

198B.6673 Administrative regulations -- Fees -- Qualifications for and compensation of local government's inspectors -- Local governments prohibited from establishing additional permitting or inspection programs.

- (1) The department shall promulgate administrative regulations to establish a reasonable schedule of fees to implement the program. The fees shall not exceed the actual costs for the administration of the program. The department shall also establish heating, ventilation, and air conditioning inspection protocols that ensure timely inspections and minimal interruption to the construction process.
- (2) The department, upon the request of any individual local governing entity or combination of entities with existing heating, ventilation, and air conditioning permitting and inspection programs as of January 1, 2007, shall authorize them to administer, carry out, and enforce the administrative regulations of the department relating to heating, ventilation, and air conditioning installations, issue permits, and make inspections within their respective boundaries, or perform any portion of these functions. Nothing in KRS 198B.6671 to 198B.6678 shall prohibit these entities from continuing to include major repairs or substantial alterations to a heating, ventilation, or air conditioning system within their permitting and inspection program in the absence of a state requirement, if major repairs or substantial alterations were included in the entities' inspection program prior to January 1, 2007. The department may authorize any other individual local government entities or combination of entities to administer, carry out, and enforce the administrative regulations of the department relating to heating, ventilation, and air conditioning installations, issue permits, and make inspections within their respective boundaries, or perform any portion of those functions. When authorization is granted, the department shall enter into contractual arrangements with the local governing entities, which shall remain in effect as long as the local entity continues to operate its program pursuant to guidelines adopted by the department. A heating, ventilation, and air conditioning permit issued by an authorized local governing entity shall be considered a permit issued by the department, and all fees collected by the authorized local government related to the same shall be retained by that local government.
- (3) Any local governing entity enforcing the permitting and inspection requirements of KRS 198B.650 to 198B.689 pursuant to subsection (2) of this section may appoint and fix the compensation of the local governing entity's heating, ventilation, and air conditioning inspectors. No person shall perform the duties of a heating, ventilation, and air conditioning inspector unless he or she has at least six (6) years' experience as a licensed heating, ventilation, and air conditioning journeyman mechanic or a licensed master heating, ventilation, and air conditioning contractor, unless he or she is a certified building inspector who has successfully passed the examinations relating to heating, ventilation, and air conditioning systems. At the time of employment, the heating, ventilation, and air conditioning inspector shall be licensed or certified in accordance with KRS 198B.650 to 198B.689, or become certified within twelve (12) months of employment.
- (4) No local governing entity shall impose any other additional heating, ventilation, and

air conditioning inspection or permit requirements, or establish any local inspection or permitting program, unless those provisions were in place before January 1, 2007.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 7, sec. 3, effective June 27, 2019. -- Amended 2017 Ky. Acts ch. 169, sec. 53, effective June 29, 2017. -- Amended 2010 Ky. Acts ch. 24, sec. 290, effective July 15, 2010. -- Created 2007 Ky. Acts ch. 86, sec. 3, effective July 1, 2008.

Legislative Research Commission Note (4/18/2008). This statute was created by 2007 Ky. Acts ch. 86, sec. 3, to be effective July 1, 2008, pursuant to sec. 12 of that Act. However, 2008 Ky. Acts ch. 127 (2008 HB 406, the State/Executive Branch Budget) provided in Part I, F.,16., (2) HVAC Permitting and Inspecting, that notwithstanding the delayed effective date provided in 2007 Ky. Acts ch. 86, sec. 12, the effective date of this statute shall be July 1, 2010.