Congratulations for a record breaking turnout at the Kentucky Bar Association Convention!
THE KENTUCKY BUILDING CODE:
A HISTORY AND RESEARCH GUIDE
Carol Furnish, NKU Chase College of Law Library

If a builder build a house for some one, and does not construct it properly, and the house which he built fall in and kill its owner, then that builder shall be put to death. If it kill the son of the owner the son of that builder shall be put to death. Laws 229-230, Hammurabi's Code of Laws (circa 1780 BC). Various civilizations over the centuries have developed building codes. Building codes are developed to protect the health and safety of communities and individuals. Building codes set the standard for the construction of new buildings and they are referenced by construction companies, developers, city planners, attorneys, and the individual homeowner. Depending on the situation, you may need to review the latest building code or the older building code used when a structure was initially built. This research can be time consuming and this guide directs you to useful resources and offers tips on locating the information.

In the United States, the system of building regulations was derived from three model code groups. The code developed by the Building Officials and Code Administrators (BOCA) was used in the East Coast and the Midwest. The Southern Building Code Congress International (SBCCI) was used in the Southeast and the International Conference of Building Officials (ICBO) covered the West Coast. In 1994, the three model building code groups combined their efforts and formed the International Code Council (ICC) and the first International Building Code was published in 2000. This building code is revised every three years and each state can adopt all or parts of the ICC. Many of the building codes we use today originate from the tragic fires and other catastrophes that swept localities in the United States. Some examples include the Great Chicago Fire of 1858, the Beverly Hills Supper Club Fire of 1977, and the Hyatt Regency Hotel Skywalk Collapse of 1982. Until 1978, Kentucky faced a lack of uniformity in building codes with different localities adopting various building regulations. Builders and home owners complained of the cornucopia of regulations in the various localities and the local versus state regulations.

How Kentucky Adopted a Uniform Building Code
There were several efforts to improve the regulation of the building industry in Kentucky:

- During Kentucky's 1974-1975 Interim Session, the Committee on Cities - Housing Subcommittee met to address the diverse building code situation. The committee introduced a bill which proposed both creating a building/construction agency and a uniform statewide building code.

- In 1974 Governor Wendell Ford created an Advisory Committee on the Standards of Safety, and in 1975 Governor Julian Carroll made the final appointments to this Advisory Committee. In 1975 the Advisory Committee recommended that the state adopt the BOCA code but this recommendation met strong dissent by the Kentucky Commissioner on Insurance.

- House Resolution 58 of the 1976 General Assembly directed the Legislative Research Commission to study the regulation of the building industry in Kentucky in order to provide for an efficient regulation of the industry.

- In 1978 Kentucky adopted House Bill 44, which created the Department of Buildings, Housing and Construction within the Cabinet of Public Protection and Regulation. The new agency was authorized to study the needs of the building industry and to adopt a mandatory uniform building code.

- The birth of the Kentucky Building Code with the adoption of the Kentucky Building Code in 1980 and a statewide Division of Building Code Enforcement.

For Current Building Code Information
You can access a variety of resources for building code laws, regulations, and enforcement information. For laws and regulations you should review the Kentucky Revised Statutes - KRS Chapter 1988 Housing, Building and Construction - Building Code and the Kentucky Administrative Regulations - 815 KAR Chapter 7 - Kentucky Building Code. The Kentucky Department of Housing, Buildings and Construction website offers
a number of services, and you should check the website periodically to ensure that you are using the most recent version of the Kentucky Building Code. The site describes how to apply for a permit, the enforcement and inspection process, and provides forms used during the plan submission process. As the responsibilities for the enforcement of the Kentucky Building Code (KBC) are shared between the Division of Building Codes Enforcement and the local government, you should also check the county and city websites for building, zoning, and planning regulations.

A Checklist for Historic Research
Here is a checklist of the various editions of "building codes" which were adopted in Kentucky. This checklist is very helpful when you wish to verify if a structure met the code requirements when it was built or remodeled.


You can check your local public library or the NKU Chase Law Library for copies of the building codes. Unfortunately, no one library has collected the entire series of Kentucky Building Codes and you can ask a reference librarian for help in locating the specific resource that you need.

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