

This is an amendment to 14.7.2 NMAC, amending Sections 2, 3, 5, 9, 19 and adding new Section 45, effective March 10, 2022.

14.7.2.2 SCOPE: This rule applies to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of every building or structure or any appurtenances connected or attached to such building or structure performed in New Mexico on or after ~~November 15, 2016~~ **March 10, 2022**, 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.

A. Exception 1. Detached one and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories high with separate means of egress, and their accessory structures shall comply with the 14.7.3 NMAC, currently adopted New Mexico Residential Building Code (NMRBC).

B. Exception 2. Existing buildings, not subject to the NMRBC, undergoing a change of occupancy, repair, alterations or additions shall comply with either 14.7.2 NMAC, currently adopted New Mexico Commercial Building Code, or 14.7.7 NMAC, currently adopted New Mexico existing Building Code, as applicable.
[14.7.2.2 NMAC - Rp, 14.7.2.2 NMAC, 11/15/2016; A, 3/10/2022]

14.7.2.3 STATUTORY AUTHORITY: Sections 60-13-9, 60-13-10.3 and 60-13-44 NMSA 1978,
[14.7.2.3 NMAC - Rp, 14.7.2.3 NMAC, 11/15/2016; A, 3/10/2022]

14.7.2.5 EFFECTIVE DATE: November 15, 2016, unless a later date is cited at the end of a section.
[14.7.2.5 NMAC - Rp, 14.7.2.5 NMAC, 11/15/2016; A, 3/10/2022]

~~[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.]~~

14.7.2.9 CHAPTER 1 - ADMINISTRATION:

A. Section 101 - General.

(1) **101.1 - Title.** Delete this section of the IBC and substitute: This code shall be known as the 2015 New Mexico Commercial Building Code (NMCBC).

(2) **101.2 - Scope.** Delete this section of the IBC and see 14.7.2.2 NMAC, Scope.

(3) **101.2.1 - Appendices.** This rule adopts the following appendices as amended herein:

- (a) Appendix C - Group U - Agricultural Buildings;
- (b) Appendix E - Supplementary Accessibility Requirements;
- (c) Appendix G - Flood-Resistant Construction;
- (d) Appendix H - Signs;
- (e) Appendix I - Patio Covers; and
- (f) Appendix J - Grading.

(4) **101.3 - Intent.** Delete this section of the IBC and see the scope section above, at 14.7.2.6 NMAC, Objective.

(5) **101.4 - Referenced codes.** The codes referenced in the NMCBC are:

(a) **101.4.1 - Electrical.** Delete this section of the IBC and substitute: the ~~[2014]~~ currently adopted New Mexico Electrical Code (NMEC) applies to all electrical wiring as defined in CILA Section 60-13-32. All references in the IBC to the ICC Electrical Code are deemed references to the NMEC.

(b) **101.4.1 - Gas.** Delete this section of the IBC and substitute: the ~~[2012]~~ currently adopted New Mexico Mechanical Code (NMMC) applies to “gas fittings” as that term is defined in CILA Section 60-13-32. All references in the IBC to the International Fuel Gas Code are deemed references to the NMMC or the LPG standards, 19.15.40 NMAC and Section 70-5-1 et seq. NMSA 1978, collectively. Gas piping, systems and appliances for use with liquefied propane gas (LPG), or compressed natural gas (CNG), shall be governed by the LPG standards.

(c) **101.4.2 - Mechanical.** Delete this section of the IBC and substitute: The ~~[2012]~~ currently adopted NMMC applies to the installation, repair and replacement of mechanical systems including equipment, appliances, fixtures, fittings and appurtenances including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators and other energy related systems. All references in the IBC to the International Mechanical Code are deemed references to the NMMC.

(d) **101.4.3 - Plumbing.** Delete this section of the IBC and substitute: the ~~[2012]~~ currently adopted New Mexico Plumbing Code (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 IBC to the International Plumbing Code are deemed references to the NMPC.

(e) **101.4.4 - Property Maintenance.** Delete this section of the IBC.

(f) **101.4.5 - Fire Prevention.** Delete this section of the IBC.

(g) **101.4.6 - Energy.** Delete this section of the IBC and substitute: the provisions of the 2009 New Mexico Energy Conservation Code (NMECC) shall apply to the energy conservation aspects of general commercial construction.

B. Section 102 - Applicability.

(1) **Section 102.1 - General.** Delete this section of the IBC and see 14.5.1 NMAC, General Provisions.

(2) **Section 102.2 - Other Laws.** Delete this section of the IBC and see 14.5.1 NMAC, General Provisions.

(3) **Section 102.3 - Application of References.** Delete this section of the IBC and see 14.5.1 NMAC, General Provisions.

(4) **Section 102.4 - Referenced Codes and Standards.** Delete this section of the IBC and see 14.5.1 NMAC, General Provisions.

(5) **Section 102.5 - Partial Invalidity.** Delete this section of the IBC and see 14.5.1 NMAC, General Provisions.

(6) **Section 102.6 - Existing Structures.** Delete this section of the IBC and substitute: the legal occupancy of any structure existing on the effective date of this rule shall be ~~[permitted]~~ authorized to continue without change, except as is specifically provided otherwise in this rule, in the ~~[2015]~~ currently adopted New Mexico existing Building Code, or by the building official in consideration of the general safety and welfare of the occupants of any such building and the general public.

C. Section 103 - Department of Building Safety. Delete this section of the IBC.

D. Section 104 - Duties and Powers of Building Official. Delete this section of the IBC and see 14.5.1 NMAC, General Provisions.

E. Section 105 - Permits. Delete this section of the IBC except as provided in 14.5.2 NMAC, Permits.

F. Section 106 - Floor and Roof Design Loads. See this section of the IBC.

G. Section 107 - Submittal Documents. Delete this section of the IBC and see 14.5.2 NMAC, Permits.

H. Section 108 - Temporary structures and uses. Delete this section of the IBC and see 14.5.2 NMAC, Permits

I. Section 109 - Fees. Delete this section of the IBC and see 14.5.5 NMAC, Fees.

J. Section 110 - Inspections. Delete this section of the IBC and see 14.5.3 NMAC, Inspections.
(1) **110.1 - General.** Delete this section of the IBC except as provided in 14.5.3 NMAC, Inspections.

(2) **110.2 - Preliminary Inspection.** Delete this section of the IBC except as provided in 14.5.2 NMAC, Permits.

(3) **110.3 - Required Inspections.** Delete this section of the IBC except as provided in 14.5.3 NMAC, Inspections.

(4) **110.4 - Inspection Agencies.** Delete this section of the IBC and see 14.5.3 NMAC, Inspections.

(5) **110.5 - Inspection Requests.** Delete this section of the IBC except as provided in 14.5.3 NMAC, Inspections.

(6) **110.6 - Approval Required.** Delete this section of the IBC except as provided in 14.5.3 NMAC, Inspections.

K. Section 111 - Certificate of Occupancy. Delete this section of the IBC and see 14.5.3 NMAC, Permits.

L. Section 112 - Service Utilities. Delete this section of the IBC and see 14.5.2 NMAC, Permits.

M. Section 113 - Board of Appeals. Delete this section of the IBC and see 14.5.1 NMAC, General Provisions.

N. Section 114 - Violations. Delete this section of the IBC and see 14.5.3 NMAC, Inspections.

O. Section 115 - Stop Work Order. Delete this section of the IBC and see 14.5.3 NMAC, Inspections.

P. Section 116 - Unsafe Structures and Equipment. Delete this section of the IBC and see 14.5.1 NMAC, General Provisions.

[14.7.2.9 NMAC - Rp, 14.7.2.9 NMAC, 11/15/2016; A, 3/10/2022

14.7.2.19 CHAPTER 11 - ACCESSIBILITY:

A. Section 1101 - General. See this section of the IBC.

B. Section 1102 - Definitions. See this section of the IBC and add the following definition: **primary entrance** means the entrance through which most people enter the building or facility. A building may have more than one primary entrance.

C. Section 1103 - Scoping Requirements. See this section of the IBC.

D. Section 1104 - Accessible Route. See this section of the IBC except as provided below. Delete the text to Exception Number 1 of Section 1104.4 and substitute with the following: At least one accessible route shall connect each accessible story and mezzanine in multilevel buildings and facilities. **Exception:** 1. an accessible route is not required to stories and mezzanines that have an area of not more than 3,000 square feet (278.7 m²) per story and are located either above or below the accessible levels in buildings or facilities that are less than three stories. This exception shall not apply to:

(1) 1.1 Multiple tenant facilities of Group M occupancies containing five or more tenant spaces used for the sales or rental of goods and where at least one such tenant space is located on a floor level above or below the accessible levels;

(2) 1.2 stories or mezzanines containing offices of health care providers (Group B or I);

(3) 1.3 passenger transportation facilities and airports (group A-3 or group B); or

(4) 1.4 government owned or leased buildings;

(5) 2. stories or mezzanines that do not contain accessible elements or other spaces as determined by Section 1107 or 1108 are not required to be served by an accessible route from an accessible level;

(6) 3. in air traffic control towers, an accessible route is not required to serve the cab and the floor immediately below the cab;

(7) 4. where a two-story building or facility has one story or mezzanine with an occupant load of five or fewer persons that does not contain public use space, that story or mezzanine shall not be required to be connected by an accessible route to the story above or below.

E. Section 1105 - Accessible Entrances. See this section of the IBC except as provided below. Delete the text of Section 1105.1, public entrances, and substitute: in addition to accessible entrances required by Sections 1105.1.1 through 1105.1.7, at least sixty percent of all public entrances, but not less than one primary entrance shall be accessible. **Exceptions:**

(1) an accessible entrance is not required to areas that are not required to be accessible;

(2) loading and service entrances that are not the only entrance to a tenant space.

F. Section 1106 - Parking and Passenger Loading Facilities. See this section of the IBC except that table 1106.1 is deleted from the IBC and the following table is substituted:

Table 1106.1 Accessible Parking Spaces		
Total Parking Spaces	Total Required Accessible Parking Spaces	Number Required to be Van Accessible
1-25	1	1
26-35	2	1
36-50	3	1
51-100	4	1
101-300	8	2
301-500	12	2
501-800	16	3
801-1000	20	4
1,001 and over	20 spaces plus 1 space for every 100 spaces, or fraction thereof, over 1,000	1 of every 6 accessible parking spaces, or fraction thereof

G. Section 1107 - Dwelling Units and Sleeping Units. See this section of the IBC except as provided below.

(1) **Table 1107.6.1.1 - Accessible Dwelling and Sleeping Units.**

(2) The following provision is inserted after table 1107.6.1.1: for publicly funded projects, the total number of accessible dwelling units and sleeping units shall be five percent, or fraction thereof. Of these accessible dwelling units and sleeping units, one percent, or fraction thereof, shall be provided with roll-in showers.

(3) Delete the text of Section 1107.6.2.2 and substitute: In occupancies in group R-2 containing more than 20 dwelling units or sleeping units, at least two percent, but not less than one of the units shall be a type A unit. In type A unit, one in five, but not less than one of the units shall provide a roll-in shower including a permanently mounted folding shower seat. All units on a site shall be considered to determine the total number of units and the required number of type A unit. Type A units shall be dispersed among the various classes of units.

H. Section 1108 - Special Occupancies. Add new section to read as follows; **1108.2.5 - Designated aisle seats.** At least five percent, but not less than one, of the total number of aisle seats provided shall be designated aisle seats and shall be the aisle seats located closest to accessible routes. **Exception:** Designated aisle seats are not required in team or player seating serving areas of sport activity. Section 1108.2.5.1 - **Location.** At least one of each four required designated aisle seats shall be located not more than two rows from an accessible route serving such seats. See this section of the IBC except **1108.4.1.4 - Employee Work Stations.** See this section of the IBC except delete the last sentence of this section without substitution.

I. Section 1109 - Other Features and Facilities. See this section of the IBC except as provided below.

(1) **1109.2 - Toilet and Bathing Facilities.** See this section of the IBC except.

(a) Insert the following sentence at the end of Section 1109.2: when 20 or more fixtures of any type are installed in an *accessible* toilet room or bathing room, at least two of that type shall be accessible.

(b) Add the following provision to the exceptions to Section 1109.2: Exception 6: toilet fixtures and bathing facilities that are in excess of those required by the minimum number of plumbing fixtures pursuant to the New Mexico construction codes and located in private restricted areas in other than government owned or leased facilities.

(c) With respect to construction of any new restroom in a place of public accommodation as defined in 14.5.2 NMAC, see 14.7.2.45 NMAC, Baby Changing Facilities.

(2) **Section 1109.7:** Add the following: limited-use/limited-application elevators may be used to access spaces or areas that have five or fewer occupants.

(3) **Section 1109.8 - Lifts:** Delete Item 5 without substitution.

J. Section 1110.4.15 - Play Areas. Add this section; play areas containing play components designed and constructed for children shall be accessible and be located on an accessible route.

K. Section 1111 - Signage. See this section of the IBC except as provided below.

(1) Amend Section 1111.1 - Items.

(a) 1.1 *Accessible* parking spaces shall be identified by a sign centrally located at the head of each parking space.

(b) 1.2 Van accessible parking spaces shall have an additional sign mounted below the international symbol of access identifying the space as “van accessible”. **Exception:** Where all the accessible parking spaces comply with the standards for van accessible parking spaces.

(2) **Section 1111.1:** Add the following exception, Item #4: **Exception:** entrances to individual dwelling units and sleeping units.

(3) **Section 1110.3:** Add the following new provision at the end of Section 1110.3:

(a) 7 accessible parking spaces required by Section 1106 shall provide pavement markings in compliance with the following Sections 7.1 and 7.2;

(b) 7.1 accessible parking spaces shall be identified by the international symbol of accessibility; a clearly visible depiction of the symbol shall be painted in blue on the pavement surface, except where the total number of parking spaces provided is four or less;

(c) 7.2 the access aisle shall be clearly marked by diagonal, blue pavement striping;

(d) 7.3 at the rear of striped access aisle state “NO PARKING”; lettering shall be one-foot-high minimum and two inches wide minimum.

[14.7.2.19 NMAC - Rp, 14.7.2.19 NMAC, 11/15/2016; A, 3/10/2022]

14.7.2.45 BABY CHANGING FACILITIES

A. Construction of a new restroom, intended for use in a place of public accommodation, as defined in 14.5.2 NMAC, shall provide for at least one baby changing facility on each floor that has a public toilet facility

and shall accommodate any person needing to utilize a baby changing facility, pursuant to Section 60-13-10.3 NMSA 1978.

B. Baby changing facilities shall be included in all required documentation including plans submitted under submittal documents pursuant to Subparagraph (b) of Paragraph (1) of Subsection A of 14.5.2 10 NMAC and shall be subject to plan review pursuant to Subsection A of 14.5.2.11 NMAC - Permits, and inspections pursuant to Subsection A of 14.5.3.8 NMAC.

C. All requirements for baby changing facilities must be complied with in order for a certificate of occupancy to be issued or a final inspection approved, whichever is appropriate.

D. Baby changing facilities shall comply with the American national standards institute (ANSI) A117.1-2009: Section 603.5 diaper changing tables; Section 305 floor space; Section 308.2.1 unobstructed access; Chapter 7 Communication Elements and Features; Chapter 9 built in furnishings and equipment; and Subsection K of 14.7.2.19 NMAC, Section 1111, signage.
[17.7.2.45 NMAC – N, 3/10/2022]