



BUILDING PERMIT GUIDE FOR RESIDENTIAL CONSTRUCTION

TAOS COUNTY PLANNING DEPARTMENT BUILDING DIVISION

105 Albright Street Suite H, Taos, NM 87571

(575) 737-6440 www.taoscounty.org/420/Building-Permit-Information

TO REQUEST A BUILDING PERMIT IT IS CRITICAL THAT THE APPLICANT BE VALIDLY LICENSED WITH THE APPROPRIATE LICENSE CLASSIFICATION THAT COVERS THE WORK FOR WHICH A PERMIT IS REQUESTED.

WHEN BUILDING PERMITS ARE REQUIRED

Except as specified in 14.5.2 NMAC, Permits, no building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a permit has first been obtained.

WHEN BUILDING PERMITS ARE NOT REQUIRED

(Refer to Section R105.2 of the IRC except as provided below)

1. One story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet.
2. Retaining walls that retain less than 36 inches of unbalanced fill, and have a total height equal to or less than 6 feet from top of wall to bottom of footing. Retaining walls supporting a surcharge load or impounding class I, II, or II-A liquids are not exempt from permit.
3. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
4. Sidewalks and driveways no more than 30 inches above adjacent grade and not over any basements or story below.
5. Painting, wallpapering, tiling, carpeting, cabinets, counter tops and similar finish work.
6. Prefabricated swimming pools that are less than 24 inches deep.
7. Swings and other playground equipment accessory to one or two-family dwellings.
8. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.
9. Decks not exceeding 120 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4 Vertical egress of the IRC.

PERMIT APPLICATION DATA

To obtain a building permit, the applicant shall fill out an APPLICATION FOR BUILDING PERMIT. Applicant must list property owner's name and address, contractor's company name, address and license number (if applicable), architect's and/or engineer's name, address and license number (if applicable), specific use of building, project address, written directions to the site, description of work, construction material, and total square footage. The qualifying party for the licensed contractor requesting the permit or the homeowner requesting a homeowner construction permit must sign the application.

To obtain a permit for building, altering, repairing or improving a homeowner's primary residence, the homeowner must also read and sign the INSTRUCTIONS TO OBTAIN A HOMEOWNER PERMIT, and read and sign and notarize the HOMEOWNER'S RESPONSIBILITIES FORM. **A homeowner's permit may not be used to permit a project where a GB-2 or GB-98 contractor is acting as a general contractor on the project. Any contractor acting as a general contractor on a project where there is a homeowner's permit must obtain a building permit for his work, and shall be held responsible for any work performed at this site. Further, licensed subcontractors will be held responsible for their work, which also must be permitted separately.** A homeowner may not perform electrical, plumbing or mechanical work unless the homeowner applies for and passes the required CID exam for such work. Call (505) 476-4869 for more information on the homeowner electrical and plumbing permit process.

ZONING APPROVAL

You must submit the RESIDENTIAL ZONING CLEARANCE PERMIT APPLICATION with your APPLICATION for BUILDING PERMIT, along with all required documentation. Incomplete applications will not be accepted.

VALUATION AND FEES

Valuation of your project is based on the signed contract between the project owner and contractor and New Mexico Construction Laws. To obtain a permit submission of the signed contract between the project owner and contractor is required. The fee, which covers plan review, the permit, and certain required inspections, is based on the valuation amount. Our office will calculate the valuation and fee for you. Before the permit can be issued, you must successfully make payment.

If you are applying for a homeowner construction permit, our office will calculate the valuation based on established valuation tables and calculate the valuation and fee for you.

PLAN SUBMISSION

Submit two complete sets of plans with a minimum dimension of 1/4"=1', on paper that is at least 11"x17" and must be sufficiently clear to show the project in its entirety. The following is a minimum standard of required drawings for review for new residential construction, additions, and remodels (also see required submittals on building permit application). This can be used as a checklist when preparing your submittals:

1. **SITE PLAN.** Show the proposed new structure(s) and any existing buildings or structures on the site, including existing adjacent structures within 10 feet of any adjacent property lines, and north arrow. Show property lines with dimensions, all streets, easements and setbacks. Show all water, sewer, electrical points of connection, proposed service routes and existing utilities on the site. Show general drainage and grading information. Show location of all water features (i.e., lakes, rivers, streams, irrigation ditches, ponds, intermittent arroyos)
2. **FOUNDATION PLAN.** Indicate size, location and depth below grade of all footings, piers, and stem walls, showing the size, thickness of materials and strength of concrete and steel reinforcements. If necessary, provide a geotechnical report, including soil-bearing capacity for the proposed structure at the site. Where slabs-on-ground are cast monolithically and rigid insulation is used as a forming material, a minimum of 1 1/2" rigid insulation shall be used. Where sandy, silty sand or sandy gravel soils are present, rigid insulation shall not be used as a forming material. Forms must be constructed to prevent the possibility of failure or collapse.
3. **FLOOR PLAN.** Show all floors including basements. Label all the rooms, provide overall dimensions, and locations of all structural elements and openings. Show all doors and windows. Provide door and window schedules. Locate smoke detection and carbon monoxide alarms. List the square footage for all heated spaces, garages, carports, decks, and porches.
4. **FLOOR & ROOF FRAMING PLANS.** Show size, spacing and spans of joists, girders, rafters, beams and headers. Specify grade and species of all wood members. All wood trusses must be engineered and pre-manufactured. The sealed trusses engineered specifications must be submitted with the drawings when applying for permit. The manufacturer's instructions on placement and attachment of all wood trusses must be at the job site for the building inspector's review.
5. **ROOF PLAN.** Indicate roof slope and roofing material to be used.
6. **DETAILS.** Include typical interior and exterior wall sections showing floor, wall and ceiling type, size, spacing and insulation required by the NM Residential Energy Conservation Code. Show footing and foundation depth and dimensions; detail anchor bolt size and spacing, and spacing of steel reinforcement in masonry and concrete footings, and stem walls. Show materials of construction, non-rated and fire-rated assemblies and fire-rated penetrations. Show stair details showing dimensions of rise and run of steps, handrail location, guardrail spacing, headroom, etc. Show fireplace details and section showing masonry reinforcement; if using prefabricated unit, the manufacturer's installation instructions must be at the job site for the building inspector's review.
7. **ELEVATIONS.** Show all views. Show all vertical dimensions and heights and all exterior details of all improvements. Show all opening and identify materials and show lateral bracing where applicable.
8. **RESIDENTIAL ENERGY CONSERVATION CODE.** The 2021 Residential Energy Conservation Code, 14.7.6 NMAC, shall be complied with for all residential structures. Drawings must detail energy conservation code requirements, including sample worksheets, is available, as well as one-page compliance sheets. The building official is permitted to approve specific computer software, work sheets, compliance manuals and other similar materials.

SPECIAL CONDITIONS

1. **ADDITIONS.** In addition to the above requirements, the floor plan shall also show all existing rooms, doors and windows that will adjoin the addition. Provide distances on all sides of the addition to property lines and existing structures. Ensure that an existing sleeping room's sole means of egress to the exterior is not blocked by the addition.

2. **ALTERATION/REPAIR.** When performing alterations and repairs to an existing residence without performing structural changes, two sets of lists outlining work to be performed and materials to be used will be accepted in lieu of the above requirements. If you suspect this work will entail the handling of asbestos containing materials, call the Air Pollution Control Bureau at 1-800-224-7009 prior to commencing alterations and repairs for additional information.
3. **RELOCATED RESIDENCE.** When relocating an existing residence to new site, the structure will be considered new construction and must comply with all current applicable codes. Submittal shall reflect all the requirements listed under PLAN SUBMITTAL above.
4. **DEMOLITION.** Pictures of the structure to be demolished will be accepted in lieu of the above requirements. If you suspect this work will entail the handling of asbestos containing materials, call the Air Pollution Control Bureau at 1-800-224-7009 prior to commencing alterations and repairs for additional information. All projects including removal or handling of asbestos containing material must include verification of compliance with Air Pollution Control Bureau requirements.
5. **ALTERNATIVE METHODS AND MATERIALS.** Utilizing alternative methods and materials (other than masonry, wood frame, adobe and rammed earth construction) requires submission of the CERTIFICATION FOR ALTERNATIVE METHODS AND MATERIALS FORM with the application for building permit. It is your responsibility to ensure that the certification is recorded with the Taos County Clerk's Office.

REQUIRED INSPECTIONS.

TO REQUEST AN INSPECTION PLEASE CALL 575-737-6448. Inspections are conducted within 2-4 working days, Monday – Thursday, 8am -5pm.

1. **FOOTING/FOUNDATION INSEPTION.** To be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with approved nationally recognized standards; the concrete need not to be on the job. Where the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official.
2. **CONCRETE SLAB or UNDER-FLOOR INSPECTION.** To be made after all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor. R-5 rigid insulation is required throughout the entire under-slab when radiant floor is installed. R-Foil (bubble wrap insulation) will no longer be accepted. Pay close attention to spacing of anchor bolts when floor framing is utilized as cuts, notches and holes bored into engineered wood products are prohibited.
3. **FRAME INSPECTION.** To be made after the roof, all framing, fire blocking, and bracing is in place and all pipes, chimneys and vents are complete. Rough-in electrical, and plumbing/mechanical top-out inspections must be conducted prior to calling for a frame inspection.
4. **INSULATION INSPECTION.** To be made after all insulation has been placed into wall and ceiling cavity. All batt insulation must be properly secured with staples. If utilizing blown-in insulation an insulation report showing the thickness of insulation blown-in and total R-Value for walls and ceiling cavity must be available at time of the inspection.
5. **WEATHER-RSEISTIVE BARRIER INSEPTION.** To be made after installation of the appropriate weather-resistive barrier and before such barrier is covered.
6. **FINAL INSPECTION.** To be made after finish grading and the building is completed and ready for occupancy. Final electrical, and plumbing/mechanical inspections must be conducted prior to the final inspection. A final inspection from the New Mexico Environment Department must also be conducted for all septic systems. If your property is located within a high designated area within the Wildland Urban Interface area, a final inspection must also be conducted by the WUI Coordinator prior to calling in the final inspection to the building official. A Certificate of Occupancy will be issued to the contractor if all inspections have passed.
7. **OTHER INSEPTIONS.** In addition to the called inspections specified above, the building official may make or require other inspections of any construction work to ascertain compliance with provisions of the New Mexico Building Code and other laws, which are enforced by the Taos County. The prime contractor is responsible for coordinating all inspections including plumbing, mechanical and electrical inspections.

WHEN PROFESSIONAL SEALS ARE NOT REQUIRED

The following construction projects do not require the seal of an architect and/or engineer unless the building official determines such seal is necessary to protect public life, safety, and welfare:

1. Single family dwellings not more than 2 stories in height.
2. Multiple dwellings not more than 2 stories in height containing not more than 4 dwelling units of wood-frame construction; provided this paragraph shall not be construed to allow a person who is not registered under the Architectural Act to design multiple clusters of up to 4 dwelling units each to form apartment or condominium complexes where the total exceeds 4 dwelling units on any lawfully divided lot.
3. Garages or other structures not more than 2 stories in height which are appurtenant to buildings described above.
4. Nonresidential buildings, as defined in the current adopted code, or additions not more than 2 stories in height.
5. Alterations to buildings or structures which present no unusual conditions, hazards, change of occupancy, or code violations.

WHEN PROFESSIONAL SEALS ARE REQUIRED

Plans and specifications for the following construction methods shall be prepared and sealed by a New Mexico Registered Architect or Structural Engineer:

1. Construction utilizing steel studs, structural steel members (red iron) and/or steel pipe.
2. All prefabricated, pre-manufactured and component structures.
3. Residential Construction utilizing a wood foundation
4. Retaining walls that retain less than 36" of unbalanced fill, and have a total height equal to or less than six feet from top of wall to bottom of footing. Retaining walls supporting a surcharge load or impounding class I, II, or III-A liquids are not exempt from permitting.
5. A second story addition to an existing first story (unless proof of previous Taos County approval shows current construction will support additional second story load).
6. Residential construction utilizing an alternate material, design or method in construction.
7. Project that was found to be in violation (i.e. not obtaining a building permit prior to commencement of construction).
8. Tiny homes not built in New Mexico. All Wheels and axels must be removed, and home must be placed on a permanent foundation.
9. Foundations for all modular homes

CERTIFICATE OF OCCUPANCY

No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until a Certificate of Occupancy has been issued.

APPLICABLE CODES

The following codes have been adopted by the State of New Mexico:

- 2021 NM (International) Commercial & Residential Building Code
- 2021 NM Existing Building Code
- 2021 NM Residential and Commercial Energy Conservation Code
- ICC/ANSI A117.1 – 2017
- 2021 NM Earthen Building Materials Construction Code
- 2021 NM Historic Earthen Buildings
- 2012 NM Solar Energy Code
- 2021 NM Plumbing Code
- 2021 NM Mechanical Code
- 2012 NM Swimming Pool, Spa and Hot Tub Code
- 2020 NM Electrical Code
- 2012 NM Electrical Safety Code
- For a complete list of all adopted codes go to:
www.rld.nm.gov/construcontr-industries/rules-law-and-building-codes/

CONTRACTOR LICENSE LOOK-UP

A license "view only" website has been developed at www.publi.psiexams.com This site includes the names, address and telephone numbers of licensed contractors and their license classification. It also includes information on licensing and required qualifications for license examination.