

198B.6675 Powers of department and of authorized local governments to inspect systems -- Powers to restrain and enjoin violations of KRS 198B.650 to 198B.689 -- Representation of department by state and local prosecutors.

- (1) For the purpose of enforcing the provisions of KRS 198B.650 to 198B.689, officers, agents, and inspectors of the department or an authorized local government shall have the power and authority to enter upon permitted premises at all reasonable times with the consent of the property owner in order to make inspections, interview all persons, and request proof of heating, ventilation, and air conditioning licenses, installation permits, and other evidence of compliance. Officers, agents, and inspectors of the department or an authorized local government shall have the authority to issue a stop-work order to any owner, agent, or occupant of real property whenever the heating, ventilation, and air conditioning system under inspection is found to be in violation of KRS 198B.650 to 198B.689 or the Uniform State Building Code's heating, ventilation, and air conditioning mechanical sections.
- (2) Notwithstanding the existence or pursuit of any other civil or criminal penalties, the department and its officers, agents, and inspectors are authorized to institute and maintain actions to restrain and enjoin any violation of KRS 198B.650 to 198B.689, the Uniform State Building Code, the Uniform State Residential Code, or the rules or the administrative regulations of the department relating thereto.
- (3) City and county attorneys, Commonwealth's attorneys, and the Attorney General may, within their respective jurisdictions, represent the department and its officers, agents, and inspectors in the enforcement of provisions of KRS 198B.650 to 198B.689, the Uniform State Residential Code, and the Uniform State Building Code.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 292, effective July 15, 2010. -- Created 2007 Ky. Acts ch. 86, sec. 5, effective January 1, 2009.

Legislative Research Commission Note (4/18/2008). This statute was created by 2007 Ky. Acts ch. 86, sec. 5, to be effective January 1, 2009, pursuant to sec. 12 of that Act. However, 2008 Ky. Acts ch. 127 (2008 HB 406, the State/Executive Branch Budget) provided in Part I, F.,16., (2) HVAC Permitting and Inspecting, that notwithstanding the delayed effective date provided in 2007 Ky. Acts ch. 86, sec. 12, the effective date of this statute shall be January 1, 2011.