



**CHAVES COUNTY BUILDING CODE
ORDINANCE NO. 60
Revision No. 6**

An ordinance providing for the establishment of a system of local plan review, inspection, approval, and collection of fees for all building and electrical permits issued on behalf of the State of New Mexico Construction Industries Division to provide for coordinated inspection and review of construction activities within the boundaries of Chaves County, New Mexico.

WHEREAS it is in the best interest of the health, safety and general welfare of the public to require the regulation of development within the County of Chaves NM; and

WHEREAS, Section 3-17-6, NMSA 1978 provides that a municipality may, adopt by ordinance, the conditions provisions, limitations, and terms of development codes; and

WHEREAS, Section 4-37-1, NMSA 1978 provides all counties are granted the same powers as municipalities; and included in this grant of powers are those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improves the order, comfort and convenience of Chaves County and its inhabitants; and

WHEREAS, the Chaves County Board of Commissioners have determined the need to exercise their authority to adopt such an ordinance; and

WHEREAS, the County of Chaves, New Mexico employs a building, mechanical/plumbing and electrical inspector, certified by the State of New Mexico Construction Industries Division, for the enforcement of the State of New Mexico Building, Plumbing/Mechanical and Electrical Codes in Chaves County.

BE IT THEREFORE ORDAINED by Chaves County Board of Commissioners:

SECTION 1 Development Codes and Regulations

For the purpose of regulating: the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures and other developments; and for the purpose of providing for the issuance of permits and the collections of fees, there are hereby adopted by the County of Chaves, so far as they are not in conflict with laws of the State of New Mexico or rules and regulations of the Construction Industries Division of New Mexico, those certain codes known as:

New Mexico Residential Building Code,
New Mexico Commercial Building Code
New Mexico Existing Building Code.
New Mexico Earthen Building Materials Code
New Mexico Energy Conservation Code
New Mexico Solar Energy Code
New Mexico Electrical Code,
New Mexico Fire Code
New Mexico Mechanical Code
New Mexico Plumbing Code

New Mexico Swimming Pool, Spa and Hot Tub Code
General Provisions- Permits NMAC 14.5.2
Medical Gas Installation and Certification NMAC 14.9.2
Boilers NMAC 14.9.4
National Fire Protection Association (NFPA) 1, Fire Code- For Solar-Photovoltaic Use
National Fire Protection Association (NFPA) 855,
Underwriters Laboratories (UL) 9540A.
National Fire Protection Association (NFPA) 69
Underwriters Laboratories (UL) 9540

The County does hereby adopt the above-mentioned codes in their entirety, and any amendments or modifications thereto, including any and all new editions thereof, and the same are hereby adopted and incorporated as fully as if set out verbatim herein.

SECTION 2 Building, Mechanical/Plumbing and Electrical Permits, Plan Reviews, Fees, and Inspections

- A. Building, plumbing/mechanical and/or electrical permits shall be required for all new development in Chaves County.
- B. General construction permits, plan reviews, and inspections will be issued and performed by the Chaves County Building Inspector.
- C. Electrical permits, plan reviews, and inspections will be issued and performed by the Chaves County Electrical Inspector, when applicable.
- D. Mechanical and plumbing permits, plan reviews, and inspections will be issued and performed by Chaves County Mechanical/Plumbing Inspector.
- E. greater than 180 calendar days shall be suspended, and no construction shall be allowed until the permit is renewed, or a new permit is obtained.
- F. Permits shall be allowed to be renewed only once at a cost of one-half (1/2) the original permit fee.
- G. Permits without progression or inspection greater than 360 calendar days shall be terminated or expired and shall require a new permit.
- H. All permits issued in Chaves County will be assessed as a fee in accordance with the Building Permit Fee Schedule, Mechanical/Plumbing Fee Schedule or the Electrical Permit Fee Schedule, which is attached hereto as Exhibit A, B and C. Fees may be amended or modified by resolution, approved by the Board, without amending this Ordinance.
- I. Exemption-A building permit fee of one hundred and ten (\$110) dollars shall be assessed for each new accessory structure containing no electrical, mechanical / plumbing systems, that is located on a parcel of land used primarily for agricultural purposes pursuant to Section 7-36-20 of the Property Tax Code and is registered with the Chaves County Assessor's Office as Agricultural Land.
- J. A double permit fee will be assessed if a construction project is started without first obtaining a permit.
- K. One general inspection for each stage of development is included in the cost of all permits. Each additional inspection shall include an additional fee of fifty dollars (\$50).
- L. The fee for placement of a metal container shall be eighty (\$80) dollars per metal container.

SECTION 3 Enforcement

This Ordinance shall be enforced by the Chaves County Building, Electrical and Mechanical/Plumbing Inspector, the Code Enforcement Officer, Chaves County Sheriff's Department and District Attorney.

SECTION 4 Punishment for Violation of the Code

Any person who violates any provision of this ordinance shall be punished by a fine not to exceed three hundred dollars (\$300) or imprisonment for not more than ninety (90) days, or both per violation. Each day of violation after issuance of a citation shall be deemed a separate offence.

The imposition of a fine for any violation or noncompliance of this Ordinance shall not excuse the violation or noncompliance nor shall it permit the violation to continue. Any such violation or noncompliance shall be corrected within a reasonable time set forth by the County Building Official. Failure to correct the violation shall result in another citation being issued.

SECTION 5 Copies to be Available and Subject to Inspection

Copies of the latest codes and regulations state above in Section 1, and this Ordinance shall be available and subject to inspection at all reasonable times in the Office of the County Building Inspector located within the Chaves County Planning and Zoning Department.

SECTION 6 Effective Date

Adoption of this Ordinance hereby amends the Chaves County Building Code Ordinance No. 60, Revision 5 and shall be known as the Chaves County Building Code Ordinance No. 60, Revision No. 6. Because building, electrical, and mechanical /plumbing code enforcement directly relates to health, and safety of Chaves County residents, this Ordinance, and future amendments, shall become effective immediately after passage.

PASSED, APPROVED, ADOPTED AND SIGNED this 16th day of April 2026

BOARD OF CHAVES COUNTY COMMISSIONERS:



ATTEST:

Cindy Fuller
Cindy Fuller
County Clerk

Richard C. Taylor
Richard C. Taylor, Chairman

Michael Perry
Michael Perry, Member

Dara Dana
Dara Dana, Member

Hubert "Hub" Corn
Hubert "Hub" Corn, Member

Cliff Waide
Cliff Waide, Member