

THE VILLAGE OF TAOS SKI VALLEY

ORDINANCE NO. 2009-47

**AN ORDINANCE REQUIRING THE USE OF CARBON MONOXIDE
DETECTORS**

BE IT ORDANINED BY THE GOVERNING BODY OF THE VILLAGE OF TAOS SKI VALLEY HEREINAFTER "THE VILLAGE"

Whereas, carbon monoxide poisoning is the leading cause of accidental poisoning fatalities in America; and

Whereas, carbon monoxide gas is often the result of a faulty or poorly maintained heating systems; and

Whereas, carbon monoxide gas is odorless and its effects of headache, nausea, dizziness, fatigue, vomiting, impaired vision, loss of consciousness and possible death can be mistaken for flu symptoms, altitude sickness or symptoms of other illnesses; and

Whereas, the detection of carbon monoxide gas is crucial for the protection of people's health, safety and well being.

NOW THEREFORE BE IT ORDAINED by the governing body of the Village of Taos Ski Valley as follows:

1. Every building of residential or mixed occupancy in which there is one or more residential units shall be equipped with approved carbon monoxide alarms in accordance with this ordinance.
2. Each residential unit that is heated through the use of fossil fuels or in which fossil fuels are burned shall have one approved carbon monoxide alarm audible in all sleeping rooms.
3. Every hotel, motel or condominium unit or other commercial facility in which rooms are offered for rent and that have a central heating system of a fossil fuel-burning boiler or furnace or in which fossil fuels are burned shall have at least one approved carbon monoxide alarm installed that is audible in all sleeping rooms and any sleeping room containing a fossil fuel heating unit (such as a fireplace) shall additionally have a carbon monoxide alarm. The Building Official may require additional alarms as deemed necessary.
4. All carbon monoxide alarm systems shall be installed according to the manufacturers' instructions and as recommended by the standards contained in Chapter 9 of the NFPA 720.
5. All carbon monoxide alarm systems installed in new construction shall be hard-wired. Existing structures must comply with the requirements of this ordinance within 6 months of the date of its adoption.
6. A residential unit in a building, hotel, motel or condominium that does not rely upon the combustion of fossil fuel for heat, ventilation or hot water and is not sufficiently close to any ventilation source of carbon monoxide is exempt from the requirements of this ordinance.
7. Any residential unit that is exempt from this ordinance but uses a space heater that burns fossil fuel shall be required to have a carbon monoxide alarm in the room in which the space heater is located. Any commercial or residential use that has an attached garage and one or more sleeping units must have an approved carbon monoxide alarm system.
8. Fossil fuels are defined as including, but not limited to, coal, natural gas, kerosene, propane and wood.
9. It shall be unlawful for any person to remove batteries from a carbon monoxide alarm in order to make it inoperable. This provision shall not apply to any person engage in the normal procedure of replacing batteries. A person who violates this section shall be subject to a fine of \$250.00 per day per alarm.
10. Any person who violates any provision of this ordinance for which a separate penalty is not provided shall be subject to a fine of not less than \$100.00 and not more than \$500.00 provided that each day a violation continues shall constitute a separate and distinct offense.

PASSED, APPROVED AND ADOPTED by the governing body of the Village of Taos Ski Valley, New Mexico, this _7th_ day of _July_, 2009.

Mayor Neal King

Votes: For _4_ Against _0_

ATTEST: Vanessa Chisolm, Village Clerk