

### **198B.050 Uniform State Building Code.**

- (1) Within one (1) year from its initial meeting, after adequate notice in accordance with KRS Chapter 13A, the board shall adopt and promulgate a mandatory Uniform State Building Code which shall establish standards for the construction of all buildings, as defined in KRS 198B.010, in the state. The code shall provide that the review and approval, as necessary, of building plans for conformance with the Uniform State Building Code prior to construction approval shall be conducted only by the department or a local government or governments delegated such responsibilities by this chapter, and any exceptions to this policy shall be explicitly stated in the code.
- (2) The code shall be comprehensive and shall include but not be limited to provisions for general construction; structural quality; mechanical systems to include heating, cooling, and ventilation; electrical systems; and life safety from hazards of fire, explosion, and other disasters, whether caused by acts of nature or man. The code shall encompass the Kentucky State Plumbing Code promulgated pursuant to KRS 318.130, boiler rules and regulations issued pursuant to KRS 236.030, and the national electrical code.
- (3) This code shall be designed after and may be selected from the models offered by such model code agencies as the Building Officials and Code Administrators, International, Inc.; the International Conference of Building Officials; the Southern Building Code Congress; and other nationally recognized organizations which may include governmental agencies. The code shall:
  - (a) Provide uniform standards and requirements for construction and construction materials;
  - (b) To the extent practicable, set forth standards, specifications, and requirements in terms of performance objectives, so as to facilitate the use of new technologies, techniques, and materials. The code shall not discriminate in favor of particular suppliers' materials, techniques, or technologies;
  - (c) Protect the public health, safety, and welfare within the state.
- (4) Adoption of a code shall include provisions for the continuing review of, and the board shall adopt when deemed justified to fulfill the purposes of this chapter, new materials, technologies, and techniques in the building industry. The board may adopt a model code promulgated by a model code agency only if that agency provides a method for democratic participation by the board and any local governments which may enforce the code, in a continuing review and possible adoption of new materials, technologies, and techniques in the building industry.
- (5) The board shall issue regulations, after notice in accordance with KRS Chapter 13A, which are necessary to implement the Uniform State Building Code or to carry out any other responsibility assigned to said board by this chapter.
- (6) The board shall monitor the effectiveness of agencies designated by local governments to enforce the provisions of the Uniform State Building Code.
- (7) If the board determines that an agency is not enforcing the provisions of the Uniform State Building Code, it shall direct the department to determine where

deficiencies exist. The department shall require the local government to correct the deficiencies within sixty (60) days and report to the department its method of correcting the deficiencies.

- (8) If the local government fails to correct the deficiencies, the department shall recommend to the board that the department be permitted to preempt the local program as provided for in KRS 198B.060(4).
- (9) The board shall provide for the supply, including amendments and revisions thereto, of sufficient copies of the Uniform State Building Code for all interested parties.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 249, effective July 15, 2010. -- Amended 1982 Ky. Acts ch. 308, sec. 2, effective July 15, 1982. -- Created 1978 Ky. Acts ch. 117, sec. 5, effective June 17, 1978.

**Legislative Research Commission Note** (10/5/90). Pursuant to KRS 7.136(1), KRS Chapter 13A has been substituted for the prior reference to KRS Chapter 13 in this statute. The sections in KRS Chapter 13 were repealed by 1984 Ky. Acts ch. 417, § 36 and KRS Chapter 13A was created in that same chapter of the 1984 Ky. Acts.