



Catherine E. Heigel, Director

*Promoting and protecting the health of the public and the environment*

## MEMORANDUM

TO: Coastal Counties and Municipalities

FROM: Sara Pendarvis Bazemore, Deputy Director *SPB*  
Ocean and Coastal Resource Management  
South Carolina Department of Health and Environmental Control

DATE: August 19, 2015

RE: **Construction Standards for Public Beach Access and Dune Walkway Structures**

This memo is intended to address recent inquiries from coastal municipalities regarding compliance with the Americans with Disabilities Act (ADA), International Building Code (IBC) and state Coastal Zone Management regulations as they pertain to beach access facilities, specifically material requirements for handrails. If properly constructed, public beach access facilities, including dune walkway structures, may satisfy each of these enforceable provisions concurrently. It is important to note that while the ADA and the IBC set forth requirements for handrail dimension, design and installation height relative to walking surfaces and stairs, neither the ADA nor the IBC require that non-wood material be used. **23A S.C. Code Ann. Regs. 30-13(O)(1)(a) requires that all components of the dune walkway within state regulatory jurisdiction must be constructed of wood.** The use of non-wooden material for handrails violates R. 30-13(O)(1)(a) and may result in administrative compliance and/or enforcement action by DHEC.

Dune walkways may be constructed without a permit if they are built according to the following project standards.

Walkways over dunes, as provided for in §48-39-130(D)(5) and R. 30-13(O)(1), shall meet the following requirements:

- (a) All components must be constructed of wood;
- (b) Have a maximum width of six feet;
- (c) Conform with the contour of the dunes with a 2 foot vertical clearance between the surface of the dune and top of the walkway;
- (d) Displace no sand in a critical area;
- (e) Be constructed with as little environmental damage as possible;
- (f) Not be located within fifty feet of another walkway on the same parcel of property;
- (g) Be limited to no more than one of these structures per lot unless a limit of one would cause an unnecessary hardship as determined by the Department.
- (h) Be shore perpendicular, except as necessary for handicapped access.

Guidance for ADA compliant handrails:

<http://www.ada.gov/regs2010/2010ADAStandards/2010ADAstandards.htm#pgfId-1006316>

Guidance for IBC compliant handrails can be found here:

[http://publicecodes.cyberregs.com/icod/ibc/2012/icod\\_ibc\\_2012\\_10\\_sec012.htm](http://publicecodes.cyberregs.com/icod/ibc/2012/icod_ibc_2012_10_sec012.htm)

**The preservation and enhancement of public beach access is a cornerstone of our State's Coastal Zone Management Program. Thank you for your efforts to provide and maintain public beach access within your communities.**