

# VILLAGE OF RUIDOSO

## ORDINANCE 2006-04 (information version)

AN ORDINANCE AMENDING THE RUIDOSO MUNICIPAL CODE OF ORDINANCES CHAPTER 42, FIRE PREVENTION AND PROTECTION, SECTION 42-80, FUELS MANAGEMENT STANDARDS.

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF RUIDOSO THAT new language added in chapter 42, Fire Prevention and Protection, by amending Article III entitled Standards for Fire Safety and Fire Handling, Sect 42-80 as follows:

### ARTICLE III. STANDARDS FOR FIRE SAFETY AND FIRE HANDLING

#### Sec. 42-40. Improper handling of fire.

- (a) It shall be unlawful for any person to set a fire or to cause or procure a fire to be set to any trash, refuse, flammable vegetation or forest material, or to any other flammable substance, on the land of another person and without the permission of the owner thereof.
- (b) It shall be unlawful for any person to allow fire to escape or spread from the control of the person setting such fire or having charge thereof without using reasonable and proper precaution to prevent such fire from escaping or spreading.
- (c) It shall be unlawful for any person to set a fire or to cause or procure a fire to be set to any trash, refuse, flammable vegetation or forest material, or to any other flammable substance, on his own land or that of another person, without using proper and reasonable precaution at all times to prevent the escape of such fire.
- (d) All burning of trash in the streets and alleys is prohibited. Where not prohibited, refuse may be burned on private premises in any incinerator which has been approved by the fire chief or health authority of the village. No garbage shall be burned. No cans, cartons, wrappings containing food or organic waste, hair, wool, rubber, plastic or any other substance which would create offensive, obnoxious or dangerous fumes or odors shall be burned.
- (e) It shall be unlawful for any person to leave any campfire burning and unattended upon his own land or the land of another person.
- (f) Smoking materials.

- (1) It shall be unlawful for any person to cause a fire to be started upon his own land or the land of another person by means of any lighted cigar, cigarette, match or other manner, and leave such fire unquenched.
- (2) It shall be unlawful for any person to discard a lit cigarette, cigar, match or other type of incendiary material on a public right-of-way, public property, or areas open to the public.
- (3) Any person violating the provisions of this subsection shall be assessed either:
  - a. A \$500.00 fine; or
  - b. A period of community services as determined by the court; or
  - c. A combination of subsections a. and b. as determined by the court.
- (g) Nothing in this section shall constitute improper handling of fire where the fire is a backfire set for the purpose of stopping the progress of a fire then actually burning.
- (h) A person found guilty of violating the provisions of this section shall be punished in accordance with the provisions of section 1-6, unless otherwise provided herein.

**Sec. 42-41. Disposal of ashes.**

- (a) Definitions.
  - (1) "Ashes" means fire residue of any kind, including, but not limited to, fireplace ashes, barbecue grill briquettes, wood chips, wood stove ashes, campfire ashes, hot waste or other material susceptible of spontaneous combustion.
  - (2) "Ashes, hot" means any ashes that have not cooled according to the provisions specified herein.
- (b) It shall be unlawful to dispose of hot ashes in any manner.
- (c) Hot ashes may become cold ashes and subject to disposal as provided in chapter 70, Solid Waste Management, by:
  - (1) Cooling in place for a minimum of forty-eight (48) hours and inspection to determine that no live embers capable of spontaneous combustion are present; or

- (2) Extinguishment with water or sand and stirring to the point where inspection reveals that no embers capable of spontaneous combustion are present.
- (3) cold ashes shall be placed in a bag or other enclosed container before placing in a Village dumpster.

Sections 42-42 through 42-69 reserved.

**Sec. 42-70. Fuels Management: Duty to abate and control wildfire fuels.**

It shall be the duty of every owner, occupant, and person in control of any land or interest therein or premises which are located within the jurisdictional limits of the Village, to control and/or abate therefrom all flammable vegetation that constitutes a fire hazard which may endanger or damage neighboring property.

**Sec. 42-71. Standards for abatement and control.**

The standards for abatement and control are specified in Sec.42-80.

**Sec. 42-72. Enforcement on private and public property.**

- (a) Cooperation from all landowners, private and public, will be encouraged through positive communication by mail and through personal contact. When flammable vegetation control measures are not carried out by a landowner, enforcement measures may be instituted. Procedures for enforcement shall be as specified in this article.
- (b) Abatement and control priorities shall be established due to the size of the Village and the number of landowners therein. The priority for enforcement shall be as follows:
  - (1) Lands within the Urban Wildland Interface zone located West of Mechem Drive and South of Sudderth Drive.
  - (2) Property bordering lands of the federal government, including Indian lands.
  - (3) Properties found to be over seventy-five (75) on the fire hazard rating.
  - (4) Properties found to be over sixty (60) on the fire hazard rating.
  - (5) All other property.

**Sec. 42-73. Notice to remove.**

It shall be the concurrent duty of the Director of Forestry, Fire Chief, and the Planning Administrator either of whom shall have authority to issue notices, together with their duly authorized representatives, to enforce the abatement and control measures of this article by issuing a "Notice to Remove" by mailing the notice to the property owner as his or her name appears on the county tax rolls and to the address as shown in the records of the county tax assessor. The notice shall be substantially in the form used to notify property owners of code violations. The notice shall include a copy of the standards for abatement and control specified in Sec.42-80.

**Sec. 42-74. Appeals.**

Any person who is adversely affected by a notice as provided herein shall have the right to appeal to the Planning Commission, the Governing Body and District Court as provided in chapter 54 of this code.

**Sec. 42-75. Removal of hazardous vegetation by private contractor and establishment of costs and administrative fee.**

If, at the end of the time allowed for compliance in the original notice, or as extended in cases of appeal, compliance has not been accomplished, the officer issuing the notice or the agency of which he is an officer, *may pursue judicial enforcement according to the provisions of sections 54-38 and 42-78 of this code.* The Village may, upon court order, provide for abatement and control to be performed by public officers or employees of the Village, or may cause the removal to be carried out by a private contractor selected by the Village in accordance with applicable purchasing procedures and in the manner and under the terms specified by the officer. The cost of such removal accompanied by a reasonable administrative charge may be imposed as a Special Assessment upon the property, and such property shall be subject to a Special Assessment Lien for said purpose. The costs so assessed shall be limited to the actual costs incurred by the Village in enforcing abatement and control upon the parcels, including payment to the contractor, costs of investigation, boundary determination, measurement, clerical, personnel, consultant, legal and an administrative cost to be set by the Village on those properties where such hazardous vegetation has not been removed by the property owner at his or her own expense.

**Sec. 42-76. Mailing and recording of assessments.**

All assessments provided for herein shall be mailed by certified mail to the property owner as specified in the provisions for mailing notices. The assessment shall be filed as a lien against the property in the manner provided by law for filing of liens.

**Sec. 42-77. Enforcement of lien.**

Liens may be enforced and foreclosed as provided by law.

**Sec. 42-78. Violations.**

Failure of a person to abate and control hazardous vegetation upon notice shall be a violation of this code, and may be prosecuted and punished in Ruidoso Municipal Court as provided in this code. Any such prosecution shall be in addition to the abatement and control measures provided for in this article.

**Sec. 42-79. Non-waiver of immunity.**

Nothing contained herein shall be construed as waiving the immunity of the Village, its officers, agents, servants and employees, as may be provided for in the New Mexico Tort Claims Act, and neither the Village, nor its officers, agents, servants and employees shall be liable to any person for enforcement of the provisions of this article.

Defensible Space	Requirements	Recommendations	Comments
<p><b>Zone 1: Structure Protection</b></p>	<p>*Remove all <b>non-decomposing</b> pine needles &amp; flammable ground materials <b>and activity slash</b>. *Remove all ladder fuels.                      *Min. 10 feet between crowns of native trees or "clumps" (max.4 trees/clump). <b>Does not apply to ornamentals</b>. *Prune <b>all species except ornamentals 15' above ground</b> 25% whichever is less.                      *Remove branches within 15' of chimney.</p>	<p>*Minimize flammable native trees in this zone.                      *Maintain <b>non-combustible ground material 2-3 feet around structure (Planting beds, rock gardens, gravel or bare soil)</b>.</p>	<p>Consultation with the property owner will explain the "blended eye" assessment of the property for an added value.</p>
<p>0-10 feet from structure or deck</p>	<p>*Remove flammable material from roof and gutters.                      *Removal of any tree &gt;16" DBH requires permit.</p> <p>*Development <i>(in any zone: 1, 2, 3, or 4)</i> resulting in basal area (BA) densities below original square footage per acre or minimum square footage per acre per this section (see <i>zones 3 &amp; 4 below</i>) shall include replacement trees at the rate approved by the Director.</p> <p>All trees planted as replacements for basal area (BA) loss as part of site development in all zones shall have drip irrigation or the like watering systems and shall be two (2) inches or greater at one (1) foot above root collar.</p> <p><b>*Slash Treatment:</b> 1) No flammable material including wood chips allowed except as mulch in individual planting wells <i>(see forestry terms for sizing of planting wells)</i>; 2) No firewood stacked unless under approved cover; 3) No standing dead.</p>	<p>*Prune native tree limbs overhanging roof.</p> <p>*Bedding plants (&lt;18" high).</p> <p>*Consider <b>xeriscape and non-flammable landscape material (ex. do not us railroad ties, wood fencing etc)</b>.</p> <p><i>*(see forestry terms for definition of xeriscape. Proper xeriscape and planting wells minimizes "rocks and gravel" appearance and emphasizes native plant combinations and drip irrigation).</i></p>	<p>Using this "added value" approach landscape elements and forest health issues, as well as fire hazard reduction, will be considered. The property owner can better achieve his land objectives.</p> <p><b>NOTE: Five "native trees" considered here are Ponderosa pine, Pinon pine, Douglas fir, White fir, and all Junipers. Blue Spruce and fruit trees considered ornamentals. Deciduous broadleaf trees like Gambels oak must be pruned as per zone, but not considered for spacing.</b></p> <p>For additional forest management see Sec. 54-133.</p>
<p><b>Zone 2: Defensible Space</b></p> <p>10-30 feet from structure or deck</p>	<p>*Remove all <b>non-decomposing</b> pine needles and flammable ground materials <b>and activity slash</b>. *Remove all ladder fuels.</p> <p>*Min. 10' between <b>crowns</b> of native trees or "clumps" (max.5 trees/clump). <b>Does not apply to ornamentals</b>.</p> <p>*Prune <b>all species except ornamentals</b> min.10' from ground or 25% of tree height which ever is less.</p> <p>*10 - 15' between planting islands &amp; groups of shrubs.</p> <p>*Removal of any tree &gt;16" DBH requires permit.</p> <p><b>*Slash Treatment:</b> 1) No untreated wood chips allowed except in drip irrigated or the like planting wells <i>(see forestry terms for sizing of planting wells)</i>;</p> <p>2) No firewood stacked within 20' of structures unless under approved cover. Firewood stacked outside 20' must not create nuisance.</p> <p>3)Beetle habitat reduction per Sec. 54-133(f);</p> <p>4) No standing dead.</p>	<p>*Maintain low combustible ground covers.</p> <p>*Keep lawns watered (as conditions allow).</p> <p>*Consider <b>xeriscape planting beds, rock gardens, xeriscaping and fire resistant plants</b>.</p> <p>*Bedding plants (&lt;18" high).</p> <p>*Consider non-flammable landscape material.</p> <p><i>*(see forestry terms for definition of xeriscape. Proper xeriscape and planting wells minimizes "rocks and gravel" appearance and emphasizes native plant combinations and drip irrigation).</i></p>	<p>In both Zone 1 and 2 attention will be paid to the potential threat posed by creeping and spot fire behavior.</p> <p>It's highly likely, given the number of lots 1/4 acre and less, that this zone will often overlap with neighboring property defensible space. It's also likely that assessments in areas with higher densities will be looked at as "neighborhoods" rather than individual properties.</p> <p>Individual consultations will occur in every case. Lots &lt;1/4 acre are dealing with zone 1 &amp; 2 for the most part.</p>

Village of Ruidoso Sec. 42-80 Fuels Management Standards page 2 (*informational items in italics*)

Defensible Space	Requirements	Recommendations	Comments
<p><b>Zone 3: Forest Woodland</b></p> <p>30-60 feet from structure <i>or deck</i></p>	<p>*Max densities for target vegetation: Pondo pine - 60 sq.ft.BA *Mixed Conifer - 60 sq.ft.BA *Pinon/Juniper - 20 sq.ft.BA .</p> <p><i>Minimum densities for target vegetation: Ponderosa pine - 40sq.ft. BA; Mixed conifer – 40sq.ft. BA; Pinon/Juniper – 20sq.ft. BA.</i></p> <p>*Remove all ladder fuels. *10 - 15' between <i>crowns</i> of native trees or "clumps" (max. 6 trees/clump). *10 - 15' between planting islands.</p> <p>*Prune <i>all species except ornamentals</i> min. 6' from ground or 25% of tree height which ever is less.</p> <p>*Removal of any tree &gt;16" DBH requires permit.</p> <p>*<b>Slash Treatment:</b> 1) If used, max. depth of wood chips is 2 inches; 2) Firewood stacks must not create nuisance. Beetle habitat reduction per Sec. 54-133(f); 3) No standing dead except optional three (3) non-hazardous, standing dead trees &gt;12" DBH per acre allowed for wildlife habitat; 4) All non-decomposing ground debris &gt; 5" diameter must be removed. 5) Remove all activity slash.</p>	<p>*Remove all <i>non-decomposing</i> pine needles and flammable ground materials.</p> <p>*<i>Additional fuels reduction:</i>                      *Ponderosa pine - 40 sq.ft.BA                      *Mixed Conifer - 40 sq.ft.BA                      *Pinon/Juniper - 20 sq.ft.BA</p> <p>*15 - 20' between stems of native trees or "clumps" (max. 6 trees/clump).</p> <p>*Prune <i>all species</i> min. 8 - 15' from ground or 25% of tree height which ever is less.</p> <p>*Where slopes exceed 25% approved <i>contour felling</i> is acceptable.</p> <p>*Forestry Department can explain BA (basal area) density and help calculate.</p>	<p>During the lot assessment, the property owner will be advised of the different marking prescriptions that will achieve the requirements but could result in different aesthetics (multi-story, even aged, park-like, etc.). The property owner will decide.</p> <p><b>Zones 1, 2 &amp; 3 constitute the minimum requirements around structures regardless of lot size. These zones have much to do with the ignitability of a structure and individual protection.</b></p>
<p><b>Zone 4: Property Perimeter Buffer (includes vacant and site development projects)</b></p> <p>60 feet – from structure out to the property line.</p>	<p>*Max densities for target vegetation: Ponderosa pine - 80 sq.ft BA *Mixed Conifer - 90 sq.ft.BA *Pinon/Juniper - 50 sq.ft.BA</p> <p><i>Minimum densities for target vegetation: Ponderosa pine - 40sq.ft. BA; Mixed conifer – 40sq.ft. BA; Pinon/Juniper – 20sq.ft. BA.</i></p> <p>*Remove all ladder fuels. *10 - 15' between crowns of native trees or "clumps" (max.7 trees/clump). *10 - 15' between planting islands.</p> <p>*Prune <i>all species except ornamentals</i> min. 6' from ground or 25% of tree height which ever is less. *Removal of any tree &gt;16" DBH requires permit.</p> <p>*<b>Slash Treatment:</b> 1) If used, max. depth of wood chips is 2 inches; 2) Firewood stacks must not create nuisance. Beetle habitat reduction as per 54-133(f); 3) No standing dead except optional three (3) non-hazardous, standing dead trees &gt;12" DBH per acre allowed for wildlife habitat; 4) All non-decomposing ground debris &gt;5" diameter must be removed. A maximum of three (3) downed logs greater than 12" in diameter per acre are allowed for wildlife habitat. 5) All activity slash within 120' of all structures, property lines, &amp; roads on slopes &gt; 40% must be removed.</p> <p><i>Alternative activity slash treatments may be approved by Director.</i></p>	<p>*<i>Additional fuels reduction:</i>                      *Ponderosa pine - 40 sq.ft.BA                      *Mixed Conifer - 60 sq.ft.BA                      *Pinon/Juniper - 20 sq.ft.BA</p> <p>*Prune <i>all species</i> min. 8 - 15' from ground or 25% of tree height which ever is less.</p> <p>*Consider coordination with neighboring properties.</p> <p>*Recommend treatment of entire property.</p> <p>*Where slopes exceed 25% approved <i>contour felling</i> is acceptable.</p> <p>*Forestry Department can explain BA (basal area) density and help calculate.</p>	<p><b>Treatment in this zone addresses wildfire rate of spread and intensity and firefighter safety.</b></p> <p>A property owner with &lt; 2.5 acres is required to treat all of the property. A property owner with &gt; 2.5 acres is required to implement Zones 1, 2, &amp; 3 around any structures &gt; 50 sq.ft. out to 60 feet. In addition, property owner shall create a buffer zone as described in zone 4. This buffer zone now starts at the property line and comes in 120 feet minimum.</p> <p><b>All commercial site development and subdivision approvals require treatment on all of the property.</b></p>

**Sec. 42-81 Fire Hazard Ratings Form**  
Forestry official will complete this form on site during the Lot Assessment

**Name:** \_\_\_\_\_

**Subdivision Design** POINTS

**Ingress/Egress**

- Two ways to evacuate neighborhood within 1000' 1 \_\_\_\_
- One way to evacuate neighborhood within 1000' 3 \_\_\_\_
- One way to evacuate neighborhood > 1000' away 5 \_\_\_\_

**Width of Primary Road @ driveway**

- 20 feet or more 1 \_\_\_\_
- Less than 20 feet 3 \_\_\_\_

**Accessibility**

- Road grade 5% or less (avg. within 1000') 1 \_\_\_\_
- Road grade more than 5% (avg. within 1000') 3 \_\_\_\_

**Secondary Road Terminus**

- Not a dead-end 0 \_\_\_\_
- Loop roads, cul-de-sacs with an outside radius of 45 feet or greater 1 \_\_\_\_
- Cul-de-sac turnaround 3 \_\_\_\_
- Dead-end roads 200 feet or less in length 3 \_\_\_\_
- Dead-end roads greater than 200 feet in length 5 \_\_\_\_

**Average Lot Size**

- 10 acres or larger 1 \_\_\_\_
- Larger than 1 acres, but less than 10 acres 3 \_\_\_\_
- 1 acres or less 5 \_\_\_\_

**Street Signs**

- Present 1 \_\_\_\_
- Not present 5 \_\_\_\_

**Vegetation (UWIC Definitions)**

**Fuel Types**

- Light 1 \_\_\_\_
- Medium 5 \_\_\_\_
- Heavy 10 \_\_\_\_

**Defensible Space (what is possible?)**

- More than 100 feet of treatment from buildings 1 \_\_\_\_
- Less than 100 feet of treatment from buildings 5 \_\_\_\_

**Adjacent Landscape (within 10 feet)**

**Installed Landscape (within 10 feet)**

- Xeriscape or dirt 0 \_\_\_\_
- Flame Resistant Plants 1 \_\_\_\_
- Flammable Plants 3 \_\_\_\_
- Flammable Ties and Timbers 5 \_\_\_\_

**Topography**

- Slope 10% or less 1 \_\_\_\_
- Slope more than 10%, but less than 20% 4 \_\_\_\_
- Slope more than 20%, but less than 30% 7 \_\_\_\_
- Slope 30% or more 10 \_\_\_\_

**Fire Protection** POINTS

**Fire Response**

- Property located in Village of Ruidoso 1 \_\_\_\_
- Property located in County 5 \_\_\_\_

**Water Supply**

- 500 GPM Hydrant within 1,000 feet 1 \_\_\_\_
- Hydrant farther than 1,000 feet or draft site 3 \_\_\_\_
- Water source 20 min or less, round trip 5 \_\_\_\_
- Water source farther than 20 min, round trip 10 \_\_\_\_

**Utilities (electric service)**

- Underground mains and service lines 1 \_\_\_\_
- Underground service lines only 3 \_\_\_\_
- Aboveground service lines 5 \_\_\_\_

**Construction Materials**

**Siding**

- Noncombustible 1 \_\_\_\_
- Combustible 5 \_\_\_\_

**Deck**

- Noncombustible 1 \_\_\_\_
- Decks over 6' w/noncombustible uprights 1 \_\_\_\_
- Combustible w/firesafe crawlspace 3 \_\_\_\_
- Combustible 5 \_\_\_\_

**Sofits**

- Parapet / Santa Fe style / 1hr. rated enclosed 0 \_\_\_\_
- Enclosed 1 \_\_\_\_
- Open 5 \_\_\_\_

**Windows**

- Low E 1 \_\_\_\_
- Double Pane 3 \_\_\_\_
- Single Pane 5 \_\_\_\_

**Roof**

- Class A Fire Rated 1 \_\_\_\_
- Class B Fire Rated 3 \_\_\_\_
- Class C Fire Rated 5 \_\_\_\_
- Non- Rated 10 \_\_\_\_

**Stem Walls/Structural Support**

- Non Combustible Enclosed 1 \_\_\_\_
- Combustible Enclosed 3 \_\_\_\_
- Non Combustible Post & Beam 5 \_\_\_\_
- Combustible Post & Beam 10 \_\_\_\_

**Address:** \_\_\_\_\_

**Permit No.:** \_\_\_\_\_

**FIRE HAZARD RATING** \_\_\_\_\_  
**Med= ≤59; High= 60-74; Extreme= ≥75**

**LOT ASSESSMENT FEE \$** \_\_\_\_\_

**APPROVED** \_\_\_\_/\_\_\_\_/\_\_\_\_

**FOOTPRINT DEBRIS FEE \$** \_\_\_\_\_

**BY** \_\_\_\_\_

# Explanation of Sec. 42-81 Fire Hazard Ratings Form categories

## Subdivision Design

- **Ingress/Egress** – In the event of a fire, how many ways within **1000 feet of the building site**, do fire trucks have to get in and evacuees get out of the neighborhood or subdivision? Ex: Parts of Upper Canyon (Main Road) have only one way in and one way out.
- **Width of Primary Road** – Can large fire trucks and evacuating vehicles pass by each other easily? Measure from centerline of road to edge of pavement. If unpaved measure to edge of 2X4 drivable surface. Then multiply by 2. Measure in feet.
- **Accessibility** – Steepness of the road can slow the response time of a fire truck full of water. Have the surveyor do this when the plot plan is being done. Measure average grade **within 1000 feet of building site**.
- **Secondary Road Terminus** – This has to do with maneuvering fire trucks safely as they arrive at your site. What best describes what yours looks like.
- **Average Lot Size** – Use the size on the plot plan if this is a single lot development. Use the average lot size if this is a subdivision development.
- **Street Signs** – Are there street signs present or will there be (subdivision development).

## Vegetation (UWIC definitions)

- **Fuels Types** – Relates to rate of fire spread in the general, adjacent area. **Light** fuels are those where average height of **predominant vegetation** is less than 3 feet tall. **Medium** is 3 feet to 6 feet tall. **Heavy** is greater than 6 feet tall. Predominant vegetation covers the majority of ground when viewed as a landscape or “bird’s eye” view.
- **Defensible Space** – Achieving compliance with Sec. 42-80 Fuels Management Standards requires a **Forestry Department final inspection**. The lot size will determine if you can achieve 100’ of defensible space around the structure. If you are building in a high density area, a distance of 100 feet from your structure may include adjacent lots. The condition of adjacent lots within 100 feet will not affect your rating calculation.
- **Adjacent Landscape (within 10 feet)** – This refers to planted vegetation. In general, if you are watering or irrigating a planting bed, it is considered non-flammable. See *Firewise Plant Materials* for a detailed list.

**Topography** – Your surveyor can establish this per the plot plan. The Forester will verify in the field. This is the same as required on the site development plan.

## Fire Protection

- **Water Supply** – All Village fire hydrants are considered to produce a minimum of 500 gallons per minute. 1,000 feet is measured from the hydrant to the structure. A draft site can be a lake, pond, tank, swimming pool, etc that has a minimum of 3000 gallons. Where no hydrants exist, check with your Fire Department to determine round trip time frames.

**Utilities** – This refers to **ELECTRIC POWER ONLY** and **does not include communications**. Main lines run along roads and easements. Service lines are those that connect to your structure.

## Construction Material

- **Siding** - Non-combustible siding includes but not limited to stucco, rock, concrete, brick, metal, true log construction, adobe, and concrete block. Combustible siding includes wood, T-111 plywood and composition materials. Check with the manufacturer.
- **Decks** – Non-combustible decking material includes metal or composites like Trek. Non-combustible uprights include metal and heavy timbers (8”x8” post and beam). Non-combustible crawlspace are built solid with non-combustible material or skirted with ¼”x ¼” wire mesh for decks with an average height of less than 2 feet above grade. Check with the manufacturer.
- **Sofits** – Class I (1hr. enclosed): Faccia = 2”x 4”, 6”, 8”, Soffit = 5/8” FireX sheetrock underlay or stucco with no venting. Class II: Faccia = 1”x 4”, 6”, 8” lumber, Soffit = 1” material, no venting
- **Windows** - Low E windows have high reflectivity properties. They are marked in the corner of the pane like tempered glass is labeled. These may be used in one area or on one side of structure to reduce rating.
- **Roofing** – Check with roofing suppliers or manufacturers for proper assembly of roof materials and roof classifications A, B, or C.
- **Stem Wall** – Non-combustible material includes block, stucco, concrete and ¼ “x ¼” wire mesh. Non-combustible post and beam includes: metal poles and heavy timber (8”x8” or >).

**Sec. 58-46 reserved**

**Sec. 70-3. Garbage containers.**

- (a) The council shall promulgate regulations prescribing the containers system to be used by village garbage customers.**
- (b) No person shall deposit any amount of garbage, refuse or yard waste in a manner inconsistent with the regulations promulgated by the village pursuant to this chapter.**

**Sec. 70-6 reserved.**

**Sec 70-6.1 reserved**