

THIS AMENDMENT PASSED ON A 6-3 VOTE.
For: Baca, Fiebelkorn, Grout, Lewis, Peña, Rogers
Against: Bassan, Champine, Sanchez

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

December 16, 2024

FLOOR AMENDMENT NO. 1 TO O-24-59

AMENDMENT SPONSORED BY COUNCILORS Baca & Rogers

1. Beginning on page 2, line 26, amend section 14-3-3-2(A)(1)(c) as follows:

[(c) Every dwelling unit ~~[and guest room]~~ shall be provided with cooling facilities ~~[capable of maintaining a room temperature of 80° F or lower at a point of three feet above the floor in all habitable rooms. Such facilities shall be installed and maintained in a safe condition and in accordance with the city's currently adopted New Mexico Mechanical Code as adopted in the UAC].~~

[(i) Acceptable cooling facilities are fixtures that are permanently attached to the unit, including but not limited to: evaporative (“swamp”) coolers, central air conditioning, heat pumps, radiant cooling, window units, and mini-splits.

[(ii) Non-acceptable cooling facilities are temporary and/or portable devices such as fans, mobile evaporative coolers, and portable air conditioners, circulating devices such as ceiling fans, and ventilation systems and when used as the sole source of cooling for a unit, do not satisfy the requirements of this Section.]

Explanation: This amendment proposes to clarify the types of cooling facilities that would satisfy the requirements of this ordinance.

THIS AMENDMENT PASSED ON A 8-1 VOTE.
For: Baca, Bassan, Champine, Fiebelkorn, Grout, Lewis, Peña, Rogers
Against: Sanchez

CITY COUNCIL
of the
CITY OF ALBUQUERQUE

December 16, 2024

FLOOR AMENDMENT NO. 2 TO O-24-59 (blueline)

AMENDMENT SPONSORED BY COUNCILOR Fiebelkorn

1. Beginning on page 2, line 26, amend section 14-3-3-2(A)(1)(c)(ii) as follows:

[(ii) Non-acceptable cooling facilities are temporary and/or portable devices such as fans, mobile evaporative coolers, and portable air conditioners, circulating devices such as ceiling fans, and ventilation systems and when used as the sole source of cooling for a unit, do not satisfy the requirements of this Section.] [These types of cooling facilities may only be used as a sole source of cooling on a temporary basis when the permanent acceptable cooling facility is being repaired or replaced.]

Explanation:

This amendment aims to protect the property owner from receiving a citation for using “non-acceptable cooling facilities” as the sole source of cooling while they are in the process of repairing or replacing the permanent acceptable cooling facility.

This amendment would allow the temporary use of fans, mobile/portable coolers, etc. as the sole cooling source without being penalized.

This exemption already exists in the UHC for heating and this amendment would mirror this language for cooling.

“Approved portable space heaters may only be used as the sole source of

heating on a temporary basis when the permanent heating system is being repaired or replaced.”

THIS AMENDMENT FAILED ON A 3-6 VOTE.
For: Fiebelkorn, Peña, Rogers
Against: Bassan, Baca, Champine, Grout, Lewis, Sanchez

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

December 16, 2024

FLOOR AMENDMENT NO. 3 TO O-24-59 (blueline)

AMENDMENT SPONSORED BY COUNCILORS Fiebelkorn

1. Beginning on page 2, line 26, amend section 14-3-3-2(A)(1)(c) as follows:

[(c) Every dwelling unit ~~[and guest room]~~ shall be provided with cooling facilities ~~[capable of maintaining a room temperature of 80° F or lower at a point of three feet above the floor in all habitable rooms. Such facilities shall be installed and maintained in a safe condition and in accordance with the city's currently adopted New Mexico Mechanical Code as adopted in the UAC].~~ ~~[Cooling facilities shall be installed and maintained in a safe condition and in accordance with the City's currently adopted New Mexico Mechanical Code as adopted in the UAC.]~~

Explanation:

This amendment would clarify that cooling facilities must be installed and maintained in a safe condition, including following the [New Mexico Mechanical Code](#) and the [Uniform Administrative Code](#), which both include provisions related to cooling systems.

THIS AMENDMENT FAILED ON A 2-7 VOTE.

For: Baca, Fiebelkorn

Against: Bassan, Champine, Grout, Lewis, Peña, Rogers, Sanchez

**CITY COUNCIL
of the
CITY OF ALBUQUERQUE**

December 16, 2024

FLOOR AMENDMENT NO. 4 TO O-24-59 (blueline)

AMENDMENT SPONSORED BY COUNCILORS Fiebelkorn

1. Beginning on page 2, line 26, amend the first sentence of Section 14-3-3-2(A)(1)(c) to add “In residential rental properties” as follows:

[(c) [In residential rental properties, e][E]very dwelling unit [and guest room] shall be provided with cooling facilities [capable of maintaining a room temperature of 80° F or lower at a point of three feet above the floor in all habitable rooms. Such facilities shall be installed and maintained in a safe condition and in accordance with the city's currently adopted New Mexico Mechanical Code as adopted in the UAC].

2. On page 3, line 22 insert “residential rental” in Section 14-3-4-7 as follows:

All heating [and [residential rental] cooling] facilities shall be free from health hazards associated with ventilation, mounting, and gas connections and other defects.

3. On page 4, line 11, insert “residential rental” in Section 14-3-4-2(F) as follows:

(F) Lack of, or not properly operative adequate heating [and [residential rental] cooling] facilities.

Explanation: This amendment would make the cooling requirements of this Ordinance applicable only to residential rental housing units in the City.