

ORDINANCE NO. 591-1999

AN ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY, PROVIDING FOR THE INSPECTION AND ISSUANCE OF BUILDING PERMITS FOR ALL NEW CONSTRUCTION WITHIN THE CITY OF DRY RIDGE COVERED BY K.R.S. 198B.060(1) AND K.R.S. 198.060(2); PROVIDING FOR THE INSPECTION AND ISSUANCE OF PERMITS FOR THE REMODELING AND ALTERATIONS ONLY OF EXISTING STRUCTURES WITHIN THE CITY OF DRY RIDGE; PROVIDING FOR THE INSPECTION AND ISSUANCE OF CERTIFICATE OF OCCUPANCY FOR BUILDINGS, STRUCTURES, DWELLINGS, DWELLING UNITS AND MOBILE HOMES WITHIN THE CITY OF DRY RIDGE; PROVIDING FOR THE INSPECTION AND ISSUANCE OF PERMITS FOR ALL SIGNS AND SIGNING WITHIN THE CITY OF DRY RIDGE; PROVIDING FOR THE DUE INSPECTIONS AND/OR THE ISSUANCE OF PERMITS FOR FENCING, DEMOLITIONS, MOVING/MOVING AND SETTING OF BUILDINGS AND STRUCTURES AND ANY OTHER ACTIVITIES, MISCELLANEOUS OR ANCILLARY, TO THE ERECTION, CONSTRUCTION, ADDITION TO, OR THE IMPROVEMENT OF REAL ESTATE AND REAL PROPERTY WITHIN THE CITY OF DRY RIDGE; PROVIDING PENALTIES, SANCTIONS, AND REMEDIES FOR NON-COMPLIANCE WITH THIS ORDINANCE; PROVIDING FOR, PURSUANT TO K.R.S. 198B.060(18), THE FIXING AND ESTABLISHMENT OF A SCHEDULE OF FEES AND CHARGES REASONABLE TO PROVIDE THE SERVICES AND FUNCTIONS ENUMERATED WITHIN THIS ORDINANCE AND DESIGNED TO COVER THE CITY'S COSTS IN RENDERING AND PROVIDING SUCH FUNCTIONS AND SERVICES; AND REPEALING PREVIOUS ORDINANCES AND/OR SECTIONS THEREOF NOT IN CONFORMITY WITH THE INTENT AND PROVISIONS OF THIS ORDINANCE.

WHEREAS, the City of Dry Ridge, Kentucky, has heretofore, by ordinance, adopted the State Building Code applicable to residential dwelling units within the city's limits corporate;

WHEREAS, the City of Dry Ridge, Kentucky, is a member of the Grant County Joint Planning and Zoning Commission and has by ordinance duly adopted laws and regulations germane to land uses and to the improvement of lands and real properties within the limits corporate of the City of Dry Ridge, including, but not limited to, single-family and two-family dwelling housing units; and

WHEREAS, the City Council of the City of Dry Ridge, Kentucky, hereby desires and intends to provide for the due inspection of new construction covered by K.R.S. 198B.060(2) and the permits germane thereto together with addressing matters germane to the city's powers and interests in assuring compliance with matters of planning, zoning, and land uses.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF DRY RIDGE, KENTUCKY, AS FOLLOWS:

Section One

The hereinafter enumerated ordinances, articles, sections, or subsections thereof, be and the same are hereby repealed, to-wit:

A. Article IXX of Ordinance No. 380-1982 as to "Schedule of Fees/Building Permit".

B. Section One of Ordinance No. 467-1991 as to "Electrical Permits".

C. Section One of Ordinance No. 467-1991 as to "Building Permits".

D. Section One of Ordinance No. 467-1991 as to "Fence Permits".

E. Section One of Ordinance No. 467-1991 as to "Sign Permits".

F. Section One of Ordinance No. 467-1991 as to "Move and Set Permits".

G. Section One of Ordinance No. 467-1991 as to "Zoning Permits".

H. Section One of Ordinance No. 467-1991 as to "Certificates of Occupancy".

I. Section One of Ordinance No. 467-1991 as to "Inspection Certificate or Report".

J. Section One of Ordinance No. 467-1991 as to "Demolition Permits".

Section Two

Building Permits --

A. Before commencing any site, excavation or construction work, the owner of the property or his general contractor, shall make application to the City Clerk of the City of Dry Ridge, Kentucky for the issuance of a building permit for all buildings or structures covered by K.R.S. 198B.060(1) or K.R.S. 198B.060(2) and pay to the City of Dry Ridge, Kentucky, the fees and charges for inspection services and issuance of building permit as hereinafter provided at the time that said permit is issued.

B. The fee and charge due to the City of Dry Ridge, Kentucky, for inspection services and issuance of the building permit, shall be the sum and amount equal to the 'total area in square feet' of the construction project, building, structure or dwelling unit times twenty-five cents (25¢)/(\$0.25) per square foot.

C. The term 'total area in square feet' as used herein and above shall include the dimensional area of all floors of the building or structure to be used or occupied, plus the area of any basement, cellar, crawl-space under base-level flooring, attic, crawl-space under the structure's roof, breezeways, and the dimensions and areas circumscribed by porches, decks, patios, driveways, carports and garages, attached and detached.

Section Three

Fences and Fencing --

A. No fence or fencing unless exempt under Section 13.9 of Ordinance No. 380-1982, shall be erected until the property owner, the owner's agent or fencing contractor shall make application to the City Clerk of the City of Dry Ridge for the issuance of a fencing permit and pay all costs, fees, and charges for the city's due inspection of such fencing and the issuance of the required permit.

B. The fee and charge due to the City of Dry Ridge, Kentucky, for inspection services and issuance of the fencing permit so payable at the time of issuance of the fencing permit, shall be the verified cost of the fencing project times 0.0125 (1.25%).

Section Four

Sign and Signing Permits --

A. No signs or signing shall be erected until the property owner, the owner's agent or signing contractor shall make application to the City Clerk of the City of Dry Ridge for the issuance of a signing permit and pay all costs, fees and charges for the city's due inspection of such signing and the issuance of the required permit.

B. Pursuant to Section 14 of Ordinance No. 380-1982, all signs and signing within the City of Dry Ridge require the due issuance of a sign/signing permit, but only signs and signing of Class 4 through 11, inclusive, require the payment of a fee for the issuance of a signing permit. The fee and charge due the City of Dry Ridge, Kentucky, for signs and signing within Class 4 through 11, inclusive, for inspection services and issuance of the sign/signing permit so payable at the time of issuance of the required permit, shall be the verified cost of the sign and the signing project times 0.0125 (1.25%).

Section Five

Move and Set Permits --

A. No building, structure, or improvement shall be moved or set from or upon land, or transported on any public street until there is compliance with Section 9.15 of Ordinance No. 380-1982, and application has been made by the owner, the owner's agent or the moving/setting contractor to the City Clerk of the City of Dry Ridge for the issuance of a move and set permit and payment of all costs, fees, and charges for the city's due inspections and issuance of the required permit.

B. The fee and charge due the City of Dry Ridge, Kentucky, for inspection services and issuance of the move and set permit so payable at the time of the issuance of the required permit, shall be the verified cost of the move and set project times 0.0125 (1.25%).

Section Six

Demolitions and Demolition Permits --

A. No building or structure within the City of Dry Ridge, Kentucky, shall be demolished until the owner, the owner's agent, or the demolition contractor, shall make application to the City Clerk of the City of Dry Ridge for issuance of a demolition permit and post the required bond, with surety, insuring to the benefit of the City of Dry Ridge, Kentucky.

B. The fee and charge due to the City of Dry Ridge, Kentucky, for inspection services and issuance of the demolition permit so payable at the time of issuance of the required permit, shall be the verified cost of the demolition project times 0.0125 (1.25%).

C. In addition to the above and aforesaid fee, the applicant and owner of the property, shall be required to obtain and post with the City Clerk of the City of Dry Ridge a bond with surety in the penal sum and amount of \$50,000.00 to insure to the use and benefit of the City of Dry Ridge, Kentucky, to insure and assure the city of the safe and workmanlike performance of the demolition work together with the removal and timely clean up of the property, premises and site upon completion of the said demolition. Such bond with surety shall be obtained from a company licensed and authorized to do business and issue such bonds in the Commonwealth of Kentucky.

Section Seven

Inspection Certificates and Reports --

A fee and charge of \$75.00 shall be paid to the City of Dry Ridge, Kentucky, for the performance and rendering of any manner of inspection certificate or report required by any financial institution in conjunction with a loan, or refinance of debt upon real estate, real property, any improvements thereto and thereupon, or concerning any mobile home, modular unit, or pre-manufactured unit.

Section Eight

Certificate of Occupancy --

A fee and charge of \$75.00 shall be paid to the City of Dry Ridge, Kentucky, for the inspection and work necessary to make and issue a certificate of occupancy for property and premises done upon separate request and application, and done separate and outside the scope of the city's inspection services done in conjunction with its supervision of the construction of new constructions covered by K.R.S. 198B.060(1) and (2), or done in conjunction with inspections done pursuant to permits issued concerning existing properties being remodeled or altered and under the city's jurisdiction. The cost and charge for the issuance of certificates of occupancy are included within the costs and charges incident to the building inspection and permit procedures.

Section Nine

Substantial Structure Remodeling and Remodeling Permits --

A. No existing building, structure or improvement to real property thereupon within the City of Dry Ridge, Kentucky, shall be substantially remodeled, altered or have any manner of substantial improvements made thereto until the property owner or the owner's contractor, shall make an application to the City Clerk for the issuance of an existing property/structure remodeling permit and pay all charges for the due inspection services and the issuance of the required permit. General upkeep, repairs, restorations or cosmetic alterations are deemed not to constitute 'substantial' within the meaning, scope and coverage of this ordinance.

B. The fee and charge due to the City of Dry Ridge, Kentucky, for inspection services and issuance of the existing property/structure remodeling permit so payable at the time of issuance of the required permit, shall be the verified costs to remodel, alter or make improvements to an existing structure, building, improvement, property or premises times 0.0175 (1.75%).

C. Should the intended or planned remodeling, alteration, or improvements made to an existing structure, building, improvement, property or premises be of such scale and scope that the same constitutes the construction or erection of a new building or structure not within the scope, coverage or purview of K.R.S. 198B.060(1) or 198B.060(2), then this section and permit requirements shall not apply to the 'new' structure.

Section Ten

Application Forms --

All applications for permits hereunder, shall be made upon the forms provided by the City of Dry Ridge, Kentucky; and be made under seal and upon the oath or affirmation of the applicant and subject the applicant-declarant to penalty and sanction for perjury for false or misleading statements thereon or so made.

Section Eleven

Sanctions and Remedies --

Should any person, firm or corporation required to make an application for any permit hereunder and have such permit required issued, fail to make such application and have the required permit issued, then in that event, such person, firm or corporation, shall be subject to the following sanctions, penalties or remedies, joint or several, to-wit:

A. Issuance of a stop-work order and closure of the job site immediate.

B. Civil actions in law or equity to enjoin the project and to collect all costs, fees and charges due and payable.

C. Criminal prosecutions for fines and penalties with each day of non-compliance being an offense separate with fine of \$250.00 for each violation.

Section Twelve

Enactment --

The herein ordinance shall become effective and be in full force and effect when adopted, approved, ordained, order published, and published according to law.

First Reading: May 24, 1999

Second Reading: June 7, 1999

ADOPTED, APPROVED, ORDAINED AND ORDERED PUBLISHED THIS
THE 7th DAY OF June, 1999.



WILLIAM CULL, MAYOR

ATTEST: \



CINDY L. HARRIS, CITY CLERK