

**CITY of ALBUQUERQUE
NINETEENTH COUNCIL**

COUNCIL BILL NO. F/S O-11-62

ENACTMENT NO. 0.2011.023

SPONSORED BY: Dan Lewis

ORDINANCE

AMENDING THE CITY OF ALBUQUERQUE FIRE CODE ORDINANCE O-2005-034, CHAPTER 9, SECTION 903.2.1.2 TO REMOVE THE REQUIREMENT FOR ALL PRE-EXISTING A-2 ASSEMBLY OCCUPANCIES TO INSTALL A FIRE SPRINKLER SYSTEM.

BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

SECTION 1. Chapter 9 Section 903.2.1.2 of the Albuquerque Fire Code is amended to read as follows:

“Group A-2. An automatic sprinkler system and required alarm system shall be provided for all Group A-2 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (464.5m²);
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than the level of exit discharge.

By July 28, 2012, every building falling within the scope of these requirements shall be in compliance with the requirement to install the required alarm system, unless such building undergoes a repair, alteration or remodel of more than 50 percent of the aggregate square footage of the building or submits for an increase in the posted occupant load prior to the compliance date.

Buildings existing as of the date of the City of Albuquerque's adoption of the 2003 International Fire Code, April 29, 2005, shall not be subject to the automatic sprinkler system requirements of Section 903.2.1.2 except as provided for in Section 102.1 of the 2003 International Fire Code.”

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1 **SECTION 2. SEVERABILITY CLAUSE.** If any section, paragraph, sentence,
2 clause, word or phrase of this ordinance is for any reason held to be invalid or
3 unenforceable by any court of competent jurisdiction, such decision shall not
4 affect the validity of the remaining provisions of this ordinance. The Council
5 hereby declares that it would have passed this ordinance and each section,
6 paragraph, sentence, clause, word or phrase thereof irrespective of any
7 provision being declared unconstitutional or otherwise invalid.

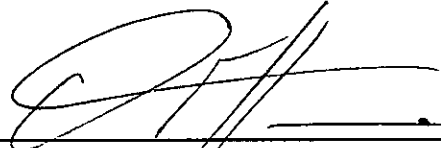
8 **SECTION 3. EFFECTIVE DATE.** This ordinance shall take effect five days
9 after publication by title and general summary.

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1 PASSED AND ADOPTED THIS 20th DAY OF June, 2011
2 BY A VOTE OF: 7 FOR 2 AGAINST.

6 Against: Benton, O'Malley

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10 Don F. Harris, President
11 City Council

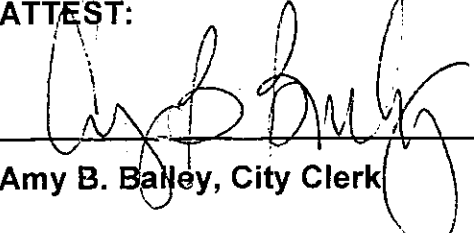
15 APPROVED THIS _____ DAY OF _____, 2011

17 Bill No. F/S O-11-62

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19 _____

20 Richard J. Berry, Mayor
21 City of Albuquerque

25 ATTEST:

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28 Amy B. Bailey, City Clerk

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Office of the City Clerk
P.O. Box 1293
Albuquerque, NM 87103
Phone (505) 768-3030 Fax (505) 768-2845

Richard J. Berry, Mayor

Amy B. Bailey, City Clerk

To: CITY COUNCIL

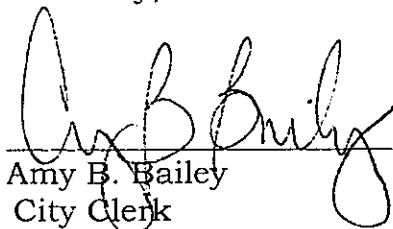
From: AMY B. BAILEY, CITY CLERK

Date: July 7, 2011

Subject: BILL NO. O-11-62; ENACTMENT NO. O-2011-023

I hereby certify that on July 1, 2011, the Office of the City Clerk received Bill No. O-11-62 as signed by the president of the City Council, Don F. Harris. Enactment No. O-2011-023 was passed at the June 20, 2011 City Council meeting. Mayor Berry did not sign the approved Ordinance within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Ordinance is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. O-11-62.

Sincerely,


Amy B. Bailey
City Clerk