

**COMMONWEALTH OF KENTUCKY
SHELBY COUNTY FISCAL COURT
ORDINANCE NO. 03-04-01, SERIES 2025**

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE
CODE OF ORDINANCES OF THE COUNTY OF SHELBY, KENTUCKY**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 2024 supplement to the Code of Ordinances of the County of Shelby, which supplement contains all ordinances of a general nature enacted since the prior supplement to the Code of Ordinances of this municipality; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make references to sections of the Kentucky Revised Statutes;

WHEREAS, it is the intent of legislative authority to accept these updated sections in accordance with the changes of the law of the Commonwealth of Kentucky;

NOW, THEREFORE, BE IT ORDAINED by the County of Shelby.

SECTION 1. That the 2024 supplement to the Code of Ordinances of the County of Shelby, Kentucky, as submitted by American Legal Publishing Corporation of Cincinnati, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

SECTION 2. That this ordinance shall take effect and be in force from and after its date of passage, approval and publication as required by law.

INTRODUCED, SECONDED AND GIVEN A FIRST READING AND APPROVAL, at a duly convened meeting of the Shelby County Fiscal Court held on the 18th of February 2025.

INTRODUCED, SECOND AND GIVEN A SECOND READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal Court held on the 4th day of March 2025.



DAN ISON
Shelby County Judge Executive

Attest:



Tony Harover
Shelby County Clerk

DOCUMENT NO: 547139
RECORDED: March 05, 2025 10:41:00 AM
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COUNTY CLERK: TONY HAROVER
DEPUTY CLERK: LISA VICK
COUNTY: SHELBY COUNTY
BOOK: 02023 PAGES: 409 - 409

SHELBY COUNTY, KENTUCKY
Instruction Sheet
2025 S-16 Supplement

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SHELBY COUNTY, KENTUCKY

CODE OF ORDINANCES

2025 S-16 Supplement contains:

Local legislation current through Ord. 07-02-05, passed 7-2-2024

State legislation current through 2024

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NOW, THEREFORE, BE IT ORDAINED by the County of Shelby.

SECTION 1. That the 2023 supplement to the Code of Ordinances of the County of Shelby, Kentucky, as submitted by American Legal Publishing Corporation of Cincinnati, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

SECTION 2. That this ordinance shall take effect and be in force from and after its date of passage, approval and publication as required by law.

INTRODUCED, SECONDED AND GIVEN A FIRST READING AND APPROVAL, at a duly convened meeting of the Shelby County Fiscal Court held on the 20th day of February 2024.

INTRODUCED, SECONDED AND GIVEN A SECOND READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal Court held on the 5th day of March 2024.

Dan Ison /s/
Dan Ison
Shelby County Judge/Executive

Attest:

Tony Harover /s/
Tony Harover
Shelby County Clerk

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§ 97.01 TITLE, AUTHORITY, PURPOSE, AND JURISDICTION.

(A) *Title.* This chapter shall be known as the "Shelby County Road Encroachment Permit Ordinance" of Shelby County, Kentucky, and may be so cited officially.

(B) *Authority.* This chapter is adopted pursuant to the statutory authority granted to Kentucky counties within KRS Chapter 67 and Chapter 100.

(C) *Purpose.* In general, the purpose of this chapter is to protect the health, safety, and welfare of Shelby County citizens. This includes, but is not limited to, the following:

- (1) Ensuring that any roads, driveways, or other vehicle accesses that abut upon a county road comply with applicable engineering design and construction standards;
- (2) Ensuring all lane and/or road closures associated with road encroachments provide adequate and appropriate traffic management and signage.
- (3) Establishing procedures by which the requirements of this chapter will be enforced.

(D) *Jurisdiction.* The Shelby County Road Encroachment Permit Ordinance shall govern all unincorporated properties within the jurisdictional boundaries of Shelby County, and all incorporated areas within the boundaries of Shelby County in which the incorporated areas have passed a resolution. (Ord. 07-02-05, passed 7-2-2024)

§ 97.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COUNTY. An authorized representative or designee of the Shelby County Fiscal Court (government) including, but not limited to, the Shelby County Road Supervisor or an authorized representative of the Shelby County Road Department (including an authorized contractor acting as a representative of the Shelby County Road Supervisor).

PERSON. Any individual, trust, firm, joint stock company, corporation (including government corporation), partnership, association, federal agency, state agency, city, commission, political subdivision of the Commonwealth, interstate body, or other legal entity.
(Ord. 07-02-05, passed 7-2-2024)

§ 97.03 APPLICABILITY.

This chapter shall apply to any person that desires to conduct any of the following activities:

(A) Create or construct any new (temporary or permanent) road, alley, driveway, or other vehicle access in the county right-of-way.

(B) Improve or modify any existing road, alley, driveway, or other vehicle access in the county right-of-way.

(C) Close any portion of a county road (i.e., lane closure, road closure) or obstruct any portion of the county right-of-way as a result of activities outlined in this section.
(Ord. 07-02-05, passed 7-2-2024)

§ 97.04 EXEMPTIONS.

There are no exemptions for this chapter.
(Ord. 07-02-05, passed 7-2-2024)

§ 97.05 RELATIONSHIPS AND CONFLICTS.

(A) Compliance with the requirements outlined in this chapter does not constitute compliance with the requirements of other federal, state, county, or city ordinances and regulations. It is the sole responsibility of each person that desires to conduct any of the activities outlined in § 97.03 to determine which federal, state, county, and city ordinances and regulations apply to their construction activities. It is also the sole responsibility of each person to ensure compliance with all federal, state, county, and city ordinances and regulations prior to conducting activities.

(B) Where the requirements outlined in this chapter are found to conflict with the requirements outlined in other applicable county ordinances and regulations, the more conservative (i.e., restrictive) requirement shall apply.

(Ord. 07-02-05, passed 7-2-2024)

§ 97.06 ADMINISTERING AUTHORITIES OF SHELBY COUNTY.

(A) *Request, receipt, and consideration of information.* The county shall have the right to request, receive, and consider information submitted by any person.

(B) *Permit review.* The county shall have the right to review, evaluate, return for revision, deny, and/or approve all information, plans, and calculations associated with this chapter.

(C) *Right-of-entry.* The county shall have the right-of-entry to or upon the location in which the activities are to be conducted with or without notice. The county shall be provided access to all parts of the location subject to this chapter for the purposes of assessment, inspection, and performance of other duties necessary to determine compliance with this chapter.

(D) *Assessments, inspection, surveillance, and monitoring.* The county shall have the right to carry out all assessments, inspections, surveillance, and monitoring activities necessary to determine compliance with this chapter and conditions outlined in approved plans and permits.

(E) *Standards and specifications.* Shelby County Fiscal Court shall have the right to adopt standards, regulations, requirements, and specifications related to any activities listed in this chapter including, but not limited to, Best Management Practices (BMPs), plan review, inspections, construction design, and construction practices.

(F) *Fees.* Shelby County Fiscal Court shall have the right to adopt a fee schedule, collect fees, and distribute fees for activities associated with the receipt, review, issuance, and oversight of permits outlined in this chapter including, but not limited to, permit review, site assessments, site inspections, and sight-distance assessment.

(G) *Enforcement.* The county shall have the right to enforce compliance with the content of this chapter and approved permits. Enforcement of the chapter may include but is not limited to, issuance of a notice of violation, issuance of a stop work order, issuance of a citation, assessment of a civil penalty, and/or revocation of any permit approval granted under this chapter.

(Ord. 07-02-05, passed 7-2-2024)

§ 97.07 ROAD ENCROACHMENT PERMIT REQUIREMENTS.

(A) Any person that desires to conduct any of the activities outlined in § 97.03 shall obtain a road encroachment permit from the County Road Department prior to conducting the activities within the county right-of-way.

(B) Application for a road encroachment permit shall be made on the form prescribed by the county. The application shall be filled out in its entirety and shall contain all of the information required by the county for the type of activity being conducted. Depending on the scope of work, information required by the county may include, but not be limited to, the following: contact information and address of the person applying for the permit, activity location, location of approximate property boundaries, location of county right-of-way, location of other existing utilities in the area, road construction details, driveway construction details, restoration plans for any ditches, culverts, or other stormwater facilities affected within the right-of-way, location of any erosion protection and sediment control Best Management Practice (BMP) used for associated activities, and temporary traffic control plan and signage for lane and road closures.

(C) A road encroachment permit application fee shall be required for every application. This includes any re-application for expired permits.
(Ord. 07-02-05, passed 7-2-2024)

§ 97.08 STANDARDS, REQUIREMENTS, AND CRITERIA.

The following standards, requirements, and criteria shall be included, used, and/or satisfied within all road encroachment permits (temporary and permanent) and associated plans, and details.

(A) *Best Management Practices (BMPs)*. Unless otherwise noted in this chapter, where temporary or permanent BMPs are planned or implemented, they shall comply with the requirements outlined in the latest edition of the "Kentucky Erosion Prevention and Sediment Control Field Guide" and the "Best Management Practices (BMP) Manual for Controlling Erosion, Sediment, and Pollutant Runoff from Construction Sites" as published by the Kentucky Transportation Center and Kentucky Division of Water. This shall also include related documents published and distributed by the county with regards to Best Management Practices (BMPs). BMPs designed to other standards or requirements may be considered on a case-by-case basis by the county.

(B) *Roadside ditch drainage culvert*. A culvert or other method of drainage shall be installed, unless the county determines that no culvert or other method of drainage is necessary. If a culvert or other method for drainage is required, it shall be sized no smaller than a 15-inch diameter culvert, 28-feet long. The type and material of the culvert shall be surrogated metal pipe only.

(C) *Sight-distance requirements*. The county shall not issue a road encroachment permit unless the accepted sight-distance requirements can be satisfied. Sight-distance requirements shall be adopted by resolution.

(D) *Location of encroachment.* The location of the encroachment shall not have the potential to adversely affect any adjacent or nearby drainage structures.

(E) *Shelby County engineering requirements.* Any additional engineering, design, or construction standards promulgated by the County Fiscal Court. Additional county engineering requirements, other than those provided within this chapter, shall be adopted by resolution.

(F) *Temporary road encroachments.* The county may issue temporary road encroachments. Temporary road encroachments are generally issued for vehicle ingress and egress associated with land-disturbing activities requiring alternative access. All temporary road encroachment permits will indicate an expiration date. The county right-of-way shall be restored to pre-existing conditions when the temporary road encroachment permit expires.

(G) *Lane and road closure requirements.* Lane and road closures require appropriate traffic management and signage. In general, lane and road closures will only be allowed between 9:00 a.m. and 2:00 p.m. on weekdays to not interfere with school and rush-hour traffic. The county may approve alternative road closures (i.e., weekend closures, night closures) on a case-by-case basis. Road closures require notifications as set forth in this chapter.

(Ord. 07-02-05, passed 7-2-2024)

§ 97.09 PERMIT HOLDER RESPONSIBILITIES.

(A) Conduct all encroachment activities in accordance with this chapter; all engineering, design, and construction requirements adopted by the County Fiscal Court; the approved permit; and any associated plans, details, and standards.

(B) Limit ingress and egress to the approved encroachment location during the permitted construction.

(C) Remove material (i.e., dirt, mud, and debris) deposited upon a county road or in the county right-of-way daily.

(D) Repair any damage done to or within the county's right-of-way, including, but not limited to, pavement, pavement markings, ditches, shoulders, sidewalks, and storm sewers, resulting from the permit holder's actions or those actions of the permit holder's agents.

(E) Restore the temporary road encroachment location to pre-existing conditions when the temporary road encroachment permit expires.

(F) Notify the county dispatch 24 hours prior to the permitted closing of a lane or road within the county. Notify the county dispatch immediately upon reopening a lane or road within the county.

(G) Comply with all permit conditions of approval.
(Ord. 07-02-05, passed 7-2-2024)

§ 97.10 ENCROACHMENT MAINTENANCE.

Any person owning property fronting on the county right-of-way shall keep in repair and properly maintain any associated road, alley, driveway, or other vehicle access to and from the county road that is located in the county right-of-way. This includes any associated culvert required under § 97.08. (Ord. 07-02-05, passed 7-2-2024)

§ 97.11 FEES.

(A) Proposed amendments to the fee schedule may be submitted at any time by the County Fiscal Court. Any new or revised fees will become effective on the first day of the month following the month in which the amended fee schedule is adopted.

(B) The fees for permits and inspections shall be as provided below:

(1) Residential or farm encroachment/entrance permits: \$50.

(2) Inspection of residential or farm encroachment/entrance of pipe not installed by Road Department \$50 per entrance inspection

(3) Road Department installs pipe and supplies rock as needed for covering installation, (owner purchases pipe and has delivered): \$18 per ton of rock. (One load is ten tons).

(4) Commercial/utilities permit, bore overhead, other: \$100 per permit.

(5) Starting without a permit, the fee shall be doubled for any entrance, encroachment, or commercial/utility bore, overhead, and other started without a permit.
(Ord. 07-02-05, passed 7-2-2024)

§ 97.12 ENFORCEMENT.

(A) *General.* The county shall enforce compliance with this chapter in accordance with the provisions outlined within this section.

(B) *Enforcement mechanisms.*

(1) It is the intent of this chapter that a process of collaborative compliance be pursued, when possible, prior to taking enforcement actions. When deemed necessary by the county, violations of this chapter may be enforced through the below mechanisms. These enforcement mechanisms, when implemented in the order presented below, shall constitute the standard of practice for a progressive enforcement process.

(a) *Notice of violation.* In instances where the county, based on observations or inspections, has reasonable cause to believe that a violation of this chapter has occurred, the county may notify the person with a notice of violation (NOV) as outlined in Shelby County Ordinance KOC 00-100-00 et seq., or as it may be amended.

(b) *Civil penalties.* In instances where the county, based on observations or inspections, has reasonable cause to believe that a violation of this chapter has occurred, the county may issue a citation and assess a civil penalty through the County Code Enforcement Board, as outlined in Shelby County Ordinance KOC 00-000-00 et seq., or as it may be amended.

(c) *Stop work order.* In instances where the county, based on observations or inspections, has reasonable cause to believe that a significant violation of this chapter has occurred, the county may issue the person a stop work order (SWO).

(d) *Use of surety.* See § 97.10 regarding the use of the surety.

(e) *Removal and restoration order.* In addition to any of the enforcement actions provided in this section, the county has the authority to order the removal of any non-permitted road, alley, driveway, or other vehicle access and restore the county right-of-way to its previous condition. Any encroachment not so removed and restored shall be subject to removal and restoration by the county. The county has the right to recover costs incurred by the county in connection with this enforcement action. The county shall file a lien on the person's property for all costs and fees incurred by the county in connection with non-recovered removal and restoration costs.

(f) *Proceedings in law.* If the enforcement mechanisms described in this section prove to be unsuccessful in reaching compliance or if there is a blatant disregard for the requirements or if there is an immediate adverse impact to adjacent private or public property, the county may proceed with all procedures afforded it under the laws of the Commonwealth of Kentucky.

(2) The county is not restricted to progressing through each mechanism level if, in the county's opinion, the activities, or lack thereof, of a person warrants a more stringent enforcement mechanism. (Ord. 07-02-05, passed 7-2-2024)

CHAPTER 150: BUILDING REGULATIONS

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- 150.01 Adoption of Kentucky Building Code
- 150.02 Designated enforcement officer
- 150.03 Building inspection program
- 150.04 Permits and fees
- 150.05 Per cost schedule
- 150.06 Definitions/clarifications/policies

§ 150.01 ADOPTION OF KENTUCKY BUILDING CODE.

(A) The International Building Code, International Residential Code and Kentucky Building Code; and any future editions or amendments as promulgated in 815 KAR 7:120 and 125 6y the Board of Housing, Buildings and Construction., Commonwealth of Kentucky, are hereby adopted in full as a chapter of Shelby County of the Commonwealth of Kentucky as if set out at length herein.

(B) A copy of the International Building Code and Kentucky Building Codes shall be filed with the Shelby County Clerk where they can be kept for public reference purposes.

(C) An attested copy of this newly enacted ordinance shall be transmitted to the Department of Housing, Buildings and Construction of the Commonwealth of Kentucky by the Shelby County Code Enforcement Office.

(Ord. 05-18-02, passed 5-17-2021; Am. Ord. 04-02-03, passed 4-2-2024)

§ 150.02 DESIGNATED ENFORCEMENT OFFICER.

The Building Code Enforcement Officer shall be designated as the local enforcement agent/agency for the 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 a certified electrical inspector specifically approved by the appropriate state agency. (Ord. 05-18-02, passed 5-17-2021; Am. Ord. 04-02-03, passed 4-2-2024)

§ 150.03 BUILDING INSPECTION PROGRAM.

Pursuant to KRS 198B.060(8), a building inspection program is hereby established in Shelby County, Kentucky, for application to all buildings, including single-family dwellings as provided in the adopted codes.

(Ord. 05-18-02, passed 5-17-2021; Am. Ord. 04-02-03, passed 4-2-2024)

§ 150.04 PERMITS AND FEES.

(A) Below is the initial fee schedule which shall be effective when this chapter is adopted. Proposed amendments to the schedule may be submitted at any time by the County Fiscal Court. Any new or revised fees will become effective on the first day of the month following the adoption of the amended fee schedule.

<i>Construction Type</i>	<i>Fee</i>
New home (including all areas under roof)	\$250 or \$.16 per sq. foot, whichever is greater
Townhome or condominium (including all areas under roof)	\$250 or \$.16 per sq. foot, whichever is greater
Additions	\$125 or \$.16 per sq. foot, whichever is greater
Alterations/remodels	Based upon the building cost as reflected in § 150.05
Basement finish	Based upon the building cost as reflected in § 150.05
Under roof non-air-conditioned deck or porch	Based upon the building cost as reflected in § 150.05
Uncovered deck or porch	\$50
Demolition	\$50
Accessory structure, which includes barns, garages, tool sheds, storage sheds, retaining wall and other residential use structures, except one story detached structures of less than 200 square feet which do not require a building permit	Based upon building cost as reflected in § 150.05
Electrical permit	\$50
Rooftop solar panels	\$100
Moving a residential structure	\$100
Swimming pool, in ground	\$250

(B) Commercial permit and inspection fees shall be as follows:

<i>Construction Type</i>	<i>Fee</i>
New	Based upon building cost as reflected in § 150.05
Fit ups/renovations	Based upon building cost as reflected in § 150.05
Additions	Based upon building cost as reflected in § 150.05
Accessory structures	Based upon building cost as reflected in § 150.05
Demolitions	Based upon building cost as reflected in § 150.05
Electrical permit	\$50
Moving a commercial structure	\$100
State reviewed/issued permits	Based upon half the building cost as reflected in § 150.05
Range hood/suppression	\$225
Sprinkler systems with 1-199 sprinkler heads	\$200
Other fire suppression systems	\$200
Fire alarm	\$250
Construction trailer	\$50
Temporary tents	\$50

(C) *Other fees.*

(1) *Second re-inspection.* The cost of the preliminary footing, block foundation (crawl space), framing, insulation and final inspections as well as any follow-up inspections to address correction notices issued as a result of the preliminary inspections are included in the fees reflected above. In the event of a subsequent inspection is needed as a result of a failure to remedy any correction notice, or for any other reason, the fee for any such reinspection shall be \$50.

(2) *Additional re-inspections.* The fee for any re-inspections subsequent to a second reinspection shall be twice the fee of the initial second re-inspection.

(3) The fee for starting a project without the proper permit shall be the cost of the permit as established in this chapter plus an additional fee in an amount that is twice the established permit fee or \$500, whichever is less.

(4) *Plans or application revision.* In the event that the name of the permit holder is changed, a voided permit must be re-activated, or if there are any needed changes to the previously approved plans or specifications, an additional fee of \$50 shall be assessed.

(5) *Fast track processing of commercial projects.* For time sensitive commercial projects that require an expedited application and plan review, an additional \$100 fee shall be assessed.

(6) *Retaining wall fee.* An additional \$50 fee shall be assessed for any retaining wall that is four feet or more of unilateral backfill which shall also require an engineer letter.

(7) Advancing progress ahead of inspection, fee shall be \$500.

(8) Farmstead exemption fee shall be \$50.
(Ord. 05-18-02, passed 5-17-2021; Am. Ord. 04-02-03, passed 4-2-2024)

§ 150.05 PER COST SCHEDULE.

The per cost schedule shall be as follows:

<i>Cost of Construction</i>	<i>Building Permit Fee</i>
Up to \$49,999	\$125
\$50,000 - \$74,999	\$150
\$75,000 - \$99,000	\$200
\$100,000 - \$149,999	\$250
\$150,000 - \$199,999	\$500
\$200,000 - \$299,999	\$750
\$300,000 - \$399,999	\$1,000
\$400,000 - \$499,999	\$2,000
\$500,000 - \$749,999	\$3,000
\$750,000 - \$999,999	\$4,000
\$1,000,000 - \$2,499,999	\$5,000
\$2,500,000 - \$4,999,999	\$7,500
\$5,000,000 and above	\$10,000

(Ord. 05-18-02, passed 5-17-2021; Am. Ord. 04-02-03, passed 4-2-2024)

§ 150.06 DEFINITIONS/CLARIFICATIONS/POLICIES.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCESSORY STRUCTURE. Accessory structures include barns, garages, tool sheds, storage sheds, retaining walls and other types of residential-use structures. One-story detached accessory structures that are under 200 square feet do not require a building permit.

APPLICATION. A form that the Building Inspection Department provides that must be completed. The application must be submitted with the project drawings and applicable permit fees.

BUILDING COST OR COST OF CONSTRUCTION. The estimated total construction cost to complete the permitted project. The cost of land, lot or real estate can be excluded.

REINSPECTION FEE. The first of each type of inspection is included in the permit fee. A follow-up inspection would take place if the inspector issued a correction notice. This inspection will also be included in the permit fee. If any additional inspections are required, a \$50 fee will be assessed. This fee must be paid prior to the next inspection being scheduled. The fee will double for each follow-up inspection.

PERMIT. An official document issued by the Building Department which authorizes performance of a specified activity. After the inspector approves the application and drawings, and the permit fee has been received, the signed permit will be issued by this office.

PERMIT HOLDER. The person or company, as listed on the application, responsible for the performance and completion of a permit.

PLANS OR APPLICATION REVISION. A change in permit holder, re-activation of a voided permit or a major change in plans/specifications.

REFUND POLICY. 60% prior to first inspection. After first inspection, all fees are non-refundable.

RESIDENTIAL SQUARE FOOTAGE. The total number derived from measuring total floor space including first floor area, second floor area, bonus rooms, attached garage, finished or unfinished basement and any covered patio spaces. All areas under roof.

STATE PERMIT. A building permit issued by the Kentucky Department of Housing, Building and Construction. A local permit is always required in addition to the state permit.

TYPES OF INSPECTIONS. Footing, block foundation (crawlspace), framing, insulation and final.

(1) **FOOTER.** Call the morning that you are going to pour the footer. Inspection must take place prior to concrete.

(2) **FRAMING.** When the electrical, plumbing, and HVAC have passed the rough-in inspections, and before you cover or insulate the structure, call to schedule an inspection.

(3) **INSULATION.** This inspection will occur once all the insulation is installed in the walls and floor systems, but prior to the installation of any drywall covering.

(4) **FINAL.** When the electrical, plumbing, HVAC and septic have passed the final inspections, address guidelines have been met and the structure is complete, call to schedule a final building inspection. A certificate of occupancy will be issued when the final inspection is complete. Unless prior arrangements have been made with the building inspector, furniture and decor may not be present during the inspection.

(Ord. 04-02-03, passed 4-2-2024)

REFERENCES TO KENTUCKY REVISED STATUTES

<i>KRS Cites</i>	<i>Code Section</i>
Section 228, Constitution	31.13
39A-39F	32.01; 32.03
39B.010	32.01
39B.020	32.02
39B.030	32.03
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61.878	111.07
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65.8835	31.20
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65.8840	91.01; 91.07
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67.040 <i>et seq.</i>	92.30
67.083(7)	92.02
67.084	153.01
67.680(1)	31.65
68.005	30.03
75	95.15-95.17
91A.080	112.03
97.010-97.050	31.50
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<i>KRS Cites</i>	<i>Code Section</i>
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133.220(2)	33.30
134.420	92.33
136.120	112.03
151	153.05
151.250	153.06
154A	110.07
154.20-250-154.20-284	112.03
154.50-304-154.50-346	31.35
154.304	31.35
189.394	Ch. 70, Sched. I
189.990(1)	71.99
190.010(6)	91.04
190.010(8)	91.04
190.010(11)	91.04
198B.060(8)	150.03
218A	110.21
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227.706	95.40
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243.039	110.20
243.060	110.20
243.082	110.20
243.084	110.20
243.086	110.20
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04-16-02	4-16-2019	112.01-112.13, 112.99
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12-17-10	12-17-2019	52.01-52.09, 52.99
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03-3-02	3-3-2020	TSO I
04-7-04	4-7-2020	52.02, 52.03, 52.10
05-5-05	5-5-2020	33.30
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12-1-08	12-1-2020	31.10-31.20
03-16-01	4-6-2021	Adopting Ordinance
05-18-02	5-17-2021	150.01-150.05
06-01-04	6-1-2021	TSO III
07-20-06	7-20-2021	TSO I
07-20-05	7-25-2021	91.01-91.08
03-01-01	3-1-2022	Adopting Ordinance
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03-07-01	3-7-2023	Adopting Ordinance
08-15-03	8-15-2023	30.05
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