

815 KAR 7:120. Kentucky Building Code.

RELATES TO: KRS 132.010, 198B.010, 198B.040, 198B.050, 198B.060, 198B.080, 198B.260, 198B.990, 227.300, 227.550(7)

STATUTORY AUTHORITY: KRS 198B.040(7), 198B.050

NECESSITY, FUNCTION, AND CONFORMITY: KRS 198B.040(7) and 198B.050 require the department to promulgate a mandatory uniform state building code that establishes standards for the construction of all buildings in the state. This administrative regulation establishes the Kentucky Building Code's general provisions.

Section 1. Definitions.

- (1) "Building" is defined by KRS 198B.010(4).
- (2) "Department" is defined by KRS 198B.010(11).
- (3) "Industrialized building system" or "building system" is defined by KRS 198B.010(16).
- (4) "Manufactured home" is defined by KRS 227.550(7).
- (5) "Single-family dwelling" or "one (1) family dwelling" means a single unit that:
 - (a) Provides complete independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation; and
 - (b) Is not connected to another unit or building.
- (6) "Townhouse" means a single-family dwelling unit constructed in a group of three (3) or more attached units separated by property lines in which each unit extends from foundation to roof and with open space on at least two (2) sides.
- (7) "Two (2) family dwelling" means a building containing not more than two (2) dwelling units that are connected.

Section 2. Building Code. The 2015 International Building Code shall be the mandatory state building code for all buildings constructed in Kentucky, except that:

- (1) The Kentucky amendments in the 2018 Kentucky Building Code shall supersede any conflicting provision in the 2015 International Building Code;
- (2) One (1) family dwellings, two (2) family dwellings, and townhouses shall be governed by 815 KAR 7:125; and
- (3) Manufactured homes shall be governed by KRS 227.550 through 227.665.

Section 3. State Plan Review and Inspection Fees. The fees required by this section shall apply for plan review and inspection by the department.

- (1) Fast track elective.
 - (a) A request for expedited site and foundation approval of one (1) week or less, prior to full review of the complete set of construction documents, shall be accompanied by the fee required by Table 121.3.1 in subsection (3) of this section, plus an additional fifty (50) percent of the basic plan review or inspection fee.
 - (b) The additional fifty (50) percent fee shall not be less than \$400 and not more than \$3,000.
 - (c) The entire fee shall be paid with the initial plan submission.
- (2) New buildings.
 - (a) The department's inspection fees shall be calculated by multiplying:
 1. The cost per square foot of each occupancy type as listed in Table 121.3.1 in subsection (3) of this section; and
 2. The square footage of the outside dimensions of the building.
 - (b) The fee for a building with multiple or mixed occupancies shall be calculated using the cost per square foot multiplier of the predominant use.
 - (c) The minimum fee for review of plans pursuant to this subsection shall be \$285.

(3) Table 121.3.1, Basic Department Fee Schedule. The basic plan review or inspection fee shall be as established in Table 121.3.1 in this subsection.

| OCCUPANCY TYPE | COST PER SQUARE FOOT |
|---------------------------|----------------------|
| Assembly | Sixteen (16) cents |
| Business | Fifteen (15) cents |
| Day care centers | Fifteen (15) cents |
| Educational | Fifteen (15) cents |
| High Hazard | Sixteen (16) cents |
| Industrial factories | Fifteen (15) cents |
| Institutional | Sixteen (16) cents |
| Mercantile | Fifteen (15) cents |
| Residential | Fifteen (15) cents |
| Storage | Fifteen (15) cents |
| Utility and Miscellaneous | Thirteen (13) cents |
| Production greenhouse | Ten (10) cents |

(4) Additions to existing buildings.

(a) Plan review fees for additions to existing buildings shall be calculated by multiplying the cost per square foot of the occupancy type listed in Table 121.3.1 in subsection (3) of this section by the measurement of the square footage of the addition, as determined by the outside dimensions of the addition and any other changes made to the existing building.

(b) The minimum fee for review of plans pursuant to this subsection shall be \$285.

(5) Change in use.

(a) Plan review fees for existing buildings in which the use group or occupancy type is changed shall be calculated in accordance with the schedule listed in Table 121.3.1 in subsection (3) of this section by using the total square footage of the entire building or structure pursuant to the new occupancy type as determined by the outside dimensions.

(b) The minimum fee for review of plans pursuant to this subsection shall be \$285.

(6) Alterations and repairs.

(a) Plan review fees for alterations and repairs not otherwise covered by this fee schedule shall be calculated by using the lower result of multiplying the:

1. Cost for the alterations or repairs by 0.0030; or
2. Total area being altered or repaired by the cost per square foot of each occupancy type listed in the schedule in subsection (3) of this section.

(b) The total square footage shall be determined by the outside dimensions of the area being altered or repaired.

(c) The minimum fee for review of plans pursuant to this subsection shall be \$285.

(7) Specialized fees. In addition to the fees established by subsections (1) through (6) of this section, the following fees shall be applied for the specialized plan reviews listed in this subsection:

(a) Table 121.3.9, Automatic Sprinkler Review Fee Schedule. The inspection fee for automatic sprinklers shall be as established in Table 121.3.9 in this paragraph;

| NUMBER OF SPRINKLERS | FEE |
|-----------------------------|-------|
| Four (4) – twenty-five (25) | \$150 |

| | |
|------------------|--|
| Twenty-six – 100 | \$200 |
| 101 – 200 | \$250 |
| 201 – 300 | \$275 |
| 301 – 400 | \$325 |
| 401 – 750 | \$375 |
| OVER 750 | \$375 plus thirty (30) cents per sprinkler over 750 |

(b) Fire detection system review fee.

1. Zero through 20,000 square feet shall be \$275; and
2. Over 20,000 square feet shall be \$275 plus thirty (30) dollars for each additional 10,000 square feet in excess of 20,000 square feet;

(c) The standpipe plan review fee shall be \$275. The combination stand pipe and riser plans shall be reviewed pursuant to the automatic sprinkler review fee schedule;

(d) Carbon dioxide suppression system review fee.

1. One (1) through 200 pounds of agent shall be \$275; and
2. Over 200 pounds of agent shall be \$275 plus five (5) cents per pound in excess of 200 pounds;

(e) Clean agent suppression system review fee.

1.
 - a. Up to thirty-five (35) pounds of agent shall be \$275; and
 - b. Over thirty-five (35) pounds shall be \$275 plus ten (10) cents per pound in excess of thirty-five (35) pounds; and
2. The fee for gaseous systems shall be ten (10) cents per cubic foot and not less than \$150;

(f) Foam suppression system review fee.

1. The fee for review of a foam suppression system shall be fifty (50) cents per gallon of foam concentrate if the system is not part of an automatic sprinkler system.
2. Foam suppression system plans that are submitted as part of an automatic sprinkler system shall be reviewed pursuant to the automatic sprinkler review fee schedule.
3. The fee for review of plans pursuant to subclause 1. of this paragraph shall not be less than \$275 or more than \$1,500;

(g) The commercial range hood review fee shall be \$225 per hood;

(h) Dry chemical systems review fee (except range hoods). The fee for review of:

1. One (1) through thirty (30) pounds of agent shall be \$275; and
2. Over thirty (30) pounds of agent shall be \$275 plus twenty-five (25) cents per pound in excess of thirty (30) pounds; and

(i) The flammable, combustible liquids or gases, and hazardous materials plan review fee shall be \$100 for the first tank, plus fifty (50) dollars for each additional tank and \$100 per piping system including valves, fill pipes, vents, leak detection, spill and overfill detection, cathodic protection, or associated components.

Section 4. General. All plans shall be designed and submitted to conform to this administrative regulation.

Section 5. Incorporation by Reference.

(1) The following material is incorporated by reference:

- (a) "2015 International Building Code", International Code Council, Inc.; and
- (b) "2018 Kentucky Building Code, Second Edition, May 2020.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Department of Housing, Buildings and Construction, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. and is available online at <http://dhbc.ky.gov/Pages/default.aspx>.

(27 Ky.R. 3474; 28 Ky.R. 391; eff. 8-15-2001; 2453; 29 Ky.R. 133; eff. 7-15-2002; 808; eff. 11-12-2002; 2160; 2468; eff. 3-24-2003; 2986; 30 Ky.R. 285; 1599; eff. 8-13-2003; 1599; eff. 2-16-04; 31 Ky.R. 1899; 32 Ky.R. 77; eff. 7-27-2005; 33 Ky.R. 3250; 4168; eff. 7-6-2007; 34 Ky.R. 1226; 1740; eff. 2-1-2008; 35 Ky.R. 2359; 2772; 36 Ky.R. 75; eff. 7-29-2009; 2065-M; 2046-A; eff. 5-7-2010; 37 Ky.R. 1092; 1727; eff. 3-4-2011; 38 Ky.R. 692; 920; eff. 11-30-2011; 39 Ky.R. 1506; 40 Ky.R. 17; eff. 8-2-2013; 2630; eff. 8-1-2014; 41 Ky.R. 1181; eff. 3-6-2015; 42 Ky.R. 2650; eff. 6-22-2016; 43 Ky.R. 2067, 44 Ky.R. 95; eff. 7-26-2017; 44 Ky.R. 2442; 45 Ky.R. 96; eff. 8-22-2018; 45 Ky.R. 3274; eff. 8-2-2019; TAm eff. 5-29-2020.)