



COMMONWEALTH OF KENTUCKY
Public Protection Cabinet
Department of Housing, Buildings and Construction
Division of Building Code Enforcement
101 Sea Hero Road, Suite 100
Frankfort, Kentucky 40601-5405

LOCAL BUILDING INSPECTION PROGRAM REQUIREMENTS

KRS Chapter 198B created the uniform, statewide building code within the boundaries of the Commonwealth and assigned specific enforcement responsibilities to each local government and to the Department of Housing, Buildings and Construction (DHBC).

The DHBC is tasked with the responsibility to determine that local governments have sufficient equipment and qualified personnel to provide the level of inspection and/or plan review functions as mandated by the statutes. The following information and guidelines are utilized by the DHBC to help local governments establish first time building inspection programs and to monitor existing programs. Each local government is required to complete the "Notice of Local Building Inspection Program" form when requested by DHBC. Each local building inspection program shall be re-examined and new documents filed, if there are alterations to the program or changes in the inspection personnel.

- 1. CERTIFIED BUILDING INSPECTOR AND CERTIFIED ELECTRICAL INSPECTOR:** Each local government's inspection program shall, as a minimum, employ or contract with a Certified Building Inspector Level 1 and a Certified Electrical Inspector. The local government shall also employ, or contract with, other code enforcement personnel and support staff necessary to enforce the Kentucky Building Code (KBC) within the jurisdiction. The person performing plan reviews and building inspections shall be appropriately certified by the DHBC for the function being performed.
- 2. TESTING AND DUTIES OF CERTIFIED BUILDING INSPECTORS:** The scope of authority for each classification of inspector is specifically limited in accordance with competency testing and training. Depending upon the level of inspection responsibility, certification in more than one category may be required.

The National Certification Program for Construction Code Inspectors (NCPCCI) examination modules are developed by the national code enforcement organizations. The examination modules provide nationally recognized evidence of competency and professionalism in construction code enforcement and shall be used to meet the module testing requirements. **NOTE:** Kentucky may also accept equivalent International Code Council Building Inspector Certification.

- A. ONE- & TWO-FAMILY ONLY:** If an inspector's duties are limited to the inspection of single family dwellings, two-family dwellings or townhouses, then certification as a One- and Two-Family Dwelling Inspector is required. The minimum certification requirements for this level are NCPCCI test modules 1A and 4A; completion of orientation training; and compliance with the requirements of 815 KAR 7:070.
- B. MINIMUM JURISDICTION:** If an inspector's duties include all occupancies listed in KRS 198B.060(2), certification as a Kentucky Certified Building Inspector Level I is required. Certification requirements for this level are NCPCCI test modules 1A, 4A, 1B and 3B; completion of the orientation training; and compliance with the requirements of 815 KAR 7:070.
- C. EXPANDED JURISDICTION:** If the local jurisdiction holds expanded jurisdiction responsibilities, certification as a Certified Building Inspector Level III is required. Certification requirements for Level III inspectors are NCPCCI test modules 1A, 4A, 1B, 3B, 4B, 1C, 3C and 4C; completion of the orientation training; and compliance with the requirements of 815 KAR 7:070.
- D. TRAINEES:** Trainees may be utilized by a building inspection program. However trainees shall operate under the general supervision of a Kentucky Certified Building Inspector. Trainees shall not authorize issuance of permits, construction document approval letters, inspection compliance letters or certificates of occupancy. Trainees may deliver properly authorized permits, construction document approval letters, inspection compliance letters or certificates of occupancy.

LOCAL BUILDING INSPECTION PROGRAM REQUIREMENTS – continued

3. **LOCAL JURISDICTION (MINIMUM):** The statutory responsibility of all Local Building Inspection programs is also referred to as "Minimum Jurisdiction". The local building code official, if certified as Building Inspector Level I shall be responsible for the examination and approval of plans and the inspections necessary to determine compliance for:
- A. **Single family dwellings.** All site-built single family residences if the local government has an ordinance requiring inspections of single family residences.¹
 - B. **Two family dwellings.** All site-built residential buildings containing two dwellings (i.e. duplexes).
 - C. **Assembly occupancies.** All buildings classified as assembly occupancies, except churches as indicated in Paragraph D, having a capacity which does not exceed 100 persons and all non-church assembly buildings having 1,500 square feet (140 m²) or less of total floor area.
 - D. **Business occupancies.** All buildings classified as business occupancies having a capacity that does not exceed 100 persons and all business occupancies having 10,000 square feet (930 m²) or less of total floor area.
 - E. **Churches.** All church buildings having a capacity of 400 or less persons and all church buildings having 6,000 square feet (558 m²) or less of total floor area.
 - F. **Factory or industrial occupancies.** All buildings classified as factory or industrial occupancies having a capacity that does not exceed 100 persons and all factory or industrial occupancies having 20,000 square feet (1860 m²) or less of total floor area.
 - G. **Mercantile occupancies.** All mercantile occupancies having a capacity which does not exceed 100 persons and all mercantile occupancies having 3,000 square feet (280 m²) or less of total floor area.
 - H. **Residential, storage or utility occupancies.** All buildings classified as residential (including two-family dwelling units), storage or utility occupancies as long as the buildings do not exceed three stories in height or 20,000 square feet (1860 m²) of total floor area.
4. **EXEMPTIONS**
- A. **Single family farm**
 - B. **Manufactured Housing**
 - C. **State buildings. State owned buildings are the exclusive jurisdiction of the DHBC.**
5. **SCHEDULE OF FEES:** Each local government may adopt its own reasonable schedule of fees for the plan review and inspection functions performed under the provisions of KRS 198B.060. The fees shall be designed to fully cover the cost of the service performed but shall not exceed the cost of the service performed. Any building permit fees established for construction projects under state jurisdiction shall be adjusted (reduced) to reflect that no plan review or building code inspection functions will be provided by the local government.

¹ The Kentucky Residential Code is applicable to all single family dwelling construction even if the local government has opted to not inspect those dwellings. The Department recommends that all local governments establish a complete inspection program for single-family dwellings. A local building inspection program may include the plan review and inspection of all detached single family dwellings that are not HUD/Manufactured homes or farm dwellings. The local government must pass an ordinance to establish an inspection program for detached single family dwellings. The local building department may also issue permits for the foundation system and other on-site construction related to modular home installations upon notification from the Department for each instance.

LOCAL BUILDING INSPECTION PROGRAM REQUIREMENTS – continued

6. **ACCOUNTING FOR FEES:** The building code official shall keep an accurate account of all plan review and inspection fees. Fees collected shall be deposited per local government established procedures.
7. **LOCAL APPEALS BOARDS:** The mayor or county judge/executive of a local government, may establish a local appeals board in accordance with KRS 198B.070. The mayor or county judge/executive may, upon approval of the local legislative body, appoint an appeals board, consisting of five (5) technically qualified persons with professional experience related to the building industry, to hear appeals from the decisions of the local building official. The local government's "*Notification of Local Building Inspection Program*" shall indicate the local government's intention to have or not to have a local appeals board. Where no local appeals board exists, the Board of Housing shall serve to hear appeals directly from any party aggrieved by a decision by the local building code official. **NOTE:** The cost of any appeal forwarded to the Board of Housing Appeals Committee because there is no local appeals board shall be borne by the local government.
8. **ENFORCEMENT BY LOCAL GOVERNMENT:** Electrical installations shall be inspected and approved by certified electrical inspector(s) designated by the local government, (unless the inspection is performed by a state inspector on state property), pursuant to KRS 227.489 and 815 KAR 35:015. The plumbing installation shall be inspected and approved pursuant to KRS Chapter 318 and the Kentucky State Plumbing Code (815 KAR 20:010-060).
9. **GENERAL REQUIREMENTS:** The local building inspector and electrical inspector must have adequate means of communicating with the public and contractors, such as telephone line(s), cellular telephone, fax machine or electronic messaging. He/She should also be provided with the necessary forms, notebooks, and instruments associated with inspections in the jurisdiction and copies of all governing building codes and referenced standards.



NOTICE OF LOCAL BUILDING INSPECTION PROGRAM

NEW PROGRAM

UPDATE TO EXISTING PROGRAM

Name of Jurisdiction

Today's Date

Chief Appointing Authority (Mayor or County Judge Executive) PRINTED NAME & SIGNATURE

INSPECTION PERSONNEL – If an independent contractor, include a copy of the contract. (Use additional pages if necessary)

Building Inspector Name License Number and level Years certified Employee or Independent Contractor

Building Inspector Name License Number and level Years certified Employee or Independent Contractor

Electrical Inspector Name License Number Years certified Employee or Independent contractor

List other associated building inspection personnel. (Use additional pages if necessary)

Name Job title Years employed

Name Job title Years employed

Local appeals Board: YES NO If "Yes" a copy of the local ordinance creating the local appeals board is included as EXHIBIT # _____. If "No", all appeals shall be referred to the Kentucky Board of Housing Appeals Committee **AND** the cost of the appeal shall be borne by the local government.

Detached Single Family Dwelling Option: YES NO If "Yes", a copy of the ordinance(s) creating the single family dwelling inspection program is included as EXHIBIT # _____.

Schedule of Fees: A copy of the local ordinance creating a fee schedule and the schedule of fees is included with this application as EXHIBIT # _____.

Official Contact:

Name of Chief Building Official

Title

Name of Department

Business Phone

No. Street, Highway or other mailing address

Business Fax

City, State & zip code

E-Mail Address

RETURN COMPLETED FORM TO:

Department of Housing, Buildings and Construction
Division of Building Code Enforcement
101 Sea Hero Road, Suite 100
Frankfort, Kentucky 40601-5405