

VILLAGE OF CORRALES ORDINANCE NO. 08-012

**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 2006 NEW MEXICO RESIDENTIAL BUILDING CODE,
THE 2006 NEW MEXICO COMMERCIAL BUILDING CODE, THE 2006 NEW
MEXICO NON-LOAD BEARING BALED STRAW CONSTRUCTION BUILDING
STANDARDS, THE 2006 NEW MEXICO EARTHEN BUILDING MATERIALS
CODE, THE 2006 NEW MEXICO ENERGY CONSERVATION CODE, THE 2006
NEW MEXICO EXISTING BUILDINGS CODE, AND THE 2006 NEW MEXICO
HISTORIC EARTHEN BUILDINGS CODE; PROVIDING FOR CERTAIN
AMENDMENTS TO THE ADOPTED CODES; MAKING TECHNICAL AND
EDITORIAL CORRECTIONS.**

WHEREAS, effective January 1, 2008, the Construction Industries Division of the Regulation and Licensing Department of the State of New Mexico issued and adopted the “2006 New Mexico Residential Building Code,” the “2006 New Mexico Commercial Building Code,” the “2006 New Mexico Non-Load Bearing Baled Straw Construction Building Standards,” the “2006 New Mexico Earthen Building Materials Code,” the “2006 New Mexico Energy Conservation Code,” the “2006 New Mexico Existing Buildings Code,” and the “2006 New Mexico Historic Earthen Buildings Code” constituting, collectively, Title 14, Chapter 7 of the New Mexico Administrative Code (hereinafter, collectively, the “2006 State Building Codes”); and

WHEREAS, each of the 2006 State Building Codes replaces and supersedes a previous state building code that was adopted by the Village as a part of the Corrales Building Code; and

WHEREAS, for consistency with the building standards established and imposed throughout New Mexico and for consistency with the New Mexico statutes and regulations adopted on a state-wide basis it is reasonable and appropriate for the Village of Corrales (the “Village”) to adopt standards that are consistent with those applied by the Construction Industries Division and by other building authorities in New Mexico generally; and

WHEREAS, the Village Council, the governing body of the Village, finds that the Village should adopt the 2006 State Building Codes, and each of them, so that building standards in the Village are consistent with the standards applicable elsewhere in New Mexico; and

WHEREAS, the Village Council finds that certain technical and editorial amendments to Sections 8-26 and 8-27 of the Village’s Code of Ordinances should be adopted, as hereinafter set forth.

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, as amended by Ordinance No. 07-020, adopted February 12, 2008, 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.

(i) “*International Building Code*” or “*IBC*” means the 2006 international building code and any subsequent international building code adopted by the Construction Industries Division as the New Mexico commercial building code.

(j) “*International Residential Code*” or “*IRC*” means the 2006 international residential code and any subsequent international residential code adopted by the Construction Industries Division as the New Mexico residential building code.

(k) “*New Mexico construction code(s)*” means any of the codes adopted by the Construction Industries Division, as compiled and as modified or amended by rule in Title 14, Chapters 7 through 11 of the New Mexico Administrative Code (“NMAC”), and any amendments, revisions or replacements thereto or thereof adopted by the Construction Industries Division.

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

(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.

(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 Section 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, and by Ordinance No. 07-020, adopted February 12, 2008, is amended to read:

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

(a) *Adoption of Residential Building Code.* The 2006 New Mexico Residential Building Code, which adopts and amends the 2006 International Residential code pursuant to part 14.7.3 NMAC, effective January 1, 2008, including all subsequent revisions, amendments or replacements thereto or thereof 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 2006 New Mexico Commercial Building Code, which adopts and amends the 2006 International Building code pursuant to part 14.7.2 NMAC, effective January 1, 2008, including all subsequent revisions, amendments or replacements thereto or thereof 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 2006 New Mexico Non-Load Bearing Baled Straw Construction Building Standards, as adopted by CID pursuant to part 14.7.5 NMAC effective January 1[9], 2008, including all subsequent revisions, amendments or replacements thereto or thereof 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 2006 New Mexico Earthen Building Materials Code, as adopted by CID pursuant to part 14.7.4 NMAC effective January 1[9], 2008, including all subsequent revisions, amendments or replacements thereto or thereof 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 2006 New Mexico Energy Conservation Code, which adopts and amends the 2006 International Energy Conservation code pursuant to part 14.7.6 NMAC, effective January 1, 2008, including all subsequent revisions, amendments or replacements thereto or thereof 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 2006 New Mexico Existing Building Code, being the 2006 international existing building code with amendments, deletions and revisions as adopted by CID pursuant to part 14.7.7 NMAC, effective January 1, 2008, including all subsequent revisions, amendments or replacements thereto or thereof 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 2006 New Mexico Historic Earthen Buildings Code, as adopted by CID pursuant to part 14.7.8 NMAC effective January 1, 2008, including all subsequent revisions, amendments or replacements thereto or thereof adopted by the CID, is hereby adopted by the Village in its entirety except as otherwise provided in this section.

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

- (1) Any and all parts, subparts or sections of any international code or New Mexico 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 any applicable edition of the New Mexico Residential Building Code, the New Mexico Commercial Building Code, the New Mexico Non-Load Bearing Baled Straw Construction Building Standards, the New Mexico Earthen Building Materials Code, the New Mexico Energy Conservation Code, the New Mexico Existing Building Code, or the New Mexico Historic Earthen Buildings Code, the more restrictive height and area requirements shall control.
- (3) To the extent that any subsequent revisions, amendments or replacements of the 2006 New Mexico Residential Building Code, the 2006 New Mexico Commercial Building Code, the 2006 New Mexico Non-Load Bearing Baled Straw Construction Building Standards, the 2006 New Mexico Earthen Building Materials Code, the 2006 New Mexico Energy Conservation Code, the 2006 New Mexico Existing Building Code, or the 2006 New Mexico Historic Earthen Buildings Code might be construed to affect the procedural provisions of this Code, such revisions, amendments or replacements shall not be adopted by the Village except by specific action of the Village Council. However, all substantive revisions, amendments or replacements establishing construction or building standards, unless inconsistent with any provision contained in this Article, shall become effective for the Village at the same time and to the same extent that they are made effective by action of CID.

(i) *Citation as "Corrales Building Code"*. The 2006 New Mexico Residential Building Code, the 2006 New Mexico Commercial Building Code, the 2006 New Mexico Non-Load Bearing Baled Straw Construction Building Standards, the 2006 New Mexico Earthen Building Materials Code, the 2006 New Mexico Energy Conservation Code, the 2006 New Mexico Existing Building Code, and the 2006 New Mexico Historic Earthen Buildings Code, as adopted and as modified pursuant to this section, and including any subsequent revisions, amendments or replacements thereof or thereto that are effective as to the Village pursuant to this section, shall be collectively known and may be cited as the "Corrales Building Code."

(j) *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 person.

(k) *Penalties*. Except as otherwise specifically provided in this article, any person convicted of 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.

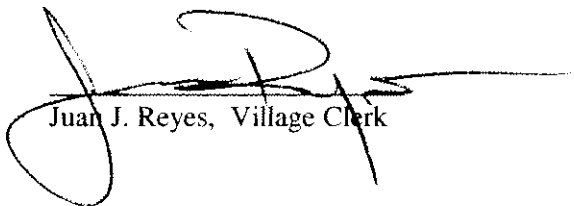
PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 9th day of September, 2008.

APPROVED:



The Honorable Philip Gasteyer
Mayor, Village of Corrales

ATTEST:



Juan J. Reyes, Village Clerk