

**198B.520 Permits for erection or repairs. (Effective until July 1, 2011)**

Before any new installation of an elevator or fixed guideway system of permanent nature shall be erected or before any existing elevator is removed to a different location, an application of specifications in duplicate shall be submitted to the department giving such information concerning the construction, installation, and operation of said elevator or fixed guideway system as the department may require on forms to be furnished by the department, together with complete construction plans in duplicate. In all cases where any changes or repairs are made which alter its construction or classification, grade, or rated lifting capacity, except when made pursuant to a report of an inspector, an application of specifications in duplicate shall be submitted to the department containing such information for approval, except for elevators in those municipal corporations which maintain their own elevator inspection departments, in which event the specifications shall be submitted to the elevator department of the municipal corporation for its approval and, if approved, a permit for the erection or repair of the elevator shall be issued by the municipal corporation. Upon approval of the application and construction plans, the department shall issue a permit for the erection or repair of the elevator or fixed guideway system. No new elevator or fixed guideway system shall be operated until completion in accordance with the approved plans and specifications, unless a temporary permit is granted by the department.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 270, effective July 15, 2010. -- Amended 2006 Ky. Acts ch. 157, sec. 11, effective July 12, 2006. -- Amended 1976 Ky. Acts ch. 299, sec. 83. -- Created 1974 Ky. Acts ch. 239, sec. 15.

**Formerly codified as** KRS 336.650.

**198B.520 Permits for erection or repairs -- Revocation or expiration of permit -- Extension for good cause. (Effective July 1, 2011)**

- (1) Before any new installation of an elevator or fixed guideway system of permanent nature shall be erected or before any existing elevator is removed to a different location, an application of specifications in duplicate shall be submitted to the department giving such information concerning the construction, installation, and operation of the elevator or fixed guideway system as the department may require on forms to be furnished by the department, together with complete construction plans in duplicate. In all cases where any changes or repairs are made which alter its construction or classification, grade, or rated lifting capacity, except when made pursuant to a report of an inspector, an application of specifications in duplicate shall be submitted to the department containing such information for approval. Upon approval of the application and construction plans, the department shall issue a permit for the erection or repair of the elevator or fixed guideway system. No new elevator or fixed guideway system shall be operated until completion in accordance with the approved plans and specifications, unless a temporary permit is granted by the department.
- (2) A permit issued under this section may be revoked by the department when:
  - (a) A false statement or misrepresentation of a material fact in the application, plans, or specifications led to the issuance of the permit;

- (b) The permit was issued in error;
  - (c) The work detailed under the permit is not being performed in accordance with the application, plans, or specifications;
  - (d) Work is not being performed in accordance with the code or conditions of the permit; or
  - (e) The elevator contractor to whom the permit was issued fails or refuses to comply with a lawfully issued stop work order.
- (3) A permit issued under this section shall expire if:
- (a) The work authorized by permit is not commenced within twenty-four (24) months after the date of issuance, or within a shorter period of time as specified by the department at the time the permit is issued; or
  - (b) The work is abandoned for a period of sixty (60) days after work commences, or a shorter period of time as specified by the department at the time the permit is issued.
- (4) The department shall allow an extension of the allotted period if proof of good cause is provided with a request for an extension.

**Effective:** July 1, 2011

**History:** Amended 2010 Ky. Acts ch. 24, sec. 270, effective July 15, 2010; and ch. 116, sec. 28, effective July 1, 2011. -- Amended 2006 Ky. Acts ch. 157, sec. 11, effective July 12, 2006. -- Amended 1976 Ky. Acts ch. 299, sec. 83. -- Created 1974 Ky. Acts ch. 239, sec. 15.

**Formerly codified as** KRS 336.650.

**Legislative Research Commission Note** (7/1/2011). This section was amended by 2010 Ky. Acts chs. 24 and 116, which do not appear to be in conflict and have been codified together.

**Legislative Research Commission Note** (7/1/2011). References to the "Office" of Housing, Buildings and Construction in this section, as amended by 2010 Ky. Acts ch. 116, sec. 28, have been changed in codification to the "Department" of Housing, Buildings and Construction to reflect the reorganization of certain parts of the Executive Branch, as set forth in Executive Order 2009-535 and confirmed by the General Assembly in 2010 Ky. Acts ch. 24. These changes were made by the Reviser of Statutes pursuant to 2010 Ky. Acts ch. 24, sec. 1938.