Construction Code*® (IgCC®), *International Mechanical Code*® (IMC®), *International Plumbing Code*® (IPC®), *International Private Sewage Disposal Code*® (IPSDC®), *International Property Maintenance Code*® (IPMC®), *International Residential Code*® (IRC®), *International Swimming Pool and Spa Code*® (ISPSC®), *International Wildland-Urban Interface Code*® (IWUIC®), *International Zoning Code*® (IZC®) and *International Code Council Performance Code*® (ICPC®).

In addition to the codes themselves, the code development process brings together building professionals on a regular basis. It provides an international forum for discussion and deliberation about building design, construction methods, safety, performance requirements, technological advances and innovative products.

The I-Codes, including the IBC, are used in a variety of ways in both the public and private sectors. Most industry professionals are familiar with the I-Codes as the basis of laws and regulations in communities across the US and in other countries. However, the impact of the codes extends well beyond the regulatory arena, as they are used in a variety of nonregulatory settings, including:

- Voluntary compliance programs such as those promoting sustainability, energy efficiency and disaster resistance.
- The insurance industry, to estimate and manage risk, and as a tool in underwriting and rate decisions.
- Certification and credentialing of individuals involved in the fields of building design, construction and safety.
- Certification of building and construction-related products.
- US federal agencies, to guide construction in an array of government-owned properties.
- Facilities management.
- “Best practices” benchmarks for designers and builders, including those who are engaged in projects in jurisdictions that do not have a formal regulatory system or a governmental enforcement mechanism.
- College, university and professional school textbooks and curricula.
- Reference works related to building design and construction.

In addition to the codes themselves, the code development process brings together building professionals on a regular basis. It provides an international forum for discussion and deliberation about building design, construction methods, safety, performance requirements, technological advances and innovative products.

Development

This 2021 edition presents the code as originally issued, with changes reflected in the 2003 through 2018 editions and further changes approved by the ICC Code Development Process through 2019. A new edition such as this is promulgated every 3 years.

This code is intended to establish provisions that adequately protect public health, safety and welfare; that do not unnecessarily increase construction costs; that do not restrict the use of new materials, products or methods of construction; and that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

Maintenance

The IBC is kept up to date through the review of proposed changes submitted by code enforcement officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate.

The ICC Code Development Process reflects principles of openness, transparency, balance, due process and consensus, the principles embodied in OMB Circular A-119, which governs the federal government's use of private-sector standards. The ICC process is open to anyone; there is no cost to participate, and people can participate without travel cost through the ICC's cloud-based app, cdpAccess®. A broad cross section of interests are represented in the ICC Code Development Process. The codes, which are updated regularly, include safeguards that allow for emergency action when required for health and safety reasons.

In order to ensure that organizations with a direct and material interest in the codes have a voice in the process, the ICC has developed partnerships with key industry segments that support the ICC's important public safety mission. Some code development committee members were nominated by the following industry partners and approved by the ICC Board:

- American Institute of Architects (AIA)
- National Association of Home Builders (NAHB)
- National Association of State Fire Marshals (NASFM)

The code development committees evaluate and make recommendations regarding proposed changes to the codes. Their recommendations are then subject to public comment and council-wide votes. The ICC's governmental members—public safety officials who have no financial or business interest in the outcome—cast the final votes on proposed changes.

The contents of this work are subject to change through the code development cycles and by any governmental entity that enacts the code into law. For more information regarding the code development process, contact the Codes and Standards Development Department of the ICC.

While the I-Code development procedure is thorough and comprehensive, the ICC, its members and those participating in the development of the codes disclaim any liability resulting from the publication or use of the I-Codes, or from compliance or noncompliance with their provisions. The ICC does not have the power or authority to police or enforce compliance with the contents of this code.

IBC Primary Code Development Committees

In each code development cycle, code change proposals to this code are considered at the Committee Action Hearings by 11 different code development committees. Four of these committees have primary responsibility for designated chapters and appendices as shown in the following table:

IBC CODE COMMITTEES	
IBC—Egress Code Development Committee [BE]:	Chapters 10, 11, Appendix E
IBC—Fire Safety Code Development Committee [BF]:	Chapters 7, 8, 9, 14, 26
IBC—General Code Development Committee [BG]:	Chapters 2, 3, 4, 5, 6, 12, 27, 28, 29, 30, 31, 32, 33, Appendices A, B, C, D, K, N, O
IBC—Structural Code Development Committee [BS]:	Chapters 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, Appendices F, G, H, I, J, L, M

Code Development Committee Responsibilities (Letter Designations in Front of Section Numbers)

As mentioned in the preceding material, in each code development cycle, code change proposals to this code are considered at the Committee Action Hearings by 11 different code development committees.

Code change proposals to sections of the code that are preceded by a bracketed letter designation, such as [A], will be considered by a committee other than the building code committee listed for the chapter or appendix on the preceding page. For example, proposed code changes to Section [F] 307.1.1 will be considered by the International Fire Code Development Committee during the Committee Action Hearing in the 2021 (Group A) code development cycle.

The bracketed letter designations for committees responsible for portions of this code are as follows:

- [A] = Administrative Code Development Committee
- [BE] = IBC—Egress Code Development Committee
- [BF] = IBC—Fire Safety Code Development Committee
- [BG] = IBC—General Code Development Committee
- [BS] = IBC—Structural Code Development Committee
- [E] = International Commercial Energy Conservation Code Development Committee or International Residential Energy Conservation Code Development Committee
- [EB] = International Existing Building Code Development Committee
- [F] = International Fire Code Development Committee
- [FG] = International Fuel Gas Code Development Committee
- [M] = International Mechanical Code Development Committee
- [P] = International Plumbing Code Development Committee

For the development of the 2024 edition of the I-Codes, there will be two groups of code development committees and they will meet in separate years, as shown in the following Code Development Hearings Table.

Code change proposals submitted for code sections that have a letter designation in front of them will be heard by the respective committee responsible for such code sections. Because different committees hold Committee Action Hearings in different years, proposals for the IBC will be heard by committees in both the 2021 (Group A) and the 2022 (Group B) code development cycles.

For instance, every section of Chapter 16 is the responsibility of the IBC—Structural Code Development Committee. As noted in the preceding table, that committee will hold its Committee Action Hearings in 2022 to consider code change proposals for the chapters for which it is responsible. Therefore any proposals received for Chapter 16 of this code will be assigned to the IBC—Structural Code Development Committee and will be considered in 2022, during the Group B code change cycle.

It is very important that anyone submitting code change proposals understands which code development committee is responsible for the section of the code that is the subject of the code change proposal. For further information on the Code Development Committee responsibilities, please visit the ICC website at www.iccsafe.org/current-code-development-cycle.

CODE DEVELOPMENT HEARINGS

Group A Codes (Heard in 2021, Code Change Proposals Deadline: January 11, 2021)	Group B Codes (Heard in 2022, Code Change Proposals Deadline: January 10, 2022)
International Building Code – Egress (Chapters 10, 11, Appendix E) – Fire Safety (Chapters 7, 8, 9, 14, 26) – General (Chapters 2–6, 12, 27–33, Appendices A, B, C, D, K, N)	Administrative Provisions (Chapter 1 of all codes except IECC, IRC and IgCC; IBC Appendix O; the appendices titled “Board of Appeals” for all codes except IECC, IRC, IgCC, ICCPC and IZC; administrative updates to currently referenced standards; and designated definitions)
International Fire Code	International Building Code – Structural (Chapters 15–25, Appendices F, G, H, I, J, L, M)
International Fuel Gas Code	International Existing Building Code
International Mechanical Code	International Energy Conservation Code—Commercial
International Plumbing Code	International Energy Conservation Code—Residential – IECC—Residential – IRC—Energy (Chapter 11)
International Property Maintenance Code	International Green Construction Code (Chapter 1)
International Private Sewage Disposal Code	International Residential Code – IRC—Building (Chapters 1–10, Appendices AE, AF, AH, AJ, AK, AL, AM, AO, AQ, AR, AS, AT, AU, AV, AW)
International Residential Code – IRC—Mechanical (Chapters 12–23) – IRC—Plumbing (Chapters 25–33, Appendices AG, AI, AN, AP)	
International Swimming Pool and Spa Code	
International Wildland-Urban Interface Code	
International Zoning Code	

Note: Proposed changes to the ICCPC will be heard by the code development committee noted in brackets [] in the text of the ICCPC.

Marginal Markings

Solid vertical lines in the margins within the body of the code indicate a technical change from the requirements of the 2018 edition of the *International Building Code*. Double vertical lines in the margin of the code indicate a State of South Carolina amendment to the 2021 *International Building Code*. Deletion indicators in the form of an arrow (➡) are provided in the margin where an entire section, paragraph, exception or table has been deleted or an item in a list of items or a row of a table has been deleted. An open arrow (>) in the margin indicates model code language deleted by the State of South Carolina.

A single asterisk [*] placed in the margin indicates that text or a table has been relocated within the code. A double asterisk [**] placed in the margin indicates that the text or table immediately following it has been relocated there from elsewhere in the code. The following table indicates such relocations in the 2021 edition of the IBC.

RELOCATIONS

2021 LOCATION	2018 LOCATION
508.5–508.5.11	419.1–419.9
904.12	904.14
904.13	904.12
904.14	904.13
1010.2	1010.1.9
1010.2.1	1010.1.9.6
1010.2.2	1010.1.9.1
1010.2.3	1010.1.9.2
1010.2.4	1010.1.9.4
1010.2.5	1010.1.9.5
1010.2.6	1010.1.9.6.1
1010.2.7	1010.1.9.12
1010.2.8	1010.1.4.4
1010.2.9	1010.1.10
1010.2.9.3	1010.1.10.1
1010.2.9.4	1010.1.10.2
1010.2.10	1010.1.9.3
1010.2.11	1010.1.9.10
1010.2.12	1010.1.9.9
1010.2.13	1010.1.9.8
1010.2.13.1	1010.1.9.8.1
1010.2.14	1010.1.9.7
1010.2.15	1010.1.9.11
1010.3	1010.1.4
1010.3.1	1010.1.4.1
Table 1010.3.1(1)	Table 1010.1.4.1(1)
Table 1010.3.1(2)	Table 1010.1.4.1(2)
1010.3.1.1	1010.1.4.1.1
1010.3.1.2	1010.1.4.1.2
1010.3.2	1010.1.4.2
1010.3.3	1010.1.4.3
1029.1	1028.4
1029.2	1028.4.2
1029.3	1028.4.2

(continued)

RELOCATIONS—continued

2021 LOCATION	2018 LOCATION
1107.3	1109.14
1110.14	1109.12.1
1605.2	605.3.2
1607.14.2.2	1607.13.3
1607.14.4.3	1607.13.5.2.1
2304.12.2.6	2304.12.3
2304.12.2.6.1	2304.12.3.1
2304.12.2.7	2304.12.4
2304.12.2.8	2304.12.5
3301.2.1	1511.2

Coordination of the International Codes

The coordination of technical provisions is one of the strengths of the ICC family of model codes. The codes can be used as a complete set of complementary documents, which will provide users with full integration and coordination of technical provisions. Individual codes can also be used in subsets or as stand-alone documents. To make sure that each individual code is as complete as possible, some technical provisions that are relevant to more than one subject area are duplicated in some of the model codes. This allows users maximum flexibility in their application of the I-Codes.

Italicized Terms

Terms italicized in code text, other than document titles, are defined in Chapter 2. The terms selected to be italicized have definitions that the user should read carefully to better understand the code. Where italicized, the Chapter 2 definition applies. If not italicized, common-use definitions apply.

Note: In Sections 1903 through 1905, italics indicate provisions that differ from ACI 318.

Adoption

The International Code Council maintains a copyright in all of its codes and standards. Maintaining copyright allows the ICC to fund its mission through sales of books, in both print and electronic formats. The ICC welcomes adoption of its codes by jurisdictions that recognize and acknowledge the ICC's copyright in the code, and further acknowledge the substantial shared value of the public/private partnership for code development between jurisdictions and the ICC.

The ICC also recognizes the need for jurisdictions to make laws available to the public. All I-Codes and I-Standards, along with the laws of many jurisdictions, are available for free in a nondownloadable form on the ICC's website. Jurisdictions should contact the ICC at adoptions@iccsafe.org to learn how to adopt and distribute laws based on the IBC in a manner that provides necessary access, while maintaining the ICC's copyright.

To facilitate adoption, several sections of this code contain blanks for fill-in information that needs to be supplied by the adopting jurisdiction as part of the adoption legislation. For this code, please see:

Section 101.1. Insert: [NAME OF JURISDICTION]

Section 103.1. Insert: [NAME OF DEPARTMENT]

Section 1612.3. Insert: [NAME OF JURISDICTION]

Section 1612.3. Insert: [DATE OF ISSUANCE]

Effective Use of the International Building Code

The IBC is a model code that provides minimum requirements to safeguard the public health, safety and general welfare of the occupants of new and existing buildings and structures. The IBC is fully compatible with the ICC family of codes, including: the IECC, IEBC, IFC, IFGC, IgCC, IMC, IPC, IPSC, IPMC, IRC, ISPSC, IWUIC, IZC and ICCPC.

The IBC addresses structural strength, means of egress, sanitation, adequate lighting and ventilation, accessibility, energy conservation and life safety in regard to new and existing buildings, facilities and systems. The codes are promulgated on a 3-year cycle to allow for new construction methods and technologies to be incorporated into the codes. Alternative materials, designs and methods not specifically addressed in the code can be approved by the building official where the proposed materials, designs or methods comply with the intent of the provisions of the code (see Section 104.11).

The IBC applies to all occupancies, including one- and two-family dwellings and townhouses that are not within the scope of the IRC. The IRC is referenced for coverage of detached one- and two-family dwellings and townhouses as defined in the exception to Section 101.2 and the definition for “Townhouse” in Chapter 2. The IRC can also be used for the construction of live/work units (as defined in Section 508.5) and small bed and breakfast-style hotels where there are five or fewer guest rooms and the hotel is owner occupied. The IBC applies to all types of buildings and structures unless exempted. Work exempted from permits is listed in Section 105.2.

ARRANGEMENT AND FORMAT OF THE 2021 IBC

Before applying the requirements of the IBC, it is beneficial to understand its arrangement and format. The IBC, like other codes published by ICC, is arranged and organized to follow sequential steps that generally occur during a plan review or inspection.

The following table shows how the IBC is divided. The three tables following that show IBC requirements that are correlated with other I-Codes. Lastly, the ensuing chapter-by-chapter synopsis details the scope and intent of the provisions of the IBC.

CHAPTER TOPICS

Chapters	Subjects
1–2	Administration and definitions
3	Use and occupancy classifications
4, 31	Special requirements for specific occupancies or elements
5–6	Height and area limitations based on type of construction
7–9	Fire resistance and protection requirements
10	Requirements for evacuation
11	Specific requirements to allow use and access to a building for persons with disabilities
12–13, 27–30	Building systems, such as lighting, HVAC, plumbing fixtures, elevators
14–26	Structural components—performance and stability
32	Encroachment outside of property lines
33	Safeguards during construction
35	Referenced standards
Appendices A–O	Appendices

IFC Correlated Topics

The IBC requirements for hazardous materials, fire-resistance-rated construction, interior finish, fire protection systems, means of egress, emergency and standby power, and temporary structures are directly correlated with the requirements of the IFC. The following table shows chapters/sections of the IBC that are correlated with the IFC:

IBC/IFC CORRELATED TOPICS

IBC Chapter/Section	IFC Chapter/Section	Subject
Sections 307, 414, 415	Chapters 50–67	Hazardous materials and Group H requirements
Chapter 7	Chapter 7	Fire-resistance-rated construction (fire and smoke protection features in the IFC)
Chapter 8	Chapter 8	Interior finish, decorative materials and furnishings
Chapter 9	Chapter 9	Fire protection systems
Chapter 10	Chapter 10	Means of egress
Chapter 27	Section 604	Standby and emergency power
Section 3103	Chapter 31	Temporary structures

IMC Correlated Topics

The IBC requirements for smoke control systems, and smoke and fire dampers are directly correlated to the requirements of the IMC. IBC Chapter 28 is a reference to the IMC and the IFGC for chimneys, fireplaces and barbecues, and all aspects of mechanical systems. The following table shows chapters/sections of the IBC that are correlated with the IMC:

IBC/IMC CORRELATED TOPICS		
IBC Chapter/Section	IMC Chapter/Section	Subject
Section 717	Section 607	Smoke and fire dampers
Section 909	Section 513	Smoke control

IPC Correlated Topics

The IBC requirements for plumbing fixtures and toilet rooms are directly correlated to the requirements of the IPC. The following table shows chapters/sections of the IBC that are correlated with the IPC:

IBC/IPC CORRELATED TOPICS		
IBC Chapter/Section	IPC Chapter/Section	Subject
Chapter 29	Chapters 3 & 4	Plumbing fixtures and facilities

Chapter 1 Scope and Administration

Chapter 1 establishes the limits of applicability of the code and describes how the code is to be applied and enforced. Chapter 1 is in two parts, Part 1— Scope and Application (Sections 101-102) and Part 2—Administration and Enforcement (Sections 103-116). Section 101 identifies which buildings and structures come under its purview and references other I-Codes as applicable. Standards and codes are scoped to the extent referenced (see Section 102.4).

The building code is intended to be adopted as a legally enforceable document and it cannot be effective without adequate provisions for its administration and enforcement. The provisions of Chapter 1 establish the authority and duties of the building official appointed by the authority having jurisdiction and also establish the rights and privileges of the design professional, contractor and property owner.

Chapter 2 Definitions

All terms that are defined in the code are listed alphabetically in Chapter 2. While a defined term may be used in one chapter or another, the meaning provided in Chapter 2 is applicable throughout the code.

Where understanding a term's definition is especially key to or necessary for understanding a particular code provision, the term is shown in *italics*. This is true only for those terms that have a meaning that is unique to the code. In other words, the generally understood meaning of a term or phrase might not be sufficient or consistent with the meaning prescribed by the code; therefore, it is essential that the code-defined meaning be known.

Guidance regarding tense, gender and plurality of defined terms as well as guidance regarding terms not defined in this code is provided.

Chapter 3 Occupancy Classification and Use

Chapter 3 provides for the classification of buildings, structures and parts thereof based on the purpose or purposes for which they are used. Section 302 identifies the groups into which all buildings,

structures and parts thereof must be classified. Sections 303 through 312 identify the occupancy characteristics of each group classification. In some sections, specific group classifications having requirements in common are collectively organized such that one term applies to all. For example, Groups A-1, A-2, A-3, A-4 and A-5 are individual groups for assembly-type buildings. The general term “Group A,” however, includes each of these individual groups. Other groups include Business (B), Educational (E), Factory (F-1, F-2), High Hazard (H-1, H-2, H-3, H-4, H-5), Institutional (I-1, I-2, I-3, I-4), Mercantile (M), Residential (R-1, R-2, R-3, R-4), Storage (S-1, S-2) and Utility (U). In some occupancies, the smaller number means a higher hazard, but that is not always the case.

Defining the use of the buildings is very important as it sets the tone for the remaining chapters of the code. Occupancy works with the height, area and construction type requirements in Chapters 5 and 6, as well as the special provisions in Chapter 4, to determine “equivalent risk,” or providing a reasonable level of protection or life safety for building occupants. The determination of equivalent risk involves three interdependent considerations: (1) the level of fire hazard associated with the specific occupancy of the facility; (2) the reduction of fire hazard by limiting the floor area and the height of the building based on the fuel load (combustible contents and burnable building components); and (3) the level of overall fire resistance provided by the type of construction used for the building. The greater the potential fire hazards indicated as a function of the group, the lesser the height and area allowances for a particular construction type.

Occupancy classification also plays a key part in organizing and prescribing the appropriate protection measures. As such, threshold requirements for fire protection and means of egress systems are based on occupancy classification (see Chapters 9 and 10). Other sections of the code also contain requirements respective to the classification of building groups. For example, Section 706 specifies requirements for fire wall fire-resistance ratings that are tied to the occupancy classification of a building and Section 803.11 contains interior finish requirements that are dependent upon the occupancy classification. The use of the space, rather than the occupancy of the building, is utilized for determining occupant loading (Section 1004) and live loading (Section 1607).

Over the useful life of a building, the activities in the building will evolve and change. Where the provisions of the code address uses differently, moving from one activity to another or from one level of activity to another is, by definition, a change of occupancy. The new occupancy must be in compliance with the applicable provisions.

Chapter 4 Special Detailed Requirements Based on Occupancy and Use

Chapter 4 contains the requirements for protecting special uses and occupancies, which are supplemental to the remainder of the code. Chapter 4 contains provisions that may alter requirements found elsewhere in the code; however, the general requirements of the code still apply unless modified within the chapter. For example, the height and area limitations established in Chapter 5 apply to all special occupancies unless Chapter 4 contains height and area limitations. In this case, the limitations in Chapter 4 supersede those in other sections. An example of this is the height and area limitations for open parking garages given in Section 406.5.4, which supersedes the limitations given in Sections 504 and 506.

In some instances, it may not be necessary to apply the provisions of Chapter 4. For example, if a covered mall building complies with the provisions of the code for Group M, Section 402 does not apply; however, other sections that address a use, process or operation must be applied to that specific occupancy, such as stages and platforms, special amusement buildings and hazardous materials (Sections 410, 411 and 414).

The chapter includes requirements for buildings and conditions that apply to one or more groups, such as high-rise buildings, underground buildings or atriums. Special uses may also imply specific occupancies and operations, such as for Group H, hazardous materials, application of flammable finishes, drying rooms, organic coatings and combustible storage or hydrogen fuel gas rooms, all of which are coordinated with the IFC. Unique consideration is taken for special use areas, such as covered mall buildings, motor-vehicle-related occupancies, special amusement buildings and aircraft-related occupancies. Special facilities within other occupancies are considered, such as stages and platforms, motion picture projection rooms, children’s play structures and storm shelters. Finally, in order that the overall package of protection features can be easily understood, unique considerations for specific occupancies are addressed: Groups I-1, I-2, I-3, R-1, R-2, R-3 and R-4; and ambulatory care facilities and live/work units.

Chapter 5 General Building Heights and Areas

Chapter 5 contains the provisions that regulate the minimum type of construction for area limits and height limits based on the occupancy of the building. Height and area increases (including allowances for basements, mezzanines and equipment platforms) are permitted based on open frontage for fire department access, separation and the type of sprinkler protection provided (Sections 503-506, 510). These thresholds are reduced for buildings over three stories in height in accordance with Sections 506.2.1 and 506.2.2. Provisions include the protection and/or separation of incidental uses (Table 509.1), accessory occupancies (Section 508.2) and mixed uses in the same building (Sections 506.2.2, 508.3, 508.4 and 510). Unlimited area buildings are permitted in certain occupancies when they meet special provisions (Section 507). Live/work units are provided for in Section 508.5.

Tables 504.3, 504.4 and 506.2 are the keystones in setting thresholds for building size based on the building's use and the materials with which it is constructed. If one then looks at Tables 504.3, 504.4 and 506.2, the relationship among group classification, allowable heights and areas and types of construction becomes apparent. Respective to each group classification, the greater the fire-resistance rating of structural elements, as represented by the type of construction, the greater the floor area and height allowances. The greater the potential fire hazards indicated as a function of the group, the lesser the height and area allowances for a particular construction type. Starting in the 2015 edition, the table that once contained both height and area has been separated and these three new tables address the topics individually. In addition, the tables list criteria for buildings with and without automatic sprinkler systems.

Chapter 6 Types of Construction

The interdependence of these fire safety considerations can be seen by first looking at Tables 601 and 705.5, which show the fire-resistance ratings of the principal structural elements comprising a building in relation to the five classifications for types of construction. Type I construction is the classification that generally requires the highest fire-resistance ratings for structural elements, whereas Type V construction, which is designated as a combustible type of construction, generally requires the least amount of fire-resistance-rated structural elements. The greater the potential fire hazards indicated as a function of the group, the lesser the height and area allowances for a particular construction type. Section 603 includes a list of combustible elements that can be part of a noncombustible building (Types I and II construction).

Chapter 7 Fire and Smoke Protection Features

The provisions of Chapter 7 present the fundamental concepts of fire performance that all buildings are expected to achieve in some form. This chapter identifies the acceptable materials, techniques and methods by which proposed construction can be designed and evaluated against to determine a building's ability to limit the impact of fire. The fire-resistance-rated construction requirements within Chapter 7 provide passive resistance to the spread and effects of fire. Types of separations addressed include fire walls, fire barriers, fire partitions, horizontal assemblies, smoke barriers and smoke partitions. A fire produces heat that can weaken structural components and smoke products that cause property damage and place occupants at risk. The requirements of Chapter 7 work in unison with height and area requirements (Chapter 5), active fire detection and suppression systems (Chapter 9) and occupant egress requirements (Chapter 10) to contain a fire should it occur while helping ensure occupants are able to safely exit.

Chapter 8 Interior Finishes

This chapter contains the performance requirements for controlling fire growth within buildings by restricting interior finish and decorative materials. Past fire experience has shown that interior finish and decorative materials are key elements in the development and spread of fire. The provisions of Chapter 8 require materials used as interior finishes and decorations to meet certain flame-spread index or flame-propagation criteria based on the relative fire hazard associated with the occupancy. As smoke is also a hazard associated with fire, this chapter contains limits on the smoke development characteristics of interior finishes. The performance of the material is evaluated based on test standards.

Chapter 9 Fire Protection and Life Safety Systems

Chapter 9 prescribes the minimum requirements for active systems of fire protection equipment to perform the following functions: detect a fire; alert the occupants or fire department of a fire emergency; and control smoke and control or extinguish the fire. Generally, the requirements are based on the occupancy, the height and the area of the building, because these are the factors that most affect fire-fighting capabilities and the relative hazard of a specific building or portion thereof. This chapter parallels and is substantially duplicated in Chapter 9 of the IFC; however, the IFC Chapter 9 also contains periodic testing criteria that are not contained in the IBC. In addition, the special fire protection system requirements based on use and occupancy found in IBC Chapter 4 are duplicated in IFC Chapter 9 as a user convenience.

Chapter 10 Means of Egress

The general criteria set forth in Chapter 10 regulating the design of the means of egress are established as the primary method for protection of people in buildings by allowing timely relocation or evacuation of building occupants. Both prescriptive and performance language is utilized in this chapter to provide for a basic approach in the determination of a safe exiting system for all occupancies. It addresses all portions of the egress system (i.e., exit access, exits and exit discharge) and includes design requirements as well as provisions regulating individual components. The requirements detail the size, arrangement, number and protection of means of egress components. Functional and operational characteristics also are specified for the components that will permit their safe use without special knowledge or effort. The means of egress protection requirements work in coordination with other sections of the code, such as protection of vertical openings (see Chapter 7), interior finish (see Chapter 8), fire suppression and detection systems (see Chapter 9) and numerous others, all having an impact on life safety. Chapter 10 of the IBC is duplicated in Chapter 10 of the IFC; however, the IFC contains one additional section on the means of egress system in existing buildings.

Chapter 11 Accessibility

Chapter 11 contains provisions that set forth requirements for accessibility of buildings and their associated sites and facilities for people with physical disabilities. The fundamental philosophy of the code on the subject of accessibility is that everything is required to be accessible. This is reflected in the basic applicability requirement (see Section 1103.1). The code's scoping requirements then address the conditions under which accessibility is not required in terms of exceptions to this general mandate. While the IBC contains scoping provisions for accessibility (for example, what, where and how many), ICC A117.1, *Accessible and Usable Buildings and Facilities*, is the referenced standard for the technical provisions (in other words, how).

There are many accessibility issues that not only benefit people with disabilities, but also provide a tangible benefit to people without disabilities. This type of requirement can be set forth in the code as generally applicable without necessarily identifying it specifically as an accessibility-related issue. Such a requirement would then be considered as having been "mainstreamed." For example, visible alarms are located in Chapter 9 and accessible means of egress and ramp requirements are addressed in Chapter 10.

Accessibility criteria for existing buildings are addressed in the IEBC.

Appendix E is supplemental information included in the code to address accessibility for items in the 2010 *ADA Standards for Accessible Design* that were not typically enforceable through the standard traditional building code enforcement approach system (for example, beds, room signage). The IRC references Chapter 11 for accessibility provisions; therefore, this chapter may be applicable to housing covered under the IRC.

Chapter 12 Interior Environment

Chapter 12 provides minimum standards for the interior environment of a building. The standards address the minimum sizes of spaces, minimum temperature levels, and minimum light and ventilation levels. The collection of requirements addresses limiting sound transmission through walls, ventilation of attic spaces and under floor spaces (crawl spaces). Finally, the chapter provides minimum standards for toilet and bathroom construction, including privacy shielding and standards for walls, partitions and floors to resist water intrusion and damage.

Chapter 13 Energy Efficiency

The purpose of Chapter 13 is to provide minimum design requirements that will promote efficient utilization of energy in buildings. The requirements are directed toward the design of building envelopes with adequate thermal resistance and low air leakage, and toward the design and selection of mechanical, water heating, electrical and illumination systems that promote effective use of depletable energy resources. For the specifics of these criteria, Chapter 13 requires design and construction in compliance with the IECC.

Chapter 14 Exterior Walls

This chapter addresses requirements for exterior walls of buildings. Minimum standards for wall covering materials, installation of wall coverings and the ability of the wall to provide weather protection are provided. This chapter also requires exterior walls that are close to lot lines, or that are bearing walls for certain types of construction, to comply with the minimum fire-resistance ratings specified in Chapters 6 and 7. The installation of each type of wall covering, be it wood, masonry, vinyl, metal composite material or an exterior insulation and finish system, is critical to its long-term performance in protecting the interior of the building from the elements and the spread of fire. Limitations on the use of combustible materials on exterior building elements such as balconies, eaves, decks and architectural trim are also addressed in this chapter.

Chapter 15 Roof Assemblies and Rooftop Structures

Chapter 15 provides standards for both roof assemblies and structures that sit on top of the roofs of buildings. The criteria address roof construction and covering, including the weather-protective barrier at the roof and, in most circumstances, a fire-resistant barrier. The chapter is prescriptive in nature and is based on decades of experience with various traditional materials, but it also addresses newer products such as photovoltaic shingles. These prescriptive rules are very important for satisfying performance of one type of roof covering or another. Section 1511 addresses rooftop structures, including penthouses, tanks, towers and spires. Rooftop penthouses larger than prescribed in this chapter must be treated as a story under Chapter 5.

Chapter 16 Structural Design

Chapter 16 prescribes minimum structural loading requirements for use in the design and construction of buildings and structural components. It includes minimum design loads, assignment of risk categories and permitted design methodologies. Standards are provided for minimum design loads (live, dead, snow, wind, rain, flood, ice and earthquake as well as the required load combinations). The application of these loads and adherence to the serviceability criteria will enhance the protection of life and property. The chapter references and relies on many nationally recognized design standards. A key standard is the American Society of Civil Engineers' *Minimum Design Loads for Buildings and Other Structures* (ASCE 7). Structural design must address the conditions of the site and location. Therefore, maps are provided of rainfall, seismic, snow and wind criteria in different regions.

Chapter 17 Special Inspections and Tests

Chapter 17 provides a variety of procedures and criteria for testing materials and assemblies, labeling materials and assemblies and special inspection of structural assemblies. This chapter expands on the inspections of Chapter 1 by requiring special inspection where indicated and, in some cases, structural observation. It also spells out additional responsibilities for the owner, contractor, design professionals and special inspectors. Proper assembly of structural components, proper quality of materials used and proper application of materials are essential to ensuring that a building, once constructed, complies with the structural and fire-resistance minimums of the code and the approved design. To determine this compliance often requires continuous or frequent inspection and testing. Chapter 17 establishes standards for special inspection, testing and reporting of the work to the building official.

Chapter 18 Soils and Foundations

Chapter 18 provides criteria for geotechnical and structural considerations in the selection, design and installation of foundation systems to support the loads from the structure above. This chapter includes requirements for soils investigation and site preparation for receiving a foundation, including the allowed load-bearing values for soils and for protecting the foundation from water intrusion. Section 1808 addresses the basic requirements for all foundation types. Later sections address foundation requirements that are specific to shallow foundations and deep foundations. Due care must be exercised in the planning and design of foundation systems based on obtaining sufficient soils information, the use of accepted engineering procedures, experience and good technical judgment.

Chapter 19 Concrete

This chapter provides minimum accepted practices for the design and construction of buildings and structural components using concrete—both plain and reinforced. Chapter 19 relies primarily on the reference to American Concrete Institute (ACI) 318, *Building Code Requirements for Structural Concrete*. This chapter also includes references to additional standards. Structural concrete must be designed and constructed to comply with this code and all listed standards. There are specific sections of the chapter addressing concrete slabs, anchorage to concrete and shotcrete. Because of the variable properties of material and numerous design and construction options available in the uses of concrete, due care and control throughout the construction process is necessary.

Chapter 20 Aluminum

Chapter 20 contains standards for the use of aluminum in building construction. Only the structural applications of aluminum are addressed. This chapter does not address the use of aluminum in specialty products such as storefront or window framing or architectural hardware. The use of aluminum in heating, ventilating or air-conditioning systems is addressed in the IMC. This chapter references national standards from the Aluminum Association for use of aluminum in building construction, AA ASM 35, *Aluminum Sheet Metal Work in Building Construction*, and AA ADM, *Aluminum Design Manual*. By utilizing the standards set forth, a proper application of this material can be obtained.

Chapter 21 Masonry

This chapter provides comprehensive and practical requirements for masonry construction. The provisions of Chapter 21 require minimum accepted practices and the use of standards for the design and construction of masonry structures. The provisions address: material specifications and test methods; types of wall construction; criteria for engineered and empirical designs; and required details of construction, including the execution of construction. Masonry design methodologies including allowable stress design, strength design and empirical design are covered by provisions of this chapter. Also addressed are masonry fireplaces and chimneys, masonry heaters and glass unit masonry. Fire-resistant construction using masonry is also required to comply with Chapter 7. Masonry foundations are also subject to the requirements of Chapter 18.

Chapter 22 Steel

Chapter 22 provides the requirements necessary for the design and construction of structural steel (including composite construction), cold-formed steel, steel joists, steel cable structures and steel storage racks. This chapter specifies appropriate design and construction standards for these types of structures. It also provides a road map of the applicable technical requirements for steel structures. Because steel is a noncombustible building material, it is commonly associated with Types I and II construction; however, it is permitted to be used in all types of construction. Chapter 22 requires that the design and use of steel materials be in accordance with the specifications and standards of the American Institute of Steel Construction, the American Iron and Steel Institute, the Steel Joist Institute and the American Society of Civil Engineers.

Chapter 23 Wood

This chapter provides minimum requirements for the design of buildings and structures that use wood and wood-based products. The chapter is organized around three design methodologies: allowable stress design (ASD), load and resistance factor design (LRFD) and conventional light-frame construction. Included in this chapter are references to design and manufacturing standards for various wood and wood-based products; general construction requirements; design criteria for lateral force-resisting systems and specific requirements for the application of the three design methods. In general, only Type III, IV or V buildings may be constructed of wood.

Chapter 24 Glass and Glazing

This chapter establishes regulations for glass and glazing that, when installed in buildings and structures, are subjected to wind, snow and dead loads. Engineering and design requirements are included in the chapter. Additional structural requirements are found in Chapter 16. Another concern of this chapter is glass and glazing used in areas where it is likely to be impacted by the occupants. Section 2406 identifies hazardous locations where glazing installed must either be safety glazing or blocked to prevent human impact. Safety glazing must meet stringent standards and be appropriately marked or identified. Additional requirements are provided for glass and glazing in guards, handrails, elevator hoistways and elevator cars, as well as in athletic facilities.

Chapter 25 Gypsum Board, Gypsum Panel Products and Plaster

Chapter 25 contains the provisions and referenced standards that regulate the design, construction and quality of gypsum board, gypsum panel products and plaster. It also addresses reinforced gypsum concrete. These represent the most common interior and exterior finish materials in the building industry. This chapter primarily addresses quality-control-related issues with regard to material specifications and installation requirements. Most products are manufactured under the control of industry standards. The building official or inspector primarily needs to verify that the appropriate product is used and properly installed for the intended use and location. While often simply used as wall and ceiling coverings, proper design and application are necessary to provide weather resistance and required fire protection for both structural and nonstructural building components.

Chapter 26 Plastic

The use of plastics in building construction and components is addressed in Chapter 26. This chapter provides standards addressing foam plastic insulation, foam plastics used as interior finish and trim, and other plastic veneers used on the inside or outside of a building. Plastic siding is regulated by Chapter 14. Sections 2606 through 2611 address the use of light-transmitting plastics in various configurations such as walls, roof panels, skylights, signs and as glazing. Requirements for the use of fiber-reinforced polymers, fiberglass-reinforced polymers and reflective plastic core insulation are also contained in this chapter. Additionally, requirements specific to the use of wood-plastic composites and plastic lumber are contained in this chapter. Some plastics exhibit rapid flame spread and heavy smoke density characteristics when exposed to fire. Exposure to the heat generated by a fire can cause some plastics to deform, which can affect their performance. The requirements and limitations of this chapter are necessary to control the use of plastic and foam plastic products such that they do not compromise the safety of building occupants.

Chapter 27 Electrical

Since electrical systems and components are an integral part of almost all structures, it is necessary for the code to address the installation of such systems. For this purpose, Chapter 27 references the National Electrical Code (NEC). In addition, Section 2702 addresses emergency and standby power requirements. Such systems must comply with the *IFC* and referenced standards. This section also provides references to the various code sections requiring emergency and standby power, such as high-rise buildings and buildings containing hazardous materials.

Chapter 28 Mechanical Systems

Nearly all buildings will include mechanical systems. This chapter provides references to the IMC and the IFGC for the design and installation of mechanical systems. In addition, Chapter 21 of this code is referenced for masonry chimneys, fireplaces and barbecues.

Chapter 29 Plumbing Systems

Chapter 29 regulates the minimum number of plumbing fixtures that must be provided for every type of building. This chapter also regulates the location of the required fixtures in various types of buildings. This section requires separate facilities for males and females except for certain types of small occupancies. The regulations in this chapter come directly from Chapters 3 and 4 of the IPC.

Chapter 30 Elevators and Conveying Systems

Chapter 30 provides standards for the installation of elevators into buildings. Referenced standards provide the requirements for the elevator system and mechanisms. Detailed standards are provided in the chapter for hoistway enclosures, machine rooms and requirements for sizing of elevators. Beginning in the 2015 edition of this code, the elevator lobby requirements were moved from Chapter 7 to Chapter 30 to pull all the elevator-related construction requirements together. New provisions were added in the 2009 edition for fire service access elevators required in high-rise buildings and for the optional choice of occupant evacuation elevators (see Section 403).

Chapter 31 Special Construction

Chapter 31 contains a collection of regulations for a variety of unique structures and architectural features. Pedestrian walkways and tunnels connecting two buildings are addressed in Section 3104. Membrane and air-supported structures are addressed by Section 3102. Safeguards for swimming pool safety are addressed by way of reference to the ISPS in Section 3109. Standards for temporary structures, including permit requirements, are provided in Section 3103. Structures as varied as awnings, marquees, signs, telecommunication and broadcast towers and automatic vehicular gates are also addressed (see Sections 3105 through 3108 and 3110).

Chapter 32 Encroachments into the Public Right-of-way

Buildings and structures from time to time are designed to extend over a property line and into the public right-of-way. Local regulations outside of the building code usually set limits to such encroachments, and such regulations take precedence over the provisions of this chapter. Standards are provided for encroachments below grade for structural support, vaults and areaways. Encroachments above grade are divided into below 8 feet, 8 feet to 15 feet, and above 15 feet, because of headroom and vehicular height issues. This includes steps, columns, awnings, canopies, marquees, signs, windows and balconies. Similar architectural features above grade are also addressed. Pedestrian walkways must also comply with Chapter 31.

Chapter 33 Safeguards During Construction

Chapter 33 provides safety requirements during construction and demolition of buildings and structures. These requirements are intended to protect the public from injury and adjoining property from damage. In addition the chapter provides for the progressive installation and operation of exit stairways and standpipe systems during construction.

Chapter 34 Reserved

During the 2015 code change cycle the membership voted to delete Chapter 34, Existing Structures, from this code and reference the IEBC. The provisions that were in Chapter 34 appear in the IEBC. Former Sections 3402 through 3411 appear as IEBC Chapter 4 and Section 3412 as Chapter 14.

Chapter 35 Referenced Standards

The code contains numerous references to standards that are used to regulate materials and methods of construction. Chapter 35 contains a comprehensive list of all standards that are referenced in the code, including the appendices. The standards are part of the code to the extent of the reference to the standard (see Section 102.4). Compliance with the referenced standard is necessary for compliance with this code. By providing specifically adopted standards, the construction and installation requirements necessary for compliance with the code can be readily determined. The basis for code compliance is, therefore, established and available on an equal basis to the building official, contractor, designer and owner.

Chapter 35 is organized in a manner that makes it easy to locate specific standards. It lists all of the referenced standards, alphabetically, by acronym of the promulgating agency of the standard. Each agency's standards are then listed in either alphabetical or numeric order based upon the standard identification. The list also contains the title of the standard; the edition (date) of the standard referenced; any addenda included as part of the ICC adoption; and the section or sections of this code that reference the standard.

Appendices

Appendices are provided in the IBC to offer optional or supplemental criteria to the provisions in the main chapters of the code. Appendices provide additional information for administration of the Department of Building Safety as well as standards not typically administered by all building departments. Appendices have the same force and effect as the first 35 chapters of the IBC only when explicitly adopted by the jurisdiction.

Appendix A Employee Qualifications

Effective administration and enforcement of the family of International Codes depends on the training and expertise of the personnel employed by the jurisdiction and their knowledge of the codes. Section 103 of the code establishes the Department of Building Safety and calls for the appointment of a building official and deputies such as plans examiners and inspectors. Appendix A provides standards for experience, training and certification for the building official and the other staff mentioned in Chapter 1.

Appendix B Board of Appeals

Section 113 requires the establishment of a board of appeals to hear appeals regarding determinations made by the building official. Appendix B provides qualification standards for members of the board as well as operational procedures of such board.

Appendix C Group U—Agricultural Buildings

Appendix C provides a more liberal set of standards for the construction of agricultural buildings, rather than strictly following the utility building provision, reflective of their specific usage and limited occupant load. The provisions of this appendix, when adopted, allow reasonable heights and areas commensurate with the risk of agricultural buildings.

Appendix D Fire Districts

Fire districts have been a tool used to limit conflagration hazards in areas of a city with intense and concentrated development. More frequently used under the model codes that preceded the IBC, this appendix is provided to allow jurisdictions to continue the designation and use of fire districts. Fire district standards restrict certain occupancies within the district, as well as setting higher minimum construction standards.

Appendix E Supplementary Accessibility Requirements

The Architectural and Transportation Barriers Compliance Board (U.S. Access Board) has revised and updated its accessibility guidelines for buildings and facilities covered by the Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA). Appendix E includes scoping requirements contained in the *2010 ADA Standards for Accessible Design* that are not in Chapter 11 and not otherwise mentioned or mainstreamed throughout the code. Items in the appendix address subjects not typically addressed in building codes (for example, beds, room signage, transportation facilities).

Appendix F Rodentproofing

The provisions of this appendix are minimum mechanical methods to prevent the entry of rodents into a building. These standards, when used in conjunction with cleanliness and maintenance programs, can significantly reduce the potential of rodents invading a building.

Appendix G Flood-resistant Construction

Appendix G is intended to fulfill the flood-plain management and administrative requirements of the National Flood Insurance Program (NFIP) that are not included in the code. Communities that adopt the IBC and Appendix G will meet the minimum requirements of NFIP as set forth in Title 44 of the Code of Federal Regulations.

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.

Appendix I Patio Covers

Appendix I provides standards applicable to the construction and use of patio covers. It is limited in application to patio covers accessory to dwelling units. Covers of patios and other outdoor areas associated with restaurants, mercantile buildings, offices, nursing homes or other nondwelling occupancies would be subject to standards in the main code and not this appendix.

Appendix J Grading

Appendix J provides standards for the grading of properties. This appendix also provides standards for administration and enforcement of a grading program including permit and inspection requirements. Appendix J was originally developed in the 1960s and used for many years in jurisdictions throughout the western United States. It is intended to provide consistent and uniform code requirements anywhere grading is considered an issue.

Appendix K Administrative Provisions

Appendix K primarily provides administrative provisions for jurisdictions adopting and enforcing NFPA 70—the *National Electrical Code* (NEC). The provisions contained in this appendix are compatible with administrative and enforcement provisions contained in Chapter 1 of the IBC and the other I-Codes. Annex H of NFPA 70 also contains administrative provisions for the NEC; however, some of its provisions are not compatible with IBC Chapter 1. Section K110 also contains technical provisions that are unique to this appendix and are in addition to technical standards of NFPA 70.

Appendix L Earthquake Recording Instrumentation

The purpose of this appendix is to foster the collection of ground motion data, particularly from strong-motion earthquakes. When this ground motion data is synthesized, it may be useful in developing future improvements to the earthquake provisions of the IBC.

Appendix M Tsunami-Generated Flood Hazards

Addressing a tsunami risk for all types of construction in a tsunami hazard zone through building code requirements would typically not be cost effective, making tsunami-resistant construction impractical at an individual building level. However, this appendix does allow the adoption and enforcement of requirements for tsunami hazard zones that regulate the presence of high-risk or high-hazard structures.

Appendix N Replicable Buildings

Many jurisdictions have recognized the need for some form of expedited review process for replicable buildings. By codifying the approach contained in the ICC G1-2010 *Guideline for Replicable Buildings*, this appendix provides jurisdictions with a means of incorporating replicable building requirements into their building code adoption process. The intent is to streamline the plan review process at the local level by removing redundant reviews.

Appendix O Performance-based Application

Appendix O provides an optional design, review and approval framework for use by the building official. It simply extracts the relevant administrative provisions from the ICCPC into a more concise, usable appendix format for a jurisdiction confronted with such a need. Typical uses would include cases of alternate methods in Chapter 1 and select areas of the code that require a rational analysis, such as Section 909.

TABLE OF CONTENTS

CHAPTER 1 SCOPE AND ADMINISTRATION	1-1	308 Institutional Group I	3-8
PART 1—SCOPE AND APPLICATION	1-1	309 Mercantile Group M	3-9
Section		310 Residential Group R	3-10
101 Scope and General Requirements	1-1	311 Storage Group S	3-11
102 Applicability	1-2	312 Utility and Miscellaneous Group U.	3-12
PART 2—ADMINISTRATION AND ENFORCEMENT	1-2	CHAPTER 4 SPECIAL DETAILED REQUIREMENTS BASED ON OCCUPANCY AND USE	4-1
103 Code Compliance Agency	1-2	Section	
104 Duties and Powers of Building Official.	1-2	401 Scope	4-1
105 Permits	1-4	402 Covered Mall and Open Mall Buildings	4-1
106 Floor and Roof Design Loads	1-6	403 High-rise Buildings	4-5
107 Construction Documents	1-6	404 Atriums	4-8
108 Temporary Structures and Uses	1-7	405 Underground Buildings	4-9
109 Fees	1-8	406 Motor-vehicle-related Occupancies	4-10
110 Inspections	1-8	407 Group I-2	4-15
111 Certificate of Occupancy	1-9	408 Group I-3	4-18
112 Service Utilities	1-10	409 Motion Picture Projection Rooms	4-21
113 Means of Appeals	1-10	410 Stages, Platforms and Technical Production Areas	4-21
114 Violations	1-10	411 Special Amusement Areas	4-23
115 Stop Work Order	1-10	412 Aircraft-related Occupancies	4-24
116 Unsafe Structures and Equipment	1-11	413 Combustible Storage	4-28
CHAPTER 2 DEFINITIONS	2-1	414 Hazardous Materials	4-28
Section		415 Groups H-1, H-2, H-3, H-4 and H-5	4-32
201 General	2-1	416 Spray Application of Flammable Finishes	4-41
202 Definitions	2-1	417 Drying Rooms	4-42
CHAPTER 3 OCCUPANCY CLASSIFICATION AND USE	3-1	418 Organic Coatings	4-42
Section		419 Artificial Decorative Vegetation	4-42
301 Scope	3-1	420 Groups I-1, R-1, R-2, R-3 and R-4	4-42
302 Occupancy Classification and Use Designation	3-1	421 Hydrogen Fuel Gas Rooms	4-44
303 Assembly Group A	3-1	422 Ambulatory Care Facilities	4-44
304 Business Group B	3-2	423 Storm Shelters	4-45
305 Educational Group E	3-3	424 Play Structures	4-46
306 Factory Group F	3-3	425 Hyperbaric Facilities	4-46
307 High-hazard Group H	3-4	426 Combustible Dusts, Grain Processing and Storage	4-47
		427 Medical Gas Systems	4-47
		428 Higher Education Laboratories	4-48

TABLE OF CONTENTS

CHAPTER 5 GENERAL BUILDING HEIGHTS AND AREAS..... 5-1

Section

501	General.....	5-1
502	Building Address.....	5-1
503	General Building Height and Area Limitations....	5-1
504	Building Height and Number of Stories	5-2
505	Mezzanines and Equipment Platforms	5-2
506	Building Area	5-6
507	Unlimited Area Buildings	5-9
508	Mixed Use and Occupancy	5-12
509	Incidental Uses	5-14
510	Special Provisions	5-15

CHAPTER 6 TYPES OF CONSTRUCTION..... 6-1

Section

601	General.....	6-1
602	Construction Classification	6-1
603	Combustible Material in Types I and II Construction.....	6-5

CHAPTER 7 FIRE AND SMOKE PROTECTION FEATURES..... 7-1

Section

701	General.....	7-1
702	Multiple-use Fire Assemblies	7-1
703	Fire-resistance Ratings and Fire Tests	7-1
704	Fire-resistance Rating of Structural Members....	7-2
705	Exterior Walls	7-4
706	Fire Walls	7-9
707	Fire Barriers.....	7-12
708	Fire Partitions	7-13
709	Smoke Barriers	7-15
710	Smoke Partitions	7-16
711	Floor and Roof Assemblies	7-16
712	Vertical Openings	7-17
713	Shaft Enclosures	7-19
714	Penetrations	7-20
715	Joints and Voids.....	7-23
716	Opening Protectives.....	7-24
717	Ducts and Air Transfer Openings	7-31
718	Concealed Spaces	7-37
719	Fire-resistance Requirements for Plaster.....	7-39
720	Thermal- and Sound-insulating Materials.....	7-39

721	Prescriptive Fire Resistance	7-40
722	Calculated Fire Resistance	7-65

CHAPTER 8 INTERIOR FINISHES.....8-1

Section

801	Scope.....	8-1
802	General	8-1
803	Wall and Ceiling Finishes.....	8-1
804	Interior Floor Finish	8-4
805	Combustible Materials in Types I and II Construction	8-5
806	Decorative Materials and Trim	8-5
807	Insulation.....	8-6
808	Acoustical Ceiling Systems.....	8-6

CHAPTER 9 FIRE PROTECTION AND LIFE SAFETY SYSTEMS9-1

Section

901	General	9-1
902	Fire Pump and Riser Room Size.....	9-2
903	Automatic Sprinkler Systems	9-2
904	Alternative Automatic Fire-extinguishing Systems.....	9-9
905	Standpipe Systems	9-11
906	Portable Fire Extinguishers.....	9-14
907	Fire Alarm and Detection Systems	9-16
908	Emergency Alarm Systems.....	9-27
909	Smoke Control Systems	9-27
910	Smoke and Heat Removal.....	9-36
911	Fire Command Center.....	9-37
912	Fire Department Connections	9-39
913	Fire Pumps	9-39
914	Emergency Responder Safety Features.....	9-40
915	Carbon Monoxide Detection.....	9-40
916	Gas Detection Systems	9-42
917	Mass Notification Systems	9-42
918	Emergency Responder Communication Coverage.....	9-42

CHAPTER 10 MEANS OF EGRESS10-1

Section

1001	Administration	10-1
1002	Maintenance and Plans.....	10-1
1003	General Means of Egress	10-1
1004	Occupant Load.....	10-2

1005	Means of Egress Sizing	10-4	CHAPTER 12 INTERIOR ENVIRONMENT 12-1
1006	Number of Exits and Exit Access Doorways	10-5	Section
1007	Exit and Exit Access Doorway Configuration	10-8	1201 General 12-1
1008	Means of Egress Illumination	10-9	1202 Ventilation 12-1
1009	Accessible Means of Egress	10-10	1203 Temperature Control 12-4
1010	Doors, Gates and Turnstiles	10-12	1204 Lighting 12-4
1011	Stairways	10-22	1205 Yards or Courts 12-4
1012	Ramps	10-26	1206 Sound Transmission 12-5
1013	Exit Signs	10-27	1207 Enhanced Classroom Acoustics 12-5
1014	Handrails	10-28	1208 Interior Space Dimensions 12-5
1015	Guards	10-29	1209 Access to Unoccupied Spaces 12-6
1016	Exit Access	10-31	1210 Toilet and Bathroom Requirements 12-6
1017	Exit Access Travel Distance	10-31	CHAPTER 13 ENERGY EFFICIENCY 13-1
1018	Aisles	10-33	Section
1019	Exit Access Stairways and Ramps	10-33	1301 General 13-1
1020	Corridors	10-34	CHAPTER 14 EXTERIOR WALLS 14-1
1021	Egress Balconies	10-35	Section
1022	Exits	10-35	1401 General 14-1
1023	Interior Exit Stairways and Ramps	10-36	1402 Performance Requirements 14-1
1024	Exit Passageways	10-38	1403 Materials 14-2
1025	Luminous Egress Path Markings	10-39	1404 Installation of Wall Coverings 14-3
1026	Horizontal Exits	10-40	1405 Combustible Materials on the Exterior Side of Exterior Walls 14-9
1027	Exterior Exit Stairways and Ramps	10-41	1406 Metal Composite Materials (MCM) 14-9
1028	Exit Discharge	10-42	1407 Exterior Insulation and Finish Systems (EIFS) 14-10
1029	Egress Courts	10-43	1408 High-pressure Decorative Exterior-grade Compact Laminates (HPL) 14-11
1030	Assembly	10-43	1409 Plastic Composite Decking 14-12
1031	Emergency Escape and Rescue	10-50	CHAPTER 15 ROOF ASSEMBLIES AND ROOFTOP STRUCTURES 15-1
CHAPTER 11 ACCESSIBILITY 11-1			Section
Section			1501 General 15-1
1101	General	11-1	1502 Roof Drainage 15-1
1102	Compliance	11-1	1503 Weather Protection 15-1
1103	Scoping Requirements	11-1	1504 Performance Requirements 15-2
1104	Accessible Route	11-2	1505 Fire Classification 15-3
1105	Accessible Entrances	11-3	1506 Materials 15-4
1106	Parking and Passenger Loading Facilities	11-4	1507 Requirements for Roof Coverings 15-4
1107	Motor-vehicle-related Facilities	11-5	1508 Roof Insulation 15-16
1108	Dwelling Units and Sleeping Units	11-5	1509 Roof Coatings 15-16
1109	Special Occupancies	11-9	1510 Radiant Barriers Installed Above Deck 15-17
1110	Other Features and Facilities	11-11	
1111	Recreational Facilities	11-15	
1112	Signage	11-17	

TABLE OF CONTENTS

1511	Rooftop Structures	15-17
1512	Reroofing	15-19

CHAPTER 16 STRUCTURAL DESIGN 16-1

Section

1601	General	16-1
1602	Notations	16-1
1603	Construction Documents	16-1
1604	General Design Requirements	16-2
1605	Load Combinations	16-6
1606	Dead Loads	16-6
1607	Live Loads	16-7
1608	Snow Loads	16-15
1609	Wind Loads	16-15
1610	Soil Loads and Hydrostatic Pressure	16-33
1611	Rain Loads	16-33
1612	Flood Loads	16-34
1613	Earthquake Loads	16-40
1614	Atmospheric Ice Loads	16-43
1615	Tsunami Loads	16-43
1616	Structural Integrity	16-43

CHAPTER 17 SPECIAL INSPECTIONS AND TESTS 17-1

Section

1701	General	17-1
1702	New Materials	17-1
1703	Approvals	17-1
1704	Special Inspections and Tests, Contractor Responsibility and Structural Observation	17-2
1705	Required Special Inspections and Tests	17-4
1706	Design Strengths of Materials	17-13
1707	Alternative Test Procedure	17-13
1708	In-situ Load Tests	17-13
1709	Preconstruction Load Tests	17-14

CHAPTER 18 SOILS AND FOUNDATIONS 18-1

Section

1801	General	18-1
1802	Design Basis	18-1
1803	Geotechnical Investigations	18-1
1804	Excavation, Grading and Fill	18-3
1805	Dampproofing and Waterproofing	18-4
1806	Presumptive Load-bearing Values of Soils	18-6

1807	Foundation Walls, Retaining Walls and Embedded Posts and Poles	18-6
1808	Foundations	18-12
1809	Shallow Foundations	18-15
1810	Deep Foundations	18-17

CHAPTER 19 CONCRETE.....19-1

Section

1901	General	19-1
1902	Coordination of Terminology	19-1
1903	Specifications for Tests and Materials	19-2
1904	Durability Requirements	19-2
1905	Modifications to ACI 318	19-2
1906	Footings for Light-frame Construction	19-5
1907	Minimum Slab Provisions	19-5
1908	Shotcrete	19-5

CHAPTER 20 ALUMINUM20-1

Section

2001	General	20-1
2002	Materials	20-1

CHAPTER 21 MASONRY.....21-1

Section

2101	General	21-1
2102	Notations	21-1
2103	Masonry Construction Materials	21-1
2104	Construction	21-2
2105	Quality Assurance	21-2
2106	Seismic Design	21-2
2107	Allowable Stress Design	21-2
2108	Strength Design of Masonry	21-3
2109	Empirical Design of Adobe Masonry	21-3
2110	Glass Unit Masonry	21-5
2111	Masonry Fireplaces	21-6
2112	Masonry Heaters	21-8
2113	Masonry Chimneys	21-9
2114	Dry-stack Masonry	21-13

CHAPTER 22 STEEL.....22-1

Section

2201	General	22-1
2202	Identification of Steel for Structural Purposes	22-1
2203	Protection of Steel for Structural Purposes	22-1

2204	Connections	22-1	2505	Shear Wall Construction	25-1
2205	Structural Steel	22-1	2506	Gypsum Board and Gypsum Panel Product Materials	25-1
2206	Composite Structural Steel and Concrete Structures	22-2	2507	Lathing and Plastering	25-2
2207	Steel Joists	22-2	2508	Gypsum Construction	25-2
2208	Steel Cable Structures	22-3	2509	Showers and Water Closets	25-4
2209	Steel Storage Racks	22-3	2510	Lathing and Furring for Cement Plaster (Stucco)	25-4
2210	Cold-formed Steel	22-3	2511	Interior Plaster	25-5
2211	Cold-formed Steel Light-frame Construction	22-4	2512	Exterior Plaster	25-5
CHAPTER 23 WOOD 23-1			2513	Exposed Aggregate Plaster	25-6
Section			2514	Reinforced Gypsum Concrete	25-7
2301	General	23-1	CHAPTER 26 PLASTIC 26-1		
2302	Design Requirements	23-1	Section		
2303	Minimum Standards and Quality	23-1	2601	General	26-1
2304	General Construction Requirements	23-10	2602	Finish and Trim	26-1
2305	General Design Requirements for Lateral Force-resisting Systems	23-23	2603	Foam Plastic Insulation	26-1
2306	Allowable Stress Design	23-25	2604	Interior Finish and Trim	26-7
2307	Load and Resistance Factor Design	23-26	2605	Plastic Veneer	26-7
2308	Conventional Light-frame Construction	23-26	2606	Light-transmitting Plastics	26-8
2309	Wood Frame Construction Manual	23-58	2607	Light-transmitting Plastic Wall Panels	26-9
CHAPTER 24 GLASS AND GLAZING 24-1			2608	Light-transmitting Plastic Glazing	26-10
Section			2609	Light-transmitting Plastic Roof Panels	26-11
2401	General	24-1	2610	Light-transmitting Plastic Skylight Glazing	26-11
2402	Glazing Replacement	24-1	2611	Light-transmitting Plastic Interior Signs	26-12
2403	General Requirements for Glass	24-1	2612	Plastic Composites	26-12
2404	Wind, Snow, Seismic and Dead Loads on Glass	24-1	2613	Fiber-reinforced Polymer	26-13
2405	Sloped Glazing and Skylights	24-3	2614	Reflective Plastic Core Insulation	26-13
2406	Safety Glazing	24-4	CHAPTER 27 ELECTRICAL 27-1		
2407	Glass in Handrails and Guards	24-6	Section		
2408	Glazing in Athletic Facilities	24-7	2701	General	27-1
2409	Glass in Walkways, Elevator Hoistways and Elevator Cars	24-7	2702	Emergency and Standby Power Systems	27-1
CHAPTER 25 GYPSUM BOARD, GYPSUM PANEL PRODUCTS AND PLASTER 25-1			CHAPTER 28 MECHANICAL SYSTEMS 28-1		
Section			Section		
2501	General	25-1	2801	General	28-1
2502	Performance	25-1	CHAPTER 29 PLUMBING SYSTEMS 29-1		
2503	Inspection	25-1	Section		
2504	Vertical and Horizontal Assemblies	25-1	2901	General	29-1
			2902	Minimum Plumbing Facilities	29-1
			2903	Installation of Fixtures	29-6

TABLE OF CONTENTS

CHAPTER 30 ELEVATORS AND CONVEYING SYSTEMS 30-1

Section

3001	General	30-1
3002	Hoistway Enclosures	30-1
3003	Emergency Operations	30-2
3004	Conveying Systems	30-2
3005	Machine Rooms	30-3
3006	Elevator Lobbies and Hoistway Opening Protection	30-3
3007	Fire Service Access Elevator	30-4
3008	Occupant Evacuation Elevators	30-6

CHAPTER 31 SPECIAL CONSTRUCTION 31-1

Section

3101	General	31-1
3102	Membrane Structures	31-1
3103	Temporary Structures	31-2
3104	Pedestrian Walkways and Tunnels	31-3
3105	Awnings and Canopies	31-4
3106	Marquees	31-4
3107	Signs	31-5
3108	Telecommunication and Broadcast Towers	31-5
3109	Swimming Pools, Spas and Hot Tubs	31-5
3110	Automatic Vehicular Gates	31-5
3111	Solar Energy Systems	31-5
3112	Greenhouses	31-5
3113	Relocatable Buildings	31-6
3114	Public Use Restroom Buildings in Flood Hazard Areas	31-6
3115	Intermodal Shipping Containers	31-7

CHAPTER 32 ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY 32-1

Section

3201	General	32-1
3202	Encroachments	32-1

CHAPTER 33 SAFEGUARDS DURING CONSTRUCTION 33-1

Section

3301	General	33-1
3302	Construction Safeguards	33-1
3303	Demolition	33-1
3304	Site Work	33-1

3305	Sanitary	33-2
3306	Protection of Pedestrians	33-2
3307	Protection of Adjoining Property	33-3
3308	Temporary Use of Streets, Alleys and Public Property	33-3
3309	Fire Extinguishers	33-4
3310	Means of Egress	33-4
3311	Standpipes	33-4
3312	Automatic Sprinkler System	33-4
3313	Water Supply for Fire Protection	33-4
3314	Fire Watch During Construction	33-5

CHAPTER 34 RESERVED 34-1

CHAPTER 35 REFERENCED STANDARDS 35-1

APPENDIX A EMPLOYEE QUALIFICATIONS... APPENDIX A-1

Section

A101	Building Official Qualifications...	APPENDIX A-1
A102	Referenced Standards	APPENDIX A-1

APPENDIX B BOARD OF APPEALS APPENDIX B-1

Section

B101	General	APPENDIX B-1
------	---------------	--------------

APPENDIX C GROUP U—AGRICULTURAL BUILDINGS APPENDIX C-1

Section

C101	General	APPENDIX C-1
C102	Allowable Height and Area	APPENDIX C-1
C103	Mixed Occupancies	APPENDIX C-1
C104	Exits	APPENDIX C-1

APPENDIX D FIRE DISTRICTS APPENDIX D-1

Section

D101	General	APPENDIX D-1
D102	Building Restrictions	APPENDIX D-1
D103	Changes to Buildings	APPENDIX D-2
D104	Buildings Located Partially in the Fire District	APPENDIX D-2
D105	Exceptions to Restrictions in Fire District	APPENDIX D-2
D106	Referenced Standards	APPENDIX D-3

**APPENDIX E SUPPLEMENTARY
ACCESSIBILITY
REQUIREMENTS APPENDIX E-1**

Section

E101	General	APPENDIX E-1
E102	Definitions	APPENDIX E-1
E103	Accessible Route	APPENDIX E-1
E104	Special Occupancies	APPENDIX E-1
E105	Other Features and Facilities	APPENDIX E-2
E106	Telephones	APPENDIX E-2
E107	Signage	APPENDIX E-3
E108	Bus Stops	APPENDIX E-4
E109	Transportation Facilities and Stations	APPENDIX E-4
E110	Airports	APPENDIX E-5
E111	Referenced Standards	APPENDIX E-5

**APPENDIX F RODENTPROOFING
APPENDIX L-1**

Section

F101	General	APPENDIX F-1
------	---------------	--------------

**APPENDIX G FLOOD-RESISTANT
CONSTRUCTION APPENDIX G-1**

Section

G101	Administration	APPENDIX G-1
G102	Definitions	APPENDIX G-1
G103	Applicability	APPENDIX G-2
G104	Powers and Duties	APPENDIX G-2
G105	Permits	APPENDIX G-3
G106	Variances	APPENDIX G-3
G107	Subdivisions	APPENDIX G-4
G108	Site Improvement	APPENDIX G-5
G109	Manufactured Homes	APPENDIX G-5
G110	Recreational Vehicles	APPENDIX G-5
G111	Tanks	APPENDIX G-5
G112	Other Building Work	APPENDIX G-6
G113	Temporary Structures and Temporary Storage	APPENDIX G-6
G114	Utility and Miscellaneous Group U	APPENDIX G-6
G115	Referenced Standards	APPENDIX G-7

APPENDIX H SIGNS APPENDIX H-1

Section

H101	General	APPENDIX H-1
------	---------------	--------------

H102	Definitions	APPENDIX H-1
H103	Location	APPENDIX H-1
H104	Identification	APPENDIX H-2
H105	Design and Construction	APPENDIX H-2
H106	Electrical	APPENDIX H-2
H107	Combustible Materials	APPENDIX H-2
H108	Animated Devices	APPENDIX H-2
H109	Ground Signs	APPENDIX H-3
H110	Roof Signs	APPENDIX H-3
H111	Wall Signs	APPENDIX H-3
H112	Projecting Signs	APPENDIX H-3
H113	Marquee Signs	APPENDIX H-4
H114	Portable Signs	APPENDIX H-4
H115	Thickness of Signs	APPENDIX H-4
H116	Referenced Standards	APPENDIX H-4

APPENDIX I PATIO COVERS APPENDIX I-1

Section

I101	General	APPENDIX I-1
I102	Definition	APPENDIX I-1
I103	Exterior Walls and Openings	APPENDIX I-1
I104	Height	APPENDIX I-1
I105	Structural Provisions	APPENDIX I-1

APPENDIX J GRADING..... APPENDIX J-1

Section

J101	General	APPENDIX J-1
J102	Definitions	APPENDIX J-1
J103	Permits Required	APPENDIX J-1
J104	Permit Application and Submittals	APPENDIX J-2
J105	Inspections	APPENDIX J-2
J106	Excavations	APPENDIX J-2
J107	Fills	APPENDIX J-2
J108	Setbacks	APPENDIX J-2
J109	Drainage and Terracing	APPENDIX J-4
J110	Erosion Control	APPENDIX J-4
J111	Referenced Standards	APPENDIX J-4

**APPENDIX K ADMINISTRATIVE
PROVISIONS..... APPENDIX K-1**

Section

K101	General	APPENDIX K-1
K102	Applicability	APPENDIX K-1
K103	Permits	APPENDIX K-1

TABLE OF CONTENTS

K104	Construction Documents	APPENDIX K-2
K105	Alternative Engineered Design. . . .	APPENDIX K-2
K106	Required Inspections	APPENDIX K-2
K107	Prefabricated Construction	APPENDIX K-2
K108	Testing	APPENDIX K-3
K109	Reconnection	APPENDIX K-3
K110	Condemning Electrical Systems. . .	APPENDIX K-3
K111	Electrical Provisions	APPENDIX K-3

APPENDIX L EARTHQUAKE RECORDING INSTRUMENTATION

APPENDIX L-1

Section

L101	General	APPENDIX L-1
------	-------------------	--------------

APPENDIX M TSUNAMI-GENERATED FLOOD HAZARDS . . . APPENDIX M-1

Section

M101	Refuge Structures for Vertical Evacuation from Tsunami-generated Flood Hazards.	APPENDIX M-1
M102	Referenced Standards	APPENDIX M-1

APPENDIX N REPLICABLE BUILDINGS APPENDIX N-1

Section

N101	Administration	APPENDIX N-1
N102	Definitions	APPENDIX N-1
N103	Replicable Design Requirements	APPENDIX N-1
N104	Replicable Design Submittal Requirements	APPENDIX N-1
N105	Review and Approval of Replicable Design.	APPENDIX N-2
N106	Site-specific Application of Approved Replicable Design . . .	APPENDIX N-2
N107	Site-specific Review and Approval of Replicable Design.	APPENDIX N-2

APPENDIX O PERFORMANCE-BASED APPLICATION APPENDIX O-1

Section

O101	General	APPENDIX O-1
------	-------------------	--------------

INDEX INDEX-1

CHAPTER 3

OCCUPANCY CLASSIFICATION AND USE

User note:

About this chapter: Chapter 3 provides the criteria by which buildings and structures are classified into use groups and occupancies. Through the balance of the code, occupancy classification is fundamental in the setting of features of construction; occupant safety requirements, especially building limitations; means of egress; fire protection systems; and interior finishes.

SECTION 301 SCOPE

301.1 General. The provisions of this chapter shall control the classification of all buildings and structures as to occupancy and use. Different classifications of occupancy and use represent varying levels of hazard and risk to building occupants and adjacent properties.

SECTION 302 OCCUPANCY CLASSIFICATION AND USE DESIGNATION

302.1 Occupancy classification. Occupancy classification is the formal designation of the primary purpose of the building, structure or portion thereof. Structures shall be classified into one or more of the occupancy groups specified in this section based on the nature of the hazards and risks to building occupants generally associated with the intended purpose of the building or structure. An area, room or space that is intended to be occupied at different times for different purposes shall comply with all applicable requirements associated with such potential multipurpose. Structures containing multiple occupancy groups shall comply with Section 508. Where a structure is proposed for a purpose that is not specified in this section, such structure shall be classified in the occupancy it most nearly resembles based on the fire safety and relative hazard. Occupied roofs shall be classified in the group that the occupancy most nearly resembles, according to the fire safety and relative hazard, and shall comply with Section 503.1.4.

1. Assembly (see Section 303): Groups A-1, A-2, A-3, A-4 and A-5.
2. Business (see Section 304): Group B.
3. Educational (see Section 305): Group E.
4. Factory and Industrial (see Section 306): Groups F-1 and F-2.
5. High Hazard (see Section 307): Groups H-1, H-2, H-3, H-4 and H-5.
6. Institutional (see Section 308): Groups I-1, I-2, I-3 and I-4.
7. Mercantile (see Section 309): Group M.
8. Residential (see Section 310): Groups R-1, R-2, R-3 and R-4.

9. Storage (see Section 311): Groups S-1 and S-2.

10. Utility and Miscellaneous (see Section 312): Group U.

302.2 Use designation. Occupancy groups contain subordinate uses having similar hazards and risks to building occupants. Uses include, but are not limited to, those functional designations specified within the occupancy group descriptions in Section 302.1. Certain uses require specific limitations and controls in accordance with the provisions of Chapter 4 and elsewhere in this code.

SECTION 303 ASSEMBLY GROUP A

303.1 Assembly Group A. Assembly Group A occupancy includes, among others, the use of a building or structure, or a portion thereof, for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption or awaiting transportation.

303.1.1 Small buildings and tenant spaces. A building or tenant space used for assembly purposes with an *occupant load* of less than 50 persons shall be classified as a Group B occupancy.

303.1.2 Small assembly spaces. The following rooms and spaces shall not be classified as Assembly occupancies:

1. A room or space used for assembly purposes with an *occupant load* of less than 50 persons and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.
2. A room or space used for assembly purposes that is less than 750 square feet (70 m²) in area and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.

303.1.3 Associated with Group E occupancies. A room or space used for assembly purposes that is associated with a Group E occupancy is not considered a separate occupancy.

303.1.4 Accessory to places of religious worship. Accessory religious educational rooms and religious auditoriums with *occupant loads* of less than 100 per room or space are not considered separate occupancies.

303.1.5 Special amusement areas. *Special amusement areas* shall comply with Section 411.

303.2 Assembly Group A-1. Group A-1 occupancy includes assembly uses, usually with fixed seating, intended for the production and viewing of the performing arts or motion pictures including, but not limited to:

- Motion picture theaters
- Symphony and concert halls
- Television and radio studios admitting an audience
- Theaters

303.3 Assembly Group A-2. Group A-2 occupancy includes assembly uses intended for food and/or drink consumption including, but not limited to:

- Banquet halls
- Casinos (*gaming areas*)
- Nightclubs
- Restaurants, cafeterias and similar dining facilities (including associated commercial kitchens)
- Taverns and bars

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 agri-tourism activity as defined by S.C. Code Ann. 46-53-10(1)
- Waiting areas in transportation terminals

303.5 Assembly Group A-4. Group A-4 occupancy includes assembly uses intended for viewing of indoor sporting events and activities with spectator seating including, but not limited to:

- Arenas

- Skating rinks

- Swimming pools*

- Tennis courts

303.6 Assembly Group A-5. Group A-5 occupancy includes assembly uses intended for participation in or viewing outdoor activities including, but not limited to:

- Amusement park structures

- Bleachers*

- Grandstands*

- Stadiums

SECTION 304 BUSINESS GROUP B

304.1 Business Group B. Business Group B occupancy includes, among others, the use of a building or structure, or a portion thereof, for office, professional or service-type transactions, including storage of records and accounts. Business occupancies shall include, but not be limited to, the following:

- Airport traffic control towers

- Ambulatory care facilities*

- Animal hospitals, kennels and pounds

- Banks

- Barber and beauty shops

- Car wash

- Civic administration

- Clinic, outpatient*

- Dry cleaning and laundries: pick-up and delivery stations and self-service

- Educational occupancies for students above the 12th grade including *higher education laboratories*

- Electronic data processing

- Food processing establishments and commercial kitchens not associated with restaurants, cafeterias and similar dining facilities not more than 2,500 square feet (232 m²) in area

- Laboratories: testing and research

- Motor vehicle showrooms

- Post offices

- Print shops

- Professional services (architects, attorneys, dentists, physicians, engineers, etc.)

- Radio and television stations

- Telephone exchanges

- Training and skill development not in a school or academic program (this shall include, but not be limited to, tutoring centers, martial arts studios, gymnastics and similar uses regardless of the ages served, and where not classified as a Group A occupancy)

304.2 Airport traffic control towers. Airport traffic control towers shall comply with Section 412.2.

304.3 Ambulatory care facilities. *Ambulatory care facilities* shall comply with Section 422.

304.4 Higher education laboratories. *Higher education laboratories* shall comply with Section 428.

SECTION 305 EDUCATIONAL GROUP E

305.1 Educational Group E. Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by six or more persons at any one time for educational purposes through the 12th grade.

305.1.1 Accessory to places of religious worship. Religious educational rooms and religious auditoriums, which are accessory to *places of religious worship* in accordance with Section 303.1.4 and have *occupant loads* of less than 100 per room or space, shall be classified as Group A-3 occupancies.

305.2 Group E, day care facilities. This group includes buildings and structures or portions thereof occupied by more than five children older than 2½ years of age who receive educational, supervision or *personal care services* for fewer than 24 hours per day.

305.2.1 Within places of religious worship. Rooms and spaces within *places of religious worship* providing such day care during religious functions shall be classified as part of the primary occupancy.

305.2.2 Five or fewer children. A facility having five or fewer children receiving such day care shall be classified as part of the primary occupancy.

305.2.3 Five or fewer children in a dwelling unit. A facility such as the above within a *dwelling unit* and having five or fewer children receiving such day care shall be classified as a Group R-3 occupancy or shall comply with the *South Carolina Residential Code*.

305.3 Storm shelters in Group E occupancies. *Storm shelters* shall be provided for Group E occupancies where required by Section 423.5.

SECTION 306 FACTORY GROUP F

306.1 Factory Industrial Group F. Factory Industrial Group F occupancy includes, among others, the use of a building or structure, or a portion thereof, for assembling, disassembling, fabricating, finishing, manufacturing, packaging, repair or processing operations that are not classified as a Group H hazardous or Group S storage occupancy.

306.2 Moderate-hazard factory industrial, Group F-1. Factory industrial uses that are not classified as Factory Industrial F-2 Low Hazard shall be classified as F-1 Moderate Hazard and shall include, but not be limited to, the following:

Aircraft (manufacturing, not to include repair)
Appliances
Athletic equipment
Automobiles and other motor vehicles
Bakeries
Beverages: over 16-percent alcohol content
Bicycles
Boats
Brooms or brushes
Business machines
Cameras and photo equipment
Canvas or similar fabric
Carpets and rugs (includes cleaning)
Clothing
Construction and agricultural machinery
Disinfectants
Dry cleaning and dyeing
Electric generation plants
Electronics
Energy storage systems (ESS) in dedicated use buildings
Engines (including rebuilding)
Food processing establishments and commercial kitchens not associated with restaurants, cafeterias and similar dining facilities more than 2,500 square feet (232 m²) in area
Furniture
Hemp products
Jute products
Laundries
Leather products
Machinery
Metals
Millwork (sash and door)
Motion pictures and television filming (without spectators)
Musical instruments
Optical goods
Paper mills or products
Photographic film
Plastic products
Printing or publishing
Recreational vehicles
Refuse incineration
Shoes
Soaps and detergents
Textiles
Tobacco