

227.300 Standards of safety -- Conformance with Uniform State Building Code -- Publication of guidelines -- Supplemental regulations on temporary change of use.

- (1) The commissioner shall promulgate reasonable rules and regulations based on good engineering practice and principles as embodied in recognized standards of fire prevention and protection, providing for a reasonable degree of safety for human life against the exigencies of fire and panic, and insuring as far as is practicable against fire loss. Such rules and regulations shall be known as the standards of safety. After promulgation of the Uniform State Building Code, no part of the standards of safety shall establish, in whole or in part, any building code other than the Uniform State Building Code, but the commissioner may supplement the Uniform State Building Code with fire safety regulations designed to operate in conjunction with the code.
- (2) In making such rules and regulations the commissioner shall establish minimum fire prevention and protection requirements, including but not limited to requirements for design, construction, installation, operation, storage, handling, maintenance, or use of the following: structural requirements for the various types of construction; building restrictions within congested districts; exit facilities from structures; fire alarm systems and fire extinguishing systems; fire emergency drills; maximum occupancy loads and other requirements for buildings of public assembly; flue and chimney construction; heating devices; boilers and pressure vessels; electrical wiring and equipment; air conditioning, ventilating and other duct systems; refrigeration systems; flammable liquids, oil and gas wells; garages, repair, and service shops; application of flammable finishes, acetylene, liquefied petroleum gas, and similar products; calcium carbide and acetylene generators; dry cleaning and dyeing plants; flammable motion picture film; combustible fibers; airports and airport buildings; hazardous chemicals; rubbish; open flame devices; parking of vehicles; dust explosions; lightning protection; and other special fire hazards.
- (3) For the purpose of integrating the need for safety from hazards of fire with the other safety needs of infants or preschool children under institutional care, the commissioner shall allow persons who own, manage, or are employed by institutions which provide care or education for infants or preschool children to participate in drafting the standards of safety as they apply to such institutions. Such participation shall be by representation of professional associations relating to infant and preschool care, and by representation from other individuals licensed to provide infant and preschool care, on a committee chaired by the state fire marshal or his or her designate. Such participation shall occur prior to the publication of proposed regulations in the administrative register pursuant to KRS 13A.050 but shall not limit any individual's right to use those procedures set forth in KRS Chapter 13A concerning comment on or protest of proposed regulations. All professional associations relating to infant and preschool care shall be notified by the commissioner when the drafting of standards of safety relating to such institutions is commenced and all such professional associations shall be regularly notified of the

time and place of any meetings conducted by authorized employees of the department for the purpose of drafting such standards.

- (4) The commissioner shall publish guidelines relating to the standards of safety as they apply to day care and preschool child care centers and nurseries which shall indicate the items inspectors from the Division of Fire Prevention will be looking for when they conduct inspections pursuant to the standards of safety. Such guidelines shall be made available to persons who own, operate, or manage such centers or nurseries and shall be designed to enable said persons to anticipate and comply with the requirements of the standards of safety.
- (5) The commissioner shall issue supplemental regulations addressing the temporary change of use in buildings as authorized by KRS Chapter 198B. These regulations shall establish specific standards for such use and shall be designed to operate in conjunction with the Kentucky Building Code.
- (6) Any standards of safety or other regulations promulgated under this section shall be subject to the requirements of KRS 198B.030(9) and (10) and 198B.040(11).

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 394, effective July 15, 2010. -- Amended 2006 Ky. Acts ch. 256, sec. 4, effective July 12, 2006. -- Amended 1984 Ky. Acts ch. 163, sec. 2, effective July 13, 1984. -- Amended 1978 Ky. Acts ch. 117, sec. 38, effective July 1, 1978; ch. 155, sec. 125, effective June 17, 1978; and ch. 305, sec. 10, effective June 17, 1978. -- Amended 1976 Ky. Acts ch. 295, sec. 1; and ch. 296, sec. 1. -- Created 1954 Ky. Acts ch. 201, sec. 11.

Legislative Research Commission Note (7/15/2010). A reference in subsection (4) of this section as amended by 2010 Ky. Acts ch. 24, sec. 394, to "Division of Fire Protection" has been changed in codification to "Division of Fire Prevention" to conform with the listing of divisions within the Department of Housing, Buildings and Construction contained in KRS 227.205 as amended by 2010 Ky. Acts ch. 24, sec. 390.