

TITLE XV: LAND USAGE

Chapter

150.BUILDING REGULATIONS

151.DEVELOPMENT/MAINTENANCE STANDARDS

Heritage Creek - Land Usage

CHAPTER 150: BUILDING REGULATIONS

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GENERAL PROVISIONS

§ 150.01 ADOPTION OF KENTUCKY BUILDING CODE; STANDARDS OF SAFETY.

The Kentucky Building Code, as contained in Chapter 7, Title 815 of the Kentucky Administrative Regulations; the Kentucky Plumbing Code, as contained in Chapter 20, Title 815 of the Kentucky Administrative Regulations; the Kentucky Standards of Safety, as contained in Chapter 10, Title 815 of the Kentucky Administrative Regulations are hereby adopted by reference as if fully set forth in this code of ordinances. Copies of the above codes and any amendments thereto shall be placed on file in the office of the City Clerk/Treasurer where they shall be available for public inspection during normal business hours.

(Prior Code, § 150.01) Penalty, see § 150.99

§ 150.02 ENFORCEMENT OF CODES.

(A) The County Building Inspector shall be the designated enforcement officer for the Kentucky Building Code adopted in § 150.01 above.

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(B) The Kentucky Standards of Safety, adopted in § 150.01, shall be enforced by the Fire Chief and other designated officers of the Okalona Fire District.

(C) The County Plumbing Official shall be the designated enforcement officer for the Kentucky Plumbing Code adopted in § 150.01 above.
(Prior Code, § 150.02)

§ 150.03 APPLICATION.

The application of the State Building Code is extended to all single-family dwellings in the city which are to be constructed or remodeled.
(Prior Code, § 150.03)

§ 150.04 APPEALS.

Appeals from decisions made by the County Building Inspector under this chapter may be taken to the State Department of Housing, Buildings and Construction unless and/or until a local board of housing appeals, as set forth in KRS 198B, is established to hear the appeals.
(Prior Code, § 150.04)

Statutory reference:

Appeals procedure, see KRS 198B.070

MISCELLANEOUS REGULATIONS

§ 150.15 DRIVEWAY MATERIALS.

Any driveway which is extended and/or expanded from the size and/or length of the driveway originally constructed on the lot shall be constructed of the same material as that originally used.
(Ord. 01-2000, passed 1-11-2000; Am Ord. 4-2002, passed 10-14-2002) Penalty, see § 150.99

§ 150.16 DUTY TO REPAIR AND REBUILD.

(A) Each owner of a lot shall, at their sole cost and expense, repair his or her residence, keeping the same in condition comparable to the condition of the residence at the time of its initial construction, excepting only normal wear and tear, including the replacement of any broken glass within one month.

(B) If all or any portion of a residence is substantially damaged or destroyed by fire, or other casualty, then the owner shall, with due diligence, promptly rebuild, repair or reconstruct the residence in a manner which will substantially restore it to its condition immediately prior to the casualty. In the

alternative, the owner shall fully remove the damaged structure within three months of the casualty, and level and seed the lot unless there has not been a settlement reached with the home owners insurance company or for some reason there is an ongoing government investigation.

(Ord. 01-2000, passed 1-11-2000) Penalty, see § 150.99

§ 150.99 PENALTY.

Any person who violates any provision of the state codes adopted in § 150.01 shall be subject to the following penalties.

(A) Violators of the Uniform State Building Code or the Uniform State Residential Code shall, upon conviction, be subject to a fine of not less than \$10 nor more than \$1,000 for each offense.
(KRS 198B.990(1))

(B) Violators of the State Standards of Safety shall, upon conviction, be subject to a fine of not less than \$25 nor more than \$1,000, imprisonment for not more than 60 days, or both, for each offense.
(KRS 227.990(1))

(C) Violators of the State Plumbing Code shall, upon conviction, be subject to a fine of not less than \$10 nor more than \$100, imprisonment for not more than 90 days, or both, for each offense.
(KRS 318.990) (Prior Code, § 150.99)

(D) Any person, firm or corporation violating §§ 150.15 and 150.16 of this chapter shall be charged a civil penalty of not less than \$5 and not more than \$50 for each offense. Each day a violation of that section occurs is a separate offense. Enforcement of this restrictions shall be by proceedings in law or in equity, brought by the city.
(Ord. 01-2000, passed 1-11-2000)

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§ 151.01 TITLE.

This chapter shall be known as the city Development/Maintenance Standards.
(Ord. 01-2000, passed 1-11-2000)

§ 151.02 USE RESTRICTIONS.

(A) No residentially zoned lot shall be used except for private single-family residential purposes.

(B) No structure shall be erected, placed, altered or permitted to remain on any lot except, a single-family dwelling designed for the occupancy of one family, not to exceed two stories in height and containing a private garage (attached or detached, which may be no taller in height than the residential structure and which must use the same building material on the street facing side as the house on the lot) for the sole use of the owner and occupants of the lot.
(Ord. 01-2000, passed 1-11-2000) Penalty, see § 151.99

§ 151.03 AUXILIARY BUILDING RESTRICTIONS.

Any building, shed, greenhouse, storage structure and/or playhouse which is located on a lot, but not connected to a permanent foundation shall be located in an area of the lot which will minimize its

visibility from the street. Any structure shall be maintained in a condition comparable to the condition of the structure at the time of its initial location on the lot, excepting only normal wear and tear. (Ord. 01-2000, passed 1-11-2000) Penalty, see § 151.99

§ 151.04 USE OF OTHER STRUCTURES.

No structure, during development, of a temporary character shall be permitted on any lot except temporary tool sheds or field offices used by a builder, during construction, which shall be removed when construction is completed, subject to zoning regulations. (Ord. 01-2000, passed 1-11-2000; Am Ord. 4-2002, passed 10-14-2002) Penalty, see § 151.99

§ 151.05 FENCES AND WALLS.

No fence or wall of any nature may be extended toward the front or street side property line beyond the front or side wall of the residence. If chain link fencing is utilized, its height may not exceed six feet. Privacy type fencing may not exceed seven feet in height. (Ord. 01-2000, passed 1-11-2000) Penalty, see § 151.99

§ 151.06 SIGNS.

No sign for advertising or for any other purpose shall be displayed on any lot, or on a building, or a structure on any lot, except one sign for advertising the same for sale or rent thereof, or for a specific event on a specific date. Any sign permitted herein must be removed within 48 hours after the event has occurred. This section shall not prohibit placement of occupant name signs and lot numbers as allowed by applicable zoning regulations. (Ord. 01-2000, passed 1-11-2000) Penalty, see § 151.99

§ 151.07 DRAINAGE.

Drainage of each lot shall conform to the general drainage plans of the Metropolitan Sewer Department (MSD) for the subdivision. No storm water drains, roof downspouts or ground water shall be introduced into any sanitary sewage system. Each driveway shall be constructed and maintained to allow proper drainage. No landscaping and/or parking shall be placed on any easement, nor shall any easement (as shown on the recorded plat) be altered or obstructed in any manner by the owner of the lot to maintain proper drainage. (Ord. 01-2000, passed 1-11-2000) Penalty, see § 151.99

§ 151.99 ENFORCEMENT AND PENALTY.

(A) Enforcement of these restrictions shall be by proceedings in law or in equity, brought by the city.

(B) Any person, firm or corporation violating any section of this chapter shall be charged a civil penalty of not less than \$5 and not more than \$50 for each offense.

(C) Each day a violation of this chapter occurs is a separate offense.
(Ord. 01-2000, passed 1-11-2000)

