

**COMMONWEALTH OF KENTUCKY SHELBY COUNTY
FISCAL COURT ORDINANCE NO. 04-02-03, SERIES 2024**

**AN ORDINANCE REPEALING SHELBY COUNTY CODE OF
ORDINANCES CHAPTER 150: BUILDING REGULATION AND
SIMULTANEOUSLY ENACTING A NEW ORDINANCE
ADDRESSING BUILDING REGULATIONS IN SHELBY
COUNTY, KENTUCKY**

WHEREAS, Shelby County, Kentucky, acting through the Shelby County Fiscal Court, previously adopted the uniform state building code as promulgated in 815 KAR 7:120 and 125 by the Board of Housing, Buildings and Construction of the Commonwealth of Kentucky, in Ordinance No. 04-19-04, Series 2005, as amended in Ordinance No. 07-07-11, Series 2009, which was codified in Title XV, Chapter 150, of the Shelby County, Kentucky Code of Ordinances, and

WHEREAS, the Shelby County Fiscal Court has reviewed that ordinance and determined that it is necessary to repeal that ordinance and simultaneously enact a new ordinance addressing building regulations in Shelby County, Kentucky,

NOW, THEREFORE, BE IT ORDAINED by Shelby County, Kentucky, through the Shelby County Fiscal Court, Shelby County Code of Ordinances Chapter 150, Building Regulations, is repealed and a new ordinance addressing building regulations in Shelby County, Kentucky is simultaneously adopted which shall read as follows:

SECTION 1: 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 by the Board of Housing, Buildings and Construction, Commonwealth of Kentucky, are hereby adopted in full as an ordinance 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.

DOCUMENT NO: 521779
RECORDED: April 03, 2024 11:19:00 AM
TOTAL FEES: \$0.00
COUNTY CLERK: TONY HAROVER
DEPUTY CLERK: LISA VICK
COUNTY: SHELBY COUNTY
BOOK: 02023 PAGES: 231 - 237

SECTION 2: 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.

SECTION 3: 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.

SECTION 4: PERMITS AND FEES

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 Shelby 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.

Construction Type

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 Section 5, Per Cost Schedule
Basement Finish	Based upon the building cost as reflected in Section 5, Per Cost Schedule
Under roof non-airconditioned deck or porch	Based upon the building cost as reflected in Section 5, Per Cost Schedule
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 Section 5., Per Cost Schedule

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:

Construction Type

Fees

New Based upon building cost as reflected in Section 5., Per Cost Schedule

Fit ups/Renovations Based upon building cost as reflected in Section 5., Per Cost Schedule

Additions Based upon building cost as reflected in Section 5., Per Cost Schedule

Accessory Structures Based upon building cost as reflected in Section 5., Per Cost Schedule

Demolitions Based upon building cost as reflected in Section 5., Per Cost Schedule

Electrical Permit \$50

Moving a commercial structure \$100

State reviewed/issued permits Based upon ½ the building cost as reflected in Section 5., Per Cost Schedule

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

i. 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 \$50.00.

ii. Additional re-inspections-The fee for any re-inspections subsequent to a second re-inspection shall be twice the fee of the initial "second re-inspection."

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

iv. 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 \$50.00 shall be assessed.

v. 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.

vi. Retaining wall fee-An additional \$50.00 fee shall be assessed for any retaining wall that is four feet or more of unilateral engineer letter. backfill which shall also require an engineer letter.

vii. Advancing progress ahead of inspection, fee shall be \$500.

viii. Farmstead Exemption fee shall be \$50.

SECTION 5. PER COST SCHEDULE

The Per Cost Schedule shall be as follows:

<u>Cost of Construction</u>	<u>Building Permit Fee</u>
Up to \$49,000	\$125
\$50,000-\$74,000	\$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


SECTION 6: DEFINITIONS/CLARIFICATIONS/POLICIES

1. **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 two hundred square feet do not require a building permit.
2. **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.
3. **Types of Inspections:** Footing, Block Foundation (crawlspaces), framing, insulation and final. **FOOTER-** Call the morning that you are going to pour the footer. Inspection must take place prior to concrete. **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. **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. **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 décor may not be present during the inspection.
4. **Residential Square Footage:** The total number derived from measuring total floor space including first floor area, 2nd floor area, bonus rooms, attached garage, finished or unfinished basement and any covered patio spaces. **ALL AREAS UNDER ROOF.**
5. **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.
6. **Refund Policy:** 60% prior to 1st inspection. After 1st inspection, all fees are non-refundable.
7. **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.
8. **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.
9. **Permit Holder:** The person or company, as listed on the application, responsible for the performance and completion of a permit.
10. **Plans or Application Revision:** A change in permit holder, re-activation of a voided permit or a major change in plans/specifications
11. **State Permit:** A building permit issued by the KY Department of Housing, Building and Construction. A local permit is always required in addition to the state permit.

This ordinance shall take effect upon its 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 19th day of March 2024.

INTRODUCED, SECONDED AND GIVEN A SECOND READING AND APPROVAL at a duly convened meeting of the Shelby County Fiscal Court held on the 2nd day of April 2024.



DAN ISON
Shelby County Judge/Executive

ATTEST:



TONY HAROVER
Shelby County Clerk