

TITLE 14 HOUSING AND CONSTRUCTION
CHAPTER 8 PLUMBING CODES
PART 3 2009 NEW MEXICO SWIMMING POOL, SPA AND HOT TUB CODE

14.8.3.1 ISSUING AGENCY: Construction Industries Division (CID) of the Regulation and Licensing Department.
 [14.8.3.1 NMAC - Rp, 14.8.3.1 NMAC, 6-28-13]

14.8.3.2 SCOPE: This rule applies to all contracting work performed on swimming pools, spas, and hot tubs in New Mexico on or after November 1, 2011, that is subject to the jurisdiction of CID, unless performed pursuant to a permit for which an application was received by CID before that date.
 [14.8.3.2 NMAC - Rp, 14.8.3.2 NMAC, 6-28-13]

14.8.3.3 STATUTORY AUTHORITY: NMSA 1978 Section 60-13-9.
 [14.8.3.3 NMAC - Rp, 14.8.3.3 NMAC, 6-28-13]

14.8.3.4 DURATION: Permanent.
 [14.8.3.4 NMAC - Rp, 14.8.3.4 NMAC, 6-28-13]

14.8.3.5 EFFECTIVE DATE: June 28, 2013, unless a later date is cited at the end of a section.
 [14.8.3.5 NMAC - Rp, 14.8.3.5 NMAC, 6-28-13]

14.8.3.6 OBJECTIVE: The purpose of this rule is to establish minimum standards for the construction of swimming pools, spas and hot tubs in New Mexico.
 [14.8.3.6 NMAC - Rp, 14.8.3.6 NMAC, 6-28-13]

14.8.3.7 DEFINITIONS: See 14.5.1 NMAC, General Provisions and chapter 2 of the 2009 uniform swimming pool, spa, and hot tub code (USPSHTC) as amended by this part.
 [14.8.3.7 NMAC - Rp, 14.8.3.7 NMAC, 6-28-13]

14.8.3.8 ADOPTION OF THE 2009 UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE:

A. This rule adopts, by reference, the 2009 uniform swimming pool, spa, and hot tub code, as amended by this rule.

B. In this rule, each provision is numbered to correspond with the numbering of the USPSHTC.
 [14.8.3.8 NMAC - Rp, 14.8.3.8 NMAC, 6-28-13]

14.8.3.9 CHAPTER 1 ADMINISTRATION:

A. 101.0 - Title, purpose and scope.

(1) **101.1 Title.** Delete this section of the USPC and substitute: This code shall be known as the 2009 New Mexico swimming pool, spa, and hot tub code (NMSPSHTC).

(2) **101.2 Purpose.** Delete this section of the USPSHTC and substitute: The purpose of this code is to establish minimum standards for all swimming pools, spas and hot tub construction in New Mexico.

(3) **101.3 Plans required.** Delete this section of the USPSHTCC and see 14.5.2 NMAC, Permits.

(4) **101.4 Scope.**

(a) **101.4.1** See this section of the USPSHTC, except as provided below.

(i) **101.4.1.1 Repairs and alterations.** See this section of the USPSHTC.

(ii) **101.4.1.2 Maintenance.** Delete this section of the USPSHTC.

(iii) **101.4.1.3 Existing construction.** Delete this section of the USPSHTC.

(iv) **101.4.1.4 Conflicts between codes.** Delete this section of the USPSHTC and see 14.5.1

NMAC General Provisions.

(b) **101.4.2 Additions, alterations, repairs and replacement.** See this section of the USPSHTC.

(5) **101.5 Application to existing swimming pool, spa, or hot tub plumbing system.** See this section of the USPSHTC, except delete subsection 101.5.5 Maintenance without replacement.

B. 102.0 Organization and enforcement.

(1) **102.1 Authority having jurisdiction.** Delete this section of the USPSHTC.

(2) **102.2 Duties and powers of the authority having jurisdiction.**

(a) **102.2.1** Delete this section of the USPSHTC and see Section CILA 60-13-8.

(b) **102.2.2 Right of entry.** Delete this section of the USPSHTC and see CILA Section 60-13-42.

- (c) **102.2.3 Stop orders.** Delete this section of the USPSHTC and see 14.5.2 NMAC, Permits.
- (d) **102.2.4 Authority to disconnect utilities in emergencies.** Delete this section of the USPSHTC and see CILA Section 60-13-42.
- (e) **102.2.5 Authority to condemn.** Delete this section of the USPSHTC and see 14.5.1, General Provisions.
- (f) **102.2.6 Liability.** Delete this section of the USPSHTC and see CILA Section 60-13-26.
- (3) **102.3 Violations and penalties.** Delete this section of the USPSHTC and see CILA Section 60-13-1 et seq., and 14.5.3 NMAC, Inspections.
- C. **103.0 Permits and inspections.**
 - (1) **103.1 Permits.**
 - (a) **103.1.1 Permits required.** Delete this section of the USPSHTC and see 14.5.2 NMAC, Permits.
 - (b) **103.1.2 Exempt work.** Delete this section of the USPSHTC and see 14.5.2 NMAC, Permits.
 - (c) **103.1.3 Licensing.** Delete this section of the USPSHTC and see 14.6.2 NMAC Licensing.
 - (2) **103.2 Application of permit.** Delete this section of the USPSHTC and see 14.5.2.NMAC, Permits.
 - (3) **103.3. Permit issuance.** Delete this section of the USPSHTC and see 14.5.2 NMAC, Permits.
 - (4) **103.4 Fees.** Delete this section of the USPSHTC and see 14.5.5 NMAC, Fees.
 - (5) **103.5 Inspections.** Delete this section of the USPSHTC and see 14.5.3 NMAC, Inspections, except for subsection 103.5.6 Reinspections see 14.5.5 NMAC, Fees.
 - (6) **103.6 Connection approval.** Delete this section of the USPSHTC and see 14.5.3 NMAC, Inspections.
 - (7) **103.7 Unconstitutionality.** Delete this section of the USPSHTC and see 14.5.1 NMAC, General Provisions.
 - (8) **103.8 Validity.** Delete this section of the USPSHTC and see 14.5.1 NMAC, General Provisions.
 - (9) **Table 1-1 Swimming pool, spa, and hot tub permit fees.** Delete this section of the USPSHTC and see 14.5.5 NMAC, Fees
[14.8.3.9 NMAC - Rp, 14.8.3.9 NMAC, 6-28-13]

14.8.3.10 CHAPTER 2 DEFINITIONS: See this chapter of the USPSHTC, except as provided below.

- A. **203.0 - Authority having jurisdiction** - Delete the text of this definition and substitute: The authority having jurisdiction is the construction industries division (CID) and the bureau chief of the mechanical and plumbing bureau of CID.
- B. **204.0 – Beginner’s area** - Delete the text of this definition without replacement.
- C. **204.0 – Break in grade** – Delete the test of this definition and substitute with the following: A place in the pool floor where the slope changes.
- D. **204.0** –Add the following definition: **Bromine feeder** – a device used to deliver bromine sanitizer at a controlled rate.
- E. **214.0 – Listing agency** – See this definition in the UPC and Section 60-13-44 of the CILA.
- F. **215.0** – Add the following definition: Main drain – see main outlet.
- G. **215.0 – Main outlet.** Change the definition in the USPSHTC to read as follows: The outlet fittings at bottom of a swimming pool, spa or hot tub to transfer water to the recirculating pump (often referred to as the “main drain”).
- H. **221.0 - Shall** - Delete this text of this definition and see Section 221.0 of the UPC.
[14.8.3.10 NMAC - Rp, 14.8.3.10 NMAC, 6-28-13]

14.8.3.11 CHAPTER 3 GENERAL REQUIREMENTS: See this chapter of the USPSHTC except as provided below.

- A. **302.2 Alternate materials and methods equivalency.** Delete this section and see 14.8.2.11, NMAC, New Mexico Plumbing Code, and 14.5.1.11, NMAC, General Provisions.
- B. **303.0 Turnover time.** See this section of the USPSHTC except as provided below.
 - (1) Delete the text of item (3) and replace with the following: **Public wading pools** – one (1) hour or less.
 - (2) Add item (4) as follows: Private wading pools – two (2) hours or less.
 - (3) Change the number of item (4) to read (5) and change the number of item (5) to read (6).
- C. **304.0 Pumps.** See this section of the USPSHTC except as follows: **304.2** Pumps shall be mounted on a substantial rigid baseplate securely attached to a concrete floor, housekeeping pad, or per manufacturer’s recommendations in a manner that will eliminate strain on the piping.
- D. **309.0 Pool, spa and hot tub fittings.** See this section of the USPSHTC except as provided below.
 - (1) **309.2 Surface skimmers.** Delete the text of this section of the USPSHTC and replace with the following: Listed surface skimmers, where used in lieu of perimeter overflow system, shall be installed in strict accordance with the manufacturer’s installation instructions. For public pools, there shall be not less than one (1) surface skimmer for each five-hundred (500) square feet (46.45m²) of surface area with a minimum of two (2) surface skimmers. For public spas and

hot tubs, there shall be a minimum of one (1) skimmer for each one hundred fifty (150) square feet of surface area, or fraction thereof. For private pools, spas and hot tubs, there shall be not less than one (1) skimmer for each nine-hundred (900) square feet (84m²) of surface area or fraction thereof. In public pools, spas and hot tubs, not less than eighty (80) percent of the turnover rate through the surface skimmers shall be provided.

(2) **309.4 Pool, spa and hot tub outlets.** Delete the text of this section of the USPSHTC and replace with the following: Pool, spa or hot tub outlets and their covers shall be listed to the entrapment protection of the ASME/ANSI A112.19.8 performance standard.

(a) **309.4.2** See this section of the USPSHTC and add the following subsections:

(i) **309.4.2.1** Public pools shall have, for each pump suction line, a minimum of two (2) hydraulically balanced, fully submerged suction outlets located at the lowest point of the floor and separated by a minimum of three (3) feet measured from center to center of the suction pipes.

(ii) **309.4.2.2** Public spas and hot tubs shall have a minimum of two (2) fully submerged suction outlets. The outlets shall be separated by a minimum of three (3) feet measured from center to center of the suction pipes or located on two (2) separate planes; i.e., one (1) on the floor and one (1) on a vertical wall. The outlet located on the vertical wall shall be located below the seating bench of the spa or hot tub.

(b) **309.4.3** Delete the text of this section of the USPSHTC and replace with the following: Suction cleaner device outlets shall be of a self-closing type and remain covered when not in use so as not to pose an entrapment hazard.

(c) **309.4.4 Safety vacuum release systems.** See this section of the USPSHTC except add the following text to the beginning of the sentence: “Manufactured safety vacuum release systems for”

(3) **309.6** Add this new section and sub-sections to the USPSHTC. **Inlets. Public pool, spa and hot tub inlets.** Pool, spa or hot tub inlets shall be sized, arranged, and be of an adjustable type to provide uniform circulation of water and effective distribution of disinfectant residual.

(a) **309.6.1** Inlets shall not protrude from the wall in a manner that poses a hazard.

(b) **309.6.2** At a minimum, there shall be one (1) inlet per five-hundred (500) hundred square feet of surface area or per fifteen thousand (15,000) gallons of water, whichever results in a greater number of inlets.

(c) **309.6.3** For pools, spas or hot tubs wider than thirty (30) feet, multiple inlets shall be provided on opposite ends.

E. 310.0 Materials. See this section of the USPSHTC except as follows: **310.8** See this section of the USPSHTC except delete the following text from the exception: “Plastic materials for water service piping outside underground shall have a blue insulated copper tracer wire or other approved conductor installed adjacent to the piping. Access shall be provided to the tracer wire or the tracer wire shall terminate above ground at each end of the nonmetallic piping. The tracer wire shall be not less than 18 AWG and the insulation type shall be suitable for direct burial”.

F. 312.0 - Wastewater disposal. See this section and add the following new section: 313.8 - Sand interceptors may be omitted as in sections 1009.1 and 1016.0 UPC 2006, if the disposal of waste water from a pool is filtered or reclaimed and it can be proven to the **authority having jurisdiction** that it will not introduce levels of sand or solids, or other ingredients that may be harmful to the building drainage system, the public or private sewer, or to public or private sewage disposal.

G. 317.0 Electrical systems. See this section of the USPSHTC and add the following text to the end of this section: “and the New Mexico electrical code (NMEC)”.

H. 320.0 Protection of piping, materials and structures. See this section of the USPSHTC except as follows:

(1) **320.9.3** See this section of the USPSHTC except change the first sentence to read as follows: In exterior walls and where piping passes through concrete floors in interior spaces, the annular space between sleeves and pipes shall be sealed and made watertight, as approved by the authority having jurisdiction.

(2) Add the following new section: **320.12 Protection against damage.** Plastic materials for water service piping outside underground shall have a blue insulated copper tracer wire or other approved conductor installed adjacent to the piping. Access shall be provided to the tracer wire or the tracer wire shall terminate above ground at each end of the nonmetallic piping. The tracer wire shall be not less than 18 AWG and the insulation type shall be suitable for direct burial.
[14.8.3.11 NMAC - Rp, 14.8.3.11 NMAC, 6-28-13]

14.8.3.12 CHAPTER 4 WATER HEATERS AND VENTS. See this section of the USPSHTC except as provided below.

A. 410.9 Installation in residential garages.

(1) **410.9(1)** See this section of the USPSHTC except delete the words “unless listed as flammable vapor ignition resistant” at the end of the section.

(2) **410.9(2)** See this section of the USPSHTC.

(3) **410.9(3)** See this section of the USPSHTC.

B. 411.3 Access to equipment on roofs.

- (1) **411.3.1** See this section of the USPSHTC.
 - (2) **411.3.2** See this section of the USPSHTC except after the words in “in height” add the following: except those designated as R-3 occupancies.
 - (3) **411.3.3** See this section of the USPSHTC.
 - (4) **411.3.4** See this section of the USPSHTC.
- [14.8.3.12 NMAC - Rp, 14.8.3.12 NMAC, 6-28-13]

14.8.3.13 CHAPTER 5 FUEL GAS PIPING. See this section of the USPSHTC except as provided below.

- A. 503.0 Plans required.** Delete this section of the USPSHTC except as provided in 14.5.2, NMAC, Permits.
 - B. 510.5.2.3 Copper and brass.** Delete this section of the USPSHTC and substitute: Copper and brass pipe shall not be used.
 - C. 510.5.3.2 Copper and brass.** Delete the text of this section of the USPSHTC and substitute with the following: Copper and brass pipe shall not be used.
 - D. 511.1.2 Protection against damage.**
 - (1) **511.1.2.1 Cover requirements.** Delete this section and substitute: Underground piping systems shall be installed with a minimum of 18 inches (460 mm) of cover. Where a minimum of 18 inches (460 mm) cannot be provided, the pipe shall be installed in conduit or bridged (shielded).
 - (2) **511.1.2.2 Trenches.** See this section of the USPSHTC.
 - (3) **511.1.2.3 Backfilling.** See this section of the USPSHTC.
 - E. 511.12 Electrical bonding and grounding.** Delete this section of the USPSHTC and see 14.10.4 NMAC, New Mexico Electrical Code (NMEC).
 - F. 511.13 Electrical circuits.** Delete this section of the USPSHTC and see 14.10.4, NMAC, New Mexico Electrical Code (NMEC).
 - G. 511.14 Electrical connections.** Delete this section of the USPSHTC and 14.10.4, NMAC, New Mexico Electrical Code (NMEC).
 - H. 512.5 Sediment trap.** See this section of the USPSHTC except delete the first sentence and substitute: If a sediment trap, which is not incorporated as part of the gas utilization equipment, is installed, it shall be installed at the time the equipment is installed and as close to the inlet of the equipment as is practical.
 - I. 513.0 Liquefied petroleum gas facilities and piping.** Delete this section of the USPSHTC and substitute the following: Liquefied Petroleum gas facilities shall comply with Section 19.15.40, NMAC, Liquefied Petroleum Gas Standards, and NMSA 1978, 70-5-1 et seq., liquefied and compressed gases.
- [14.8.3.13 NMAC - Rp, 14.8.3.13 NMAC, 6-28-13]

14.8.3.14 CHAPTER 6 PRODUCT AND MATERIALS STANDARDS. See this section of the USPSHTC.

[14.8.3.14 NMAC - Rp, 14.8.3.14 NMAC, 6-28-13]

14.8.3.15 APPENDICES. See this chapter of the USPSHTC.

[14.8.3.15 NMAC - Rp, 14.8.3.15 NMAC, 6-28-13]

HISTORY OF 14.8.3 NMAC:**History of Repealed Material:**

14.8.3 NMAC, 2006 New Mexico Swimming Pool, Spa and Hot Tub Code (filed 10-27-08), repealed 11-1-2011.

14.8.3 NMAC, 2009 New Mexico Swimming Pool, Spa and Hot Tub Code (filed 09-27-11), repealed 6-28-2013.