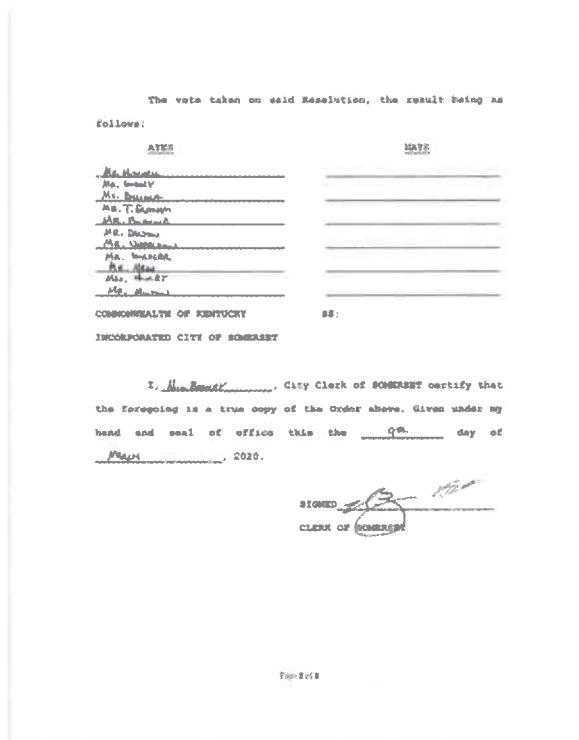
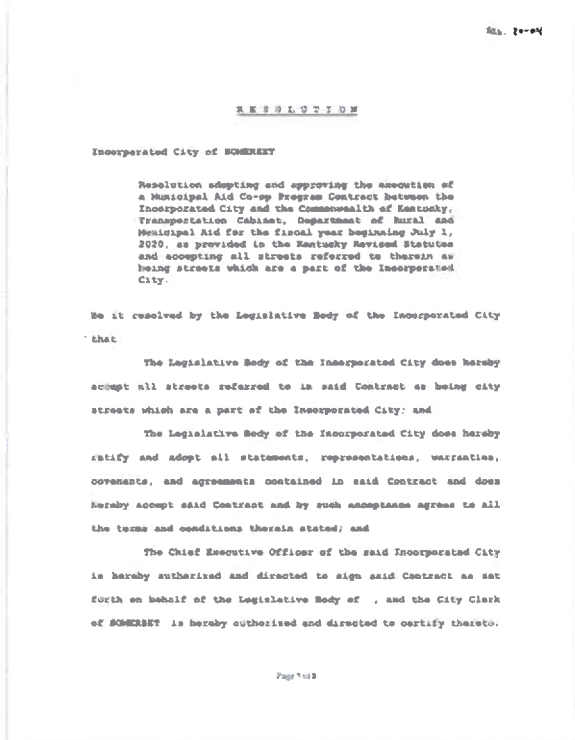


**MINUTES OF MEETING HELD MARCH 9, 2020**

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday March 9, 2020 at 6:00 p.m. with the following present: Council Members; Jim Mitchell, David Godsey, Amanda Bullock, Tom Eastham, David Burdine, Brian Dalton, Jerry Wheeldon, Jerry Girdler, Mike New, Donna Hunley, John Minton, Mayor Alan Keck, City Attorney John Adams, and City Clerk Nick Bradley. Absent: Jimmy Eastham.

Mr. Wheeldon moved to approve the minutes of the regular meeting held on February 24, 2020 along with reports as mailed. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. Girdler, Mr. New, Mrs. Hunley, and Mr. Minton.

Mr. Mitchell made a motion to approve following Resolution Number 20-04: Municipal Road Aid Cooperative Agreement. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. Girdler, Mr. New, Mrs. Hunley, and Mr. Minton.



Mr. Wheeldon made a motion to approve the following Resolution Number 20-05: Annual Leasing for Sanitation Truck. Mr. New seconded the motion. Upon roll call the following

Council Members voted "Aye": Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. Girdler, Mr. New, Mrs. Hunley, and Mr. Minton.

RESOLUTION NO. 20-06

A RESOLUTION APPROVING A LEASE FOR THE FINANCING OF A PROJECT; PROVIDING FOR THE PAYMENT AND SECURITY OF THE LEASE; AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS RELATED TO SUCH LEASE; AND MAKING CERTAIN DESIGNATIONS REGARDING SUCH LEASE.

WHEREAS, the governing body of the City of Somerset, Kentucky, Kentucky (the "Lessee") has the power, pursuant to Section 65.940 et seq. of the Kentucky Revised Statutes to enter into lease agreements with or without the option to purchase in order to provide for the use of the property for public purposes;

WHEREAS, the governing body of the Lessee (the "Governing Body") has previously determined, and hereby further determines, that the Lessee is in need of the Project, as defined in the Lease hereinafter described, and

WHEREAS, the Governing Body has determined and hereby determines that it is in the best interests of the Lessee that the Lessee enter into a Lease Agreement (the "Lease"), to be administered by Kentucky Association of Counties Leasing Trust (the "Program Administrator") and funded by the Bank or financial institution offering the lowest and best interest rate, as selected by the Lessee (the "Lessor"), for the leasing by the Lessee from the Lessor of the Project.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSET, KENTUCKY, AS FOLLOWS:

Section 1. Recitals and Authorization The Lessee hereby approves the Lease Agreement (the "Lease") and all Collateral Documents, to the extent recited and identified in the Lease, each in substantially the form presented to this Governing Body. It is hereby found and determined that the Project identified in the Lease is public property to be used for public purposes. It is further determined that it is necessary and desirable and in the best interests of the Lessee to enter into the Lease for the purposes therein specified, and the execution and delivery of the Lease and all representations, certifications and other matters contained in the closing memorandum with respect to the Lease, or as may be required by the Lessor prior to delivery of the Lease, are hereby approved, ratified and confirmed. The Mayor and City Clerk of the Lessee are hereby authorized to execute the Lease, together with such other agreements or certifications which may be necessary to accomplish the transaction contemplated by the Lease.

Section 2. Administration of the Lease The Kentucky Association of Counties Leasing Trust is hereby acknowledged to be the program administrator under the Lease.


Section 3. Severability If any Section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 4. Open Meetings Law This Governing Body hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Governing Body, and that all deliberations of this governing Body and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.


Section 5. Conflicts All ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed and the provisions of this Resolution shall prevail and be given effect.

Section 6. Effective Date This Resolution shall take effect from and after its passage and publication of a summary thereof, as provided by law.

INTRODUCED, SECONDED AND ADOPTED, at a duly convened meeting of the Governing Body, held on March 9, 2020, signed by the Mayor of the Lessee, attested by the City Clerk, filed and indexed as provided by law.

By:  Mayor

ATTEST:

By:  City Clerk

18080621

2

Mr. Mitchell made a motion to approve the following Resolution Number 20-06: Support for CERS Separation-KY House Bill 484. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. Girdler, Mr. New, Mrs. Hunley, and Mr. Minton.

**RESOLUTION 2020-04  
CITY OF SOMERSET, KENTUCKY**

**WHEREAS**, The City of Somerset has employees vested in the County Employees Retirement System,

**WHEREAS**, employer contribution rates for the County Employees Retirement System continue to increase, putting a strain on municipal budgets,

**WHEREAS**, total assets of the County Employees Retirement System are about \$13.5 billion, and it is 78% of pension assets controlled by the Kentucky Retirement Systems,

**WHEREAS**, the current 17-member Kentucky Retirement Systems Board of Trustees has only six seats for County Employees Retirement System representatives,

**WHEREAS**, the Kentucky Retirement Systems Investment Committee has no County Employees Retirement System representatives and the Actuarial Subcommittee has only one seat for a County Employees Retirement System representative,

**WHEREAS**, the Kentucky Retirement Systems earns investment income for the County Employees Retirement System below amounts earned by peer groups, and investment income is a vital component of improving the pension system's funding level,

**WHEREAS**, a CERS Board of Trustees solely focused on investment decisions, actuarial data and asset allocations of the County Employees Retirement System would ensure decisions made for the system are in its best interest,

**WHEREAS**, House Bill 484 creates a nine-member County Employees Retirement System Board of Trustees whose sole responsibility is the management of the County Employees Retirement System,

**WHEREAS**, it is in the best interest of the City of Somerset and its employees that the County Employees Retirement System function in an affordable and actuarially sound manner,

**NOW, THEREFORE, BE IT RESOLVED** That the Council of the City of Somerset supports House Bill 484 and calls upon the General Assembly and legislators representing this community to pass the measure to reorganize the Kentucky Retirement Systems and create an independent County Employees Retirement System Board of Trustees.



Mr. Burdine made a motion to approve the following Ordinance Number 20-04: An Ordinance Authorizing the Closing of South College Street Between East Mt. Vernon and Rosewood Avenue. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. Girdler, Mr. New, and Mrs. Hunley. No: Mr. Mitchell and Mr. Minton. Motion passed.

ORDINANCE 28-04

AN ORDINANCE AUTHORIZING THE CLOSING OF SOUTH COLLEGE STREET BETWEEN EAST MT. VERNON AND ROSEWOOD AVENUE

WHEREAS, the following described street has been dedicated as a public street by reference to same in various deeds filed of record in the Pulaski County Court Clerk's Office, and,

WHEREAS, the City of Somerset desires to acknowledge the dedication of said street so that same may be legally closed as herein provided, and,

WHEREAS, the purpose of the closure is to provide better use of land for the Lake Cumberland Farmers Market use, reduce commercial traffic (foot and vehicle) from the new use of the farmers market site and the former food bar building, around the homes on Rosewood Avenue,

WHEREAS, all property owners who abut the public street, alley or way have consented in writing to the proposed closing of the street, and,

NOW, THEREFORE, BE IT ORDAINED, by the City of Somerset, Kentucky, the following findings of fact are made with reference thereto

- 1. The street to be closed is and described as follows South College Street, Somerset, Kentucky from East Mt. Vernon to Rosewood Avenue
2. Written notice of the proposed closing was given to the property owner in or abutting the public street (See Exhibit A), and,
3. The property owners abutting the public street, being closed has given their written consent to the closing and a copy of the written consent is attached hereto, and,

- 4. The fence closing the street, to be built with the development of the Lake Cumberland Farmers Market shall include a gate which can be used from time to time (not regularly) for special vehicles (e.g. large trucks, boats on trailers, or other equipment) of the adjoining land owners and the adjoining land owners only. Should the gate ever require a lock, each adjoining landowner shall receive a key

Accordingly, based upon the findings of fact herein, it is hereby ORDERED and ORDAINED the public street, alley or way described is hereby CLOSED effective upon publication of this Ordinance. A copy of this Ordinance shall be filed of record in the Pulaski County Clerk's Office as required by KRS 82.405(2)

The foregoing Ordinance was read and presented to a regular meeting of the City Council of Somerset, Kentucky for the first reading on the 24th day of February 2020.

On this 24th day of February, 2020, A Motion was made by Councilperson [Name] seconded by Councilperson [Name] that the Ordinance be adopted as the law of the City of Somerset, Kentucky, to be effective immediately upon publication thereof as required by law.

Dated this 24th day of February, 2020.

[Signature]
Alan Work, Mayor
City of Somerset, Kentucky

Attest
[Signature]
City Clerk
City of Somerset, Kentucky

Consent to Closing South College Street
Somerset Kentucky

The Kentucky limited liability company 1776 Holdings, LLC of 3910 West Highway 90, Somerset Kentucky 42503, a property owner adjoining South College Street, Somerset, Kentucky hereby consent to the closing of South College Street, Somerset Kentucky between East Mount Vernon and Rosewood Ave. The undersigned understands, acknowledges, and agrees that the portion of the street closed shall remain the property of the City of Somerset.

Dated this 28th day of February 2020

1776 Holdings, LLC
By: [Signature]
Michael Keck, Managing Member

STATE OF KENTUCKY
) SS
COUNTY OF PULASKI

The foregoing instrument was acknowledged, subscribed and sworn to before me this 28th day of February 2020, by Michael Keck, member of 1776 Holding LLC, being his true and voluntary act.

My Notary ID # Date My Commission Expires: 8-14-2017

[Signature]
Notary Public



Consent to Closing South College Street
Somerset Kentucky

I, Dale and Robin Prather of 1874 Grady Rd., a property owner adjoining South College Street, Somerset, Kentucky hereby consent to the closing of South College Street, Somerset Kentucky between East Mount Vernon and Rosewood Ave. The undersigned understands, acknowledges, and agrees that the portion of the street closed shall remain the property of the City of Somerset.
Dated this 28th day of February, 2020

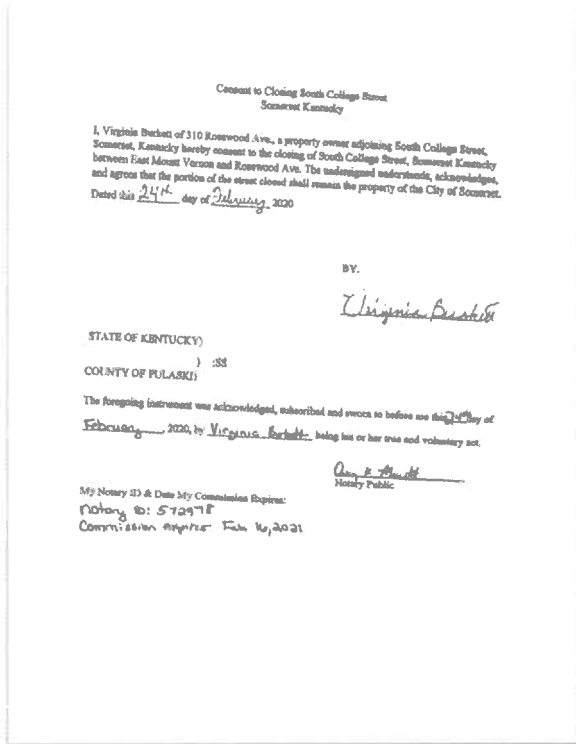
BY:
[Signature]
Robin Prather

STATE OF KENTUCKY
) SS
COUNTY OF PULASKI

The foregoing instrument was acknowledged, subscribed and sworn to before me this 28th day of February 2020, by Dale Prather & Robin Prather being his or her true and voluntary act.

My Notary ID # Date My Commission Expires: 8-14-2017

[Signature]
Notary Public



Mr. Wheeldon made a motion to approve the following Ordinance Number 20-05: An Ordinance to the City of Somerset, Kentucky, Annexing by Property as Described Below and in Attachments to this Ordinance, Attachments Incorporated in Full by Reference (Southern Oaks Funeral Home – 2110 West Highway 914). Mr. New seconded the motion. Upon roll call the following Council Members voted “Aye”: Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. Girdler, Mr. New, Mrs. Hunley, and Mr. Minton.

ORDINANCE NUMBER 20-05

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN, AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED, AND THE PROPERTY OWNERS EACH HAVING WAIVED THE SIXTY (60) DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER AND FOR AN AUTHORIZED AGENT OF THE OWNER AND INCORPORATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE, AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET, AND

WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY

- SECTION 1 THAT THE PROPERTIES DESCRIBED BELOW IN ATTACHMENTS HERETO AND BELOW, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS
- EXHIBIT A 15.91 ACRES OF A PLAT TITLED "ANNEXATION SURVEY SOUTHERN OAKS FUNERAL HOME" AND METES AND BOUNDS DESCRIPTION, SAID LAND HAVING PLAT OF DESIGNATION 050-0-13-1, AND ADDRESS AS 2110 WEST HIGHWAY 914, SOMERSET, KY 42501, COMMONLY KNOWN AS "SOUTHERN OAKS FUNERAL HOME"
- SECTION 2 THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW

FIRST READING: February 24, 2020

SECOND READING: March 4, 2020

APPROVED: *[Signature]*  
 SEAN T. KELK, MAYOR  
 CITY OF SOMERSET, KY

ATTEST: *[Signature]*  
 BRICK BRADLEY, CITY CLERK



DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION

Planning & Zoning Commission  
 205 East Mount Vernon Street  
 P.O. Box 500  
 Somerset, KY 42501  
 Phone: (606) 429-5314  
 Fax: (606) 677-0888  
 www.cityofsomerset.com

ANNEXATION REQUEST FORM

I, David D. Hunt / Southern Oaks Funeral Home formally request annexation

of my property located at 2110 West Highway 914, Somerset, KY 42501

into the City of Somerset

I also request that the 60-day waiting period be waived

I also request that this property be zoned B-2

*[Signature]* David D. Hunt 2/16/2020  
 Signature Date

SHEET 1 OF 2

Description 35.91 Acres  
 City of Somerset, Kentucky Annexation  
 Ordinance No. 20-05

A certain tract or parcel of land located adjacent to the existing City limits (Ordinance No 12-06) of Somerset, Kentucky and more particularly described as follows

The following description was prepared by Anthony G. Thompson PLS #2830 of AGT Land Surveying, Firm Permit #495, said description was based on the following information: an actual static and RTK GPS field survey in part, of visual right-of-way markers and portions of right-of-way fence, and calls taken from right-of-way data obtained from the Kentucky Transportation Cabinet plans for Kentucky Highway 914, and calls from the plat described in a Deed to People's Choice Funeral Home, LLC Deed Book 870, page 014 of record in the Pulaski County Court Clerk's office in Somerset, Kentucky. The purpose of this survey is to delineate the limits of proposed annexation. It does not in any way reflect a determination of the individual parcel boundaries and should not be used for this purpose.

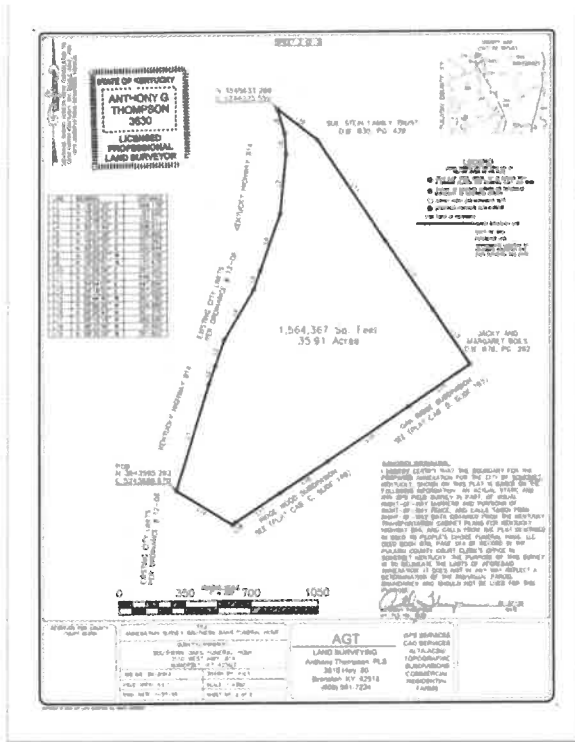
Beginning at a point having a KY State Plane single zone coordinate of N: 3,643,896.282; E: 8,243,888.870. Said point further described as being in the City limit line of Somerset, Kentucky per Ordinance No. 12-06

- L1) N 18°52'28" E a distance of 898.178;
- L2) N 18°08'52" E a distance of 87.539;
- L3) N 18°08'52" E a distance of 182.511;
- L4) N 38°19'44" E a distance of 386.873;
- L5) N 18°07'28" E a distance of 105.885;
- L6) N 18°07'28" E a distance of 321.043;
- L7) N 05°28'30" E a distance of 320.849;
- L8) N 03°53'47" W a distance of 107.406;
- L9) N 18°03'01" W a distance of 137.470;
- L10) S 81°59'56" E a distance of 287.825;
- L11) S 33°53'42" E a distance of 648.749;
- L12) S 34°54'97" E a distance of 447.850;
- L13) S 34°18'22" E a distance of 397.920;
- L14) S 57°44'08" W a distance of 397.790;
- L15) S 55°59'29" W a distance of 628.880;
- L16) S 66°29'43" W a distance of 301.370;
- L17) S 06°18'18" W a distance of 282.530;
- L18) S 44°33'48" W a distance of 20.800;
- L19) N 08°38'08" W a distance of 381.802 to the point of Beginning

Said Annex boundary having an area of 1,504,267 square feet or 38.91 acres.



*[Signature]*  
 Anthony G. Thompson PLS 2830 Date 01-27-20



First reading was given the following Ordinance Number 20-06: Amending Ordinance No. 00-18, Known as the City's Zoning Ordinance, and Altering the Zoning Map to Reflect said Amendment, Based on the Findings of Fact made by the Planning and Zoning Board, and Based on said Board's Recommendation of a Zone Change (R-2 to R-3 Highway 2227 PVA Parcel # 060-2-0-22).

ORDINANCE NO. 20-09  
AN ORDINANCE AMENDING ORDINANCE NO. 00-06, KNOWN AS THE CITY'S ZONING ORDINANCE, AND ALTERING THE ZONING MAP TO REFLECT SAID AMENDMENT, BASED ON THE FINDINGS OF FACT MADE BY THE PLANNING AND ZONING BOARD, AND BASED ON SAID BOARD'S RECOMMENDATION OF A ZONE CHANGE.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

That Ordinance No. 00-06, known as the Zoning Ordinance, Somerset, Kentucky, is hereby amended by altering the Zoning Map in the following manner:

- I. In changing a boundary to and presently zoned R-2 to R-3, said properties being more particularly described as follows: (A) attached hereto and incorporated herein in full by reference, located at Highway # 2227, Somerset, Kentucky, and having P.V.A. Parcel # 081-2-0-22.
- II. The City Clerk of the City of Somerset, Kentucky, is hereby authorized to alter the Zoning Map to reflect said change.
- III. This Ordinance shall be in full force and effect from and after adoption and publication according to law.

FIRST READING: **March 9, 2020**

SECOND READING:

Approved: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk



FINDINGS OF FACT AND RECOMMENDATIONS OF THE CITY OF SOMERSET PLANNING & ZONING COMMISSION

OWNER: MEM CHETH PROPERTIES, LLC  
ADDRESS: Highway 2227  
PARCEL #: 060-2-0-22

On February 25<sup>th</sup>, 2020, the Planning & Zoning Commission of the City of Somerset convened for a regularly scheduled / special called meeting and noticed hearing and at such meeting made findings of fact as to the property described in the plot and zone change application attached hereto and incorporated herein in full by reference.

The Planning & Zoning Commission believes that the recommendation as set forth below is proper according to law and MEETS the requirements for a zone change from R-2 to R-3 due to the following Findings of fact:

**DOE TO MAJOR CHANGES OF A PHYSICAL NATURE WITHIN THE AREA WHICH WERE NOT ANTICIPATED IN THE ADOPTED COMPREHENSIVE PLAN AND WHICH HAVE SUBSTANTIALLY ALTERED THE BASIC CHARACTER OF SUCH AREA FOR PROPERTY LOCATED AT HIGHWAY 2227, THE PRESENT ZONING (R-2) IS INAPPROPRIATE AND THE PROPOSED ZONING (R-3) IS MORE APPROPRIATE FOR THE PROPERTY.**

WHEREFORE, the Planning & Zoning Commission in a majority vote agree to RECOMMEND to the Common Council of the City of Somerset that the subject property be rezoned from R-2 to R-3 based on the above findings of fact.

\_\_\_\_\_ Chairman, Planning & Zoning Commission  
Administrative Official

Courtesy of Planning & Zoning Commission (Right only of legal description, if any, sought by the Commission).

DISCLAIMER: This form was prepared by the City Attorney for administrative purposes only. All findings and recommendations based on this form shall be entered in the notes maintained by the Secretary of the Commission or other authorized personnel, and are subject to the discretion of the Planning & Zoning Commission as authorized under the authority of all applicable laws.

**EXHIBIT "A"**

\_\_\_\_\_  
Ligon Adams, City Attorney

Property ID	Address	Address	Parcel	Parcel	Date	Price	Buyer	Seller
060-2-0-22	Highway 2227, Somerset, KY	Highway 2227, Somerset, KY	MEM CHETH PROPERTIES, LLC	060-2-0-22	3/17/20	\$120,000		

First reading was given the following Ordinance Number 20-07: Relating to 815 KAR 7:120 Kentucky Building Code and 815 KAR 7:125 Kentucky Residential Code, as Adopted by the Department of Housing, Buildings and Construction of the Commonwealth of Kentucky.



ORDINANCE NO. 20-08

**AN ORDINANCE RELATING TO KRS 198B 060(1) KENTUCKY BUILDING CODE and KRS KAR 7:125 KENTUCKY RESIDENTIAL CODE, AS ADOPTED BY THE DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION OF THE COMMONWEALTH OF KENTUCKY**

Be it ordained by the Council of the City of Somerset as follows:

WHEREAS, KRS 198B 060(1), requires that all buildings constructed in The City of Somerset shall be built in compliance with the uniform state building code as adopted by the Department of Housing, Buildings and Construction; and

WHEREAS, KRS 198B 060(1) authorizes any city, county or urban government to require, by ordinance, permits, inspections and certificates of occupancy for single family dwellings; and

WHEREAS, KRS 198B 060(1) requires the local government to employ or contract for or with electrical inspection services; and

WHEREAS, KRS 198B 060(1) and KRS KAR 7:070 require a certified building inspector and other code enforcement personnel as necessary for inspection and code enforcement services;

WHEREAS, 198B 060(1) authorizes each local government to establish a schedule of fees which are designed to cover the cost of the service performed but not to exceed such cost.

**NOW, therefore, BE IT ORDAINED by the COUNCIL OF THE CITY OF SOMERSET, COMMONWEALTH OF KENTUCKY:**

**SECTION 1. ADOPTION OF THE KENTUCKY BUILDING CODE.**

THAT, the KENTUCKY BUILDING CODE, promulgated in KRS KAR 7:120 and the KENTUCKY RESIDENTIAL CODE promulgated in KRS KAR 7:125 by the Department of Housing, Buildings and Construction, Commonwealth of Kentucky, are to be enforced by the City of Somerset of the Commonwealth of Kentucky as if set out at length herein.

THAT, a copy of said Kentucky Building Code and the Kentucky Residential Code is on file in the Office of the Palmetto County Clerk, and the Clerk shall at all times keep a copy of said building code for reference;

THAT, a copy of this Ordinance shall be transmitted to the Department of Housing, Buildings and Construction of the Commonwealth of Kentucky.

**SECTION 2. DESIGNATED ENFORCEMENT OFFICER.**

THAT, the CITY OF SOMERSET, shall be designated as the local enforcement agency for said Kentucky Building Code. All building code inspections shall be performed by persons certified by the Kentucky Department of Housing, Buildings and Construction. All electrical inspections shall be performed by persons certified by the Kentucky Department of Housing, Buildings and Construction. All electrical inspections shall be performed by persons certified by the Kentucky Department of Housing, Buildings and Construction as an electrical inspector.

**SECTION 3. BUILDING INSPECTION PROGRAM.**

THAT, pursuant to KRS 198B 060(1), a building inspection program is hereby in The City of Somerset for application to all buildings subject to KRS KAR 7:120 Kentucky Building Code.

THAT, the building inspection program, of The City of Somerset shall include plan review and inspections of structures subject to KRS KAR 7:125 Kentucky Residential Code.

**SECTION 4. PERMITS AND FEES.**

THAT, the fees for permits and inspections shall be as provided for in the attached schedule.

**SECTION 5. INCONSISTENT ORDINANCES REPEALED.**

THAT, all ordinances or parts of ordinances in conflict herewith are to the extent of such conflict, hereby repealed.

**SECTION 6. EFFECTIVE DATE.**

THAT, this resolution shall take effect and be in full force when passed, published and recorded according to law.

Date of First Reading March 9, 2020

Date of Passage \_\_\_\_\_

MAYOR, ALAN KICK

ATTEST:

CLERK, NICK BRADLEY

REC-20-08-08-08-08-08-08-08-08



**PUBLIC PROTECTION CABINET**  
Department of Housing, Buildings and Construction  
Division of Building Code Enforcement  
107 State House Road, Suite 100  
Frankfort, Kentucky 40621-0412

**2019 NBC PLAN REVIEW FEE SCHEDULE**  
(THESE NEW FEES ARE NOT REQUIRED FOR PROJECTS THAT HAVE BE PUBLISHED DRAFT)

FORM PAID BY: \_\_\_\_\_ PERM: \_\_\_\_\_

COMPANY: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY/STATE/ZIP: \_\_\_\_\_

BUSINESS NAME: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

STREET NAME: \_\_\_\_\_

CITY: \_\_\_\_\_ COUNTY: \_\_\_\_\_

Please indicate if from the city limits: YES or NO

**CALCULATING HOUR FEE**  
When calculating the total (gross) area, please take the outside dimensions of the structure. Include the area of all visible floor space, mezzanine levels, basements and all areas within horizontal projection of the roof.

**NEW CONSTRUCTION OR CHANGE OF USE**  
Cost per square foot: \_\_\_\_\_ x total area = **PER \$** \_\_\_\_\_

**(SEE FEE SCHEDULE)**  
Fast Track Fee for site and foundation only (add 50% but not less than \$400.00) = **PER \$** \_\_\_\_\_

**ADDITIONAL TO NEW TRIP SUBMITTALS**  
Cost per square foot: \_\_\_\_\_ x total area of addition = **PER \$** \_\_\_\_\_

Fast Track Fee for site and foundation only (add 50% but not less than \$400.00) = **PER \$** \_\_\_\_\_

**ALTERATIONS OR REPAIRS**  
5000' x cost of alterations \$ \_\_\_\_\_ or same as NEW CONSTRUCTION whichever is less = **PER \$** \_\_\_\_\_

**TOTAL FEE FOR THIS SECTION \$** \_\_\_\_\_

The minimum fee for review of plans under this section shall be two hundred and eighty-five dollars (\$285).

Include the following specialized fees only when the plans for the specialized system accompany permit.  
See **FEE SCHEDULE** on reverse side for specialized fees

Sanitizer Fee	Clean Agent Suppression Fee
Fire Detection Fee	Commercial Range Hoods
Staircase Fee	Dry Chemical Systems
CO2 Suppression Fee	Haz. Materials Tank Fee
Form Suppression Fee	<b>TOTAL SPECIALIZED FEES</b>

When submitting plans, please include one copy of the ordinance. The required number of plans and plan sheets identified in the related order, made payable to the Kentucky State Treasurer. To ensure proper credit, the name and location of the project must be indicated on the sheet and plan.



**2019 KENTUCKY BUILDING CODE**  
**SECTION 101 PLAN REVIEW AND INSPECTION FEES**

101.1 General. A permit is required for all construction work that is not exempt under the provisions of this code. The fee for such work shall be as provided in this section. The fee for such work shall be as provided in this section. The fee for such work shall be as provided in this section.

101.2 Special fees. Payment of fees for construction alterations, repair and for all work done in connection with or ancillary to the work contemplated by a permit shall be as provided in this section. The fee for such work shall be as provided in this section.

101.3 State jurisdiction. The fees for plan submission and inspection services required by the Department of Housing, Buildings and Construction shall be as provided in Sections 101.1 through 101.3 of this code.

101.4 Fee schedule. The fees shall be paid in accordance with Table 101.4.1.

OCCUPANCY TYPE	COST PER SQ FOOT
Assembly	18 cents
Business	15 cents
Day care centers	15 cents
Educational	15 cents
High hazard	18 cents
Industrial structures	15 cents
Manufacturing	15 cents
Merchandise	15 cents
Residential	15 cents
Storage	15 cents
Utility and telecommunications	15 cents
Warehouse	15 cents

101.4.1 Fast-track alternative. For permit applications involving single-site and foundation approval, the fee shall be as provided in this section. The fee for such work shall be as provided in this section.

101.4.2 Substitution of plans and fees. All plans and specifications submitted for review shall be as provided in this section. The fee for such work shall be as provided in this section.

101.4.3 Construction approval. Approval for construction shall not be issued by the Department and no fee shall be paid.

101.4.4 Other construction. Department plan review fees for other buildings shall be calculated by multiplying the total building area under construction by the cost per square foot of such buildings listed in Table 101.4.1.

101.4.5 Additions to existing buildings. Plan review fees for additions to existing buildings shall be as provided in this section. The fee for such work shall be as provided in this section.

101.4.6 Change in use. Plan review fees for existing buildings in which the use or occupancy type is changed shall be calculated in accordance with Table 101.4.1 by using the total square footage of the entire building or structure under the new occupancy type as determined by the last building area of that portion affected by the change of use. Minimum fee for review of plans under this section shall be \$200.

101.4.7 Alterations and repairs. Plan review fees for alterations and repairs not otherwise covered by this section shall be calculated by multiplying the cost for the alterations or repairs by 0.25 (25%) as calculated by multiplying the total area being altered or repaired by the cost per square foot of such occupancy type as listed in Table 101.4.1. The total altered structure shall be approved by the building department of the area being altered or repaired. The minimum fee for review of plans under this section shall be \$200.

101.4.8 Specialized fees. In addition to the above fees, the fees in Table 101.4.2 shall be added to the specialized plan review fees.

SPECIALIZED SYSTEMS	PER \$
1-200'	\$150
201-300'	\$250
301-400'	\$350
401-500'	\$450
OVER 500'	\$150 plus \$0.50 per sq ft applicable over 750'

101.4.9 Fire detection systems review fee. Up to 20,000 square feet shall be \$275. Over 20,000 square feet shall be \$275 plus \$4 per additional 10,000 square feet or excess of 30,000 square feet.

101.4.10 Fire suppression systems review fee. Up to 20,000 square feet shall be \$275. Over 20,000 square feet shall be \$275 plus \$4 per additional 10,000 square feet or excess of 30,000 square feet.

101.4.11 Clean agent suppression systems review fee. Up to 20,000 square feet shall be \$275. Over 20,000 square feet shall be \$275 plus \$4 per additional 10,000 square feet or excess of 30,000 square feet.

101.4.12 Carbon dioxide suppression systems review fee. Up to 20,000 square feet shall be \$275. Over 20,000 square feet shall be \$275 plus \$4 per additional 10,000 square feet or excess of 30,000 square feet.

101.4.13 Commercial range hood system fee. \$200 per hood installed. Range hood independent system review fees shall be as provided in this section.

101.4.14 Commercial range hood system fee. \$200 per hood installed. Range hood independent system review fees shall be as provided in this section.

101.4.15 Dry chemical suppression systems review fee. Up to 20,000 square feet shall be \$275. Over 20,000 square feet shall be \$275 plus \$4 per additional 10,000 square feet or excess of 30,000 square feet.

101.4.16 Dry chemical suppression systems review fee. Up to 20,000 square feet shall be \$275. Over 20,000 square feet shall be \$275 plus \$4 per additional 10,000 square feet or excess of 30,000 square feet.

101.4.17 Standalone welding systems review fee. Standalone systems having up to 1,000 cubic feet shall be \$275. Over 1,000 cubic feet shall be \$275 plus \$2 for each additional 200 cubic feet or excess of 1,000 cubic feet. The total number of units in existing systems without standby area shall be calculated as 10 times per unit as required by Section 1002.1.1 of this code.

First reading was given the follow Ordinance Number 20-08: Adopting the Current Edition of the Kentucky Residential Code, Regulating and Controlling the Design, Quality of Materials,

Erection, Installation, Alteration, Repair, Location, Relocation, Replacement, Addition To, Use or Maintenance of One- and Two-Family Dwellings and Townhouses in the City of Somerset Providing for the Issuance of Permits and Collection of Fees therefore when Used with Money; Repealing Ordinance No. 18-11 of the City of Somerset and all other Ordinances and parts of the Ordinances in Conflict Therewith.

<p style="text-align: center;">ORDINANCE NO. 23</p> <p>An ordinance of the City of Somerset adopting the current edition of the Kentucky Residential Code, regulating and controlling the design, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one-and two-family dwellings and townhouses in the City of Somerset providing for the issuance of permits and collection of fees therefore when used with money; repealing Ordinance No. 18-11 of the City of Somerset and all other ordinances and parts of the ordinances in conflict therewith.</p> <p>NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:</p> <p>Section 1. That certain documents, a copy of which are on file in the office of the City Clerk and the Building Inspector being marked and designated as Kentucky Residential Code, is hereby adopted as the code of The City of Somerset for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one two family dwellings and townhouses not more than three stories in height in the City of Somerset and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, conditions and terms of such Kentucky Residential Code, on file in the office of the City Clerk are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.</p> <p>Section 2. The following sections are hereby revised:</p> <p style="padding-left: 20px;">Section R101.1 Insert City of Somerset Table R101.2(1) Insert Palaski County</p> <p>Section 3. The Ordinance No. 18-11 of The City of Somerset titled Model Municipal Ordinance and all other ordinances or parts of ordinances in conflict herewith and hereby repealed.</p> <p>Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of The City of Somerset hereby declares that it would have passed this ordinance, and each section, subsection, clause, phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.</p> <p>Section 5. That the City Clerk is hereby ordered and directed to cause this ordinance to be published.</p> <p>Section 6. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect after publishing the date of its final passage and adoption.</p>	<p style="text-align: center;">ORDINANCE NO. ____</p> <p>_____ MAYOR, ALAN BEPK</p> <p>ATTEST:</p> <p>_____ CLERK, NICK BRADLEY</p> <p>DATE PASSED _____</p>
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Mr. Mitchell made a motion to accept a tax refund for John Gary & Tammie Simpson for a Homestead Exemption in the amount of \$99.97. Mr. Godsey seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. Girdler, Mr. New, Mrs. Hunley, and Mr. Minton.

There being no further business the meeting adjourned.

APPROVED:   
MAYOR

ATTEST:   
CITY CLERK