

ORDINANCE NO. 1200

AN ORDINANCE OF THE CITY OF ROSWELL ADOPTING THE 1988 EDITION OF THE UNIFORM FIRE CODE, AMENDING SECTION 12-26 OF THE ROSWELL CITY CODE, PROVIDING AMENDMENTS TO THE 1988 EDITION OF THE UNIFORM FIRE CODE, PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND FIXING AN EFFECTIVE DATE.

WHEREAS, the City of Roswell desires to update its regulations governing conditions hazardous to life and property resulting from fire or explosion, and

WHEREAS, the City of Roswell desires to provide for the issuance of permits for hazardous uses or operations and to provide for establishment of a fire prevention bureau,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE GOVERNING BODY, THE CITY COUNCIL, OF ROSWELL, NEW MEXICO that:

Section 1. In the Roswell City Code Section 12-26 is hereby amended to read as follows:

Section 12-26. Adopted.

(a) There is hereby adopted by reference the 1988 Edition of the Uniform Fire Code as recommended by the International Conference of Building Officials, including all Appendix Chapters except Appendix II-C, Marinas. A copy of such code shall be kept in the office of the fire marshall and shall be available for inspection during the normal and regular business hours of the fire marshall.

(b) The Uniform Fire Code shall be enforced by the bureau of fire prevention in the fire department of the City of Roswell which is hereby established and shall be operated under the supervision of the chief of the fire department. The chief of the fire department may detail such members of the fire department as inspectors as shall from time to time be necessary.

(c) The following definitions shall apply:

- 1.) Whenever the word "jurisdiction" is used in the Uniform Fire Code, it is the City of Roswell.
- 2.) Whenever the words "chief of the bureau of fire prevention" are used they shall be held to mean the fire inspector in charge of the bureau of fire prevention.

(d) The following limits of districts in the Uniform Fire Code are hereby established:

- 1.) The limits referred to in Section 79.501 of the Uniform Fire Code in which the storage of flammable or combustible liquids is restricted, are hereby established as the limits of the City of Roswell.
- 2.) The limits referred to in Section 82.104 of the Uniform Fire Code, in which storage of liquified petroleum gas is restricted, are hereby established as the limits of the City of Roswell.
- 3.) The limits referred to in Section 77.106(b) of the Uniform Fire Code, in which storage of explosives and blasting agents is prohibited, are hereby established as the limits of the City of Roswell.

(e) Whenever the chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief to the Roswell City Council within 30 days from the date of the decision appealed.

(f) No person shall violate any of the provisions of the publication adopted in subsection (a).

Section 2. In the Roswell City Code Section 12-27 is hereby amended in the following respects:

- 1.) The first sentence is changed to read: "The 1988 Edition of the Uniform Fire Code is hereby amended in the following respects:"
- 2.) The following new material is added: "Section 14.104(b)(2)(A) is deleted" and "The listed exceptions to Section 82.106(a) are deleted."
- 3.) The balance of Section 12-27 of the Roswell City Code is unchanged.

Section 3. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

Section 4. If any section, paragraph, clause or provisions of this ordinance for any reason shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any other part of this ordinance.

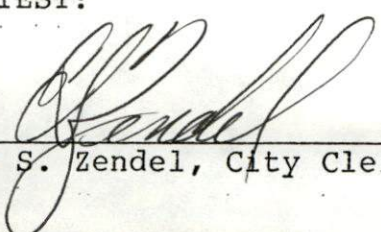
Section 5. This ordinance shall be and become effective on and after five (5) days following its publication as required by law.

PASSED, ADOPTED, SIGNED AND APPROVED the 13th day of June 1989.

CITY SEAL


WM. F. BRAINERD, Mayor

ATTEST:


E. S. Zendel, City Clerk