

1 AN ACT relating to the Kentucky Uniform State Building Code.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 198B.010 is amended to read as follows:

4 As used in this chapter, unless otherwise provided:

- 5 (1) "Assembly occupancy" means the occupancy or use of a building or structure or any
6 portion thereof by a gathering of persons for civic, political, travel, religious, social,
7 or recreational purposes, including among others:
- 8 (a) Armories;
 - 9 (b) Assembly halls;
 - 10 (c) Auditoriums;
 - 11 (d) Bowling alleys;
 - 12 (e) Broadcasting studios;
 - 13 (f) Chapels;
 - 14 (g) Churches;
 - 15 (h) Clubrooms;
 - 16 (i) Community buildings;
 - 17 (j) Courthouses;
 - 18 (k) Dance halls;
 - 19 (l) Exhibition rooms;
 - 20 (m) Gymnasiums;
 - 21 (n) Hotels;
 - 22 (o) Lecture rooms;
 - 23 (p) Lodge rooms;
 - 24 (q) Motels;
 - 25 (r) Motion picture theaters;
 - 26 (s) Museums;
 - 27 (t) Night clubs;

- 1 (u) Opera houses;
- 2 (v) Passenger stations;
- 3 (w) Pool rooms;
- 4 (x) Recreation areas;
- 5 (y) Restaurants;
- 6 (z) Skating rinks;
- 7 (aa) Television studios;
- 8 (bb) Theaters.

9 (2) "Attic" means the space between the ceiling beams of the top habitable story and the
10 roof rafters.

11 (3) "Basement" means that portion of a building the average height of which is at least
12 half below grade, which is ordinarily used for purposes such as storage, laundry
13 facilities, household tool shops, and installation and operation of heating, cooling,
14 and ventilating facilities, but which is not ordinarily used for purposes of general
15 household habitation.

16 (4) "Building" means any combination of materials, whether portable or fixed, which
17 comprises a structure or nonmine underground area affording facilities or shelter for
18 any human occupancy, whether infrequent or regular, and also means single-family
19 dwellings, including those sold or constructed under a trade or brand name. The
20 word "building" shall be construed wherever used herein as if followed by the
21 words "or part or parts thereof and all equipment therein" unless the context clearly
22 requires a different meaning. "Building" shall also mean swimming pools
23 constructed below grade on site, but not swimming pools assembled above grade on
24 site. "Building" shall not mean a manufactured home governed by the National
25 Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C.
26 secs. 5401 et seq., or a farm dwelling or other farm buildings and structures incident
27 to the operation and maintenance of the farm if the farm structures are located

1 outside the boundary of a municipality and are not used in the business of retail
2 trade or used as a place of regular employment for ten (10) or more people or
3 structures used in the storage or processing of timber products. "Building" shall
4 not mean a greenhouse as defined in this section.

5 (5) "Business occupancy" means the occupancy or use of a building or structure or any
6 portion thereof for the transaction of business, the rendering or receiving of
7 professional services, or the displaying, selling, or buying of goods, wares, or
8 merchandise, or the housing of vehicles of transportation, except where occupancy
9 is of high hazard, including among others:

- 10 (a) Banks;
- 11 (b) Barber shops;
- 12 (c) Beauty parlors;
- 13 (d) Department stores;
- 14 (e) Garages;
- 15 (f) Markets;
- 16 (g) Service stations;
- 17 (h) Offices;
- 18 (i) Stores;
- 19 (j) Radio stations;
- 20 (k) Telephone exchanges; and
- 21 (l) Television stations.

22 (6) "Certified building inspector" means a person who has been certified by the
23 department as having successfully completed the test requirements provided by
24 KRS 198B.090 to practice as a city, county, or state building inspector within the
25 Commonwealth.

26 (7) "Certified plans and specifications inspector" means a person who has been certified
27 by the department as having successfully completed the test requirements provided

1 by KRS 198B.090 to practice as a city, county, or state plans and specifications
2 inspector within the Commonwealth.

3 (8) "Certified plumbing inspector" means a person who has been certified by the
4 department as having successfully completed the test requirements provided by
5 KRS 198B.090 and 318.140, or 318.090 to practice as a city, county, or state
6 plumbing inspector within the Commonwealth.

7 (9) "Commissioner" means the commissioner of housing, buildings and construction.

8 (10) "Construction" means the erection, fabrication, reconstruction, substantial alteration
9 or conversion of a building, or the installation of equipment therein, but shall not
10 include the ordinary repair of a building or structure.

11 (11) "Department" means the Department of Housing, Buildings and Construction.

12 (12) "Educational occupancy" means the occupancy or use of a building or structure or
13 any portion thereof by persons assembled for the purpose of learning or of receiving
14 educational instruction. "Educational occupancy" shall not include a building for
15 occupancy or use by thirty-five (35) persons or less assembled to receive religious
16 and educational instruction. "Educational occupancy" includes but is not limited to:

17 (a) Academies;

18 (b) Care centers;

19 (c) Colleges;

20 (d) Kindergartens;

21 (e) Libraries;

22 (f) Preschools;

23 (g) Relocatable classroom units;

24 (h) Schools;

25 (i) Seminaries; and

26 (j) Universities.

27 (13) "Equipment" means facilities or installations, including but not limited to heating,

1 electrical, ventilating, air conditioning, and refrigerating facilities or installations.

2 (14) **"Greenhouse" means a structure that:**

3 **(a) Has a glass or plastic roof;**

4 **(b) Has one (1) or more glass or plastic walls;**

5 **(c) Has an area over ninety-five percent (95%) of which is used to grow or**
6 **cultivate plants;**

7 **(d) Is built in accordance with structure design standards that are officially**
8 **adopted by a group or association representing greenhouse manufacturers**
9 **having the largest nationwide membership;**

10 **(e) Is used for agricultural purposes regardless of the number of regular**
11 **employees; and**

12 **(f) Is not used for retail sales.**

13 **(15)** "High hazard occupancy" means the occupancy or use of a building or structure or
14 any portion thereof that involves highly combustible, highly flammable, or
15 explosive materials or which has inherent characteristics that constitute a special
16 fire hazard, including among others:

17 (a) Aluminum powder factories;

18 (b) Charging or filling stations;

19 (c) Distilleries;

20 (d) Dry cleaning plants;

21 (e) Dry dyeing plants;

22 (f) Explosive-manufacture, sale or storage;

23 (g) Flour and feed mills;

24 (h) Gasoline bulk plants;

25 (i) Grain elevators;

26 (j) Lacquer factories;

27 (k) Liquefied petroleum gas;

- 1 (l) Mattress factories;
- 2 (m) Paint factories;
- 3 (n) Pyroxylin-factories, or warehouses; and
- 4 (o) Rubber factories.

5 ~~(16)~~~~(15)~~ "Industrial occupancy" means the occupancy or use of a building structure or
6 any portion thereof for assembling, fabricating, finishing, manufacturing,
7 packaging, or processing operations, except for occupancies of high hazard,
8 including among others:

- 9 (a) Assembly plants;
- 10 (b) Creameries;
- 11 (c) Electrical substations;
- 12 (d) Factories;
- 13 (e) Ice plants;
- 14 (f) Laboratories;
- 15 (g) Laundries;
- 16 (h) Manufacturing plants;
- 17 (i) Mills;
- 18 (j) Power plants;
- 19 (k) Processing plants;
- 20 (l) Pumping stations;
- 21 (m) Repair garages;
- 22 (n) Smokehouses; and
- 23 (o) Workshops.

24 ~~(17)~~~~(16)~~ "Industrialized building system" means any structure or component thereof
25 which is wholly or in substantial part fabricated in an off-site manufacturing facility
26 for installation or assembly on a permanent foundation at the building site.

27 ~~(18)~~~~(17)~~ "Institutional occupancy" means the occupancy or use of a building or

1 structure or any portion thereof by persons harbored or detained to receive medical,
2 charitable, or other care or treatment, or by persons involuntarily detained, including
3 among others:

- 4 (a) Asylums;
- 5 (b) Homes for the aged;
- 6 (c) Hospitals;
- 7 (d) Houses of correction;
- 8 (e) Infirmaries;
- 9 (f) Jails;
- 10 (g) Nursing homes;
- 11 (h) Orphanages;
- 12 (i) Penal institutions;
- 13 (j) Reformatories;
- 14 (k) Sanitariums; and
- 15 (l) Nurseries.

16 (19)~~[(18)]~~ "Mobile home" means mobile home as defined in KRS 227.550.

17 (20)~~[(19)]~~ "Ordinary repair" means any nonstructural reconstruction or renewal of any
18 part of an existing building for the purpose of its maintenance, or decoration, and
19 shall include but not be limited to the replacement or installation of nonstructural
20 components of the building such as roofing, siding, windows, storm windows,
21 insulation, drywall or lath and plaster, or any other replacement, in kind, that does
22 not alter the structural integrity, alter the occupancy or use of the building, or affect,
23 by rearrangement, exitways and means of egress; but shall not include additions to,
24 or alteration of, or relocation of any standpipe, water supply, sewer, drainage, gas,
25 soil, waste, vent or similar piping, electric wiring, or mechanical equipment
26 including furnaces and hot water heaters or other work affecting public health or
27 safety.

1 ~~(21)~~~~(20)~~ "Story" means that part of a building comprised between a floor and the floor
2 or roof next above which is not a basement or an attic.

3 ~~(22)~~~~(21)~~ "Person with a physical disability" means a person confined to a wheelchair; a
4 person who uses braces or crutches; a person who because of the loss of a foot or
5 leg or because of an arthritic, spastic, pulmonary, or cardiac condition, walks with
6 difficulty or insecurity; a person who suffers from a faulty coordination or palsy; a
7 person who is blind or whose sight is so impaired that, functioning in a public area,
8 he or she is insecure or exposed to danger; a person whose hearing is so impaired
9 that he or she is unable to hear warning signals; and a person whose mobility,
10 flexibility, coordination, and perceptiveness are significantly reduced by aging.

11 ~~(23)~~~~(22)~~ "Facility for persons with physical disabilities" means any convenience or
12 device which facilitates the health, safety, or comfort of a person with a disability,
13 including, but not limited to, ramps, handrails, elevators, and doors.

14 ~~(24)~~~~(23)~~ "Manufactured home" is defined as in KRS 227.550.