AN ORDINANCE REPEALING BERNALILLO COUNTY BUILDING ORDINANCE, ORDINANCE 2009-5 AND ADOPTING A NEW BERNALILLO COUNTY BUILDING ORDINANCE, BERNALILLO COUNTY CODE, CHAPTER 10. PROVIDING FOR PERMITTING, INSPECTIONS, APPEALS AND PENALTIES.

BERNALILLO COUNTY ORDINANCE 2009-5 IS HEREBY REPEALED AND REPLACED WITH THE FOLLOWING:

Bernalillo County Building Ordinance

Chapter 10

BUILDINGS AND BUILDING REGULATIONS*

Article I. In General

Sec. 10-1—10-30. Reserved

Article II Construction Codes

Sec.10-31. Intent of article
Sec.10-32. Penalty for violation of article.
Sec.10-33. Adoption of the uniform administrative code of the county.
Sec.10-35. Availability of the county uniform construction code.
Sec.10-36. Amendments to the county uniform construction code.

ARTICLE I. IN GENERAL

Sects. 10-1—10-30 Reserved

ARTICLE II. CONSTRUCTION CODES

Sec. 10-31. Intent of article.

It is the intent of this article to prescribe minimum standards regulating building, mechanical, plumbing and electrical work, and maintenance of buildings and structures within the unincorporated boundaries of the county.
Sec. 10-32. Penalty for violation of article.

Any person violating any of the provisions of this article or failing or neglecting to comply with orders issued pursuant to any section of this article shall, upon conviction, be punished as provided in section 1-6.

Sec. 10-33. Adoption of the uniform administrative code of the county.

The Uniform Administrative Ordinance found in section 10 is hereby adopted and shall serve as the administrative, organizational and enforcement rules and regulations for the adopted technical codes within the county.

Sec. 10-34. Adoption of the international and state codes for the county.

For the purpose of prescribing minimum standards regulating construction and maintenance of buildings and structures, including all building service equipment and installations within the unincorporated boundaries of the county, the following codes are hereby adopted as amended by Exhibit A attached hereto.

1) The 2009 International Building Code, including Appendix Chapters B, C, E, H, I, and J;
2) The 2009 International Residential Code, including Appendix Chapters G, H, and K;
3) The 2009 International Plumbing Code, as published by the International Code Council (ICC);
4) The 2009 International Mechanical Code, as published by the International Code Council (ICC);
5) The 2009 International Existing Building Code, as published by the International Code Council (ICC);
6) The 2009 International Energy Conservation Code, as published by the International Code Council (ICC);
7) The 2009 New Mexico Earthen Building Materials Code, as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2011;
8) The 2009 New Mexico Non-Load Bearing Straw Construction Building Standard, as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2011;
9) The 2009 International Property Maintenance Code, as published by the International Code Council (ICC);
10) The 2009 Uniform Mechanical Code, as published by the International Association of Plumbing and Mechanical Officials (IAPMO);
11) The 2009 Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials (IAPMO);
12) The 2008 National Electrical Code, as published by the National Fire Protection Association (NFPA);
13) The 2007 New Mexico Electrical Safety Code, as adopted by the Construction Industries Division of the State of New Mexico with an effective date of January 1, 2008;

14) The 2009 Uniform Swimming Pool, Spa and Hot Tub Code, as published by the International Association of Plumbing and Mechanical Officials (IAPMO);

15) The 2009 Uniform Solar Energy Code, as published by the International Association of Plumbing and Mechanical Officials (IAPMO); and

16) Errata sheets to the adopted portions of the uniform and international codes, as promulgated by the International Conference of Building Officials or the International Association of Plumbing and Mechanical Officials.

17) The Bernalillo County amendments to the International and New Mexico Codes referred to in this ordinance are set forth as Exhibit A and incorporated herein by reference, and as such, are hereby adopted and together with the Codes in Section A-1 of this section shall be known as the Uniform Construction Codes of Bernalillo County. From the date on which this ordinance takes effect they shall be controlling within the unincorporated boundaries of Bernalillo County, New Mexico.

Sec. 10-35. Availability of the county uniform construction code.

A copy of the Bernalillo County Uniform Construction Code, as adopted by ordinance, is available for inspection by the public during regular business hours. A copy of this code is available, upon request, in the office of the Zoning, Building and Planning Department for a fee set by the building official.

Sec. 10-36. Amendments to the county uniform construction code.

(a) Generally. The county uniform construction code adopted in this article may be amended or repealed in the same manner as ordinances are amended or repealed.

(b) Uniform Administrative Code. Chapter 1 of the various adopted codes have been deleted and replaced with Chapter 1 on the following pages. Sections from various other parts of the technical codes have been amended, added or deleted as noted on the pages following the administrative chapter no. 1.

(c) Amendments to state technical codes. County amendments to the 2009 New Mexico Earthen Building Code, as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2011; the 2009 New Mexico Non-Load Bearing Straw Construction Building Standard, as adopted by the Construction Industries Division of the State of New Mexico with an effective date of July 1, 2011; are noted on the pages following the administrative chapter no. 1.

(d) The Building Program – Jurisdiction. The Building Program of the Zoning, Building and Planning Department shall have jurisdiction to administer the Uniform Construction Codes of Bernalillo County for construction, alteration, moving, demolition, repair, use and occupancy of buildings, structures and building service equipment.

(e) Fire Marshal - Jurisdiction. 1. The Bernalillo County Fire Marshal shall have jurisdiction under the Fire Code of Bernalillo County to test and inspect fire suppression systems, including fire hydrants, fire extinguishers and sprinkler systems installed in construction, alteration, moving, repair, demolition, use and occupancy of buildings structures and building service equipment. The Bernalillo County Fire Marshal shall
have jurisdiction under the International Fire Code (I.C.C.) or the Bernalillo County Fire Code as applicable to construction, alteration, moving, demolition, repair, use and occupancy of buildings, structures, and building service equipment. 2. Existing buildings – The Bernalillo County Fire Marshal shall have jurisdiction to administer the Bernalillo County Fire Code as applicable to all existing structures.

EXHIBIT A

COUNTY OF BERNALILLO AMENDMENTS TO THE 2009 INTERNATIONAL BUILDING CODE; THE 2009 INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL ENERGY CONSERVATION CODE; 2009 UNIFORM MECHANICAL CODE; 2009 UNIFORM PLUMBING CODE AND THE 2008 NATIONAL ELECTRICAL CODE ARE AS FOLLOWS:

The Scope and Administrative Chapters of the various technical codes have been deleted and replaced with Chapters, 1 on the following pages. Sections from various other parts of the Technical Codes have been amended, added, or deleted. These changes are noted on the pages following the Administrative Chapter No. 1.

UNIFORM ADMINISTRATIVE CODE

CHAPTER 1
SCOPE AND ADMINISTRATION

PART 1 – SCOPE AND APPLICATION

SECTION 101
GENERAL

101.1 Title. These regulations shall be known as the "Uniform Administrative Code of the County of Bernalillo" and may be cited as such and will be referred to herein as "this Code."

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

101.3 Intent. The purpose of this Code is to provide for the administration and enforcement of the Bernalillo County Uniform Administrative Code adopted by this jurisdiction. This Code will prescribe minimum standards to safeguard life, limb, health, property, public and economic welfare by regulation and controlling building design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the unincorporated area of the County and certain equipment specifically regulated herein.
SECTION 102
APPLICATION TO EXISTING BUILDINGS AND BUILDING SERVICE EQUIPMENT

102.1 General. Buildings, structures and their building service equipment to which additions, alterations or repairs are made shall comply with all the requirements of the technical codes for new facilities, except as specifically provided in this section.

102.2 Additions, Alterations or Repairs. Additions, alterations or repairs may be made to any building or its building service equipment without requiring the existing building or its building service equipment to comply with all the requirements of the technical codes, provided the addition, alterations or repairs conform to that required for a new building or building service equipment. Additions or alterations shall not be made to an existing building or building service equipment which will cause the existing building or building service equipment to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or building service equipment to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or building service equipment to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of the Building Code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance; will cause building service equipment to become overloaded or exceed their rated capacities; will create a health hazard or will otherwise create conditions dangerous to human life. Any building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted by the Building Code for new buildings. Any building plus new additions shall not exceed the height, number of stories and area specified by the Building Code for new buildings. Additions or alterations shall not be made to an existing building or structure when such existing building or structure is not in full compliance with the provisions of the Building Code except when such addition or alteration will result in the existing building or structure being no more hazardous based on life safety, fire safety and sanitation, than before such additions or alterations are undertaken. Alterations or repairs to an existing building or structure which are nonstructural and do not adversely affect any structural member or any part of the building or structure having required fire resistance may be made of the same materials of which the building or structure is constructed, and shall be subject to the approval of the building official. The installation or replacement of glass shall be as required for new installations. Minor additions, alterations and repairs to existing building service equipment installations may be made in accordance with the technical code in effect at the time the original installation was made, subject to approval of the Building Official, and provided such additions, alterations, and repairs will not cause the existing building service equipment to become unsafe, unsanitary or overloaded.

102.3 Existing Installations. Building service equipment lawfully in existence at the time of the adoption of the Technical Codes may have their use, maintenance, or repair
continued if the use, maintenance, or repair is in accordance with the original design and no hazard to life, health or property has been created by such building service equipment.

102.4 Existing Occupancy. Buildings in existence at the time of the adoption of the Building Code may have their existing use or occupancy continued if such use of occupancy was legal at the time of the adoption of the Building Code, provided such continued use is not dangerous to life, health, and safety.

Any changes in the use or occupancy of any existing building or structure shall comply with the provisions of the 2006 New Mexico Existing Building Code.

102.5 Maintenance. All buildings, structures and building service equipment, existing and new, and all parts thereof shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by the technical codes shall be maintained in conformance with the technical code under which installed. Yards that are necessary for allowable area increases per the Building Code, shall be maintained open and unobstructed. The owner or his designated agent shall be responsible for the maintenance of buildings, structures and the building service equipment. To determine compliance with this subsection, the building official may cause any structure to be re-inspected.

Building materials, construction trash and other debris shall be kept within the construction site and maintained in such a manner that it will not be blown to adjacent properties.

102.6 Moved Buildings and Temporary Buildings. Building structures and their building service equipment moved into or within this jurisdiction shall comply with the provisions of the Technical Codes for new buildings or structures and their service equipment.

102.7 Temporary Structures. Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work, may be erected by special permit from the building official for a limited period of time. Such buildings or structures need not comply with the type of construction or fire-resistive time periods required by the Building Code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

102.8 Historic Buildings. Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building, structure, or its building service equipment may be made without conformance to all the requirements of the technical codes when authorized by the building official, provided:

1. The building or structure has been designated to be the official action of the legally constituted authority of this jurisdiction as having special historical or architectural significance.

2. Any unsafe conditions as described in this Code are corrected.
3. The restored building or structure and its building service equipment will be no
more hazardous based on life, safety, fire safety and sanitation than the existing
building.

SECTION 103
CONFLICTING PROVISIONS

When conflicting provisions of requirements occur between this Code and any other
codes or laws, the most restrictive shall govern.

Where conflicts occur between the Technical Codes, those provisions providing the
greater safety to life shall govern. In other conflicts, where sanitation, life safety, or fire
safety are not involved, the most restrictive provisions shall govern.

Exception: Where a conflict occurs between the Building Code and the
Mechanical or Plumbing Codes the Building Code shall govern. The 2009
International Mechanical Code and 2009 International Plumbing Code, both
published by the International Code Council may be used as reference documents
to help resolve such conflicts.

Where in any specific case, different sections within any of the Technical Codes
specify different materials, methods of construction, or other requirements, the most
restrictive shall govern. When there is a conflict between a general requirement and a
specific requirement, the specific requirement shall be applicable.

When conflicts occur between any specific provision of this Code and any
administrative provisions in any Technical Code which is then applicable within this
jurisdiction, those provisions becoming the law last in time shall prevail.

SECTION 104
MODIFICATIONS

104.1 General. Whenever there are practical difficulties involved in carrying out the
provisions of the this Code, the building official may grant modifications for individual
cases, provided he shall first find that a special individual reason makes the strict letter of
the this Code impractical and the modification is in conformity with the intent and
purpose of the this Code and that such modification does not lessen health, life and fire
safety requirements or any degree of structural integrity. The Building Official shall
require that sufficient evidence or proof be submitted to substantiate any claims that may
be made regarding its use. The details of such actions granting modifications shall be
recorded and entered in the files of this code enforcement agency;

104.2 Alternate Materials Design and Methods of Construction and Equipment.
The provisions of the Codes are not intended to prevent the use of any material or method
of construction not specifically prescribed by this Code provided that any such alternative
has been approved. An alternative material, design or method of construction shall be
approved where the Building Official finds that the proposed design is satisfactory and
complies with the intent of the provisions of this Code, and that the material, method of
work offered is, for the purpose intended, at least the equivalent of that prescribed in this
Code in quality, strength, effectiveness, fire resistance, durability and safety;

104.3 Research Reports. Supporting data, where necessary to assist in the approval
of materials or assemblies not specifically provided for in this Code, shall consist of valid
research reports from sources;

104.4 Tests. Whenever there is insufficient evidence of compliance with any of the
provisions of the Technical Codes or evidence that materials or construction do not
conform to the requirements of the Technical Codes, the building official may require
tests as evidence of compliance to be made at no expense to this jurisdiction. Test
methods shall be as specified by the Technical Codes or by other recognized test
standards. In the absence of recognized and accepted test methods for the proposed
alternate, the building official shall determine test procedures. All tests shall be made by
an approved agency. Reports of such tests shall be retained by the building official for
the period required for the retention of public records.

PART 2 – ORGANIZATION AND ENFORCEMENT

SECTION 105
AUTHORITY

105.1 Creation of Enforcement Agency. There is hereby established in this
jurisdiction a building division which shall be under the administrative and operational
control of the building official.

105.2 General. Whenever the term or title "administrative authority", "responsible
official", "building official", "chief inspector", "code enforcement officer," or other
similar designation is used herein or in any of the technical codes, it shall be construed to
mean the building official designated by the appointing authority of this jurisdiction.

SECTION 106
POWERS AND DUTIES OF THE BUILDING OFFICIAL

106.1 General The building official is hereby authorized and directed to enforce all
the provisions of this code and the referenced Technical Codes. The building official
shall have the power to render interpretations of this Code and the referenced Technical
Codes, and to adopt and enforce rules and regulations supplemental to this code as he
may deem necessary to clarify the application of the provisions of this code. Such
interpretations, rules and regulations shall be in conformity with the intent and purpose of
this code.

106.2 Deputies. In accordance with prescribed procedures and with the approval of
the appointing authority, the Building Official may appoint a Senior Building
Inspector/Plan Checker, a Senior Electrical Inspector, a Senior Mechanical/Plumbing
Inspector and/or other related technical officers and inspectors and other employees as
shall be authorized from time to time to carry out the functions of the Building Division.

106.3 Reports and Records. The Building Official shall keep a permanent, accurate
account of all fees and other moneys collected and received under this Code, the names
of the persons upon whose account the same were paid, the date and amount thereof,
together with the location of the building or premises to which they relate.

106.4 Right of Entry Whenever necessary to make an inspection to enforce any of
the provisions of this Code, or whenever the Building Official or his authorized
representative has reasonable cause to believe that there exists in any building or upon
any premises, any condition which makes such building or premises unsafe as defined in
this Code, the Building Official or his authorized representative may enter such building
or premises at all reasonable times to inspect the same or to perform any duty imposed
upon the Building Official by this Code; provided that if such building or premises be
occupied, he shall first present proper credentials and demand entry; and if such building
or premises be unoccupied, he shall first make a reasonable effort to locate the owner or
other persons having charge or control of the building or premises and demand entry. If
entry is refused, the Building Official shall proceed to obtain a search warrant by filing a
complaint made before the Metropolitan Court or District Court upon oath or affirmation.
The complaint shall:

(1) Set forth the particular building, premises or portion thereof sought to be
inspected.

(2) State that the owner or occupant of the building, premises or portion thereof, has
refused entry.

(3) State that inspection of the building, premises or portion thereof is necessary to
determine whether it complies with the requirements of this Code.

(4) Set forth the particular provisions of this Code sought to be enforced.

(5) Set forth any other reason necessitating the inspection, including knowledge or
belief that a particular condition exists in the building, premises or portion thereof
which constitutes a violation of this Code.

(6) State that the building official or his representative is authorized by the county to
make the inspection.

Each inspector shall be furnished with an identification card signed by the personnel
department director, indicating his authority and must present same to the Metropolitan
Court or District Court for the purpose of this section and to other persons, when
requested to do so during the performance of his duty.

“Authorized Representative” shall include the officers named in Section 105.1 and
105.2 of this Code.
No owner or occupant or any other person having charge, care, or control of any building or premises shall fail or neglect, after proper demand is made as herein provided, to promptly permit entry therein by the Building Official or his authorized representative for the purpose of inspection and examination pursuant to this Code. Any person violating this subsection shall be guilty of a misdemeanor.

106.5 Stop Orders. When work is being done contrary to the provisions of this Code, the Technical Codes, or other pertinent laws or ordinances implemented through the enforcement of this code, the Building Official may order such work discontinued by written notice served on any persons engaged in the doing or causing such work to be done. Any such persons shall forthwith stop all such work until authorized by the Building Official to proceed with the work.

106.6 Occupancy Violations. When a building or structure or building service equipment therein regulated by this Code and the Technical Codes is being used contrary to the provisions of such codes, the Building Official may order such use discontinued by written notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the Building Official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of such codes.

106.7 Authority to Disconnect Utilities. The Building Official or the Building Official’s authorized representative shall have the authority to disconnect any utility service or energy supplied to the building, structure or building service equipment therein regulated by this Code or the Technical Codes in case of emergency where necessary to eliminate an immediate hazard to life or property or as described in section 205 of this code. If the proposed disconnection is necessary to eliminate an immediate hazard to life or property, the Building Official may request that the serving utility effect, or assist with, the disconnection to the extent the serving utility may do so under industry standards and regulatory requirements applicable to it. The Building Official shall whenever possible notify the serving utility, the owner and occupant of the building, structure or building service equipment of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or building service equipment, in writing, of such disconnection immediately thereafter.

106.8 Authority to Condemn Building Service Equipment. When the Building Official ascertains that any building service equipment regulated in the Technical Codes has become hazardous to life, health, property, or becomes unsanitary, he shall order in writing that such equipment either be removed or restored to a safe or sanitary condition as appropriate. The written notice itself shall fix a time limit for compliance with such order. No person shall use or maintain defective building service equipment after receiving such notice.

When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefore shall be given within 24 hours to the serving utility, the owner and occupant of such building, structure or premises.
When any building service equipment is maintained in violation of a notice issued pursuant to the provisions of this section, the Building Official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

**106.9 Connection After Order to Disconnect.** No person shall make connections from any energy, fuel or power supply nor supply energy or fuel to any building service equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.

**106.10 Liability.** The Building Official, or his authorized representative charged with the enforcement of this Code and the Technical Codes, acting in good faith and without malice in the discharge of his duties, shall not thereby render himself personally liable for any damage that may accrue to persons or property as a result of any approval, act or by reason of any act or omission in the discharge of his duties. Any suit brought against the Building Official or employee because of such approval, act or omission performed by him in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this Code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting there from shall be assumed by this jurisdiction.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building, structure or building service equipment therein for any damages to persons or property caused by defects, nor shall the Code Enforcement Agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this Code or any permits or certificates issued under this Code.

**106.11 Cooperation of other officials and officers.** The Building Official may request, and shall receive the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of his duties required by this Code or other pertinent laws or ordinances.

**SECTION 107**

**UNSAFE BUILDINGS, STRUCTURES, OR BUILDING SERVICE EQUIPMENT**

**107.1 General.** All buildings or structures regulated by this code and the technical codes which are structurally inadequate or have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section unsafe buildings.

**107.2 Service Equipment.** Building service equipment regulated by such codes, which constitutes a fire, electrical, health hazard, unsanitary condition, or is otherwise dangerous to human life, is for the purpose of this section, unsafe. Any use of buildings, structures or building service equipment constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.
107.3 Projections. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in deteriorated condition or otherwise unable to sustain the design loads which are specified in the building code are hereby designated as unsafe building appendages.

All such unsafe buildings, structures or appendages and building service equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Dangerous Buildings Code or such alternate adopted by this jurisdiction. As an alternative, the building official or other employee or official of this jurisdiction as designated by the governing body may institute any other appropriate action to prevent, restrain, correct or abate the violation.

SECTION 108
BOARD OF APPEALS

108.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of the Technical Codes, there shall be and is hereby created a Board of Appeals consisting of nine (9) members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment and who are not employees of the jurisdiction. The Building Official shall be an ex officio member but shall have no vote upon any matter before the board. The board of appeals shall be appointed by the County Manager with the advice and recommendation of the Bernalillo County Board of Commissioners and shall hold office at his/her pleasure.

The Board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.

108.2 Applications. All appeals shall be initiated by writing to the building official and enclosing a one hundred dollar ($100.00) fee payable to and retained by the Bernalillo County Zoning, Building, and Planning Department. The applicant(s) shall pay all expenses for any tests, calculations, samples, information, recording fees and copies, etc.

108.3 Qualifications. Both regular and alternate members of the Board of Appeals shall be qualified by education, training and experience to pass upon matters pertaining to building design and construction, including appliances, equipment, facilities, systems, and conditions.

108.4 Alternates. Alternate members of the Board of Appeals shall serve in the absence of the principal members and insofar as possible the alternate member shall be of the same classification as the regular members they replace. The County Manager shall appoint all members and alternate members for a three (3) year term.
108.5 Members. Each member of the board shall have had at least seven (7) years experience in his profession and be a resident of or have his principal place of business in the County of Bernalillo.

The members and alternates shall have the following classifications:

1. A REGISTERED ARCHITECT in active practice.
2. A REGISTERED PROFESSIONAL ENGINEER whose field of active practice is Mechanical Design.
3. A REGISTERED PROFESSIONAL ENGINEER whose field of active practice is Structural or Civil Design.
4. A REGISTERED PROFESSIONAL ENGINEER whose field of active practice is Electrical Design.
5. A LICENSED GENERAL CONTRACTOR whose field of active practice is General Building Contracting.
6. A LICENSED GENERAL CONTRACTOR whose field is Building Contracting specializing in single-family residences.
7. A LICENSED MECHANICAL CONTRACTOR whose field is mechanical contracting.
8. A LICENSED ELECTRICAL CONTRACTOR whose field is electrical contracting.
9. A LICENSED PLUMBING CONTRACTOR whose field is plumbing contracting.

108.6 Quorum & Decisions. Any combination of five (5) members and alternate members shall constitute a quorum. A simple majority of the quorum present shall be decisive.

If an application for an appeal is received by the Building Official, any action recommended by the Building Official shall be temporarily vacated; unless emergency action is called for, until a final decision on the appeal is rendered by the Board except as limited by subsection 204.5.

No member or alternate member of the Board shall take part in any appeal or hearing in which he has a personal or financial interest. All meetings of the board shall be open to the public.

108.7 Limitations of Authority. The Board of Appeals shall have no authority relative to interpretation of the administrative provisions of this Code or the Technical Codes nor shall the Board be empowered to waive requirements of either this Code or the Technical Codes.
SECTION 109
VIOLATIONS AND PENALTIES

It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, convert or demolish, equip, use, occupy, or maintain any building or structure or building service equipment in the County, or cause the same to be done, contrary to or in violation of any of the provisions of this Code and the Technical Codes.

The Building Official may, for any violation of this Code and the Technical Codes, take one or more of the following actions:

1. Revoke one or all permits issued to the owner or contractor for the project in violation until the violation is corrected.
2. Refuse to issue additional permits to the owner or contractor until the violation is corrected.
3. Charge double permit fee if work is started without a permit.
4. Charge a re-inspection fee.
5. Refuse to authorize installation of gas, electric or water service until the violation is corrected.
6. Have gas, electric or water service removed until the violation is corrected.
7. Issue an Ordinance Violation Citation or take any legal action at his disposal.

A violation of this Code shall be considered a separate offense for each and every day or portion thereof the violation is committed, continued, or permitted.

SECTION 110
PERMITS

110.1 Required. Except as specified in subsection 110.2, no building, structure or building service equipment regulated by this Code and the Technical Codes shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished unless a separate appropriate permit for each building, structure or building service equipment has first been obtained from the Building Official.

110.2 Work Exempt From Permits. A permit shall not be required for the types of work in each of the separate classes of permit as listed below. Exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the Technical Codes or any other laws or ordinances of this jurisdiction.

Building. A building permit will not be required for the following:

A. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed 120 square feet.
B. Fences and freestanding masonry walls not over six feet (6') above grade on
the lowest side. Open style fences (i.e. chain-link) any height as determined
by the Building Official.

C. Oil derricks.

D. Movable cases, counters and partitions not over 5 feet 9 inches high.

E. Retaining walls which do not have a difference in finished grade on opposite
sides exceeding 48 inches, unless supporting a surcharge and impounding
flammable liquids.

F. Water tanks supported directly upon grade if the capacity does not exceed
5000 gallons and the ratio of height to diameter or width does not exceed two
to one.

G. Platforms, walks, and driveways not more than 30 inches above grade and not
over any basement or story below.

H. Painting, papering and similar finish work.

I. Temporary motion picture, television and theater stage sets and scenery.

J. Window awnings supported by an exterior wall of Group R, Division 3, and
Group U Occupancies when projecting not more than 54 inches.

K. Prefabricated swimming pools accessory to buildings regulated by the
International Residential Code in which the pool walls are entirely above the
adjacent grade and if the capacity does not exceed 5000 gallons.

L. Minor repairs less than $1000.00 in value.

M. Installation or work which is done after regular business hours or during a
holiday when immediate action is imperative to safeguard life, health, or
property, provided such person making the installation or performing the work
applies for a permit covering the installation or work not later than the next
business day.

N. Construction, alteration, or repair work for which a permit is not required by
law or ordinance. (See Section 103)

O. Television and radio antennas supported on roofs.

P. Cabinet Work.

Q. Tree-houses.

R. Tents.

S. Interior plastering or paneling of existing surfaces provided the material meets
all applicable requirements of flame spread required by this Code.

T. Exterior re-plastering that does not require the application of exterior lath.

U. Signs. The following signs shall not require a sign permit. These exemptions
shall not be construed as relieving the owner of a sign from the responsibility
of its erection and maintenance, and its compliance with the provisions of this Code or any other law or ordinance regulating the same.

(1) The changing of the advertising copy of message on a painted or printed sign only. Except for theater marquees and similar signs specifically designed for the use of a replaceable copy, electric signs shall not be included in this exemption.

(2) Painting, repainting or cleaning of an advertising structure or the changing of the advertising copy of message thereon shall not be considered an erection of alteration which requires a sign permit unless a structural change is made.

(3) Signs less than 6 feet above grade.

(4) Non-electric signs with an area 2 square feet or less.

Unless otherwise exempted by this Code, separate plumbing, electrical and mechanical permits will be required for the above exempted items.

Plumbing. A plumbing permit will not be required for the following:

A. The stopping of minor leaks in drains, soils, waste or vent pipe, provided, however, that should any concealed trap, drainpipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this Code.

B. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, nor for the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

C. Work which is done when immediate action is imperative to safeguard life, health, or property, provided such person performing the work applies for a permit covering the work not later than the next business day.

D. The installation of temporary lines for testing equipment or apparatus. No deviation may be made from the installation described in the permit without the approval of the Building Official.

Electrical. An electrical permit will not be required for the following:

A. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.

B. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.

C. Temporary decorative lighting.
D. Repair or replacement of current-carrying parts of any switch, contactor or
control device.
E. Reinstallation of attachment plugs receptacles, but not the outlets therefore.
F. Repair or replacement of any over-current device of the required capacity in
the same location.
G. Repair or replacement of electrodes or transformers of the same size and
capacity for signs or gas tube systems.
H. Tapping joints.
I. Removal of electrical wiring.
J. Temporary wiring for experimental purposes in suitable experimental
laboratories.
K. A permit shall not be required for the installation, alteration or repair of
electrical wiring, apparatus or equipment or the generation, transmission,
distribution or metering of electrical energy or in the operation of signals or
the transmission of intelligence by a public or private utility in the exercise of
its function as a serving utility.
L. Work which is done when immediate action is imperative to safeguard life,
health, or property, provided such person performing the work applies for a
permit covering the work not later than the next business day.

Mechanical. A mechanical permit will not be required for the following:
A. Any portable heating appliance.
B. Any portable ventilating equipment.
C. Any portable cooling unit.
D. Any portable evaporative cooler.
E. Any closed system of steam, hot or chilled water piping within any heating or
cooling equipment regulated by the Mechanical Code.
F. Replacement of any component part of assembly of an appliance which does
not alter its original approval and complies with other applicable requirements
of the Technical Codes.
G. Any refrigerating equipment which is part of the equipment for which a
permit has been issued pursuant to the requirements of the Technical Codes.
H. Any unit refrigerating system as defined in the Mechanical Code.
I. The installation of temporary lines for testing equipment or apparatus.
J. Work which is done when immediate action is imperative to safeguard life,
health, or property, provided such person performing the work applies for a
permit covering the work not later than the next business day.
SECTION 111
APPLICATION FOR PERMIT

111.1 Application. To obtain a permit, the applicant shall first file an application in writing on a form furnished by the building section for that purpose. Every such application shall provide construction documents that include:

A plot plan, foundation plan, floor plan, framing plan, cross section through bearing wall, and elevations. Electrical, plumbing and heating work may be shown on the floor plan.

Information and computation on building service equipment shall be indicated in the plans including installation of consumer plumbing, drainage, gas piping, heating and cooling, ventilation and refrigeration systems. Electrical plans shall show electrical risers, conductor sizes, grounding, load calculations, disconnects, panel schedules and wiring methods.

The construction documents shall:

1. Identify and describe the work to be covered by the permit for which the application is made.

2. Describe the land on which the proposed work is to be done by legal description, Uniform Property Code (UPC), and street address or similar description that will readily identify and definitely locate the proposed building or work.

3. Indicate the use or occupancy for which the proposed work is intended. Commercial plans shall be provided with the following design criteria list: Occupancy group and division, type of construction, location of property seismic zone, square footage/allowable area, fire sprinklers, height and number of stories, occupant load and land use zone.

4. Be accompanied by plans, diagrams, engineering calculations, computations and specifications and other data as required in subsection 302.2.

5. State the valuation by submittal of the project contract amount or other means acceptable to the building official of any new building or structure or any addition, remodeling or alteration to an existing building.

6. Be signed by applicant, or his authorized agent, who may be required to submit evidence to indicate such authority.

7. Give such other data and information, as may be required by the building official.

111.2 Submittal Documents. With each application for a building permit, and when required by the Building Official for enforcement of any provisions of this Code, two sets of plans and specifications shall be submitted:

EXCEPTION: The building official may waive the submission of plans, calculation, etc., if he finds that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this Code. The
Building Official shall require all plans and specifications be prepared and sealed by a Registered Architect and/or Registered Professional Engineer(s) licensed to practice in the State of New Mexico for all uses as listed in Chapter 3 of the International Building Code with the exception of:

1. Single-family dwellings not more than two (2) stories in height.

2. Multiple dwellings not more than two (2) stories in height containing not more than four (4) dwelling units of wood-frame construction; provided, this paragraph shall not be construed to allow a person who is not registered under the Architectural Act (NMSA 1978 § 61-51-15-1 et seq.) to design multiple clusters of up to four (4) dwelling units each to form apartment or condominium complexes where the total exceeds four (4) dwelling units on any lawfully divided lot;

3. Garages or other structures not more than two (2) stories in height which are appurtenant to buildings described in Paragraph 1 and 2 of this subsection;

4. Non Residential buildings, or additions, having a total occupant load of ten (10) or less and two (2) stories or less in height. Does not include E (Educational, Day Care), H (Hazardous) or I (Institutional) occupancies, all of which must be certified by an architect and/or engineer(s) licensed to practice in the State of New Mexico.

5. Alterations to buildings, or structures which present no unusual conditions, hazards or change in occupancy.

The building official may require the plans to be prepared and sealed by a Registered New Mexico Architect and/or Registered New Mexico Professional Engineer(s) for any specific construction that involves public safety or health and wherein the public welfare or the safeguarding of life, health or property is concerned, or a change of occupancy is involved. Occupant load shall be defined and determined by the method set forth in Table 1004.1.1 of the International Building Code.

When required by the building official the responsibility of a Licensed Architect and Licensed Engineer(s) shall be demonstrated on each sheet of the drawings by the appearance of their seal and signature and shall include the following:

1. Architect.
2. Structural Engineer.
3. Electrical Engineer.
4. Mechanical Engineer.
5. Civil Engineer.
6. Where an additional specific technical consideration is required, it shall also be acknowledged by seal and signature. The Electrical design shall be prepared and sealed by a Registered Professional Engineer, licensed to
practice in the State of New Mexico, when the service capacity exceeds the following:

1. 200A for a single phase.
2. 50 KVA for three phase.

The Mechanical design shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of New Mexico, when the total mechanical equipment, materials, and labor, exceeds $50,000.00 in valuation or if the building exceeds two (2) stories in height. The Plumbing design shall be prepared and sealed by a Registered Professional Engineer, licensed to practice in the State of New Mexico, when the fixture unit count of the project exceeds the capacity of one (1) 4" (inch) building drain as specified in Table 7-3, 7-5 of the Uniform Plumbing Code or if the building exceeds two (2) stories in height.

111.3 Information on Plans and Specifications. Plans shall be drawn to scale upon substantial paper and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that it will conform to the provisions of the Technical Codes and all relevant laws, ordinances, rules and regulations. Information on plans and specifications shall include but not be limited to the following: the house and street address of the work, name and address of the owner and/or the contractor and the person preparing the plans, seismic category, type of construction, area of each floor, occupancy group and occupant load, soil bearing capacity, concrete strength, lumber and steel stress values, wind, roof, and floor design loads. Plans shall also include a plot plan showing property lines and the location of the proposed building and of every existing building on the property.

The building official may require special calculations regarding three (3) story wood framed building, retaining walls, or any other data or computations not specifically mentioned herein in order to show correctness of the plans.

Plans for buildings more than two (2) stories in height of other buildings regulated by the International Residential Code shall indicate how required structural and fire-resistive integrity will be maintained where a penetration will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

For one and two-family dwellings and townhouses regulated by the International Residential Code, minimum plan submittal shall include but not be limited to the following drawings: Plot plan, Foundation plan, Floor plan, Framing plan, Electrical plan, cross section through bearing wall and elevations. Plumbing and heating fixtures may be shown on the floor plan.

Information and computations on building services equipment shall be indicated on the plans including installation of consumer plumbing, drainage, gas piping, heating and cooling, ventilating and refrigeration systems. Electrical plans shall show electrical risers, conductor sizes, grounding, load calculations, disconnects, panel schedules and wiring methods.
Any specifications of general expression such as, "work shall be done in accordance with the Bernalillo County Code", or "to the satisfaction of the County Building Official", shall be deemed inadequate and incomplete.

SECTION 112 PERMIT ISSUANCE

112.1 Issuance. Only an individual, firm, partnership or corporation duly licensed as a contractor by the Construction Industries Division of the State of New Mexico, will be issued a permit unless such individual, firm, partnership or corporation is exempt under NMSA 60-13-3 D.

Exceptions:

1. A homeowner may be issued a permit to build a single family residence and or garage for his own use.

   An electrical or plumbing permit may be issued to a homeowner who successfully completes a written plumbing and/or electrical exam with a score of 75% or greater. The Electrical / Plumbing Sections shall administer the written exams to qualified homeowners who complete the Homeowner’s Responsibility Form. Homeowners will be allowed two (2) hours to complete each exam. Homeowners who do not pass an exam may take that one additional time after waiting 10 working days.

The application, plans and specifications, and other data, filed by an applicant for permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and data filed therewith conform to the requirements of this code and the technical codes and other pertinent laws and ordinances, and that the fees specified by the Bernalillo County Commission in Administrative Resolution have been paid, a permit therefore shall be issued to the applicant.

When the Building Official issues the permit where plans are required, he shall endorse in writing or stamp the plans and specifications "APPROVED". Such approved plans and specifications shall not be changed, modified or altered without authorization from the building official, and all work regulated by this Code shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of part of a building, structure or building service equipment before the entire plans and specifications for the whole building, structure or building service equipment have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the Technical Codes. The holder of such permit shall proceed at his own risk without assurance that the permit for the entire building, structure or building service will be granted. A permit that was issued for the foundation of a building will require a building permit before work progresses beyond the
foundation stage. Work permitted under a foundation permit shall be limited to footings,
foundation walls and any other construction up to and including a first floor slab.

A separate permit shall be required for a sign for each business entity, and/or a
separate permit shall be required for each group of signs on a single supporting structure.

1. Plumbing, mechanical and electrical permit procedures for multiple units.
   Where multiple structures are built on the same property or lot under one
   ownership and/or address; and where the gas and/or electric utilities are
   furnished through one meter, separate permits will be required for each
   building on separate foundations with the permits so numerically marked to
   identify the separate buildings. The administration fee as described in
   Administrative Resolution shall be charged on each permit and permit fees
   shall be charged as though they were individual structures.

No consideration will be given to connecting laundries, storage rooms, boiler rooms,
garages, etc., by connecting roof structures or assemblies in order to avoid the separate
structure as stated above.

Where several meters are installed on one (1) building, separate permits will be
required for each meter with the permits so marked to identify each building address.
The Administration Fee as described in the Administrative Resolution approved by the
Bernalillo County Commission will be charged on each permit and permit fees shall be
charged as though each meter location was a separate building.

**Exception: Electrical Permits for Apartment Houses.** The Administration
Fee will be required for each gang of meters on each gang of meters on each
building of apartment houses.

When separate structures exist as stated above, but each such structure is served by its
individual and separate gas and/or electric meter, a separate permit will be required and
ey will carry the administration fee.

**112.2 Retention of Plans.** One set of approved plans and specifications shall be
returned to the applicant and shall be kept on the site of the building or work at all times
during which the work authorized thereby is in progress. One set of approved plans,
specifications and computations shall be retained by the Building Official until final
approval of the work, thereafter to be returned to the applicant or destroyed by the
Building Official.

**112.3 Validity of Permit.** The issuance of a permit or approval of plans,
specifications and computations shall not be construed to be a permit for, or an approval
of, any violation of any of the provisions of this Code or the Technical Codes, or of any
other ordinance of this jurisdiction. Permits presuming to give authority to violate or
cancel the provisions of this code or of other ordinances of the jurisdiction shall not be
valid.
The issuance of a permit based upon plans, specifications and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on there under when in violation of these codes or of any other ordinances of this jurisdiction.

112.4 Expiration. Every permit issued by the Building Official under the provisions of the Technical Codes shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the permit is issued for a period of 180 days. Permit will expire after a period of 180 days of last legitimate inspection of record. All buildings or structures under construction and regulated by this Code and the Technical Codes which are in a deteriorated condition for more than 90 days and on which no work has been done during that period are considered abandoned. The premises will also be considered a nuisance and if the nuisance is not abated by rehabilitation, repair, demolition or removal, the Building Official may institute any appropriate administrative or judicial action to prevent, restrain, correct or abate the violation. Before such work on above permits can be recommenced, the permit must be re-newed, and the fee therefore shall be one-half (1/2) the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided that such suspension or abandonment has not exceeded one (1) year. All plans and other data submitted for permit may thereafter be returned to the applicant or destroyed by the Building Official.

In order to renew action on a permit exceeding one (1) year after expiration, the permittee shall pay a new full (current) permit fee.

Exception: Demolition Permits shall expire ninety days from the date of issuance unless an extension is granted by the Building Official.

Any permit holder holding an unexpired permit may apply for an extension of the time within which he may commence work under that permit when he is unable to commence work within the time required by this section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits shall not be extended more than once.

112.5 Suspension or Revocation. The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this Code and the Technical Codes whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of these codes.
SECTION 113
FEES

113.1 General. Fees shall be assessed in accordance with the provisions of this section.

113.2 Permit Fees. The fee for each permit shall be as set forth by Administrative Resolution with the approval of the Bernalillo County Commission. Where a technical code has been adopted by the jurisdiction for which no fee schedule is shown in this Code, the fee required shall be in accordance with the schedule established by the Bernalillo County Commission.

The determination of value or valuation under any of the provisions of these codes shall be made by the building official. The Building Official may use the most current data released from the Building Safety Journal (The Professional Journal of Construction and Fire Safety). The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems and any other permanent equipment no matter who may furnish the equipment, labor or materials. Final building permit valuation shall be set by the Building Official.

113.3 Plan Review Fees. When a plan or other data is required to be submitted by Section 302.2, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee for buildings, signs or structures shall be as shown in Table 3-A and 3-E Administrative Resolution.

The plan review fees for electrical, mechanical and plumbing shall be equal to 25 percent of the total permit fee as set forth in Tables 3-B, 3-C and 3-D.

The plan review fees specified in this subsection are separate fees from the permit fees specified in Section 304.2 and are in addition to the permit fees.

Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in Tables 3-A through 3-F of the Administrative Resolution.

The fee for rechecking lost or worn-out plans for which a permit has previously been issued shall be charged at the rate shown in Table 3-A of the Administrative Resolution.

The fee for checking more than two (2) sets of plans schedules established (duplicate sets) shall be charged at the rate shown in Table 3-A of the Administrative Resolution.

The fee for the checking and consultation time requested by the applicant for a preliminary plan review shall be charged at the rate shown in Table 3-A of the Administrative Resolution. In all cases the applicant must provide the basic code data described in Section 302.3 and not be dependent upon the building official for this information.
113.4 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

113.5 Investigation Fees. Work without a Permit.

113.5.1 Investigation. Whenever any work for which a permit is required by this Code has been commenced without first obtaining said permit, a special investigation may be made before a permit is issued for such work.

113.5.2 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this Code. The minimum investigation fee shall be the same as the minimum fee set forth in Tables 3-A through 3-F of the Administrative Resolution. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of either this Code or the Technical Codes nor from any penalty prescribed by law.

113.6 Fee Refunds. The building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review is done.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permit holder not later than 180 days after the date of fee payment.

Exception: The building official may authorize the refunding of any fee paid subject to the review and approval of the County Manager or his designated representative.
BOILER INSPECTIONS

1. Certificate of Operation:

(a) If upon inspection, a boiler is found to comply with the adopted rules and regulations, the Building Official shall issue a Certificate of Operation to the owner or user of such boiler. The Certificate of Operation shall state the date of inspection and the maximum pressure at which the boiler may be operated. The owner or user of said boiler shall pay the fee as established by Administrative Resolution upon the issuance of the Certificate of Operation. Certificate of Operation shall be valid for not more that fourteen (14) months from the date of inspection in case of power boilers and twenty-six (26) months in the case of low pressure heating and all other boilers. Certificates shall be posted in the room containing the boiler inspected, or for a portable boiler, in a metal container to be fastened to the boiler or to be kept in a tool box accompanying the boiler.

(b) The Building Official may at any time revoke a certificate of operation when, in his opinion the boiler for which it was issued cannot be operated without menace to the public safety, or when the boiler is found not to comply with the lawful rules and regulations of the County. Such revocation of a certificate of operation shall continue in effect until such boiler shall have been made to conform to the rules and regulations of the County.

2. Inspection Fees: The owner or user of a boiler required by this ordinance to be inspected by the Building Official shall pay to the designated inspection agency upon completion of the inspection, fees in accordance with the fee schedules established by Administrative Resolution.

SECTION 114
INSPECTIONS

114.1 General. All Construction or work for which a permit is required shall be subject to inspection by the Building Official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the Building Official. In addition, certain types of construction shall have continuous inspection as specified in Section 306.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this Code or of other ordinances of the jurisdiction shall not be valid.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor this jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.
A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

114.2 Permit Notice Card. Work requiring a building permit shall not be commenced until the permit holder or his agent shall have posted a permit notice card with the street address on it in a conspicuous place on the premises so that the permit card is visible from the street. This card shall be maintained in such position by the permit holder until final approval has been issued by the Building Official.

114.3 Inspections Requests. It shall be the duty of the permit holder doing the work authorized by a permit to notify the Building Official that such work is ready for inspection. Notification shall include at least the following: correct street address, suite number and/or building number, type of inspection, permit holder's name, permit number and/or sub-permit number. The Building Official may require that every request for inspection be filed at least one (1) working day before such inspection is desired. Such request may be in writing or other means at the approval of the building official. It shall be the duty of the permit holder requesting any inspections required either by this code or the technical codes to provide access to and means for inspection of such work. It shall be the duty of the permit holder requesting any inspection to ensure that the permit notice card is conspicuously posted and is visible from the street.

Exception: If a building permit is not required, it shall be the duty of the plumbing, mechanical, or electrical permit holder to ensure that the address is conspicuously posted.

114.4 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. Such approval shall be given only after an inspection shall have been made of each successive step in the construction as indicated by each of the inspections required by the following subsections detailing the required inspections. The building official, upon notification, shall make the requested inspections and shall either indicate that portion of the construction is satisfactory as completed or shall notify the permit holder or his agent when the same fails to comply with this code. Any portions which do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Building Official.

There shall be a final inspection and approval of all buildings, building service equipment, and structures when completed and ready for occupancy and use.

114.5 Required Inspections.

114.5.1 Required Building Inspections. Reinforcing steel or structural framework for any part of any building or structure shall not be covered or concealed without first obtaining the approval of the Building Official.

The Building Official, upon notification from the permit holder or his agent, shall make the following inspections (when applicable to the construction method used) and shall either approve that portion of the
construction as completed or shall notify the permit holder or his agent wherein
the same fails to comply with this Code.

1. **Foundation Inspection**: to be made after excavations for footings are
complete and any required reinforcing steel is in place. For concrete
foundations, any required forms shall be in place prior to inspection. All
materials for the foundation shall be on the job, except where concrete is
ready-mix in accordance with nationally accepted standards, the concrete need
not be on the job. Where the foundation is to be constructed of approved
treated wood, additional inspections may be required by the Building Official.

2. **Foundation Insulation Inspection**: To be made after insulation has been
installed around the perimeter of slab on grade floors.

3. **Concrete Slab Inspection**: To be made after all in-slab or under-floor
building service equipment, conduit, piping accessories and other ancillary
equipment items are in place, but before any concrete is placed.

4. **Floor Frame Inspection**: To be made when all floor joists, girders and
hangers are installed but before any decking is placed. All under-floor
plumbing, mechanical and electrical work must be approved prior to any
concealment.

5. **Bond Beam Inspection**: To be made when bond beam is formed and steel is
in place and tied, prior to laying any successive courses or placing any
concrete.

6. **Frame Inspection**: To be made after the roof decking and under-layment, all
framing fire-blocking, bracing, framed openings for exterior doors and
windows, are in place and all pipes, electrical wiring, chimneys, duct work
and vents are complete, inspected and approved.

7. **Insulation Inspection**: To be made after insulation has been installed in
frame walls, ceilings, floors, etc.

8. **Sheetrock Inspection**: All commercial sheetrock applications shall be
inspected prior to taping and bedding. Residential applications only required
5/8” type X sheetrock will be inspected prior to taping and bedding.

9. **Lath Inspection**: To be made after all lath, interior and/or exterior, is in
place; but before any plaster / stucco is applied.

10. **Final Inspection**: To be made after building is completed and ready for
occupancy and before it is occupied. A final inspection shall be scheduled by
the permit holder.

114.5.2 **Partial Inspections.** When necessary due to construction
requirements, partial inspections may be made. This requires specific details as to
what portion of the work is to be inspected.

Some projects shall require multiple inspections within a category as listed
above. It shall be the responsibility of the Permit Holder to notify the Building
Official and request such additional inspections for these categories as the project progresses.

114.5.3 Required Electrical Inspections. The following is a list of required electrical inspections and customary terms. It should be noted that the number and type of inspections are not limited to the following and that additional inspections may be required subject to the complexity of the work.

1. Rough-in: When wires are run into a building and before they are covered by finished walls, ceilings or floors, when the ground wires are made up to the boxes, when home-runs are terminated in the panels, when conduit work is secured (including boxes), the work is ready for a Rough-In inspection.

2. Pre-final: Pre-Final requires a complete service riser, meter can in place, point of attachment completed, service ground attached to grounding electrode.

3. Final: When the job is completed a final inspection is required.

4. Slab: Check the conduit before pouring for proper installation, continuity (grounding integrity) and any damage. Note whether conduit is metal or plastic.

5. Temporary poles: Check that disconnect and receptacles are weatherproof. Look for proper clearance at the point of attachment. A driven ground or wrapped butt shall be properly installed. Check conductor capacity, fuses, and switches. Check for GFCI for 15 and 20 amp receptacles.

6. Meter changes: When there is a meter change, check out the service risers, point of attachment, service bonding, and grounding.

7. Ranges and/or dryers: Check that there has been no double lugging, the service is adequate for the load and grounds are properly installed. Check for improper use of SE cable from a sub-panel.

8. Swimming Pools: Grounding, conduit and final inspections are required.

114.5.4 Required Mechanical and Solar Energy Inspections. It should be noted that the number and type of inspections are not limited to the following and that additional inspections may be required subject to the complexity of the work.

1. Duct Groundwork: This inspection includes all duct work described by the permit that requires underground installation. The inspection shall be called after the duct has its proper concrete cover if required, but before it is covered by any other material.

2. Rough Piping Inspection: Rough piping inspection of all piping installations shall be made after all piping covered by the permit has been installed, and before any such piping has been covered or concealed, or any appliances have been attached thereto; provided, that the building official may expressly waive rough piping under any particular permit where there is involved only an extension to existing piping for the purpose of providing one (1) or more
additional gas outlets or plumbing fixtures for the same structure. This
inspection may be made at time of the plumbing or heating top out.

3. **Heating Top Out:** This inspection shall include all duct work and vents
above grade covered by the permit which will be covered or concealed. This
inspection shall be called before any of the ducts or vents above grade are
covered or concealed.

4. **Mercury Test:** Low gas supply pressure up to and including 3 lbs shall
include an air pressure test, at which time the gas piping shall stand a pressure
of not less than 10 pounds per square inch gauge pressure, or at the discretion
of the building official the piping and valves may be tested at a pressure of at
least six inches (6") of mercury measured with a manometer or slope gauge.
Test pressures shall be held for a length of time satisfactory to the building
official, but in no case for less than 15 minutes with no perceptible drop in
pressure. Over 3 lbs gas supply pressure shall require a 24 hour recorder at 30
lbs.

For gas conversions and existing homes needing a Mercury test, all gas
appliances shall be brought up to current codes.

**Exception:** Appliances installed in bedrooms do not have to be moved,
closet shall be weather-stripped with outside combustion air and boilers
do not have to have backflows.

5. **High Pressure Test:** For welded piping carrying gas at pressures less than
fourteen (14) inches water column pressure, the test pressure shall not be less
than sixty (60) pounds per square inch and shall be continued for a length of
time satisfactory to the administrative authority, but in no case for less than
thirty (30) minutes for each 500 cubic feet of pipe volume.

**Exceptions:**

1. Welded piping carrying gas at pressures less than fourteen (14) inches
water column pressure, may at the contractor's option, be tested with a test
pressure of not less than thirty (30) pounds per square inch using a
recording device for a period of not less than twenty-four (24) hours.
For gas piping carrying gas at pressures in excess of fourteen (14) inches
water column pressure, the test pressure shall not be less than thirty (30)
pounds per square inch using a recording device for a period of not less
than twenty-four (24) hours.

2. With prior written approval from the Administrative Authority, existing
gas piping carrying gas at pressures in excess of fourteen (14) inches water
column pressure may be tested with sixty (60) pounds per square inch and
shall be continued for a length of time satisfactory to the Administrative
Authority, but in no case for less than thirty (30) minutes for each 500
cubic feet of pipe volume. All of the above tests shall be made using air,
CO2, or nitrogen pressure only and shall be made in the presence of the
administrative authority. The 24-hour recording device shall be read by
the administrative authority or his representative at the end of the 24-hour
period. All necessary apparatus for conducting tests shall be furnished by
the permit holder.

6. **Gas Final**: Final inspection of all installations shall be made after all piping
covered by the permit has been installed and after all portions thereof which
are to be concealed by plastering or otherwise have been so concealed and
after all non-portable gas appliances are installed. A mercury test is required
for a final gas inspection, even if a temporary gas inspection was made
previously.

7. **Appliances Final**: An appliance final shall be made after the installation of
an appliance, or appliances, has been completed to meet this Code and
manufacturer’s installation instructions.

8. **Temporary Gas Service**: Temporary gas service shall be for a maximum of
a 90 day period. Mercury test and inspection on specified appliances shall be
called for a temporary gas service. Before additional appliances are connected,
or a tenant may occupy a building, a final gas inspection shall be called and
approved. No temporary gas for heating shall be allowed after April 30 or
before October 1.

9. **Boiler Inspection**: This inspection shall be made after the installation of the
boiler is completed to meet this Code and the manufacturer’s installation
instructions.

114.5.5 **Partial Inspections**. When necessary due to construction requirements,
partial inspections may be made. This requires specific details as to what portion is to
be inspected.

114.5.6 **Required Plumbing and Swimming Pool Inspections**. The following is
a list of required plumbing and swimming pool inspections and the customary terms
and order in which they are usually called. It should be noted that the number and
type of inspections are not limited to the following and that more inspections may be
required by the complexity of some jobs.

1. **Sewer Tap and Stub-In**: Sewer tap and stub-in from a tee or a tapping
saddle on the county sewer main to private property line. Approval to tap
the county sewer is required from the liquid waste engineer of the County
of Bernalillo.

2. **Water Service**: Water piping from the service meter to the connection
outside of the building. Metal pipe shall be covered to a minimum of
twenty-eight inches below finished grade, in debris-free soil. Plastic pipe
shall be covered to a twenty-eight inch depth below grade, on a smooth
bed, in debris-free soil. All piping shall be checked with a test of not less
than operating pressure. Backfill shall be free of any stones, metal, glass,
etc., which could cause damage to piping.

3. **Building or House Sewer**: Building sewer or house sewer shall be in
accordance with Table 7-5 in the Uniform Plumbing Code, of approved
materials, at a minimum depth of twelve inches, on a smooth bed, tamped
below pipe as required, and properly graded, and inspected before any
backfill cover.

4. **Ground Work:** All drain, waste and vent piping below the first floor level
to a re-vent height is to be filled with water to a minimum of ten feet head
for a test and inspection before covering. This inspection includes water
distribution piping below a first floor slab. Water distribution is defined
as all water piping inside and under the building.

5. **Top-Out:** Where a sanitary ground work inspection under a concrete
floor has been made, the next inspection is usually the top-out and
includes all piping above the floor to the extensions through the roof
and/or walls.

6. **Rough Piping Inspection:** Rough piping inspection of all piping
installations shall be made after all piping covered by the permit has been
installed, and before any such piping has been covered or concealed, or
any appliances have been attached thereto, provided that the Building
Official may expressly waive rough piping under any particular permit
where there is involved only an extension to existing piping for the
purpose of providing one (1) or more additional gas outlets or plumbing
fixtures for the same structure. This inspection may be made at that time
of the plumbing or heating top-out.

7. **Shower Pan Inspection:** Shower pan liners of vinyl or other water
proofing method shall be inspected.

8. **Plumbing Final:** When all plumbing is complete and the fixtures are
installed and ready for service, a final inspection shall be called for by the
plumbing contractor.

9. **Swimming Pool Inspection:** An inspection is required on all work before
it is concealed. An inspection is required on the circulating lines, pool
drain, water distribution, house sewer connection, sand trap, mercury test
on gas lines, and boiler. A pool final is required upon completion.

114.5.7 **Partial inspection:** When necessary due to construction requirements,
partial inspections may be made. This requires specific details as to what portion is to
be inspected.

114.5.8 **Required sign inspections.** All signs for which a permit is required shall
be subject to inspection by the Building Official.

1. Footing inspections may be required by the Building Official for all signs
having footings.

2. Final inspection shall be required for all signs. The permittee shall notify the
Building Official when the sign is completed.

All signs containing electrical wiring shall be subject to the provisions of the
governing electrical code, and the electrical sign and components used shall bear the label
of an approved testing agency.
The Building Official may order the removal of any sign that is not maintained in accordance with provisions of Section 104.5.

All signs may be re-inspected at the discretion of the Building Official.

114.5.9 Other inspections. In addition to the called inspections specified above, the Building Official may make or require other inspections of any construction work to ascertain compliance with the provisions of this Code or other Technical Codes and other laws which are enforced by the Building Division. For the purpose of determining compliance with Section 104.5, the Building Official may cause any structure to be re-inspected.

114.5.10 Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This subsection is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of the Technical Codes, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the permit notice card and/or address is not conspicuously posted on the work site; the approved plans are not readily available to the inspector; for failure to provide access on the date for which inspection is requested; for deviating from plans requiring the approval of the Building Official; or for a second rejection for failure to comply with the requirements of this Code.

To obtain a re-inspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose, and pay the re-inspection fee in accordance with Tables No. 3-A through 3-F of Administrative Resolution.

In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Re-inspection fees may be waived at the discretion of the Building Official.

SECTION 115
CONNECTION TO UTILITIES.

115.1 Utility Connections. No person shall make connections from a source of energy, fuel, or power to any building service equipment which is regulated by the Technical Codes and for which a permit is required by this Code, until written approval is given by the Building Official.

115.2 Temporary Connections. The Building Official may authorize the temporary connection of the building service equipment to the source of energy, fuel or power for the purpose of testing building service equipment, or for use under a temporary Certificate of Occupancy.
115.3 **Reconnection of Utilities.** Written authorization of the Building Official shall be required for any person, firm, or corporation to reconnect any gas or water service if it has been ordered disconnected by the Building Official.

115.4 **Street Excavations.** All utilities (plumbing, gas, sewer, water, electricity, telephone, and telegraph) making excavations shall comply with all provisions of the Bernalillo County Code and other applicable Ordinances.

115.5 **Sewer Connections.** Before any person, firm or corporation makes any sewer connection to, or between any other type buildings within the unincorporated areas of Bernalillo County, the connection shall be subject to the provisions of the county's policy in force at that time regarding policy regulating sewer connections. Any person, firm or corporation making sewer connections shall comply with all applicable sections of this code, secure the required permits and pay the required fees.

**SECTION 116**

**CERTIFICATE OF OCCUPANCY AND CERTIFICATE OF SHELL COMPLETION**

116.1 **Use or Occupancy.** Buildings or structures shall not be used or occupied, nor shall a change in the existing occupancy classification of a building or structure or portion thereof be made until the building official has issued a certificate of occupancy therefore as provided herein.

116.2 **Change in Use.** Changes in the character or use of a building shall not be made except as specified in the building code.

116.3 **Certificate of Occupancy Issued.** A request for a certificate of occupancy shall be made by the owner or his agent after final inspection approvals have been secured from all county departments or divisions involved in the enforcement of pertinent codes, ordinances, or laws. The building official, after notification of all final inspection approvals, shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the Certificate is issued.
5. A statement that the described portion of the building complies with the requirements of this Code for group and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the Building Official.

116.4 **Temporary Certificate of Occupancy.** If the Building Official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, he may issue a Temporary Certificate of Occupancy for the use of
a portion or portions of a building or structure prior to the completion of the entire
building or structure.

116.5 Certificate of Shell Completion. A request for a certificate of shell
completion may be made by the owner or his agent after inspection approvals have been
secured from all County departments or divisions involved in the enforcement of
pertinent codes, ordinances or laws. The Building Official, after notification of all
inspection approvals, shall issue a Certificate of Shell Completion which shall contain the
following:

1. The shell building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A statement that the construction of the shell is complete and is in compliance
   with the requirements of this Code.
5. A statement that the various portions of the shell building are not ready for
   occupancy until such time that tenant developments are completed for each
   portion of the shell building to be occupied and a Certificate of Occupancy is
   issued for each portion.
6. The name of the Building Official.

116.6 Posting. For commercial and multi-family occupancies, the Certificate of
Occupancy shall be posted in a conspicuous place on the premises and shall not be
removed except by the Building Official.

116.7 Violations. Failure to request a certificate of occupancy prior to occupancy and
failure to request a change of occupancy or use under Section 308(b) shall constitute a
continuing violation of this code and subject the offender to penalty under Section 205.

116.8 Revocation. The Building Official may, in writing, suspend or revoke a
certificate of occupancy issued under the provisions of this Code whenever the certificate
is issued in error, or on the basis of incorrect information supplied, or when it is
determined that the building or structure or portion thereof is in violation of any
ordinance or regulation or any of the provisions of this Code.

AMENDMENTS TO THE TECHNICAL CODES

The following adopts and amends the technical provisions of the 2009 ICC family
of codes. Each amendment is numbered to correspond to the numbering of the
responding code which it amends.

All mention of L.P. Gas shall be deleted from these codes. Refer to L.P. Gas
Bureau of the State of New Mexico for regulations.
COMMERCIAL BUILDING CODE

CHAPTER 9
FIRE PROTECTION SYSTEMS

SECTION 904
ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS

904.11 Commercial Cooking Systems. Delete the exception following this section.

CHAPTER 10
MEANS OF EGRESS

SECTION 1008
DOORS, GATES AND TURNSTILES

1008.1.4.4 Access-controlled egress doors. The contents of this section can only be permissible when approved by the building official.

1008.19.7 Delayed egress locks. The contents of this section can only be permissible when approved by the building official.

1008.3 Turnstiles. The contents of this section can only be permissible when approved by the building official.

CHAPTER 11
ACCESSIBILITY

SECTION 1104
ACCESSIBLE ROUTE

1104.4 Multilevel buildings and facilities. Add the following to exception 1 and delete exception 5 without substitution.

1.4. The facility that is owned or leased by a government agency.

SECTION 1106
PARKING AND PASSENGER LOADING FACILITIES

Table 1106.1
Accessible Parking Spaces

<table>
<thead>
<tr>
<th>Total Parking Spacing</th>
<th>Total Required Accessible Parking Spaces</th>
<th>Number Required to be Van Accessible</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-25</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>26-35</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>36-50</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>51-100</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>101-300</td>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>301-500</td>
<td>12</td>
<td>2</td>
</tr>
<tr>
<td>501-800</td>
<td>16</td>
<td>3</td>
</tr>
<tr>
<td>801-1000</td>
<td>20</td>
<td>3</td>
</tr>
<tr>
<td>1,001 and over</td>
<td>20 spaces plus 1 space for every 100 spaces, or fraction thereof, over 1,000</td>
<td>1 of every 6 accessible parking spaces, or fraction thereof</td>
</tr>
</tbody>
</table>
SECTION 1107
DWELLING UNITS AND SLEEPING UNITS

1107.6.1.1 Publicly funded projects. For publicly funded projects, the total number of
accessible dwelling units and sleeping units shall be five (5) percent or fraction thereof. Of these
accessible dwelling units and sleeping units, one (1) percent, or fraction thereof, shall be
provided with roll-in showers.

1107.6.2.1.1 Type A units. In occupancies in group R-2 containing more than 20 dwelling
units or sleeping units, at least two percent, but not less than one of the units shall be a Type A
unit. In Type A units, one in five, but not less than one of the units shall provide a roll-in shower
including a permanently mounted folding shower seat. All R-2 units on a site shall be considered
to determine the total number of units and the required number of Type A units. Type A units
shall be dispersed among the various classes of units.

SECTION 1108
SPECIAL OCCUPANCIES

1108.4.1.4 Employee workstations. The judge’s bench, clerk’s station, bailiff’s station,
deputy clerk’s station and court reporter’s station shall be located on an accessible route.

SECTION 1109
OTHER FEATURES AND FACILITIES

1109.2 Toilet and bathing facilities. Each toilet room and bathing room shall be accessible.
Where floor level is not required to be connected by an accessible route, the only toilet rooms or
bathing rooms provided within the facility shall not be located on the inaccessible floor. At least
one of each type of fixture, element, control or dispenser in each accessible toilet room and
bathing room shall be accessible. When 20 or more fixtures of any type are installed in an
accessible toilet room or bathing room, at least two of that type shall be accessible.

Exceptions:

6. Toilet fixtures and bathing fixtures that are in excess of those required by the minimum number of plumbing fixtures and
located in private restricted areas in other than government owned or leased facilities.

SECTION 1110
SIGNAGE

1110.1 Signs.

1.1. Accessible parking spaces shall be identified by a sign centrally located at
the head of each parking space.

1.2. Van accessible parking spaces shall have an additional sign mounted below
the international symbol of access identifying the space as "van accessible.

Exception: Where all accessible parking spaces comply with the
standards for van accessible parking spaces.

4. Accessible entrances where not all entrances are accessible.
Exception: Entrances to individual dwelling units and sleeping units.

1110.3 Other signs.

7. Accessible parking spaces required by Section 1106 shall be provided with pavement markings in compliance with the following:

7.1. Accessible parking spaces shall be identified by the international symbol of accessibility; a clearly visible depiction of the symbol shall be painted in blue on the pavement surface, except where the total number of parking spaces provided is four or less.

7.2. The access aisle shall be clearly marked by diagonal, blue pavement striping.

CHAPTER 13
ENERGY EFFICIENCY

1301.1.1 Criteria. Buildings shall be designed and constructed in accordance with the Bernalillo County Energy Conservation Code.

CHAPTER 15
ROOF ASSEMBLIES AND ROOFTOP STRUCTURES

1503.3.1 Plastered parapets. Parapet walls shall have a seamless weather-resistive barrier that caps the entire parapet and wraps over each side. The weather-resistive barrier shall extend past any break from the vertical a minimum of four inches on the wall side, and shall lap any rising roof felts or membranes and be properly sealed. A layer of expanded metal lath shall be installed over the cover before plaster or stucco is applied. The lath shall extend past any break from the vertical on the wall side a minimum of five inches and on the roof side, the same distance as the cover below, allowing for plaster stops or seals. No penetrating fasteners are allowed on the horizontal surface of parapets.

CHAPTER 18
SOILS AND FOUNDATIONS

1809.7 Prescriptive footings for light-frame construction. Where a specific design is not provided, concrete or masonry-unit footings supporting walls of light-frame construction shall be permitted to be designed in accordance with Table 1809.7
TABLE 1809.7
PRESCRIPTIVE FOOTINGS SUPPORTING WALLS OF
LIGHT-FRAME CONSTRUCTION

<table>
<thead>
<tr>
<th>NUMBER OF FLOORS SUPPORTED BY THE FOOTING</th>
<th>WIDTH OF FOOTING (inches)</th>
<th>THICKNESS OF FOOTING (inches)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>16</td>
<td>8</td>
</tr>
<tr>
<td>2</td>
<td>16</td>
<td>8</td>
</tr>
<tr>
<td>3</td>
<td>18</td>
<td>8²</td>
</tr>
</tbody>
</table>

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

a. Depth of footings shall be in accordance with Section 1809.4.
b. The ground under the floor shall be permitted to be excavated to the elevation of the top of the footing.
c. Interior stud-bearing walls shall be permitted to be supported by isolated footings. The footing width and length shall be twice the width shown in this table, and footings shall be spaced not more than 6 feet on center.
d. See Section 1908 for additional requirements for concrete footings of structures assigned to Seismic Design Category C, D, E or F.
e. For thickness of foundation walls, see Section 1807.1.6.
f. Footings shall be permitted to support a roof in addition to the stipulated number of floor. Footings supporting roof only shall be as required for supporting one floor.
g. Plain concrete footings for Group R-3 occupancies shall be permitted to be 6" thick.

CHAPTER 21
MASONRY

2111.4.1 and 2113.4.1 Anchorage. Two 3/16-inch by 1-inch (4.8 mm by 25.4mm) straps shall be embedded a minimum of 12 inches (305 mm) into the chimney with a 180 degree bend with a six-inch (152 mm) extension around the vertical reinforcing bars in the outer face of the chimney. Each strap shall be fastened to the structural framework of the building with two 1/2-inch (12.7 mm) diameter bolts per strap. Where the joists do not head into the chimney, the anchor strap shall be connected to two-inch by four-inch (51 mm by 102 mm) ties crossing a minimum of four joists. The ties shall be connected to each joist with two 16d nails. As an alternative to the to two-inch by four-inch (51 mm by 102 mm) ties, each anchor strap shall be connected to the structural framework by two 1/2-inch (12.7 mm) diameter bolts in an approved manner.

CHAPTER 23
WOOD

2308.8.4 Supporting bearing partitions. Bearing partitions parallel to joists shall be supported on beams, girders, built-up joists of sufficient size to carry the load, walls or other bearing partitions. Bearing partitions perpendicular to joists shall not be offset from supporting girders, walls or partitions more than the joist depth unless such joists are of sufficient size to carry the additional load.

CHAPTER 25
GYPSUM AND PLASTER

2512.1.1 On-grade floor slab. On wood framed or steel stud construction with an on-grade
2512.1.3 Plaster to roof separation. A reglet and weep screed or equivalent metal flashing shall be applied where all stucco wall surfaces terminate at a roof.

CHAPTER 28
MECHANICAL SYSTEM

2801.1 Scope. Mechanical appliances, equipment and systems shall be constructed, installed and maintained in accordance with the Bernalillo County Mechanical Code. Masonry chimneys, fireplaces and barbeques shall comply with the Bernalillo County Mechanical Code and Chapter 21 of this code.

CHAPTER 29
PLUMBING SYSTEM

2901.1 Scope. The provisions of this chapter and the Bernalillo County Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the Bernalillo County Plumbing Code. Private sewage disposal systems shall conform to the Bernalillo County Plumbing Code.

CHAPTER 34
EXISTING STRUCTURES

3401.1 Scope. The provisions of this chapter as well as those of the International Existing Building Code shall control the alteration, repair, addition and change of occupancy of existing structures. Where there is conflict between this chapter and the IEBC, the more restrictive shall apply.

RESIDENTIAL BUILDING CODE

CHAPTER 3
BUILDING PLANNING

SECTION R301
DESIGN CRITERIA

<table>
<thead>
<tr>
<th>TABLE R301.2(1)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA</strong></td>
</tr>
<tr>
<td>GROUND SNOW LOAD</td>
</tr>
<tr>
<td>------------------</td>
</tr>
<tr>
<td>20 90/76a</td>
</tr>
</tbody>
</table>

a. First number is max wind speed for 3 second burst; second number is maximum sustained wind speed.

b. first number is frost depth west of the mountain; second number is frost depth on east side of mountain.
SECTION R302
FIRE-RESISTANT CONSTRUCTION

R302.2 Townhouses.

Exception: Where a townhouse is equipped with an automatic residential fire sprinkler system, a common 1-hour fire resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall extend to and be tight against the exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with the Bernalillo County Electrical Code. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

R302.5.1 Opening Protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with self-closing, tight-fitting solid wood doors not less than 1 3/8 inches in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches thick or self-closing, tight-fitting 20-minute fire-rated doors.

Table R302.6
DWELLING/GARAGE SEPARATION

<table>
<thead>
<tr>
<th>SEPARATION</th>
<th>MATERIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>From the residence and attics</td>
<td>Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side</td>
</tr>
<tr>
<td>From all habitable rooms above the garage</td>
<td>Not less than 5/8-inch Type X gypsum board or equivalent applied to the interior side of exterior walls that are within this area</td>
</tr>
<tr>
<td>Structure(s) supporting floor/ceiling assemblies used for separation required by this section</td>
<td>Not less than 5/8-inch gypsum board or equivalent</td>
</tr>
<tr>
<td>Garages located less than 3 feet from a dwelling unit on the same lot</td>
<td>Not less than 5/8-inch gypsum board or equivalent</td>
</tr>
</tbody>
</table>

SECTION R309
GARAGE AND CARPORTS

R309.1 Floor Surface. Garage floor surfaces shall be of approved noncombustible material. The area of floor used for parking of automobiles or other vehicles shall be sloped a minimum of 1 percent to facilitate the movement of liquids to a drain or toward the main vehicle entry doorway. The approach apron shall be recessed a minimum ¾ inch at the vehicle doorways to prevent entry of storm water into the garage.

SECTION R313
AUTOMATIC FIRE SPRINKLER SYSTEMS

R313.1 Townhouses and R313.2 One- and two-family dwellings automatic fire sprinkler systems. The requirement for fire sprinkler systems in townhouses and one- and two-family dwellings shall be determined by the Bernalillo County Fire Department, Fire Prevention Bureau and shall be subject to the International Fire Code as amended and adopted by the Bernalillo County Fire Department.
CHAPTER 4
FOUNDATIONS

SECTION R401
GENERAL

R401.4 Soil tests. Where quantifiable data created by accepted soil science methodologies indicate expansive, compressible, shifting, or other questionable soil characteristics are likely to be present, a soil test to determine the soil’s characteristics at a particular location shall be performed. This test shall be done by an approved agency using an approved method.

CHAPTER 6
WALL CONSTRUCTION

SECTION R602
WOOD WALL FRAMING

R602.1.3 Structural log members. Stress grading of structural log members of nonrectangular shape, as typically used in log buildings, or native timber such as rough sawn beams and vigas, as typically used in southwestern architecture, shall be in accordance with ASTM D 3957. Such structural members shall be identified by the grade mark of an approved lumber grading or inspection agency. In lieu of a grade mark, on the material, a certificate of inspection as to species and grade, issued by a lumber-grading or inspection agency meeting the requirements of this section, shall be permitted to be accepted.

R602.3.4 Bottom (sole) plate. Studs shall have full bearing on a nominal 2-by or larger plate or sill having a width at least equal to the width of the studs. A 2-by-6 or wider exterior wall plate or sill may be cantilevered a maximum of 1 ½ inches from edge of concrete to accommodate slab-on-grade perimeter insulation as long as the remaining bearing is sufficient for the structural load imposed on it. Anchor bolts shall be a minimum of 2 inches from the exterior edge of the concrete.

CHAPTER 7
WALL COVERING

SECTION R703
EXTERIOR COVERING

R703.6.2 Plaster.

Exception: Exterior plaster may be continued below the weep screed to below grade provided there is a complete break in the drainage plane of the building at the location of the horizontal weep screed. Weep holes in the screed shall not be plugged during the application of plaster materials used to cover foundation insulation.

R703.6.2.1 Weep screeds. When an approved acrylic based exterior finish stucco system or acrylic based color coat is applied, a minimum 0.019 inch (No. 26 galvanized sheet gage), corrosion resistant weep screed or plastic weep screed, with a minimum vertical attachment flange of 3 ½ inches shall be provided at or below the foundation plate line on exterior stud walls in accordance with ASTM C 926. The weep screed shall be placed a minimum of 4 inches above the earth or ½ inch above paved areas and shall be of a type that will allow trapped water to drain to the exterior of the building. The weather-resistant barrier shall lap the attachment flange. The exterior lath shall cover
CHAPTER 9
ROOF ASSEMBLIES

R903.2.3 Plaster to roof separation. A reglet and, weep screed or an approved metal flashing shall be applied where all stucco wall surfaces terminate at a roof.

R903.3 Coping. Plastered parapets shall require a seamless but permeable waterproof cover or weather barrier, capping the entire parapet and wrapping over each side. The cover shall extend past any break from the vertical a minimum of four (4) inches on the wall side. On the roof side, the cover shall properly lap any rising roof felts or membranes and be properly sealed. A layer of expanded metal lath shall be installed over the cover before plaster or stucco is applied. The lath shall extend past any break from the vertical on the wall side a minimum of five (5) inches and on the roof side, the same distance as the cover below, allowing for plaster stops or seals. No penetrating fasteners are allowed on the horizontal surface of parapets.

CHAPTER 11
ENERGY EFFICIENCY

N1101
GENERAL

Delete this chapter of the IRC in its entirety and see the Bernalillo County Energy Conservation Code.

CHAPTER 12 thru 24
MECHANICAL SYSTEMS

Delete these chapters of the IRC in their entirety and see the Bernalillo County Mechanical Code.

CHAPTER 25 thru 33
PLUMBING SYSTEMS

Delete these chapters of the IRC in their entirety and see the Bernalillo County Plumbing Code.

CHAPTER 34 thru 43
ELECTRICAL SYSTEMS

Delete these chapters of the IRC in their entirety and see the Bernalillo County Electrical Code.

2009 NEW MEXICO EARTHEN MATERIALS BUILDING CODE

The provisions of this code have been adopted without amendment.
2009 NEW MEXICO NON-LOAD BEARING STRAW CONSTRUCTION
BUILDING STANDARD

The provisions of this code have been adopted without amendment.

ELECTRICAL CODE

CHAPTER 1
GENERAL

ARTICLE 110
Requirements for Electrical Installations

110.2 Approval. The conductors and equipment required or permitted by this code shall be
acceptable only if approved.

110.2.1 Product Listing and Labeling. Electrical wiring, equipment or material
approval shall
Be based on listing and labeling by a nationally recognized testing laboratory recognized
by the federal occupational safety and health administration.

110.2.2 Field Evaluation. Electrical wiring, equipment or material that is not listed
and labeled, but for which a (UL) safety standard exists may be approved upon
certification by a nationally recognized testing laboratory recognized by the federal
occupational safety and health administration or by a field evaluation body accredited by
the International Accreditation Service, Inc.

110.2.3 Engineer Certification. Electrical wiring, equipment or material for which a
(UL) safety standard does not exist may be approved upon certification by an electrical
engineer licensed to practice in the State of New Mexico; such a certification will not be
valid unless based on a verification of the manufacturer’s safety and performance test
data for the product.

110.21.1 Warning Sign. All equipment used on circuits over 300 volts between conductors
shall have a warning sign either on or adjacent to the equipment. Warning signs shall be made in
accordance with ANSI Z535 environmental and safety signs. The language shall read:

1. For voltages over 300 volts but less than 600 volts the warning label shall be minimum of
one (1) inch by four (4) inches and read:

"480 VOLTS"

1. For voltages over 600 volts and there are exposed parts volts the warning label shall be
minimum of one (1) inch by four (4) inches and read:

"DANGER - HIGH VOLTAGE - KEEP OUT"

110.26 Spaces About Electrical Equipment.

(E) Headroom. Disconnects that do not provide over-current, overload, short circuit, or
ground fault protection are not required to maintain the dimensions of 110.26(A)(1),
(A)(2) and (A)(3) where adequate space is not readily available and the disconnect is
permanently labeled"
“INADEQUATE WORKING SPACE-DO NOT WORK ON WHILE ENERGIZED”

CHAPTER 2
WRITING AND PROTECTION

ARTICLE 210
Branch Circuits

210.11 Branch Circuits Required.

(A) Number of Branch Circuits. The minimum number of branch circuits shall be determined from the total calculation load and the size or rating of the circuits used. In all installations, the number of circuits shall be sufficient to supply the load served. In no case shall the load on any circuit exceed the maximum specified by 2208.18. In dwelling occupancies, circuits for general purpose receptacles shall be limited to a maximum of ten (10) current consuming outlets. Single and duplex receptacle outlets are considered to be one current consuming outlet.

Exception: Circuits serving only lighting loads may be calculated per article 220 of the National Electrical Code.

(C) Dwelling Units.

(1) Small-Appliance Branch Circuits. In addition to the number of branch circuits required by other parts of this section, two or more 20-ampere small-appliance branch circuits shall be provided for all receptacle outlets specified by 210.52(B). Not more than four (4) current consuming outlets shall be connected to these circuits. Single and duplex receptacle outlets are considered to be one current consuming outlet.

Exception: Small appliance circuits that supply only dining area receptacles may serve not more than six (6) receptacle outlets.

210.19 Conductors – Minimum Amperage and Size.

(A) Branch Circuits Not More Than 600 Volts.

(1) General. Branch-circuit conductors shall have an amperage not less than the maximum load to be served. Where a branch circuit supplies continuous loads or any combination of continuous and noncontinuous loads, the minimum branch-circuit conductor size, before the application of any adjustment or correction factors, shall have an allowable amperage not less than the noncontinuous load plus 125 percent of the continuous load. Conductors for branch circuits shall be excessive voltage drop. Conductors of 15 ampere 120V branch circuits supplying general-purpose receptacle outlets shall be not less than 12 AWG.

210.52 Dwelling Unit Receptacle Outlets.

(G) Basements and Garages.

(3) Receptacle outlets must be installed a minimum of eighteen (18) inches above finished floor, in attached or detached garages.
ARTICLE 225
Outside Branch Circuits and Feeders

225.19 Clearance from Buildings for Conductors of Not Over 600 Volts, Nominal.

(A) Above Roofs. Overhead spans of open conductors and open multi-conductor cables shall be per this section of the National Electric Code except that Exception 2 has been deleted; or shall comply with the local serving utility requirements.

225.32 Location. The disconnecting means shall be installed at a readily accessible location. Where the disconnecting means is located outside the building or structure served, the disconnecting means enclosure shall be installed within ten (10) feet from the building or structure and visible, or on the exterior wall of the building or structure served. Where the disconnecting means is installed inside the building or structure served, the disconnecting means enclosure shall be located within forty eight (48) inches from where the feeder conductor raceway enters the building or structure. For the purpose of this section, the requirements in 230.6 shall be utilized.

(Exceptions in this section of the National Electric Code are still applicable to this section)

ARTICLE 230
Services

230.24 Clearances.

(A) Above Roofs. Overhead spans of open conductors and open multi-conductor cables shall comply with the local serving utility requirements.

230.28 Service Masts as Supports. Where a service mast is used for the support of service-drop conductors, it shall be a minimum two inch (2") rigid metal conduit, intermediate metal conduit or comply with local utility requirements. Where raceway-type service masts are used, all raceway fittings shall be identified for use with service masts. Only power service-drop conductors shall be permitted to be attached to a service mast.

230.31 Size and Rating.

(A) General. Service-lateral conductors shall have sufficient ampacity to carry the current for the load as calculated in accordance with Article 220 and shall have adequate mechanical strength. Where the underground service lateral is customer owned, the service lateral conductors shall be sized to prevent excessive voltage drop. The maximum voltage drop on the service lateral conductors shall not exceed five percent (5%). For the purpose of this calculation, the ampacity shall be based on the calculated demand load of the building or structure served. Customer owned includes all non-utility owned or operated service lateral conductors.

230.43 Wiring Methods for 600 Volts, Nominal, or Less. See this section of the National Electric Code except that items 1, open wiring on insulators, 6, Electrical nonmetallic tubing, are not permitted.
230.70 General.

(A) Location.

(1) Readily Accessible Location. The service disconnecting means shall be installed at a readily accessible location. Where the disconnecting means is located outside the building or structure, the disconnecting means enclosure shall be located immediately adjacent to the meter enclosure. Where the disconnecting means enclosure is located outside the building or structure and within ten (10) feet from the building or structure, it shall not be considered a separate structure. Where the meter enclosure is located on the exterior wall of the building or structure, the service disconnecting means enclosure shall be installed at a readily accessible location and within forty eight (48) inches from the meter enclosure. Where the disconnecting means is located inside the building, the disconnecting means enclosure shall be installed at a readily accessible location within forty eight (48) inches from where the service conductor raceway enters the building or structure. Exception: bushing current transformer meter installations that are associated with the utility transformer are not required to be located in close proximity to the disconnecting means enclosure.

ARTICLE 250
Grounding and Bonding

250.56 Resistance Rod, Pipe, and Plate Electrodes. A single electrode consisting of a rod or plate shall be augmented by one additional electrode of any of the types specified by 250.52 (A) (2) through (A)(7). Where multiple rod or plate electrodes are installed to meet the requirements of this section, they shall be not less than six (6) feet apart.

Exception: A single electrode consisting of a rod or plate may be used on temporary construction services rated 200 amperes or less.

ARTICLE 300
Wiring Methods

300.14. Length of free conductors at outlets, junctions and switch points. At least six (6) inches of free conductor, measured from the point in the box where it emerges from its raceway or cable sheath, shall be left at each outlet, junction, and switch point for splices or the connection of luminaries (fixtures) or devices. Where the opening of an outlet, junction, or switch point is less than eight (8) inches in any dimension, each conductor shall be long enough to extend at least six (6) inches outside of the opening.

ARTICLE 310
Conductors for General Wiring

310.2 Conductors.

(B) Conductor Material: the use of aluminum current carrying conductors shall be of the AA-8000 series or equivalent and shall be limited to size 8 AWG or larger.

Exception: The equipment grounding conductor shall be limited to size 10 AWG or larger if in a listed cable assembly.
CONTINUATION PAGE 48, ORDINANCE NO. 2011-12
BERNALILLO COUNTY BUILDING ORDINANCE, BERNALILLO COUNTY CODE, CHAPTER 10. PROVIDING FOR PERMITTING, INSPECTION, APPEALS AND PENALTIES.

ARTICLE 314
Outlet, Device, Pull, And Junction Boxes; Conduit Bodies; Fittings; and Handhole Enclosures

314.27 Outlet Boxes.

(A) Follow the requirements in this section of the National Electric Code except that the exception to this section has been deleted.

ARTICLE 334
Nonmetallic-Sheathed Cable: Types NM, NMC and NMS

334.12 Uses not permitted.

(A) Types NM, NMC, and NMS.

(11) Type NM, NMC, or NMS shall not be installed in buildings, or structures such as stores, professional offices, motels, hotels, and other occupancies classified as commercial or industrial.

Exception: apartment houses classified as R-2.

ARTICLE 340
Underground Feeder and Branch Circuit Cable: Type UF

340.10 Uses Permitted.

(8) For use in residential straw bale construction

340.12 Uses Not Permitted.

(12) In any occupancy groups other than R-3.

ARTICLE 352
Rigid Polyvinyl Chloride Conduit: Type PVC

352.12 Uses Not Permitted.

(G) PVC conduit in raceways exposed and less than 8'-0" above finished floor or grade.

ARTICLE 358
Electrical Metallic Tubing: Type EMT

358.12 Uses Not Permitted.

(7) Underground, concrete slabs or walls that are in contact with the earth.

ARTICLE 394
Concealed Knob-and-Tube Wiring

394.12 Uses Not Permitted. Concealed knob-and-tube wiring is not permitted to be installed.
ARTICLE 422
Appliances

422.19 Evaporative Coolers. A listed raceway shall be installed during rough-in from the control point to the evaporative cooler location. The raceway shall contain an equipment-grounding conductor from the control point outlet box to the junction box at the unit. The equipment grounding conductor shall be sized in accordance with Table 250.122.

ARTICLE 550
Mobile Homes, Manufactured Homes and Mobile Home Parks

550.32 Service Equipment.

(H) Required receptacle. A 125 volt 15 or 20 amp receptacle outlet shall be installed with ground fault circuit interruption protection at each remote mobile home or manufactured home service equipment, or the local external disconnecting means permitted in 550.32 (A).

ARTICLE 800
Communications Circuits

(H) Dwelling Unit Communications Circuits. Dwelling unit communications cable assemblies shall be a minimum of 4-pair No. 24 AWG conductors. Each 4 pair cable shall serve not more than three telephone outlets. Conductors shall terminate in a listed box or on a terminal block near the electrical service or location of telephone service. Any exterior wall penetration shall be installed in a listed raceway.

MECHANICAL CODE

CHAPTER 4
VENTILATION AIR SUPPLY

SECTION 405
Evaporative Cooling Systems

405.3 Installation. Barometric relief dampers shall be installed on all new residential evaporative cooling systems to allow conditioned air from occupied spaces to exit the occupied space through a discreet opening in the ceiling, allowing the required air change to pass through the attic space to the outdoors. The authority having jurisdiction shall determine whether relief dampers shall be required on retrofits. Barometric relief dampers shall not be required on flat roof construction. Water saving or water management pumps shall be installed on all new and replaced evaporative coolers.

CHAPTER 5
EXHAUST SYSTEMS

SECTION 511
AIR MOVEMENT

511.3 Replacement Air. Replacement air quantity shall be adequate to prevent negative pressures in the commercial cooking area(s) from exceeding 0.02 inch water column (4.98 kPa). When its fire-extinguishing system discharges, makeup air supplied internally to a hood shall be shut off. Windows and doors shall not be used for the purpose of providing replacement air. The
exhaust and replacement air systems shall be connected by an electrical interlocking switch.

When using equipment that is not listed for make-up air, a device to sense continued air
movement within the replacement air plenum shall be installed initiating a complete system shut-
down if air-flow is interrupted.

CHAPTER 6
DUCT SYSTEMS

SECTION 604
INSTALLATION OF DUCTS

604.3 Factory-made Air Ducts. The use of flexible ducts shall be limited to supply- and
return-air run-outs not longer than twelve (12) feet in length. Flexible duct shall not be used for
the main supply or return-air plenum.

SECTION 605
INSULATION OF DUCTS

Supply-, return-air ducts and plenums of a heating or cooling system shall be insulated to achieve
the minimum R-value as set forth in the Bernalillo County Energy Conservation Code.

Exception: Duct work located in exterior walls or exterior to the thermal envelope shall
be insulated the same R-value or greater than that required for the exterior walls of the
building.

CHAPTER 9
INSTALLATION OF SPECIFIC APPLIANCES

SECTION 907
DECORATIVE APPLIANCES FOR INSTALLATION IN VENTED FIREPLECES

907.4 Gas Logs. Approved gas logs may be installed in solid fuel burning fireplaces, provided:

1. The gas log is installed in accordance with the manufacturer’s installation instructions
2. If the fireplace is equipped with a damper, it shall be permanently blocked open by
welding or cutting a hole of sufficient size to prevent spillage of combustion products into
the room. On eight (8) inch and smaller flues, the damper shall be removed.
3. The minimum flue passageway shall not be less than 1 square inch per 2000 Btu/h input.
4. Gas logs shall be equipped with a pilot and listed safely shutoff valve.
5. The use of flexible gas connections shall not be permitted within a firebox, unless it is
part of the listed gas log assembly.
6. Factory built fireplaces shall be approved for installation of gas logs and provided with a
means of installing the gas piping.
7. All gas outlets located in a barbecue or fireplace shall be controlled by an approved
separating valve located in the same room and outside the hearth, but not less than six
(6) feet from such outlets.

SECTION 904
CENTRAL HEATING BOILERS AND FURNACES

904.10.2 Add exception to the end of this section.

Exception: Except those buildings designated as R-3 occupancy.
SECTION 928
WALL FURNACES

928.2 Location. Wall furnaces shall be located so as not to cause a hazard to walls, curtains, furniture, or doors. Wall furnaces installed between bathrooms and adjoining rooms shall not circulate air from bathrooms to other parts of the building. Unlisted wall furnaces shall be installed with clearance to combustibles of not less than eighteen (18) inches.

CHAPTER 13
FUEL GAS PIPING

SECTION 1309
Gas Piping System Design, Material, and Components

1309.5.2.3 Copper and brass pipe shall not be used. Threaded aluminum alloy pipe shall not be used with gases corrosive to such material.

1309.5.3.2 Copper and brass pipe shall not be used.

SECTION 1312
Gas Piping Installation

1312.1.2 Protection Against Damage

A) Cover Requirements. Underground piping systems shall be installed with a minimum of 18 inches (460 mm) of cover. Where a minimum of 18 inches (460 mm) of cover cannot be provided, the pipe shall be installed in conduit or bridged (shielded).

1312.13 Electrical Bonding and Grounding. Electrical bonding of gas piping to be per Bernalillo County Electrical Code.

PLUMBING CODE

CHAPTER 4
PLUMBING FIXTURES AND FIXTURE FITTINGS

SECTION 402
WATER-CONSERVING FIXTURES AND FITTINGS

402.3.1 Nonwater urinals. Nonwater urinals shall be listed and comply with the applicable standards in Table 14-1. Nonwater urinals shall have a barrier liquid sealant to maintain a trap seal. Nonwater urinals shall be located on the downstream side of a frequently used water-using fixture. Nonwater urinals shall permit the uninhibited flow of waste through the urinal to the sanitary drainage system. Nonwater urinals shall be cleaned and maintained in accordance with the manufacturer's instructions after installation. Where nonwater urinals are installed they shall have a water distribution line rough-in and sanitary drain rough-in to the closet (toilet) location in the event of a retrofit.
SECTION 405
PROHIBITED FIXTURES

405.3 Fixed wooden, or tile wash trays or sinks for domestic use shall not be installed in any
designated for human habitation. No sheet metal-lined wooden bathtub shall be installed
or reconnected. No dry or chemical closet (toilet) shall be installed in any building used for
human habitation, unless first approved by the Environmental Health Department. Where dry or
chemical closets (toilets) are installed they shall have a water distribution line rough-in to the
urinal location to allow for the installation of an approved backflow prevention device in the event
of a retrofit.

SECTION 412
MINIMUM NUMBER OF REQUIRED FIXTURES

412.1 Multilevel Fixture count. Plumbing fixtures shall be provided for the type of occupancy
and in the minimum number shown in Table 2902.1 in Chapter 29 of the International Building
Code. Types of occupancies not shown in Table 2902.1 shall be considered individually by the
building official. The number of occupants shall be determined by this code. Occupancy
classification shall be determined in accordance with Chapter 3 of the International Building
Code.

CHAPTER 5
WATER HEATERS

SECTION 508
OTHER WATER HEATER INSTALLATION REQUIREMENTS

508.14 Installation in Residential Garages. Gas utilization appliances in residential garages
and in adjacent spaces that open to the garage and are not part of the living space of a dwelling
unit shall be installed so that burners and burner-ignition devices are located not less than
eighteen (18) inches above the floor.

SECTION 508
OTHER WATER HEATER INSTALLATION REQUIREMENTS

509.3.3 Add exception to the end of this section.

Exception: Except those buildings designated as R-3 occupancy.

CHAPTER 7
WATER SUPPLY AND DISTRIBUTION

SECTION 704
Fixture Connections (Drainage)

704.3 Pot sinks, scullery sinks, dishwashing sinks, silverware sinks, commercial dishwashing
machines, silverware washing machines, and other similar fixtures shall not be connected directly
to the drainage system. Such equipment or fixtures shall be drained by means of indirect waste
pipes, as defined in chapter 2 of the UPC, and all wastes drained by them shall discharge through
an air gap into an open floor sink or other approved type receptor that is properly connected to
the drainage system. Food waste disposal units shall be connected directly to the drainage
system. A floor drain shall be provided adjacent to the disposal unit, and the disposal unit shall
be connected on the sewer side of the floor drain trap, provided that no other drainage line is
connected between the floor drain waste connection and the disposal unit drain. The floor drain
shall be trapped and vented as required in this code

CHAPTER 12
FUEL PIPING

SECTION 1209
Gas Piping System Design, Material, and Components

1209.5.2.3 Copper and brass pipe shall not be used. Threaded aluminum alloy pipe shall not be
used with gases corrosive to such material.

1209.5.3.2 Copper and brass pipe shall not be used.

SECTION 1211
Gas Piping Installation

1211.1.2 Protection Against Damage

A) Underground piping systems shall be installed with a minimum of 18 inches (460
mm) of cover. Where a minimum of 18 inches (460 mm) of cover cannot be
provided, the pipe shall be installed in conduit or bridged (shielded).

1211.15 Electrical Bonding and Grounding. Electrical bonding of gas piping to be per
Bernalillo County Electrical Code.
CONTINUATION PAGE 54, ORDINANCE NO. 2011-12
BERNALILLO COUNTY BUILDING ORDINANCE, BERNALILLO COUNTY CODE, CHAPTER 10. PROVIDING FOR PERMITTING, INSPECTION, APPEALS AND PENALTIES.

Done this 14 of June 2011.

BOARD OF COUNTY COMMISSIONERS

Maggie Hart Stebbins, Chair

Art De La Cruz, Vice Chair

EXCUSED

Michelle Lujan Grisham, Member

Michael C. Wiener, Member

Wayne A. Johnson, Member

APPROVED AS TO FORM:

Jeffrey S. Landers, County Attorney
Date: 6/14/11

ATTEST:

Maggie Touhouse Oliver, County Clerk
Date: 6/14/11