

COMMONWEALTH OF KENTUCKY
COUNTY OF BULLITT
ORDINANCE NO. 13-02

AN ORDINANCE AMENDING ORDINANCE NO. 11-28 RELATING TO THE CREATION OF THE BULLITT COUNTY DEPARTMENT OF CODE ENFORCEMENT AND THE ENFORCEMENT OF THE KENTUCKY BUILDING CODE AND THE KENTUCKY RESIDENTIAL CODE.

WHEREAS, the Bullitt County Fiscal Court desires to ensure the safety and security of homes and other structures which are constructed in Bullitt County, and the persons who occupy and utilize same; and

WHEREAS, KRS 198B.060 (1) requires Bullitt County to employ sufficient code enforcement personnel to enforce the Uniform State Building Code, as adopted by the Kentucky Board of Housing, Buildings and Construction, and further requires that all buildings constructed in Bullitt County be built in compliance with said Uniform State Building Code, and permits the application of said Uniform State Building Code to single-family residences by ordinance; and

WHEREAS, KRS 198B.060 (2) grants to local governments the responsibility for the examination and approval or disapproval of plans and specifications for certain churches and certain other buildings, and for the issuance of and revocation of building permits, licenses, and certificates for same, as well as the responsibility to inspect all buildings pursuant to the provisions of KRS Chapter 198B and the Uniform State Building Code; and

WHEREAS, it is the intention and desire of the Bullitt County Fiscal Court to cooperate with the Kentucky Board of Housing, Buildings and Construction, pursuant to KRS 198B.050; and

WHEREAS, safe and practical minimum standards for the installation, alteration and use of electrical equipment, including wiring and apparatus are contained in the Kentucky Building Code;

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF BULLITT, COMMONWEALTH OF KENTUCKY:

Section 1. Definitions

THAT the definitions of terms as set forth in KRS 198B.010 are adopted to the extent necessary for the interpretation, application or enforcement of the provisions of this Ordinance.

Section 2. Enforcement of the Kentucky Building and the Kentucky Residential Codes

THAT the *Kentucky Building Code* and the *International Building Code*, as promulgated in 815 KAR 7:120 by the Kentucky Board of Housing, Buildings and Construction, Commonwealth of Kentucky, including all periodic amendments thereto, and the *Kentucky Residential Code* and the *International Residential Code*, as promulgated in 815 KAR 7:125 by the Kentucky Board of Housing, Buildings and Construction, including all periodic amendments thereto, are to be enforced on all building construction in Bullitt County as an Ordinance of the County of Bullitt, Commonwealth of Kentucky as if set out at length herein.

THAT a copy of said *Kentucky Building Code*, *International Building Code*, *Kentucky Residential Code*, and *International Residential Code*, together with a copy of all other

rules and regulations adopted or referenced there under, shall be on file in the Office of the Bullitt County Clerk, and the Clerk shall at all times keep a copy of said building codes for reference.

Section 3. Designated Enforcement Officer

THAT the Bullitt County Department of Code Enforcement is hereby created for the purpose of enforcing the standards and provisions set forth under the Kentucky Building Code and the Kentucky Residential Code.

THAT the Fiscal Court of Bullitt County shall designate the local enforcement agent(s) necessary to operate the Department of Code Enforcement. All inspections shall be performed by persons who are certified by the Kentucky Board of Housing, Buildings and Construction and employed by the Department of Code Enforcement of Bullitt County, Kentucky.

THAT applicable policies and procedures, as well as staffing and offices for the Department of Code Enforcement shall be established by the Fiscal Court of Bullitt County.

Section 4. Extended Application

THAT the application of the Kentucky Building Code and the Kentucky Residential Code is extended to require permits, inspections and certificates of occupancy for the construction or alteration of all single-family dwellings constructed or to be constructed in Bullitt County, as authorized by KRS 198B.060(1).

Section 5. Plan Review and Inspection Fees for Bullitt County Code Enforcement

GENERAL: A permit to begin work for new construction, alteration, removal or other building operations shall *not* be issued until the fees prescribed by law shall have been paid to the department, if applicable, and to the local building department. If an amendment to a permit necessitates an additional fee because of an increase in the estimated cost of the work involved, the permit shall not be approved until the additional fee has been paid.

PAYMENT OF FEES: Payment of fees for construction, alteration or removal, and for all work done in connection with or concurrently with the work contemplated by a building permit shall not relieve the applicant or holder of the permit from payment of other fees that may be prescribed by law or ordinance for water taps, sewer connections, electrical permits, HVAC permits, erection of signs and display structures, marquees or other appurtenant structures, or fees of inspections or certificates of occupancy or other privileges or requirements established by law.

JURISDICTION: The fees for plan examination and inspection functions required by the department are attached to this Ordinance as Exhibit 1. Changes to Exhibit 1 may be made from time-to-time so that the fee schedule reflects that within the most current edition of the Kentucky Building Code provided they are approved by Fiscal Court.

FEE SCHEDULE: The fees shall be paid in accordance with the Fee Schedule set forth in the Kentucky Building Code current at the time application is made to the department. The current fee schedule is attached hereto as Exhibit 1. Changes to Exhibit 1 may be

made from time-to-time so that the fee schedule reflects that within the most current edition of the Kentucky Building Code provided they are approved by Fiscal Court.

Section 6 Hindrance of Building Inspectors Prohibited

THAT no person shall hinder an inspector acting as an agent of the Bullitt County Department of Code Enforcement in the performance of his or her lawful duties in enforcing any of the provisions of this Ordinance.

Section 7 Penalties

THAT any person who violates the provisions of Section 6 of this Ordinance or of the Kentucky Building Code or Kentucky Residential Code as is applied by this Ordinance, shall be fined not less than ten dollars (\$10.00) not more than one thousand dollars (\$1,000.00). Each day a particular violation continues shall constitute a separate offense.

Section 8 Interpretation and Application

THAT this Ordinance shall be interpreted and applied in a manner that is consistent with the provisions of KRS Chapter 198B, including all Administrative Regulations issued pursuant thereto, and so as to implement and carry out the duties and privileges of Bullitt County as set forth therein.

Section 9 Inconsistent Ordinances Repealed

THAT all Ordinances which are hereafter found or are determined to be in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 10 Severability

THAT should any part or section of this Ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, all other parts or sections of this Ordinance which are not found to be unconstitutional or otherwise invalid shall survive and remain in full force and effect.

Section 11 Effective Date

THAT this Ordinance shall take effect and be in full force upon passage and publication.

Given First Reading at a Regular Meeting of the Fiscal Court of Bullitt County, Kentucky on the 18th day of December, 2012.

Given a Second Reading and Passed at a Special Meeting of the Fiscal Court of Bullitt County, Kentucky on the 2nd day of January, 2013.

BULLITT COUNTY FISCAL COURT

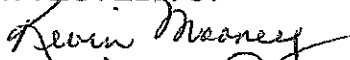



MELANIE J. ROBERTS
BULLITT COUNTY JUDGE/EXECUTIVE

01-02-13

DATE

ATTESTED TO:

KEVIN MOONEY
BULLITT COUNTY CLERK

APPROVED AS TO LEGALITY AND FORM:



MONICA MEREDITH ROBINSON
BULLITT COUNTY ATTORNEY
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P.O. Box 1446
SHEPHERDSVILLE, KY 40165