

VILLAGE OF RUIDOSO

ORDINANCE 2023-11

AN ORDINANCE AMENDING THE VILLAGE OF RUIDOSO MUNICIPAL CODE OF ORDINANCES CHAPTER 22, BUILDINGS AND BUILDING REGULATIONS; SECTION 22-31 BUILDING, ELECTRICAL, PLUMBING, MECHANICAL AND FIRE CODES ADOPTED; AMENDMENTS

WHEREAS, The Governing Body of the Village of Ruidoso is updating the municipal Building, Electrical, Plumbing, Mechanical and Fire Codes to the current codes as adopted by the State of New Mexico Construction Industries Division; and

WHEREAS, The Governing Body of the Village of Ruidoso has determined that these amendments are necessary; and

WHEREAS, The Planning Commission and the Governing Body have conducted a duly advertised public hearing to consider this ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Village of Ruidoso that Chapter 22 Section 22-31 is hereby amended by the addition of new text and modification or deletion of existing text as follows:

The ~~strike-out~~ language is to be removed, and the additions to the section are bold and underlined.

Sec. 22-31. Building, electrical, plumbing, mechanical and fire codes, adopted; amendments.

- (a) There is hereby adopted by the Village of Ruidoso for the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures, and providing for the issuance of permits and collection of fees there for, and providing penalties for the violation thereof, the ~~2015~~ **2021** International Residential Code (~~2015~~ **2021** IRC); the ~~2015~~ **2021** International Building Code (~~2015~~ **2021** IBC); the ~~2017~~ **2020** National Electrical Code (~~2017~~ **2020** NEC); the ~~2015~~ **2021** Uniform Plumbing Code (~~2015~~ **2021** UPC); the ~~2015~~ **2021** Uniform Mechanical Code (~~2015~~ **2021** UMC); the 2015 Uniform Solar Energy Code (2015 USEC); the 2015 Uniform Swimming Pool, Spa, and Hot Tub Code (2015 USPSHTC); the ~~2015~~ **2021** International Existing Building Code (~~2015~~ **2021** IEBC); the NMAC 10.25.5 Fire Code; the ~~2009~~ **2021** International Energy Conservation Code (~~2009~~ **2021** IECC); including but not limited to any amendments to the provisions of the above described codes which are adopted by the State of New Mexico, whether such amendments are adopted as of or subsequent to the effective date of the ordinance codified in this section.

Exception: New Mexico Administrative Code section 14.7.3.9 B. (5) (f) Appendix Q - Tiny Houses

- (1) All construction code references from other parts of the Ruidoso Code, which refer to previous versions of construction codes, shall be considered to be referencing this section. In the event of any conflicts in references or requirements elsewhere in the Ruidoso Code, the codes in this section shall prevail.
- (2) Such codes are hereby adopted and incorporated as fully as if set out at length in this chapter, except as to the section of the code relating to building permit fees, which fees shall be in accordance with section 22-34. The ~~2015~~ **2021** IRC, the ~~2015~~ **2021** IBC, the ~~2017~~ **2020** NEC, the ~~2015~~ **2021** UPC, the 2015 USPSHTC, the 2015 USEC, the ~~2015~~ **2021** UMC, the ~~2009~~ **2021** IECC, the ~~2015~~ **2021** IEBC, the NMAC 10.25.5 Fire Code, and the building permit fees established by this chapter shall be in

force from the date on which this article shall take effect, and the provisions thereof shall be controlling within the limits of the Village and the permitting jurisdiction of the Village as they currently exist or may be modified in the future as provided by law.

- (3) The following appendices of the International Fire Code referenced in NMAC 10.25.5 are hereby adopted:
 - a. Appendix B, Fire Flow Requirements for Buildings.
 - b. Appendix C, Fire Hydrant Locations and Distribution.
 - c. Appendix D, Fire apparatus access roads or as determined by authority having jurisdiction.
- (b) The codes adopted by subsection (a) of this section are amended as follows:
 - (1) Nonrated roof coverings and special purpose roofs, other than mineral aggregate surface built-up roofs, are prohibited. An existing wood shake or wood shingle roof shall be replaced with a roof in compliance with this provision if the cost of repair exceeds \$500.00 or if the area repaired exceeds 20 percent of the area of the roof.
 - (2) Water conservation local amendments.
 - a. Potable water use fixtures shall comply with subsections 22-31(a) and 86-31(j).
 - b. A Ruidoso water conservation form shall be completed and submitted at or before the plumbing inspection final approval.
 - (3) Gas piping.
 - a. All low pressure gas piping, up to two psi, shall be tested with a minimum of ten psi using an approved test gauge with maximum of one-tenth pound increments.
 - b. All medium and high pressure gas piping and low, medium and high pressure welded gas pipe (maximum 30 psi) shall be tested with a minimum of 60 psi or one and one-half times the operating pressure, whichever is greater, using an approved test gauge with maximum of one pound increments.
 - (4) Room heaters. Unvented fuel-burning room or water heaters shall not be installed in any building, whether new or as a replacement. Unvented fuel-burning room or water heaters shall not be used, maintained or permitted to exist in a Group I or R occupancy.
 - (5) Air admittance valves. Air admittance valves shall be specifically prohibited; except at the exterior when permitted by the building official.
 - (6) Fireplaces. New solid-burning fireplaces shall have tight-fitting flue dampers and outdoor combustion air.
 - (7) Accessory structures over 120 square feet require a building permit for residential and commercial use, and shall meet the requirements as provided in this article or this Code.
 - (8) Site built shower pan(s) and wall(s) may be constructed or rebuilt by MM-98, MM-1, GB-98, GB-2, and approved GS-29 licensed contractors, or home owners for their primary residence. The permit issuance for such work shall be issued as a building or plumbing permit, depending on the applicant.
 - (9) Grading and drainage.
 - a. Final grading. No certificate of occupancy or final building approval shall be issued until final grading has been completed in accordance with the approved plans or site conditions. Erosion controls such as vegetation, check dams, riprap, etc., shall be installed prior to final inspection.
 - b. Drainage. Parcels shall be laid out to provide the required drainage away from all buildings. Drainage shall be coordinated with the general storm drainage pattern for the area. Drainage

shall be designed and provided to avoid concentration of storm drainage water from each parcel onto adjacent parcels.

- c. Alteration of existing grading and/or drainage conditions on parcels shall require a building permit.
- d. Exemptions.
 - 1. Grading in an isolated, self-contained area less than 500 square feet, provided there is no danger to the public, and that such grading will not alter the existing drainage and terminates in an approved manner or location.
 - 2. Excavation under a current permit.
 - 3. Cemetery graves.
 - 4. Refuse disposal sites controlled by other regulations.
 - 5. Excavation for wells or trenches for utilities.
 - 6. Mining, quarrying, excavating, processing or stockpiling sand, rock, gravel, aggregate, or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties.
 - 7. Exploratory excavations performed under the direction of a registered design professional.
 - 8. Land clearing, grading, filling, sandbagging, diking, ditching, or similar work during or after periods of extreme weather or other emergency which have created situations such as flooding or high fire danger that present an immediate danger to life or property.

(10) Minimal dwelling unit is a single-family dwelling with a minimum of 150 feet² and a maximum of 450 feet² and complies with subsection (a) of this section but shall be amended as follows.

- a. Minimum interior clear dimensions include:
 - 1. 150 feet² of habitable area on one story minimum (120 feet² minimum of habitable area for the main room).
 - 2. Seven feet minimum interior finished width.
 - 3. A loft of habitable space shall meet the requirements of subsection (a) of this section.
 - i. Minimum loft area and dimensions. Lofts used as a sleeping or living space shall meet the minimum area of 49 ft² and dimension requirements of Sections R304.2 and R305 of the IRC.

Exemption: May have a ships ladder (per requirements) for access and egress up to one bedroom and bathroom group of 120 feet² or less and has an emergency egress as required by section R310 of the IRC.

- 4. Two stories maximum above grade plane.

Exemption: May have a basement in compliance with subsection (a) of this section.
- b. Must contain cooking facilities (minimum of a permanently installed cooking range or cook top containing one burner) and a kitchen sink (separate from bathroom vanity).
- c. Must contain bathing facilities (shower and/or tub, water closet and vanity) water closet and shower and/or tub required to be separated from kitchen by a tight fitting door. A vanity is required but not required in the same room as water closet and shower and/or tub. Finished interior of shower compartments may be 30 inches by 30 inches minimum (900 inches²) (or a 30-inch circle fit inside of finished area of shower but still has 900 square inches minimum).

- d. Minimal dwelling units shall be approved in zoning districts; AR-1, C-1, C-2, M-1, M-2, R-1 and R-2, or as provided elsewhere in this Code.
- (11) Structures and buildings constructed using continuous concrete footings/foundations shall have one #4 rebar at the top and bottom of the footing or one #5 rebar near the bottom or two #4 at 1/2 points in footing of "T" type footing and stem wall foundations. Reinforcement shall be installed per subsection (a) of this section. Slabs on ground not poured monolithically with the footings, shall have #3 rebar dowels with standard hooks installed 48 inches on center per figure IRC R403.1.3 or similar as approved by the building official.
- (12) Potable rainwater catchment systems shall be designed by an approved registered New Mexico design professional.
- (13) Inspections shall be completed in the order as required by the building official. Interior rough electrical and mechanical work and materials or other materials that may be damaged by weather such as drywall, insulation, etc.; shall not be installed prior to the project and/or work area being weather tight.
- (14) Commercial projects permitted in C-3 zoning district (chapter 54 of the Ruidoso Code);
- a. Accessible restroom requirements are considered to be met by Village of Ruidoso maintained public restrooms.
- Exception: Lots in C-2 zoning districts with 500 feet or less travel distance of a Ruidoso maintained public restroom, may apply for a variance under the Ruidoso code per the variance requirements in chapter 54 of the Ruidoso Code.
- b. Accessible parking and standard parking requirements are considered to be met by Village of Ruidoso maintained public parking.
- Exception: Lots in C-2 zoning districts with 500 feet or less travel distance of a Ruidoso maintained public parking lot may apply for a variance under the Ruidoso code per the variance requirements in chapter 54 of the Ruidoso Code.
- (15) Decks that are not more than 30 inches (762 mm) measured vertically from the deck surface above to grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side(s) of decks shall not be required to meet the lateral load connection requirements of IRC 507.2.4.
- (16) New commercial construction or additions which are 2,500 square feet or less are exempt from the requirements for geotechnical investigations unless otherwise required by the building official or per IBC requirements on expansive soil or ground-water table elevation.
- (17) A damage investigation inspection shall be required when a structure receives damage, other than small cosmetic damage, from fire, snow, water, tree, wind, vehicle or other similar type causes to any trade system with in the structure. The investigation shall be permitted and paid prior to inspection. The permittee shall receive a copy of the investigation inspection report after inspection report is processed.
- (18) A foundation/footing recertification by a New Mexico approved registered surveyor or engineer shall be required on projects at the time of stem wall/slab/post setting for projects, except additions to existing residential structures or ancillary structures thereto which can be readily verified by the building official and planning administrator as being substantially within required setbacks and outside easement areas, the planning administrator or the building official may waive the survey requirement and allow the inspector to verify the setbacks on approved plot plan using property stakes or other approved markers.
- (19) A building permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

Examples:

- a. Natural gas.
- b. Electricity.
- c. Cellular.
- d. Telephone.
- e. Internet.
- f. Sewer.
- g. Water.
- h. Cable.
- i. Television.
- j. Radio.

Exception: Shall meet the requirements of chapters 54 and 86 of the Ruidoso Code.

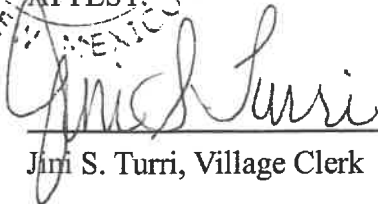
(Code 1985, 8-1-1; Ord. No. 2007-04, 4-24-07; Ord. No. 2009-10, 6-9-09; Ord. No. 2010-10, 9-14-10; Ord. No. 2015-08, 9-15-15; Ord. No. 2016-03, 1, 2-9-16; Ord. No. 2017-07, 1, 6-13-17; Ord. No. 2019-04, 514-19; Ord. No., 9-14-21)

This Ordinance shall be recorded upon adoption and become effective thirty days thereafter, at which time Ordinance Sec. 22-31 shall be repealed.

PASSED, APPROVED, AND ADOPTED on this 12th day of September, 2023.



Lynn D. Crawford, Mayor



Jim S. Turri, Village Clerk