

227.331 Violation of administrative regulations or orders -- Administrative fines -- Enforcement actions. (Effective July 15, 2026)

- (1) As used in this section, "fire protection official" means the state fire marshal, fire chief, fire marshal employed by a local government agency, or local appeals board acting pursuant to KRS 227.325.
- (2) Any person who willfully violates any administrative regulation, emergency order, or final order of the fire protection official shall be subject to suspension or revocation of certificate of authority, occupancy, or other license or permit, or administrative fine not exceeding one thousand dollars (\$1,000) in lieu of suspension or revocation, for violation of the provision to which the administrative regulation or order relates, after notice and hearing in accordance with KRS Chapter 13B.
- (3) An action to enforce any proper order of, or action taken by, the fire protection official or the commissioner for recovery of the penalties provided under subsection (1) of this section, for a restraining order, or for a temporary or permanent injunction as deemed necessary by the fire protection official for the prevention or correction of a condition constituting or threatening to constitute a violation of this chapter or administrative regulations promulgated under this chapter shall be brought by the fire protection official or, upon the commissioner's request, by the Attorney General. In any action for a restraining order or for a temporary or permanent injunction, allegations in a verified complaint or affidavit by the fire protection official or a deputy or employee of the fire protection official that the respondent is in violation of specified fire prevention and protection laws or administrative regulations and the violation or violations present such hazard to human life or limb that the public safety imperatively requires emergency action shall be sufficient under Rule 65 of the Kentucky Rules of Civil Procedure to show that the applicant's rights are being or will be violated and that applicant or a member of the public will suffer immediate and irreparable injury, loss, or damage before notice can be served and a hearing had thereon or pending a final judgment in the action.
- (4) All actions for enforcement, recovery of administrative fines, and injunctive relief for violations of this chapter shall be brought in the name of the Commonwealth of Kentucky by the fire protection official or, upon the commissioner's request, by the Attorney General in the Circuit Court within which the property involved is located.
- (5) If the fire protection official has reason to believe that any person has violated any provision of this chapter for which criminal penalties are provided and in his or her opinion prosecution would be in order, he or she shall give the related information to the appropriate county attorney, Commonwealth's attorney, or to the Attorney General. The county attorney, Commonwealth's attorney, or Attorney General shall promptly institute any action or proceedings against the person as in his or her opinion the information may require or justify.

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History: Amended 2026 Ky. Acts ch. 47, sec. 1, effective July 15, 2026. -- Amended 2010 Ky. Acts ch. 24, sec. 398, effective July 15, 2010. -- Amended 1996 Ky. Acts ch. 318, sec. 141, effective July 15, 1996. -- Created 1978 Ky. Acts ch. 305, sec. 17,

effective June 17, 1978.