CHAPTER 5

FIRE SAFETY

ARTICLE 1. International Fire Code

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§ 5.1.1 ADOPTION OF THE INTERNATIONAL FIRE CODE

The Board of Trustees, the Governing Body of the Village of Los Ranchos de Albuquerque, hereby adopts by reference the conditions, limitations and terms of the International Fire Code, hereinafter IFC 2003 Edition, including all appendices thereto: IFC Appendix A, IFC Appendices B, E, F, and G are adopted as Code, and IFC Appendices C and D are adopted by reference.

The provisions of the said International Fire Code, 2003 Edition, as amended hereby, shall be controlling within the limits of the Village of Los Ranchos de Albuquerque, and shall, except as provided for herein, supersede and replace any previously adopted fire codes, including the Uniform Fire Code, 1997 Edition.

The adoption of the International Fire Code, 2003 Edition, does not in any way supersede the provisions set forth in the Village of Los Ranchos Zoning Code. Occupancy Groups contained in the International Fire Code in no way define or redefine the Zoning Code designations.

Unless deleted, amended, expanded or otherwise changed herein, all provisions of the IFC shall be fully applicable and binding. Any and all references in the International Fire Code, 2003 Edition, as amended hereby, to the National Fire Protection Association (NFPA) codes shall mean the most current edition.

This Article regulates and governs the safety of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the Village; provides for the issuance of permits and collection of fees therefor; and repeals Ordinance Nos. 30, 67, 91, 97 and 159 of the Village of Los Ranchos and portions thereof codified or uncodified that are or may be inconsistent herewith.

§ 5.1.2 AMENDMENTS TO PROVISIONS OF THE IFC

The Village of Los Ranchos hereby amends certain provisions of the IFC to add the following:

(A) Section 101.1, Title. These regulations shall be known as the Fire Code of the Village of Los Ranchos de Albuquerque, hereinafter referred to as "this code."

(B) Section 106.2a. The Board of Trustees will by resolution set the frequency of fire inspections and the fees to be charged for the inspections.

(C) Section 109.3, Violation Penalties. Owners who violate a provision of this code or fail to comply with any of the requirements thereof or who erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Misdemeanor. Any person, firm or corporation violating any provision of this code shall, upon conviction, be punished by fines or imprisonment up to the maximum allowed by New Mexico law for each offense and a separate offense shall be deemed committed each day during or on which violation occurs or continues. Any such penalties shall not affect the right of the Village to pursue such other remedies as are authorized by law.

(D) Section 111.4, Stop Work Order. Any owners who continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation of unsafe condition, shall, upon conviction, be punished by fines or imprisonment up to the maximum allowed by New Mexico law for each offense and a separate offense shall be deemed committed each day during or on which violation occurs or continues. Any such penalties shall not affect the right of the Village to pursue such other remedies as are authorized by law.

(E) Section 3204.3.1., Cryogenic Fluid. The storage and use of flammable Cryogenic fluids is permitted only in the Village of Los Ranchos C-1 Zone.

(F) Section 3404.2.9.5 and Section 3404.2.9.5.1, Storage. The Storage of Class I and Class II liquids in above-ground tanks outside of buildings is permitted only in the Village of Los Ranchos C-1 Zone.

(G) Section 3406.2.4.4. Locations Where Above-Ground Tanks are Prohibited. The storage of Class I and Class II liquids in above-ground tanks is prohibited in all zones with the exception of C-1; use is contingent upon approval of the Fire Chief.

(H) Section 3804.2. Location of Containers. The storage of liquefied petroleum gas is restricted in all zones with the exception of C-1, contingent upon approval of the Fire Chief.

(I) Section 508, Fire Protection Water Supply; Subsection 508.5.7, Reflective Markers. Where possible, all fire hydrants shall be clearly identified by installation of reflective blue markers. The reflector will be located in the street perpendicular to the hydrant.

(J) Section 901, Fire Protection Systems; Subsections 901.2.2 and 901.2.3:

(1) 901.2.2, Plan Certification for Fire Alarm Systems and Occupant Notification. All fire alarm and occupant notification system plans submitted to the fire department for review and approval shall bear a review certification of a minimum level III NICET in Fire Alarms.

(2) 901.2.3, Plan Certification for Fire Sprinkler Systems. All fire sprinkler plans submitted to the fire department for review and approval shall bear a review certification of a minimum level III NICET in Fire Sprinklers.

(K) Section 907, Fire Alarm and Detection; Subsection 907.3.1.11, Records and Maintenance. The landlord or owner of any rental property, commercial or residential, shall inspect all smoke detection devices as required under NFPA 72 annually and a record of all

inspections and maintenance activities shall be kept by the landlord or owner and available for inspection upon request by the Chief.

§ 5.1.3 DELETIONS TO PROVISIONS OF THE IFC

The Village of Los Ranchos hereby amends certain provisions of the IFC to delete Subsections 903.2 through 903.2.13 by reference.

§ 5.1.4 AMENDMENTS AND EXCEPTIONS TO PROVISIONS OF THE IFC

The Village of Los Ranchos hereby amends certain provisions of the IFC to add the following provisions with exceptions:

(A) 903.2, Where Required. An automatic sprinkler system shall be installed throughout all levels of new Group A, B, E, F, H, I, M, R1, R2, R4, and S occupancies, in accordance with Section 903 and NFPA 13 Installation of Sprinkler Systems. Automatic sprinkler systems shall be installed in all existing structures in Group A, B, E, F, H, I, M, R1, R2, R4 and S occupancies, in which more than fifty percent (50%) of the structure is structurally altered and/or added to. Automatic sprinkler systems shall be installed in all new structures of three thousand (3,000) square feet of heated area or more in Group R3 occupancy and existing structures in Group R3 occupancies where more than fifty percent (50%) of the heated area is structurally altered and/or added to and results in a combined area of more than three thousand (3,000) square feet of heated area. Only the new addition or remodeled area requires sprinkler systems installed.

(1) Exception: All existing structures constructed prior to effective date of this Article, that are not structurally altered, or not added to are not required to have an automatic sprinkler systems installed.

(2) Exception: Building in Group A (Assembly areas) shall be equipped with an approved fire sprinkler system when work exceeds more than ten percent (10%) of the square footage of the existing building.

(3) Exception: All Group U buildings and structures with no "habitable areas."

(4) Exception: The following accessory structures shall be exempt from fire sprinkler requirements:

(a) Gazebos and ramadas for residential and public use.

(b) Independent restroom buildings that are associated with golf courses, parks, pools and similar uses.

(c) Guardhouses for residential and commercial developments.

(d) Detached 1, 2 and 3 car garages (without habitable spaces) in existing R-3 developed parcels which contain existing non-sprinklered subdivision requirements (i.e., all portions of the structure shall be within 500-foot hydrant spacing).

(e) Fuel dispensing canopies not exceeding 1500 square feet (139.35m^2).

(f) Any accessory structure using adobe material for the construction of greater than seventy-five percent (75%) of total area.

(5) **Exception:** Any habitable structure using non-combustible (adobe, concrete, hollow concrete masonry units, tile, stone, etc.) material for its four exterior walls, as defined in the 2003 International Building Code, Chapter 21 Section 2102.

(a) Special use non-combustibles as approved by the Fire Chief.

§ 5.1.5 COMPILING CLAUSE AND SEVERABILITY

This Article shall be incorporate and compiled as part of the Codified Municipal Code of the Village of Los Ranchos.

If any section, subsection, sentence, clause or phrase of this Article is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Article. The Village of Los Ranchos Board of Trustees hereby declares that it would have passed this Article, and each section, subsection, clause or phrase thereof, irrespective of the fact that any or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Ordinance and State Law References regarding Chapter 5, Articles 1 and 2 (f/k/a Chapter 10):

Ordinance #4, April 22, 1959; establishing a Village Fire Department;
Ordinance #30, March 18, 1974, adopting rules and regulations relating to Flammable and Combustible Liquids, repealed by Ordinance #207;
Ordinance #33, March 31, 1976, regulating Open Burning and providing for penalties, repealed by Ordinance #207;
Ordinance #67, November 12, 1986, adopting Rules and Regulations relating to Fire Prevention & Safety, repealed by Ordinance #207;
Ordinance #91, January 10, 1990, adopting the Uniform Fire Code & Uniform Fire Code Standards, repealed by Ordinance #207;
Ordinance #97, January 9, 1991, amending Ordinance #91, repealed by Ordinance #207;
Ordinance #159, January 26, 2000, adopting the 1997 Uniform Fire Code, Volumes 1 & 2, including Appendix Chapters IA-VIB, and the Life Safety Code 1997 Edition (NFPA Standard No. 101), repealed by Ordinance #207;
Ordinance #207, March 14, 2007 adopting the 2003 Edition of the International Fire Code by Reference with additions and amendments, including all appendices; and Repealing Ordinance Nos. 30, 67, 91 & 159;
Ordinance #225, February 10, 2010 amending Section 4 of Ordinance #207;
Ordinance #235, September 12, 2012, amending Ordinance #207, Section 2.
Ordinance # 244 January 8, 2014 amending Ordinance #207; Amendments and Exceptions to the Provisions of the IFC.

Life Safety Code 1981 Edition;
NMSA 1978 §§ 3-17-6A, 3-17-6C;
NMSA 1978 § 3-17-6;
NMSA 1978 § 60-2C-7;
NMSA 1978 § 59A-52-17;
NM Fire Protection Fund Law, § 59A-53-1 et seq.