

### **77.160 Operations exempted from provisions of KRS 77.155.**

The provisions of KRS 77.155 shall not be applicable:

- (1) To buildings used exclusively for single owner-occupied private residences. However, the provisions of KRS 77.155 shall be fully effective and applicable if a renovation, demolition, or cleanup of a building may cause a disturbance of asbestos material and:
  - (a) The building is one (1) of a group of buildings consisting of more than one (1) building under common control; or
  - (b) At the time of the renovation, demolition, or cleanup, the use of the building or the property is commercial or is not known. To all larger residential buildings of whatever type, KRS 77.155 shall be effective and applicable;
- (2) When a firebox, furnace, boiler, locomotive, or other fuel-consuming device is being cleaned out and a new fire is being built therein, in which event a smoke of a density as great or greater than that established by regulation by the air pollution control board shall be permitted for a period not to exceed six (6) minutes in any single period of sixty (60) minutes;
- (3) To equipment used for agricultural operations in the growing of crops, or raising of fowl or animals;
- (4) To smoke from fires set by or permitted by any public officer if such fire is set or permission given in the performance of the official duty of such officer for the purpose of weed abatement, the prevention of a fire or health hazard, or the instruction of public employees in the methods of fighting fire, which is, in the opinion of such officer, necessary.

**Effective:** July 15, 1994

**History:** Amended 1994 Ky. Acts ch. 420, sec. 4, effective July 15, 1994. --  
Created 1952 Ky. Acts ch. 53, sec. 37, effective March 14, 1952.