



Building Permit Division: Code Interpretation Appeal Process

Current Staff Positions and Contacts:

-Tom Graham, Assistant Land Use Director of Development: tmgraham@santafenm.gov

-Bobby Padilla, CBO - Inspections Division Manager: bpadilla@santafenm.gov

-Richard Trujillo, Building Division Manager: ratrujillo@santafenm.gov

CoSF Definitions and Duties:

- **AUTHORITY HAVING JURISDICTION (AHJ).** Organization, political subdivision office or individual charged with the responsibility of administering and enforcing the provisions of the applicable building code. The authority having jurisdiction shall include a state agency or local building department.
- **CERTIFIED BUILDING OFFICIAL (CBO) FOR AN AHJ:** Power and duties: The CBO is responsible for enforcing the state and local rules and codes in an AHJ. The interpretations and procedures established by a CBO must be in compliance with the Construction Industries Division (CID) statutes and rules.

CID Definitions and Duties NMAC 14.5.1:

- **TRADE BUREAU CHIEFS (TBC):** Powers and duties: Each trade bureau chief is the ultimate authority and is authorized to render interpretations of the trade bureau's adopted New Mexico codes and standards and to establish procedures for the interpretation and application of those codes.
- **TECHNICAL ADVISORY COMMITTEE:**
 - A. Each TBC may create a technical advisory committee and appoint members to assist the TBC in an advisory capacity on technical aspects of the particular industry.
 - B. The committee will meet at the call of the trade bureau chief.
 - C. The members serve at the pleasure of the TBC.
- **APPEALS:**
 - A. All appeals, other than the allowable appeal to the commission regarding identical or similar names pursuant to Section 60-13-13.2 NMSA 1978 shall follow provisions of the Uniform Licensing Act (ULA).
 - B. Appeals from the decision of the commission shall be made in writing to the district court as provided in Section 61-1-17 NMSA 1978

The Planning and Land Use Department's mission is to provide expert land use, planning and development guidance, and regulation that supports the goals of the community. The department achieves this by providing creative problem-solving and customer service-oriented support and administration related to the City's Land Development Code, building codes, and policies. We do this with integrity, honesty, impartiality, and transparency while advancing equity and inclusion, information access and sharing, and community engagement opportunities.

Code Interpretation Appeal Process

- City Permit Expeditor will email plan review comments to the applicant after all reviews are complete.
- Applicants will submit revisions that address all plan review comments.



If there is a discrepancy or questions regarding the revisions requested for Building, Accessibility and Trades, please reach out to the appropriate plan reviewer identified on the corrections report.*

If not satisfied with their response, the applicant shall email the Assistant Land Use Director of Development, City CBO, Building Division Manager and plan reviewer with detailed questions and code references.



The Assistant LU Director of Development, City CBO, Building Division Manager and plan reviewer will meet and go over the questions and code references provided to determine the validity of the appeal. and any action requirements.

The staff determination will be issued to the applicant in writing via email.



If not satisfied with the City of Santa Fe response to your appeal, the next option is to contact the State CID via the appropriate TBC as defined under the CID Definitions and Duties.

How to appeal to the New Mexico CID

- File a written appeal
- Include a brief statement of the decision or interpretation
- State the grounds for your appeal

***Plan reviewers are extremely busy, so if you're experiencing difficulty obtaining a response from the plan reviewer, feel free to reach out to the Building Manager or Assistant Director before you begin an appeal.**