



1 comply with the provisions of this Code for new buildings or structures. The addition  
2 of a road or driveway or the transfer of ownership shall not cause otherwise vacant  
3 property to become subject to the provisions of this Code, unless the addition of a  
4 road or driveway or transfer of ownership is in conjunction with the planned or  
5 actual development of the property.

6 **1.5 Renovations or Modifications.** Existing buildings or structures that undergo  
7 renovation or modification which affects or increases the existing roof or existing  
8 exterior walls in excess of forty-nine percent (49%) of the square footage of such  
9 roof or walls, as determined by the Land Use Administrator, shall be required to  
10 meet the requirements of this Code. All other renovations or modifications and all  
11 interior renovations regardless of square footage are exempt from this Code unless  
12 they coincide with exterior modifications exceeding the 49% criteria given above.

13 **1.6 Exempt Structures.** The provisions of this Code shall not apply to the following  
14 types of structures and conditions, whether existing or hereafter constructed or  
15 relocated into the urban wildland interface area:

- 16 a. Detached accessory structures, as defined in Chapter 2 of this Code, provided the  
17 floor area does not exceed six hundred (600) square feet and the structure is  
18 located more than fifty (50) feet from the nearest adjacent structure.
- 19 b. Fences not over six (6) feet high, unless attached to a habitable building.
- 20 c. Outdoor walls. As used in this section, walls are solid upright barriers constructed  
21 of non-flammable material and used to enclose or screen areas of land or to retain  
22 soil. Walls that are part of a building or structure are not included in this  
23 definition.
- 24 d. The renovation of historic buildings shall be exempt from the requirements of this  
25 chapter to allow the in-kind replacement of historic fabric where the proposed  
26 renovation is necessary to replace or repair materials that have deteriorated, or to  
27 restore historic buildings to their historic appearance in accordance with generally  
28 accepted historic preservation practices. Historic buildings relocated to and  
29 displayed at recognized museums also shall be exempt from the provisions of this  
30 Code.

1 1.7 **Severability.** If any part of this Code or the application thereof to any person or  
2 circumstance is held invalid, the remainder of the Code and its application to other  
3 persons or circumstances shall not be affected thereby.

4 1.8 **Conflicting Provisions.** Where there exists a conflict between any limitation or  
5 requirement in this Code and any applicable limitation or requirement contained  
6 elsewhere in this Code or in any other ordinance, regulation, or law, the Land Use  
7 Administrator, the Fire Marshal, and the applicant shall resolve such conflicts so as to  
8 achieve the objectives of the conflicting codes to the greatest possible degree and to  
9 ensure the protection of human health and safety, soil, vegetation, wildlife habitat,  
10 and air and water quality. The Land Use Administrator and the Fire Marshal shall  
11 address such conflict in writing and shall publish a summary of the resolution or  
12 coordination measures within thirty (30) days of the date on which such measures  
13 shall become effective.

14 1.9 **Effective Date.** This Code shall become effective on the thirtieth (30<sup>th</sup>) day after  
15 recording of this Code in the County Ordinance book. Any re-recordings or  
16 recompilation of this Code shall not affect its effective date.

17 **Section 2. Authority of the Fire Marshal.**

18 2.1 **Powers and Duties of the Fire Marshal.** This Code shall be enforced by the Santa  
19 Fe County Fire Marshal's Office, which office is established and operated under the  
20 supervision and direction of the Chief of the Santa Fe County Fire Department. The  
21 Fire Marshal shall be appointed by the Fire Chief to exercise the powers and duties as  
22 set forth in the Fire Code and as necessary to carry out the purposes of this Code.

23 **Section 3. Permits.**

24 3.1 **Scope.** Permits shall be obtained for the activities, operations, practices, materials, or  
25 functions listed in this Section and as further defined in the Fire Code. Permits shall  
26 be by application to the Land Use Administrator and shall incorporate such terms and  
27 conditions, as are reasonably necessary to safeguard public safety and property.

28 3.1.1. Automobile wrecking yard. To operate an automobile wrecking yard.

29 3.1.2 Candles and open flames in assembly areas. To use open flames or candles in  
30 connection with assembly areas, dining areas of restaurants or drinking  
31 establishments.

1 3.1.3 Explosives or blasting areas. For permits for explosives or blasting agents, see  
2 Article 77 of the Fire Code.

3 3.1.4 Flammable or combustible liquids. See Article 79 of the Fire Code.

4 3.1.5 Fireworks. For permits for fireworks, see Article 78 of the Fire Code.

5 3.1.6 Hazardous materials. To store, transport on site, dispense, use or handle  
6 hazardous materials in excess of the amounts listed in Table 105-C of the Fire  
7 Code or to install, repair, abandon, remove, place temporarily out of service,  
8 close or substantially modify a storage facility or other area regulated by the  
9 Fire Code when the hazardous materials in use or storage exceed the amounts  
10 listed in Table 105-C.

11 3.1.7 Liquefied petroleum gases. See Article 82 of the Fire Code.

12 3.1.8 Lumberyards. To store lumber in excess of 100,000 board feet, see Article 30  
13 of the Fire Code.

14 3.1.9 Motor vehicle fuel-dispensing stations. To dispense flammable or combustible  
15 liquids, liquefied petroleum gases, or compressed natural gas at commercial  
16 motor vehicle fuel-dispensing stations. See Article 52 of the Fire Code.

17 3.1.10 Open burning. To conduct open burning.

18 3.1.11 Pyrotechnical special effects material. For permits for pyrotechnical special  
19 effects material, see Article 78 of the Fire Code.

20 3.1.12 Tents, canopies, and temporary membrane structures. To erect or operate an  
21 air-supported temporary membrane structure or tent having an area in excess  
22 of 200 square feet or a canopy in excess of 400 square feet, except for  
23 structures used exclusively for camping. See Article 32 of the Fire Code.

24 3.1.13 Tire storage. To use an open area or portion thereof to store tires in excess of  
25 1,000 cubic feet.

26 3.1.14 Welding and cutting operations. To operate welding and cutting operations for  
27 commercial purposes.

28 **3.3 New Materials, Processes or Occupancies That May Require Permits.** The Fire  
29 Chief or Fire Marshal in the future and from time to time may determine that permits  
30 shall be required for new materials, processes, or occupancies not now required to be  
31 permitted under this Code. Such determinations and specifications shall be by

1 ordinance after public hearing giving affected persons an opportunity to be heard,  
2 shall be posted in a conspicuous place in the office of the County Clerk, and copies  
3 thereof shall be made available to the public.

4 **Section 4. Appeals.**

5 4.1 **Appeals.** Whenever the Fire Marshal denies or refuses to grant an application for a  
6 permit, or when it is claimed that the provisions of this Code do not apply, or that the  
7 true intent and meaning of the Code have been misconstrued or wrongly interpreted,  
8 the applicant may appeal from the decision of the Fire Marshal to the Santa Fe  
9 County Development Review Committee. The appeal must be submitted in writing  
10 thirty (30) calendar days from the date of mailing of the Fire Marshal's decision. The  
11 applicant must state the grounds for the appeal, provide specific statement of fact,  
12 specify the provisions of this Code and any other ordinance upon which the appeal is  
13 based, and cause for the appeal.

14 **Section 5. Enforcement and Penalties.**

15 5.1 **Complaints.** Whenever a violation of this Code occurs or is alleged to have occurred,  
16 any person may file a written complaint stating fully the cause and basis thereof. Such  
17 complaint shall be submitted to the Fire Marshal. The Fire Marshal shall cause the  
18 complaint to be investigated promptly and take action thereon as specified under this  
19 Section.

20 5.2 **Inspection and Notice.** The Fire Marshal shall, when required, inspect a site or  
21 building(s) where provisions of this Code are alleged to have been violated. Where  
22 provisions of this Code are being violated, written notification shall be provided to  
23 the owner or tenant of the subject property, indicating the nature of the violations and  
24 ordering the action necessary to correct it. Such notice may also require the taking of  
25 any other action authorized by this Code to ensure compliance with or to prevent  
26 further violations of its provisions. This Section shall not preclude the issuance of a  
27 citation without the issuance of a notice of violation where a significant life safety or  
28 concern of danger exists.

29 5.3 **Penalties for Violations of this Code.** In addition to any penalty or other remedy  
30 provided by law, any person, corporation, entity, or organization, found by a court of  
31 competent jurisdiction to have violated the provisions of this Code, shall be guilty of

1 a misdemeanor punishable by a fine not to exceed three hundred dollars (\$300) per  
2 day per violation, from the date written notification is provided pursuant to  
3 Subsection 5.2 above, or by imprisonment not to exceed ninety (90) days, or by both  
4 fine and imprisonment. In addition to the imposition of any fine for any violation  
5 hereunder, the removal, correction, or remedy of any violation of this Code shall be  
6 required within a reasonable period of time, as determined by the Fire Marshal.

7 **5.4 Injunctive Relief.** The County Attorney on behalf of the Board of County  
8 Commissioners, the District Attorney for the First Judicial District, or the Attorney  
9 General may apply to the district court for mandatory injunctive relief to compel  
10 compliance by any person with the provisions of this Code.

11 **CHAPTER 2. DEFINITIONS**

12 **Section 1. General**

13  
14 **1.1 Scope.** Unless otherwise expressly stated, the following words and terms shall, for the  
15 purposes of this Code, have the meanings shown in this chapter.

16 **1.2 Interchangeability.** Words stated in the present tense include the future; words stated  
17 in the masculine gender include the feminine and neuter, and the singular number  
18 includes the plural and the plural the singular.

19 **1.3 Terms Defined in Other Codes.** Where terms are not defined in this Code and are  
20 defined in other applicable codes, such terms shall have the meanings ascribed to  
21 them as in those codes.

22 **1.4 Terms Not Defined.** Where terms are not defined in this chapter, such terms shall  
23 have their ordinarily accepted meanings such as the context implies.

24 **Section 2. Definitions**

25 **Accessory Structure** is a building or structure that is incidental and subordinate to a  
26 principal dwelling or use and that shall:

- 27 a. not be used as a dwelling;
- 28 b. be non-commercial, except for approved home and agricultural  
29 occupations; and
- 30 c. be operated and maintained for the benefit or convenience of the occupants of  
31 the principal dwelling.

1 **Building Code** is the building code adopted by Santa Fe County Ordinance 1996-10,  
2 as amended.

3 **Defensible Space** is an area either natural or man-made, where material capable of  
4 allowing a fire to spread unchecked has been treated, cleared or modified to slow the  
5 rate and intensity of an advancing wildfire and to create an area for fire suppression  
6 operations to occur.

7 **Driveway** is a vehicular ingress and egress to a lot, building, structure, or dwelling  
8 unit, located on and serving no more than three (3) lots.

9 **Electrical Code** is the electrical code adopted by Santa Fe County Ordinance 1996-  
10 10, as amended.

11 **Extraterritorial Subdivision Regulations (ESR)** are the Santa Fe Extraterritorial  
12 Subdivisions Regulations adopted by Santa Fe County Ordinance No. 1991-11, as  
13 amended, and by the City of Santa Fe Ordinance No. 29, 1991, as amended.

14 **Extraterritorial Zoning Ordinance (EZO)** is the Santa Fe Extraterritorial Zoning  
15 Authority Ordinance No. 1997-4, as amended.

16 **Fire Area** is the floor area, in square feet (square meters), used to determine the  
17 adequate water supply.

18 **Fire Chief** is Chief of the Santa Fe County Fire Department or his authorized  
19 representative.

20 **Fire Code** is the fire code and standards adopted by Santa Fe County Ordinance  
21 No.1998-11, as amended.

22 **Fire Marshal** is the Santa Fe County Fire Marshal.

23 **Fire-Resistive Construction** is the use of materials and systems in the design and  
24 construction of a building or structure to safeguard against the spread of fire within a  
25 building or structure and the spread of fire to or from buildings or structures to the  
26 urban-wildland interface area.

27 **Fuel Break** is an area, strategically located for fighting anticipated fires, where the  
28 native vegetation has been permanently modified or replaced so that fires burning into  
29 it can be more easily controlled. Fuel breaks divide fire-prone areas into smaller  
30 areas for easier fire control and to provide access for fire fighting.

1 **Fuel Modification** is a method of reducing the amount of nonfire-resistive vegetation  
2 or altering the type of vegetation to reduce the available fuel load, as defined in this  
3 Section.

4 **Fuel Mosaic** is a fuel modification system that provides for the creation of islands  
5 and irregular boundaries to reduce the visual and ecological impact of fuel  
6 modification.

7 **Fuel Load** is the oven-dry weight of fuels in a given area, usually expressed in  
8 pounds per acre (lb/a) or kilogram per hectare (kg/ha). Fuel load may be referred to  
9 in fuel size or time log categories, and may include surface fuels or total fuels.

10 **Hazardous Materials** is as defined in the Fire Code.

11 **Heavy Timber Construction** is as described in the Building Code.

12 **Historic Building** is a building or structure placed on the New Mexico Register of  
13 Cultural Properties maintained by the Cultural Properties Review Committee of the  
14 State Office of Cultural Affairs in accordance with NMSA 1978, §§ 18-6-1 through  
15 18-6-17, as amended.

16 **Ignition-resistant Construction, Class 1**, is a schedule of additional requirements  
17 for construction in urban-wildland interface areas based on extreme or very high fire  
18 hazard.

19 **Ignition-resistant Construction, Class 2**, is a schedule of additional requirements  
20 for construction in urban-wildland interface areas based on high fire hazard.

21 **Ignition-resistant Construction, Class 3**, is a schedule of additional requirements  
22 for construction in urban-wildland interface areas based on moderate fire hazard.

23 **Land Development Code (LDC)** is the Santa Fe County Land Development Code,  
24 Santa Fe County Ordinance 1996-10, as amended.

25 **Land Use Administrator** is the director of the Santa Fe County Land Use  
26 Department.

27 **Log Wall Construction** is a type of construction in which exterior walls are  
28 constructed of solid wood members and where the smallest horizontal dimension of  
29 each solid wood member is at least 6 inches (152mm).

30 **Noncombustible** as applied to building construction material means a material that,  
31 in the form in which it is used, is either one of the following:

- 1 1. Material of which no part will ignite and burn when subjected to fire. Any  
2 material conforming to ASTM E 136-79 shall be considered non-combustible  
3 within the meaning of this section.
- 4 2. Material having a structural base of noncombustible material as defined in  
5 Item 1 above, with a surfacing material not over 1/8 inch (3.2 mm) thick,  
6 which has a flame-spread rating of 50 or less. Flame-spread rating as used  
7 herein refers to rating obtained according to tests conducted as specified in  
8 ASTM E 84-91a.  
9 “Noncombustible” does not apply to surface finish materials applied over  
10 combustible base materials. Material required to be noncombustible for  
11 reduced clearances to fuels, heating appliances or other sources of high  
12 temperature shall refer to material conforming to Item 1. No material shall be  
13 classed as noncombustible which is subject to increase in combustibility or  
14 flame-spread rating, beyond the limits herein established, through the effects  
15 of age, moisture or other atmospheric condition.

16 **Noncombustible Roof Covering** shall be one of the following:

- 17 1. Cement shingles or sheets.
- 18 2. Exposed concrete slab roof.
- 19 3. Ferrous or copper shingles or sheets.
- 20 4. Slate shingles.
- 21 5. Clay or concrete roofing tile.
- 22 6. Approved roof covering of noncombustible material.
- 23 7. Earth-sheltered or “green roofs” maintained with non-woody vegetative  
24 covering.
- 25 8. Asphalt shingles.
- 26 9. Tar and Gravel.

27 **Slope** is the variation of terrain from the horizontal, in terms of rise over a given  
28 horizontal distance.

29 **Structure** is that which is built or constructed, an edifice or building of any kind, or  
30 any piece of work artificially built up or composed of parts joined together in some  
31 manner.

1 **Tree Crown** is the primary and secondary branches growing out from the main stem,  
2 together with twigs and foliage.

3 **Unenclosed Accessory Structure** is an accessory structure without a complete  
4 exterior wall system enclosing the area under roof or floor above.

5 **Urban Wildland Interface Area** is a certain geographical area where a significant  
6 density of structures and other human development and occupancy meets or  
7 intermingles with wildland or vegetative fuels.

8 **Wildfire** is an uncontrolled fire spreading through vegetative fuels, exposing and  
9 possibly consuming structures.

10 **Wildland** is an area in which development is essentially nonexistent, except for  
11 roads, railroads, power lines and similar facilities.

## 12 **CHAPTER 3. URBAN WILDLAND INTERFACES AREAS**

### 13 **Section 1. Urban Wildland Interface Area Designations.**

14 1.1 **Boundaries.** The boundaries of the urban wildland interface areas within Santa Fe  
15 County are graphically presented on Appendix I attached hereto and incorporated  
16 herein by reference and described as follows:

17 1. Cordova

18 T20N/R10E/Sec. 2

19 2. Chimayo

20 T20N/R9E/Sec.1, 2, 3

21 3. Cundiyo

22 T20N/R10E/Sec. 17, 20

23 4. Sombrillo/Cuarteles

24 T20N/R8E/Sec. 12

25 T20N/R10E/Sec. 4, 5

26 5. Chupadero

27 T18N/R10E/Sec. 5, 6

28 T19N/R10E/Sec. 31, 32

29 6. Pacheco Canyon

30 T18N/R10E/Sec. 8, 9, 16

31 7. Tesuque

32 T18N/R9E/Sec. 25

33 T18N/R10E/Sec. 30, 31

34 8. Lower Pacheco Canyon

- 1 T18N/R10E/Sec. 7
- 2 9. Bishop's Lodge
- 3 T17N/R10E/Sec. 6
- 4 10. Canada de Los Alamos
- 5 T16N/R10E/Sec. 22, 23, 26, 27, 34, 35
- 6 11. Apache Ridge
- 7 T15N/R10E/Sec. 1, 2, 3
- 8 12. Cañoncito
- 9 T15N/R10E/Sec. 11,12
- 10 13. Ojo de la Vaca
- 11 T15N/R10E/Sec. 13, 14, 24
- 12 T15N/R11E/Sec. 7, 18, 19
- 13 14. Glorieta Mesa
- 14 T15N/R11E/Sec. 8, 10, 11, 13, 14, 15, 17, 22, 24, 25, 28, 29
- 15 15. Glorieta Conference Center
- 16 T16N/R11E/Sec. 21, 22, 27
- 17 16. La Jolla
- 18 T15N/R11E/Sec. 1, 2, 12
- 19 17. Glorieta Estates
- 20 T15N/R11E/Sec. 3
- 21 T16N/R11E/Sec. 34
- 22 18. La Cueva Canyon
- 23 T16/R11E/SEC. 24, 25, 26, 35, 36
- 24 19. Old Ranch Road
- 25 T15N/r10e/Sec. 27, 28, 29, 32
- 26 20. Los Vaqueros/Cimarron
- 27 T15N/R10E/Sec. 15,21,22
- 28
- 29 21. Lamy
- 30 T15N/R10E/Sec. 33,34
- 31 T14N/R7E/Sec. 3,4
- 32 22. Bella Vista
- 33 T10N/R7E/Sec. 33
- 34 23. Thunder Mountain
- 35 T10N/R7E/Sec. 7,17,18,20
- 36 24. Cedar Grove
- 37 T11N/R7E/Sec. 9,10,11,14,15,16,21,22
- 38 25. San Pedro

- 1 T12N/R7E/Sec. 26,27,28,33,34,35  
2 26. Mailbox Road/Camino Cerro Chato  
3 T13N/R7E/Sec. 3,4,5,8,9,10  
4 T14N/R7E/Sec. 22,27,28,33,34,35  
5 27. Madrid  
6 T14N/R7E/Sec. 24,25  
7 28. Cerrillos  
8 T14N/R8E/Sec. 17,18,19,20,30  
9 29. Turquoise Trail  
10 T14N/R8E/Sec. 2,3,10,11  
11 30. Gan Eden  
12 T15N/R8E/Sec. 27,34  
13 31. Santa Fe South  
14 T15N/R9E/Sec. 7  
15 T15N/R8E/Sec. 12,13  
16 32. San Marcos  
17 T15N/R8E/Sec. 24,25,26  
18 33. La Cienega  
19 T15NR8E/Sec. 5,6  
20 T16N/R8E/Sec. 28,29,31,32,33  
21 34. Los Pinos  
22 T16N/R8E/Sec. 21,22,27  
23 35. Camel Tracks  
24 T16N/R8E/Sec. 17  
25 36. La Tierra  
26 T17/R8E/Sec. 1,2  
27 37. Las Campanas  
28 T17N/R8E/Sec. 10,11,12,13,14,15  
29

30 **1.2 Classification of Urban Wildland Interface Areas.** Hazard ratings and general  
31 descriptions of the urban wildland interface areas designated in Section 1.1 above are  
32 presented in the Santa Fe County Urban Wildland Interface Area Inventory  
33 Assessment (February 2001), attached hereto as Appendix II and incorporated herein  
34 by reference.

35 **1.3 Site-Specific Classification.** Hazard ratings may be modified on a site-specific basis  
36 by application to the Fire Marshal, or by determination of the Fire Marshal, based on

1 a form of the Wildfire Hazard Severity Form Checklist, as amended from time to  
2 time, and attached hereto as Appendix III.

3 **1.4 Review of Urban Wildland Interface Areas.** The Fire Marshal shall reevaluate and  
4 recommend addition, removal, or modification to the urban wildland interface areas,  
5 based on climatic, topographic and geographic considerations, on a three-year basis  
6 or more frequently as deemed necessary by the governing body.

## 7 **CHAPTER 4. URBAN WILDLAND INTERFACE AREA REQUIREMENTS**

### 8 **Section 1. General.**

9 **1.1 Scope.** Urban wildland interface areas shall be provided with emergency vehicle  
10 access and water supply in accordance with this chapter.

### 11 **Section 2. Existing Conditions.**

12 **2.1 General.** Existing buildings shall be provided with address markers in such a position  
13 as to be plainly visible and legible from the street or road fronting the property. Fire  
14 protection systems and fire hydrants shall be clearly identified in an approved manner  
15 to prevent obstruction by parking and other obstructions. When required by the Fire  
16 Chief or Fire Marshal, hydrant locations shall be identified by installation of  
17 reflective markers.

### 18 **Section 3. Access.**

19 **3.1 Fire Apparatus Access Road.** Fire apparatus access roads for new subdivisions and  
20 individual structures hereafter constructed or relocated into urban wildland interface  
21 areas shall be in accordance with the Fire Code. The minimum practicable widths and  
22 turning radii for access roads, driveways, driveway turnarounds, and driveway  
23 turnouts shall be based on the minimum vehicle size appropriate to firefighting  
24 conditions found in the designated urban wildland interface areas within Santa Fe  
25 County.

26 **3.2 Roads and Driveways.** Access roads, driveways, driveway turnarounds, and  
27 driveway turnouts shall be in accordance with the applicable provisions of the Fire  
28 Code and the Land Development Code.

29 **3.3 Gates.** Gates shall be a minimum of fourteen feet (14') wide and may be in one or  
30 two sections. Center posts shall be prohibited.

1 3.4 **Key Boxes.** Where emergency vehicle access is restricted due to secured access roads  
2 or driveways or where immediate access is necessary for life saving or fire fighting  
3 purposes, the Fire Marshal is authorized to require a key box to be installed in an  
4 accessible location. The key box shall be of an approved type and shall contain keys  
5 to gain necessary access as required by the Fire Marshal.

6 **Section 4. Water Supply.**

7 4.1 **General.** The water supply required by this Code for purposes of initial attack and  
8 flame front control shall be in accordance with the applicable provisions of the Fire  
9 Code and the Land Development Code.

10 4.2 **Protection of Electrical Power Supplies.** When electrical pumps are used to provide  
11 the required water supply for fire protection systems, not including domestic wells or  
12 water supply systems, such pumps shall be connected to a standby power source to  
13 automatically maintain electrical power in the event of a power loss, except that a  
14 standby power source shall not be required where the primary source of power  
15 service to pumps is underground, as approved by the Fire Marshal.

16 **CHAPTER 5. SPECIAL BUILDING CONSTRUCTION REGULATIONS**

17 **Section 1. General.**

18 1.1 **Scope.** Buildings and structures located within urban wildland interface areas, not  
19 including accessory structures, shall be constructed in accordance with the Fire Code,  
20 the Building Code, and this Code.

21 1.2 **Objective.** The objective of this chapter is to establish minimum standards to locate,  
22 design, and construct buildings and structures or portions thereof for the protection of  
23 life and property, to resist damage from wildfires, and to mitigate building and  
24 structure fires from spreading to wildland fuels.

25 **Section 2. Uniform Construction Requirements.**

26 2.1 **General.** Buildings and structures hereafter constructed, relocated, renovated or  
27 modified to the extent delineated in Ch. 1, § 1.5 of this Code, in any urban wildland  
28 interface areas designated as extreme, very high, or high fire hazard shall be in  
29 accordance with this Section.

30 2.2 **Gutters and Downspouts.** Gutters and downspouts shall be constructed of  
31 noncombustible materials. Gutters and downspouts made of plastic shall not be used.

1 2.3 **Exterior Walls.** Exterior walls of buildings or structures shall be constructed with  
2 materials approved for a minimum of one-hour-rated fire-resistive construction on the  
3 exterior side, constructed with approved noncombustible materials, or constructed  
4 with alternative materials approved by, and installed in accordance with, the  
5 requirements of the International Conference of Building Officials Research Reports,  
6 or favorable research reports by any testing agency recognized by the State of New  
7 Mexico Regulation and Licensing Department, Construction Industries Division.  
8 Such materials shall extend from the top of the foundation to the underside of the roof  
9 sheathing. Exterior walls shall not be constructed of plastic or wood or wood  
10 byproducts, unless said plastic, wood, or wood byproducts are at a minimum one-  
11 hour-rated fire-resistive.

12 2.4 **Unenclosed Under floor Protection.** Buildings or structures shall have all under  
13 floor areas enclosed to the ground with exterior walls in accordance with subsection  
14 2.3 of this Section. Complete enclosure may be omitted where the underside of all  
15 exposed floors and all exposed structural columns, beams, and supporting walls are  
16 protected as required for exterior one-hour-rated fire-resistive construction or heavy  
17 timber construction.

18 2.5 **Appendages and Projections.** Unenclosed accessory structures attached to buildings  
19 with habitable spaces and projections, such as decks or portals, shall be a minimum of  
20 one-hour-rated fire-resistive construction, heavy timber construction or constructed of  
21 approved noncombustible materials. When the attached structure is located and  
22 constructed so that the structure or any portion thereof projects over a descending  
23 slope surface greater than 10 percent, the area below the structure shall have all under  
24 floor areas enclosed to within 6 inches of the ground, with exterior wall construction  
25 in accordance with subsection 2.3 of this Section.

26 2.6 **Windows.** Exterior windows, window walls, and skylights shall be tempered glass,  
27 wired glass, multilayered glazed panels, or fire-resistant plastic glazing.

28 2.7 **Vents.** Attic ventilation openings, foundation or under floor vents, or other ventilation  
29 openings in vertical exterior walls and vents through roofs shall not exceed 144  
30 square inches each. Such vents shall be covered with noncombustible corrosion-  
31 resistant mesh with openings not to exceed  $\frac{1}{4}$  inch. Attic ventilation openings shall

1 not be located in soffits, eave overhangs, between rafters at eaves, or in other  
2 overhang areas.

3 **2.8 Detached Accessory Structures.** Detached accessory structures located less than 50  
4 feet from a building containing habitable space shall have exterior walls constructed  
5 with materials approved for a minimum of one-hour-rated fire-resistive construction,  
6 heavy timber, log wall construction or constructed with approved noncombustible  
7 materials on the exterior side. When the detached structure is located and constructed  
8 so that the structure or any portion thereof projects over a descending slope surface  
9 greater than 10 percent, the area below the structure shall have all under floor areas  
10 enclosed to within 6 inches of the ground, with exterior wall construction in  
11 accordance with subsection 2.3 of this Section or under floor protection in accordance  
12 with subsection 2.4 of this Section.

13 **2.9 Spark Arresters.** Chimneys and vents serving fireplaces, barbecues, incinerators or  
14 decorative heating appliances in which solid or liquid fuel is used, shall be provided  
15 with a spark arrester. Spark arresters shall be constructed of woven or welded wire  
16 screening of 12 standard gage wire with openings not exceeding  $\frac{3}{4}$  inch.

### 17 **Section 3. Class 1 Ignition-Resistant Construction.**

18 **3.1 General.** In addition to the general construction requirements in Section 2 above,  
19 buildings, and structures hereafter constructed, relocated, renovated or modified to  
20 the extent delineated in Ch. 1, § 1.5 of this Code, in any urban wildland interface  
21 areas designated as extreme or very high fire hazard shall meet the requirements of  
22 this Section.

23 **3.2 Roof Covering.** Roofs shall have at least a Class A roof covering or Class A roof  
24 assembly, as defined in the Building Code. For roof coverings where the profile  
25 allows a space between the roof covering and roof decking, the space at the eave ends  
26 shall be fire stopped or screened with non-combustible corrosion-resistant mesh with  
27 openings not to exceed  $\frac{1}{4}$  inch to preclude entry of flames or embers.

28 **3.3 Protection of Eaves.** Eaves and soffits shall be protected on the exposed underside  
29 by materials approved for a minimum of one-hour-rated fire-resistive construction.  
30 Fascias are required and must be protected on the backside by materials approved for

1 a minimum of one-hour-rated fire-resistive construction or 2-inch nominal dimension  
2 lumber.

3 **3.4 Exterior Doors.** Exterior doors, other than vehicular access doors to garages, shall be  
4 noncombustible or solid core not less than 1 ¾ inch thick. Windows within doors and  
5 glazed doors shall be in accordance with subsection 2.6 of Section 2 above.

6 **3.5 Automatic Fire Sprinkler Systems.** Automatic fire sprinkler systems, when required  
7 under the Fire Code, shall be installed in all new habitable buildings or structures in  
8 accordance with nationally recognized standards.

9 **Section 4. Class 2 Ignition-Resistant Construction.**

10 **4.1 General.** In addition to the general construction requirements in Section 2 above,  
11 buildings and structures hereafter constructed, relocated, renovated or modified, or to  
12 the extent delineated in Ch. 1, § 1.5 of this Code, relocated in any urban wildland  
13 interface areas designated as high fire hazard shall meet the requirements of this  
14 Section.

15 **4.2 Roof Covering.** Roofs shall have a Class B roof covering, Class B roof assembly, as  
16 defined in the Building Code, or an approved noncombustible roof covering. For roof  
17 coverings where the profile allows a space between the roof covering and roof  
18 decking, the space at the eave ends shall be fire stopped or screened with non-  
19 combustible corrosion-resistant mesh with openings not to exceed ¼ inch to preclude  
20 entry of flames or embers.

21 **4.3 Protection of Eaves.** Combustible eaves, fascias, and soffits shall be enclosed with  
22 solid materials with a minimum of ¾ inch thickness. No exposed rafter tails shall be  
23 permitted unless constructed of heavy timber or non-combustible materials.

24 **4.4 Exterior Doors.** Exterior doors, other than vehicular access doors to garages, shall  
25 be noncombustible or solid core not less than 1 3/8 inch thick. Windows within doors  
26 and glazed doors shall be in accordance with subsection 2.6 of Section 2 above.

27 **Section 5. Class 3 Ignition-Resistant Construction.**

28 **5.1 General.** Buildings and structures hereafter constructed, modified, or relocated into  
29 urban wildland interface areas designated as moderate fire hazard shall be in  
30 accordance with this Section.

1 5.2 **Roof Covering.** Roofs shall have a Class C roof covering, Class C roof assembly, or  
2 an approved noncombustible roof covering. For roof coverings where the profile  
3 allows a space between the roof covering and roof decking, the space at the eave ends  
4 shall be fire stopped to preclude entry of flames or embers.

5 5.3 **Unenclosed Under floor Protection.** Buildings or structures shall have all under  
6 floor areas enclosed to the ground with exterior walls. Complete enclosure may be  
7 omitted where the underside of all exposed floors and all exposed structural columns,  
8 beams, and supporting walls are protected as required for exterior one-hour-rated fire-  
9 resistive construction or heavy timber construction.

## 10 **Section 6. Replacement or Repair of Roof Coverings.**

11 6.1 **Roof Coverings.** Roof covering on building or structures in existence prior to the  
12 adoption of this Code that are replaced or have forty-nine percent (49%) or more  
13 replaced in a 12-month period shall be replaced with roof covering required for new  
14 construction based on the type of ignition-resistant construction specified in Sections  
15 3, 4, or 5 of this Chapter, as applicable.

## 16 **Section 7. Exceptions.**

17 7.1. **Alternative Materials or Methods.** The Fire Marshal may approve alternative  
18 construction materials or methods, provided that the proposed design, use, or  
19 operation of the building or structure satisfactorily complies with the intent of this  
20 Code and that the alternative construction materials or methods are, for the purpose  
21 intended, at least equivalent to the level of quality, strength, effectiveness, fire  
22 resistance, durability and safety required by this Code. Any approval by the Fire  
23 Marshal under this Section shall be subject also to approval by the State of New  
24 Mexico Construction Industries Division and/or local building official.

## 25 **CHAPTER 6. FIRE PROTECTION REQUIREMENTS.**

### 26 **Section 1. Vegetation Management for Fire Protection.**

27 1.1 **Objective.** Provisions of this Section are intended to establish fire-safe areas and to  
28 minimize the threat and occurrence of fire in the urban wildland interface areas, while  
29 maintaining the ecological integrity of the landscape and recognizing the functional  
30 uses of vegetation.

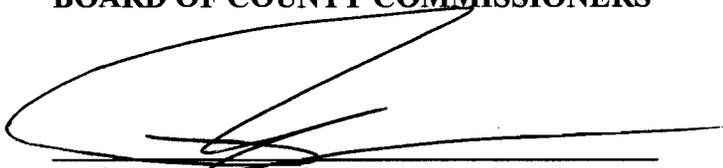
1 1.2 Preliminary Development Plans. In addition to information required to be  
2 submitted by the Fire Code and the Land Development Code, preliminary  
3 development plans for new subdivisions of twelve (12) or more lots shall also include  
4 vegetation management measures required by this Chapter. Upon final approval of  
5 the development plans, the vegetation management measures shall be recorded in the  
6 covenants of all new subdivisions.

7 1.3 Vegetation Management Measures. In areas immediately adjacent to buildings or  
8 structures subject to this Chapter, a vegetation management plan shall address the  
9 following:

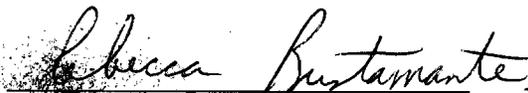
- 10 a. Management of fire-prone vegetation that may form a means of readily  
11 transmitting fire from the vegetative growth to any structure or from any structure  
12 to the vegetative growth.
- 13 b. Onsite recycling of vegetative debris such as dead trees, brush, and leaf/pine  
14 litter, with the primary intent of maintaining soil health.
- 15 c. Vegetation management under this Section shall be otherwise coordinated with  
16 the vegetation, landscaping, and terrain management requirements set forth in the  
17 applicable provisions of the Land Development Code to ensure the protection of  
18 soil, vegetation, and air quality, and the preservation of wildlife habitat.

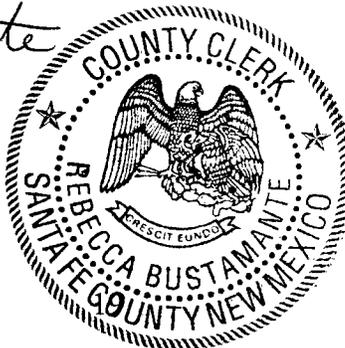
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20 APPROVED, ADOPTED AND PASSED this 9<sup>th</sup> day of October, 2001.

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28 Paul D. Duran, Chairperson

29 ATTEST:

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32 Rebecca Bustamante, County Clerk



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1 Approved as to form:

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*Sally Malave*  
for Steven Kopelman, County Attorney