SANTA FE COUNTY

Ordinance No. 1991-7 716891

SANTA FE COUNTY FIRE CODE

An ordinance adopting the Uniform Fire Code and Uniform Fire Code Standards prescribing regulations governing conditions hazardous to life and property from fire or explosion, providing for the issuance of permits for hazardous uses or operations, and providing officers therefore and defining their powers and duties

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY FINDS:

The County of Santa Fe does not have a comprehensive fire code, and such is need for the health, safety, and welfare of the property and residents of Santa Fe County; and

The Uniform Fire Code is propagated by the International Conference of Building Officials in the Western Fire Chief's Association, so as to give cities and counties a complete and comprehensive program for fire protection; and

The County requires a comprehensive fire code, with reasonable and clearly stated procedures and regulations for various activities and constructions within the County of Santa Fe.

1. ADOPTION OF UNIFORM FIRE CODE.

There is hereby adopted by the Santa Fe County Board of County Commissioners for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code and Standards known as the Uniform Fire Code, including Appendix Chapters I to VI and the Uniform Fire Code Standards published by the Western Fire Chiefs Association and the International Conference of Building Officials, being particularly the 1988 editions thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended by Section 6 of this ordinance, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provision thereof shall be controlling within the limits of the County of Santa Fe.

2. ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION.

(a) The Uniform Fire Code shall be enforced by the Santa Fe County Fire Marshal's Department which is operated under the supervision of the Fire Marshal.

(b) The Fire Marshal shall be appointed by the Santa Fe Board of County Commissioners on the basis of examination to determine his qualification in accordance with Santa Fe County Ordinance 1988-2.

(c) The Fire Marshal may detail such members of his department as inspectors as shall from time to time be necessary. The Fire Marshal shall recommend to the Board of County Commissioners the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position.

3. DEFINITIONS.

(a) Wherever the word "jurisdiction" is used in the Uniform Fire Code, it is hereby defined as Santa Fe County, New Mexico.

(b) Masculine form of a word includes the feminine and plural.

(c) Wherever the words "chief of the bureau of fire prevention" are used they shall be held to mean "Fire Marshal."

4. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN OUTSIDE ABOVEGROUND TANKS IS PROHIBITED.

(a) The limits referred to in Section 79.501 of the Uniform Fire Code in which the storage of flammable or combustible liquids is restricted are hereby established as follows:

Residential communities, except for certain home occupations, community district and agricultural uses.

5. ESTABLISHMENTS OF LIMITS IN WHICH STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED.

(a) The limits referred to in Section 82.103 (a) of the Uniform Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as follows:

Residential communities, except for certain home occupations, community district and agricultural uses.

6. AMENDMENTS MADE IN THE UNIFORM FIRE CODE.

The Uniform Fire Code is amended and changed in the following respects:

(A) Section 4.108 b. 1 is hereby deleted, and the following is inserted in its place:

AGRICULTURAL AND PERMITTED BURNING.

To kindle or authorized the kindling or maintenance of agricultural fires and special permitted burning.

(B) Section 4.108 b. 3 is hereby deleted.

(C) Section 11.101 (a) is hereby deleted and following language is inserted:

PERMIT REQUIRED.

For permits to kindle or maintain any agricultural fires or permitted burning.

(D) Section 11.101 (b), (c), (d) are hereby deleted.

(E) Section 14.108 is hereby amended as follows:

a. In the event of temporary failure of the alarm system or an excessive number of false alarm activations, the chief may order the building owner or occupant to provide standby personnel as defined by Section 25.117 until the system is restored.

b. It shall be the responsibility of the property owner and/or occupant, in conjunction with the alarm system company to maintain all fire and smoke alarm reporting systems in good working order.

c. The penalties for excessive false alarms shall be as follows:

1. Five (5) false signals shall be allowed within any given 90 day period. The owner/occupant/alarm company shall perform repairs to the system prior to the fifth false alarm.
2. There shall be a twenty-five ($25.00) dollar penalty for each of the sixth (6th) through tenth (10th) false alarms during any given 90 day period.
3. There shall be a forty ($40.00) dollar penalty for each false alarm after the tenth (10th) within any given 90 day period.
4. There shall be a one-hundred ($100.00) penalty for each false alarm above twenty (20) in any given 90 day period.

(F) Article 77.101 is hereby deleted and following language is inserted:

This article shall apply to the manufacture, possession, storage, sale, transportation, and use of explosive and blasting agents. Nothing in this Article should be read to contradict any provision in existing Santa Fe County Ordinances regarding blasting. If any contradiction does occur, the ordinances specifically regulating blasting shall control.

(G) Article 78 is hereby deleted, in recognition of existing and future County Ordinances which regulate fireworks.

(H) Appendix III-A is hereby amended to insert the following language is inserted as subparagraph 5:

5 . MINIMUM RURAL REQUIREMENTS
The Santa Fe County Fire Marshal shall make the best assessment and determination of required water supplies, storage, delivery, and pressures for fire suppression based on all applicable standards and codes economic factors, and development type. Fire flow requirements shall be determined through a combination of standards relevant to rural fire fighting operations. Minimum water supply for any single structure shall be according to NFPA 1231. Total fire flow shall be determined according to the Insurance Service Organizations Standards and NFPA 1231, as applicable. Water supplies for fire fighting shall be available from either a conventional water system or storage facilities to be determined and recommended by the Fire Marshal. Achievement of water supplies for fire suppression and required fire flow shall be the responsibility of the developer of the property in question and engineered to meet or exceed all requirements.

Absolute minimum fire flow for small developments of single family dwellings, with a supply and hydrant system dedicated solely to fire suppression shall be 250gpm for two hours, with a positive residual pressure at the hydrant. Absolute minimum fire flow for similar developments with a water supply also serving domestic water requirements shall be 500gpm for 2 hours with a minimum residual pressure at the hydrants of 20psi. Absolute minimum fire flow for commercial developments shall be 1000gpm, with residual pressure to be determined by other uses of the supply system. Individual commercial occupancies within or separate from approved developments my be required to provide increased levels of fire protection, automatic suppression, automatic notification systems or any combination of these.

(I) Appendix III-B 2. & 3. are hereby deleted, and the following language is inserted as subparagraph 2:

2. PLACEMENT OF HYDRANTS
Hydrant distance and spacing may be amended to allow greater distances and spacing, for isolated buildings or groups of buildings in rural areas where the development of an urban hydrant system is impractical, but hydrants shall be no more than 1000 feet from any point

of all structures within a development. Hydrants shall be located along a roadway, clear of any obstructions. Within the five mile extraterritorial zone where fire suppression is provided by the city, water supply and flow, hydrant spacing, and additional fire protection and prevention requirements may be imposed by the city of Santa Fe Fire Department.

(J) Appendix III-B is hereby amended so as to add a new Section 4:

4. TESTING AND MAINTENANCE OF HYDRANTS
Hydrants shall be tested by a qualified person in the employ of the water system ownership or regulatory agent at least twice annually. Results of this testing shall be provided to the Fire Marshal within two weeks after completion of the test. Hydrants and supplying water systems shall be maintained at the expense of the system owner. Any deficiencies or malfunctions determined to be present in the system as a result of semi-annual testing, Fire Department inspection, or emergency uses shall be remedied within two weeks of such determination. Hydrants which are determined to be inoperative, malfunctioning, or under pressure and flow requirements shall be clearly and obviously marked until repairs have been effected and tests show full operability, in conformance with this Ordinance.

(K) Appendix VI-C is hereby deleted.

7. APPEALS.

(A) Whenever the Fire Marshal disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Marshal to the Santa Fe County Development and Review Committee or to the Extraterritorial Zoning Committee within 30 days from the date of the decision appealed.

8. NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS.

(A) The County Development and Review Committee and the Extraterritorial Zoning Committee, shall act as committees to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in said code.

9. PENALTIES.

(A) Any person who shall violate any of the provisions of this Code or Standards hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Extraterritorial Zoning Committee, the Extraterritorial Zoning Authority, the County Development Review Committee, and the Board of County Commissioners or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor, punishable by a fine of not less than $ 25.00 or more than $300.00 per violation or by imprisonment for not more than twenty (20) days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

(B) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

10. VALIDITY.

The Board of County Commissioners hereby declares that should any section, paragraph, sentence or word of this Ordinance or of the Code or Standards hereby adopted be declared for any reason to be invalid, it is the intent of Board of County Commissioners that it would have passed all other portions of this Ordinance independent of the elimination therefrom of any such portion as may be declared invalid.

11. DATE OF EFFECT.

This Ordinance shall take effect and be in force from and after its approval as required by law.

ADOPTED THIS 9TH DAY OF APRIL, 1991.

SANTA FE BOARD OF COUNTY COMMISSIONERS

Raymond M. Chavez

Raymond M. Chavez, Chairman

716897

ATTEST:

Jona G. Armijo, County Clerk

Approved as to form
Terrence P. Brennan

County Attorney

734,032

COUNTY OF SANTA FE)SS
STATE OF NEW MEXICO)
I hereby certify that this instrument was filed for record on the 12 day of April A.D. 19 91, at 2:02 o'clock P m. and was duly recorded in book 716, page 891-897 of the records of Santa Fe County.
Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, N.M.
Joyce Medina
Deputy