

HOUSE FLOOR SUBSTITUTE FOR  
HOUSE BILL 219

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

AN ACT

RELATING TO MUNICIPALITIES; AMENDING SECTION 3-17-6 NMSA 1978  
(BEING LAWS 1965, CHAPTER 300, SECTION 14-16-5) PROVIDING FOR  
ADOPTION OF CODES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 3-17-6 NMSA 1978 (being Laws 1965,  
Chapter 300, Section 14-16-5) is amended to read:

"3-17-6. CODES ADOPTED AND ENFORCED BY REFERENCE--  
AVAILABILITY.--

A. A municipality may adopt by ordinance the  
conditions, provisions, limitations and terms of ~~[an]~~:

(1) an administrative code;

(2) an air pollution code;

(3) a building code that includes provisions  
for plan review, permitting and inspections for general,

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1 electrical, mechanical and plumbing construction;

2 (4) an elevator code;

3 [~~(5)~~] ~~electrical code;~~

4 ~~(6)~~] (5) a fire prevention code;

5 [~~(7)~~] (6) a health code;

6 [~~(8)~~] (7) housing code;

7 [~~(9)~~] ~~plumbing code;~~

8 ~~(10)~~] (8) a traffic code; or

9 [~~(11)~~] (9) any other code not in conflict with

10 the laws of New Mexico or valid regulations issued by any board  
11 or agency of New Mexico authorized to issue regulations.

12 Any code so adopted shall provide for minimum requirements  
13 at least equal to the state requirements on the same subject.

14 B. An ordinance adopting any such code need only  
15 refer to the proper title and date of the code [~~only~~], without  
16 setting forth the code's conditions, provisions, limitations  
17 and terms, and may include any exception or deletion to the  
18 code by setting forth the exception or deletion to the code.  
19 The ordinance shall further specify at least one place within  
20 the municipality where the code, so adopted, is available for  
21 inspection during the normal and regular business hours of the  
22 municipal clerk. A copy of the code shall be available upon  
23 request and payment of a reasonable charge.

24 C. Any amendment to such a code may be adopted in  
25 the same manner as other ordinances are adopted."

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1           Section 2. EFFECTIVE DATE.--The effective date of the  
2 provisions of this act is July 1, 2008.

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