

TITLE 14 HOUSING AND CONSTRUCTION
CHAPTER 7 BUILDING CODES GENERAL
PART 3 2015 NEW MEXICO RESIDENTIAL BUILDING CODE

14.7.3.1 ISSUING AGENCY: Construction Industries Division (CID) of the Regulation and Licensing Department.
 [14.7.3.1 NMAC - Rp, 14.7.3.1 NMAC, 11/15/2016]

14.7.3.2 SCOPE: This rule applies to all construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of all detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress, and their accessory structures that is performed in New Mexico on or after November 15, 2016, and that is subject to the jurisdiction of CID, unless performed pursuant to a permit for which an application was received by CID before that date. Any repair, alteration or addition to such building that is associated with a change of occupancy, and any construction not addressed in the NMRBC, shall be subject to and shall comply with the NMCBC.
 [14.7.3.2 NMAC - Rp, 14.7.3.2 NMAC, 11/15/2016]

14.7.3.3 STATUTORY AUTHORITY: Section 60-13-9 and 60-13-44 NMSA 1978.
 [14.7.3.3 NMAC - Rp, 14.7.3.3 NMAC, 11/15/2016]

14.7.3.4 DURATION: Permanent.
 [14.7.3.4 NMAC - Rp, 14.7.3.4 NMAC, 11/15/2016]

14.7.3.5 EFFECTIVE DATE: November 15, 2016, unless a later date is cited at the end of a section.
 [14.7.3.5 NMAC - Rp, 14.7.3.5 NMAC, 11/15/2016]
 [From the date of publication of this rule in the New Mexico register, until July 1, 2017, permits may be issued under either the previously-adopted rule, or this rule. After July 1, 2017, permits may be issued only under this rule.]

14.7.3.6 OBJECTIVE: The purpose of this rule is to establish minimum standards for the general construction of residential buildings in New Mexico.
 [14.7.3.6 NMAC - Rp, 14.7.3.6 NMAC, 11/15/2016]

14.7.3.7 DEFINITIONS: See 14.5.1 NMAC, General Provisions and Chapter 2 of the 2015 International Residential Code (IRC) as amended in 14.7.3.10 NMAC.
 [14.7.3.7 NMAC - Rp, 14.7.3.7 NMAC, 11/15/2016]

14.7.3.8 ADOPTION OF THE 2015 INTERNATIONAL RESIDENTIAL CODE:
A. This rule adopts by reference the 2015 International Residential Code, as amended by this rule.
B. In this rule, each provision is numbered to correspond with the numbering of the 2015 International Residential Code.
 [14.7.3.8 NMAC - Rp, 14.7.3.8 NMAC, 11/15/2016]

14.7.3.9 CHAPTER 1 - ADMINISTRATION:
A. Section R101 - Title, scope and purpose.
(1) R101.1 Title. Delete this section of the IRC and substitute: This code shall be known as the 2015 New Mexico residential building code (NMRBC).
(2) R101.2 Scope. Delete this section of the IRC and see 14.7.3.2 NMAC, Scope and add the following:
Exception. Live/work units complying with the requirements of Section 419 of the *International Building Code* shall be permitted to be built as one- and two-family *dwellings* or townhouses. Fire suppression required by Section 419.5 of the *International Building Code* when constructed under the *International Residential Code for One- and Two-family Dwellings* shall conform to Section P2904 of the *Residential Building Code*. A home office or business not utilizing hazardous materials as defined in the international building code with a work area less than 300 sq. ft. is not a live/work unit subject to the requirements of the *International Building Code*. A home office in dwelling units exceeding 3000 sq. ft. may occupy up to ten percent of the floor area.
(3) R101.3 Purpose. See 14.7.3.6 NMAC, Objective.
B. Section R102 - Applicability.
(1) R102.1 General. Delete this section of the IRC and see 14.5.1 NMAC, General Provisions.
(2) R102.2 Other laws. Delete this section of the IRC and see 14.5.1 NMAC, General Provisions.
(3) R102.3 Application of references. Delete this section of the IRC and see 14.5.1 NMAC, General Provisions.
(4) R102.4 Referenced codes and standards. Delete this section of the IRC and substitute the following: The codes referenced in the NMRBC are set forth below. See also 14.5.1 NMAC, General Provisions.

(a) **Electrical.** The NMEC applies to all electrical wiring as defined in Section 60-13-32 NMSA 1978. All references in the IRC to the international code council (ICC) electrical code are deemed references to the NMEC.

(b) **Gas.** The NMMC applies to “gas fittings” as that term is defined in Section 60-13-32 NMSA 1978. All references in the IRC to the international mechanical code are deemed references to the NMMC. Gas piping, systems and appliances for use with liquefied propane gas (LPG), or compressed natural gas (CNG), shall be governed by the LPG standards (Section 70-5-1 et seq. NMSA 1978, LPG and CNG Act, and the rules promulgated pursuant thereto, 19.15.4.1 through 19.15.4.24 NMAC.)

(c) **Mechanical.** The NMMC applies to the installation, repair, and replacement of mechanical systems including equipment, appliances, fixtures, fittings or appurtenances including ventilating, heating, cooling, air conditioning, and refrigeration systems, incinerators, and other energy related systems. All references in the IRC to the international mechanical code are deemed references to the NMMC.

(d) **Plumbing.** The NMPC applies to the installation, alterations, repairs, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings, and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. All references in the IRC to the international plumbing code are deemed references to the NMPC.

(e) **Energy.** The NMECC applies to all energy-efficiency-related requirements for the design and construction of buildings that are subject to the New Mexico construction codes. All references in the IRC to the international energy code are deemed references to the NMECC.

(5) **R102.5 Appendices.** This rule adopts the following appendices as amended herein.

(a) **Appendix H - Patio covers.**

(b) **Appendix J - Existing buildings.**

(c) **Appendix K - Sound transmission.**

(d) **Appendix R – Light straw clay construction.**

(e) **Appendix S – Strawbale construction.**

(f) **Appendix Q – Tiny Houses.**

(6) **R102.6 Partial Invalidity.** Delete this section of the IRC and see 14.5.1 NMAC, General Provisions.

(7) **R102.7 Existing Structures.** See this section, and Subsection R102.7.1, Additions, Alterations or Repairs, of the IRC, except that the references to the International Property Maintenance Code and the International Fire Code are deleted.

C. **Section R103 - Department of Building Safety.** Delete this section of the IRC.

D. **Section R104 - Duties and Powers of Building Official.** Delete this section of the IRC and see 14.5.1 NMAC, General Provisions.

E. **Section R105 - Permits.** Delete this section of the IRC and see 14.5.2 NMAC, Permits.

F. **Section R106 - Construction Documents.** Delete this provision of the IRC and see 14.5.2 NMAC, Permits.

G. **Section R107 - Temporary Structures and Uses.** Delete this section of the IRC and see 14.5.2 NMAC, Permits.

H. **Section R108 - Fees.** Delete this section of the IRC and see 14.5.5 NMAC, Fees.

I. **Section R109 - Inspections.** Delete this section of the IRC and see 14.5.3 NMAC, Inspections.

J. **Section R110 - Certificate of Occupancy.** Delete this section of the IRC and see 14.5.3 NMAC, Inspections.

K. **Section R111 - Service Utilities.** Delete this section of the IRC and see 14.5.3 NMAC, Inspections.

L. **Section R112 - Board of Appeals.** Delete this section of the IRC and see 14.5.1 NMAC, General Provisions.

M. **Section R113 - Violations.** Delete this section of the IRC and see CILA 60-13-1 et seq., and 14.5.3 NMAC, Inspections.

N. **Section R114 - Stop Work Order.** Delete this section of the IRC and see 14.5.3 NMAC, Inspections.

[14.7.3.9 NMAC - Rp, 14.7.3.9 NMAC, 11/15/2016; A, 01/15/2018]

14.7.3.10 CHAPTER 2 - DEFINITIONS:

A. Section R101 General.

(1) **R201.1, R201.2 and R201.4.** See these sections of the IRC.

(2) **R201.3 Terms defined in other codes.** Delete this section of the IRC and substitute the following provision: Defined terms not listed in this rule have the meanings given in 14.5.1.7 NMAC, General Provisions, and in the other New Mexico codes.

B. Section R202 Definitions.

(1) **Board of appeals.** Delete this definition and see 14.5.1 NMAC, General Provisions.

(2) **Building official.** Delete this definition and see 14.5.1 NMAC, General Provisions.

(3) **Design professional and registered design professional.** Delete these definitions and see 14.5.1 NMAC, General Provisions.

(4) **Earthen building materials** has the meaning given in 14.7.4 NMAC, 2015 adopted New Mexico Earthen Building Materials Code.

(5) **Exterior finish coating** means a single coat of plaster, cementitious or other approved material applied to a concrete or masonry surface for cosmetic purposes only.

(6) **ICC** means the international code council.

(7) **Manufactured home.** Delete this definition from the IRC.

(8) **Sleeping room** means a room designated as a sleeping room or bedroom on the plans.

(9) **Unbalance backfill height** is the difference in height between the exterior finish ground level and the lower of the top of the concrete footing that supports the foundation wall, retaining wall or the interior finished ground level. Where an interior concrete slab on grade is provided and is in contact with the interior surface of the foundation wall, the unbalanced backfill height is permitted to be measured from the exterior finished ground level to the top of the interior concrete slab.

(10) **Decorative coating.** A single coat of plaster, cementitious or other approved material applied to a concrete or masonry surface for cosmetic purposes only.

(11) All other terms defined in this section of the IRC have the meanings given in that section.

[14.7.3.10 NMAC - Rp, 14.7.3.10 NMAC, 11/15/2016]

14.7.3.11 CHAPTER 3 - BUILDING PLANNING:

A. **Section R301 - Design criteria.** See this section of the IRC except as provided below:

(1) **Section R301.2.1 Climatic and Geographic Design Criteria.** Amend footnote "F" as follows: The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1 or information from the U.S.G.S. software "Design Values for Buildings" found online.

(2) **Section 301.2.2 Seismic Provisions.** Add the following sentence to end the **exception**: Buildings in which earthen building materials form the bearing wall system, that are located in seismic design categories A, B, C, Do and D₁ are exempt from the seismic requirements of this code.

(3) **Section R301.2.2.1. Determination of Seismic Design Category.** Add the following text at the end of the section: or information from the U.S.G.S. software "Design Values for Buildings" found online.

B. **Section R302.** See this section of the IRC except as provided below.

(1) **Section R302.1.** See this section of the IRC except as follows: Add the following exception to 302.1 exception #6 exterior walls will read as follows: Where zoning or perpetual, platted, and recorded easements create a non-buildable minimum fire separation distance of at least 10 feet between structures on adjacent properties. The "one hour" "fire resistive" rating shall not apply on the underside of the projections that project a maximum of 24 inches. Add a new subsection as follows: **Section R302.1.1 Zero lot line separation.** Where perpetual, platted, and recorded easements create a non-buildable minimum fire separation distance of at least six feet between structures on adjacent properties, the one-hour fire-resistive rating shall not apply. **Delete Table R302.1 (1)** without substitution. **Delete title of Table R302.1 (2)** and replace with following: **Table R302.1 (1) Exterior walls.**

(2) **R302.2 Townhouses.** Add the following sentence to the beginning of the exception: The following exception applies if the *townhouse* has an automatic residential fire sprinkler system. Delete the text "Chapters 34 through 43" from the second to the last sentence and replace with currently-adopted electrical code.

(3) **Section R302.5.1 Opening Protection.** Delete the text in this section and replace with the following: Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with self-closing, tight fitting solid wood doors not less than one and three-eighth inches (35 mm) in thickness, solid or honeycomb core steel doors not less than one and three-eighth inches (35 mm) thick or self-closing, tight fitting 20-minute fire-rated doors.

(4) **R302.6 Dwelling/Garage Fire Separation Required.** Delete the text of this section and replace with the following: The garage shall be separated from the residence and its attic area by not less than five-eighth inch (15.9 mm) type x gypsum board or equivalent applied to the garage side. Garages beneath habitable space shall be separated from all habitable rooms above by not less than five-eighth inch (15.9 mm) type x gypsum board or equivalent. Where separation is a floor-ceiling assembly, the structure supporting the separation shall also be protected by not less than five-eighth inch (15.9 mm) type x gypsum board or equivalent. Garages located less than three feet (914 mm) from a dwelling unit on the same lot shall be protected with not less than five-eighth inch (15.9 mm) type x gypsum board or equivalent applied to the interior side of exterior walls that are within this area. Openings in these walls shall be regulated by section R309.1. This provision does not apply to garage walls that are perpendicular to the adjacent dwelling unit wall. **Table R302.6.** Delete the text of table R302.6 and replace with the following:

Table R302.6 DWELLING/GARAGE SEPARATION	
SEPARATION	MATERIAL
From the residence and attics	Not less than five-eighth-inch Type X gypsum board or equivalent applied to the garage side
From all habitable rooms above the garage	Not less than five-eighth-inch Type X gypsum board or equivalent applied to the interior side of exterior walls that are within this area
Structure(s) supporting floor/ceiling assemblies used for separation required by this section	Not less than five-eighth-inch gypsum board or equivalent
Garages located less than three feet from a dwelling unit on the same lot	Not less than five-eighth-inch gypsum board or equivalent

(5) **R302.13 Fire Protection of Floors.** Delete the text of this section without substitution.

- C. Section R303 through Section R308.** See these sections of the IRC. **Delete the text in this section R303.4 Mechanical Ventilation and replace with the following:** The dwelling unit ventilation shall be in accordance with 14.9.2 NMAC.
- D. Section R309.** See this section of the IRC except as provided below: **R309.1 Floor Surface.** Delete the text of this section of the IRC and replace with the following language. Garage floor surfaces shall be of approved noncombustible material. The area of floor used for parking of automobiles or other vehicles shall be sloped a minimum of one percent to facilitate the movement of liquids to a drain or toward the main vehicle entry doorway. The approach apron shall be recessed a minimum three-fourths inch at the vehicle doorways to prevent entry of storm water into the garage.
- E. Section R311 Means of Egress.** See these section of the IRC except as provided below. **R311.7.5 Stair Treads and Risers.** Stair treads and risers shall meet the requirements of this section. For the purposes of this section, dimensions and dimensioned surfaces shall be exclusive of carpets, rugs or runners.
- F. Section R311.7.5.1 Risers.** The riser height shall be not more than eight inches (203mm). The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than three-eighth inches (9.5 mm). Risers shall be vertical or sloped from the underside of the nosing of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted provided that the openings located more than 30 inches (762 mm), as measured vertically, to the floor or grade below do not permit the passage of a four-inch-diameter (102 mm) sphere. Exceptions: (1) The opening between adjacent treads is not limited on spiral stairways. (2) The riser height of spiral stairways shall be in accordance with Section R311.7.10.1.
- G. Section R311.7.5.2 Treads.** The tread depth shall be not less than nine inches (229mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than three-eighths inch (9.5 mm).
- H. Section R311.7.7.3 Grip-size.** Delete the text of the first sentence of this section of the IRC and replace with the following: All required handrails shall be of one of the following types or the shape shall provide equivalent graspability. In item #1 Type I delete the word "of" after the "words maximum cross section" and before "dimension".
- I. Section R313 Automatic Fire Sprinkler Systems.** Delete the text of sections R313.1 and R313.2 and replace with the following: **R313.1** Automatic fire sprinklers systems in townhouses and one- and two-family dwellings are not required when the units are not more than three stories above grade plane in height and that have separate means of egress and their accessory structures.
- J. Section R312 through Section R319.** See these sections of the IRC.
- K. Section 320 Accessibility.** Delete the text of this section and see Section 310.5 of the IBC.
- L. Section R321 through section 325** See these sections of the IRC.
- M. Section R326 Swimming Pools** Delete the text of this section and see 14.7.3.24 NMAC.

[14.7.3.11 NMAC - Rp, 14.7.3.11 NMAC, 11/15/2016]

14.7.3.12 CHAPTER 4 - FOUNDATIONS: Section R403 Footings. See this section of the IRC except as provided below.

A. R403.1.3.2 See this section of the IECC and add the following sentence to the end of the section. Where the slabs-on-ground are cast monolithically and rigid insulation is used as a forming material, a minimum of one and one-half inch 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. Forms shall be constructed and maintained so that the finished concrete complies with Section R401.2.

B. R403.1.4 Delete the text of this section and replace with the following language. All exterior footings shall be placed at least 12 inches (305 mm) below grade. Where applicable, the depth of footings shall also conform to Sections R403.1.4.1 and R403.1.4.2.

[14.7.3.12 NMAC - Rp, 14.7.3.12 NMAC, 11/15/2016]

14.7.3.13 CHAPTER 5 - FLOORS: See this chapter of the IRC.

[14.7.3.13 NMAC - Rp, 14.7.3.13 NMAC, 11/15/2016]

14.7.3.14 CHAPTER 6 - WALL CONSTRUCTION:

A. Section R601. General. See this section of the IRC.

B. Section R602. Wood Wall Framing. See this section of the IRC except as provided below.

(1) Section R602.1.3 Structural Log Members. Delete the text of this section and replace with the following; **Native timber.** Rough-sawn lumber, timbers, and vigas, used for any load bearing application shall be identified by a grade mark of an *approved* lumber grading or inspection agency. In lieu of a grade mark, on the material, a certificate of inspection as to species and grade, issued by a lumber-grading or inspection agency meeting the requirements of this section. A grading report issued by an engineer or architect will be accepted.

(2) R602.3 Design and Construction. Add the following to this section: Structural wall sheathing shall be fastened directly to structural framing members and plywood or oriented strand board shall have a one-eighth inch space at panel edge and end joints.

(3) R602.3.1 See this section as follows except delete exception number two.

(4) R602.3.4 Bottom (sole) plate. Delete this section as follows and replace with the following. Studs shall have full bearing on a nominal two-by (51 mm) or larger plate or sill having a width at least equal to the width of the studs. Two

inch (51 mm) by six inch (152 mm) or wider exterior wall bottom or sill plates may be cantilevered a maximum of one and one-half (38 mm) inches from concrete slab-on-grade to accommodate slab-on-grade perimeter insulation if the remaining bearing is sufficient to carry the structural load. Anchor bolts shall be placed a minimum of two inches from the exterior edge of the concrete. Two inch by four inch or wider exterior wall bottom or sill plates may be cantilevered a maximum of half inches from concrete slab-on-grade to accommodate slab-on-grade perimeter insulation if the remaining bearing is sufficient to carry the structural load. Anchor bolts shall be placed a minimum of two inches from the exterior edge of the concrete.

(5) **Figure R602.7.2 Rim Board Header Construction Figure:** Figure detail is required with the exception of “where bearing distance is less than one and one-half inches” shall be deleted.

(6) **R602.12.1 Delete section and substitute as follows:** Braced wall line spacing shall be required per section 602.10.1.3. When interior braced wall lines are required per **Table 602.10.1.3**, the required braced wall panels for the interior shall be per section R602.10.4.

(7) **R602.12 (3) Delete “10 feet (3048 mm)” and insert 12 feet.**

C. **Section R603 through Section R610.** See these sections of the IRC.

[14.7.3.14 NMAC - Rp, 14.7.3.14 NMAC, 11/15/2016]

14.7.3.15 CHAPTER 7 - WALL COVERING:

A. **Section R701 and Section R702.** See these sections of the IRC.

B. **Section R703 Exterior covering.** See this section of the IRC except as follows.

(1) **Section R703.7.2 Plaster.** Insert the following at the end of the second paragraph: Plastering with portland cement plaster shall be not less than three coats where applied over metal lath or wire lath and shall be not less than two coats where applied over masonry, concrete, pressure-preservative treated wood or decay-resistant wood as specified in Section R317.1 or gypsum backing. If the plaster surface is completely covered by veneer or other facing material or is completely concealed, plaster application need be only two coats, provided the total thickness is as set forth in Table R702.1 (1). On wood-frame construction with an on-grade floor slab system, exterior plaster shall be applied to cover, but not extend below, lath, paper and screed. All residual plaster or stucco material that accumulates at the base of the wall shall be removed before it is allowed to cure and no horizontal plaster or stucco material shall remain on the adjacent grade, footing, footing trench or, when provided, weep screed. All residual stucco material shall be removed from roof surfaces and roof substrates before it is allowed to cure. The proportion of aggregate to cementitious materials shall be as set forth in Table R702.1(3). **Exception:** Exterior plaster may be continued below the weep screed to below grade provided there is a complete break in the drainage plane of the building at the location of the horizontal weep screed. Weep holes in the screed shall not be plugged during the application of plaster materials used to cover foundation insulation.

(2) **Section R703.7.2.1 Weep screeds.** Delete the text of this section of the IRC and substitute with the following: When an approved acrylic based exterior finish stucco system or acrylic based color coat is applied, a minimum 0.019 inch (0.48 mm) (No. 26 galvanized sheet gage), corrosion-resistant weep screed or plastic weep screed, with a minimum vertical attachment flange of three half inches (89 mm) shall be provided at or below the foundation plate line on exterior stud wall in accordance with ASTM C 926. The weep screed shall be placed a minimum of four inches (51mm) above the earth or half inch 13 mm above paved areas and shall be of a type that will allow trapped water to drain to the exterior of the building. The weather-resistant barrier shall lap the attachment flange. The exterior lath shall lap the attachment flange of the weep screed. Weep screeds are not required under covered porches or covered patios.

(3) **Section R703.7.3 Water-resistive barriers. Delete this section as follows and replace with the following.** Water-resistive barriers shall be installed as required in **Section R703.2** and where applied over wood-based sheathing, shall include a water-resistive vapor-permeable barrier with performance at least equivalent to two layers of Grade D paper. Such felt or material shall be applied horizontally, with the upper layer lapped over the lower layer not less than two inches (51mm). Where vertical joints occur, the material and or felt shall be lapped not less than six inches (152mm).

[14.7.3.15 NMAC - Rp, 14.7.3.15 NMAC, 11/15/2016]

14.7.3.16 **CHAPTER 8 - ROOF-CEILING CONSTRUCTION:** See this section of the IRC. **R806.5 Unvented attic and unvented enclosed rafter assemblies. See this section as follows except delete condition number four.** And note 5.1.3.as follows where both air-impermeable and air permeable insulation are provided, the air-impermeable insulation shall be applied in direct contact with the underside of the structural roof sheathing in accordance with Item 5.1.1 and shall not be required to exceed the minimum R-values provided by low-density foam. The air-permeable insulation shall be installed directly under the air-impermeable insulation.

[14.7.3.16 NMAC - Rp, 14.7.3.16 NMAC, 11/15/2016]

14.7.3.17 CHAPTER 9 - ROOF ASSEMBLIES:

A. **Section R901 through Section R902:** See these sections of the IRC.

B. **Section R903:** See this section of the IRC except as provided below.

(1) **Section R903.2.1 Locations.** Approved reglets or an approved flashing shall be installed at wall and roof intersections, wherever there is a change in roof slope or direction and around roof openings. Where flashing is of metal, the metal shall be corrosion resistant with a thickness of not less than 0.019 inch (0.5 mm) (No. 26 galvanized sheet).

(2) **Section R903.3 Plastered parapets.** Delete the text of this section and replace with the following: Plastered parapets shall require a seamless but permeable waterproof cover or weather barrier, capping the entire parapet and wrapping over each side. The cover shall extend past any break from the vertical a minimum of four inches on the wall side. On the roof side,

the cover shall properly lap any rising roof felts or membranes and be properly sealed. A layer of furred expanded metal lath shall be installed over the cover before plaster or stucco is applied. The lath shall extend past any break from the vertical on the wall side a minimum of five inches and on the roof side, the same distance as the cover below, allowing for plaster stops or seals. No penetrating fasteners are allowed on the horizontal surface of parapets.

C. Section R904: See this section of the IRC except add the following new section: Section R904.5 Loose granular fill. Pumice and other granular fill type materials are not permitted in roof assemblies.

D. Section R905: See this section of the IRC except add the following new sections.

(1) Section R905.9.4 Roof deck transitions. Add new section to the IRC as follows: Where roof sheathing is overlapped to create drainage “crickets” or valleys to canales, taperboard or equivalent shall be used to transition between the two deck levels to create a uniform substrate.

(2) Section R905.9.5 Canales and scuppers. All canales and scuppers must have a metal pan lining extending six inches minimum past the inside of the parapet and six inches minimum to each side of the canale or scupper opening. All canales or scuppers must have positive drainage.

(3) Section R905.11.4 Modified bitumen roofing. Add new section to the IRC as follows: Where roof sheathing is overlapped to create drainage “cricket” or valleys to canales, taperboard or equivalent shall be used to transition between the two deck levels to create a uniform substrate.

(4) Section R905.12.4 Thermoset single-ply roofing. Add new section to the IRC as follows: Where roof sheathing is overlapped to create drainage “crickets” or valleys to canales, taperboard or equivalent shall be used to transition between the two deck levels to create a uniform substrate.

(5) Section R905.13.4 Thermoplastic single-ply roofing. Add new section to the IRC as follows: Where roof sheathing is overlapped to create drainage “crickets” or valleys to canales, taperboard or equivalent shall be used to transition between the two deck levels to create a uniform substrate.

E. Section R908.3.1.1 Re-covering versus replacement. Delete the text of section R907.3 and substitute with the following: New roof covering shall not be installed without first removing existing roof coverings where any of the following conditions occur.

(1) Where the existing roof or roof covering is water soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.

(2) Where the existing roof covering is wood shake, slate, clay, cement or asbestos-cement tile.

(3) Where the existing roof has two or more applications of any type of roof covering.

(4) Where pumice or other granular fill are present, existing roofing and granular fill must be removed prior to re-roofing.

[14.7.3.17 NMAC - Rp, 14.7.3.17 NMAC, 11/15/2016]

14.7.3.18 CHAPTER 10 - CHIMNEYS AND FIREPLACES: See this chapter of the IRC.

[14.7.3.18 NMAC - Rp, 14.7.3.18 NMAC, 11/15/2016]

14.7.3.19 CHAPTER 11 - ENERGY EFFICIENCY: Delete this chapter of the IRC and see 14.7.6 NMAC, the NMECC.

[14.7.3.19 NMAC - Rp, 14.7.3.19 NMAC, 11/15/2016]

14.7.3.20 CHAPTERS 12 THROUGH 23 - MECHANICAL: Delete these chapters of the IRC and see 14.9.2 NMAC.

[14.7.3.20 NMAC - Rp, 14.7.3.20 NMAC, 11/15/2016]

14.7.3.21 CHAPTER 24 - FUEL GAS: Delete this chapter of the IRC and see the NMMC.

[14.7.3.21 NMAC - Rp, 14.7.3.21 NMAC, 11/15/2016]

14.7.3.22 CHAPTERS 25 THROUGH 33 - PLUMBING: Delete these chapters of the IRC and see the NMPC.

[14.7.3.22 NMAC - Rp, 14.7.3.22 NMAC, 11/15/2016]

14.7.3.23 CHAPTERS 34 THROUGH 43 - ELECTRICAL: Delete these chapters of the IRC and see the NMAC.

[14.7.3.23 NMAC - Rp, 14.7.3.23 NMAC, 11/15/2016]

14.7.3.24 CHAPTER 42 - SWIMMING POOLS. Delete these of chapter of the IRC and replace with the following.

A. Section R4201.1 General. The provisions of this appendix shall control the design and construction of swimming pools, spas and hot tubs installed in or on the lot of a one- or two-family dwelling. **R4201.2 Pools in flood hazard areas.** Pools that are located in flood hazard areas established by Table R301.2(1), including above-ground pools, on-ground pools and in-ground pools that involve placement of fill, shall comply with Sections R4201.2.1 or R4201.2.2. **Exception:** Pools located in riverine flood hazard areas which are outside of designated floodways. **R4201.2.1 Pools located in designated floodways.** Where pools are located in designated floodways, documentation shall be submitted to the building official, which demonstrates that the construction of the pool will not increase the design flood elevation at any point within the jurisdiction. **R4201.2.2 Pools located where floodways have not been designated.** Where pools are located where design flood elevations are specified but floodways have not been designated, the

applicant shall provide a floodway analysis that demonstrates that the proposed pool will not increase the design flood elevation more than one foot (305 mm) at any point within the jurisdiction.

B. Section R4202.1 Definitions. For the purposes of these requirements, the terms used shall be defined as follows.

(1) **ABOVE-GROUND/ON-GROUND POOL.** See “Swimming pool.”

(2) **BARRIER.** A fence, wall, building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

(3) **HOT TUB.** See “Swimming pool.”

(4) **IN-GROUND POOL.** See “Swimming pool.”

(5) **RESIDENTIAL.** That which is situated on the premises of a detached one- or two-family dwelling or a one-family townhouse not more than three stories in height.

(6) **SPA, NON-PORTABLE.** See “Swimming pool.”

(7) **SPA, PORTABLE.** A non-permanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.

(8) **SWIMMING POOL.** Any structure intended for swimming or recreational bathing that contains water over 24 inches (610 mm) deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

(9) **SWIMMING POOL, INDOOR.** A swimming pool which is totally contained within a structure and surrounded on all four sides by the walls of the enclosing structure.

(10) **SWIMMING POOL, OUTDOOR.** Any swimming pool which is not an indoor pool.

C. Section R4203.1 In-ground pools. In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in section R4208. **R4203.2 Above-ground and on-ground pools.** Aboveground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section R4208. **R4203.3 Pools in flood hazard areas.** In flood hazard areas established by Table R301.2 (1), pools in coastal high hazard areas shall be designed and constructed in conformance with ASCE 24.

D. Section R4204.1 Permanently installed spas and hot tubs. Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3. **R4204.2 Portable spas and hot tubs.** Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6.

E. Section R4205.1 Barrier Requirements. The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs. **R4205.2 Outdoor swimming pool.** An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be surrounded by a barrier which shall comply with the following:

(1) The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be two inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four inches (102 mm).

(2) Openings in the barrier shall not allow passage of a four-inch-diameter (102 mm) sphere.

(3) Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

(4) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed thirteen-fourth inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed thirteen-fourth inches (44 mm) in width.

(5) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed four inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed thirteen-fourth inches (44 mm) in width.

(6) Maximum mesh size for chain link fences shall be a twenty-one fourth-inch (57 mm) square unless the fence has slats fastened at the top or the bottom which reduce the openings to not more than thirteen-fourth inches (44 mm).

(7) Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than thirteen-fourth inches (44 mm).

(8) Access gates shall comply with the requirements of Section R4205.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

(a) 8.1. The release mechanism shall be located on the pool side of the gate at least three inches (76 mm) below the top of the gate; and

(b) 8.2. The gate and barrier shall have no opening larger than half-inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

- (9) Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:

(a) 9.1. The pool shall be equipped with a powered safety cover in compliance with

ASTM F 1346; or

(b) 9.2. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed and labeled in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches (1372 mm) above the threshold of the door; or

(c) 9.3. Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable as long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above.

(10) Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:

(a) 10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access; or

(b) 10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section R4205.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

F. Section R4205.3 Indoor swimming pool. Walls surrounding an indoor swimming pool shall comply with Section R4205.2, Item 9. **R4205.4** Prohibited locations. Barriers shall be located to prohibit permanent structures, equipment or similar objects from being used to climb them. **R4205.5** Barrier exceptions. Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section R4207, shall be exempt from the provisions of this appendix.

G. R4206 Entrapment Protection for Swimming Pool and Spa. R4206.1 General. Suction outlets shall be designed and installed in accordance with ANSI/APSP-7.

H. R4207 Abbreviations:

(1) **R4207.1** General.

(2) **ANSI** - American national standards institute; 11 West 42nd Street; New York, NY 10036.

(3) **APSP** - Association of pool and spa professionals.

(4) **NSPI** - National spa and pool institute; 2111 Eisenhower Avenue; Alexandria, VA 22314.

(5) **ASCE** - American society of civil engineers; 1801 Alexander Bell Drive; Reston, VA 98411-0700.

(6) **ASTM** - ASTM International; 100 Barr Harbor Drive; West Conshohocken, PA 19428.

(7) **UL** - Underwriters laboratories; inc. 333 Pfingsten Road; Northbrook, IL 60062-2096.

I. R4208 Standards:

(1) **R4208.1** General.

(2) **ANSI/NSPI.**

(3) **ANSI/NSPI-3-99** Standard for Permanently Installed Residential Spas R4204.1.

(4) **ANSI/NSPI-4-99** Standard for Above-ground/On-ground Residential Swimming Pools R4203.2.

(5) **ANSI/NSPI-5-2003** Standard for Residential In-ground Swimming Pools R4203.1.

(6) **ANSI/NSPI-6-99** Standard for Residential Portable Spas R4204.2.

(7) **ANSI/APSP.**

(8) **ANSI/APSP-7-06** Standard for Suction Entrapment avoidance in Swimming Pools, Wading Pools, Spas, Hot Tubs and Catch Basins R4206.1.

(9) **ASCE.**

(10) **ASCE/SEI-24-05** Flood Resistant Design and Construction R4203.3.

(11) **ASTM.**

(12) **ASTM F 1346-91 (2003)** Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs R4205.2, R4205.5.

(13) **UL.**

(14) **UL 2017-2000** Standard for General-purpose Signaling Devices and Systems-with Revisions through June 2004 R4205.2.

[14.7.3.24 NMAC - N, 11/15/2016]

14.7.3.25 CHAPTER 44 - REFERENCED STANDARDS: See this section of the IRC.

[14.7.3.25 NMAC - Rp, 14.7.3.24 NMAC, 11/15/2016]

14.7.3.26 APPENDIX J - EXISTING BUILDINGS AND STRUCTURES: See this section Of the IRC except as provided below:

A. Section AJ101 Purpose and intent. See this section of the IRC.

B. Section AJ102 Compliance. See this section of the IRC except add the following new section: **Section AJ102.4.3 Compliance.** When alterations and/or repairs are made to exterior stud framed walls of existing bedrooms and exterior wall framing adjoining the window is exposed, then the replacement window shall be made to comply with section R310.

[14.7.3.26 NMAC - Rp, 14.7.3.25 NMAC, 11/15/2016]

14.7.3.27 APPENDIX S STRAWBALE CONSTRUCTION: See this section of the IRC except as provided below:

A. Construction documents detailing the structural design of the structure shall be prepared by a licensed New Mexico architect or structural engineer. The architect or engineer stamp must be affixed to each page of the plans detailing construction of the structure with the design professionals signature and date affixed over each stamp.

B. Prior to issuance of a certificate of occupancy by the construction industries division, an inspection report must be provided to the general construction inspector by the licensed New Mexico architect or structural engineer. The report shall attest to the building's structural integrity and conformance with the permitted drawings

[14.7.3.25 NMAC - N, 11/15/2016]

14.7.3.28 APPENDIX Q TINY HOUSES:**A. Section AQ101 - GENERAL**

(1) Section AQ101.1 Scope. This appendix shall be applicable to tiny houses used as single dwelling units providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation and placed on a permanent foundation. Tiny houses shall comply with this code except as otherwise stated in this appendix. Tiny houses constructed in New Mexico or constructed outside New Mexico and transported into New Mexico shall be inspected to comply with New Mexico Residential Code requirements for in-state or out of state production of dwelling units. This shall include Appendix Q of the New Mexico Residential Code. Tiny houses constructed on a chassis with permanent axle shall be considered recreational vehicles and shall meet codes for and be licensed as recreational vehicles so long as the axle remain in place. If axle are removed and the unit placed on supports (foundation) the unit must comply with code requirements for tiny houses placed on a permanent foundations. Tiny houses placed upon a permanent foundation shall be constructed to comply with New Mexico Building Residential Codes including Appendix Q (Tiny Houses) of the Residential Code.

(2) Section AQ102.1 General Definitions. The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of this code for general definitions.

(a) Emergency egress. A skylight, roof window, or other emergency egress opening designed and installed to satisfy the emergency escape and rescue opening requirements in Section R310.2.

(b) Landing platform. A landing measuring two treads deep and two risers tall, provided as the top step of a stairway or ladder accessing a loft.

(c) Loft. A floor level located more than 30 inches (762 mm) directly above the main floor and open to the main floor on at least one side with a ceiling height of less than 6 feet 8 inches (2032 mm), used as a living or sleeping space. The total area of all lofts shall not exceed 40 percent of the floor area.

(d) Tiny house. A dwelling that is 400 square feet (37 m²) or less in floor area excluding lofts, and does not include recreational vehicles.

B. Section AQ103 - CEILING HEIGHT

AQ103.1 Minimum ceiling height. Habitable space and hallways in tiny houses shall have a ceiling height of not less than 6 feet 8 inches (2032 mm). Bathrooms, toilet rooms, and kitchens shall have a ceiling height of not less than 6 feet 4 inches (1930 mm). Obstructions shall not extend below these minimum ceiling heights including beams, girders, ducts, lighting and other obstructions. **Exception:** Ceiling heights in lofts are permitted to be less than 6 feet 8 inches (2032 mm).

C. Section AQ104 LOFTS

(1) Section AQ104.1 Minimum loft area and dimensions. Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements of Sections AQ104.1.1 through AQ104.1.3.

(a) Section AQ104.1.1 Minimum area. Lofts shall have a floor area of not less than 35 square feet (3.25 m²).

(b) Section AQ104.1.2 Minimum dimensions. Lofts shall be not less than 5 feet (1524 mm) in any horizontal dimension.

(c) Section AQ104.1.3 Height effect on loft area. Portions of a loft with a sloping ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft. **Exception:** Under gable roofs with a minimum slope of 6:12, portions of a loft with a sloping ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.

(2) Section AQ104.2 Loft access. The access to and primary egress from lofts shall be any type described in Sections AQ104.2.1 through AV104.2.4.

(a) Section AQ104.2.1 Stairways. Stairways accessing lofts shall comply with this code or with Sections AQ104.2.1.1 through AQ104.2.1.5.

(i) Section AQ104.2.1.1 Width. Stairways accessing a loft shall not be less than 17 inches (432 mm) in clear width at or above the handrail. The minimum width below the handrail shall be not less than 20 inches (508 mm).

(ii) Section AQ104.2.1.2 Headroom. The headroom in stairways accessing a loft shall be not less than 6 feet 2 inches (1880 mm) as measured vertically from a sloped line connecting the tread or landing platform nosings in the middle of their width.

(iii) **Section AQ104.2.1.3 Treads and risers.** Risers for stairs accessing a loft shall be not less than 7 inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas: (a) The tread depth shall be 20 inches (508 mm) minus 4/3 of the riser height. (b) The riser height shall be 15 inches (381 mm) minus 3/4 of the tread depth.

(iv) **Section AQ104.2.1.4 Landing platforms.** The top tread and riser of stairways or ladders accessing lofts shall be constructed as a landing platform where the loft ceiling height is less than 6 feet 2 inches (1880 mm) at the point where the stairway or ladder meets the loft.

(v) **Section AQ104.2.1.5 Handrails.** Handrails shall comply with Section R311.7.8.

(vi) **Section AQ104.2.1.6 Stairway guards.** Guards at open sides of stairways shall comply with Section R312.1.

(b) **Section AQ104.2.2 Ladders.** Ladders accessing lofts shall comply with Sections AQ104.2.1 and AQ104.2.2, including the requirements for handrails in section R311.7.8, and R308.4.6 glazing adjacent to stairs and ramps, and shall be permanently attached to the loft structure by a device that prevents movement during use. Attachment shall not be accomplished by use of toenails or nails subject to withdrawal.

(i) **Section AQ104.2.2.1 Size and capacity.** Ladders accessing lofts shall have a rung width of not less than 12 inches (305 mm) and rungs shall be spaced with 10 inches (254mm) minimum to 14 inches (356mm) maximum spacing between rungs. Floor decking of lofts accessed by ladders shall be no more than 8½ feet above the main level floor. Ladders shall be capable of supporting a 200 pound (75 kg) load on any rung. Rung spacing shall be uniform within 3/8-inch (9.5 mm).

(ii) **Section AQ104.2.2.2 Incline.** Ladders shall be installed at 70 to 80 degrees from horizontal.

(c) **Section AQ104.2.3 Alternating tread devices.** Alternating tread devices accessing lofts shall comply with Sections R311.7.11.1 and R311.7.11.2. The clear width at and below the handrails shall be not less than 20 inches (508 mm).

(d) **Section AQ104.2.4 Ships ladders.** Ships ladders accessing lofts shall comply with Sections R311.7.12.1 and R311.7.12.2. The clear width at and below handrails shall be not less than 20 inches (508 mm).

(e) **Section AQ104.2.5 Loft Guards.** Loft guards shall be located along the open side of lofts. Loft guards shall not be less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less.

D. Section AQ105 - EMERGENCY ESCAPE AND RESCUE OPENINGS

AQ105.1 General. Tiny houses shall meet the requirements of Section R310 for emergency escape and rescue openings including lofts of 35 square feet or greater. Egress roof access windows in lofts shall be deemed to meet the requirements of Section R310 where installed with the bottom of their opening no more than 44 inches (1118 mm) above the loft floor. [14.7.3.28 NMAC - N, 01/15/2018]

HISTORY OF 14.7.3 NMAC:

Pre-NMAC History: Material in this part was derived from that previously filed with the commission of public records - state records center and archives as:

GCB-NMBC-83-1, 1982 New Mexico Building Code, filing date, 2-15-1983.

CID-GCB-NMBC-85-1, 1985 New Mexico Building Code, filing date, 11-19-1985.

CID-GCB-NMBC-88-1, 1988 New Mexico Building Code, filing date, 01-20-1989.

CID-GCB-NMBC-91-1, 1991 New Mexico Building Code, filing date, 05-04-1993.

History of Repealed Material:

14 NMAC 7.2, 1997 New Mexico Building Code (filed 10-30-1998) (with the exception of material incorporated by reference which was also filed 10-30-1998), repealed 12-1-2000.

14.7.2 NMAC, 1997 New Mexico Building Code (filed 10-16-2000), repealed 7-1-2004.

14.7.3 NMAC, 2003 New Mexico Residential Building Code (filed 5-27-2004), repealed 1-1-2008.

14.7.3 NMAC, 2006 New Mexico Residential Building Code (filed 08-16-2007), repealed 1-28-2011.

14.7.3 NMAC, 2009 New Mexico Residential Building Code (filed 12-28-2010), repealed 11-15-2016.

Other History:

CID-GCB-NMBC 91-1, 1991 New Mexico Building Code (filed 5-4-1993) was replaced by 14 NMAC 7.2, Housing and Construction, Building Codes General, 1997 New Mexico Building Code, effective 12-31-1998.

14 NMAC 7.2, Housing and Construction, Building Codes General, 1997 New Mexico Building Code (filed 10-30-1998) replaced by 14.7.2 NMAC, 1997 New Mexico Building Code, effective 12-1-2000.

Those applicable portions of 14.7.2 NMAC, 1997 New Mexico Building Code (filed 10-16-2000) and 14 NMAC 7.3, 1997 Uniform Building Code (filed 10-30-1998) replaced by 14.7.2 NMAC, 2003 New Mexico Commercial Building Code, effective 7-01-2004 and 14.7.3 NMAC, 2003 New Mexico Residential Building Code, effective 7-1-2004.

14.7.3 NMAC, 2003 New Mexico Residential Building Code (filed 5-27-2004) was replaced by 14.7.3 NMAC, 2006 New Mexico Residential Building Code, effective 1-1-2008.

14.7.3 NMAC, 2006 New Mexico Residential Building Code (filed 08-16-2007) was replaced by 14.7.3 NMAC, 2009 New Mexico Residential Building Code, effective 1-28-2011.