

**VILLAGE OF CORRALES  
ORDINANCE NO. 07-020**

**AN ORDINANCE AMENDING SECTION 8-26, "DEFINITIONS", AND SECTION 8-27, "ADOPTION OF CORRALES BUILDING CODE; AMENDMENTS; PENALTIES" OF THE CODE OF ORDINANCES OF THE VILLAGE OF CORRALES, BEING SECTIONS 10-1-1 THROUGH 10-1-4 OF ORDINANCE NO. 67, ADOPTED AUGUST 10, 1976, AS AMENDED; ADOPTING BY REFERENCE THE 2003 NEW MEXICO HISTORIC EARTHEN BUILDINGS CODE; INCORPORATING THE 2003 NEW MEXICO HISTORIC EARTHEN BUILDINGS CODE INTO THE CORRALES BUILDING CODE.**

WHEREAS, effective February 1, 2006, the Construction Industries Division of the Regulation and Licensing Department of the State of New Mexico issued and adopted the "2003 New Mexico Historic Earthen Buildings Code" (Title 14, Chapter 7, Part 8 of the New Mexico Administrative Code); and

WHEREAS, the 2003 New Mexico Historic Earthen Buildings Code provides minimum standards relating to the repair, alteration and occupancy of historic earthen buildings; and

WHEREAS, the Village of Corrales (the "Village") includes many historic earthen buildings which may be subject to the provisions of the 2003 New Mexico Historic Earthen Buildings Code; and

WHEREAS, the Village Council, the governing body of the Village, finds that it is desirable to establish standards for the repair, alteration and occupancy of historic earthen buildings in Corrales and that such standards should be consistent with the standards applicable elsewhere in New Mexico and with other parts of the Corrales Building Code.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Village of Corrales, New Mexico, that:

1. Section 8-26 of the Code of Ordinances of the Village of Corrales, being a part of Ordinance No. 05-01, adopted March 8, 2005, is amended to read:

**Section 8-26. Definitions.**

In this article, the following terms and abbreviations shall have the meaning indicated, unless a different significance is clearly indicated by context.

(a) "*Building inspector*" means the building inspector appointed by the Village as provided in Section 8-29(a) of this Code.

(b) "*Building official*" or "*CID building official*" means the bureau chief of the appropriate trade bureau of CID.

(c) "*Building permit*" or "*permit*" means a general construction permit issued by the Village in accordance with the provisions of this article, unless the context clearly indicates otherwise.

(d) “*Construction Industries Division*” or “*CID*” means the construction industries division of the regulation and licensing department of the State of New Mexico.

(e) “*Construction Industries Licensing Act*” or “*CILA*” means NMSA 1978, Chapter 60, article 13.

(f) “Contracting” has the meaning indicated in NMSA 1978, § 60-13-3.

(g) “*Corrales Building Code*” or “*CBC*” means the building code of the Village of Corrales, as adopted in this article.

(h) “*Historic earthen building*” means a structure that is at least twenty-five (25) years old and which is constructed in significant part, including at least one exterior wall, from earthen materials, including adobe, burned adobe, compressed earth block, rammed earth, or terrón.

(~~h~~i) “*International Building Code*” or “*IBC*” means the 2003 international building code.

(~~i~~j) “*International Residential Code*” or “*IRC*” means the 2003 international residential code.

(~~j~~k) “*New Mexico construction code(s)*” means any of the codes adopted by the State of New Mexico, as compiled and as modified or amended by rule in Title 14, Chapters 7 through 10 of the New Mexico Administrative Code (“NMAC”), and in any amendments or revisions thereto.

(~~k~~l) “*Planning and zoning administrator*” means the planning and zoning administrator of the Village of Corrales.

(~~l~~m) “*Published code*” means any code or standard published by an entity other than the State of New Mexico and adopted by reference, or referred to as a standard in this article or in any rule or regulation of the Construction Industries Division.

(~~m~~n) “*Registered design professional*” has the meaning given that term in Title 14 of the New Mexico Administrative Code.

2. Section 8-27 of the Code of Ordinances of the Village of Corrales, being Sections 10-1-1 through 10-1-4 of Ordinance No. 67, adopted August 10, 1976, as amended by Ordinance No. 05-01, adopted March 8, 2005, is amended to read:

**Section 8-27. Adoption of Corrales building code; amendments; penalties.**

(a) *Adoption of Residential Building Code.* The 2003 New Mexico Residential Building Code, which adopts and amends the 2003 International Residential code pursuant to part 14.7.3 NMAC, effective July 1, 2004, including all subsequent revisions and amendments thereto adopted by the CID, is hereby adopted by the Village in its entirety except as otherwise provided in this section.

(b) *Adoption of Commercial Building Code.* The 2003 New Mexico Commercial Building Code, which adopts and amends the 2003 International Building code pursuant to part 14.7.2 NMAC, effective July 1, 2004, including all subsequent revisions and amendments thereto adopted by the CID, is hereby adopted by the Village in its entirety except as otherwise provided in this section.

(c) *Adoption of Non-Load Bearing Baled Straw Construction Building Standards.* The 2003 New Mexico Non-Load Bearing Baled Straw Construction Building Standards, as adopted by CID pursuant to part 14.7.5

NMAC effective November 19, 2004, including all subsequent revisions and amendments thereto adopted by the CID, are hereby adopted by the Village in their entirety except as otherwise provided in this section.

(d) *Adoption of Earthen Building Materials Code.* The 2003 New Mexico Earthen Building Materials Code, as adopted by CID pursuant to part 14.7.4 NMAC effective November 19, 2004, including all subsequent revisions and amendments thereto adopted by the CID, is hereby adopted by the Village in its entirety except as otherwise provided in this section.

(e) *Adoption of Energy Conservation Code.* The 2003 New Mexico Energy Conservation Code, which adopts and amends the 2003 International Energy Conservation code pursuant to part 14.7.6 NMAC, effective July 1, 2004, including all subsequent revisions and amendments thereto adopted by the CID, is hereby adopted by the Village in its entirety except as otherwise provided in this section.

(f) *Adoption of Existing Building Code.* The 2003 New Mexico Existing Building Code, being the 2003 international existing building code with amendments, deletions and revisions as adopted by CID pursuant to part 14.7.7 NMAC, effective July 1, 2004, including all subsequent revisions and amendments thereto adopted by the CID, is hereby adopted in its entirety except as otherwise provided in this section.

(g) *Adoption of Historic Earthen Buildings Code.* The 2003 New Mexico Historic Earthen Buildings Code, as adopted by CID pursuant to part 14.7.8 NMAC effective February 1, 2006, including all subsequent revisions and amendments thereto adopted by the CID, is hereby adopted by the Village in its entirety except as otherwise provided in this section.

(g)h *Exceptions.* The following additions, deletions and amendments are adopted and shall be an integral part of the Corrales Building Code:

- (1) Part 14.5.5 NMAC, Section 108 of the 2003 international building code, Section R108 of the 2003 international residential code, and Section 108 of the 2003 international existing building code, relating to fees, are deleted and in their place the Village of Corrales shall establish permit fees, inspection fees and other fees as provided in this Code and by resolution of the Governing Body.
- (2) Whenever the height and area requirements of chapter 18, article II of this Code pertaining to zoning differ from any present or subsequent provisions in the 2003 New Mexico Residential Building Code, the 2003 New Mexico Commercial Building Code, the 2003 New Mexico Non-Load Bearing Baled Straw Construction Building Standards, the 2003 New Mexico Earthen Building Materials Code, the 2003 New Mexico Energy Conservation Code, ~~or~~ the 2003 New Mexico Existing Building Code, or the 2003 New Mexico Historic Earthen Buildings Code, the more restrictive height and area requirements shall control.
- (3) To the extent that any subsequent revisions or amendments of the 2003 New Mexico Residential Building Code, the 2003 New Mexico Commercial Building Code, the 2003 New Mexico Non-Load Bearing Baled Straw Construction Building Standards, the 2003 New Mexico Earthen Building Materials Code, the 2003 New Mexico Energy Conservation Code, ~~or~~ the 2003 New Mexico Existing Building Code, or the 2003 New Mexico Historic Earthen Buildings Code might be construed to affect the procedural provisions of this Code, such revisions or amendments shall not be adopted by the Village except by specific action of the Village Council. However, all substantive revisions or amendments establishing construction or building standards shall become effective for the Village at the same time and to the same extent that they are made effective by action of CID.

(h)i *Citation as "Corrales Building Code".* The 2003 New Mexico Residential Building Code, the 2003 New Mexico Commercial Building Code, the 2003 New Mexico Non-Load Bearing Baled Straw Construction Building Standards, the 2003 New Mexico Earthen Building Materials Code, the 2003 New Mexico Energy Conservation Code, ~~and~~ the 2003 New Mexico Existing Building Code, and the 2003 New Mexico Historic

Earthen Buildings Code, as adopted and as modified pursuant to this section, shall be collectively known and may be cited as the "Corrales Building Code.

(i) *Copies available.* Copies of the Corrales Building Code as adopted in this section shall be available for inspection between the hours of 8:00 a.m. and 4:00 p.m. on regular business days at the office of the Village clerk, and may be inspected by any interested party.

(j) *Penalties.* Except as otherwise specifically provided in this article, any person convicted to violating the provisions of this article may be punished in accordance with Section 1-6.

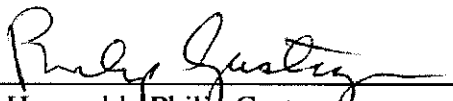
SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Corrales hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

COMPILING CLAUSE: The amendment made by this Ordinance shall be incorporated in and compiled as a part of the Code of Ordinances of the Village of Corrales.

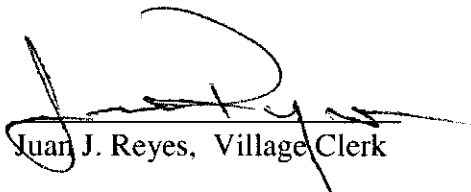
EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

**PASSED, APPROVED AND ADOPTED** by the Governing Body of the Village of Corrales, New Mexico, this 12 day of February, 2008.

APPROVED:

  
The Honorable Philip Gasteyer  
Mayor, Village of Corrales

ATTEST:

  
Juan J. Reyes, Village Clerk