

CHAPTER 150: BUILDING CODE

Section

General Provisions

150.01 Kentucky Building Code and Kentucky Residential Code adopted by reference

150.02 National Electric Code adopted by reference

Building Inspection and Zoning Administration

150.10 Building Inspector; records required

150.11 Permit required

150.12 Permit fees

150.13 Building permit valuations

150.14 Lots to abut public street

Electrical Inspection

150.20 Definitions

150.21 Electrical Inspectors

150.22 Contractor; notification of work; concealing wiring; forms; using same inspector

150.23 Revocation of contractor's license

150.24 Certification of approval required electrical work

150.25 Certificate of approval required for service

150.26 Issuance of certificate of approval; revocation

150.27 Liability

150.28 Authorization of agreements

150.29 Electrical permits

150.99 Penalty

Appendix A: Electricians; electrical contractors

Cross-reference:

Housing standards, see Chapter 152

Statutory reference:

Power of local governments to establish fees, perform inspections, and issue permits, see KRS 198B.050

GENERAL PROVISIONS

§ 150.01 KENTUCKY BUILDING CODE AND KENTUCKY RESIDENTIAL CODE ADOPTED BY REFERENCE.

(A) The Kentucky Building Code, promulgated in 815 KAR 7:120 and the Kentucky Residential Code promulgated in 815 KAR 7:125 by the Board of Housing, Buildings and Construction, Commonwealth of Kentucky, are hereby adopted in their entirety and incorporated herein by reference.

(B) Copies of the Kentucky Building Code and the applicable edition of the Kentucky Residential Code are on file in the offices of the City Clerk and the Northern Kentucky Area Planning Commission, and officials in those two offices shall at all times keep copies of said building codes for reference.

(C) The Northern Kentucky Area Planning Commission is hereby designated as the local enforcement agency for the Kentucky Building Code. All building code inspections shall be performed by persons certified by the Kentucky Department of Housing, Buildings and Construction. All electrical inspections shall be performed by a certified inspector specifically approved by the Kentucky Department of Housing, Buildings and Construction.

(D) Pursuant to KRS 198B.060(8), a building inspection program is hereby established in the city for application to all buildings, including single-family dwellings as provided in the adopted codes.

(Ord. O-10-80, passed 2-5-80; Am. Ord. O-18-03, passed 4-15-03; Am. Ord. O-22-10, passed 6-28-10; Am. Ord. O-43-12, passed 11-27-12)

Statutory reference:

Building Code, see KRS 198B.110

§ 150.02 NATIONAL ELECTRIC CODE ADOPTED BY REFERENCE.

The National Electric Code, as it may be amended, is hereby adopted in full by this section, and the same shall have the effect as if it were written fully herein, as a minimum standard for the construction, alteration and repair of any electrical wiring done within the effective area of this subchapter. These standards shall be used by the Electrical Inspector in making his or her inspections.

(Ord. O-46-90, passed 10-2-90; Am. Ord. O-22-10, passed 6-28-10)

BUILDING INSPECTION AND ZONING ADMINISTRATION

§ 150.10 BUILDING INSPECTOR; RECORDS REQUIRED.

The Building Inspector shall keep a permanent and accurate accounting of all permit fees and other moneys collected, the names of all persons on whose account the money or fees was paid, and the date and amount thereof.

(‘77 Code, § 940.2, Sec. I(A)) (Ord. O-75-67, passed 9-21-67; Am. Ord. O-22-10, passed 6-28-10)

§ 150.11 PERMIT REQUIRED.

(A) *Permit required.* No person shall commence any work on a building or structure or the construction of any physical improvement to real estate before obtaining the necessary permit from the city.

(‘77 Code, § 940.2, Sec. I(B))

(B) *Permit issuance; payment of fees.*

(1) No building or zoning permit shall be issued until the prescribed fees shall have been paid.

(2) No amendment to a permit shall be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure, shall have been paid.

(3) On all buildings, structures, or alterations requiring a building or zoning permit, the required fee shall be paid at the time of filing the application with the applicable City of Covington department.

(‘77 Code, § 940.2, Sec. I(C)) (Ord. O-75-67, passed 9-21-67; Am. Ord. O-22-10, passed 6-28-10) Penalty, see § 150.99

§ 150.12 PERMIT FEES.

(A) The city hereby adopts the Schedule of Fees below for the processing and issuing of zoning permits, building permits, and for Board of Adjustment hearing fees.

SCHEDULE OF FEES - RESIDENTIAL

<i>Residential Building Permit Fees</i>				
<i>Construction Type</i>	<i>Fee</i>	<i>Due w/app</i>	<i>Bal Due</i>	<i>Notes</i>
Single-family dwelling (detached)	\$0.208/sf	\$200	Prior to permit	8, 16, 22, 32
Two-family dwelling	\$0.208/sf	\$200	Prior to permit	8, 16, 26, 32
Alteration/remodel	\$0.208/sf	\$200	Prior to permit	1, 8, 16, 32

<i>Residential Building Permit Fees (cont'd)</i>				
<i>Construction Type</i>	<i>Fee</i>	<i>Due w/app</i>	<i>Bal Due</i>	<i>Notes</i>

Condominium	\$0.208/sf	\$200	Prior to permit	8, 16, 32
Townhome	\$0.208/sf	\$200	Prior to permit	8, 16, 21, 32

Modular home/Manuf. home	\$326	Total		3, 16, 24, 32
Addition	\$0.208/sf	\$200	Prior to permit	3, 16, 18, 19, 32
Large acc storage structure/Det. garage	\$445	Total		3, 16, 18, 19, 32
Small acc storage structure	\$148	Total		3, 16, 17, 32
Basement finish	\$296	Total		3, 16, 25, 32
Deck	\$148	Total		3, 16, 27, 32
Covered Deck/porch	\$208	Total		3, 16, 23, 31, 32
Demolition	\$92	Total		3, 16, 28, 32
Fence>6 ft in hgt	\$92	Total		3, 16, 32
Small projects	\$92	Total		3, 16, 32, 35
Residential mechanical	See HVAC fee schedule			
Move and set/perm foundation	\$326	Total		3, 16, 30, 32
In-ground pool	\$415	Total		3, 10, 16, 32
Repair	\$148	Total		3, 16, 20, 32
Retaining wall	\$208	Total		3, 15, 16, 32
Sun room	\$326	Total		3, 16, 32
Electrical permit	\$30	Total		32, 33
Accessory uses not listed above	\$148	Total		3, 12, 16, 32

<i>Special Provisions</i>	<i>Fee</i>	<i>Due</i>	<i>Notes</i>
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Re-inspections (after 1@NC)	\$130	Prior to CO	3, 4, 32
Plan revision (after 2 submittals)	\$130	At time of 3rd submission	3, 5, 32
Fast track processing	Fee x 1.5	1.5 x amt due w/application	3, 6, 32
Construction w/o a permit	Fee x 2	Total due w/application	3, 13, 32
Special inspections	\$208	Prior to CO	3, 7, 32
Foundation only	\$237	With application	2, 3, 32
Appeal of staff decision	\$356	With application	N/A
Permit reissuance	% of permit	With reissuance	34

Residential Building Permits	
No.	Notes: Definitions/Clarifications/Policies
1	Alteration/Remodel: renovation of an existing structure or a finished area within a structure.
2	Foundation Only: construction of the footers, slab and foundation prior to issuance of the building permit for the entire structure. (Requires an additional charge.)
3	Flat Fee: a one-time fee for plan review, permitting, inspections and certificate of completion.
4	Re-inspection Fee: the letter that accompanies each building permit will state the number of inspections covered by the fee. Applicants will be permitted one free re-inspection beyond those covered by the application fee. Additional re-inspections require an additional charge.
5	Plan Revision: two reviews of submitted plans (one initial and one re-submittal) are included in each application fee. Additional plan revisions require an additional charge.
6	Fast Track Processing: review of building permit application and plans outside normal channels for time-sensitive projects (Requires an additional charge.)
7	Special Inspection: requested before or after hours inspections accommodated as staffing allows.
8	Square Footage Fee: a one-time fee for plan review, permitting, inspections and certificate of completion based on the number derived from measuring total floor space at the subfloor level including the enclosing walls. (Includes basement area, 1st floor area, 2nd floor area, garage, bonus room, covered deck. Excludes porches and uncovered decks and patios.)
9	Addition: an addition to any structure located on a residential lot.
10	In-Ground Pool: a swimming pool located below grade with a minimum water depth of 18 inches.
11	Above-Ground Pool: a swimming pool located above grade with a minimum water depth of 18 inches.
12	Accessory Structures/Uses: structures or uses not otherwise listed such as flag poles, solar panels, etc.
13	Construction w/o Permit: commencing construction activities covered by the required building permit but without the permit. (Requires an additional charge.)
14	Residential Electric: applicable when the project includes only electrical work such as lighting the outside of an existing structure or upgrading electrical service.
15	Retaining Wall: a separate permit is required for each 200 lineal feet of retaining wall.
16	Calculating fees: a separate fee is required for each "construction type" specified in the fee schedule even if the individual activities are part of the same project on the same site.
17	Small Acc Structure: a structure consisting of between 120 and 400 square feet used for storage.
18	Large Acc Structure: a structure of greater than 400 square feet used for storage.
19	Detached Garage: an accessory structure used primarily for motor vehicle storage.
20	Repair: reconstruction/repair of a structure on a residential lot.
21	Townhome: a dwelling constructed in an attached grouping of three separated by a property line.
22	Single-Family Dwelling: a dwelling not connected to any other dwelling.

23	Covered Deck: a deck covered by a roof. (The fee covers both the deck and the roof.)
24	Modular Home: an industrialized building system product not classified as a modular or mobile home but which is used as a dwelling.
25	Finished Basement: all activities that are part of the process of changing an unfinished basement into finished living space.
26	Two-Family Dwelling: a structure containing no more than two attached dwellings.
27	Deck: a structure typically built out of wood, with an exterior floor surface, without a roof, and attached to a dwelling on at least one side.
28	Demolition: the complete or partial demolition of a structure on a residential lot.
29	Residential Mechanical: \$75 for first unit, \$50 for second unit of two family or \$25 for each additional unit for multi-family. Price includes three inspections.
30	Move and Set: all activities involved with moving a structure from one site to another.
31	Covered Porch: a structure typically built with concrete, with an exterior floor surface, with a roof, and attached to a dwelling on at least one side.
32	Refunds: all fees collected at the time of application are non-refundable. Once a permit is issued, all fees are non-refundable.
33	Residential Electric: permit cards may be purchased in groups in advance.
34	Permit Reissuance: % of actual permit fee based on % of project completed and approved. See grid.
35	Small Projects: projects normally requiring only one inspection. Additional trips are extra.

SCHEDULE OF FEES - COMMERCIAL

<i>Commercial Building Permit Fees</i>							
<i>Const. Type</i>	<i>Fee</i>	<i>Plus</i>			<i>Due w/App</i>	<i>Bal Due</i>	<i>Notes</i>
		<i>1K-5K sf</i>	<i>5001-30K sf</i>	<i>>30K sf</i>			
Alteration/Tenant finish	\$474		\$0.213/sf	\$0.119/sf	\$0.06/sf	\$474	P T P 1, 2, 6, 13, 18, 19
New Structure/ Additions: Industrial, Warehouse	\$1,186			\$0.119/sf	\$0.06/sf	\$1,186	P T P 6, 13, 18, 19
New Structure: Business/ Mercantile, Assembly and Other Use Groups	\$1,186			\$0.178/sf	\$0.09/sf	\$1,186	P T P 6, 13, 18, 19
Cellular Tower/Ant Colocation	\$296					\$266	
Change of Use	\$267					\$240	
Deck	\$267					\$240	

Demolition	\$148				\$133		5, 18, 19
Fence>6 ft. in hgt	\$92				\$80		5, 18, 19
HVAC	See HVAC fee schedule.						
Fire Alarm		\$326	\$408	\$524	Full		5, 18, 19

Commercial Building Permit Fees (cont'd)

Const. Type	Fee	Plus			Due w/App	Bal Due	Notes
		1K-5K sf	5001-30K sf	>30K sf			

Other Fire Supp System		\$326			\$326		5, 18, 19
Fire Supp System (4-200 heads)		\$326			\$326		5, 18, 19
Fire Supp System (201-400 heads)		\$408			\$408		5, 18, 19
Fire Supp System (>400 heads)		\$524			\$524		5, 18, 19
Swimming Pool		\$415			\$415		5, 18, 19
Range Hood/Suppression		\$326			\$326		5, 10, 18, 19
Repair		\$356			\$356		5, 18, 19
Sign		\$166			\$166		5, 18, 19
Temporary Tents		\$166			\$166		5, 16, 18, 19
Retaining Wall		\$208			\$208		5, 17, 18, 19
Shell		\$593			\$593		4, 6, 18, 19
Foundation Only		\$296			\$296		3, 16, 19
Accessory Structures/Uses		\$297			\$297		5, 18, 19, 21
Electrical Permit		\$30			\$30		15, 18, 19
State Co-Permits		50%			Full		18, 19, 23

Special Provisions	Fee	Due	Notes
Re-inspections (after 1 @ NC)	\$155	Prior to CO	7
Plan Revisions (after 2 submittals)	\$237	At time of 3rd submission	8

Special Provisions	Fee	Due	Notes
Fast Track Processing	Above fee x 1.5	1.5 x amount due w/application	9, 19

Construction w/o Permit	Above fee x 2	Total due with app	14, 19
Special Inspections	\$237	Prior to CO	12, 19
Permit Reissuance	% of permit fee	With application	25
Annual Permits	Above fee plus	With application	24
Appeal of Staff Decision	\$356	With application	N/A

<i>Commercial Building Permits</i>	
<i>No.</i>	<i>Notes: Definitions/Clarifications/Policies</i>

1	Tenant Finish: new construction within a vacant non-residential space.
2	Alteration: renovation of an existing structure or a finished area within a structure.
3	Foundation Only: construction of the footers, slab, and foundation prior to issuance of the building permit for the entire structure. (Requires an additional charge paid at the time of application.)
4	Shell: construction of the new structure that excludes all interior work except stairwells and elevator shafts. Certificate of Occupancy are not issued for shells. A shell permit requires a stand-alone application unrelated to the full application that will follow.
5	Flat Fee: a one-time fee for plan review, permitting, inspections, and certificate of completion.
6	Square Footage Fee: the total fee due includes the base fee plus the square footage times the multiplier shown.
7	Reinspection Fee: the letter that accompanies each building permit will state the number of inspections covered by the fee. Applicants will be permitted one free reinspection per permit; additional reinspections require an additional charge.
8	Plan Revision: two reviews of submitted plans (one initial and one resubmittal) are included in each application fee. Additional plan revisions require an additional charge.
9	Fast Track Processing: review of building permit application and plans outside normal channels for time sensitive projects. (Requires an additional charge.)
10	Range Hood: each hood being installed requires a separate fee.
11	Range Hood Fire Suppression: each fire suppression system being installed requires a separate fee.
12	Special Inspection: requested before or after business hours inspection accommodated as staffing allows.
13	Basis for Square Footage Fees: new construction and additions are calculated from the outside dimensions of the building plus all floor areas including all unfinished areas. Tenant finish fees are based on the entire square footage of the tenant space. Interior alterations are based on the square footage of the area being renovated.
14	Construction w/o a Permit: commencing construction activities covered by the required building permit but without the permit. (Requires an additional charge.)
15	Commercial Electric: permit cards may be purchased in groups in advance.
16	Sign/Tent: fee covers all sign or tents being installed. If both, then one fee for each type to be erected.
17	Retaining Wall: a separate permit is required for each 200 lineal feet of retaining wall.

18	Calculating fees: a separate fee is required for each “construction type” specified in the fee schedule even in the individual activities are part of the same project on the same site.
19	Refunds: all fees collected at the time of application are non-refundable. Once a permit is issued, all fees are non-refundable.
20	Cellular Antenna Tower: an application and permit are required for new construction as well as for co-locating new antennae on an existing structure and thereby expanding its scope/intensity. Not required for replacement.
21	Accessory Structure/Use: structures or uses not otherwise listed such as flag poles, paint booths, overhead cranes, playground equip, site place/telescoping, bleachers, etc.
22	Change of Use: changing the use of a structure or a space within it from one Use Group to another, as defined by the Kentucky Building Code.
23	State Co-Permits: required by state law, these permit fees cover inspections not performed by state personnel. (Min fee is \$200; maximum is 50% of normal NKAPC fee.)
24	Annual Permits: construction value plus a per-trip fee based on \$45/hr after the first inspection.
25	Permit Reissuance: % of actual permit fee based on % of project completed and approved. See grid.

SCHEDULE OF FEES - ZONING ADMINISTRATION

<i>Activity</i>	<i>Fee</i>
Zoning Permits	
Commercial/Industrial	\$213
Multi-Family	\$160
Single-Family	\$107
Two-Family	\$107
Accessory Structures/Uses	\$80
Signs	\$107
Change of Use	\$80
Home Occupations	\$53
Board of Adjustments	\$350
Sign Deposit for BOA Hearings Refundable on Return	\$35

No.

Notes: Definitions/Clarifications/Policies

1	Alteration/Remodel: renovation of an existing structure or a finished area within a structure.
2	Foundation Only: construction of the footers, slab and foundation prior to issuance of the building permit for the entire structure. (Requires an additional charge)

3	Flat Fee: a one-time fee for plan review, permitting, inspections and certificate of completion.
4	Re-inspection Fee: the letter that accompanies each building permit will state the number of inspections covered by the fee. Applicants will be permitted one free re-inspection beyond those covered by the application fee. Additional re-inspections require an additional charge.
5	Plan Revision: two reviews of submitted plans (one initial and one re-submittal) are included in each application fee. Additional plan revisions require an additional charge.
6	Special Inspection: requested before or after hours inspections accommodated as staffing allows.
7	Square Footage Fee: a one-time fee for plan review, permitting, inspections and certificate of completion based on the number derived from measuring total floor space at the subfloor level including the enclosing walls. (Includes basement area, 1st floor area, 2nd floor area, garage, bonus room, covered deck. Excludes porches and uncovered decks and patios.)
8	Addition: an addition to any structure located on a residential lot.
9	In-Ground Pool: a swimming pool located below grade with a minimum water depth of 18 inches.
10	Above-Ground Pool: a swimming pool located above grade with a minimum water depth of 18 inches.
11	Accessory Structures/Uses: structures or uses not otherwise listed such as flag poles, etc.
12	Construction w/o Permit: commencing construction activities covered by the required building permit but without the permit. (Requires and additional charge.)
13	Retaining Wall: a separate permit is required for each 200 lineal feet of retaining wall.
14	Calculating fees: a separate fee is required for each "construction type" specified in the fee schedule even if the individual activities are part of the same project on the same site.
15	Small Acc Storage Structure: a structure consisting of between 120 and 250 square feet used for storage.
16	Lg Acc Storage Structure: a structure of greater than 250 square feet used for storage.
17	Detached Garage: an accessory structure used primarily for motor vehicle storage.
18	Repair: reconstruction/repair of a structure on a residential lot.
19	Townhome: a dwelling constructed in an attached grouping of three separated by a property line.
20	Single-Family Dwelling: a dwelling not connected to any other dwelling.
21	Covered Deck: a deck covered by a roof. (The fee covers both the deck and the roof.)
22	Modular Home: an industrialized building system product not classified as a modular or mobile home but which is used as a dwelling.
23	Finished Basement: all activities that are part of the process of changing an unfinished basement into finished living space.
24	Two-Family Dwelling: a structure containing no more than two attached dwellings.
25	Deck: a structure typically built out of wood, with an exterior floor surface, without a roof, and attached to a dwelling on at least one side.
26	Demolition: the complete or partial demolition of a structure on a residential lot.

27	Residential Mechanical: applicable when the project includes a mechanical work such as repair, replacement, or installation of furnaces, boilers, water heaters, condenser units, etc., per dwelling unit.
28	Move and Set: all activities involved with moving a structure from one site to another.
29	Covered Porch: a structure typically built with concrete, with an exterior floor surface, with a roof, and attached to a dwelling on at least one side.
30	Refunds: all fees collected at the time of application are non-refundable. Once a permit is issued, all fees are non-refundable.

(B) In order for the Schedule of Fees above to continue to reflect the increasing inflationary costs of administration of the above programs, the fees shall, on an annual basis, be adjusted by the City Manager and City Finance Director to reflect any increase that would be necessary with the conventional application of the Consumer Price Index as promulgated by the Kentucky Office for Local Government to these fees. Based on this calculation, the fees shall be increased annually, and the Schedule of Fees shall be so amended by operation of this provision.

(C) Heating, ventilation and air conditioning (HVAC) permit fees.

(1) HVAC installation permit fees - one and two family dwellings. The fee for each heating, ventilation, or air conditioning system installation permit for one- and two-family dwellings shall be \$75 for the first system plus \$50 for each additional system.

(2) HVAC installation permit fees - multi-family dwellings. The fee for each heating, ventilation, or air conditioning system installation permit for multi-family dwellings other than duplexes, shall be \$75 for the first system plus \$25 for each additional system.

(3) HVAC Installation permit fees - commercial.

(a) The fee for each heating, ventilation, or air conditioning system installation permit other than one or two, and multi-family dwellings shall be based upon the total dollar value of each HVAC installation, either actual or estimated.

(b) 1. It shall be the obligation of the installing contractor to supply the complete value, including labor and material costs regardless of the purchaser.

2. Except as provided in this division, an exact figure does not need to be quoted or divulged to the HVAC inspector or department.

3. The permit application shall include an affirmative, signed statement that the true value lies within certain limits, as listed in the left column of the table in division (b)3.b.

a. The fees for heating, ventilation, or air conditioning system installation are listed in the right column of the table;

b. The department may request documented proof of costs from the permit applicant if the true value is in question.

<i>HVAC Permit Fees</i> (set by the Kentucky Department of Housing, Buildings, and Construction)	
<i>Residential</i>	<i>Fee*</i>
1 and 2 Family Dwellings (first system)	\$75
1 and 2 Family Dwellings (each additional system)	\$50
Multi-Family Buildings (first system)	\$75
Multi-Family Buildings (each additional system)	\$25
<i>Commercial</i> (amount based on total dollar value of the HVAC installation)	<i>Fee*</i>
\$2,000 or less	\$75

\$2,001 to \$10,000	\$150
\$10,001 to \$25,000	\$225
\$25,0001 to \$50,000	\$275
\$50,001 to \$75,000	\$325
\$75,001 to \$100,000	\$435
\$100,001 to \$150,000	\$550
\$150,001 to \$200,000	\$660
\$200,001 to \$250,000	\$770
\$250,001 to \$300,000	\$890
\$300,001 to \$400,000	\$1,000
\$400,001 to \$500,000	\$1,350
\$500,001 to \$600,000	\$1,500
\$600,001 to \$700,000	\$1,650
\$700,001 to \$800,000	\$1,850
\$800,001 to \$900,000	\$2,050
\$900,001 to \$1,000,000	\$2,250
\$1,000,001 to \$1,100,000	\$2,450
\$1,100,001 to \$1,200,000	\$2,650
\$1,200,001 to \$1,300,000	\$2,850
\$1,300,001 to \$1,400,000	\$3,050
\$1,400,001 to \$1,500,000	\$3,250
\$1,500,001 and above	\$3,450

(Am. Ord. O-22-10, passed 6-28-10; Am. Ord. O-01-11, passed 2-8-11; Am. Ord. O-05-11, passed 4-5-11; Am. Ord. O-36-12, passed 10-23-12)

Cross-reference:

Electrical inspectors, see § 150.21

§ 150.13 BUILDING PERMIT VALUATIONS.

If, in the opinion of the Building Inspector based on evaluation of the fair market value of the property, the valuation of any building, alteration, or structure appears to be underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimated cost to meet the approval of the Building Inspector.

(‘77 Code, § 940.2, Sec. I(E)) (Ord. O-75-67, passed 9-21-67; Am. Ord. O-22-10, passed 6-28-10)

§ 150.14 LOTS TO ABUT PUBLIC STREET.

No building or structure to be used for human habitation shall be constructed, and no building permit therefor shall be issued by the city, unless the lot or parcel of land on which the building or structure is constructed shall abut on a duly dedicated public way which shall have been improved by concrete, bituminous concrete, or the equivalent hard surfacing, and which shall have been further improved by the installation of sewer and water facilities which conform to all existing regulations.

(‘77 Code, § 940.2, Sec. I(F)) (Ord. O-22-61, passed 5-3-61; Am. Ord. O-22-10, passed 6-28-10) Penalty, see § 150.99

ELECTRICAL INSPECTION

§ 150.20 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ELECTRICAL. Pertaining to the installation, alteration, or repair of wires and conduits for the purpose of transmitting electricity, and the installation of fixtures and equipment in connection therewith.

ELECTRICAL CONTRACTOR. Any licensed individual, partnership, corporation, or limited liability company that is licensed to engage in, offers to engage in, or advertises or holds itself out to be qualified to engage in designing, planning, superintending, contracting of, or assuming responsibility for the installation, alteration, or repair of any electrical wiring used for the purpose of furnishing heat, light, or power, and employs electrical workers to engage in this practice. If the electrical contractor is not a master electrician, the electrical contractor shall employ at least one full-time master electrician.

ELECTRICIAN. Any person licensed by the department who is employed by an electrical contractor and is engaged in the construction, alteration, or repair of any electrical wiring used for the purpose of furnishing heat, light, or power.

MASTER ELECTRICIAN. Any individual licensed to assume responsible charge, supervision, or direction of an electrician engaged in the construction, installation, alteration, or repair of electrical wiring used to furnish heat, light, or power.

(Ord. O-23-04, passed 4-13-04; Am. Ord. O-22-10, passed 6-28-10)

§ 150.21 ELECTRICAL INSPECTORS.

(A) *License required.* Any person conducting electrical inspections in the city must obtain an occupational license from the city and comply with the requirements of §§ 110.01 through 110.16 of the Covington Code of Ordinances.

(‘77 Code, § 940.4, Sec. II(A))

(B) *Electrical permit fee.* An administrative processing fee of \$25 shall also be collected by the city for any electrical permit application, which shall be in addition to any other permit or inspection fees.

(C) *Qualifications and requirements of city Electrical Inspector.* Any Electrical Inspector working within the city must be certified by the Kentucky Commissioner of Housing, Buildings and Construction, and any other applicable authority, as an electrical inspector.

(D) *Duty of Electrical Inspector; inspections.* The Electrical Inspector shall inspect all electrical wiring, construction and installation of electrical conductors, fittings, devices and fixtures for light, heat or power service equipment to ascertain the compliance with the National Electrical Code incorporated in the Uniform State Building Code promulgated pursuant to KRS 198B.050 or the standards of safety of the Commonwealth of Kentucky. (See KRS 227.450(4))

(E) *Inspection fees.*

(1) The Electrical Inspector shall have the right to charge a reasonable fee, as set forth in this subchapter, which shall be the full and complete compensation for services rendered in the making of such inspection. The fee shall include the rendering of a written report and an inspection survey report when requested by the city’s Director of Code Enforcement Department or its designee as determined by the City Manager.

(2) The fee shall be paid by the contractor or person performing or installing the electrical wiring or equipment. No part of the inspection fee shall be paid by the city.

(F) *Inspections only of work by licensed contractors.*

(1) The Electrical Inspectors shall only inspect and approve work done by electrical contractors, electricians, and master electricians who are duly licensed by the city and owner-occupants of single-family dwellings who perform electrical work on their own property. Any owner-occupant performing electrical work on his or her own home shall so certify in writing to the Building Inspector before such work commences. Such certification is a prerequisite to inspection by the Electrical Inspector of any electrical work performed in single-family dwelling that is not done by an electrical contractor, electrician, or master electrician.

(2) The Electrical Inspectors shall immediately report to the city any electrical contractor, electrician, or

master electrician or any agent, servant or employee thereof who is doing or performing or has done or performed electrical work or installations within the city who is not licensed by the city.

(3) The Electrical Inspectors shall immediately notify the Director of Code Enforcement if they discover violations of other city safety codes and/or find the existence of other dangerous situations during their inspections.

(‘77 Code, § 940.4, Sec. II(F)) (Ord. O-16-65, passed 3-18-65; Am. Ord. O-13-94, passed 4-12-94; Am. Ord. O-23-04, passed 4-13-04; Am. Ord. O-22-10, passed 6-28-10)

Cross-reference:

Permit fees, see § 150.12

§ 150.22 CONTRACTOR; NOTIFICATION OF WORK; CONCEALING WIRING; FORMS; USING SAME INSPECTOR.

(A) Any person installing, repairing, or rearranging electrical wiring or equipment shall notify the Electrical Inspector prior to the time the work is commenced, and when the work is ready for inspection.

(B) No person shall conceal any electrical wiring or installations until after the electrical wiring or installations have been reported to the Electrical Inspectors and have been inspected and approved by the Electrical Inspector. Concealment of electrical wiring or installations may require the removal of concealing materials to allow for the inspection of such wiring or installations by the Electrical Inspector.

(C) Once a person selects an Electrical Inspector to inspect electrical work done or performed by an electrical contractor, electrician, master electrician, or owner-occupant, that person must continue to use the selected Electrical Inspector until the inspection process is complete and a certification of approval has been issued by this Electrical Inspector.

(D) The Electrical Inspectors shall furnish and make available forms or blanks for the above mentioned purpose.

(‘77 Code, § 940.4, Sec. II(G)) (Am. Ord. O-23-04, approved 4-13-04; Am. Ord. O-22-10, passed 6-28-10) Penalty, see § 150.99

§ 150.23 REVOCATION OF CONTRACTOR’S LICENSE.

Should any licensed electrical contractor, electrician, or master electrician violate any of the provisions of this subchapter or should he or she do and perform work not in accordance herewith, his or her city business regulatory/occupational license shall be subject to revocation by the city, after compliance with the hearing provisions set forth in the applicable section of the Covington Code of Ordinances. The license revocation shall be in addition to any other penalties imposed by this Code.

(‘77 Code, § 940.4, Sec. II(H)) (Am. Ord. O-23-04, approved 4-13-04; Am. Ord. O-22-10, passed 6-28-10)

§ 150.24 CERTIFICATION OF APPROVAL REQUIRED ELECTRICAL WORK.

(A) A certification of approval shall be obtained from a duly qualified Electrical Inspector for all work covered by any electrical permit or for any electrical work that is done within the city. Before a certification of approval is issued by an Electrical Inspector, the electrical work must meet the minimum standards of the National Electrical Code or other applicable codes and ordinances as adopted by the Board of Commissioners.

(B) One copy of the certification shall be provided to the Code Enforcement Department or applicable city department by the Electrical Inspector within five days after issuance.

(‘77 Code, § 940.4, Sec. II(I)) (Ord. O-18-67, passed 3-16-67; Am. Ord. O-55-01, passed 12-18-01; Am. Ord. O-23-04, approved 4-13-04; Am. Ord. O-22-10, passed 6-28-10)

§ 150.25 CERTIFICATE OF APPROVAL REQUIRED FOR SERVICE.

(A) No person including any electric light or power company shall connect with or furnish current to any electrical installation within the city until after such electrical installation has been inspected and approved by the Electrical Inspector, and a certificate of approval issued by him or her.

(B) A copy of the certificate of approval shall be submitted to the applicable city department within three days after the date of its issuance.

(‘77 Code, § 940.4, Sec. II(J)) (Ord. O-16-65, passed 3-18-65; Am. Ord. O-55-01, passed 12-18-01; Am. Ord.

O-23-04, approved 4-13-04; Am. Ord. O-22-10, passed 6-28-10) Penalty, see § 150.99

§ 150.26 ISSUANCE OF CERTIFICATE OF APPROVAL; REVOCATION.

(A) No licensed Electrical Inspector shall issue a certificate of approval on any particular wiring or electrical installation until the electrical contractor, electrician, master electrician, or owner-occupant fully complies with the requirements of the National Electric Code and other appropriate codes and ordinances as adopted by the Board of Commissioners.

(B) The issuance of any certificate of approval by an Electrical Inspector other than in accordance with the requirements of this subchapter shall be cause for the city to revoke the Electrical Inspector's license and/or the city business regulatory/occupational license. In addition, failure of the Electrical Inspector to comply with any other requirements of this subchapter shall be further cause to revoke this license. The revocation shall be in addition to the criminal penalties provided in this city code.

(‘77 Code, § 940.4, Sec. II(K)) (Ord. O-16-65, passed 3-18-65; Am. Ord. O-23-04, passed 4-13-04; Am. Ord. O-22-10, passed 6-28-10)

§ 150.27 LIABILITY.

This subchapter shall not be construed to relieve from or lessen the responsibility or liability of any person owning, operating, controlling, maintaining, or installing any electrical wiring, devices, appliances, or equipment for damage to persons or property caused by any defect or failure therein. The city shall not be held as assuming any such liability or responsibility by reason of the inspections authorized herein, or issuance of a certificate of approval.

(‘77 Code, § 940.4, Sec. II(L)) (Ord. O-16-65, passed 3-18-65; Am. Ord. O-23-04, passed 4-13-04; Am. Ord. O-22-10, passed 6-28-10)

§ 150.28 AUTHORIZATION OF AGREEMENTS.

The City Manager is authorized to execute any agreements necessary to carry out the provisions of this subchapter.

(‘77 Code, § 940.4, Sec. II(M)) (Ord. O-16-65, passed 3-18-65; Am. Ord. O-23-04, passed 4-13-04; Am. Ord. O-22-10, passed 6-28-10)

§ 150.29 ELECTRICAL PERMITS.

(A) Electrical permits shall be obtained prior to the installation, addition, alteration, repair, relocation, or removal of electrical wiring.

(‘77 Code, § 940.4, Sec. III(A)) (Ord. O-18-67, passed 3-16-67)

(B) The cost of the permit for electrical installation, additions, alterations, repair, relocation, or removal shall be \$25, which shall be in addition to any electrical inspection fees.

(‘77 Code, § 940.4, Sec. III(B)) (Ord. O-18-67, passed 3-16-67; Am. Ord. O-45-76, passed 6-10-76)

(C) All electrical permits shall be obtained from the Code Enforcement Department or other city department designated by the City Manager.

(‘77 Code, § 940.4, Sec. III(C)) (Ord. O-18-67, passed 3-16-67; Am. Ord. O-55-01, passed 12-18-01; Am. Ord. O-23-04, passed 4-13-04; Am. Ord. O-22-10, passed 6-28-10) Penalty, see § 150.99

Statutory reference:

Power of city to require electrical permits, see KRS 227.480

§ 150.99 PENALTY.

(A) Any person, firm or corporation, violating the provisions of this chapter shall be guilty of a Class A misdemeanor and, upon conviction in any court of competent jurisdiction, shall be fined not less than \$25 nor more than \$250 or imprisoned for not more than 90 days, or both so fined and imprisoned in the discretion of the court for each offense, and each day that the person, firm or corporation violates this or any provision thereof may be deemed a separate offense.

(B) In addition to or in the alternative of the penalty set forth in subsection (A) above, the city may impose a civil penalty of not less than \$250 or more than \$500 on any person, firm, or corporation violating the

provisions of this chapter, as authorized under KRS 83.065, and for purposes of calculating the civil penalty, each day that the person, firm or corporation violates this or any provision thereof may be deemed a separate offense.

(Am. Ord. O-13-94, passed 4-12-94; Am. Ord. O-83-03; passed 12-16-03; Am. Ord. O-22-10, passed 6-28-10)

APPENDIX A: ELECTRICIANS; ELECTRICAL CONTRACTORS

KENTON COUNTY ORDINANCE NO. 950.81

AN ORDINANCE OF KENTON COUNTY, KENTUCKY RELATING TO THE STANDARDS TO BE MAINTAINED BY ELECTRICIANS, ELECTRICAL CONTRACTORS AND ELECTRICAL INSPECTORS, TO AUTHORIZE AN INTERLOCAL AGREEMENT WITH OTHER UNITS OF LOCAL GOVERNMENT, TO PROVIDE FOR LICENSING FEES, TO ADOPT A STANDARDIZED STATE ELECTRIC CONTRACTOR'S EXAMINATION, AND SETTING THE FINE AND PENALTY FOR VIOLATIONS OF THIS ORDINANCE.

WHEREAS, KRS 227.450 et seq. authorizes units of local government to regulate the licensing and testing of electricians and electrical contractors;

WHEREAS, House Bill 649 (HB 649), an act relating to electricians and electrical contractors, was adopted by the 1994 Kentucky General Assembly amending KRS 227.450 and KRS 227.530;

WHEREAS, KRS 227.450 through 227.530 authorizes city or county governments to regulate the electrical occupations in their jurisdictions and also authorizes two or more local governments to undertake this regulation cooperatively pursuant to the provisions of KRS Chapter 65;

WHEREAS, HB 649 provides that if the governing body of two or more counties authorizes a cooperative agreement pursuant to KRS 227.470, then the provisions of KRS 227.450 to 227.530 will apply to the cities within the county, unless within 60 days of adoption of the County Ordinance, the City passes a resolution opting out of this legislation.

WHEREAS, the Northern Kentucky Electric Authority was established in 1962 pursuant to the above referenced statutes and has been conducting examinations for various jurisdictions in Kenton, Campbell and Boone Counties;

WHEREAS, in order to protect the public safety and welfare, Kenton County, Kentucky, intends to regulate the electrical occupations within Kenton County, and to enter into a cooperative agreement with other units of local government and to delegate the authority for licensing of persons engaged in the electrical occupation, examinations and related matters to the Northern Kentucky Electrical Authority pursuant to KRS 227.490.

BE IT ORDAINED BY KENTON COUNTY, KENTUCKY;

SECTION I

DEFINITIONS:

As used in this Ordinance unless the context otherwise requires:

(1) "Electrical Contractor" means any individual, partnership or corporation that engages in the business of or employs others for the construction, alteration or repair of any electrical wiring used for the purpose of furnishing heat, light or power.

(2) "Electrician" means any person who is employed by an electrical contractor and is engaged in the construction, alteration or repair of any electrical wiring used for the purpose of furnishing heat, light or power;

(3) "Electrical" pertains to the installation of wires and conduits for the purpose of transmitting electricity, and the installation of fixtures and equipment in connection therewith.

(4) "Electrical inspector" means any person certified by the Commissioner of Housing, Buildings and Construction pursuant to KRS 227.489 who, for compensation, inspects the construction and installation of electrical conductors, fittings, devices and fixtures for light, heat or power service equipment to ascertain the compliance with the national electrical code incorporated in the uniform state building code promulgated pursuant to KRS 198B.050 or the standards of safety of the Commonwealth of Kentucky.

SECTION 2

That the Uniform State Building Code as is established by the Board of Housing, Buildings and Construction of the State of Kentucky, is hereby adopted in full by this Ordinance, and the same shall have the effect as if it were written fully herein, as a minimum standard for the construction, alteration and repair of any electrical wiring done within the effective area of this Ordinance. These standards shall also be used by the electrical

inspector in making his inspections.

SECTION 3

That the formerly established Northern Kentucky Electric Authority, the examining and appeal board currently consisting of seven members, which may be increased as authorized in KRS 227.470, shall:

- (1) Administer electrical contractor's examinations which have been selected and approved by the Department of Housing, Buildings and Construction and administer electrician examinations;
- (2) Have the power to issue, renew, suspend and revoke electrical contractor and electrician licenses;
- (3) Have the power to require electrical contractors and electricians to pay reasonable fees for examinations, initial licenses and renewals;
- (4) Accept an electrical contractor examination certificate issued by the Department of Housing, Buildings and Construction as evidence that an applicant has met the examination requirements;
- (5) Have the power to require all electrical contractors and electricians to conform to reasonable standards prior to engaging in their occupation;
- (6) Compile and submit to the Department of Housing, Buildings and Construction all disciplinary actions taken against licensed electrical contractors on a quarterly basis;
- (7) Have all other powers authorized for a "local examining board" by KRS 227.450 et seq.

SECTION 4

It shall be unlawful for any person, except the owner of the property, to engage in the business of installing, altering or repairing, within the limits of Kenton County, Kentucky, any electrical wiring, devices or equipment unless such individual is the holder of the electrical contractors license or employed by licensed electrical contractor and the holder of an electrician's license. Application for such license must be made in writing to the Board, stating the name, experience and qualifications of applicant. Upon said applicant's complying with the requirements of this Ordinance and passing an examination approved by the Northern Kentucky Electric Authority, a license shall be granted to the individual applying for the same.

SECTION 5

That there is hereby established an agreement of reciprocity between Kenton, Campbell, and Boone Counties and any other county in which there exists legislation basically containing the provisions of this Ordinance and the County Judge/Executive is hereby authorized to execute an Interlocal Agreement with any such County.

SECTION 6

That any person, firm or corporation, violating the provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction in any court of competent jurisdiction, shall be fined not less than \$25 nor more than \$250 or imprisoned for not more than 90 days, or both so fined and imprisoned in the discretion of the court for each offense and each day that said person, firm or corporation violates this Ordinance, or any provision thereof may be deemed a separate offense.

SECTION 7

That the provisions of the Ordinance are severable. If any provision, section, paragraph, sentence or part thereof, or the application thereof to any person, firm or corporation shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of the Ordinance, it being the legislative intent to ordain and enact such provision, section, paragraph, sentence and part thereof, separately and independently of each other.

SECTION 8

That any local legislation and parts of local legislation inconsistent with this Ordinance or in conflict herewith, are to the extent of such inconsistency or conflict hereby repealed.

SECTION 9

That this Ordinance shall take effect and be in full force when passed by the Kenton Fiscal Court, published and recorded according to law.

COUNTY OF KENTON

BY: CLYDE MIDDLETON /s/
Judge Executive

ATTEST: CAROL BROCKELL /s/

Editor's note:

Kenton County Ordinance No. 950.81 was approved by the Covington City Commission with the enactment of Ordinance O-21-97, passed 7-22-97.