

## Chapter 8 Section 2-57 OTHER CONSTRUCTION PERMITS

This ~~chapter~~ Section 2-57 describes those permits integral to the development process which are established by legislation other than the Uniform Administrative and Technical Codes. Many of the permits and approvals are related to construction within the public right-of-way. Various city agencies administer the permits described in this ~~chapter~~ section.

Permits established by the Uniform Administrative Code (Article 7-23 R.O.A. 1994) are detailed in Chapter 7 Section 2-45. These permits are related to construction on private property, their governing regulations are outlined in the *Governing Regulation for Other Construction Permit Summary*.

### 1 AIR CONTAMINANT SOURCES REGISTRATION

#### a Applicability

Section 2-7.1 applies to aAny commercial or industrial stationary source with actual emissions of more than two thousand pounds of any air contaminant per year or any amount of a hazardous air pollutant must be registered with the Environmental Health Department, Air Pollution Division, Air Quality Service Section, 11850 Sunset Gardens Rd. SW, within 180 days after initial start up. The purpose of registration is to provide the department information on sources of air contaminants for internal use and monitoring.

#### a) Governing Regulations:

~~—Air Pollution Control Regulations adopted by the Albuquerque/Bernalillo County Air Quality Control Board May 21, 1973, pursuant to Provisions of Laws of 1967, compiled as Section 12-14-5, Chapter 277, and amendments thereto.~~

#### b) Procedure

- i) ~~Step 1:—~~Pre-registration the applicant should ~~Discuss~~ discuss the project with staff of the Environmental Health Department, Air Pollution Control Division to determine if registration is required.
- ii) ~~Step 2:—~~If it is determine that registration is required, the applicant will need to ~~c~~Complete the registration form.
- iii) ~~Step 3:—~~Pay registration fee.

### 1) AUTHORITY-TO-CONSTRUCT PERMIT

#### a Applicability

~~This permit is issued by the Environmental Health Department, Air Pollution Control Division, Air Quality Service Section, 11850 Sunset Gardens Rd. SW. Section 2-7.2~~

~~applies to the A permit must be obtained prior to~~ construction or modification of any commercial or industrial structure which, if it were uncontrolled, would result in an emission of air contaminants greater than ten pounds per hour or twenty-five tons per year (except five tons per year for lead; ten tons per year for hazardous air pollutants). An Authority-to-Construct permit is required to review/approve the construction or modification of such structures, this permit is issued by the Environmental Health Department, Air Pollution Control Division, Air Quality Service Section, 11850 Sunset Gardens Rd. SW.

c) Governing Regulations:

~~Air Pollution Control Regulations adopted by the Albuquerque/Bernalillo County Air Quality Control Board May 21, 1973, pursuant to Provisions of Laws of 1967, compiled as Section 12-14-5, Chapter 277, and recodified as Title 20, NMAC, Chapter 11.~~

d) Procedure

iv) ~~Step 1:—Pre-Permit a~~Application Review. ~~Discuss with staff of Environmental Health Department, Air Pollution Control Division;~~

- ~~(1) This discussion shall occur prior to completing permit application.. The A Pre-Permit Application Review with staff of the Environmental Health Department, Air Pollution Control Division is required purpose of the early review and discussion is to~~ determine if the permit is needed and, if so, to obtain permit forms and allow adequate time for the applicant to obtain of the permit prior to beginning construction.
- ~~(2) The pre-permit review shall occur prior to completing permit application.~~
- ~~(3) To schedule a pre-permit review the applicant needs to complete the Pre-Permit Meeting Request Form and submit it to Environmental Health Department.~~

v) ~~Step 2:—Permit Application~~

- ~~(1) After the pre-permit application review has been completed, the applicant can~~ Complete the permit application.
  - (a) The information required by the permit application is highly technical and in most cases will require the assistance of a consultant.
  - (b) A \$500 Permit fee must accompany application.
- (2) The Environmental Health Department requires a 30-day review period for applications in order to determine completeness.
- (3) Once an application is deemed complete, there is a 60 day comment period.
- (4) Permit shall be issued or denied within 120 days (or 180 days if a public hearing is required) from the date that the application is deemed as complete.

## 2) BARRICADE PERMIT

a Applicability

Section 2-7.3 applies to the A barricade permit is required prior to required barricading of excavation of any accepted City right-of-way including the setback area or when construction, or demolition, or city right-of-way use work interferes with vehicular or pedestrian traffic. Barricade permits are required prior to excavation and closure of any accepted City right-of-way. Currently, barricade permits are except for not required for work in previously unimproved City streets or rights-of-way which don't require a barricade permit provided that; however, the construction zone is required to be barricaded in accordance with the requirements of the Traffic Code. Once the previously unimproved city right-of-way is accepted and made available for use to the public, an approved barricade permit and appropriate barricading will be required. The barricade permit should be obtained from submitted to the Construction Coordination Division- Section prior to application for excavation permits or sidewalk, driveway and curb and gutter permits, when appropriate.

e) Governing Regulations:

- Traffic Code (Article 9-5 R.O.A. 1994)
- Excavation Ordinance (Article 8-7 R.O.A. 1994)

f) Procedure:

vi) Step 1: Obtain permit form from Development and Building Services Center (DBSC)- The applicant is to complete the permit form Barricade/Excavation Permit Application and submit it along with a traffic handling control plan that which indicates detailed methods of handling traffic and maintaining a safe work zone during construction to indicates detailed methods of handling traffic during construction to the Construction Coordination Section at least five business days prior to the proposed use of city right-of-way the Traffic Engineering Division showing detailed methods of handling traffic during construction.

vii) Once the traffic handling control plan and proposed activity is approved, the appropriate fees will be applied which are based on the area of right-of-way to be used, amount and type of excavation, and duration. The Permit will be issued after payment is made. the Permit is issued, when plan is approved. No fee is charged.

viii) Inspection, as required, is automatic.

### 3) **BLASTING PERMIT**

a Applicability

Section 2-7.4 applies to aAll blasting work within the City Limits, which requires a blasting permit which is issued by the Albuquerque Police Department. Applicants for a blasting permit must present a Certificate of Insurance for \$500,000/1,000,000,/500,000 combined incident liability, structure damage, bodily injury and property damage.

g) Governing Regulations:

• Fire Prevention Code (Article 7-6 R.O.A. 1994)

h) Procedure:

- ix) ~~Step 1: Obtain blasting permit forms (Figure 3) can be obtained from the Bomb Squad, Albuquerque Police Department Bomb Squad.~~
- x) Applicants for a blasting permit must present a Certificate of Insurance for \$2,000,000 combined incident liability, structure damage, bodily injury and property damage.
- xi) ~~Step 2: The applicant must obtain approval and sign off from the Fire Department and the City Engineer's office.~~
  - (1) A site plan, is required as per the requirements of Blasting Site Plan Checklist-X, shall be submitted to the Fire Marshall's office. -
- xii) ~~The applicant is required to schedule a blasting inspection with the Fire Marshall's office 24 hours in advance.~~
- xiii) ~~The City Engineer's office arranges for the Albuquerque Utility Council "One Call Service System" to needs to be contacted by the applicant to locate utility lines in the area. Applicant must wait forty-eight (48) hours from line spotting before conducting blasting work. The applicant shall wait the required time frame for line spotting before conducting blasting work.~~
- xiv) The applicant shall schedule a blasting inspection with the Fire Marshall's office 24 hours in advance of any blasting activity.
- xv) ~~Step 3: The completed blasting permit form is returned Return permit form to Albuquerque Police Department for final approval and sign off. No fee is charged.~~
- xvi) ~~ENCROACHMENT REVOCABLE CONTRACT PERMIT (APPROVAL TO PLACE FENCES, WALLS, AND/OR FOOTINGS PRIVATE INFRASTRUCTURE IN THE PUBLIC RIGHT-OF-WAY)~~
- xvii) ~~The proposed construction of private walls, footings, fences, signage, or any other privately owned infrastructure walls, fences and/or footings in the public right-of-way requires City approval and the execution of an encroachment contract revocable permit between the City and the property owner to allow private use of public right-of-way on a conditioned, revocable basis. The contract ensures to the public the use of the right-of-way for public purposes as needed, in that the applicant contracts to remove the encroaching structure within a specific time (normally 72 hours) upon notification by the City. The applicant is also responsible for indemnifying the City from any negligent actions by the applicant. The encroachment contract revocable permit must be executed prior to issuance of the building permit for walls, fences, or retaining walls walls, or any other privately owned infrastructure to be placed in the public right-of-way.~~

xviii) ~~Walls, fences, 3-foot high and higher and retaining walls that are 24-18 inches high and or higher require a permit from the Code Administration Division. (See *Volume I, Chapter 7* for that procedure.) Walls and fences which vary in height from the regulations of the *Comprehensive City Zoning Code* require Zoning Hearing Examiner approval through the Special Exceptions to the Zoning Code procedure. (Volume I, Chapter 11).~~

xix) ~~Governing Regulations:~~

~~• Comprehensive City Zoning Code (Article 7-14 R.O.A. 1994)~~

~~• Traffic Code (Article 9-5 R.O.A. 1994)~~

xx) ~~Procedure~~

xxi) ~~**Step 1:** Obtain shall Real Property Encroachment Agreement Reproachable Permit form from the Albuquerque Development and Building Services Permit Center.~~

xxii) ~~**Step 2:** Submit two (2) copies of Application materials to the City Engineer for approval. become part of the agreement.~~

xxiii) ~~—Application Materials~~

xxiv) ~~• Sketch on 8 1/2" x 14" paper showing the following Exhibit by licensed surveyor indicating:~~

xxv) ~~• Address and legal description~~

xxvi) ~~• Location of curb~~

xxvii) ~~• Location of property line~~

xxviii) ~~• Location and width of sidewalk~~

xxix) ~~• Location, height and width of wall or fence encroachment~~

xxx) ~~• Location of water meter.~~

xxxi) ~~Square footage of encroachment within public right-of-way~~

xxxii) ~~Certificate of Liability Insurance for \$1,000,000 with City of Certificate Holder~~

xxxiii) ~~• Completed Real Property Encroachment Agreement. The sketch becomes a part of the agreement.~~

xxxiv) ~~Step 3: Applicant must obtain approval from:~~

xxxv) ~~• City Engineer~~

xxxvi) ~~• Zoning Enforcement Officer~~

xxxvii) ~~• Traffic Engineer~~

xxxviii) ~~Code Administration Division~~

xxxix) ~~Step 4: Return contract and sketches to City Engineer for processing and recordation with County Clerk. A fee is paid to City Engineering Division for recordation done with annual fee based on square footage of encroachment. Applicant is advised by phone when processing is complete.~~

xl) ~~Step 5: Agreement is recorded with County Clerk and filed with City Clerk.~~

xli) ~~Annual fee for permit is paid every year thereafter.~~

xlii) ~~Revocable permit must be renewed every 10 years.~~

xliii)

#### **4) ENCROACHMENT AGREEMENT (APPROVAL TO PLACE PRIVATE INFRASTRUCTURE IN A PUBLIC EASEMENT)**

##### a Applicability

Section 2-7.65 applies to the agreement required to place private infrastructure in a public easement. The agreement for this is similar to that of a revocable permit except that it involves placement of private infrastructure within a public easement.

##### b Procedures

i The applicant shall utilize the same procedures as for the Revocable Permit in Section 2-7.13 with the following two exceptions:

- 1 Replace the *Revocable Permit form* with the *Encroachment Agreement Form*, which is located on the *City of Albuquerque website*.
- 2 There are no annual fees or a certificate of liability insurance required for an encroachment agreement.

#### **5) EXCAVATION PERMIT**

##### c Applicability

Section 2-5.676 applies to any The City Engineering Division issues the permit for excavation activity within the public right-of-way, for which the City Engineering Division Construction Services Division requires a permit. Applicants for excavation permits should obtain a barricade permit from the Construction Services Division Traffic Engineering Division prior to application if the excavation work is within an accepted City right-of-way.

~~To perform excavation work, the contractor must meet the following prerequisites:~~

- ~~• Appropriate State license for excavation work~~
- ~~• Field Engineer approval~~

- ~~Post a \$5,000-maintenance bond~~
- ~~Post a \$1,000 fee bond, if applicant wishes to establish a charge account with the City to be billed for fees on a monthly basis.~~
- ~~Present evidence of \$500,000/1,000,000 liability insurance~~
  - i) ~~Governing Regulations:~~
- ~~Excavation Ordinance (Article 8-7 R.O.A. 1994)~~
  - j) Procedure
    - xliv) In order to perform excavation work, the contractor must meet the following prerequisites:
      - (1) Appropriate State license for excavation work
      - (2) Field Engineer approval
      - (3) Post a \$10,000 Excavation Bond~~\$5,000-maintenance bond~~
      - (4) \$10,000 Sidewalk, Drive-Pad, Curb & Gutter Bond
      - (5) \$15,000 Bond Securing Payment of Permit Fees for the Department of Municipal Development.
      - (6) ~~Post a \$1,000 fee bond, if applicant wishes to establish a charge account with the City to be billed for fees on a monthly basis.~~
      - (7) Present evidence of \$500,000/\$21,000,000 liability insurance
    - xlvi) ~~Step 1:—Applicants can apply for an Excavation Permit at the Construction Services Division City Engineer's office.~~
    - xlvi) The permit clerk determines if the contractor is qualified and if his insurance and bonding are up-to-date before issuing permit.
    - xlvi) If the street has been constructed, reconstructed, or overlaid within the last ~~three-five~~ three-five years, ~~(5 years for Federal Highway Administration-funded streets),~~ the permit clerk will calculate the restoration fee as required by the Excavation Ordinance.
    - xlvi) ~~Step 2:—If the contractor meets the prerequisites, the permit is issued. -The applicant pays charges prior to any activity within the public right-of-way. and fee or if a fee bond is posted, applicant is billed monthly by the City Accounting Division.~~
    - xlvi) ~~Step 3:—When the excavation is backfilled, the inspector and/or contractor notifies the Construction Coordination Section and/or laboratory that the project is ready for compaction testing. the inspector and/or contractor notifies the laboratory that the project is ready for compaction testing.~~



- l) If compaction meets specifications, the [Construction Coordination Section and/or](#) laboratory advises ~~the applicant~~ [Street Maintenance Inspection](#) that the street is ready for resurfacing if City is forecasting paving, or notifies the responsible contractor if repaving is to be done by a private contractor.
- li) The [Construction Services Division](#) ~~City Engineering Division~~ is notified when the resurfacing is complete; the permit is then filed for future warranty inspection.
- lii) All excavation work must be warranted for ~~three-one (31)~~ years. [\(Any excavation permit related to a work order needs to be coordinated with DRC and the Construction Department.\)](#)

## 6) ~~GRADING PERMIT AND PAVING PERMIT~~

~~§All grading of 1.0 acre or more or 500 cubic yards and any grading to be done within or adjacent to a watercourse (defined as a major facility) during the months of July, August or September shall obtain a Grading Permit.~~

~~Paving an area larger than 1000 square feet shall require a Paving Permit. Repaving of existing paved areas in which no grading is planned is excluded.~~

~~Grading and Paving Permits are not required when the proposed grading and paving are a part of a Building Permit.~~

### k) ~~Governing Regulations:~~

~~—[Drainage Ordinance, Enactment No. 62-1982](#)~~

### l) ~~Procedure~~

#### lii) ~~Step 1: Pre-Design Conference:~~

- (1) ~~—It is advisable that a pre-design conference be scheduled with one of the Engineers [Engineers](#) from the Hydrology Section in order to evaluate the specific drainage [drainage](#) requirements for the proposed grading and paving. See [section X](#) for more information on s.~~

#### liv) ~~Step 2: Application:~~

- (a) ~~—The application request must be accompanied by two copies of the required plans for review. Applications for Grading and Paving Permits shall be accompanied by a Drainage Report or Drainage Plan. See applicable checklist in [Volume 2, Chapter 6, Drainage, Flood Control and Erosion Control](#).~~
- (2) ~~If parking or pedestrian paths will be striped with a paving permit, a dimensioned striping plan shall be approved by Transportation. See Chapter 7, [Transportation Design for parking dimension requirements](#). A nominal fee will be charged. Submit the application to The Development and Building Services Center for processing.~~

#### lv) ~~Step 3: Inspection and Certification:~~



- (1) ~~The authorized construction must be inspected for compliance with the approved plan.~~ A Letter of Certification will be issued by the City Engineer upon compliance.

## 7) INTEGRATED DEVELOPMENT ORDINANCE APPROVALS

### a Applicability.

Section 2-5.8 applies to all development activities that are authorized by the Integrated Development Ordinance (IDO).

### b Procedure.

#### lvi) Administrative Decisions.

- (1) The General Procedures in Section 14-16-6-4 and the application specific procedures in Section 14-16-6-5 apply to all administrative decisions. The Procedures Summary Table in Section 14-16-6-1 indicate what type of notice is required, and which City bodies review and make a decision on the application.

#### lvii) Decisions Requiring a Public Meeting and/or Hearing.

- (1) The General Procedures in Section 14-16-6-4 and the application specific procedures in Section 14-16-6-6 apply to all decisions requiring a public meeting or hearing. The Procedures Summary Table in Section 14-16-6-1 indicate what type of notice is required, and which City bodies review and make a decision on the application, and in which cases a public meeting is held or a public hearing is required.

#### lviii) Policy Decisions.

- (1) The General Procedures in Section 14-16-6-4 and the application specific procedures in Section 14-16-6-7 apply to all policy decisions. The Procedures Summary Table in Section 14-16-6-1 indicate what type of notice is required, and which City bodies review and make a decision on the application.

## 8) **MEDIAN CUTS AND LEFT TURN LANE APPROVAL**

### a Applicability

Section 2-5.899 applies to any pProposed median cuts and left turn lanes which require City approval to insure that spacing requirements, the type of development, internal circulation and existing or projected traffic operating conditions are considered. See Chapter 7, Transportation Design for Median and Turn Lane design requirements. ~~In addition, the location and design of median cuts in streets which are a part of the State Highway System require approval of the State Highway Department.~~

### m) Governing Regulations:

• ~~Traffic Code (Article 9-5 R.O.A. 1994)~~

n) Procedure

- lix) ~~**Step 1:**—To obtain median cut and left turn lane approval, the applicant submits a written request Apply in writing to the Traffic City Engineer. The request shall include:~~

~~—Application Material~~

- ~~(1) —•—The nName and address of applicant~~
  - ~~(2) —•—The nName and address of party paying for construction~~
  - ~~(3) —•—The pProposed use of property~~
  - ~~(4) A Traffic Scoping Report (see Chapter 7, Transportation Design)~~
  - ~~(5) —•—A Site plan showing the proposed buildings, parking and driveways~~
- lx) ~~**Step 2:**—If the CityTraffic Engineer approves the request, a work order must be obtained for construction. Work orders require engineered plans and may be obtained from DRC. a geometric plan is prepared by the Traffic Engineering Division. If the street involved is part of the State Highway system, the plan is submitted to the State Highway Department for concurrence.~~
- lxi) ~~Depending on the size of the development, a traffic impact study may be required for a median opening to be created. See the Traffic Impact Study section (23-4) for additional information.~~ ~~**Step 3:**—The Traffic Engineer forwards the geometric plan to the City Engineer for preparation of a construction plan and cost estimate. Developer must deposit 1/4 of Engineering Design Fee at this time.~~
- lxii) ~~**Step 4:**—The applicant may choose either of the following two construction options:~~
- ~~(a) —•—City's block-to-block contractor~~
  - ~~(b) —•—Contractor employed by applicant and approved by City of Albuquerque-Home Builders Association (AHBA).~~
  - ~~(c) —For procedure, see Methods III and IV, Chapter 5, Volume I of the Development Proecess Manual.~~
- lxiii)
- lxiv) ~~**Step 5:**—The dDeveloper follows construction option (Method III or IV) to complete construction.—~~
- lxv) ~~The balance of the estimated Engineering Design Fee must be paid by the Developer prior to issuance of construction work order.~~
- lxvi) ~~**Note:**—The cost of new median cuts and left turn lanes is borne by the applicant.~~

o) Additional approvals

lxvii) Approval by the New Mexico Department of Transportation is required for all median openings along state-owned and maintained roadways. Median openings on NMDOT-owned and maintained facilities must follow NMDOT design criteria

lxviii) Limited access roadways are shown on the MRMPO Inventory of Roadway Access Limitations and carry restrictions related to intersection spacing and driveway access. Limited Access Roadways are typically located on principal arterials or on the interstate/frontage road system. This restriction may apply to the entire roadway length or individual segments. To learn the precise boundaries for Limited Access Roadways contact the Traffic Engineer in the Transportation Development Division or visit the MRCOG website at <https://www.mrcog-nm.gov/transportation>.

## 9) **OVERSIZE, OVERWEIGHT AND/OR OVER LENGTH TRUCKLOADS PERMIT**

a) Applicability

Section 2-5.910 applies to The Traffic Engineering Division issues the permit for for the movementthe movement or operation of oversize, overweight and/or over length vehicles on City streets. The New Mexico Vehicle Laws, Section 64-23-13 through 64-23-20, define the dimensions and weight of vehicles which require this permit.

p) Governing Regulations:

- Traffic Code (Article 9-5 R.O.A. 1994)
- New Mexico Vehicle Laws, Section 64-23-13 through 64-23-20

q) Procedure

lxix) Step 1: The applicant cComplete the permit form, obtained at the Traffic Engineering Division.

lxx) Step 2: The applicant tFakes the permit form to the Watch Commander's office at the Albuquerque Police Department to determine if licensed escort service is needed according to the requirements of State Statutes and for sign off.

lxxi) Step 3: Once the Watch Commander's signature has been obtained, the applicant rReturns the permit form to the Traffic Engineering Division for signature of the Traffic Engineer or designee.

## 10) **PERMIT SO-19 (PRIVATE STORM DRAIN FACILITIES WITHIN A CITY RIGHT-OF-WAY AND/OR EASEMENT)**

a) Applicability

Section 2.X.10 applies to circumstances in which a drainage plan developed for a particular property involves either discharge directly into a public facility or across a portion of a public right-of-way to a public facility. Examples include connections to the

back of an existing storm inlet or construction of sidewalk culverts. When such solutions are employed, the construction within the public right-of-way must meet City standards and the owner of the property is responsible for maintenance of the facility. An SO-19 Permit is required for construction in the public right of way in these situations.

An SO-19 Permit should not be used for a project that also requires a Work Order. The private storm drain facilities should be shown on the Work Order Plans instead.

**b** Procedures

- i A Grading and Drainage Plan showing the proposed improvement and including the standard SO-19 notes must be submitted to the Hydrology Section with a Drainage and Transportation Information Sheet, DTIS. The G&D Plan must be approved for SO-19 Permit by a letter from Hydrology. Then the contractor must obtain an Excavation and/or Barricading Permit prior to Construction. Instructions for coordinating the work with a City inspector are included in the SO-19 notes. For properties which employ drainage solutions involving the public right-of-way, the required documentation must be accomplished prior to issuance of a building permit.
- ii After construction is complete and prior to issuance of a Certificate of Occupancy, an Engineer's Certification must be submitted to the Hydrology Section with a DTIS.

**11) PRIVATE USE OF FIRE HYDRANTS**

**c** Applicability

Section 2-5.10.1 applies to t~~The Water Systems and Customer Services Division of the Public Works Department regulates fees and policies for~~ private use of fire hydrants. Connections to fire hydrants at any location are prohibited without written permit from the ~~Public Works Department Customer Service Division of the ABCWUA~~ except for City of Albuquerque street sweepers, street rollers and Fire Department vehicles. All other private and governmental users - federal, state, county, city and military - must have a permit.

Two types of permits are issued. A Designated Permit allows the permit holder to use any of ~~approximately twenty-nine (29) any~~ designated hydrants located within the City and County limits. A ~~permanent special use~~ meter is attached to these hydrants and they are painted red. ~~Locations of designated fire hydrants are listed in Table 8-12-5.10.1.~~

A Special Permit is required for private use of other fire hydrants not noted above. Fire hydrants located within 300 feet of any apartment house, school or hospital cannot be used.

**r) Governing Regulations:**

• ~~Water and Sewer Rates Ordinance (Article 8-4 R.O.A. 1994) p. 5.~~

s) Procedure:

lxxii) Designated Permit

- (1) ~~Step 1:—To obtain a Designated Permit, the applicant c~~Completes the Application for Water Service form and submits it to the Customer Service Division. —obtained from the Customer Service Office, Albuquerque/Bernalillo County Government Center, First Floor.
- (2) —The application must be approved by the Customer Services Division before any water can be withdrawn by the applicant
- (3) ~~Step 2:—When the application is approved~~Upon approval of the application form, the applicant shall pays a deposit fee and. The applicant is then issued a Designated Permit, Monthly Usage Forms, special key, and permit wrench. The deposit is refundable when the key and hydrant wrench are returned. The Monthly Usage Form is used by the permit holder to record the readings of the meter each time water is withdrawn from the designated hydrant.\_
- (4)
- (5) ~~Step 3:—Locate t~~The designated permit is to be located on the vehicle or on the premises. The permit shows permit number, date, company name, company address and vehicle license number.
- (6) ~~Step 4:—The applicant is to r~~Report the previous month's use of hydrant on the Monthly Usage Form. The form is to be M~~ailed this form~~ailed this form to the Customer Services Division before the 25th day of the succeeding month.
- (7) All water withdrawn from a designated fire hydrant is charged at the current commodity rate.\_
- (8) —In addition, permit holders are charged a maintenance fee per month or portion thereof.

## LOCATION OF DESIGNATED FIRE HYDRANTS

### Hydrant No. — Location

- 1— Blumenshine and Gun Club SW
- 2— Isleta and Liquid Waste Station SW
- 3— Sapphire and 87th SW
- 4— Coors and Sage SW (200 Feet North)
- 5— 90th and Central SW
- 6— Los Volcanos and Clouderoft NW
- 7— 3800 Vista Grande NW
- 8— 1600 Montano NW
- 9— Comanche NE - 2nd Hydrant West of I-25
- 10— Jeannedale and Indian School Road NE

- ~~11 Wyoming and Los Angeles NE~~
- ~~12 Truchas and Beck NE~~
- ~~13 Juan Tabo and Eubank NE~~
- ~~14 Montgomery and Cibola Village NE~~
- ~~15 Comanche East of Yosemite NE~~
- ~~16 Menaul and Landman NE~~
- ~~17 Monte Largo and Indian School Road NE~~
- ~~18 Encantado and Mel Smith NE~~
- ~~19 Stagecoach Lane and Stagecoach Road SE~~
- ~~20 Acoma and Eubank SE~~
- ~~21 1909 Buena Vista SE~~
- ~~22 Edith and Lomas NE~~
- ~~23 Kathryn and Truman SE~~
- ~~24 Rancharitos and 2nd NW~~
- ~~25 Zickert and Cherry Lane NW~~
- ~~26 Sunset Garden and Atrisco SW - 2nd Fire Hydrant East~~
- ~~27 La Vega and Hardy SW~~
- ~~28 Blake and Franzen SW~~

lxxiii) ~~Procedure:~~ Fire Hydrant Special Use Permit

- (1) ~~Step 1:~~ To obtain a Fire Hydrant Special Use Permit, the applicant completes the Application for Water Service form obtained from the Customer Service Office and the Special Use Request Form. The applicant must state reasons for use of a hydrant meter, the location of the meter, and the length of time the meter is to be used.
- (2) ~~Step 2:~~ When Upon approval of the application is approved, the Special Permit is issued. Applicant must pay all applicable fees including:
  - (a) ~~s-a~~ Special Use Connection Fee for each permit issued; and:
  - (b) A meter deposit. ~~is also required~~ The deposit is refundable when the meter is returned to the Water Operations Field Office in excellent condition. Damages will be assessed and deducted from the meter deposit.
- (3) Once all applicable fees are paid, the permit holder is ~~also~~ issued rules and procedures for hydrant use and a wrench for opening the fire hydrant.
- (4) ~~Obtain~~ The meter(s) are to be obtained from the Customer Services Division Meter Shop.
- (5) ~~Locate~~ The Special Use Permit(s) shall be located in the permit holder's vehicle or on the premises at all times.
- (6) The permit holder must ~~Step 3:~~ Record the readings of the meter each time water is withdrawn on the Monthly Usage Form. The form shall be mMailed ~~it~~ to the Customer Services Division before the 25th day of the succeeding month.
  - (a) Permit holders should check to see that water meters register properly by

asking to see the record showing meter reading before and after drawing water. Meters not registering properly should be reported to the Customer Services.

- (7) All water withdrawn from a fire hydrant under a special permit is charged at the current commodity rate.
- (8) In addition to usage fees, the permit holder ~~(s)s are-is~~ charged a monthly maintenance fee of \$32.00 per month or portion thereof.

~~—Notes:~~

~~—Permit holders should check to see that water meters register properly by asking to see the record showing meter reading before and after drawing water. Meters not registering properly should be reported to the Customer Services.~~

- (9) The Customer Service Division may revoke a fire hydrant permit in the event of improper permit identification, or failure to furnish such equipment, permits or Monthly Usage Forms, as specified.

## 12) PUBLIC SWIMMING POOL OPERATING PERMIT

a) Applicability ~~The~~

Section 2-5.1+22 applies to the Environmental Health Department issues an operating on permit for of public swimming pools. Public Swimming Pool Operating The Ppermits must be renewed annually after inspection of the swimming pool.

The Swimming Pool Ordinance establishes the permit and sets design, construction, operation and maintenance requirements. Construction plans are reviewed by the Environmental Health Department representative during the review process for the building permit for swimming pools. Information for obtaining a building permit for a public swimming pool is found in Chapter 7 Table 2-5.A.

t) Governing Regulations:

~~• Albuquerque Swimming Pool Ordinance (Chapter 10, Art. 3, R.O.A. 1994)~~

u) Procedure

- (10) Prior to opening a swimming pool for public use, the applicant must call the Environmental Health Department to request an inspection.
- (11) If the swimming pool meets the construction, operation, and maintenance requirements established by the Swimming Pool Ordinance, an operating permit will be ~~issued~~ issued.
- (12) The City assesses an inspection fee for the initial swimming pool ~~permit~~ permit and an annual inspection fee for renewal of the operating permit, due April 15 of each year.

## 13) REVOCABLE PERMIT (APPROVAL TO PLACE PRIVATE



## INFASTRUCTURE IN THE PUBLIC RIGHT-OF-WAY)

### a) Applicability

Section 2-7.13 applies to the construction of private walls, footings, fences, signage, or any other privately owned infrastructure in the public right-of-way, which require City approval and the execution of an revocable permit between the City and the property owner to allow private use of public right-of-way on a conditioned, revocable basis. The contract ensures to the public the use of the right-of-way for public purposes as needed, in that the applicant contracts to remove the encroaching structure within a specific time (normally 72 hours) upon notification by the City. The applicant is also responsible for indemnifying the City from any negligent actions by the applicant. The revocable permit must be executed prior to issuance of the building permit for walls, fences, retaining walls, or any other privately owned infrastructure to be placed in the public right-of-way.

Walls, fences, and retaining walls that are 24 inches or higher require a wall permit from the Code Administration Division. (See Section 2-6.6 for that procedure) Walls and fences which vary in height from the regulations of the *Integrated Development Ordinance* require Zoning Hearing Examiner approval through the Special Exceptions to the IDO procedure. (See IDO, Section 5-5.2.K).

### v) Procedure

lxxiv) The applicant shall complete the *Revocable Permit form* and all required application materials to the City Engineer for approval. The following application materials shall become part of the agreement.

(1) Exhibit by licensed surveyor indicating:

- (a) The property address and legal description
- (b) The location of existing curbs
- (c) Property line locations
- (d) The location and width of sidewalks
- (e) The location, height and width of encroachment
- (f) The location of water meters
- (g) Square footage of encroachment within public right-of-way
- (h) Certificate of Liability Insurance for \$1,000,000 with City of Certificate Holder

(2) The sketch becomes a part of the agreement.

lxxv) The applicant must obtain approval from the following:

- (1) The City Engineer
- (2) Zoning Enforcement Officer

(3) Traffic Engineer

(4) Code Administration Division

lxxvi) Upon approval, the applicant returns the contract and sketch to the City Engineer for processing and recordation with County Clerk. The applicant shall pay a fee to the City for recordation done with annual fee based on square footage of encroachment.

lxxvii) The Applicant shall be advised by phone when processing is complete.

lxxviii) The completed agreement shall be recorded with County Clerk and filed with City Clerk.

lxxix) Annual fee for permit is paid every year thereafter.

lxxx) Revocable permit must be renewed every 10 years.

## 14) SEWER TAPPING PERMIT

a applicability ~~Applicability~~

Section 2-5.1234 applies. The Engineering Division of the Public Works Department issues the permit to the required permits for tapping into existing sewer lines. Sewer line construction from the main line connection to the structure are generally authorized under the plumbing permit issued by the Code Administration Division (CAD). Applicants for sewer tapping permits must also obtain a barricade permit and an excavation permit prior to tapping. Sewer tapping permits are issued only to licensed plumbers.

w) Procedure

lxxxix) Sewer tapping permits are issued only to licensed ~~plumbers and bonded~~ contractors.

lxxxii) ~~Step 1:—To a~~ Apply for a Sewer Tapping Permit, the applicant completes the permit form at the ~~Water Authority Authority~~ Engineering Division of the Public Works Department, located in the Albuquerque/Bernalillo County Government Center N.W., One Civic Plaza, 3rd Floor.

lxxxiii) Applicants for sewer tapping permits must also obtain a barricade permit (see section 2-5.3) and an excavation permit (see section 2-5.6) prior to tapping.

lxxxiv) The engineer issuing the permit will provide instructions related to the tapping.

lxxxv) The applicant is required to pay a ~~No fee is charged.~~ \$50 permit fee.

lxxxvi) ~~Step 2:—~~ A copy of the permit is sent to the ~~Customer Services Division~~ Water Authority of the Public Works Department for billing purposes.

lxxxvii) ~~Step 3:—~~ A copy of the sewer tapping permit must be presented to the Code Administration Division plumbing inspector located at Plaza Del Sol Building, 600 2nd St., N.W., at the time of line inspection.

## 15) SIDEWALK, DRIVE PAD AND CURB AND GUTTER PERMITS

### a Applicability

Section 2-5.1345 applies to the construction of ~~construct~~ sidewalks, drive pads or curb and gutters. All curb and gutter work must be performed by a properly licensed contractor. All other work must be performed either by a properly licensed contractor or the homeowner following the procedures outlined.

~~Applicants for these permits should obtain a barricade permit from the Traffic Engineering Division prior to application. An excavation permit is also required and is issued simultaneously with the sidewalk, drive pad, and curb and gutter permit.~~

~~To construct sidewalks, drive pads or curb and gutter the contractor must meet the following pre-requisites:~~

- ~~• Appropriate State license for concrete work~~
- ~~• City Engineer approval~~
- ~~• Post a \$5,000 maintenance bond~~
- ~~• Post a \$1,000 fee bond, if applicant wishes to establish a charge account with the City to be billed for fees on a monthly basis.~~
- ~~• Present evidence of \$5,000,000 liability insurance bond~~

~~Homeowners constructing sidewalks must meet the following pre-requisites:~~

- ~~• City Engineer approval~~
- ~~• Post a \$500 maintenance bond~~
- ~~• Present evidence of \$10,000 liability insurance (homeowner's policy is sufficient)~~

### x) Governing Regulations:

- ~~• Sidewalk Ordinance~~
- ~~• Excavation Ordinance~~

### y) Procedure

lxxxviii) To construct sidewalks, drive pads or curb and gutter the contractor must meet the following pre-requisites:

- (1) Appropriate State license for concrete work
- (2) City Engineer approval
- (3) Post a \$5,000 maintenance bond
- (4) Post a \$1,000 fee bond, if applicant wishes to establish a charge account with the City to be billed for fees on a monthly basis.

- (5) Present evidence of \$5,000,000 liability insurance bond
- lxxxix) Homeowners constructing sidewalks must meet the following pre-requisites:
  - (1) City Engineer approval
  - (2) Post a \$500 maintenance bond
  - (3) Present evidence of \$10,000 liability insurance (homeowner's policy is sufficient)
- xc) ~~Step 1: Qualified applicants can-~~ Apply for a permit at the City Engineer's office (follow the requirements for an Excavation Permit under DRC and Construction Department for a Work Order). ~~-~~ The permit clerk determines if the contractor is qualified and if insurance and bonding are up-to-date before issuing permit.
  - (1) Applicants for these permits should obtain a barricade permit (see section 2-5.3) from the Traffic Engineering Division prior to application.
  - (2) An excavation permit (see section 2-5.6) is also required and is issued simultaneously with the sidewalk, drive pad, and curb and gutter permit.
- xcii) ~~If the contractor meets the pre-requisites the Step 2: -~~ Permit is issued. The Applicant must pay the permit fee, or, if fee bond is posted, applicant is billed monthly by the City Accounting Division.

## 16) SOLAR RIGHTS PERMIT

### a Applicability

Section 2-5.1456 applies to the permitting process that grants a property owner's right to install solar hot water heating panels or photovoltaic solar panels and the protections that ensure abutting property owners do not construct improvements or install landscaping that would materially reduce the effectiveness of those solar panels.

~~The purpose of the solar permit is "to settle property rights so that people can build structures and plant vegetation knowing what solar rights restrict their development and so that people can know the extent of the solar rights which attach to a solar collector" (Solar Permit Ordinance). The permit establishes a right of a property owner to restrict interference or obstruction of a solar collector by structures or vegetation on adjacent property. Criteria for decision to grant a permit are found in the Solar Permit Ordinance.~~

### z) Governing Regulations:

- ~~• Solar Permit Ordinance (Article 7-2 R.O.A. 1994)~~
- ~~• Solar Rights Act, NMSA 1978 (Section 47-3-1 et. seq. New Mexico State Statutes)~~

### aa) Procedure

- xcii) Application for a solar permit is through the office of the Zoning Hearing Examiner, located in the Development and Building Services Center (DBSC). Solar Permit Procedures are established in Section 14-16-5-5.2.G of the Integrated

Development Ordinance. This DPM outlines the required submittal materials.

- xciii) ~~To apply, Step 1: the applicant~~ sSubmits ~~the a~~ application form and two (2) copies of the following application material to the Development and Building Services Center twenty-two (22) days prior to the scheduled Zoning Hearing Examiner public hearing. An application fee is required.

~~Application Materials~~

- (1) ~~Plans for of the~~ proposed solar energy system, including:

- (a) ~~Include T~~ the type of solar collector and any heat storage and distribution facilities.
- (b) ~~Include C~~ calculations and sum total as to collection and beneficial use of heat, expressed in BTU's and solar fraction.

- (2) Site ~~Plans~~ showing:

- (a) ~~Boundaries~~ of all relevant parcels of land which either contain or are proposed to contain solar collector or are proposed to be burdened by the solar right.
- (b) ~~The owners and the possessors of the real property for which parcel boundaries are shown.~~
- (c) ~~Where relevant to the solar right requested, the topography of the land, and the location of structures, fixtures, and vegetation existent or known by the applicant to be planned and the horizontal and vertical dimensions of the structures, fixtures, and vegetation.~~
- (d) ~~A spatial and temporal definition of the solar rights requested.~~

xciv)

xcv) **Subsequent Steps:**

- xcvi) ~~After application and scheduling, the procedure is the same as for "Special- Exceptions to the Zoning Code", Volume 1, Chapter 11. Approval of the solar permit is determined at a Zoning Hearing Examiner (Z) public hearing. see Section 14-16-5-5.2.G.3 of the IDO for Review and Decision Criteria.~~

xcvii) Upon ZHE approval, Final Step:

- xcviii) sSolar permits are recorded with the County Clerk no sooner than fifteen (15) days after the Hearing Officer's decision. The document filed is called a "Solar Right Declaration" and contains the following information:

- (1) ~~Legal description of the site of the solar collector including vertical and horizontal location of the solar collector on the site.~~
- (2) ~~Statement that a solar right is established and defining the three-dimensional~~

space or the place and time of day in which obstruction is prohibited or limited.

(3) —Legal description of all land parcels burdened with servient tenements by the solar right.

(4) —Reference to any special limitations imposed

xcix) A copy of the recorded solar right declaration will be mailed to all owners of real property burdened with servient tenements by the solar right.

## **17) STORMWATER CONTROL PERMIT FOR EROSION AND SEDIMENT CONTROL**

a Applicability

See Chapter 6, Drainage for the applicability of this permit.

b Procedures

i Submit the permit application to Stormwater Quality for review.

## **18) SURFACE DISTURBANCE PERMIT**

c Applicability

Section 2-5.15-68 applies The Surface Disturbance Permit is issued by the Environmental Health Department, Air Pollution Control Division, Albuquerque/Bernalillo County Government Center, 3rd Floor, Room 3023. The permit insures that to all activities that will have a surface disturbance of equal to or greater than 3/4 of one acre. A Fugitive Dust Construction or Programmatic Permit, as applicable, is required prior to beginning any surface disturbance activities.

d the disturbance or removal of soil from an area larger than 3/4 acre or placement of soil on an area larger than 3/4 acre is accomplished using reasonable precautions within a reasonable time frame to prevent particulate matter from becoming airborne and transported offsite (eff. 5-1-96). The Surface Disturbance Permit should be obtained prior to construction plan approval during the building permit process.

e Governing Regulations:

f —Air Pollution Control Regulations Joint Air Quality Control Board Ordinance adopted by the Albuquerque/Bernalillo County Air Quality Control Board May 21, 1973 pursuant to provisions of laws of 1967, compiled as Section 12-14-5, Chapter 277, and recodified as Title 20, NMAC, Chapter 11. Ch 9 Article 5 Part 1 R.O.A 1994; and 20.11 NMAC

g Procedure

c) Step 1: The applicant is to —Discuss the project with a representative of the

Environmental Health Department, Air ~~Pollution Control Division~~ Quality Program to determine need and type of ~~for the Surface~~ Fugitive Dust Permit and appropriate site specific dust control measures for controlling airborne particulate matter.

- c) ~~Step 2:—If a surface disturbance permit~~ Fugitive Dust Permit is required, the applicant shall c ~~ompletes the appropriate Fugitive Dust Construction Application forms and provide~~ provide a copy of the site map and payment of fees ~~approved grading and drainage plan.~~
- cii) ~~Step 3:—The applicant must o~~ Obtain requisite signatures from the project owner/developer-operator, permittee and responsible person ~~general contractor~~ as indicated on the application form. Allow up to 10 business days for application review for surface disturbance of 25 acres or less and 20 business days for surface disturbance of greater than 25 acres.
- ciii) —Permission is granted for topsoil surface disturbance upon completion and approval of Steps 1 and 2 ~~issuance of the Fugitive Dust Permit.~~

## 19) **WATER METER AND FIRE LINE APPLICATION APPLICATION**

### a) Applicability

Section 2-5.1679 applies to the new construction of water service and fire lines. Methods of installing the public portion of the water service line, including the meter and box, are discussed in Volume 2, Chapter 25, Section 5 ~~Chapter 9, Water System Design.~~

### ab) Governing Regulations:

- ~~Water Rates Ordinance (Article 8-10 R.O.A. 1994)~~
- ~~Standby Water and Sewer Charges Ordinance (Article 8-14 R.O.A. 1994)~~

### ac) Procedure

civ) ~~Step 1: The~~ a Applicant completes Application Forfor Water Service Form obtained at the Customer Service Division, Public Works Department ~~Water Authority~~ in the City County Building, 1st floor.

(1) Meter service for 3" lines and larger requires a statement of availability from the Engineering Division, Public Works Department ~~Water Authority~~, a letter of acceptance from the City Engineer, reviewed by the Engineering Division, Public Works Department ~~Water Authority~~ and dedication of a 35'x35' easement.

cv) Prior to application for fire lines or fire hydrants, the Albuquerque Fire Department Fire Marshall's office, Plans Checking Division must set fire protection requirements including location and number of fire hydrants and the combined sustained instantaneous flow rate. Applicants must submit this information to the Engineering Division, Water Resourees ~~Authority~~ for review.

cvi) ~~Step 2:—~~ The Customer New Service Division of the Utility Development Division prepares a cost estimate, pro rata cost, and standby charges are determined.



cvii) ~~The Step 3:~~ Applicant pays the fees required by the Customer New Service Division. Work order is issued for installation of water meter. Regular billing begins when water meter is installed.

<u>GOVERNING REGULATION FOR OTHER CONSTRUCTION PERMIT SUMMARY</u>	
<u>AIR CONTAMINANT SOURCES REGISTRATION</u>	
<u>Air Pollution Control Regulations</u>	<u>Adopted by the Albuquerque/Bernalillo County Air Quality Control Board May 21, 1973, pursuant to Provisions of Laws of 1967, compiled as Section 12-14-5, Chapter 277, and amendments thereto.</u>
<u>AUTHORITY-TO-CONSTRUCT PERMIT</u>	
<u>Air Pollution Control Regulations</u>	<u>Adopted by the Albuquerque/Bernalillo County Air Quality Control Board May 21, 1973, pursuant to Provisions of Laws of 1967, compiled as Section 12-14-5, Chapter 277, and recodified as Title 20, NMAC, Chapter 11.</u>
<u>BARRICADE PERMIT</u>	
<u>Traffic Code</u>	<u>Article 9-5 R.O.A. 1994</u>
<u>Excavation Ordinance</u>	<u>Article 8-7 R.O.A. 1994</u>
<u>Public Utility Obstruction Traffic</u>	<u>8-2-1-62</u>
<u>BLASTING PERMIT</u>	
<u>Fire Prevention Code</u>	<u>Article 7-6 R.O.A. 1994</u>
<u>REVOCABLE PERMIT</u>	
<u>Comprehensive City Zoning Code</u>	<u>Article 7-14 R.O.A. 1994</u>
<u>Traffic Code</u>	<u>Article 9-5 R.O.A. 1994</u>
<u>ENCROACHMENT AGREEMENT</u>	
<u>GRADING PERMIT AND PAVING PERMIT</u>	
<u>Drainage Ordinance</u>	<u>Enactment No. 62-1982</u>
<u>MEDIAN CUTS AND LEFT TURN LANE APPROVAL</u>	
<u>Traffic Code</u>	<u>Article 9-5 R.O.A. 1994</u>
<u>OVERSIZE, OVERWEIGHT AND/OR OVER LENGTH TRUCKLOADS PERMIT</u>	
<u>Traffic Code</u>	<u>Article 9-5 R.O.A. 1994</u>
<u>New Mexico Vehicle Laws</u>	<u>Section 64-23-13 through 64-23-20</u>
<u>PRIVATE USE OF FIRE HYDRANTS</u>	
<u>Water and Sewer Rates Ordinance</u>	<u>Article 8-4 R.O.A. 1994) p. 5.</u>
<u>PUBLIC SWIMMING POOL OPERATING PERMIT</u>	
<u>Albuquerque Swimming Pool Ordinance</u>	<u>Chapter 10, Art. 3, R.O.A. 1994</u>
<u>SEWER TAPPING PERMIT</u>	
<u>SIDEWALK, DRIVE PAD AND CURB AND GUTTER PERMITS</u>	
<u>Sidewalk Ordinance</u>	
<u>Excavation Ordinance</u>	
<u>SOLAR RIGHTS PERMIT</u>	
<u>Solar Permit Ordinance</u>	<u>Article 7-2 R.O.A. 1994</u>
<u>Solar Rights Act, NMSA 1978</u>	<u>Section 47-3-1 et. seq. New Mexico State</u>

	<a href="#">Statutes</a>
<a href="#">SURFACE DISTURBANCE PERMIT</a>	
<a href="#">Joint Air Quality Control Board Ordinance</a>	<a href="#">Ch 9 Article 5 Part 1 R.O.A 1994; and 20.11 NMAC</a>
<a href="#">WATER METER AND FIRE LINE APPLICATION</a>	
<a href="#">Water Rates Ordinance</a>	<a href="#">Article 8-10 R.O.A. 1994</a>
<a href="#">Standby Water and Sewer Charges Ordinance</a>	<a href="#">Article 8-14 R.O.A. 1994</a>