



# City of Santa Fe, New Mexico

## Memorandum



Date: February 18, 2025

To: Governing Body  
Finance Committee  
Quality of Life Committee

From: Geronimo Griego, Fire Marshal GGG

Via: Sten Johnson, Assistant Chief SJ  
Brian Moya, Fire Chief BM

Re: Memorandum of Understanding (MOU) between the Department of Homeland Security and Emergency Management, State Fire Marshal's Office and City of Santa Fe Fire Department

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### Item and Issue

Request approval of Memorandum of Understanding (MOU) between the New Mexico Department of Homeland Security and Emergency Management, State Fire Marshal's Office and the City of Santa Fe Fire Department to allow the Santa Fe Fire Department to conduct and/or assist the State Fire Marshal's Office with fire code inspections. (Geronimo G. Griego, Fire Marshal, [gggriego@santafenm.gov](mailto:gggriego@santafenm.gov))

### Background and Summary

The Santa Fe Fire Department currently partners with the State Fire Marshal's Office to conduct or assist with fire code inspections with the City of Santa Fe. Under NMSA 1978, Section 59A-52-15, the State Fire Marshal is responsible for adopting fire prevention and control regulations. Section 59A-52-19 authorizes the use of designated agents to enforce these provisions, and Section 59A-52-5 allows the State Fire Marshal to collaborate with other agencies. This agreement is intended to formalize and activate these statutory provisions.

This Memorandum of Understanding (MOU) does not prevent the City of Santa Fe Fire Department or the State Fire Marshal's Office from requesting assistance from one another for fire code enforcement inspections or origin and cause investigations. The State Fire Marshal Division retains the right to conduct inspections or investigations of state buildings per the terms outlined in this agreement.

The City of Santa Fe Fire Department will:

- Assume responsibility for conducting fire code inspections in accordance with this MOU.
- Maintain proper documentation and store records of all activities.
- Provide relevant inspection reports and records to the State Fire Marshal's Office as required.
- Follow current accepted procedures and ensure compliance with state codes and regulations.
- Use existing City of Santa Fe Fire Department forms to document all activities.

**Recommended Action**

**Review and approval of the Memorandum of Understanding (MOU) between the New Mexico Department of Homeland Security and Emergency Management, State Fire Marshal's Office and the City of Santa Fe Fire Department to allow the Santa Fe Fire Department to conduct and/or assist the State Fire Marshal's Office with fire code inspections.**



MEMORANDUM OF UNDERSTANDING BETWEEN  
THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY  
MANAGEMENT, STATE FIRE MARSHAL'S OFFICE  
AND  
LOCAL GOVERNMENTS OPERATING NEW MEXICO FIRE DEPARTMENTS

**PURPOSE:** To have a cooperative agreement between Fire Departments (or Districts) and the Department of Homeland Security and Emergency Management, State Fire Marshal's Office. To promote fire and life safety by conducting and/or assisting the State Fire Marshal's Office with fire code inspections, to enter upon building and premises for the purpose of examination and inspection, when deemed beneficial to both parties.

**SCOPE:** The State Fire Marshal shall adopt rules and regulations (fire codes) for prevention and control of fires (NMSA 1978, Section 59A-52-15) and may use an authorized officer or designated agent to enforce these provisions (NMSA 1978, Section 59A-52-19). The State Fire Marshal is authorized to cooperate with agencies in this state (NMSA 1978, Section 59A-52-5). Therefore, this agreement is implemented to activate the above provisions, as indicated below.

**COOPERATIVE DISCLAIMER:** This Memorandum of Understanding does not prohibit the City of Santa Fe Fire Department or the State Fire Marshal's Office from requesting assistance from each other pertaining to any fire code enforcement inspection or origin and cause investigation. The State Fire Marshal Division reserves the right to conduct any inspection or investigation of state buildings in accordance with this memorandum of understanding.

**METHODOLOGY:** The City of Santa Fe Fire Department shall assume the responsibility for conducting the indicated activities in a timely manner, document and store the appropriate records and provide information of such activities as required by the State Fire Marshal's Office. The City of Santa Fe Fire Department shall conduct such activities following current accepted procedures and in adherence to state codes and/or rules. Activities may be documented on forms currently used by the City of Santa Fe Fire Department.

**PARTICIPATING LOCAL GOVERNMENT:** City of Santa Fe

Full name of local government: City of Santa Fe

County: Santa Fe

Fire Departments Included in this Partnership Agreement: City of Santa Fe Fire Department

Name of Municipal Fire Chief (and/or Marshal)

City of Santa Fe Fire Chief: Brian Moya

City of Santa Fe Fire Marshal: Geronimo Griego

**Fire Code Enforcement Inspections ACCEPTED:** The City of Santa Fe Fire Department accepts responsibility for the following code enforcement activities (this memorandum of understanding does not include the inspection of state-owned or leased buildings except for as permitted below). Please select all that apply:

None

Conduct all fire-related investigation within the district's/Department's jurisdictional boundaries only.

Conduct all fire code inspections within the district's/Department's jurisdictional boundaries only.

**Detail:** As needed, the fire code inspections of Santa Fe Public Schools may be conducted in collaboration with the State of NM Fire Marshal's Office.

Conduct plans review and acceptance testing of suppression and detection systems (including all other types of fire protection systems).

**Detail:** Inspect for code compliance all life safety equipment on the inspected premises, as listed here: Fire Sprinkler Systems, Fire Alarm Systems, Fire Hood Suppression Systems, Fire Extinguishers, Fire Pumps, Alternative Fire Protection Systems, and scope of work related to life safety equipment

Cannabis extraction facilities and distilleries shall be conducted in collaboration with the State of NM Fire Marshal's Office.

Indicate below all property types that your District/Department declines to accept code inspections and enforcement responsibility for (e.g., Public Schools, Charter Schools, Universities and Colleges, etc.)

- Federal, State, County and Military Facilities and Tribal Lands.
- All plans review and acceptance testing of life safety equipment for Santa Fe Public Schools and the City of Santa Fe facilities will be referred to the State Fire Marshal's Office.

**For Schools, Charter Schools, Universities and Colleges: A report of the school(s) name, address, date of inspection, and name of Department's personnel performing the inspection will be sent to the State Fire Marshal's Office, Code Enforcement Bureau, upon request, but no more frequently than once each calendar year. Full reports are not required.**

Please provide copies of all training records and certifications for those personnel performing plan reviews, acceptance testing, or fire code enforcement inspections to the State Fire Marshal's Office.

The City of Santa Fe Fire Department must also provide the State Fire Marshal's Office with copies of all fire code inspections, plan reviews, and acceptance testing records as regularly requested by the Fire Marshal's Office. The State Fire Marshal's Office will regularly audit these inspections, reviews, and records to ensure compliance with current Fire Codes 10.25.5.1-10.25.5.20 NMAC, Title 10, Public Safety and Law Enforcement, Chapter 25, Emergency Management, Part 5.

If at any time the City of Santa Fe Fire Department is unable to fulfill its responsibilities as the authority having jurisdiction, it will notify the State Fire Marshal's Office in writing within 30 days.

RESPONSIBILITIES OF THE STATE FIRE MARSHAL'S OFFICE, DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT: The State Fire Marshal's Office retains all code enforcement and inspection responsibility for all other state buildings in the City of Santa Fe Fire Department district.

THIS AGREEMENT BECOMES EFFECTIVE as of the date set forth below upon which it is executed by the Parties, shall have a term of five (5) years from the effective date, and can be extended by mutual agreement of the City of Santa Fe Fire Department and the New Mexico State Fire Marshal's Office in writing.

**Local Fire Chief or Fire Marshal:**

Fire Marshal Geronimo Griego

Printed Name of Local Fire Chief or Fire Marshal

Geronimo Griego

Geronimo Griego (Feb 7, 2025 10:02 MST)

Signature

Feb 7, 2025

Date

**State Fire Marshal or designee:**

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Printed Name of State Fire Marshal or designee:

Randy Varela Digitally signed by Randy Varela  
Signature Date: 2025.02.07 08:15:35 -07'00'

\_\_\_\_\_  
Date

**City/Local Entity:**

Alan Webber, Mayor  
Printed Name of Local Executive Official (e.g., Mayor):

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**ATTEST:**

\_\_\_\_\_  
ANDRÉA SALAZAR, CITY CLERK

CITY ATTORNEY'S OFFICE:

Francisco Quiroz Feb 11, 2025  
ASSISTANT CITY ATTORNEY

**Signature:** Geronimo Griego  
Geronimo Griego (Feb 21, 2025 17:38 MST)  
**Email:** gggriego@santafenm.gov

**Signature:** STEVE JOHNSON  
**Email:** sajohnson@santafenm.gov

**Signature:** BRIAN MOYA  
BRIAN MOYA (Feb 24, 2025 10:54 MST)  
**Email:** bjmoya@santafenm.gov