

ORDINANCE 3050; COUNCIL BILL 24-008

AN ORDINANCE REPEALING AND REPLACING DIVISION 17- BUILDING STANDARDS OF CHAPTER 30, BUILDINGS AND BUILDING REGULATIONS OF THE LAS CRUCES MUNICIPAL CODE TO ADOPT THE 2021 BUILDING CODES, AS AMENDED, AND AS ADOPTED BY THE STATE OF NEW MEXICO CONSTRUCTION INDUSTRIES DIVISION.

The City Council is informed that:

WHEREAS, in March 2023, the State adopted the 2021 International Building Codes (IBC, IRC, IEBC, UPC, UMC, IPMC, IFC, 2020 NEC, 2018 IECC) and mandates their use for building permits issued after March 31, 2024; and

WHEREAS, the amendment adopts the regulations and standards as necessary to properly regulate construction activities in the City of Las Cruces; and

WHEREAS, the amendment will result in consistency between the State and the City regarding construction regulations; and

WHEREAS, the amendment is in accordance with the Construction Industries Licensing Act (CILA) and NMSA 1978, Section 3-17-6.

NOW, THEREFORE, Be it Ordained by the Governing Body of the City of Las Cruces:

(I)

THAT Section 30-721, General Provisions, of Chapter 30 of the Las Cruces Municipal Code is hereby amended as shown on Exhibit "A", attached hereto and made part of this Ordinance.

(II)

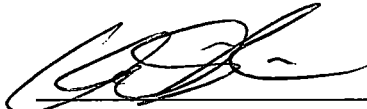
THAT the adoption of the 2021 codes will become effective March 31, 2024.

(III)

THAT City staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

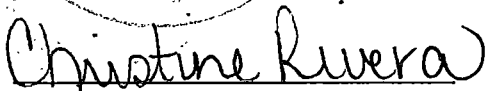
DONE AND APPROVED this 20 day of November 2023

APPROVED



Mayor

ATTEST:



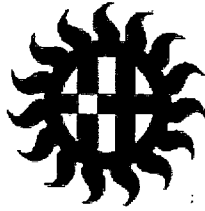
City Clerk

Moved by: Becki Graham

Seconded by: Becky Corran

AYES Kasandra Gandara, Ken Miyagishima, Yvonne Flores, Johana Bencomo, Becki Graham,
Becky Corran, Tessa Abeyta

NAYS



**3050; Council
Bill 24-008**

City Council Action and Executive Summary

Type of Action:

☐ Resolution

☒ Ordinance

☐ TIDD Resolution

District: ☒ 1 ☒ 2 ☒ 3 ☒ 4 ☒ 5 ☒ 6 ☐ N/A

1st Reading: November 6, 2023

Adopted:

November 20, 2023

Drafter: Larry Nichols

Department:

Community Development

Program: Building Safety

Line of Business:

Las Cruces Development
Center

Title: AN ORDINANCE REPEALING AND REPLACING DIVISION 17- BUILDING STANDARDS OF CHAPTER 30, BUILDINGS AND BUILDING REGULATIONS OF THE LAS CRUCES MUNICIPAL CODE TO ADOPT THE 2021 BUILDING CODES, AS AMENDED, AND AS ADOPTED BY THE STATE OF NEW MEXICO CONSTRUCTION INDUSTRIES DIVISION.

TYPE OF ACTION: ☐ Administrative ☒ Legislative ☐ Quasi-Judicial

PURPOSE(S) OF ACTION:

To adopt updated NM 2021 Building Codes.

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

Residential and Commercial construction in Las Cruces currently apply the 2015 International Building Code and Residential Building Code and have found that those standards have contributed to building safe and sustainable structures. The 2021 International Building Codes will further enhance those best practices.

Public outreach included four meetings with the Las Cruces Home Builders Association (LCHBA) Government Affairs Committee, in March, May, July, and September of 2023, that discussed the forthcoming 2021 Building Code update adoption. Additionally, a public forum on September 28, 2023, was held at the LCHBA Event Room. The Community Development Department (CDD) has an announcement posted on the CDD web page.

The State of New Mexico's Regulation and Licensing Department - Construction Industries Division is the governing body for construction regulations and standards for all jurisdictions within New Mexico. In May 2023 the state adopted the 2021 International Residential Code (IRC), the 2021 International Building Code (IBC), and other related codes which will be in effect for building permits issued after March 31, 2024. To remain in compliance the City will be required to adopt the building codes as shown in Exhibit "A".

SUPPORT INFORMATION:

Exhibit "A" - Building Standards (update version)

Attachment "B" - Building Standards (redline version)

PLAN(S):

Department Strategic Business Plan

COMMITTEE/BOARD REVIEW:

None

DOES THIS AMEND THE BUDGET?:

☐ Yes

☒ No

Does this action amend the Capital Improvement Plan (CIP)?

☐ Yes

☒ No

Does this action align with Elevate Las Cruces?

☒ Yes

☐ No

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; will adopt 2021 building codes and maintain compliance with state rules.
2. Vote "No"; will not approve the ordinance therefore the City's code will not be consistent with the State mandate and permits cannot be issued after March 31, 2024.
3. Vote to "Amend"; will amend the ordinance, as proposed, and require direction from City Council.
4. Vote to "Table", will delay the ordinance, require direction from City Council, will not be consistent with the State mandate and permits cannot be issued after March 31, 2024.

DIVISION 17. - BUILDING STANDARDS

Sec. 30-721. - General provisions.

(A) The following constitute, or are adopted by reference, as rules, regulations, and/or standards of the city building code and as further amended by this rule:

(1) 2021 International Building Code, as adopted by NMAC 14.7.2.8—14.7.2.45 (effective 7-14-23) excluding:

14.7.2.9 A (2), B (1-5), C-P.

(2) 2021 International Residential Code, as adopted by NMAC 14.7.3.8 - 14.7.3.28 (effective 7-14-23) excluding:

14.7.3.9 B (1-3), (6-7), C-N.

14.7.3.10 B (1-2).

14.7.3.11 G

14.7.3.22 add "Except that Section 2904 may be used to design fire sprinkler systems."

(3) 2018 International Energy Conservation Code, as adopted by NMAC 14.7.6.8—14.7.6.14 and NMAC 14.7.9.8—14.7.9.14 (effective 9-25-20) excluding:

14.7.6.9 A (1-3), C-G, I-J.

14.7.9.9 A (1-3), C-H, J-K

(4) 2021 International Existing Building Code, as adopted by NMAC 14.7.7.8—17.7.7.24 (effective 7-14-23) excluding:

14.7.7.9 A (1-3), B (1-3), (5), C-Q.

14.7.7.10 C

(5) 2021 New Mexico Earthen Building Materials Code, as adopted by NMAC 14.7.4 (effective 7-14-23) excluding:

14.7.4.2

(6) 2021 New Mexico Historic Earthen Buildings, as adopted by NMAC 14.7.8 (effective 7-14-23) excluding:

14.7.8.2.

(7) 2020 National Electric Code, as adopted by NMAC 14.10.4.8—14.10.4.21 (effective 3-28-23).

(8) 2021 Uniform Plumbing Code, as adopted by NMAC 14.8.2.8—14.8.2.30 (effective 3-10-22) excluding:

14.8.2.9

14.8.2.10 A,

14.8.2.11

(9) 2012 New Mexico Swimming Pool, Spa and Hot Tub Code, as adopted by NMAC 14.8.3.8—14.8.3.15 (effective 5-1-15) excluding:

14.8.3.9

14.8.3.10 A

(10) 2021 Uniform Mechanical Code, as adopted by NMAC 14.9.2.8—14.9.2.28 (effective 3-10-22) excluding:

14.9.2.9

14.9.2.10 A

(11) 2012 Uniform Solar Energy Code, as adopted by NMAC 14.9.6.8—14.9.6.21 (effective 5-1-15) excluding:

14.9.6.9 A G

(12) Accessible and Usable Buildings and Facilities, ICC/ANSI A117.1 2017, published by the American National Standards Institute, Inc.

(13) 2021 International Property Maintenance Code, published by the International Code Council.

(14) 2021 International Solar Energy Provisions, published by the International Code Council, is adopted as a code reference.

(15) 2021 International Fire Code, as amended by the City of Las Cruces.

(16) Design Standards, Chapter 32 LCMC, 1997 as amended, is adopted by reference.

(17) Current edition City of Las Cruces Standards for Roadway Construction, as amended.

(18) Current edition Las Cruces Utility Standards, as amended.

(19) Construction Site Materials (disposal), Sections 25-186 through 25-194, LCMC, 1997, as amended.

(20) National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C. 5401 et seq.)

(21) Housing and Urban Development Zone Code II.

(22) Manufactured Housing Act (Chapter 60, Article 14 NMSA 1978).

(23) Any and all other sections of the Las Cruces Municipal Code (LCMC, 1997), as amended, that pertain to construction.

(B) Copies on file. True and correct copies of the codes, specifications and standards comprising the building code for the city, as amended, are on file and available for public examination during normal

business hours of the city at the Community Development Department, City Hall, located at 700 N. Main Street.

Sec. 30-722. - Amendments.

(A) 2021 International Building Code. The Building Code adopted by reference in subsection 30-721(A),(1) is amended, altered and changed as follows:

- (1) Section 101 "General" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (2) Section 103 "Code Compliance Agency" exclude in its entirety.
- (3) Section 104 "Duties and Powers of the Building Official" See this Section ~~and~~ of the IBC and Chapter 30, LCMC 1997, as amended.
- (4) Section 105 "Permits" exclude in its entirety except for 105.2.1 through 105.2.3 and see Chapter 30, LCMC 1997, as amended.
- (5) Section 107 "Construction Documents" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (6) Section 110 "Inspections" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (7) Section 111 "Certificate of Occupancy" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (8) Section 112.3 "Authority to disconnect service utilities" is amended to read as follows:
The building official shall have the authority to authorize disconnection of utility of service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 30-721, LCMC 1997, as amended, in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section 112.1 or 112.2. The building official shall notify the service utility, and wherever possible the owner and occupant of the building, structure, or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure, or system shall be notified in writing, as soon as practical thereafter.
- (9) Section 113 "Means of Appeals" is excluded in its entirety and see Chapter 30, LCMC 1997, as amended.
- (10) Section 3305 "Sanitary" is amended to read as follows:
New construction and additions/alterations shall have on-site portable bathroom facilities for each project. If owners and/or contractors wish to share facilities, a request in writing, submitted for approval by the Building Official, is required. Exception: Whenever arrangements have been made with the property owner, persons working on additions/alterations may use existing on-site facilities.

(B) 2021 International Residential Code. The Residential Code adopted by reference in subsection 30-721(A),(2) is amended, altered and changed as follows:

- (1) Section R101 "General" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (2) Section R103 "Department of Building Safety" exclude in entirety and see Chapter 30, LCMC 1997, as amended.
- (3) Section R104 "Duties and Powers of the Building Official" See this Section and of the IBC and Chapter 30, LCMC 1997, as amended.

- (4) Section R105 "Permits" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (5) Section R106 "Construction Documents" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (6) Section R109 "Inspections" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (7) Section R110 "Certificate of Occupancy" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (8) Section R111.3 "Authority to disconnect service utilities" is amended to read as follows:
The building official shall have the authority to authorize disconnection of utility of service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 30-721, LCMC 1997, as amended, in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section R111.1 or R111.2. The building official shall notify the service utility, and wherever possible the owner and occupant of the building, structure, or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure, or system shall be notified in writing, as soon as practical thereafter.
- (9) Section R112 "Board of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (10) [Table R301.2(1).]

TABLE R301.2(1)

CLIMATE AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load	Wind Design			Seismic Design Category	Subject To Damage From		
5 psf	Speed (mph)	Topographic Effects	Wind- borne debris zone	C	Weathering	Frost Line Depth	Termite
	115	No	No		Negligible	6"	Moderate— Heavy

Winter Design Temp	Ice Barrier Underlayment	Flood Hazard	Air Freezing Index	Mean Annual Temp
18	No	See flood map	134	58.3

- (11) Section R318 "Protection Against Termites" is amended to read "Protection Against Termites and Pests" and further amended as follows:
R318.3 "Barriers" See the IRC and add the following to the end of the section: All penetrations within a slab on grade foundation shall be sealed in a manner to prevent the infestation of termites or other pests to include vermin into the interior of the structure.

- (12) Section R319 "Site Addresses" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (C) 2018 International Energy Conservation Code. The International Energy Conservation Code adopted by reference is amended, altered and changed as follows:
- (1) Section 103 "Construction Documents" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (2) Section 105 "Inspections" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (3) Section 109 "Board of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (D) 2021 International Existing Building Code. The International Existing Building Code adopted by reference is amended, altered and changed as follows:
- (1) Section 103 "Code Compliance Agency" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (2) Section 105 "Permits" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (3) Section 106 "Construction Documents" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (4) Section 109 "Inspections" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (5) Section R111.3 "Authority to disconnect service utilities" is amended to read as follows:
The building official shall have the authority to authorize disconnection of utility of service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 30-721, LCMC 1997, as amended, in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section R111.1 or R111.2. The building official shall notify the service utility, and wherever possible the owner and occupant of the building, structure, or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure, or system shall be notified in writing, as soon as practical thereafter.
 - (6) Section 112 "Means of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (7) Add Section 1201.1.1 Buildings of Historic Value. Buildings constructed in the Las Cruces Downtown Tax Increment Development District and Amador Proximo area prior to January 1, 1970 shall be considered buildings of historic value to the City of Las Cruces. These buildings shall qualify for all exceptions and preservation protocols established by this Chapter.
- (E) 2021 Uniform Plumbing Code. The Uniform Plumbing Code adopted by reference is amended, altered and changed as follows:
- (1) Section 104.0 "Permits" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (2) Section 105.0 "Inspections and Testing" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (3) Section 106.0 "Violations and Penalties" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.

- (4) Section 107.0 "Board of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (5) Table 104.5 "Plumbing Permit Fees" exclude in its entirety.
- (F) 2021 Uniform Mechanical Code. The Uniform Mechanical Code adopted by reference is amended, altered and changed as follows:
 - (1) Section 104.0 "Permits" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (2) Section 105.0 "Inspections and Testing" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (3) Section 106.0 "Violations and Penalties" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (4) Section 107.0 "Board of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (5) Table 104.5 "Mechanical Permit Fees" exclude in its entirety.
- (G) 2012 Uniform Swimming Pool, Spa & Hot Tub Code. The Uniform Swimming Pool, Spa & Hot Tub Code adopted by reference is amended, altered and changed as follows:
 - (1) Section 104.0 "Permits" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (2) Section 105.0 "Inspections and Testing" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (3) Section 106.0 "Violations and Penalties" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (4) Section 107.0 "Board of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (5) Table 104.5 "Swimming Pool, Spa and Hot Tub Permit Fees" exclude in its entirety.
- (H) 2012 Uniform Solar Energy Code. The Uniform Solar Energy Code adopted by reference is amended, altered and changed as follows:
 - (1) Section 104.0 "Permits" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (2) Section 105.0 "Inspections and Testing" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (3) Section 106.0 "Violations and Penalties" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (4) Section 107.0 "Board of Appeals" exclude in its entirety and see Chapter 30 LCMC, 1997 as amended.
 - (5) Table 104.5 "Solar Permit Fees" exclude in its entirety.
- (I) 2021 International Property Maintenance Code. The International Property Maintenance Code adopted by reference in 30-721,(A) is amended, altered, and changed as follows:
 - (1) Section 102.3 "Application of Other Codes" interpret all references to the International Plumbing Code, the International Mechanical Code, and the International Zoning Code to be references to the corresponding codes adopted in LCMC, 1997 as amended.
 - (2) Section 103 "Code Compliance Agency" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (3) Section 107 "Means of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (4) Section 108 "Board of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.

- (5) Section 304.14 "Insect Screens" strike the words "During the period from [DATE] to [DATE],".
- (6) Section 602.3 "Heat Supply" replace the first [DATE] with November 1 and the second [DATE] with April 1.
- (7) Section 602.4 "Occupiable Work Spaces" replace the first [DATE] with November 1 and the second [DATE] with April 1.
- (8) Appendix A "Boarding Standard" is hereby adopted with this rule.

DIVISION 17. - BUILDING STANDARDS

Sec. 30-721. - General provisions.

(A) The following constitute, or are adopted by reference, as rules, regulations, and/or standards of the city building code and as further amended by this rule:

(1) ~~2015~~2021 International Building Code, as adopted by NMAC 14.7.2.8—14.7.2.445 (effective ~~11-15-16~~ 7-14-23) excluding:

14.7.2.9 A (2), ~~(5)-(f)~~, B (1-5), C-~~OP~~.

(2) ~~2015~~2021 International Residential Code, as adopted by NMAC 14.7.3.8 - 14.7.3.28 (effective ~~11-15-16~~ 7-14-23) excluding:

14.7.3.9 B (1-3), (6-7), C-N.

14.7.3.10 B (1-2).

14.7.3.11 G

14.7.3.22 add "Except that Section 2904 may be used to design fire sprinkler systems."

(3) 2018 International Energy Conservation Code, as adopted by NMAC 14.7.6.8—14.7.6.14 and NMAC 14.7.9.8—14.7.9.14 (effective 9-25-20) excluding:

14.7.6.9 A (1-3), C-~~EG~~, ~~G-I-J~~.

14.7.9.9 A (1-3), C-H, J-K

(4) ~~2015~~2021 International Existing Building Code, as adopted by NMAC 14.7.7.68—17.7.7.24 (effective ~~11-15-16~~ 7-14-23) excluding:

14.7.7.9 A (1-3), B (1-3), (5), C-Q.

14.7.7.10 C ~~(1)~~.

(5) ~~2015~~2021 New Mexico Earthen Building Materials Code, as adopted by NMAC 14.7.4 (effective ~~11-15-16~~ 7-14-23) excluding:

14.7.4.2

(6) ~~2015~~2021 New Mexico Historic Earthen Buildings, as adopted by NMAC 14.7.8 (effective ~~11-15-16~~ 7-14-23) excluding:

14.7.8.2.

(7) ~~2017~~2020 National Electric Code, as adopted by NMAC 14.10.4.8—14.10.4.1121 (effective ~~2-1-18~~ 3-28-23).

(8) ~~2015~~2021 Uniform Plumbing Code, as adopted by NMAC 14.8.2.8—14.8.2.30 (effective ~~5-15-18~~ 3-10-22) excluding:

14.8.2.9

14.8.2.10 A,

14.8.2.11

(9) 2012 New Mexico Swimming Pool, Spa and Hot Tub Code, as adopted by NMAC 14.8.3.8—14.8.3.15 (effective 5-1-15) excluding:

14.8.3.9

14.8.3.10 A

(10) ~~2015~~2021 Uniform Mechanical Code, as adopted by NMAC 14.9.2.8—14.9.2.28 (effective 5-15-18 ~~3-10-22~~) excluding:

14.9.2.9

14.9.2.10 A

(11) 2012 Uniform Solar Energy Code, as adopted by NMAC 14.9.6.8—14.9.6.21 (effective 5-1-15) excluding:

14.9.6.9 A G

(12) Accessible and Usable Buildings and Facilities, ICC/ANSI A117.1-~~2009~~2017, published by the American National Standards Institute, Inc.

(13) 2021 International Property Maintenance Code, published by the International Code Council.

(14) 2021 International Solar Energy Provisions, published by the International Code Council, is adopted as a code reference.

~~(1315)~~ ~~2015~~2021 International Fire Code, as amended by the City of Las Cruces.

~~(1416)~~ (Design Standards, Chapter 32 LCMC, 1997 as amended, is adopted by reference.

~~(1517)~~ Current edition City of Las Cruces Standards for Roadway Construction, as amended.

~~(1618)~~ Current edition Las Cruces Utility Standards, as amended.

~~(1719)~~ Construction Site Materials (disposal), Sections 25-186 through 25-194, LCMC, 1997, as amended.

~~(1820)~~ National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C. 5401 et seq.)

~~(1921)~~ Housing and Urban Development Zone Code II.

~~(2022)~~ Manufactured Housing Act (Chapter 60, Article 14 NMSA 1978).

~~(2123)~~ Any and all other sections of the Las Cruces Municipal Code (LCMC, 1997), as amended, that pertain to construction.

(B) Copies on file. True and correct copies of the codes, specifications and standards comprising the building code for the city, as amended, are on file and available for public examination during normal business hours of the city at the Community Development Department, City Hall, located at 700 N. Main Street.

Sec. 30-722. - Amendments.

(A) ~~2015~~2021 International Building Code. The Building Code adopted by reference in subsection 30-721(A),(1) is amended, altered and changed as follows:

- (1) Section 101 "General" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (2) ~~Section 102 "Applicability" exclude any reference to the International Property Maintenance Code.~~
- (3) Section 103 ~~"Department of Building Safety~~Code Compliance Agency" exclude in its entirety.
- (4) Section 104 "Duties and Powers of the Building Official" See this Section ~~and~~ of the IBC and Chapter 30, LCMC 1997, as amended.
- (5) Section 105 "Permits" exclude in its entirety except for 105.2.1 through 105.2.3 and see Chapter 30, LCMC 1997, as amended.
- (6) Section 107 ~~"Submittal~~Construction Documents" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (7) Section 110 "Inspections" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (8) Section 111 "Certificate of Occupancy" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (9) Section 112.3 "Authority to disconnect service utilities" is amended to read as follows:
The building official shall have the authority to authorize disconnection of utility of service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 30-721, LCMC 1997, as amended, in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section 112.1 or 112.2. The building official shall notify the service utility, and wherever possible the owner and occupant of the building, structure, or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure, or system shall be notified in writing, as soon as practical thereafter.
- (10) Section 113 ~~"Board~~Means of Appeals" is excluded in its entirety and see Chapter 30, LCMC 1997, as amended.
- (11) Section 3305 "Sanitary" is amended to read as follows:
New construction and additions/alterations shall have on-site portable bathroom facilities for each project. If owners and/or contractors wish to share facilities, a request in writing, submitted for approval by the Building Official, is required. Exception: Whenever arrangements have been made with the property owner, persons working on additions/alterations may use existing on-site facilities.

(B) ~~2015~~2021 International Residential Code. The Residential Code adopted by reference in subsection 30-721(A),(2) is amended, altered and changed as follows:

- (1) Section R101 "General" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.

- (2) ~~Section R102 "Applicability" exclude any reference to the International Property Maintenance Code.~~
- (3) Section R103 "Department of Building Safety" exclude in entirety and see Chapter 30, LCMC 1997, as amended.
- (4) Section R104 "Duties and Powers of the Building Official" See this Section and of the IBC and Chapter 30, LCMC 1997, as amended.
- (5) Section R105 "Permits" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (6) Section R106 "Construction Documents" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (7) Section R109 "Inspections" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (8) Section R110 "Certificate of Occupancy" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (9) Section R111.3 "Authority to disconnect service utilities" is amended to read as follows:
The building official shall have the authority to authorize disconnection of utility of service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 30-721, LCMC 1997, as amended, in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section R111.1 or R111.2. The building official shall notify the service utility, and wherever possible the owner and occupant of the building, structure, or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure, or system shall be notified in writing, as soon as practical thereafter.
- (10) Section R112 "Board of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (11) [Table R301.2(1).]

TABLE R301.2(1)

CLIMATE AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load	Wind Design			Seismic Design Category	Subject To Damage From		
5 psf	Speed (mph)	Topographic Effects	Wind-borne debris zone	C	Weathering	Frost Line Depth	Termite
	115	No	No		Negligible	6"	Moderate—Heavy

Winter Design Temp	Ice Barrier Underlayment	Flood Hazard	Air Freezing Index	Mean Annual Temp
18	No	Public Works See flood map	134	58.3

- (12) Section R318 "Protection Against Termites" is amended to read "Protection Against Termites and Pests" and further amended as follows:
R318.3 "Barriers" See the IRC and add the following to the end of the section: All penetrations within a slab on grade foundation shall be sealed in a manner to prevent the infestation of termites or other pests to include vermin into the interior of the structure.
- (13) Section R319 "Site Addresses" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (C) 2018 International Energy Conservation Code. The International Energy Conservation Code adopted by reference is amended, altered and changed as follows:
- (1) Section 103 "Construction Documents" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (2) Section ~~104~~105 "Inspections" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (3) Section 109 "Board of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (D) ~~2015~~2021 International Existing Building Code. The International Existing Building Code adopted by reference is amended, altered and changed as follows:
- (1) Section 103 "~~Department of Building Safety~~Code Compliance Agency" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (2) Section 105 "Permits" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (3) Section 106 "Construction Documents" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (4) Section 109 "Inspections" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (5) Section R111.3 "Authority to disconnect service utilities" is amended to read as follows:
The building official shall have the authority to authorize disconnection of utility of service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 30-721, LCMC 1997, as amended, in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section R111.1 or R111.2. The building official shall notify the service utility, and wherever possible the owner and occupant of the building, structure, or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure, or system shall be notified in writing, as soon as practical thereafter.
 - (6) Section 112 "~~Board~~Means of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (7) Add Section 1201.1.1 Buildings of Historic Value. Buildings constructed in the Las Cruces Downtown Tax Increment Development District and Amador Proximo area prior to January 1, 1970 shall be considered buildings of historic value to the City of Las Cruces. These buildings shall qualify for all exceptions and preservation protocols established by this Chapter.
- (E) ~~2015~~2021 Uniform Plumbing Code. The Uniform Plumbing Code adopted by reference is amended, altered and changed as follows:

- (1) Section 104.0 "Permits" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (2) Section 105.0 "Inspections and Testing" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (3) Section 106.0 "Violations and Penalties" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (4) Section 107.0 "Board of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (5) Table 104.5 "Plumbing Permit Fees" exclude in its entirety.
- (F) ~~2015~~2021 Uniform Mechanical Code. The Uniform Mechanical Code adopted by reference is amended, altered and changed as follows:
 - (1) Section 104.0 "Permits" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (2) Section 105.0 "Inspections and Testing" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (3) Section 106.0 "Violations and Penalties" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (4) Section 107.0 "Board of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (5) Table 104.5 "Mechanical Permit Fees" exclude in its entirety.
- (G) 2012 Uniform Swimming Pool, Spa & Hot Tub Code. The Uniform Swimming Pool, Spa & Hot Tub Code adopted by reference is amended, altered and changed as follows:
 - (1) Section 104.0 "Permits" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (2) Section 105.0 "Inspections and Testing" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (3) Section 106.0 "Violations and Penalties" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (4) Section 107.0 "Board of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (5) Table 104.5 "Swimming Pool, Spa and Hot Tub Permit Fees" exclude in its entirety.
- (H) 2012 Uniform Solar Energy Code. The Uniform Solar Energy Code adopted by reference is amended, altered and changed as follows:
 - (1) Section 104.0 "Permits" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (2) Section 105.0 "Inspections and Testing" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (3) Section 106.0 "Violations and Penalties" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
 - (4) Section 107.0 "Board of Appeals" exclude in its entirety and see Chapter 30 LCMC, 1997 as amended.
 - (5) Table 104.5 "Solar Permit Fees" exclude in its entirety.
- (I) 2021 International Property Maintenance Code. The International Property Maintenance Code adopted by reference in 30-721.(A) is amended, altered, and changed as follows:
 - (1) Section 102.3 "Application of Other Codes" interpret all references to the International Plumbing Code, the International Mechanical Code, and the International Zoning Code to be references to the corresponding codes adopted in LCMC, 1997 as amended.

- (2) Section 103 "Code Compliance Agency" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (3) Section 107 "Means of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (4) Section 108 "Board of Appeals" exclude in its entirety and see Chapter 30, LCMC 1997, as amended.
- (5) Section 304.14 "Insect Screens" strike the words "During the period from [DATE] to [DATE],".
- (6) Section 602.3 "Heat Supply" replace the first [DATE] with November 1 and the second [DATE] with April 1.
- (7) Section 602.4 "Occupiable Work Spaces" replace the first [DATE] with November 1 and the second [DATE] with April 1.
- (8) Appendix A "Boarding Standard" is hereby adopted with this rule.

Affidavit of Publication

Ad # 0005853819

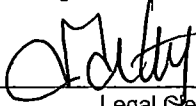
This is not an invoice

CITY OF LAS CRUCES
PO BOX 20000
ATTN: CITY CLERK'S OFFICE
LAS CRUCES, NM 88004-9002

I, a legal clerk of the **Las Cruces Sun News**, a newspaper published daily at the county of Dona Ana, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof in editions dated as follows:

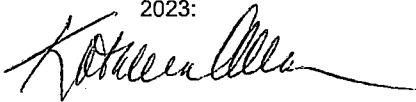
11/05/2023

Despondent further states this newspaper is duly qualified to publish legal notice or advertisements within the meaning of Sec. Chapter 167, Laws of 1937.



Legal Clerk

Subscribed and sworn before me this November 5, 2023:



State of WI, County of Brown
NOTARY PUBLIC

1-7-25

My commission expires

KATHLEEN ALLEN
Notary Public
State of Wisconsin

NOTICE OF INTENT TO ADOPT

The City Council of the City of Las Cruces, New Mexico, Hereby Gives Notice of Its Intent to Adopt the Following Ordinance(s) at the Regular City Council Meeting Held on November 20, 2023:

Council Bill No. 24-007; Ordinance No. 3049: An Ordinance Approving a Zone Change from UR (Urban Ranch) to EE (Equestrian Estate and Agriculture) for Property Located at 7332 Shannon Road. Submitted by John Major, Property Owner.

Council Bill No. 24-008; Ordinance No. 3050: An Ordinance Repealing and Replacing Division 17 - Building Standards of Chapter 30, Buildings and Building Regulations of the Las Cruces Municipal Code to Adopt the 2021 Building Codes, as Amended, and as Adopted by the State of New Mexico Construction Industries Division.

Council Bill No. 24-009; Ordinance No. 3051: An Ordinance Repealing and Replacing Article II of Chapter 34, Drainage and Flood Control of the Las Cruces Municipal Code to Amend the Flood Regulations to Reflect Higher Standards on Flood Mitigation.

Copies Are Available for Inspection During Working Hours at the Office of the City Clerk. Witness My Hand and Seal of the City of Las Cruces on this the 30th day of October, 2023.

Christine Rivera, CMC
City Clerk

#5853819, Sun-News,
November 5, 2023

Ad # 0005853819

PO #:

of Affidavits 1

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Las Cruces Sun News.

PART OF THE USA TODAY NETWORK

Affidavit of Publication

Ad # 0005860935

This is not an invoice

CITY OF LAS CRUCES

PO BOX 20000

ATTN: CITY CLERK'S OFFICE

LAS CRUCES, NM 88004-9002

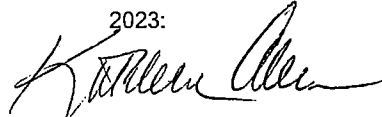
I, a legal clerk of the **Las Cruces Sun News**, a newspaper published daily at the county of Dona Ana, state of New Mexico and of general paid circulation in said county; that the same is a duly qualified newspaper under the laws of the State wherein legal notices and advertisements may be published; that the printed notice attached hereto was published in the regular and entire edition of said newspaper and not in supplement thereof in editions dated as follows:

11/26/2023

Despondent further states this newspaper is duly qualified to publish legal notice or advertisements within the meaning of Sec. Chapter 167, Laws of 1937.


Legal Clerk

Subscribed and sworn before me this November 26, 2023:


State of WI, County of Brown
NOTARY PUBLIC

1-7-25
My commission expires

NOTICE OF ADOPTION

The City Council of the City of Las Cruces, New Mexico, Hereby Gives Notice of its Adoption of the Following Ordinance(s) at the Regular City Council Meeting Held on November 20, 2023:

Council Bill No. 24-007; Ordinance No. 3049: An Ordinance Approving a Zone Change from UR (Urban Ranch) to EE (Equestrian Estate and Agriculture) for Property Located at 7332 Shannon Road. Submitted by John Major, Property Owner.

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Copies Are Available for Inspection During Working Hours at the Office of the City Clerk. Witness My Hand and Seal of the City of Las Cruces on this the 21st day of November, 2023.

Christine Rivera, CMC
City Clerk
#5860935, SUN NEWS, NOV 26, 2023

KATHLEEN ALLEN
Notary Public
State of Wisconsin

Ad # 0005860935

PO #:

of Affidavits 1

This is not an invoice

RECEIVED
DEC - 4 2023
CITY CLERK'S OFFICE

Legal Advertising Affidavit

Richard Coltharp, who being duly sworn as the publisher of the Las Cruces Bulletin, a weekly newspaper of general distribution published in the City of Las Cruces, County of Doña Ana, State of New Mexico, disposes and states that the legal advertising for

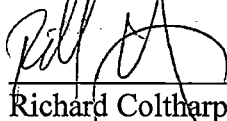
City Of Las Cruces City Attorney

In the matter of:

NOTICE OF INTENT TO ADOPT

Council Bill No. 24-007; Ordinance No. 3049, Council Bill No. 24-008;
Ordinance No. 3050; Council Bill No. 24-009; Ordinance No. 3051

In accordance with the laws of the State of New Mexico, the attached was published in its entirety 1 time(s) in the Las Cruces BULLETIN, the first publication date being 11/03/2023.


Richard Coltharp

Sworn to and subscribed.
before me this day 11/03/2023,
in the
CITY OF LAS CRUCES
COUNTY OF DOÑA ANA
STATE OF NEW MEXICO


Notary Public

MARGARET ANN ADAMS
NOTARY PUBLIC
STATE OF NEW MEXICO
COMMISSION # 1138740
COMMISSION EXPIRES: 09-09-2026

Advertising Costs: \$63.66

**NOTICE OF
INTENT TO
ADOPT**

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Christine Rivera,
CMC
City Clerk
Date: 11/03, 2023

Legal Advertising Affidavit

Richard Coltharp, who being duly sworn as the publisher of the Las Cruces Bulletin, a weekly newspaper of general distribution published in the City of Las Cruces, County of Doña Ana, State of New Mexico, disposes and states that the legal advertising for

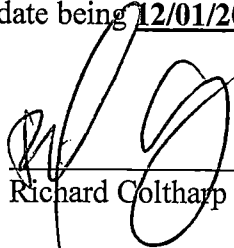
CITY OF LAS CRUCES ATTORNEY

In the matter of:

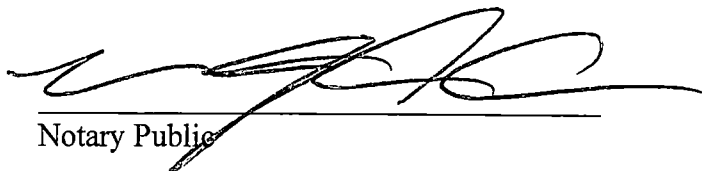
NOTICE OF ADOPTION

Council Bill No. 24-007; Ordinance No. 3049 Council Bill No. 24-008; Ordinance No. 3050
Council Bill No. 24-009; Ordinance No. 3051

In accordance with the laws of the State of New Mexico, the attached was published in its entirety **1** time(s) in the Las Cruces BULLETIN, the first publication date being **12/01/2023.**


Richard Coltharp

Sworn to and subscribed.
before me this day **12/01/2023,**
in the
CITY OF LAS CRUCES
COUNTY OF DOÑA ANA
STATE OF NEW MEXICO


Notary Public

MARGARET ANN ADAMS
NOTARY PUBLIC
STATE OF NEW MEXICO
COMMISSION # 1138740
COMMISSION EXPIRES: 09-09-2026

Advertising Costs: \$66.31

**NOTICE OF
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The City Council
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November 20, 2023:
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3049: An Ordinance
Approving a Zone
Change from UR
(Urban Ranch) to EE
(Equestrian Estate
and Agriculture) for
Property Located
at 7332 Shannon
Road. Submitted by
John Major, Property
Owner.

Council Bill No. 24-
008; Ordinance No. 3050: An Ordinance
Repealing and Re-
placing Division 17
– Building Standards
of Chapter 30, Build-
ings and Building
Regulations of the
Las Cruces Munic-
ipal Code to Adopt
the 2021 Building
Codes, as Amended,
and as Adopted by
the State of New
Mexico Construction
Industries Division.
Council Bill No. 24-
009; Ordinance No.
3051: An Ordinance
Repealing and
Replacing Article
II of Chapter 34,
Drainage and Flood
Control of the Las
Cruces Municipal
Code to Amend the
Flood Regulations
to Reflect Higher
Standards on Flood
Mitigation.

Copies Are Available
for Inspection During
Working Hours at
the Office of the City
Clerk. Witness My
Hand and Seal of the
City of Las Cruces on
this the 21st day of
November, 2023.

Christine Rivera,
CMC City Clerk

Dates: 12/01, 2023
