

CITY OF RIO COMMUNITIES

ORDINANCE #2016-42

ADOPTION OF THE INTERNATIONAL FIRE CODE ORDINANCE

TITLE: AN ORDINANCE AMENDING OR ADDING TO MUNICIPAL ORDINANCE NO. 2014-16 (CHAPTER 7, Building and Construction ARTICLE 7, National Fire Code)

An ordinance of the City of Rio Communities adopting the 2015 edition of the International Fire Code, 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 in the City of Rio Communities; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No. 2014-16 of the City of Rio Communities and all other ordinances and parts of the ordinances in conflict therewith.

The GOVERNING BODY of the City of Rio Communities does ordain as follows:

AMENDMENT 1:

Section 1. That a certain document, one (1) copy of which is on file in the office of the Municipal Clerk of the City of Rio Communities, being marked and designated as the International Fire Code, 2015 edition, including Appendix Chapters B, C D, I and J, (see International Fire Code Section 101.2.1, 2015 edition), as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Rio Communities, 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 therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of Rio Communities are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance

- Section 2.** That the following sections are hereby revised:
Section 101.1 Insert: City of Rio Communities
Section 109.3 Insert: Any person who violates any provisions of this Article shall be guilty of a misdemeanor and upon conviction be punished by a fine of not more than five hundred dollars (\$500.00) or imprisonment for not more than ninety (90) days or both.
- Section 3.** That Ordinance No. 2014-16 of the City of Rio Communities entitled 'Adoption of State Fire Code' and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.
- Section 4.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The GOVERNING BODY hereby declares that it would have passed this ordinance, 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 5.** That nothing in this ordinance 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 ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.
- Section 6.** That the Municipal Clerk is hereby ordered and directed to cause this ordinance to be published.
- Section 7.** 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 30 days from and after the date of its final passage and adoption.

PASSED, ADOPTED AND APPROVED this 9th day of February, 2016 by the Governing Body of the City of Rio Communities.

City of Rio Communities Governing Body

Mark Gwinn, Mayor

Mary Lee Serna, Councilor Mayor Pro-temp

Robert Chavez, Councilor

Margaret (Peggy) Gutjahr, Councilor

Frank Stasi, Councilor

ATTEST:

Elizabeth (Lisa) Adair, Municipal Clerk