

1979 S.C. Op. Atty. Gen. 54 (S.C.A.G.), 1979 S.C. Op. Atty. Gen. No. 79-38, 1979 WL 29044

Office of the Attorney General

State of South Carolina

Opinion No. 79-38

March 1, 1979

***1 SUBJECT: Mobile Homes—Building Permits**

The license provided by § 31–17–330 is the exclusive means of certifying compliance of mobile homes with the requirements of §§ 31–17–70 and 44–55–80. No other building or construction permit is required for the connection of electricity to the mobile home.

TO: James A. Bell, Esq.
Dorchester County Attorney

QUESTION:

Section 12–43–240 requires that a building permit be obtained before new construction or renovation of an existing structure is made. Section 31–17–70 requires that the building permit be given the supplier of electricity prior to the connection of electricity to a mobile home. The section further provides that certification of certain safety standards be set forth in the permit. Section 44–55–80 further provides that the permit also certify a compliance with certain health and other safety requirements. Are such building construction permits now required before electricity can be connected to a mobile home?

APPLICABLE LAW:

§§ 31–17–330, 31–17–70 and 44–55–80 of the 1976 Code of Laws.

DISCUSSION:

Section 31–17–330 provides in part that:

‘Licenses required by this article shall be in lieu of any building or construction permit now required by local Act or ordinance.’

We have previously advised that the license required by the above provision is the exclusive means of certifying compliance with §§ 31–17–70 and 44–55–80. Such being the case and by reason of the express language above quoted, no building or construction permit is required for a mobile home. If an addition is to be made to the home by construction, in example, a garage, a porch, another bedroom, et cetera, the building or construction permit would be required for that purpose. Otherwise, there would be no means of certifying compliance of the requirements of § 44–55–80.

CONCLUSION:

The license provided by § 31–17–330 is the exclusive means of certifying compliance of mobile homes with the requirements of §§ 31–17–70 and 44–55–80. No other building or construction permit is required for the connection of electricity to the mobile home.

Joe L. Allen, Jr.
Deputy Attorney General

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