

**COMMONWEALTH OF KENTUCKY
COUNTY OF HENDERSON
ORDINANCE NUMBER 23-10**

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AN ORDINANCE RELATING TO COUNTY BUILDING PERMIT AND INSPECTION FEES AND REPEALING AND REPLACING THE PRIOR ORDINANCES RELATING THERETO; DEFINING AND ESTABLISHING FEES FOR VARIOUS OCCUPANCY USES AND SETTING MINIMUM AND MAXIMUMSTHEREFOR

WHEREAS, KRS 198B.060(9) requires each local government enforcing the Kentucky Building Code (KBC) to issue a building permit if the proposed building satisfies the requirements of the KBC, and to inspect the building during construction to determine whether the building is constructed in compliance with the KBC; and

WHEREAS, KRS 198B.060(13) requires that no building on which construction was begun nor any industrialized building system on which site preparation and assembly were begun after the Uniform State Building Code became effective shall be occupied until the local building official or a representative of the department issues a certificate of occupancy certifying that the building was constructed in conformance with the standards of the Uniform State Building Code, or assembled in conformance with applicable instructions; and

WHEREAS, KRS 198B.160(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; and

WHEREAS, the Henderson County Fiscal Court has not revised its building permit fees since July, 2000, and it is in the best interest and general welfare of Henderson County to revise its building permit fees.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED BY THE FISCAL COURT OF HENDERSON COUNTY, COMMONWEALTH OF KENTUCKY, as follows:

1. Both the 2000 Henderson County Ordinance relating to building permit fees and §101-4 of the Code of Ordinances of Henderson County are hereby repealed in their entirety and replaced with the following:

§101-4 Permits and Fees.

A. Fees. The fees for building permits, which include the cost of inspections shall be as follows:

1. **Commercial and Industrial:** \$0.16 per square foot
2. **Single-Family Residential:** \$0.15 per square foot
3. **Structural Remodel & Repair:** \$50.00
4. **Change of Use:** \$50.00
5. **Solar Panel:** \$0.16 per square foot
6. **Wind Turbine:** \$1.00 per linear foot (The total height shall be measured from the ground to the top of the structure.)
7. **Commercial Exhaust Hood:** \$50.00
8. **Demolition:** \$50.00
9. **Commercial Signs:** \$50.00

B. Definitions.

1. “Commercial and Industrial”.

The term “Commercial and Industrial” shall include, but not be limited to, both new structures and additions to the following occupancy types, as defined by the Kentucky Building Code: assembly, business, industrial factories, institutional, high hazard, educational / day care centers, mercantile, storage, production greenhouses, utility and miscellaneous.

2. “Residential”.

The term “Residential” shall include, but not be limited to, both new structures and additions to the following occupancy types, as may be defined in the Kentucky Building Code: single-family dwellings, duplexes, apartments, manufactured homes, garages, carports, storage buildings, in-ground-pools, and accessory structures.

3. Undefined terms.

In the event a term is not defined herein, then the definitions contained in or applicable to Kentucky Revised Statutes Chapter 198B, 815 KAR 7:120 and 815 KAR 7:120 shall apply.

C. Waiver of Fee. A permit fee is waived if the building is replacing a residential structure that was damaged or destroyed due to a fire.

D. Minimum Fee. The minimum building permit fee assessed shall be \$50.00.

E. Maximum Fee. The above notwithstanding, the maximum permit fee assessed shall be \$500,000.

2. Repeal. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

3. Severability. The provisions of this ordinance are hereby declared to be severable, and if any section, phrase, or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of the ordinance.

On first reading of the foregoing Ordinance, it was moved by Magistrate Tompkins, seconded by Magistrate Berry, that the Ordinance be adopted on its first reading.

WHEREUPON, the vote was called.

Upon roll call the vote stood:

Magistrate Berry	<u>AYE</u>
Magistrate Southard	<u>AYE</u>
Magistrate Tompkins	<u>AYE</u>
Magistrate Puttman	<u>AYE</u>
Magistrate Starks	<u>AYE</u>

WHEREUPON, County Judge-Executive Brad Schneider declared the Ordinance adopted on its first reading and ordered that the same be published in summary form and presented for second reading on 08 August, 2023, at the regular meeting of Fiscal Court.

On second reading of the foregoing Ordinance, it was moved by Magistrate Southard, seconded by Magistrate Tompkins, that the Ordinance be adopted.

WHEREUPON, the vote was called.

Upon roll call the vote stood:

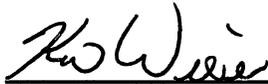
Magistrate Berry	<u>AYE</u>
Magistrate Southard	<u>AYE</u>
Magistrate Tompkins	<u>AYE</u>
Magistrate Puttman	<u>AYE</u>
Magistrate Starks	<u>AYE</u>

WHEREUPON, County Judge-Executive Brad Schneider declared the Ordinance adopted on its second reading, affixed his signature and the date thereto and declared that the same be recorded.

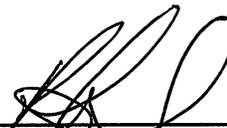
APPROVED this the 08th day of August, 2023.

This Ordinance is adopted pursuant to KRS 67.077 in was introduced and read on the 25th day of July, 2023, and that it was published in summary form on the 30th day of July, 2023, and given final reading on the 8th day of August, 2023, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary form pursuant to KRS Chapter 424 and KRS 67.077(3).

ATTEST:



Kurt Wiesen
Henderson Fiscal Court Clerk



Brad Schneider
Henderson County Judge-Executive