

Marshall County Ordinance No. 04-01

AN ORDINANCE ADOPTING THE *KENTUCKY BUILDING CODE* AND THE *KENTUCKY RESIDENTIAL CODE* AS PROMULGATED IN THE KENTUCKY ADMINISTRATIVE REGULATIONS BY THE BOARD OF HOUSING BUILDINGS AND CONSTRUCTION OF THE COMMONWEALTH OF KENTUCKY.

Be it ordained by the Fiscal Court of Marshall County as follows:

WHEREAS, KRS 198B.060(1) requires that all buildings constructed in Marshall County shall be built in compliance with the state building codes as adopted by the Board of Housing, Buildings and Construction; and

WHEREAS, KRS 198B.060 (1) authorizes any city county or urban county government to require, by ordinance, permits, inspections and certificates of occupancy for all buildings within its jurisdiction, 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(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 it;

Now, therefore, BE IT ORDAINED by the Fiscal County of Marshall County, COMMONWEALTH OF KENTUCKY.

SECTION 1. ADOPTION OF STATE UNIFORM CODES

THAT, the *KENTUCKY BUILDING CODE*, as amended, and the *KENTUCKY RESIDENTIAL CODE*, as amended, promulgated 815 KAR 7:120 and 815 KAR 7:125 by the Board of Housing, Buildings and Construction, Commonwealth of Kentucky has hereby adopted in full as an Ordinance of Marshall County of the Commonwealth of Kentucky as if set out in length herein:

THAT, a copy of said *Kentucky Building Code* and the *Kentucky Residential Code* is on file in the office of the Marshall County Clerk, and the Clerk shall at all times keep a copy of said building code for reference.

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

SECTION 2. DESIGNATED ENFORCEMENT OFFICE

THAT, the Building Official, shall be designated as the local enforcement agent for said *Kentucky Building Code* and said *Kentucky Residential 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 this jurisdiction.

SECTION 3. BUILDING INSPECTION PROGRAM

THAT, pursuant to KRS 198B.060(8), a building inspection program is hereby established in Marshall County for application to all buildings, excluding single family dwellings as provided in the adopted codes.

SECTION 4. PERMITS AND FEES

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

SECTION 5. NON-GUARANTEE OF WORKMANSHIP

THAT, no permit of certificate of compliance or occupancy certificate issued by the Marshall County Department of Building and Electrical Inspection pursuant to this ordinance shall be construed as a guarantee or representation against any defect, faulty material, or workmanship or any hazard which may exist on inspected or approved property.

SECTION 6. INSURANCE AND OTHER REQUIREMENTS

THAT, any person, entity, or business applying for a building or electrical permit or performing work under said permit shall be required to provide their Kentucky Employer ID number and proof of Workers Compensation Insurance for workers to be employed to perform work to sub-contractors under said permit or as provided in KRS 198B.0606(10)(a). The applicant for said Building Permit will be required to list all persons entities, or businesses that will be employed or sub-contracted to perform work under any building or electrical permit.

The applicant for any building permit must secure a release from Marshall County Health Department, the Marshall County Tax Administrator and the Marshall County Floodplain Administrator, if applicable, before a permit may be issued.

SECTION 7. APPEALS

THAT, Any party to a decision by the local Building Official may appeal that decision according to KRS 198B.070.

SECTION 8. PENALTIES

THAT, any person who violates any provision of KRS 198B.140, or of the Uniform State Building Code, or any directive or order issued pursuant thereto or any part of this ordinance shall be fined not less than ten dollars (\$10) nor more than one thousand dollars (\$1,000). Each day the violation continues shall constitute a separate offense.

SECTION 9. INCONSISTENT ORDINANCES REPEALED

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

SECTION 10.

Each section, paragraph, or provision of this ordinance is hereby declared to be separate from every other section, paragraph or provision herein and should any section, paragraph, or provision hereof be held invalid at any time it shall have no effect upon the validity of every other remaining section, paragraph, or provision hereof.

SECTION 11. EFFECTIVE DATE

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

Marshall Ordinance 04-01

The forgoing ordinance shall be published in the Tribune Courier on 4th Feb, 2004

1st reading on 27th January, 2004

2nd reading on 10th Feb, 2004

Passed by the Fiscal Court of Marshall County on the 10th day of February, 2004, on the

motion of Commissioner English, seconded by Commissioner Hargrove.

Mike Miller
MIKE MILLER
MARSHALL COUNTY JUDGE/EXECUTIVE

Jerome H. Hicks
JEROME HICKS
COUNTY COMMISSIONER DISTRICT 1

Gordon Hargrove
GORDON HARGROVE
COUNTY COMMISSIONER DISTRICT 2

Jerry English
JERRY ENGLISH
COUNTY COMMISSIONER DISTRICT 3

Prepared by:

Jeffrey G. Edwards
JEFFREY G. EDWARDS
MARSHALL COUNTY ATTORNEY
P.O. Box 472
Benton, KY 42025

STATE OF KENTUCKY, COUNTY OF MARSHALL
I, Dan Duke, Clerk of the County and Sheriff, do hereby certify that the foregoing is a true copy of same as appears on file in my office in Fiscal Ct. Order Book

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Witness my hand and seal this 25th day of

MAY 2004

DAN DUKE, CLERK

Dan Duke, Clerk

**Marshall County Building and Electrical Department
Plan Review and Permit Fees**

Building Type

All new construction: (except warehouse & storage)

First 5000 sq. feet	.08 sq. ft.
Additional	.06 sq. ft.

Warehouse & Storage (new construction)

First 5000 sq. feet	.06 sq. ft.
Additional	.045 sq. ft.

Additions and Alterations to existing buildings

Addition to building:

First 5000 sq. ft.	.08 sq. ft.
Additional	.06 sq. ft.

Alteration to existing building:

First 5000 sq. ft.	.06 sq. ft.
Additional	.045 sq. ft.

OTHER

Categories not specified above shall be the same as the current fees of the
Department of Housing Buildings and Construction applicable codes

Demolition

(Permit Required - No Charge)

Mileage to Building Site

\$.25 per mile x three inspections

All call back inspections

\$15.00 plus mileage

The fee shall be doubled for construction started without a building permit.

MARSHALL COUNTY FISCAL COURT

BUILDING AND ELECTRICAL INSPECTION DEPARTMENT

MARSHALL COUNTY COURTHOUSE

1101 MAIN STREET

BENTON, KENTUCKY 42025

Phone: (502) 527-4744 Fax: (502) 527-4795

In accordance with KRS Chapter 198 and KRS Chapter 227, the Marshall County Fiscal Court shall establish an electrical inspection department to function in conjunction with its building inspection department. This shall be known as the Marshall County Building and Electrical Inspection Department. In addition to its current duties pertaining to building plan review and construction inspection, this department shall have the sole responsibility of making electrical inspections and issuing the Certificate of Approval of all buildings in Marshall County. This department shall employ a Kentucky Certified Electrical Inspector to carry out the duties imposed by the Kentucky Building Code.

The following fees for Electrical Inspection will be established:

Residential:

- Up to and including 200 amp single phase:

Rough in	\$25.00
Final	\$35.00
Total	\$60.00

Additional return trips \$15.00 each

- Above 200 amp single phase

Rough in	\$25.00
Final	.25 per rated amp

Additional return trips \$15.00 each

Service Pole:

- Up to and including 400 amp three phase

Inspection	\$25.00
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Additional return trips \$15.00 each

Commercial:

- Up to and including 400 amp three phase

Rough in & final	\$.40 per rated amp
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Additional return trips \$15.00 each

Fees are due and payable upon the request for inspection. No Certificate of Approval and subsequent Certificate of Occupancy shall be issued until all fees are paid.

This shall become effective October 1, 1986 and shall continue until further notice.

LARRY SPEARS, INSPECTOR CERTIFICATION: BLDG #1157 ELEC #221R-C

MARSHALL COUNTY FISCAL COURT

BUILDING AND ELECTRICAL INSPECTION DEPARTMENT

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SCHEDULE OF FEES FOR ELECTRICAL INSPECTIONS For Commercial/Industrial Above 400 AMP Three Phase Service Based on Electrical Portion of Subject Capital Construction Contract

Percent for Inspection as applied to Construction Award and Change Orders

Electrical Portion of Contract	Payment Percentage	Electrical Portion of Contract	Payment Percentage
\$ -0-			
100.00	20%	7,000.00	3.8%
200.00	17%	10,000.00	3.3%
300.00	14%	15,000.00	2.8%
400.00	12%	20,000.00	2.5%
500.00	11.5%	30,000.00	2.1%
600.00	10.5%	50,000.00	1.7%
700.00	10.0%	70,000.00	1.5%
1,000.00	8.5%	100,000.00	1.3%
1,500.00	7.0%	150,000.00	1.1%
2,000.00	6.5%	200,000.00	0.95%
3,000.00	5.5%	300,000.00	0.80%
4,000.00	5.0%	500,000.00	0.65%
5,000.00	4.4%	700,000.00	0.57%
6,000.00	4.0%	1,000,000.00	0.50%

Anything over the above amount 0.48%

USE OF THE ABOVE SCHEDULE

Example: If the electrical portion of the contract was \$8,000.00, the fee would be obtained by multiplying \$8,000.00 X 3.3% as \$8,000.00 lies between \$7,000 and \$10,000 on the scale.

LARRY SPEARS, INSPECTOR

CERTIFICATION: BLDG #1157 ELEC #2218-C

April 6, 2004

Gary Feck
Department of Housing, Buildings and Construction
101 Sea Hero Road, Suite 100
Frankfort, KY 40601-0365

Mr. Feck:

Please find enclosed the application signed Marshall County Ordinance where we adopted Kentucky Building Code and Kentucky Residential Code.

If you have any comments or need any additional information in order to process this application please do not hesitate to contact my office.

Yours truly,

Klint Kelley
Marshall County Planner