

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 01/19/16
FOR CITY COUNCIL MEETING OF 01/27/16

ISSUE:

19. Request for Approval of an Ordinance Amending Subsection 7-1.1 SFCC 1987 to Adopt the 2012 Uniform Swimming Pool, Spa, and Hot Tub Code, the 2012 Uniform Mechanical Code, and the 2012 Uniform Solar Code; Amending Subsection 7-1.1 SFCC 1987 to Adopt the 2012 Uniform Plumbing Code, as Amended by the State of New Mexico and the City of Santa Fe. (Councilors Bushee, Ives and Rivera) (Michael Purdy)

Committee Review:

Public Utilities Committee (approved)	01/06/16
Public Works Committee (approved)	01/11/16
City Council (request to publish) (scheduled)	01/13/16
City Council (public hearing) (scheduled)	02/10/16

Fiscal Impact – No

FINANCE COMMITTEE ACTION:

Approved as Consent item.

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

STAFF FOLLOW-UP:

VOTE	FOR	AGAINST	ABSTAIN
COUNCILOR TRUJILLO	X		
COUNCILOR RIVERA	X		
COUNCILOR LINDELL	X		
COUNCILOR MAESTAS	X		
CHAIRPERSON DOMINGUEZ			

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, JANUARY 11, 2016**

ITEM 10

REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SUBSECTION 7-1.1 SFCC 1987 TO ADOPT THE 2012 UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE, THE 2012 UNIFORM MECHANICAL CODE, AND THE 2012 UNIFORM SOLAR CODE; AMENDING SUBSECTION 7-1.1 SFCC 1987 TO ADOPT THE 2012 UNIFORM PLUMBING CODE, AS AMENDED BY THE STATE OF NEW MEXICO AND THE CITY OF SANTA FE
(COUNCILOR BUSHEE) (MICHAEL PURDY)

PUBLIC WORKS COMMITTEE ACTION: Approved on consent

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON TRUJILLO			
COUNCILOR BUSHEE	X		
COUNCILOR DIMAS	X		
COUNCILOR DOMINGUEZ	X		
COUNCILOR IVES	Excused		

**ACTION SHEET
PUBLIC UTILITES COMMITTEE MEETING OF 1/6/15**

ISSUE NO. 13

Request for approval of Bill No. 2016 - _____. An Ordinance amending Subsection 7-1.1 SFCC 1987 to adopt the 2012 Uniform Swimming Pool, Spa and Hot Tub code, the 2012 Uniform Mechanical Code, and the 2012 Uniform Solar Code; amending Subsection 7-1.1 SFCC 1987 to adopt the 2012 Uniform Plumbing Code, as amended by the State of New Mexico and the City of Santa Fe. (Councilor Bushee) (Michael Purdy)

Public Works Committee – 1/11/2016
 Public Utilities Committee – 1/6/2016
 City Council – 1/13/2016 (Request to Publish)
 Finance Committee – 1/19/2016
 City Council – 2/10/2016

PUBLIC UTILITES COMMITTEE ACTION: Approved.

SPECIAL CONDITIONS OR AMENDMENTS: Add Ives and Rivera as sponsors.

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR MAESTAS	X		
COUNCILOR BUSHEE	X		
COUNCILOR DIMAS	Excused		
COUNCILOR IVES	X		

City of Santa Fe, New Mexico

memo

DATE: December 21, 2015
TO: Public Utilities Committee/Finance Committee
VIA: Lisa Martinez, Land Use Department Director 
FROM: Mike Purdy, Inspections Division Director
RE: **ADOPTION OF 2012 UMC, UPC (WITH AMENDMENTS) AND OTHER CODES**

ITEM

This Bill would adopt the 2012 Uniform Mechanical Code; the 2012 Uniform Plumbing code with local amendments, the 2012 Uniform Swimming Pool, Spa and Hot Tub Code, and the Uniform Solar Code. Santa Fe is currently operating under the 2009 versions of these codes.

BACKGROUND

The State of New Mexico adopted these codes effective May 1, 2015. This bill is intended to adopt the same codes as the State to maintain consistency with those codes.

The State adopted the two chapters of the 2012 Uniform Plumbing Code that address alternative sources of water by reference allowing local jurisdictions to either adopt them or not. This bill would adopt those chapters allowing Santa Feans to permit rainwater harvesting systems which can then be used for limited indoor water use and reclaimed water, including greywater, to be used for underground applications of landscape watering only. Several local amendments are included to decrease risk of water or sewer contamination of such water sources and to reduce the risk of inadvertent human consumption of non-potable water.

FISCAL IMPACT

There is no fiscal impact from the adoption of the codes. The Land Use Department is currently operating under the 2009 version of these same codes.

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Bill No. 2016-5

Uniform Plumbing and Mechanical Code

SPONSOR(S): Councilors Bushee, Ives and Rivera

SUMMARY: The proposed bill relates to the Uniform Code and the Uniform Mechanical Code; amending Subsection 7-1.1 SFCC 1987 to adopt the 2012 Uniform Plumbing and Mechanical Code, as amended by the state of New Mexico.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: No

DATE: January 6, 2016

ATTACHMENTS: Bill
FIR

1 **CITY OF SANTA FE, NEW MEXICO**

2 **BILL NO. 2016-5**

3 **INTRODUCED BY:**

4
5 Councilor Patti Bushee

6 Councilor Peter Ives

7 Councilor Chris Rivera

8
9
10 **AN ORDINANCE**

11 **AMENDING SUBSECTION 7-1.1 SFCC 1987 TO ADOPT THE 2012 UNIFORM**
12 **SWIMMING POOL, SPA, AND HOT TUB CODE, THE 2012 UNIFORM MECHANICAL**
13 **CODE, AND THE 2012 UNIFORM SOLAR CODE; AMENDING SUBSECTION 7-1.1 SFCC**
14 **1987 TO ADOPT THE 2012 UNIFORM PLUMBING CODE, AS AMENDED BY THE STATE**
15 **OF NEW MEXICO AND THE CITY OF SANTA FE.**

16
17 **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

18 **Section 1. Section 7-1.1 SFCC 1987 (being Ord. No. 2008-1, §3 as amended) is**
19 **amended to read:**

20 **7-1.1 Adoption of Codes.**

21 A. For the purpose of regulating the erection, construction, enlargement, alteration,
22 repair, moving, removal, conversion, demolition, occupancy, equipment, use, height,
23 area, unobstructed maintenance of required yards, and maintenance buildings or
24 structures within the planning and platting jurisdiction of the city, the following
25 provisions and codes are adopted by reference and incorporated as fully as if set out

1 herein unless otherwise amended by the city:

- 2 (1) Section 14.5.1 New Mexico Administrative Code (NMAC) General Provisions;
- 3 (2) Section 14.5.2 New Mexico Administrative Code (NMAC) Permits;
- 4 (3) Section 14.5.3 New Mexico Administrative Code (NMAC) Inspections;
- 5 (4) 2009 International Building Code (IBC) as amended by the state of New
- 6 Mexico construction industries division referred to as the 2009 New Mexico
- 7 Commercial Building Code (NMAC 14.7.2);
- 8 (5) 2009 International Residential Code (IRC) as amended by the state of New
- 9 Mexico construction industries division referred to as the 2009 New Mexico
- 10 Residential Building Code (NMAC 14.7.3);
- 11 (6) 2009 New Mexico Earthen Building Materials Code (NMAC 14.7.4);
- 12 (7) 2009 New Mexico Non-Load Bearing Baled Straw Construction Building
- 13 Standards (NMAC 14.7.5);
- 14 (8) 2009 New Mexico Energy Conservation Code (NMAC 14.7.6);
- 15 (9) 2009 International Existing Building Code as amended by the state of New
- 16 Mexico construction industries division referred to as the 2009 New Mexico
- 17 Existing Building Code (NMAC 14.7.7);
- 18 (10) 2009 New Mexico Historic Earthen Buildings Code;
- 19 (11) [~~2009~~] 2012 Uniform Plumbing Code as amended by the state of New Mexico
- 20 construction industries division referred to as the [~~2009~~] 2012 New Mexico
- 21 Plumbing Code (NMAC 14.8.2) and as amended in Section 7-1.8 SFCC 1987;
- 22 (12) [~~2006~~] 2012 Uniform Swimming Pool, Spa, and Hot Tub Code Phase III as
- 23 amended by the state of New Mexico construction industries division referred
- 24 to as the [~~2006~~] 2012 New Mexico Swimming Pool, Spa, and Hot Tub Code
- 25 (NMAC 14.8.3);

1 (13) ~~[2009]~~ 2012 Uniform Mechanical Code as amended by the state of New
2 Mexico construction industries division referred to as the ~~[2009]~~ 2012 New
3 Mexico Mechanical Code (NMAC 14.9.2);

4 (14) ~~[2006]~~ 2012 Uniform Solar Code as amended by the state of New Mexico
5 construction industries division referred to as the ~~[2006]~~ 2012 New Mexico
6 Solar Energy Code (NMAC 14.9.6);

7 (15) 2014 National Electrical Code as amended by the state of New Mexico
8 construction industries division ~~[when adopted by the State of New Mexico]~~
9 and referred to as the 2014 New Mexico Electrical Code (NMAC 14.10.4).
10 ~~[Until such time, the 2011 National Electrical Code as amended by the state of~~
11 ~~New Mexico referred to as the 2011 New Mexico Electrical Safety Code shall~~
12 ~~apply]; and~~

13 (16) 2012 National Electrical Safety Code as amended by the state of New Mexico
14 construction industries division as ~~[adopted]~~ amended by the state of New
15 Mexico and referred to as the 2012 New Mexico Electrical Safety Code
16 (NMAC 14.10.5);

17 B. Any person violating or failing, neglecting or refusing to comply with the provisions of
18 the codes set forth in paragraph A. above or this chapter shall be punished as provided for
19 in Section 1-3 SFCC 1987.

20 C. A copy of the codes set forth in paragraph A. and this chapter shall be kept on file in the
21 office of building inspections, and shall be at all reasonable times available and subject to
22 inspection.

23 D. The codes set forth in paragraph A. shall be effective ~~[July 1, 2011]~~ ten (10) days from
24 the date of adoption of this ordinance. Upon request of the applicant, applications for
25 permits submitted before ~~[December 31, 2011]~~ September 1, 2016 may be issued in

1 compliance with the prior codes.

2 E. ~~[Should the codes adopted in paragraph A. above not be current with the latest codes~~
3 ~~adopted by the state of New Mexico construction industries division, the city shall~~
4 ~~automatically apply the latest codes adopted by the state.]~~

5 **Section 2. Section 7-1.8 SFCC 1987 is amended to read:**

6 **7-1.8 Amendment to Sections 710.0 and 710.1 of the Uniform Plumbing Code;**

7 **Requirements For Sewer Backwater Valves.**

8 A. Section 710.0 of the Uniform Plumbing Code shall be renamed:

9 **710.0 Drainage of Fixtures Located Above the Main Street Level or Located below the**
10 **Main Sewer Level.**

11 B. Section 701.1 of the Uniform Plumbing Code shall be deleted and the following
12 substituted:

13 **710.1 Backflow Protection.** Installation of a backwater valve, to prevent sewage from the
14 main sanitary sewer backing up into the [~~private~~] sanitary sewer service lines due to cleaning
15 or plugs in the sanitary sewer main, is required for all new construction connecting to a public
16 or private sanitary sewer collection system and for all replacements or repairs made to an
17 existing [~~private~~] sanitary sewer service [~~lateral~~] line. Backwater valves shall be accessible
18 for routine inspection and service and the installation shall allow the working components of
19 the devices to be quickly and easily serviced. The maintenance of the backwater valve and
20 [~~private~~] sanitary sewer service line and appurtenances shall be the sole obligation of the
21 property owner. The City of Santa Fe shall be under no obligation to ascertain that the
22 backwater valve or [~~private~~] sanitary sewer service line and appurtenances continues in
23 operating condition. Cleanouts for drains that pass through a backwater valve shall be clearly
24 identified with a permanent label stating “backwater valve downstream”. A list of approved
25 backwater valves shall be prepared by the City of Santa Fe Wastewater Management Division

1 and Inspection and Enforcement Division [~~on a yearly basis~~].

2 **Exception:** Property owners are exempt from the requirement to install a backwater device
3 on their [private] sanitary sewer service line when the property meets each of the following
4 three conditions as certified by a licensed architect, engineer or surveyor:

- 5 (1) That a manhole without a locking cover exists upstream of the point where the building's
6 sanitary sewer service line connects to the main sewer line; That the elevation of the top
7 of said manhole is a minimum of two (2) feet below the lowest plumbing fixture drain in
8 the building; and That said manhole is in an area with relatively low likelihood of a
9 vehicle or other object being in a position to prevent the manhole cover from discharging
10 sewage as intended.

11 **Section 3. A new section 7-1.9 SFCC 1987 is ordained to read:**

12 **7-1.9 [NEW MATERIAL] Amendment to Sections 1702.9 of the Uniform Plumbing**
13 **Code; Non-Potable Rainwater Catchment Systems; Design and Installation.**

14 A. Section 1702.1 of the Uniform Plumbing Code shall be deleted and the following
15 substituted:

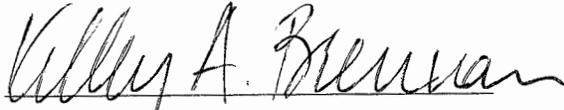
16 **1702.1 General.** The installation, construction , alteration, and repair of rainwater catchments
17 systems intended to supply uses such as water closets, urinals, clothes washers, trap primers for
18 floor drains and floor sinks, irrigation, and industrial processes, water features, cooling tower
19 makeup and other uses shall be approved by the Authority Having Jurisdiction.

20 B. Section 1702.9.1 of the Uniform Plumbing Code shall be deleted and the following
21 substituted:

22 **1702.9.1 Outside Hose Bibbs.** Outside hose bibbs shall be allowed on rainwater piping
23 systems. Hose bibbs supplying rainwater shall be marked with the words: "CAUTION: NON-
24 POTABLE WATER, DO NOT DRINK" and Figure 1709.9 and shall be fitted with a lock.
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APPROVED AS TO FORM:


KELLEY A. BRENNAN, CITY ATTORNEY

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: X Resolution: _____

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): AMENDING SUBSECTION 7-1.1 SFCC 1987 TO ADOPT THE 2012 UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE, THE 2012 UNIFORM MECHANICAL CODE, AND THE 2012 UNIFORM SOLAR CODE; AMENDING SUBSECTION 7-1.1 SFCC 1987 TO ADOPT THE 2012 UNIFORM PLUMBING CODE, AS AMENDED BY THE STATE OF NEW MEXICO AND THE CITY OF SANTA FE.

Sponsor(s): Councilor Patti Bushee

Reviewing Department(s): Land Use and Public Utilities

Persons Completing FIR: Katherine Mortimer Date: 12/9/15 Phone: X 6635

Reviewed by City Attorney: Kelly A. Brennan Date: 12/15/15
(Signature)

Reviewed by Finance Director: _____ Date: _____
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

To update the Cities codes to the current New Mexico Codes consistent with state law and make local amendments as necessary.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: [Signature]

X Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Total:	\$ _____			\$ _____				

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
Total:	\$ _____		\$ _____			

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

N/A

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

This bill makes the City's codes consistent with the state of New Mexico and supports future adoption of the Water Efficiency Rating Score into the Green Building Code as directed by City Council per Resolution #2015-28.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

The City would be out of compliance with the requirement to adopt the NM state codes and there would be no code to allow for use of non-potable water sources (purple pipe) within the City.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

No

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The codes reflect the most current protections provided by the state of NM and will provide the rules needed for people to use non-potable water sources to reduce potable water source use. These are benefits to the community.