TAOS COUNTY
ORDINANCE 2019-2

AN ORDINANCE OF THE TAOS COUNTY BOARD OF COMMISSIONERS
ADOPTING THE TAOS COUNTY FIRE CODE, INCORPORATING 2015
INTERNATIONAL FIRE CODE.

Section 1. SHORT TITLE: This ordinance shall be known and may be cited by number or as
the Taos County Fire Code Ordinance.

Section 2. That a certain document, three (3) copies of which are on file in the office of the
Taos County Clerk's Office, being marked and designated as the International Fire Code,
2015 edition, including Appendix Chapters B, F, I, and M, as published by the International
Code Council, be and is hereby adopted as the Fire Code of the County of Taos, in the State
of New Mexico regulating and governing the safeguarding 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 as herein provided; providing for the issuance of permits and
collection of fees therefore; and each and all of the regulations, provisions, penalties,
conditions and terms of said Fire Code on file in the County Clerk's office of the County of
Taos are hereby referred to, adopted, and made a part hereof, as if fully set out in this
legislation, with the additions, insertions, deletions and changes, prescribed in Section 3 of
this ordinance.

Section 3. That the following sections are hereby revised:

Section 109.4. Replace "shall be guilty of a [SPECIFY OFFENSE], punishable by a
fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER
OF DAYS], or both such fine and imprisonment." With "Shall be subject to a fine not
to exceed $500.00 dollars and/or imprisonment not to exceed ninety (90) days."

Section 111.4. Insert: Not less than $150.00, not more than $500.00, as determined
by the Taos County Magistrate court

Section 307 remove in its entirety.

Section 1103.5.3. Insert: An Automatic sprinkler system shall be installed by or before
January 1st 2030

Section 108. Entirely replaced with "Appeals of orders, decisions or determinations
made by the fire code official relative to the application and interpretation of this code
will be handled by the Taos County Magistrate Court.

Section 4. That the geographic limits referred to in certain sections of the 2015 International
Fire Code are hereby established as follows:

Section 5704.2.9.6.1 The storage of Class I and Class II liquids greater than 50
gallons in above-ground tanks outside of buildings is prohibited in residential areas.
Section 5706.2.4.4 The storage of Class I and Class II liquids in above-ground tanks is prohibited in residential areas and within 1000 feet of a school.

Section 5806.2 The storage of flammable cryogenic fluids in stationary containers is prohibited in residential areas and within 1000 feet of a school and must be subject to the approval of the fire code official and the Taos County Fire Chief.

Section 6104.2 Storage of liquefied petroleum gas in storage containers larger than 1000 gallons is prohibited in residential areas and within 500 feet of a school.

Section 5. The collection of fees imposed for the conduction of fire inspections.

The fire code official will retain the option to implement a fee for the conduction of fire inspections utilizing a fee schedule. Implementation of a fee schedule will require a resolution approved by the Taos County Board of Commissioners.

Section 6. That all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 7. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The County of Taos hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 8. That nothing in this legislation or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this law, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 9. That the County's Clerk's Office is hereby ordered and directed to have available for review a copy of this ordinance for public access during normal business hours. A copy will be provided for a cost of .50 per page.

Section 10. That this Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect (5) days from and after the date of its final passage and adoption.

SIGNATURE PAGE TO FOLLOW
PASSED, APPROVED AND ADOPTED, this 16th day of April 2019.

BOARD OF COUNTY COMMISSIONERS
OF TAOS COUNTY, NEW MEXICO

Mark Gallegos, Chairman

Candyce O’Donnell, Commissioner

Jim K. Fangro, Commissioner

Tom Blankenhorn, Commissioner

Gabriel J. Romero, Commissioner

VOTE RECORD:

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Attest:

Anna Martinez, Taos County Clerk

Approved as to legal form:

Randy Autio, Contract County Attorney

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