

CHAPTER 7
BUILDING REGULATIONS

SECTION

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SECTION 7.1
GENERALLY

7.1.1 GENERALLY

Owners of real property within the limits of the Town of Carrizozo who desire to construct improvements for human habitation and occupation are required to apply for and obtain permits for such construction from the New Mexico Construction Industries Division in Las Cruces or Santa Fe. Application forms shall be available in the office of the Town Clerk.

SECTION 7.2
BUILDING CODES

7.2.1 BUILDING CODES

ADOPTION OF BUILDING CODES:

There is hereby adopted for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, those certain Building Codes known as the International Building Code (2015), The International Residential Code (2015), the International Commercial Code (2015), the Existing Building Code (2015), and the Energy Conservation Code (2009), and the same are hereby adopted and incorporated as fully as if set out at length herein.

SECTION 7.3 PLUMBING CODES

7.3.1 ADOPTION OF UNIFORM PLUMBING CODE:

There is hereby adopted for the purpose of establishing minimum standards of design, materials and workmanship for all plumbing thereafter installed, altered or repaired and to establish methods of procedure within the limits of this Municipality, that certain plumbing code known as the "Uniform Plumbing Code 2015", and the same is hereby adopted and incorporated as fully as if set out at length herein.

7.3.2 DAMAGE NOT ASSUMED BY MUNICIPALITY:

This section shall not be construed to relieve from, or lessen the responsibility of, any person owning, operating or installing any plumbing, fixtures, appliances, apparatus, construction or equipment, for damages to any one injured or damaged either in person or property by any defect there in; nor shall the Municipality or any agent thereof be held as assuming such liability by reason of its acquiescence to the project.

SECTION 7.4 ELECTRICAL CODES

7.4.1 NATIONAL ELECTRICAL CODE ADOPTED:

All electric apparatus or electrical appliances for furnishing light, heat or power or other electrical work introduced into or placed in private or public structures shall comply with the NFPA 70 National Electric Code (2017), or subsequent edition, and all fittings and material used in such construction or installation shall be such as are sanctioned and approved in the latest list of electrical fittings published by the NFPA, and the same is hereby adopted and incorporated as if set out at length herein.

7.4.2 DAMAGE NOT ASSUMED BY MUNICIPALITY:

This section shall not be construed to relieve from, or lessen the responsibility of, any person owning, operating or installing any electrical wires, appliances, apparatus, construction or equipment, for damages to any one injured or damaged either in person or property by any defect there in; nor shall the Municipality or any agent thereof be held as assuming such liability by reason of its acquiescence to the project.

SECTION 7.5 GAS CODES

7.5.1 ADOPTION OF NFPA 54

The rules and regulation governing basic standards for the installation of gas piping and gas appliances in buildings shall be as set forth in the NFPA 54 National Fuel Gas Code (2015), and the same is hereby adopted and incorporated as if set out at length herein.

7.5.2 DAMAGE NOT ASSUMED BY MUNICIPALITY:

This section shall not be construed to relieve from, or lessen the responsibility of, any person owning, operating or installing any gas piping, appliances, apparatus, construction or equipment, for damages to any one injured or damaged either in person or property by any defect there in; nor shall the Municipality or any agent thereof be held as assuming such liability by reason of its acquiescence to the project.

**SECTION 7.6
MANUFACTURED HOUSING**

SECTION

- 7.6.1 Definition**
- 7.6.2 Requirements and Restrictions**
- 7.6.3 Penalties**

7.6.1 DEFINITION:

“Manufactured Home: (is synonymous with older term of mobile home) as used in this Article means any moveable or portable housing structure either over Forty (40) feet in length or over eight (8) feet in width (NMSA § 66-1-4.11) constructed to be towed on its own chassis, and designed to be installed with or without permanent foundation for human occupancy as a residence or for use as an office or other commercial purpose. The structure may include one or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or two or more units separately towable but designed to be joined into one integral unit, except that the definition does not include recreational vehicles, and does not include modular or pre-manufactured homes built to the uniform building code standards, and which are designed to be permanently affixed to real property.

7.6.2 REQUIREMENTS AND RESTRICTIONS:

A. It shall be unlawful to own, possess, maintain, keep, reside in or use any Manufactured Home within the Town limits except in compliance with the provisions of this Section.

B. APPLICATION. Anyone desiring to place a manufactured home on real property within the limits of the Town of Carrizozo, must complete a P&Z application and submit it to the Governing Body for approval, as per the Planning and Zoning Ordinance.

In addition to the standard P&Z Application, the following data is also required for processing an application to place a manufactured home:

- ___ manufacturer’s name,**
- ___ trade or model number,**
- ___ year of manufacture,**
- ___ serial number,**
- ___ Certification Label number(s) from either the HUD Data Plate or Certification Label(s), The P&Z application must show evidence of**

both the HUD Data Plate/Compliance Certificate and the HUD Certification Label.

An applicant for approval of a P& Z Application for placement of a manufactured home must also certify to the following:

- The manufactured home was built in compliance with both:
 - the Federal Manufactured Home Construction and Safety Standards that were established June 15, 1976, as amended and in force at the time the home is manufactured; and
 - additional requirements that appear in HUD regulations at 24 C.F.R. Part 3280

- The unit was not previously installed or occupied at any other site or location, except from the manufacturer or the dealer's lot as a new unit.

- The towing hitch, wheels, and axles will be removed. The dwelling will assume the characteristics of site-built housing.

- Both the land and dwelling are owned by the applicant.

- The manufactured home is at least 12 feet wide and has a minimum of 600 square feet of gross living area.

- Site preparation for delivery of the manufactured home has been completed.

- The manufactured home will be attached to a permanent foundation system in accordance with the manufacturer's requirements for anchoring, support, stability, and maintenance.
- The foundation system will be appropriate for the soil conditions for the site and meet local and state codes.

- The manufactured home will be permanently connected to a septic tank or sewage system, and to other utilities in accordance with local and state requirements.

Other Requirements:

All manufactured homes installed after the date of this ordinance shall be installed by licensed contractors, and all connections to utilities shall be done by licensed contractors and/or utility company employees.

If the property is not situated on a publicly dedicated and maintained street, then it must be situated on a street that is community owned and maintained, or privately owned and maintained.

Partially incomplete manufactured homes needing repairs that affect safety, soundness, or structural integrity, are not eligible for installation to any premises.

Planned additions or structural modifications to a manufactured home, require a building permit and must be inspected by a licensed professional engineer who can certify that the addition or structural changes were completed in accordance with the HUD Manufactured Home Construction Safety Standards.

The bottom of the exterior edge of all manufactured home dwellings and accessory buildings shall be skirted with masonry, wood, metal, brick, block or plastic so that undercarriage is completely hidden from view; also trailer and skirting shall be painted (if necessary). All owners of the manufactured homes shall have thirty (30) days from the enactment of this ordinance or from placing the manufactured home on the lot to comply with the provisions of this section.

Exceptions to the foregoing may be made only for minor items that do not affect the ability to obtain an occupancy permit — such as landscaping, a driveway, or a walkway.

C. It shall be unlawful for any manufactured home to be moved within the Town limits without first securing a permit for that purpose from City Hall and complying with all applicable laws and regulations for the moving and setting up of said manufactured home. The fee for said permit shall be (\$50.00) Dollars.

1. A map is needed of the streets to be traveled on in the Town of Carrizozo.
2. Any damage to city property (i.e. city streets or signs) shall be repaired at the expense of the manufactured home owner.
3. Manufactured homes are only to be moved during daylight hours which are:

| | |
|--------------|---------------|
| Winter Hours | 7:00AM-4:00PM |
| Summer Hours | 7:00AM-7:00PM |

4. It shall be unlawful for any manufactured home to be moved within the Town limits that does not meet HUD Title 2 requirements.

7.6.3 PENALTIES:

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not to exceed Five Hundred (\$500.00) Dollars or imprisonment for ninety (90) days, or both. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

**SECTION 7.7
WELLS, SEPTIC TANKS AND CESSPOOLS**

SECTION

- 7.7.1 Covers Required**
- 7.7.2 Cesspools Prohibited**
- 7.7.3 Outhouse**
- 7.7.4 Sewer Connections Required**
- 7.7.5 Septic Tanks**

7.7.1 COVERS REQUIRED:

It shall be unlawful for any person to permit any well or cesspool, or any other similar type of excavation, to remain open and uncovered so as to present a hazard in any manner. All such wells or cesspools, or other excavations, shall be completely filled in or shall be provided with substantial covers adequate to prevent their removal by children.

7.7.2 CESSPOOLS PROHIBITED:

It shall be unlawful for any person to dig, or construct in any manner, any cesspool within the limits of the Town.

7.7.3 OUTHOUSE:

It shall be unlawful for any person to construct, move, maintain or use any privy, outhouse, or outside toilet on any property within the Town limits, except toilet facilities shall be provided for the use of workmen during the construction of buildings, for public events, and/or public works: said toilet facilities being of a type approved by the State Plumbing Inspector.

7.7.4 SEWER CONNECTIONS REQUIRED:

Any property owner whose property boundary is within one hundred fifty feet (150') of a sanitary sewer main shall be considered to be within the area so served by sanitary sewer facilities. Any owner or occupant of a structure within the area so served by sanitary sewer facilities shall connect the building to the sewerage collection system, provided that the grade of slope is appropriate to permit waste to flow away from the structure.

7.7.5 SEPTIC TANKS.

Where the municipal sewer system is unavailable, or where special circumstances exist which prohibit connection to the municipal sewer system, a septic system may be installed, provided that its installation and operation conform to applicable health, safety and construction codes.