

**CITY OF OAK GROVE, KENTUCKY
ORDINANCE NO. 2022- 02**

**AN ORDINANCE BY THE CITY OF OAK GROVE,
KENTUCKY AMENDING ORDINANCE NO. 2015-1
CONCERNING BUILDING AND ZONING REGULATION ORDINANCES**

WHEREAS, the City of Oak Grove has previously passed Ordinances Nos. 1988-3, 1990-10, 1992-9, 1993-11, 1995-7, 1995-8, 1996-16, 2000-23, 2001-25, and 2015-01 which establishes a schedule of fees for the administration of the Kentucky Building Code, Kentucky Residential Code, the City of Oak Grove Zoning Ordinance, and the City of Oak Grove Subdivision Guidelines; and

WHEREAS, the City of Oak Grove has amended its zoning ordinance to modify certain terms and fees specified in the previous zoning code; and

WHEREAS, the City of Oak Grove wishes to make changes to the current fee schedule to ensure consistency with recently adopted code amendments; and

WHEREAS, the City of Oak Grove has evaluated the schedule of fees and has determined that amendments are necessary to ensure an equitable relationship between costs incurred by an applicant and costs incurred by the city in the review of applications for building/zoning and related permits; and

WHEREAS, the City Council believes that these changes are in the best interest of the City of Oak Grove and its citizens.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF OAK GROVE, KENTUCKY:

**SECTION I – ADOPTION OF KENTUCKY BUILDING CODE
STANDARDS OF SAFETY**

The Kentucky Building Code and all subsequent additions, as contained in Chapter 7, Title 815 of the Kentucky Administrative Regulations; the Kentucky Plumbing Code, 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, together with any amendments, are hereby adopted by reference as if fully set forth this ordinance. Copies of the above codes and any amendments thereto shall be placed on file in the office of the [~~City Administrative Officer~~]/City Clerk where they shall be available for public inspection during normal business hours.

SECTION II- IDENTIFICATION OF SUBCONTRACTORS REQUIRED

(A) Each general contractor or principal builder shall notify the [~~City Administrative Officer/City Clerk~~] Zoning Administrator of the name, address, telephone number, and federal and state employee identification numbers of each subcontractor, independent contractor, and individual who performs any work or services on any construction or building project within the city prior to said subcontractor, independent contractor, or individual performing any work thereon. For purposes of this section the general contractor or principal builder is not required to identify the employees or workmen on his payroll.

(B) If a general contractor or principal builder shall fail to identify said subcontractors, independent contractors, or individuals, the [~~City Administrative Officer/City Clerk~~] Zoning Administrator shall forthwith issue a stop work order which shall be served on the general contractor or builder by the

Zoning Inspector/Code Enforcement Officer [~~City Planner~~] and all work of those unidentified subcontractors, independent contractors, or individuals on said construction or building project shall cease until such time as said general contractor or builder has properly identified those subcontractors, independent contractors, or individuals performing work on said project.

SECTION III- BUILDING/ZONING PERMITS; WHERE OBTAINED; FEES

(A) Building/zoning permits are to be obtained from the City of Oak Grove Planning Office. Except where specifically noted, there shall be a fee collected by the City of Oak Grove Planning Office for all building/zoning permits issued and other building, planning, or zoning reviews/approvals based as follows:

(1) Building/Zoning permit for construction covered by the Kentucky Building Code:

Total Valuation	Fee
\$1,000 and less	No fee, unless inspection required, in which a \$50.00 fee for each inspection shall be charged.
\$1,000 to \$50,000	\$15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00.
\$50,000 to \$100,000	\$260.00 for the first \$50,000 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.
\$100,000 to \$500,000	\$460.00 for the first \$100,000 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.
\$500,000 and up	\$1,660.00 for the first \$500,000 plus \$2.00 for each additional thousand.

~~[(2) Permanent signs: _____ \$75.00 plus \$1.00 per square foot]~~

(2)~~[(3)]~~ Building/zoning permit for construction covered by the Kentucky Residential ~~[Building]~~ Code:

One and Two family dwelling	\$125.00
<u>Multi-family dwellings (subject to review under the Kentucky Residential Code)</u>	<u>\$100.00 per unit</u>
Accessory Structures:	\$75.00
Garages, carports, additions, In-ground pools, permanent Storage buildings, excluding Portable	

storage buildings and Above-ground pools.

Partial Release permit Footer/foundation, etc.	\$50.00
(3)[(4)] Moving a structure:	\$50.00
(4)[(5)] Manufactured [Mobile] home permit	\$100.00
(5)[(6)] Site plan review	<u>\$300.00</u> [\$125.00] <u>2 acres or less</u> <u>\$500.00</u> <u>2 – 5 acres</u> <u>\$1500.00</u> <u>5 acres or more</u>
(6) <u>Site plan review (expedited)</u> <u>plan review fees in (5) for expedited review</u>	<u>There will be a \$100 fee added to the site</u>
(7) <u>Home Occupation (Administrative)</u>	<u>\$50.00</u>
(8) Permanent Sign	\$75.00 plus \$1.00 per square foot
(9)[(7)] Rezoning*:	<u>\$500.00 plus \$7 per adjoining property</u> <u>owner* [\$300.00]</u>
(10)[(8)] Conditional Use property	<u>\$250.00 plus \$7 per adjoining</u> <u>owner [\$100.00]</u>
(11) <u>Variance</u>	<u>\$250.00 plus \$7 per adjoining property</u> <u>owner</u>
(12)(9) <u>Appeal/Interpretation Of Zoning</u>	<u>\$250.00</u> [\$200.00]
(13)[(10)] Street Dedication	<u>\$.40 per linear foot</u> [/lin-ft]
Closure	\$100.00
Change	\$100.00
(14)[(11)] Preliminary Plat**	\$400.00 [\$300.00]
Final Plat**	\$400.00 plus \$5 per lot
Minor Plat***	\$25.00 per lot [\$10.00]
(15) <u>Building and Electrical Permits</u>	<u>\$50 each to Oak Grove</u>

* Rezoning fees are collected by the City of Oak Grove for reimbursement to the Hopkinsville-Christian County Planning Commission.

** Preliminary and final plat fees are collected by the City of Oak Grove for reimbursement to the Hopkinsville Christian County Planning Commission.

*** Minor plat fees are collected by and payable to the Hopkinsville Christian County Planning Commission.

(B) Late charge for commencing construction without a building/zoning permit will be \$200.00 in addition to the normal permit fee. In no instance will the late charge be less than \$200.00 or exceed \$500.00. Construction begins when concrete is poured and/or materials are utilized on site. A \$10.00 penalty will also be levied against the contractor/owner for not posting the building/zoning permit in a visible place which can be viewed from the street.

SECTION IV- LICENSE TAX AND LIABILITY INSURANCE

(A) No permanent residence or commercial building shall be moved over or upon the streets of the city until and unless the owner of such building, or the person engaged in moving same, shall apply to and receive from the Zoning Administrator [~~City Planner~~] a permit for each such building to be moved. In each such case, a license tax is hereby established of \$100.00 for residential buildings, and \$200 for commercial buildings.

(B) Before obtaining such permit, the owner of any building to be moved, or his agent, shall post bond in the amount of \$1,000.00 with the City as indemnity for any damage done in such moving to city streets, or other public property, and shall exhibit to the Zoning Administrator [~~City Planner~~] a liability insurance policy covering injury and damage to the public.

(C) The building/zoning permits provided herein will be void one (1) year from the date of issue. If construction has not been completed, then another permit will be required.

(D) All permits are to be posted on the outside of the structure clearly visible from the road.

(E) If any construction or activity for which a building/zoning permit is required under this section begins without a building/zoning permit or license tax being first obtained, the [~~City Planner and/or City Clerk~~] Zoning Administrator shall immediately issue a stop work order which shall be served upon the violator by the Zoning Inspector/Code Enforcement Officer [~~City Planner~~]. All work shall cease until the required permit or license tax is obtained.

SECTION V - ENFORCEMENT

All enforcement of Sections II, III and IV of this ordinance shall be handled by the Code Enforcement Officer. Any violations shall be submitted to the Code Enforcement Board.

SECTION VI - PENALTIES

Any person violating any of the provisions of Sections II, III, or IV shall be fined in accordance with the following schedule:

First Offense:	[\$200.00]	\$ 50.00
Second Offense:	[\$350.00]	\$150.00
Third Offense and all Offenses thereafter:	[\$500.00]	\$250.00

~~{Any person choosing not to contest the charge for the Code Enforcement Board instead wishing to pre-pay their fine shall be allowed to pay an amount equal to fifty percent (50%) of the fine for the applicable offense with which they have been charged. For example, a person charged with a first offense of violating this ordinance shall prepay his or her fine in the amount of [\$100.00]; a person charged with a second offense of violating this ordinance shall be allowed to prepay his or her fine in the amount of [\$175.00]; and a person charged with violating this offense the third time or after shall be allowed to prepay his or her fine in the amount of \$250.00}~~

SECTION VII- BUILDING/CONSTRUCTION PERMITS; WHERE OBTAINED; FEES

(A) Building/Zoning[Construction] Permits are to be obtained from the City of Oak Grove Planning Office. There shall be a fee collected by the City of Oak Grove Planning Office for all building/zoning[construction] permits issued, based as follows:

- (1) Plan review fee will be calculated by the prevailing fee section of the Kentucky Building Code as established by the Department of Housing, Buildings and Construction.
- (2) Inspection fee for construction covered by the Kentucky Building Code based as follows:

SQUARE FEET	FEE
0 – 5000 sq ft	\$.10 per sq ft
5001 – 7500 sq ft	\$.0975 per sq ft
7501 – 10000 sq ft	\$.0950 per sq ft
10001 – 12500 sq ft	\$.0925 per sq ft
12501 [sq ft] – 15000 sq ft	\$.0900 per sq ft
15001 – 17500 sq ft	\$.0875 per sq ft
17501 – 20000 sq ft	\$.0850 per sq ft
20001 sq ft and up	\$.0825 per sq ft

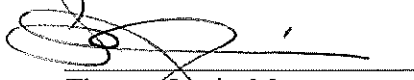
- (3) Minimum inspection fee \$200.00
- (4) Reinspection fee \$50 per inspection

SECTION VIII - UNCONSTITUTIONALITY


Any and all existing ordinances inconsistent with this ordinance are hereby repealed. Should any part of this ordinance be void or unconstitutional, the remaining ordinance shall remain in full force and effect.

First Reading this 1st day of February, 2022.
Second Reading this 15 day of February, 2022.

APPROVED:


Theresa Jarvis, Mayor
City of Oak Grove, Kentucky

ATTEST:


Angela Comperry, City Clerk
City of Oak Grove, Kentucky

AFFP

Ordinance No. 2022-02

Affidavit of Publication

STATE OF KY }
COUNTY OF CHRISTIAN } SS

Telina Crowe, being duly sworn, says:

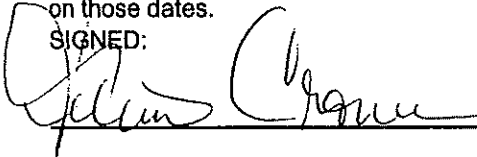
That she is Accounting Clerk of the Kentucky New Era, a newspaper of general circulation, printed and published in Hopkinsville, Christian County, KY; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

February 24, 2022


Publisher's Fee: \$ 701.80

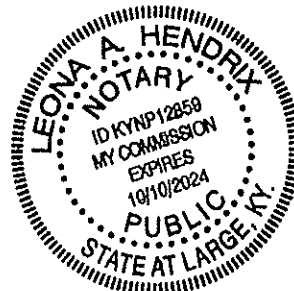
That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn to me this 24th day of February 2022.





00007747 70296115

Angela Comperry
City of Oak Grove
8505 Pembroke Oak Grove Rd
Oak Grove, KY 42262

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ORDINANCE NO. 2022-02
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ORDINANCES**

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(B) If a general contractor or principal builder shall fail to identify said subcontractors, independent contractors, or individuals, the City Administrative Officer/City Clerk Zoning Administrator shall forthwith issue a stop work order which shall be served on the general contractor or builder by the Zoning Inspector/Code Enforcement Officer (City Planner) and all work of those unidentified subcontractors, independent contractors, or individuals on said construction or building project shall cease until such time as said general contractor or builder has properly identified those subcontractors, independent contractors, or individuals performing work on said project.

**SECTION III - BUILDING/ZONING PERMITS;
WHERE OBTAINED; FEES**

(A) Building/zoning permits are to be obtained from the City of Oak

(7) Home Occupation (Administrative)	\$50.00
(8) Permanent Sign	\$75.00 plus \$1.00 per square foot
(9) Rezoning:	\$500.00 plus \$7 per adjoining property owner (\$500.00)
(10) Conditional Use	\$250.00 plus \$7 per adjoining property owner (\$700.00)
(11) Variance	\$250.00 plus \$7 per adjoining property owner
(12) Appeal/ Interpretation Of Zoning	\$250.00 (\$200.00)
(13) Street Dedication Closure Change	\$40 per linear foot (\$40.00) \$100.00 \$100.00
(14) Preliminary Plat Final Plat Minor Plat	\$400.00 (\$300.00) \$400.00 plus \$5 per lot \$25.00 per lot (\$10.00)
(15) Building and Electrical Permits	\$50 each to Oak Grove

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(B) Before obtaining such permit, the owner of any building to be moved, or his agent, shall post bond in the amount of \$1,000.00 with the City as indemnity for any damage done in such moving to city streets, or other public property, and shall exhibit to the Zoning Administrator (City Planner) a liability insurance policy covering injury and damage to the public.

(C) The building/zoning permits provided herein will be void one (1) year from the date of issue. If construction has not been completed, then another permit will be required.

(D) All permits are to be posted on the outside of the structure clearly visible from the road.

(E) If any construction or activity for which a building/zoning permit is required under this section begins without a building/zoning permit or license tax being first obtained, the City Planner and/or City Clerk Zoning Administrator shall immediately issue a stop work order which shall be served upon the violator by the Zoning Inspector/Code Enforcement Officer (City Planner). All work shall cease until the required permit or license tax is obtained.

WHERE OBTAINED: FEES

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\$50,000 to \$100,000	\$260.00 for the first \$50,000 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.
\$100,000 to \$500,000	\$460.00 for the first \$100,000 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.
\$500,000 and up	\$1,660.00 for the first \$500,000 plus \$2.00 for each additional thousand.

(2) Permanent signs: \$75.00 plus \$1.00 per square foot
 (2) Building/zoning permit for construction covered by the Kentucky Residential Building Code:

One and Two family dwelling	\$125.00
Multi-family dwellings (subject to review under the Kentucky Residential Code)	\$100.00 per unit

Accessory Structures: \$75.00
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Partial Release permit Footer/foundation, etc.	\$50.00
(2) Moving a structure:	\$50.00
(4) Manufactured [Mobile] home permit	\$100.00
(5) Site plan review	\$300.00 for 2 acres or less \$500.00 2 - 5 acres \$1500.00 5 acres or more
(6) Site plan review (expedited)	There will be a \$100 fee added to the site plan review fees in (5) for expedited review

shall be served upon the violator by the Zoning Inspector/Code Enforcement Officer. All work shall cease until the required permit or license tax is obtained.

SECTION V - ENFORCEMENT

All enforcement of Sections II, III and IV of this ordinance shall be handled by the Code Enforcement Officer. Any violators shall be submitted to the Code Enforcement Board.

SECTION VI - PENALTIES

First Offense:	\$250.00
Second Offense:	\$500.00
Third Offense and all Offenses thereafter:	\$750.00

Any person choosing not to contest the charge for the Code Enforcement Board instead wishing to pre-pay their fine shall be allowed to pay an amount equal to fifty percent (50%) of the fine for the applicable offense with which they have been charged. For example, a person charged with a first offense of violating this ordinance shall prepay this or her fine in the amount of \$125.00 if a person charged with a second offense of violating this ordinance shall be allowed to prepay his or her fine in the amount of \$375.00 and a person charged with violating this offense the third time or after shall be allowed to prepay his or her fine in the amount of \$375.00.

SECTION VII - BUILDING/CONSTRUCTION PERMITS;

WHERE OBTAINED: FEES

(A) Building/Zoning Permit Permits are to be obtained from the City of Oak Grove Planning Office. There shall be a fee collected by the City of Oak Grove Planning Office for all building/zoning permit/stratent permits issued, based as follows:

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20001 sq ft and up	\$.0825 per sq ft

- (3) Minimum inspection fee \$200.00
- (4) Reinspection fee \$50 per inspection

SECTION VIII - UNCONSTITUTIONALITY

Any and all existing ordinances inconsistent with this ordinance are hereby repealed. Should any part of this ordinance be void or unconstitutional, the remaining ordinance shall remain in full force and effect.

First Reading this 1st day of February, 2022.
 Second Reading this 15 day of February, 2022.

Approved: Theresa Jarvis, Mayor
 City of Oak Grove, Kentucky

ATTEST:
 Angela Comperly, City Clerk
 City of Oak Grove, Kentucky