

**BARREN COUNTY, KENTUCKY
ORDINANCE NUMBER 473**

**AN ORDINANCE AMENDING BARREN COUNTY ORDINANCE 352
IMPLEMENTING ENFORCEMENT OF THE KENTUCKY BUILDING CODE IN
BARREN COUNTY ON ALL RESIDENTIAL DWELLINGS INCLUDING THOSE
LOCATED ON FARMS**

WHEREAS, Barren County Fiscal Court on May 19, 1998, adopted, upon second reading and hearing, Barren County Ordinance Number 352; and,

WHEREAS, Barren County Ordinance Number 352 implemented enforcement of the Kentucky Building Code in Barren County on single family dwellings in Barren County, Kentucky; and,

WHEREAS, Some clarity needs to be given as to Barren County Ordinance 352 application to single family dwellings as it relates to agriculture exemptions; and,

WHEREAS, Barren County Fiscal Court does not believe agricultural exemptions apply or were intended to apply to single family dwellings; and,

WHEREAS, KRS 198B.060(1) authorizes a local government to pass an ordinance requiring inspections of single family residences; and,

WHEREAS, KRS 67.083 provides that if a county is authorized to regulate an area which the state also regulates, the county government may regulate the area only by enacting ordinances which are consistent with state law or administration. Said statute goes on to say that a county ordinance is consistent if it establishes a standard which is the same or more stringent than the state standard;

NOW, THEREFORE, BE IT ORDAINED by the Fiscal Court of Barren County, Commonwealth of Kentucky:

THAT, the application of the Kentucky Building Code, including the CABO One and Two Family Dwelling Code, as promulgated in 815 KAR 7:105 by the Board of Housing, Buildings and Construction, Commonwealth of Kentucky, is hereby extended to all single family dwellings, prefabricated and/or mobile homes, regardless of whether such dwellings are located on farms, and agricultural exemptions shall not apply to such dwellings.

THAT, this Ordinance does not interfere with agricultural exemptions provided by Statute for other non residential buildings located on agriculturally exempt real estate.

THAT, an attested copy of this Ordinance shall be transmitted to the Department of Housing, Building and Construction of the Commonwealth of Kentucky.

THAT, this Ordinance shall take effect and be in full force when passed, published, and recorded according to law.

ADOPTED by the Barren County Fiscal Court following first reading on the ____ day of _____, 2008.

ADOPTED by the Barren County Fiscal Court following second reading on the ____ day of _____, 2008.

Davie Greer
Barren County Judge/Executive

ATTEST:

Sherry J. Jones
Barren Fiscal Court Clerk