

CHAPTER 125

(HB 297)

AN ACT relating to fire safety.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

Section 1. KRS 227.336 is amended to read as follows:

- (1) Whenever the state fire marshal or any deputy state fire marshal appointed or employed by him *or her* makes any finding set forth in subsection (1) of KRS 227.330, or finds any property in violation of any provision of KRS 227.200 to 227.410 or any regulations adopted thereunder, in lieu of the order required in KRS 227.330(1), he *or she shall*~~may~~ notify the owner or his *or her* agent in writing of such *specific* finding and violation and instruct him *or her* to correct the violation within a period of time ~~to be determined at his discretion, but~~ not to exceed sixty (60) days. Should the owner fail to make the required corrections within the specified time, the state fire marshal may proceed to take any other action authorized in this chapter.
- (2) *If the state fire marshal or a deputy state fire marshal is required to make additional inspections, beyond the initial inspection and one (1) follow-up inspection, to determine if the required corrections referred to in subsection (1) of this section have been made, the state fire marshal or the deputy state fire marshal shall assess a fee against the property owner to recover the cost of each additional inspection according to the following schedule:*
  - Third inspection fee.....\$100.00*
  - Fourth inspection fee.....\$200.00*
  - Fifth and subsequent inspection fee.....\$500.00*
- (3) *Any fee collected under the provisions of this section by the state fire marshal shall be payable to the State Treasury and credited to the Office of the State Fire Marshal for the operation of the general inspection program. Any fee collected under the provisions of this section by a deputy state fire marshal shall be payable to the fire department conducting the inspection.*
- (4) *If during a follow-up inspection or any subsequent inspection for the same violation the state fire marshal or a deputy state fire marshal finds an additional violation not found during the initial inspection, such additional violation shall be treated as an initial violation which the property owner shall have the opportunity to correct under subsection (1) of this section prior to the assessment of a fee under subsection (2) of this section.*

Approved March 18, 2003