

ORDINANCE NO. 2015- 5

AN ORDINANCE ADOPTING THE KENTUCKY BUILDING CODE
AND THE KENTUCKY RESIDENTIAL CODE

WHEREAS, the City of Ferguson by ordinance No. 2003-5, passed on February 2, 2004, adopted the Kentucky Residential Code, established a schedule of fees and directed the mayor to appoint an official to enforce said codes, issue permits and to make inspections within the city;

WHEREAS, the City Council, authorizes the Mayor to contract for similar services to be performed by an independent license building inspector;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FERGUSON, KENTUCKY:

SECTION 1. ADOPTION OF THE KENTUCKY BUILDING CODE

The City of Ferguson does hereby adopt the Kentucky Building Code, as promulgated in 815 K.A.R. 7:010, 7:020, and 7:030 by the Kentucky Board of Housing, Building, and Construction, in full, the same as if set out at length herein.

SECTION 2: ADOPTION OF THE KENTUCKY RESIDENTIAL CODE

The City of Ferguson does hereby adopt the Kentucky Residential Code and require a Residential Building Inspection that complies with Kentucky Building Code.

SECTION 3: APPOINTMENT OF A BUILDING OFFICIAL

The mayor shall appoint, subject to approval of the city council, a building official as defined in KRS 227.489 and who shall be the chief enforcement officer of the Kentucky Building Code. The building official and inspector shall be responsible for approval or disapproval of plans and specifications and for the issuance or revocation of building permits to insure compliance with the Kentucky Building Code. Buildings requiring permits and inspection shall be those described in KRS 198B.060 (2).

SECTION 4: ELECTRICAL INSPECTIONS

The individual requiring the inspection shall contract with a third party to be the electrical inspector for the individual and said electrical inspector shall insure compliance with all provisions contained in Article 15 of the Kentucky Building Code. The fee for electrical inspections shall be an amount not to exceed the maximum charge set forth in the attached schedule. The fees for electrical inspections shall be paid to the third party who shall be responsible for maintaining all records.

SECTION 5: APPOINTMENT OF BLUEGRASS BUILDING INSPECTIONS

The issuance of licenses, approval or disapproval of plans, inspections of construction, issuance

of certificates of occupancy and all other measures regarded in the administration of the Kentucky Building Code shall be performed by Bluegrass Building Inspections.

The Bluegrass Building Inspections shall be entitled to the building permit fees which are stated in their contract of services and which is approved by the City Council. The service shall maintain its own office and supplies and shall be responsible for making such reports as may be required by the Commonwealth of Kentucky.

SECTION 6: BUILDING PERMITS

Building permits shall be issued by the building official and inspector or his/her designees.

SECTION 7: MAINTENANCE OF BUILDING CODES

A copy of the Kentucky Building Code and the Kentucky Residential Code, together with all other stated regulations and applicable codes shall be kept in the office of the city clerk and available at all times for reference by the general public.

SECTION 8: APPEAL BOARD

The City of Ferguson may, at its option, create an appeal board to hear appeals from decisions of the local building official and inspector. This board shall consist of three (3) technically qualified persons with professional experience related to building construction and the members shall be appointed by the mayor, subject to the approval of the city council, and shall serve four (4) year terms. In the absence of such a board, appeals shall be handled as set forth in KRS 198B.070.

SECTION 9: COPY PROVIDED TO STATE

An attested copy of this ordinance shall be transmitted to the Kentucky Department of Housing, Building and Construction.

SECTION 10: CONFLICTING ORDINANCES REPEALED

All ordinances or parts of ordinances in conflict herewith are, to the extent of said conflict, hereby repealed.

SECTION 11: ENACTING CLAUSE

This ordinance shall take effect immediately upon its passage and publication according to the laws of the State of Kentucky.

The following fees shall take effect as of the date of passage of this ordinance:

TABLE 121.3.1

**DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION FEE
SCHEDULE**

OCCUPANCY TYPE	NEW COST PER SQ. FOOT
Assembly	16 cents
Business	15 cents
Day Care Centers	15 cents
Educational	15 cents
High Hazard	16 cents
Industrial Factories	15 cents
Institutional	16 cents
Mercantile	15 cents
Residential	15 cents
Storage	15 cents
Utility and Misc.	13 cents
Minimum Architectural Fee:	\$285.00
Additions Fee:	\$285.00
Charge in Use Fee:	\$285.00
Cost of Renovation Fee Factor:	\$.0030

SECTION 12: NEW CONSTRUCTION

The plan review fees for new buildings shall be calculated by multiplying the total building area under construction by the cost per square foot of each occupancy type as listed in table 121.3.1. The total square footage shall be determined by the outside dimensions of the building. The minimum fee for review of plans under this section shall be \$285. The fee for buildings with multiple or mixed occupancies may be calculated using the cost per square foot multiplier of the predominant use.

SECTION 13: ADDITIONS TO EXISTING BUILDINGS

Plan review fees for additions to existing buildings, which do not require the entire building to conform to the Kentucky Building Code, shall be calculated in accordance with Table 121.3.1 by the measurement of the square footage of the addition, as determined by the outside dimensions of the addition. The minimum fee for review of plans under this section shall be \$285.

SECTION 13: CHANGE IN USE

Plan review fees for existing buildings in which the group or occupancy type is changed shall be calculated in accordance with table 121.3.1 by using the total square footage of the entire building or structure under the new occupancy type as determined by the outside dimensions. The minimum fee for review of plans under this section shall be \$285.

SECTION 14: ALTERATIONS AND REPAIRS

Plan review fees for alterations and repairs not otherwise covered by this fee schedule shall be calculated by multiplying the cost for the alterations or repairs by \$0.0030; or calculated by multiplying the total area being altered or repaired by the cost per square foot of each occupancy type as listed in Table 121.3.1, whichever is less. The total square footage shall be determined by the outside dimensions of the area being altered or repaired. The minimum fee for review of plans under this section shall be \$285.

This ordinance shall take effect after its passage and upon publication.

FIRST READING: 12/7/15

SECOND READING: 2/1/16

PUBLICATION: _____

Allen R. Dobbs

ALLEN R. DOBBS, Mayor

ATTEST: Debbie Lake
DEBBIE LAKE, CLERK