

This is an amendment to 14.5.2 NMAC, amending Section 10, effective 1/13/2023.

14.5.2.10 SUBMITTAL DOCUMENTS:

A. Submittal documents.

(1) With each application for a permit, two sets of the following documents (collectively, submittal documents) must be submitted:

- (a) type, occupancy including occupant load and kind of structure;
- (b) plans;
- (c) specifications;
- (d) engineering calculations;
- (e) diagrams;
- (f) soil investigation reports;
- (g) exterior wall envelope; submittal documents for all buildings shall describe the exterior wall envelope in sufficient detail to enable the plan review to determine compliance with the NMCBC the NMRBC and NMECC; the submittal documents shall show the exterior wall envelope in detail as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves, or parapets, means of drainage, water-resistive membrane, and details around openings; roofing systems and manufacturers specifications are required to be submitted;

(h) mechanical design criteria for all buildings must be included with the submittal documents; ~~and~~

- (i) any other data or document required by the AHJ's plan review official;

(j) public buildings under the authority of the construction industries division shall have a structural engineer/architect determine the floodplain elevation, and the applicant shall ensure that all work is performed in compliance with floodplain requirements under the New Mexico Commercial Building Code ("NMCBC"). The construction industries division shall then pre-determine the design flood elevation verified by the New Mexico structural engineer/architect, prior to plan submittal to the division; and

(k) In riverine flood hazard areas where design flood elevations are identified but floodways have not been designated, the applicant shall demonstrate, to CID, that the effect of the proposed buildings and structures on design flood elevations, including fill, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the design flood elevation more than one foot at any point within the jurisdiction. If it is determined that the construction is within a floodplain, the work shall comply with NMCBC.

(2) For construction subject to the NMCBC, see Sections 107.1 and 107.2 of the IBC for other requirements regarding submittal documents, including form, means of egress, and site plans. See Subsection H of 14.5.2.8 NMAC and 14.7.2.45 NMAC for requirements for baby changing facilities.

(3) For construction subject to NMRBC, see Sections 106.1.1, 106.1.2, 106.1.3 and 106.2 of the IRC for other requirements regarding submittal documents, including form, manufacturer's installation instructions, construction in floodplain areas, and site plans.

(4) Upon approval, one set of the submittal documents shall be retained by the division during construction and one set shall be returned to the permittee, which shall be available at the work site, and available for inspection by the AHJ or inspector during the performance of the permitted work.

(5) Submissions may be required of any specifications, drawings or diagrams necessary to show clearly the kind and extent of building construction work.

B. Professional seals requirements: An architect or engineer stamp is required for all uses listed in table 1004.1.2 of the IBC or when deemed relevant and required at the discretion of the AHJ pursuant to Subsection I of 14.5.2.10 NMAC.

C. Exceptions: The requirement for plans and specifications to be prepared by an architect or engineer shall not be required, in any of the following instances unless, in the discretion of the TBC or CBO, such an exception is not in the best interests of public safety or health. These exceptions are authorized pursuant to The Architectural Act, Section 61-15-9 NMSA 1978, and the Engineers & Surveyors Practice Act, § 61-23-22 NMSA 1978 and Subsection C of 16.39.4.8 NMAC.

- (1) Single-family dwellings, not more than two stories in height.
- (2) Multiple dwellings not more than two stories in height and containing not more than four

dwelling units constructed of materials approved for use pursuant to the NMRBC, and provided this exception is not construed to allow a person who is not a properly licensed architect to design multiple clusters of up to four dwelling units each where the total exceeds four dwelling units on each lawfully divided lot.

(3) Garages or other structures not more than two stories in height which are appurtenant to buildings described in Paragraphs (1) and (2) of this subsection.

(4) Group A, B, E divisions 1 and 2, F, M, S, U buildings or additions having a total occupant load of 10 or less and not more than two stories in height.

(5) Alteration to buildings or structures that present no unusual conditions or hazards or change in occupancy.

D. Submission may be waived. The CBO or TBC may waive the submission of plans, calculations, construction inspection requirements and other data if it is determined that the nature of the work applied for is such that plan review is not necessary to obtain compliance with the New Mexico construction codes.

E. Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted with the application for the permit, and that are to be submitted, thereafter, within a period specified by the AHJ or the plan review official.

F. Approval and phased approval.

(1) **Approval.** Deferral of any submittal items must have the prior approval of the TBC or CBO. The responsible design professional shall list which submittals are deferred with the submittal documents accompanying the permit application. Submittal documents for deferred submittal items must be submitted to the responsible design professional who shall review and forward them to the AHJ with a notation indicating the deferred submittal documents have been reviewed and they have been found to be in general conformance with the design of the building. The items identified in the deferred submittals shall not be installed until the TBC or CBO has approved their design and submittal documents.

(2) **Phased approval.** All submittal documents need not be submitted with the initial application for a permit.

G. Responsible design professional. When submittal documents are required to be prepared by a registered design professional, the permit application shall indicate the registered design professional responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. This design professional shall be deemed to be the “responsible design professional.” The permittee shall notify the division in writing within a reasonable period of time, not to exceed 10 business days, if the responsible design professional is changed or is unable to continue to perform all of the responsible design professional’s required duties.

H. Special submissions. The AHJ or plan review official is authorized to require, before and after the commencement of a project, the submission of any specification, drawing or diagram necessary to adequately and clearly show the kind, extent, and occupancy of the general building, mechanical or plumbing, and electrical work on the project covered by the issued permits, or that is required to be permitted pursuant to CID rules.

I. Correction of submittal documents. The issuance of a permit based on certain plans and specifications shall not prevent the AHJ from thereafter requiring the correction of any error in such plans or specifications, or from prohibiting work pursuant to those plans or specifications when a violation of the applicable code would result.

J. Electrical projects.

(1) Submittal documents shall be submitted and sealed by an engineer with a specialty in electrical work, licensed in accordance with the New Mexico Engineering and Surveying Practice Act for an electrical installation when;

- (a) there is a calculated service capacity over 100 kVA single-phase;
- (b) there is a calculated service capacity over 225 kVA three- phase;
- (c) electrical wiring for new or altered branch circuits or feeders with over-current protection devices exceeding 400 amps single-phase;
- (d) electrical wiring for new or altered branch circuits or feeders with over-current protection devices exceeding 600 amps on 120/208 volt three-phase systems;
- (e) electrical wiring for new or altered branch circuits or feeders with over-current protection devices exceeding 500 amps on 120/240 volt three-phase systems;
- (f) electrical wiring for new or altered branch circuits or feeders with over-current protection devices over 300 amps on 480 volt three-phase systems;
- (g) a project with a total valuation over \$600,000; or
- (h) a structure in which the total occupancy of 50 or more;

(2) The following shall not require submittal documents to be sealed by an engineer with a specialty in electrical work:

(a) Electrical wiring at remote locations with the approval of the appropriate AHJ.
(b) electrical installations under the following criteria may be sealed by a validly licensed engineer or architect to include:

- (i) a calculated service capacity under 100 kVA single-phase;
- (ii) a calculated service capacity under 225 kVA three-phase;
- (iii) a project valued under \$600,000; or
- (iv) a structure in which the total occupancy is less than 50.

(3) Any commercial project that requires an architect or engineer seal pursuant to this part shall be submitted to the appropriate electrical AHJ for review and approval.

(4) Submittal documents shall show the electrical riser, conductor size, grounding conductor size, method of grounding (available electrodes, etc.), load calculations, available fault calculations, size and location of disconnects, panel schedules, wiring methods, site and floor plan. General expressions such as “work shall be done in accordance with the New Mexico Electrical Code” or “work shall be done to the satisfaction of the state building official” shall be considered inadequate, and incomplete.

(5) No permit for electrical work shall be issued for the addition to, or alteration of, wiring of an existing building unless the building as it will be wired conforms to the requirements of the code for new buildings, except that those portions of the existing wiring that have not been disturbed and are deemed not a hazard to life or property by the inspector, and approved by the CBO or TBC, may remain in service.

(6) No permit for a permanent electrical service shall be issued unless the end use of the service is specified by the appropriate valid permit.

(7) A permit may be issued for a temporary construction electrical service (temp pole) or permanent electrical services for a project site if the permanent permit, as required by 14.5.2.8 NMAC, has not yet been issued and the electrical service is in compliance with the electrical code and these rules, including but not limited to 14.5.2.17 NMAC, and all required documents are completed and submitted to the AHJ.

K. Mechanical projects.

(1) The AHJ may require the stamp of a professional engineer, licensed in accordance with the New Mexico Engineering and Surveying Practice Act on permits for mechanical or plumbing work with a total value of \$200,000.00, or more, or for commercial buildings three stories and higher.

(2) For plans of buildings more than two stories in height, other than R-3 and U occupancies, see the construction documents section of the currently adopted NMMC.

L. Permit contents and display. Pursuant to CILA Section 60-13-59 NMSA 1978, every permit or notice of permit issued by the AHJ shall:

- (1) clearly indicate the name and address of the property owner;
- (2) contain a legal description of the property by “lot and block” or “meters and bounds” description in a subdivision, by street address in a municipality, or by township, range and section if outside a municipality or platted subdivision;
- (3) contain the name, address and license number of the contractor or the homeowner to whom the permit is issued, and the name of the architect or engineer as may be required by the AHJ ; and
- (4) must be prominently displayed on the site where the permitted work is to be performed.

M. Preliminary inspection. As part of the document review process, before issuing a building permit, the AHJ is authorized to examine or cause to be examined buildings, structures and sites for which an application for a building permit has been filed.

[14.5.2.10 NMAC - Rp, 14.5.2.10 NMAC, 3/10/2022; A, 01/13/2023]