

CITY OF HOBBS

ORDINANCE NO. 992

ORDINANCE AMENDING CHAPTERS 15.04,
15.16 AND 15.28 OF THE HOBBS MUNICIPAL CODE
PERTAINING BUILDING CODE ADOPTED AND GENERAL
PROVISIONS AND BUILDING PERMIT FEE SCHEDULE

WHEREAS, the City of Hobbs recognizes that the State of New Mexico Construction Industries Division has adopted the 2006 New Mexico Commercial Code which adopts and amends the 2006 International Building Codes; and

WHEREAS, the City of Hobbs, is to provide consistency between the State of New Mexico Construction Industries Division, shall proceed with the adoption of such codes.

NOW, THEREFORE, BE IT ORDINAINED BY THE GOVERNING BODY OF THE CITY OF HOBBS, NEW MEXICO, that:

1. The City of Hobbs will provide consistency between the State of New Mexico Construction Industries Division on enforcing the New Mexico Commercial Code, International Building Codes, Electrical, Mechanical and Plumbing Codes along with amendments and deletions as adopted herein by the State of New Mexico Construction Industries Division,
2. Full compliance with the State of New Mexico Construction Industries Division and International Building Codes as adopted, will be in effect

expected by July 1, 2008. A grace period will be provided between the date of Adoption and July 1, 2008 whereby compliance with either the 2003 or 2006 Edition of the International Building Codes and New Mexico Building Codes along with appendices, amendments and deletions as enacted herein, or compliance with the 2006 Edition of the International Building Code as had previously been in effect prior to enactment of this ordinance, shall be deemed to be in compliance with the City of Hobbs Building Code Title 15.

3. The following Sections of Chapters 15.04, 15.16 and 15.28 of the Hobbs Municipal Code are amended as follows:

Chapter 15.04

BUILDING CODE ADOPTED AND GENERAL PROVISIONS

Sections:

15.04.010 2006 New Mexico Commercial Building Code, International Building Code, 2006 Edition.

15.04.020 Power, Duties and Enforcement by Building Inspection Department

15.04.030 Applicable Permit Requirements and Conformance with Applicable Provisions.

15.04.040 General rules and regulations.

15.04.010 2006 New Mexico Commercial Building Code, International Building Code, 2006 Edition

A. There is adopted by the City for the purpose of prescribing regulations governing the erection, construction, enlargement, alteration, repair, roof, moving, removal, conversion, demolition, occupancy use, height of buildings or structures, mechanical, plumbing and electrical construction within the jurisdiction of the City

of Hobbs that certain code known as the 2006 New Mexico Commercial Code, which adopts and amends the 2006 International Building Codes along with appendices and amendments, save and except such portions as may be deleted, modified or amended by other sections of this chapter, of which code a copy with amendments thereto is filed in both the office of the City Clerk and the City Building Inspection Department, and the same is adopted and incorporated as fully as set out at length herein, and the provisions thereof shall be controlling within the City limits and the Extra-Territorial Zone.

B. Delete all references to Electrical, Mechanical and Plumbing on the International Building Code and referenced all blended codes as adopted by New Mexico Building Code.

15.04.020 Power, Duties and Enforcement by Building Inspection Department.

The building code adopted by Section 15.04.010(A) shall be enforced by the building official or authorized agent. The building official is directed and empowered to enforce such rules and regulations necessary to carry out the duties of his or her office and more specifically to issue orders in conjunction with the Fire Marshal in accordance with and as substantially embodied in the applicable provisions of the International Fire Code, 2006 Edition, as adopted in Chapter 8.32 of this code, and all additions, amendments, *appendices* and changes as may occur therein.

15.04.030 Applicable Permit Requirements and Conformance With Applicable Provisions.

A. It is unlawful for any person to erect, construct, enlarge, alter, repair, roof, move or remove, convert, demolish, change of occupancy use, build or construct, or cause to be built or constructed in whole or in part, any building, structure or sign, any mechanical, plumbing and electrical construction within the City limits and the Extra-Territorial Zone, without first obtaining a permit and pay the required fee. Such building or structure shall be made to conform to the orders of this title and the codes adopted by Section 15.04.010.

B. All work from which a permit is required shall be subject to inspections by the Building Inspections Department. The minimum inspections required shall be as stated in the current New Mexico Building Code. The building official or agent shall make such inspections or investigations as may deemed necessary to assure compliance of this title and applicable codes.

C. Any permit issued in error or on the basis of incorrect information supplied by applicant or is in violation of this code, then the building official may,

in writing, revoke or suspend the permit as stated in Section 105.6 of the International Building Code and Section R105.6 of the International Residential Code.

D. In the event of violations of this title or construction which is being conducted in a dangerous or unsafe manner, the building official shall immediately issue a correction notice or a notice to stop work and posted at job site. Such notice shall state the conditions and violations of such codes and shall be posted at the job site. Such notice shall not be removed until all violations are corrected and are in compliance with City ordinances.

E. Any person(s), firms or corporation found to be in violation of this section of this code. The building official shall notify the individual or owner causing to construct and issue a red tag and assessed any penalties and fees as stated in Section 15.28.060 of this code. In addition, if any person who continues to violate, the City Attorney is authorized to take further actions, both legal and equitable, necessary to assure compliance with this code.

15.04.040 General rules and regulations.

A. This title is intended to assure compliance with the City Fire Zones and the various elements of the City's comprehensive plan. The regulations, restrictions and requirements of this title are designed to promote the general health, safety and welfare of the people of the City. Such regulations, restrictions and requirements are deemed necessary in order to provide adequate open spaces for light and air; to prevent undue concentration of population and the overcrowding of land; to secure safety from fire, panic and other dangers; to lessen congestion on the streets; to facilitate adequate provisions for community utilities, such as transportation, water, sewer, schools, parks and other public requirements; and to conserve and stabilize the value of buildings and land.

B. The regulations, restrictions and requirements of this title shall be held to be the minimum standards necessary to carry out the purpose of this title. This title is not intended to interfere with any easement, restrictive covenant, other agreement between parties or other ordinances. Where this title imposes a greater restriction upon the use of land or buildings, requires a greater setback or requires larger open space than is imposed by other rules, regulations, easements, covenants, agreements or ordinances, the provisions of this title shall govern.

C. The issuance of a manufactured home building permit does not release the applicant from conditions of any applicable subdivision restrictive covenants or deed restrictions or Manufactured Housing Division regulations.

D. Any person applying for a permit shall first file an application in a form furnished by the Building Inspection Department for that purpose. The applicant shall submit two sets of plans and specifications. All other shall comply to Section 106 of the current New Mexico Building Code.

Chapter 15.16

MOVING OF BUILDINGS AND OTHER STRUCTURES

Sections:

15.16.010 Compliance required.

15.16.020 Permit application--Required--Contents.

15.16.030 Permit application and fees.

15.16.040 Coordination with above ground utility companies and Police Department.

15.16.050 Time of moving and compliance with State regulations.

15.16.060 Protection of curbing and pavement.

15.16.070 Insurance.

15.16.080 Building permit required when.

15.16.010 Compliance required.

Before moving, transporting any house, manufactured or mobile home, building or other structure within the City limits, the movers will first obtain a moving permit and shall comply with the following regulations.

15.16.020 Permit application--Required--Contents.

The mover or transporter shall file with the building official an application to move such house, building or other structure with a width of 8.5 feet or greater for temporary buildings or an area of one hundred twenty (120) square feet or greater, that will be used as buildings, storage or similar use, within the City limits. Such application shall be filed with the building official at least twenty-four (24) hours prior to the time moving or transporting such structures. The applications shall contain a description and size of such building or structure and the intended time of transportation and shall set forth the intended route and destination to be taken in the transportation of such building. Any temporary building or structure that is moved under a valid State Moving Permit will not require a separate City moving permit. Any structure moved within the City limits shall comply with State moving

requirements. However, the mover shall deliver a copy of the State moving permit to the building official prior to beginning any move.

15.16.030 Permit application and fees.

Before such building or structure is moved, the applicant shall at time of filing application, pay to the City the fees as stated on the fee schedule to cover cost of inspections and processing the application. If a copy of a valid State moving permit is delivered to the building official, no fee will be required.

15.16.040 Coordination with above ground utility companies and Police Department.

Before such building or structure with an overall height of thirteen (13) feet six inches is moved or transported as described in Section 15.16.020, the mover shall obtain an application from the building official and coordinate with each above ground utility company and the Police Department a minimum of eighteen (18) hours prior to the intended time of moving.

15.16.050 Time of moving and compliance with State regulations.

A. No building, structure, manufactured home or mobile home shall be moved within the City limits on holidays, between thirty (30) minutes after sunset and thirty (30) minutes before sunrise on the next day, or between sunset on Saturday and sunrise on Monday unless a special permit is issued by the building official. All laws, rules and regulations of the State shall be complied with and made a part of this chapter.

B. Manufactured Homes or Mobile Homes shall be regulated in accordance with the correspondence section of the Hobbs Municipal Code.

15.16.060 Protection of curbing and pavement.

If it is necessary to transport such building or other structure over curbing, the house mover shall place proper cribbing or blocking and do all things necessary to eliminate damage and destruction to such curbing, gutter, pavement, street or other public property.

15.16.070 Insurance.

The house mover shall furnish the building inspector evidence of adequate insurance covering all damage which might result from the transportation or moving of such house.

15.16.080 Building permit required when.

If a building or structure described in Section 15.16.020 will be moved to a lot or tract within the City limits, or within extraterritorial zone, a building permit shall be required as stated in Section 15.04.030.

Chapter 15.28

BUILDING PERMIT FEE SCHEDULE

Sections:

15.28.010 Building permit fees in general.

15.28.020 Curb cuts, sidewalks, driveways.

15.28.030 Manufactured homes/mobile homes.

15.28.040 Moving/relocation fees.

15.28.050 Sign/billboards.

15.28.060 Investigation fee.

15.28.070 Re-inspection fee.

15.28.080 Mechanical/Plumbing permit fee.

15.28.090 Electrical permit fee.

15.28.010 Building permit fees in general.

| Valuation* | | Fee |
|------------|------------|---------|
| 1.00 | to 2,000 | \$20.00 |
| 2,001 | to 5,000 | 40.00 |
| 5,001 | to 8,000 | 60.00 |
| 8,001 | to 10,000 | 90.00 |
| 10,001 | to 20,000 | 120.00 |
| 20,001 | to 30,000 | 150.00 |
| 30,001 | to 50,000 | 200.00 |
| 50,001 | to 70,000 | 250.00 |
| 70,001 | to 100,000 | 320.00 |
| 100,001 | to 150,000 | 350.00 |
| 150,001 | to 200,000 | 380.00 |
| 200,001 | to 250,000 | 480.00 |
| 250,001 | to 300,000 | 580.00 |
| 300,001 | to 350,000 | 700.00 |

| Valuation* | | Fee |
|------------|------------|--|
| 350,001 | to 400,000 | 800.00 |
| 400,001 | and up | 800.00 + \$1.00 per \$1,000 thereafter |

* Permit fees are based on the total valuation including, materials, labor, electrical, mechanical and plumbing. Refunds are eighty (80) percent of total permit fees paid.

Commercial plan review fees (for new, remodels, additions) are twenty (20) percent of permit fees.

15.28.020 Curb cuts, sidewalks, driveways.

| Valuation* | | Fee |
|------------|----------|----------|
| 1.00 | to 1,000 | \$ 15.00 |
| 1,001 | and up | 20.00 |

* Permit fees are based on the total valuation including, materials, labor, electrical, mechanical and plumbing. Refunds are eighty (80) percent of total permit fees paid.

15.28.030 Manufactured homes/mobile homes.

Fee: sixty dollars (\$60.00)

15.28.040 Moving/relocation fees.

Fee: thirty dollars (\$30.00)

15.28.050 Sign/billboards.

| Valuation* | | Fee |
|------------|--------------|----------|
| 1.00 | to 1,000.00 | \$ 15.00 |
| 1,001.00 | to 5,000.00 | 30.00 |
| 5,001.00 | to 15,000.00 | 50.00 |

| Valuation* | Fee |
|------------------|-------|
| 15,001.00 and up | 65.00 |

* Permit fees are based on the total valuation including, materials, labor, electrical, mechanical and plumbing. Refunds are eighty (80) percent of total permit fees paid.

15.28.060 Investigation fee.
Red Tag: double permit fee.

15.28.070 Re-inspection fee.
Sixty dollars (\$60.00)

15.28.080 Mechanical/Plumbing Fees (per item)

Commercial Fees will equal Residential Fees plus 80%

| | |
|--------------------------------------|----------------|
| <i>Coil</i> | <i>\$15.00</i> |
| <i>Duct Systems</i> | <i>\$20.00</i> |
| <i>Evaporative Cooler</i> | <i>\$15.00</i> |
| <i>Package Unit</i> | <i>\$50.00</i> |
| <i>Gas Wall Heater/appliance</i> | <i>\$25.00</i> |
| <i>Air Handler</i> | <i>\$30.00</i> |
| <i>Gas Furnace</i> | <i>\$20.00</i> |
| <i>Condenser</i> | <i>\$15.00</i> |
| <i>Condenser H.P.</i> | <i>\$20.00</i> |
| <i>Refrigeration System</i> | <i>\$25.00</i> |
| <i>Steam & Condensate Piping</i> | <i>\$15.00</i> |
| <i>Gas Piping Systems</i> | <i>\$20.00</i> |
| <i>Gas Yard Line</i> | <i>\$20.00</i> |
| <i>Other Gas Appliances</i> | <i>\$15.00</i> |
| <i>4" Sewer Tap</i> | <i>\$30.00</i> |
| <i>6" Sewer Tap</i> | <i>\$40.00</i> |
| <i>Kitchen Hoods</i> | <i>\$10.00</i> |
| <i>Radiant Hot Water Heater</i> | <i>\$10.00</i> |
| <i>Domestic Hot Water Heater</i> | <i>\$20.00</i> |
| <i>Roof Drainage System</i> | <i>\$10.00</i> |

| | |
|---------------------------|---------|
| Swimming Pool/Spa | \$50.00 |
| Ventilation System | \$10.00 |
| Water Conditioners | \$10.00 |
| Water Distribution System | \$10.00 |
| Water Heater Appliance | \$10.00 |
| Grease Trap | \$15.00 |
| Sewer Lateral | \$10.00 |
| Water Main (yard line) | \$10.00 |
| Plumbing with Fixtures | \$10.00 |
| Plumbing without Fixtures | \$10.00 |
| Mercury Test | \$10.00 |
| Sprinkler System | \$30.00 |
| Re-Inspection Fee | \$60.00 |
| Administration Fee | \$10.00 |

15.28.090 Electrical Permit Fees

Residential Fees

| | |
|---------------------|----------|
| 100 A Service | \$60.00 |
| 101 - 150 A Service | \$90.00 |
| 151 - 250 A Service | \$150.00 |
| 251 - 350 A Service | \$220.00 |
| 351 and Over | \$320.00 |
| Service Change | \$50.00 |
| Remodel | \$125.00 |
| Additions | \$100.00 |

Commercial Fees

| | |
|---------------------|----------|
| 100 A Service | \$90.00 |
| 101 – 150 A Service | \$120.00 |
| 151 – 250 A Service | \$190.00 |
| 251 – 350 A Service | \$280.00 |
| 351 – 450 A Service | \$380.00 |
| 451 – 600 A Service | \$475.00 |
| 601 – 800 A Service | \$750.00 |

| | |
|------------------------------|-------------------|
| <i>801 – 1000 A Service</i> | <i>\$950.00</i> |
| <i>1001 – 2000 A Service</i> | <i>\$1,200.00</i> |
| <i>2001 and Over</i> | <i>\$1,500.00</i> |
| <i>Service Change</i> | <i>\$180.00</i> |
| <i>Remodel</i> | <i>\$180.00</i> |
| <i>Additions</i> | <i>\$150.00</i> |

Miscellaneous Fee Items

| | |
|---|--|
| <i>Sign Connection</i> | <i>\$20.00</i> |
| <i>HVAC Refrigeration Unit</i> | <i>\$40.00</i> |
| <i>Swimming Pool</i> | <i>\$50.00</i> |
| <i>Temporary Service Pole</i> | <i>\$30.00</i> |
| <i>Low Voltage</i> | <i>\$40.00</i> |
| <i>Others</i> | <i>\$40.00</i> |
| <i>Distribution Lines (no Structures)</i> | <i>\$50.00 (plus \$8.00 per pole or per 100 feet of underground)</i> |

PASSED, ADOPTED AND APPROVED this 16th day of June, 2008.

GARY DON REAGAN, Mayor

ATTEST:

MOLLIE MALDONADO, Deputy City Clerk