

ORDINANCE NO.20-07

AN ORDINANCE RELATING TO 815 KAR 7:120 KENTUCKY BUILDING CODE and 815 KAR 7:125 KENTUCKY RESIDENTIAL CODE, AS ADOPTED BY THE DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION OF THE COMMONWEALTH OF KENTUCKY

Be it ordained by the Council of the City of Somerset as follows:

WHEREAS, KRS 198B.060(1), requires that all buildings constructed in The City of Somerset shall be built in compliance with the uniform state building code as adopted by the Department of Housing, Buildings and Construction; and

WHEREAS, KRS 198B.060(1) authorizes any city, county or urban government to require, by ordinance, permits, inspections and certificates of occupancy for single family dwellings; and

WHEREAS, KRS 198B.060(11) requires the local government to employ or contract for or with electrical inspection services; and

WHEREAS, KRS 198B.060(1) and 815 KAR 7:070 require a certified building inspector and other code enforcement personnel as necessary for inspection and code enforcement services;

WHEREAS; 198B.060(18) authorizes each local government to establish a schedule of fees which are designed to cover the cost of the service performed but not to exceed such cost;

NOW, therefore, BE IT ORDAINED by the COUNCIL of THE CITY OF SOMERSET, COMMONWEALTH OF KENTUCKY:

Section 1. ADOPTION OF THE KENTUCKY BUILDING CODE.

THAT, the KENTUCKY BUILDING CODE, promulgated in 815 KAR 7:120 and the KENTUCKY RESIDENTIAL CODE promulgated in 815 KAR 7:125 by the Department of Housing, Buildings and Construction, Commonwealth of Kentucky, are to be enforced by the City of Somerset of the Commonwealth of Kentucky as if set out at length herein;

THAT, a copy of said Kentucky Building Code and the Kentucky Residential Code is on file in the Office of the Somerset Clerk, and the Clerk shall at all times keep a copy of said building code for reference;

THAT, a copy of this Ordinance shall be transmitted to the Department of Housing, Buildings and Construction of the Commonwealth of Kentucky.

SECTION 2. DESIGNATED ENFORCEMENT OFFICER.

THAT, the CITY OF SOMERSET, shall be designated as the local enforcement agency for said Kentucky Building Code. All building code inspections shall be performed by persons certified by the Kentucky Department of Housing, Buildings and Construction. All electrical inspections shall be performed by persons certified by the Kentucky Department of Housing, Buildings and Construction. All electrical inspections shall be performed by persons certified by the Kentucky Department of Housing, Buildings and Construction as an electrical inspector.

SECTION 3. BUILDING INSPECTION PROGRAM.

THAT, pursuant to KRS 198B.060(8), a building inspection program is hereby in The City of Somerset for application to all buildings subject to 815 KAR 7:120 Kentucky Building Code.

THAT, the building inspection program, of The City of Somerset shall include plan review and inspections of structures subject to 815 KAR 7:125 Kentucky Residential Code.

SECTION 4. PERMITS AND FEES

THAT, the fees for permits and inspections shall be as provided for in the attached schedule.

SECTION 5. INCONSISTENT ORDINANCES REPEALED.

THAT, all ordinances or parts of ordinances in conflict herewith are to the extent of such conflict, hereby repealed.

SECTION 6. EFFECTIVE DATE.

THAT, this resolution shall take effect and be in full force when passed, published and recorded according to law.

Date of First Reading March 9, 2020

Date of Passage APRIL 27, 2020



MAYOR, ALAN KECK

ATTEST:



CLERK, NICK BRADLEY



PUBLIC PROTECTION CABINET
Department of Housing, Buildings and Construction
Division of Building Codes Enforcement
 101 Sea Hero Road, Suite 100
 Frankfort, Kentucky 40601-5412

2018 KBC PLAN REVIEW FEE WORKSHEET

(PLAN REVIEW FEES ARE NOT REQUIRED FOR PROJECTS THAT INVOLVE PLUMBING ONLY)

FEE PAID BY: _____ **PH.** (____) _____ - _____

COMPANY: _____

MAILING ADDRESS: _____

CITY/ STATE/ ZIP: _____

FOR: _____

BUSINESS NAME: _____

PROJECT NAME: _____

STREET NAME: _____

CITY: _____ **COUNTY** _____

(Please indicate if inside the city limits, **YES** or **NO**)

CALCULATING YOUR FEE

When calculating the total (gross) area, please use the outside dimensions of the structure. Include the area of all usable floor space, mezzanine levels, basements and all areas within horizontal projection of the roof.

NEW CONSTRUCTION OR CHANGE OF USE:

Cost per square foot: _____ X total area _____ = **FEE** \$ _____
 (SEE FEE SCHEDULE)

Fast Track Fee for site and foundation only (add 50% but not less than \$400.00) = **FEE** \$ _____

ADDITIONS TO EXISTING BUILDINGS:

Cost per square foot: _____ X total area of addition _____ = **FEE** \$ _____
 (SEE FEE SCHEDULE)

Fast Track Fee for site and foundation only (add 50% but not less than \$400.00) = **FEE** \$ _____

ALTERATIONS OR REPAIRS:

.0030 X cost of alterations \$ _____ or same as **NEW CONSTRUCTION**, whichever is less = **FEE** \$ _____

TOTAL FEE FOR THIS SECTION \$ _____

The minimum fee for review of plans under this section shall be two hundred and eighty-five dollars. **(\$285)**.

Include the following specialized fees only when the plans for the specialized system accompany payment.
 See **FEE SCHEDULE** on reverse side for specialized fees.

Sprinkler Fee	_____	Clean Agent Suppression Fee	_____
Fire Detection Fee	_____	Commercial Range Hoods	_____
Standpipe Fee	_____	Dry Chemical Systems	_____
CO ² Suppression Fee	_____	Haz. Materials Tank Fee	_____
Foam Suppression Fee	_____	TOTAL SPECIALIZED FEES	_____

When submitting plans, please include one copy of the worksheet, the required number of plans and your check, *rounded to the nearest dollar*, made payable to the **Kentucky State Treasurer**. To ensure proper credit, the **name and location** of the project must be indicated on the check and plans.



2018 KENTUCKY BUILDING CODE

SECTION 121 PLAN REVIEW AND INSPECTION FEES

121.1 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.

121.2 Special 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 the payment of other fees that may be prescribed by law or ordinance for water taps, sewer connections, electrical 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.

121.3 State jurisdiction. The fees for plan examination and inspection functions required by the Department of Housing, Buildings and Construction shall be as prescribed in Sections 121.3.1 through 121.3.16, as applicable.

121.3.1 Fee schedule. The fees shall be paid in accordance with Table 121.3.1

**Table 121.3.1
OFFICE OF HOUSING FEE SCHEDULE**

OCCUPANCY TYPE	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 Miscellaneous	13 Cents
Production greenhouses	10 Cents

121.3.1.1 Fast track elective. For permit applicants seeking early site and foundation approval prior to full review of complete set of construction documents, the fee shall be that as calculated from Table 121.3.1 plus 50 percent of the full fee. The additional 50 percent fee shall not be less than \$400 and not more than \$3,000. The entire fee shall be paid at the time of the initial plans submission.

121.3.2 Submission of plans and fees. All plans and specifications required to be submitted to the *Department* shall be accompanied by the applicable fee as set forth herein, rounded to the nearest dollar.

121.3.3 Method of payment. All fees shall be submitted to the *Department*. Checks shall be made payable to the Kentucky State Treasurer.

121.3.4 Construction approval. Approval for construction shall not be issued by the Department until all required fees have been paid.

121.3.5 New construction. Departmental 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. Total square footage of the building shall be determined by the outside dimensions of the building. Minimum fee for review of plans under this section shall be \$285. The fee for buildings with multiple or mixed occupancies may be calculated by using the cost per square foot multiplier of the predominant use.

121.3.6 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 measurements of the square footage of the *addition*, as determined by the total *building area* of the *addition*. Minimum fee for the review of plans under this section shall be \$285.

121.3.7 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 total building area of that portion affected by the change of use. Minimum fee for review of plans under this section shall be \$285.

121.3.8 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.

121.3.9 Specialized fees. In addition to the above fees, the fees in Table 121.3.9 shall be applied for the specialized plan reviews listed.

**Table 121.3.9
AUTOMATIC SPRINKLER REVIEW FEE TABLE**

NUMBER OF SPRINKLERS	FEE
4 – 025	\$150
026-100	\$200
101-200	\$250
201-300	\$275
301-400	\$325
401-750	\$375
OVER 750	\$375 plus 30 cents per sprinkler over 750

121.3.10 Fire detection system review fee. Up to 20,000 square feet shall be \$275; over 20,000 square feet shall be \$275 plus \$30 for each additional 10,000 square feet in excess of 20,000 square feet.

121.3.11 Standpipe review fee. \$275 (combination standpipe and riser plans shall be reviewed under the automatic sprinkler review fee schedule).

121.3.12 Carbon dioxide suppression review fee. One to 200 pounds of agent shall be \$275, over 200 pounds of agent shall be \$275 plus 5 cents per pound in excess of 200 pounds.

121.3.13 Clean agent suppression system review fee. Up to 35 pounds of agent shall be \$275; over 35 pounds shall be \$275 plus 10 cents per pound in excess of 35 pounds. The fee for gaseous systems shall be 10 cents per cubic foot and not less than \$275.

121.3.14 Foam suppression system review fee. 50 cents per gallon of foam concentrate where the system is not part of an *automatic sprinkler system*. Foam suppression system plans that are submitted as part of an *automatic sprinkler system* shall be reviewed under the *automatic sprinkler system* review fee schedule. The fee for review of plans under this section shall not be less than \$275 or more than \$1,500.

121.3.15 Commercial range hood review fee. \$225 per hood including range hood extinguishing system review when those plans are submitted together.

121.3.15.1 Commercial range hood extinguishing system review fee. \$150 per system when the range hood extinguishing system is submitted separate from the range hood system.

121.3.16 Dry chemical systems review fee (except range hoods). One to 30 pounds of agent shall be \$275; over 30 pounds of agent shall be \$275 plus 25 cents per pound in excess of 30 pounds.

121.3.17 Spectator seating system review fee. Seating systems having up to 1,000 seats shall be \$275; over 1,000 seats shall be \$275 plus \$20 for each additional 200 seats in excess of 1,000 seats. The total number of seats in seating systems without dividing arms shall be calculated at 18 inches per seat as required by Section 1004.1.1 of this code.