

950.1 BUILDING CODE

SECTION ONE: Ordinance 1968-4 is hereby repealed.

SECTION TWO: The present building code as adopted for the unincorporated territory of Jefferson County, Kentucky, by the Jefferson County Fiscal Court, namely the Building Officials and Code Administrators, International, Inc. Code 1970 Edition plus all subsequent supplements thereto, is adopted and to be used as the building codes for the City.

SECTION ONE: To adopt the Declaration of Restrictions, with the exception of item Fourteen (14) and fifteen (15) as recorded in Deed Book 3235, Page 211, in the office of the Clerk of County Court of Jefferson County, Kentucky, as the basic requirements of this building ordinance.

SECTION TWO: No persons shall erect, construct, enlarge, alter, or move, a building or make, install, or alter, improvements thereto within the City without first making application and obtaining a permit therefor from the legislative body. The term "building" shall mean a structure for the shelter, support, or enclosure of persons, materials, or property of any kind, having a roof supported by columns or walls, and when separated shall be deemed a separate building. The term "building" shall be construed as if followed by the words "or part thereof". Ordinary upkeep, maintenance and minor repairs may be made to a building without filing an application or obtaining a permit, provided such repairs shall not violate any of the provisions of this Code.

SECTION THREE: The Board of Trustees shall appoint a resident of the City, preferably a member of the Board of Trustees of the City of Moorland, to the position of Director of Building, which appointment may be terminated at will by the legislative body. Every effort should be made to appoint individuals who are graduates of accredited schools of architecture or engineering or who have had experience with building or construction work. The Director of Building is hereby authorized and directed to enforce all provisions of this ordinance as herein provided with the guidance and approval of the Board of Trustees of the City of Moorland.

SECTION FOUR: The procedure for obtaining a building permit shall be as follows:

(1) The plans, containing a drawing, plat or sketch in duplicate, showing the lot plan, the location of the building on the lot, accurate dimensions of the building and the lot, and such other information as may be required by the Board of Trustees, shall be submitted to the Director of Building. This plat may be staked by a competent surveyor.

(2) The Director shall consider said plans to determine whether the proposed building will adversely affect the public safety, health, convenience, comfort and general welfare of the residents of the City, conforms to the requirements of this ordinance and all other pertinent law, ordinances and deed restrictions, is in uniformity and harmony of exterior design with existing structures on the lot on which the work is proposed and surrounding lots, and is so located so as to not adversely affect adjoining structures, uses and operations.

(3) All side walls or improvements, including porches, must be dimensionally consistent with the Deed of Restrictions in relation to its location on the lot. Cornices shall not extend nearer

to the adjoining lot than allowed by the Deed of Restrictions. Porches extending beyond the front wall of the residence over the building line shall not be enclosed in any manner inconsistent with the Deed of Restrictions.

(4) If the Director is satisfied with the work described in an application, he shall so report to the legislative body which, if it concurs in such director's report, shall issue a preliminary certificate of compliance. Upon the issuance of the preliminary certificate of compliance, the applicant shall deliver the certificate and a full set of plans and specifications to the Jefferson County Building Inspector. The Jefferson County Building Office shall review said plans and specifications and shall issue a building permit and conduct the necessary inspections based upon the approval by the City and all other County and State agencies' approvals as may be required. Upon the issuance of the building permit by the Jefferson County Building Office, it shall be presented to the Building Director, and if the necessary fees have been paid, the approval of the City shall be granted and a permit therefor issued to the applicant.

(5) When the Building Director issues a permit, he shall endorse in writing or stamp on both sets of plans and specifications "APPROVED". Such approved plans and specifications shall not be changed, modified, or altered in any manner without the authorization from the legislative body, and all work shall be done in accordance with the approved plans and specifications.

(6) If the application for permit describes work which does not conform to the requirements of this ordinance or other pertinent laws, ordinances or deed restrictions or does not contain sufficient information, the Director of Building shall so report to the legislative body, and, if the report of such director is concurred in by such legislative body, no permit shall be issued. In such event the plans and specifications shall be returned to the applicant with the refusal to issue such a permit. When requested by the applicant, such refusal shall be in writing and shall contain the reasons therefor.

(7) Fees:

(a) No permit shall be issued for structure additions or changes until the applicant shall have paid to the City Treasurer a permit fee of \$5.00.

SECTION FIVE: One set of approved plans, specifications, and computations shall be retained by the City Clerk, and one set of the approved plans and specifications shall be returned to the applicant. The latter set shall be posted at the site of work, in a conspicuous place, near the front of the premises, protected from the weather. The site shall be open to inspection at all reasonable times by the Director of Building.

SECTION SIX: The applicant shall be responsible for seeing that adequate provisions are made for drainage, both during the period of construction and after construction is completed. He assumes the responsibility for assuring the City that water will not be diverted from its natural flow to the land(s) surrounding the building or structure which he is or has constructed, modified or demolished.

SECTION SEVEN: The applicant is charged with the responsibility of seeing that no debris, waste or rubbish from the project for which this permit is issued is discarded or abandoned within the boundaries or the City of Moorland, either during, upon or after the completion of said project.

SECTION EIGHT: At all times, it shall be the duty of the applicant to maintain the streets in the vicinity of the permit location in a clean condition. The street shall not be allowed to become cluttered or covered with dirt or debris as a result of the construction, etc., activities.

SECTION NINE: If at any time during an applicant's project, he shall be found to be in violation of any section of this ordinance or any work on any building or structure is found to be contrary to the provisions of this ordinance or any other ordinance of the City of Moorland, or in a dangerous or unsafe manner, or such applicant, by reason of set-offs, shall not have the required deposits with the City of Moorland, such work shall immediately be stopped. The notice that work is to cease shall be in writing, and shall be given to the owner of the property, his agent or any person at the work site, who is in a position of authority, and such notice shall state the conditions under which work may be resumed.

SECTION TEN: Upon the completion of a project and the satisfaction of all section of this ordinance and all other pertinent laws, ordinances and deed restrictions, a certificate of completion shall be issued and those funds on deposit with the City under Sec. Four(7) of this ordinance shall be refunded to the holder of the building permit. No buildings shall be occupied or used until such certificate of completion has been granted by the City.



SECTION ELEVEN: A permit shall expire and terminate at the expiration of three (3) months from its date unless the construction of the improvement(s) thereby authorized has in good faith begun within that time, or if for wrecking, demolition or removal of a structure or building, unless said work has in good faith begun within thirty (30) days of permit date. A permit for any type of building, or addition thereto, shall terminate three (3) months from its date unless the improvement is completed within that time. A permit will continue to be valid for a reasonable time after the project has begun with the above time limits, or until the project is completed if within a reasonable time.

SECTION TWELVE: Upon a showing of good and reasonable cause by written application at least thirty (30) days before expiration date of any aforementioned duly issued permit to the City of Moorland, the Board of Trustees or duly authorized representative may, within their discretion, issue a renewal permit without the payment of an additional fee. This renewal permit shall not be for a period longer than the period of the original permit. If untimely (i.e., at expiration date or later the original permit) application for a renewal permit is made, it may be approved by the City within their discretion; if approved, a fee equal to the original fee shall be collected. The thirty (30) day period before the expiration date is discretionary with regard to granting a renewal permit without payment of an additional fee to the Board of Trustees or duly authorized representative.

SECTION THIRTEEN: It shall be the duty of the City law enforcement officer(s) or the Jefferson County Department of Buildings at the request of a member of the Board of Trustees of the City, the duly authorized building representative or the City Clerk to investigate any and all violations of the ordinance and enforce it. Any person, firm or corporation violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than Twenty Dollars (\$20.00) or not more than One Hundred Dollars (\$100.00) per violation. Each and every day during which such violation continues to exist shall be deemed and construed a separate offense.

SECTION FOURTEEN: If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not effect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.