

**City Of Aztec
ORDINANCE 2023-527**

**An Ordinance Amending
Chapter 8 Fire Prevention and Protection, Article II Technical Codes**

WHEREAS: It has been several years since Chapter 8 Fire Prevention and Protection has been amended; and

WHEREAS: The International Fire Code 2015 version was amended in 2021; and

WHEREAS: For consistence of operations by the volunteer fire department and San Juan County building inspections inside and outside of Aztec City limits.

NOW THEREFORE BE IT ORDAINED by the Governing Body of the City of Aztec, New Mexico that ordinance 2023-527 be and hereby amended as attached:

PASSED, APPROVED, SIGNED AND ADOPTED THIS ____ day of _____ 2023, by the Aztec City Commission, City of Aztec, New Mexico.

Mayor Michael A. Padilla Sr.

ATTEST:

Karla Saylor, City Clerk CMC

APPROVE AS TO FORM:

City Attorney

Advertised Date of Final Adoption: _____

Effective Date of Ordinance: _____

Chapter 8 FIRE PREVENTION AND PROTECTION

ARTICLE II. TECHNICAL CODES

Sec. 8-21. Fire Code, Standards Adopted.

There is hereby adopted by the City of Aztec for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that ~~the most current certain~~ Code and Standards known as the International Fire Code, published by International Code Council, ~~being particularly the 2015 editions including appendices B,C,D,E,F,G AND I, and thereof, not less than one (1) copy has been and is now filed in the office of the City Clerk of The City of Aztec and the same are is~~ 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 City of Aztec.

(Ord. 2018-473, eff. 2018-Jun-20; Ord. 2009-375, eff. 2009-Jul-22; Code 2007, 8-21)

Sec. 8-22. Enforcement.

The International Fire Codes shall be enforced by the Chief of the Fire Department. However, the Chief shall with the approval of the City Commission have power to modify any of the provisions of the International Fire Code upon application in writing by the owner or Lessee, or his duly authorized agent, when there are practical difficulties on the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particular of such modification, when granted or allowed, and the decision of the Fire Chief thereon, shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

(Ord. 2009-375, effective July 22, 2009; Code 2007, 8-22)

Sec. 8-23. Definitions.

Whenever the word "Jurisdiction" is used in the International Fire Code, it is The City of Aztec.

(Ord. 2009-375, effective July 22, 2009; Code 2007, 8-23)

Sec. 8-24. Establishment of Limits or Districts in which Storage of Flammable or Combustible Liquids In/Outside Above Ground Tanks is Prohibited.

The limits referred to in ~~Section 3404.2.9.L.1 of~~ the International Fire Code in which the storage of flammable or combustible liquids is restricted are hereby established as follows:

1. All areas except those zoned industrial.

(Ord. 2009-375, effective July 22, 2009; Code 2007, 8-24)

Sec. 8-25. Establishments of Limits in Which Storage of Liquefied Petroleum Gases is to be Restricted.

The limits referred to in ~~Section 3804.2 of~~ the International Fire Code, are which storage of liquefied petroleum gas is restricted, and are hereby established as follows:

1. All areas except those zoned industrial.

(Ord. 2009-375, effective July 22, 2009; Code 2007, 8-25)

Sec. 8-26. Establishments of Limits of Districts in Which Storage of Explosives and Blasting Agents is to be Prohibited.

The limits referred to in ~~Section 3304.5.2~~ of the International Fire Code, in which storage of explosives and blasting agents is prohibited, are hereby established as follows:

1. All areas except those zoned industrial.
(Ord. 2009-375, effective July 22, 2009; Code 2007, 8-26)

Sec. 8-27. Fire Department Access.

1. Approved Knox Box systems compatible with Aztec Fire Department Knox Keys shall be installed on all buildings that have fire suppression and/or fire alarm systems installed, unless the facility is manned twenty-four (24) hours a day, three hundred sixty-five (365) days a year.
2. Existing buildings which require Knox Box systems must comply within eighteen (18) months from the date of adoption of this ordinance.
(Ord. 2009-375, effective July 22, 2009)

Sec. 8-28. Appeals.

Whenever, the chief 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 the decision of the Chief to The City of Aztec Commission within 30 days from the date of the decision appealed.

(Ord. 2009-375, effective July 22, 2009; Code 2007, 8-27)

Sec. 8-29. New Materials, Processes or Occupancies Which May Require Permits.

The City Manager, duly authorized representative or delegate and the Chief of the bureau shall act as a committee 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. The chief shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

(Ord. 2009-375, effective July 22, 2009; Code 2007, 8-28)

Sec. 8-30. Penalties.

1. Any persons who shall violate any of the provisions of this Code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made there under, or who shall build in violation of any detailed statement of specifications or plans submitted and approved there under, or any certificate or permit issued there under, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by The City of Aztec 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 more than \$500 or by imprisonment not more than 90 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.

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

(Ord. 2009-375, effective July 22, 2009; Code 2007, 8-24)

Secs. 8-31 to 8-50. Reserved.