



Florence County Planning, Building, and Code Enforcement

Re: Agricultural Permit

Dear Permit Holder,

South Carolina Code Of Law Sec. 6-9-65 exempts farm structures from compliance with statewide mandated building codes. You have been issued an agriculture permit based upon information that you have provided to the Building Dept. While we do not impose codes on these projects, we suggest you use modern construction practices to protect your property and yourself. While inspections are not required on such projects, we must make a site visit prior to the installation of electricity to the building, shed, pole, etc. This visit will us attempt to ensure that the electrical work meets minimal safeguards. During this visit, the inspector will need to verify that the work on site meets the work that is described in your application.

State Law

SECTION 6-9-65. Regulation of construction or improvement of farm structure; authority to issue building permits.

(A) For purposes of this section, "farm structure" means a structure which is constructed on a farm, other than a residence or a structure attached to it, for use on the farm including, but not limited to, barns, sheds, and poultry houses, but not public livestock areas. For purposes of this section, "farm structure" does not include a structure originally qualifying as a "farm structure" but later converted to another use.

(B) The governing body of a county or municipality may not enforce that portion of a nationally recognized building code which regulates the construction or improvement of a farm structure. The standards published by the Federal Emergency Management Agency for the National Flood Insurance Program shall apply.

(C) The provisions of this section do not apply unless, before constructing a farm structure, the person owning the property on which the structure is to be constructed files an affidavit with the county or municipal official responsible for enforcing the building code stating that the structure is being constructed as a farm structure. The affidavit must include a statement of purpose or intended use of the proposed structure or addition.

(D) This section does not affect the authority of the governing body of a county or municipality to issue building permits before the construction or improvement of a farm structure.

In accordance with South Carolina of Laws Sec 6-9-65-(A), if at any time the use of such exempt structures changes from agriculture as defined by code, then numerous other codes and regulations will apply. Such a change in use often requires the owner to retain a design professional to review the construction and submit various documentation and plans for the review of this office in accordance with current state codes. At such time, new permits and some retrofitting will likely be needed in order for the building to comply with the codes applicable to the new intended use.

I, _____, have read and acknowledge the information contained herein.
signature

Printed name

date

SECTION 40-11-360. Exemptions from application of chapter.

This chapter does not apply to:

- (1) An entity that installs fire sprinkler systems if the entity is licensed under Chapter 45, Title 23, or burglar and fire alarm systems if the entity is licensed under Chapter 79, Title 40.
- (2) The installation of finished products, materials, or articles of merchandise that are not fabricated into and do not become a permanent fixed part of the structure. Work requiring licensure must be installed by a licensed contractor.
- (3) Construction, alteration, improvement, or repair carried on within the limits of a site, the title to which is in the name United States of America or with respect to which federal law supersedes this chapter.
- (4) Contractors performing construction work for the South Carolina Department of Transportation pursuant to that department's prequalification requirements with the exception of public/private partnerships performing work pursuant to Section 57-3-200.
- (5) An owner of residential property who improves the property or who builds or improves structures or appurtenances on the property if he does the work himself, with his own employees, or with licensed contractors; provided that the structure, group of structures, or appurtenances, including the improvements, are intended for the owner's sole occupancy or occupancy by the owner's family and are not intended for sale or rent, and provided further, that the general public does not have access to this structure. In an action brought under this chapter, proof of the sale or rent or the offering for sale or rent of the structure by the owner-builder within two years after completion or issuance of a certificate of occupancy is prima facie evidence that the project was undertaken for the purpose of sale or rent and is subject to the penalties provided in this chapter. As used in this item, "sale" or "rent" includes an arrangement by which an owner receives compensation in money, provisions, chattel, or labor from the occupancy, or the transfer of the property or the structures on the property.
- (6) An owner of nonowner-occupied property who improves the property or who builds or improves structures of less than five thousand square feet or other appurtenances on the property, either by himself or with the owner's employees, if all structural and mechanical work is performed by licensed contractors if the work to be performed meets the threshold amount in Section 40-11-30 and if the property is not sold for two years after completion of the improvements. For purposes of this item, "structural" means foundation, pier, load-bearing partition, perimeter wall, internal wall exceeding ten feet in height, roof, floor, and any other work deemed by the board to be structural. "Mechanical" means work described in Section 40-11-410(5).
- (7) An owner constructing a farm building or portable storage building with less than five thousand square feet of floor space and used only for livestock or storage.
- (8) Public owners performing all or a portion of any work on a project themselves as long as the work performed falls within the limitations of a License Group 3 General Contractor or a License Group 4 Mechanical Contractor.
- (9) Renovations and maintenance projects of the South Carolina Department of Corrections whereby all labor is supplied from that department's own labor forces.
- (10) The South Carolina Public Service Authority when performing maintenance and renovations to existing facilities and when performing work in accordance with Section 40-11-410(4)(n).
- (11) The installation, repair, or maintenance of signs of billboards; provided, however, an electrical license is required to perform a final connection to a branch circuit conductor. The installation or modification of a branch circuit conductor is not considered a part of the installation, repair, or maintenance of a sign or billboard.