

BUILDING PERMIT GUIDE FOR RESIDENTIAL CONSTRUCTION

State of New Mexico ♦ Regulation and Licensing Department ♦ Construction Industries Division
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TO REQUEST A BUILDING PERMIT IT IS CRITICAL THAT THE APPLICANT BE VALIDLY LICENSED WITH THE APPROPRIATE LICENSE CLASSIFICATION THAT COVERS THE WORK FOR WHICH A PERMIT IS REQUESTED.

WHEN BUILDING PERMITS ARE REQUIRED

Except as specified in I 4.5.2 NMAC, Permits, no building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a permit has first been obtained from the Authority Having Jurisdiction.

WHEN BUILDING PERMITS ARE NOT REQUIRED

(Refer to Section R105.2 of the IRC except as provided below)

A building permit shall not be required for the following:

1. One story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet.
2. Retaining walls that retain less than 36 inches (915 mm) of unbalanced fill, and have a total height equal to or less than six feet from top of wall to bottom of footing. Retaining walls supporting a surcharge load or impounding class I, II, or III-A liquids are not exempt from permit.
3. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
4. Sidewalks and drive way no more than 30 inches above adjacent grade and not over any basements or story below.
5. Painting, wallpapering, tiling, carpeting, cabinets, counter tops and similar finish work.
6. Prefabricated swimming pools that are less than 24 inches deep.
7. Swings and other playground equipment accessory to a one or two-family dwelling.
8. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.
9. Deck not exceeding 120 sq. ft. in area, that are not more than 30" above grade at any point, are not attached to a dwelling and do not serve the exit door required by section R311.4 Vertical egress of the IRC.

Note: Unless exempted, separate plumbing, electrical and mechanical permits will be required for the above.

LIQUID WASTE SYSTEM PERMIT (SEPTIC TANK)

To install a new, or replace or modify an existing liquid waste system, you must contact your local office of the New Mexico Environment Department (NMED) Liquid Waste Program. Call 1-800-219-6157.

PERMIT APPLICATION DATA

To obtain a building permit, the applicant shall fill out an APPLICATION for STATE BUILDING PERMIT form. Applicant must list property owner's name and address, contractor's company name, address and license number (if applicable), architect's name, address and license number (if applicable), specific use of building, county in which the project is located, project address, nearest city/town/village, legal description, written directions to the site, description of work, construction material, and total square footage. The qualifying party for the licensed contractor requesting the permit or the homeowner requesting a homeowner construction permit must sign the application.

To obtain a permit for building, altering, repairing or improving a homeowner's primary residence, the homeowner must also read and sign the INSTRUCTION TO OBTAIN A HOMEOWNER PERMIT, and read, sign and notarize the HOMEOWNER'S RESPONSIBILITIES FORM. *A homeowner's permit may not be used to permit a project where a GB-2 or GB-98 contractor is acting as a general contractor on the project. Any contractor acting as a general contractor on a project where there is a homeowner's permit must obtain a building permit for his work, and shall be held responsible for any work performed at this site. Further, licensed subcontractors will be held responsible for their work, which also must be permitted separately. A homeowner may not perform electrical, plumbing or mechanical work unless the homeowner applies for and passes the required CID exam for such work.*

Call (505) 476-4869 for information on the homeowner electrical and plumbing permits process.

ZONING APPROVAL

Your project may be located in an area requiring zoning approval from a city or county zoning authority. You must obtain zoning approval and signature on the APPLICATION for STATE BUILDING PERMIT before applying to this office for the building permit. Contact the Construction Industries Division for zoning requirements in your area. If in a community not participating in the National Flood Insurance Program, you must contact Loretta Hatch of the NM Department of Homeland Security & Emergency Management at Loretta.hatch@state.nm.us or (505) 476-0612 to obtain flood plan approval prior to applying for the building permit.

VALUATION AND FEES

Valuation of your project is based on the signed contract between the project owner and contractor and New Mexico Construction Laws. To obtain a permit the division requires submission of the signed contract between the project owner and contractor. The fee, which covers plan review, the permit, and certain required inspections, is based on the valuation amount. Our office will calculate the valuation and fee for you. Before the division can complete the application process and issue the permit, you must successfully make payment. If you are mailing the application and plans to the nearest CID office, call any of the offices listed above for the fee prior to mailing.

If you are applying for a homeowner construction permit, upon presentation at a division office of all required documentation, the division will calculate the valuation based on established valuation tables and calculate the valuation and fee for you.

PLAN SUBMISSION

There are two methods for plan submission. Electronic Plan Review [EPR] and hard copy submission to CID office. For EPR, submission will be according to website directions. For hard copy submission, submit two complete sets of plans with minimum dimensions of 1/4" = 1', on paper that is at least 11"x17" and must be sufficiently clear to show the project in its entirety. Following is a minimum standard of required drawings for review by Construction Industries Division for new commercial construction, additions, and remodels (use as a checklist when preparing your submittal):

1. **SITE PLAN.** Show proposed new structures and any existing buildings or structures on site, including existing adjacent structures within 10 feet of any adjacent property lines, and north arrow. Show property lines with dimensions, all streets, easements and setbacks. Show all water, sewer, electrical points of connection, proposed service routes and existing utilities on the site. Show general drainage and grading information.
2. **FOUNDATION PLAN.** Indicate size, location and depth below grade of all footings, piers, and stem walls. *If necessary, provide a geotechnical report, including soil-bearing capacity for the proposed structure at the site.*
3. **FLOOR PLAN.** Show all floors including basement. Label all the rooms and provide overall dimensions. Show all doors and windows. Provide door and window schedules. Locate smoke detection systems.
4. **FLOOR & ROOF FRAMING PLANS.** Show size, spacing and spans of joists, girders, rafters, beams and headers. Specify grade and species of all wood members. All wood trusses must be engineered and pre-manufactured. The sealed truss engineered specifications must be submitted with the drawings when applying for permit. The manufacturer's instructions on placement and attachment of all wood trusses must be at the job site for the building inspector's review.
5. **DETAILS.** Include typical interior and exterior wall sections showing floor, wall and ceiling type, size, spacing and insulation required by the New Mexico Residential Energy Conservation Code. Show footing and foundation depth and dimensions; detail anchor bolt size and spacing, and spacing of steel reinforcement in masonry, concrete footings and stem walls. Show stair details showing dimensions of rise and run of steps, handrail location, guardrail spacing, headroom, etc. Show fireplace details and section showing masonry reinforcement; if using pre-fabricated unit, the manufacturer's installation instructions must be at the job site for the building inspector's review and uses.

6. **TOTAL SQUARE FOOTAGE.** List the heated, garage, carport, covered porch and patio square footage on your plans. The total floor area square footage must be listed on the APPLICATION for STATE BUILDING PERMIT.
7. **RESIDENTIAL ENERGY CONSERVATION CODE.** The 2018 Residential Conservation Code, 14.7.6 NMAC, shall be complied with for all residential structures. Drawings must detail energy conservation code requirements, including sample worksheets, is available, as well as one-page compliance sheets for your area. The code official is permitted to approve specific computer software, work sheets, compliance manuals and other similar materials that meet the intent of this code.

SPECIAL CONDITIONS

1. **ADDITIONS.** In addition to the above requirements, the floor plan shall show the addition and all existing rooms, doors and windows that will adjoin the addition. Provide distances on all sides of the addition to property lines and existing structures. Ensure that an existing sleeping room's sole means of egress to the exterior is not blocked by the addition.
2. **ALTERATION/REPAIR.** When performing alterations and repairs to an existing residence without performing structural changes, two sets of lists outlining work to be performed and materials to be used will be accepted in lieu of the above requirements. If you suspect this work will entail the handling of asbestos containing materials, call the Air Pollution Control Bureau at 1-800-224-7009 prior to commencing alterations and repairs for additional information.
3. **RELOCATED RESIDENCE.** When relocating an existing residence to new site, the structure will be considered new construction and must comply with all current applicable codes. Submittal shall reflect all the requirements listed under PLAN SUBMITTAL above.
4. **DEMOLITION.** Two site plans identifying the structure(s) to be demolished will be accepted in lieu of the above requirements. If you suspect this work will entail the handling of asbestos containing materials, call the Air Pollution Control Bureau at 1-800-224-7009 prior to commencing alterations and repairs for additional information. All projects including removal or handling of asbestos containing material must include verification of compliance with Air Pollution Control Bureau requirements.
5. **ALTERNATIVE METHODS AND MATERIALS.** Utilizing alternative methods and materials (other than masonry, wood frame, adobe and rammed earth construction) requires submission of the CERTIFICATION FOR ALTERNATIVE METHODS AND MATERIALS form with the application for state building permit. It is your responsibility to ensure that the certification is recorded with the county clerk's office in the county where the project is located.

REQUIRED INSPECTIONS.

To request an inspection e-mail us at CID.Inspection@state.nm.us our call 505-222-9813 or 877-243-0979.

1. **FOUNDATION INSPECTION.** To be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with approved nationally recognized standards; the concrete need not be on the job. Where the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official.
2. **CONCRETE SLAB or UNDER-FLOOR INSPECTION.** To be made after all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.
3. **FRAME INSPECTION.** To be made after the roof, all framing, fire blocking and bracing is in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, and heating wires, pipes and ducts are approved.
4. **WEATHER-RESISTIVE BARRIER INSPECTION.** To be made after installation of the appropriate weather-resistive barrier and before such barrier is covered.
5. **FINAL INSPECTION.** To be made after finish grading and the building is completed and ready for occupancy. Final electrical, plumbing and mechanical inspections must be conducted prior to final general construction inspection. The Construction Inspector will issue the Certify of Occupancy to the contractor after approving final general construction inspection.

6. **OTHER INSPECTIONS.** In addition to the called inspections specified above, the Construction Inspector may make or require other inspections of any construction work to ascertain compliance with provisions of the New Mexico Building Code and other laws, which are enforced by the Authority Having Jurisdiction. The prime contractor is responsible for coordinating all inspections including plumbing, mechanical and electrical inspections.

WHEN PROFESSIONAL SEALS ARE NOT REQUIRED

The requirement for plans and specifications to be prepared by an architect and/or engineer shall not be required of 14.5.2.10 C NMAC, unless, at the discretion of the Authority Having Jurisdiction, an exception is not in the best interest of public safety or health.

WHEN PROFESSIONAL SEALS ARE REQUIRED

The Construction Industries Division requires, as provided under 14.5.2 NMAC, Permits, that plans and specifications for the following construction methods be prepared and sealed by a New Mexico Registered Architect or Structural Engineer:

1. Construction utilizing steel studs, structural steel members (red iron) and/or steel pipe.
2. All prefabricated, pre-manufactured and component structures.
3. Residential construction utilizing a wood foundation. 403.1 (3) IRC.
4. Retaining walls that retain less than 36 inches (915 mm) of unbalanced fill, and have a total height equal to or less than six feet from top of wall to bottom of footing. Retaining walls supporting a surcharge load or impounding class I, II or III-A liquids are not exempt from permitting.
5. A second story addition to an existing first story (unless proof of previous CID approval shows current construction will support additional second story load).
6. Residential construction utilizing an alternate material, design or method in construction.

CERTIFICATE OF OCCUPANCY

No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Authority Having Jurisdiction has issued a certification of occupancy per 14.5.3.13 NMAC.

APPLICABLE CODES

The Construction Industries Division currently enforces the following codes:

- 2015 NM [International] Commercial & Residential Building Code
- 2015 NM [International] Existing Building Code
- 2012 NM [Uniform] Solar Energy Code (IAPMO)
- 2018 NM Residential and Commercial Energy Conservation Code
- ICC/ANSI A117.1-2003 2009
- 2015 NM [Uniform] Mechanical Code (IAPMO)
- 2015 NM [Uniform] Plumbing Code (IAPMO)
- 2015 NM [Uniform] Swimming Pool, Spa and Hot Tub Code (IAPMO)
- 2017 NM [National] Electrical Code
- 2012 NM [National] Electrical Safety Code
- 2015 NM [International] Earthen Building Materials Code
- 2015 NM [International] Historic Earthen Building Code
- Liquefied Petroleum Gas Standards
- 2017 NFPA 58
- 2015 NFPA 54
- 2010 NFPA 52
- 2011 NFPA 1192

CONSTRUCTION INDUSTRIES DIVISION WEB SITE

CID has developed a new information web site with "view only" information at www.rld.state.nm.us/construction. This site includes information of interest to consumers, business and the regulated community. Verify appropriate licensure for all sub-contractors.

CONTRACTOR LICENSE LOOK-UP

A license "view only" web site has been developed at public.psiexams.com. This site includes the names, addresses and telephone numbers of licensed contractors and their license classification. It also includes information on licensing and required qualifications for license examination.

MANUFACTURED HOMES

Contact the Manufactured Housing Division, located within the CID office, at 505-476-4770 for guidance on additions, alterations and repairs to manufactured homes.