

**HART COUNTY, KENTUCKY  
ORDINANCE #640.4**

**AN ORDINANCE AMENDING HART COUNTY ORDINANCE #640.1  
IMPLEMENTING ENFORCEMENT OF THE KENTUCKY BUILDING  
CODE IN HART COUNTY ON ALL RESIDENTIAL DWELLINGS  
INCLUDING THOSE LOCATED ON FARMS**

**WHEREAS**, Hart County Fiscal Court on April 20, 1995, adopted, upon second reading and hearing, Hart County Ordinance #640.1; and,

**WHEREAS**, Hart County Ordinance #640.1, implemented enforcement of the Kentucky Building Code in Hart County on single family dwellings in Hart County, Kentucky; and,

**WHEREAS**, Some clarity needs to be given as the Hart County Ordinance #640.1 application to single family dwellings as it related to agriculture exemptions; and,

**WHEREAS**, Hart 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 Hart 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, including but not limited to prefabricated and/or mobile homes, regardless of whether such dwellings are located on farms, and agricultural exemptions shall not apply to such dwellings.

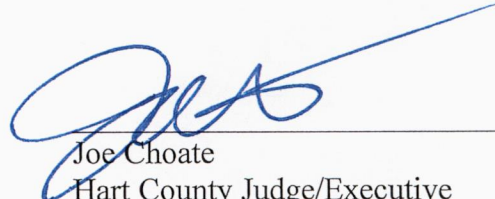
**THAT**, this Ordinance does not interfere with agricultural exemptions provided by Statute for other non-residential buildings located on agriculturally exempt real estate.

**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 Hart County Fiscal Court following first reading on the 19<sup>th</sup> day of January 2023.

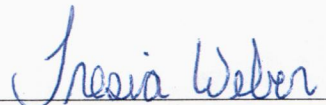
**ADOPTED** by the Hart County Fiscal Court following the second reading on the 16<sup>th</sup> day of February, 2023.



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Joe Choate  
Hart County Judge/Executive

**ATTEST:**



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Tressia Weber  
Hart County Fiscal Court Clerk