

ORDINANCE NO. 26, 2016 SERIES

AN ORDINANCE TO AMEND THE CITY OF FRANKFORT'S CODE OF ORDINANCES 6 CHAPTER 150 6BY AMENDING THE PERMIT AND INSPECTION FEES CONTAINED IN SUBSECTIONS 150.1 BUILDING CODES AND 150.3 ELECTRICAL CODES.

Whereas, the Kentucky Department of Housing, Buildings and Construction's building code requires payment of an additional minimum fee of not less than \$500.00 for construction started prior to the issuance of the required permit; and

Whereas, the Kentucky Department of Housing, Buildings and Construction has indicated that it and other localities have implemented a policy to provide owners beginning construction prior to obtaining the required permit with one warning with a regular fee being assessed, rather than charging the additional fee of not less than \$500, only where it is the first time that the owner has begun work without obtaining the required permit.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FRANKFORT, KENTUCKY,

- (1) That the City's building and electrical code permit fees, are hereby amended and adopted as indicated in Attachment A.
- (2) The effective date of this Ordinance shall be the date of its adoption.

First Reading on the 24 day of October, 2016
Final adoption on the 28 day of November, 2016

Attest:
S/Chermie Maxwell
City Clerk

S/William I. May, Jr.
T/Mayor

Summary: This ordinance amends the City's Building and Electrical Code fees, Chapter 150, Sections 150.1 and 150.3 in order to provide that owners beginning construction prior to obtaining the required permit may, at the discretion of the Director of the Department of Planning and Building Codes, or his designee, be given one warning with a regular fee being assessed, rather than charging the additional fee of not less than \$500, where it is the first time that the applicant has begun work without obtaining the required permit. This amendment will be consistent with the policy of the Kentucky Department of Housing, Buildings and Construction, which waives the additional fee of not less than \$500.00 the first time an owner begins construction without first obtaining the required permit.

S/Robert C. Moore
T/City Solicitor

Published in full December 11, 2016.

CHAPTER 150: BUILDING REGULATIONS; CONSTRUCTION

Section

- 150.01 Building Code
- 150.02 Plumbing Code
- 150.03 Electrical Code
- 150.04 Gas Code
- 150.05 Property Maintenance Code
- 150.06 Kentucky Building Code

Section 150.01 **BUILDING CODE.**

- A. The provisions of the Uniform State Building Code then in effect shall govern all construction, alteration or remodeling of buildings or dwellings in the City of Frankfort, as set forth in KRS 198B.110.
- B. (1) No permit, as required by the Uniform State Building Code, as adopted, shall be issued until the fee prescribed by this section has been paid, nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated area of the building or structure has been paid.

(2) Permit fees for new construction shall be based either upon the square foot of the total gross floor area of the construction or based on a flat fee in accordance with the following table. However, when it is determined that construction has begun without the prior issuance of a building or zoning permit, the corresponding fees for the building permit shall be three times the regular amount, but not less than \$500.00, with the exception that this additional fee may be waived by the Director of the Department of Planning and Buildings Codes, or his designee, where it is the first time the applicant has failed to obtain the required permit prior to beginning construction. All fees are due at time of submittal of the requested permit, and re-inspection fees shall be paid prior to the re-inspection:

FEE	
(a) Mobile home (including replacement), manufactured home single-family and duplex construction, per sq. ft	\$0.10
(b) Multiple family dwelling construction, per square foot	\$0.12
(c) Nonresidential construction under 5,000 square feet, per square foot	\$0.12

- (d) Nonresidential construction over 5,000 square feet, per square foot \$0.15
- (e) Garages or carports \$0.10 per sq.ft. or \$25.00, which ever is more
- (f) Residential additions (including decks and porches) \$0.10 per sq.ft. or \$25.00, which ever is more
- (g) Residential renovation/rehabilitation \$25.00
- (h) Nonresidential additions (including decks or porches), \$0.12 per sq.ft. or \$50.00, which ever is more
- (i) Demolitions - outside of national historic district \$25.00
 Demolitions ó primary building within a national historic district \$500.00
 Demolitions ó accessory building within a national historic district \$100.00
- (j) Signs \$0.50 per square foot or \$50.00, whichever is more
- (k) Relocation of structure, one lot to another \$100.00
- (l) Fences, pools, storage buildings, and other accessory structures including promotional/temporary tents, that are exempt from the Kentucky Uniform State Building Code \$10.00
- (m) Nonresidential renovation/rehabilitation: \$30.00

(3) The fees listed above (other than demolition) shall be reduced to a flat fee of \$10.00 for any property within a local historic zoning district, however, should work have started prior to the issuance of the required permit, then the additional fee set forth in 150.01.B.(2) shall also be paid.

(4) All building and sign permit fees listed above shall have an additional zoning review fee of \$10 per application, with the exception of those exempt from the Kentucky Uniform State Building Code (zoning permits) and those located within a local historic zoning district.

(5) For any building which requires an inspection by the state, the following fee shall apply:

- (a) Buildings requiring state inspection \$150.00
- (b) This is a flat fee and no other building permit fees shall apply.

(6) Application fees shall be paid at the time of submittal and shall not be refunded due to a denial of an application. Refunds for withdrawals by the applicant may be considered only by the effected Board or Committee (if applicable) after the request has been supported by the City Manager.

(7) There shall be no exemptions for any person, firm, corporation, religious or charitable organization, except for Habitat for Humanity. Organization, governmental agencies, Kentucky Changers. Organization, or projects donated for the disabled when authorized by the City Manager.

(8) Building inspections (footer, foundation, framing, final) shall have a fee of \$35 for the first reinspection and \$50 for each additional reinspection required or requested by the applicant.

(C) Any person who shall violate any provision of this chapter or who shall fail to comply with any order or inspection report within the time limit stated therein shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine or by imprisonment. Each day that any violation or failure to comply occurs or is continued, shall constitute a separate offense.

(D) Nothing in the section or in the code thereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected hereby.

150.03 Electrical Code

(3) The inspection requirements and the Electric and Water Plant Board Rules and Regulations of October 1969, as adopted, there shall be inspection fees in accordance with the following table:

<i>Electrical Inspections:</i>	<i>Fee amount:</i>
Temporary service	\$50.00
Residential new service (at rough-in and final)	\$2.00 per circuit or \$50.00, whichever is more

Commercial new service (at rough-in and final)	\$2.00 per circuit or \$50.00, whichever is more, plus \$20.00 for each site visit requested by the applicant
Any service associated with accessory Structure	\$35.00
Complete rewire and service change	Same as residential or commercial new service as applicable
Commercial new service (at rough-in and final)	\$2.00 per circuit or \$50.00, whichever is more, plus \$20.00 for each site visit requested by the applicant
Any service associated with accessory Structure	\$35.00
Complete rewire and service change	Same as residential or commercial new service as applicable
Residential service associated with additions (at rough-in and final)	\$30.00

<i>Electrical Inspections:</i>	<i>Fee amount:</i>
Re-inspection (after first inspection turned down)	\$35.00 for first; \$50.00 for second and each additional re-inspection required or requested by the applicant
Service only, upgrades, or re-service when off over 120 days by Frankfort Electric & Water Plant Board	\$30.00
Work started without a permit issued	Three (3) times the regular fee above, but not less than \$500.00. <u>First time offenders may be exempt from the minimum \$500 fee</u>