

# SANTA FE COUNTY

*Ordinance No.* 1989-8

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2 AN ORDINANCE TEMPORARILY BANNING THE SALE OR USE OF  
3 PERMISSIBLE FIREWORKS AS DEFINED IN SANTA FE COUNTY ORDINANCE  
4 1988-3 WITHIN THE COUNTY OF SANTA FE, ENJOINING THE ISSUANCE  
5 OF RETAIL SALE LICENSES, PRESCRIBING PENALTIES, AND DECLARING  
6 AN EMERGENCY.

7 **Section 1: Findings and Purpose**

8 Section 1.1: The Board of County Commissioners of Santa Fe  
9 County FINDS that the danger of range and forest fires is  
10 greater during this 1989 summer season that at any time in the  
11 County's history due to continuing dry weather conditions and  
12 a dry winter.

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14 Section 1.2: The Board DECLARES these circumstances to be an  
15 EMERGENCY because the use of permissible fireworks, as defined  
16 in Santa Fe County Ordinance 1988-3 as amended, by private  
17 citizens constitutes an immediate danger to the public health,  
18 safety and welfare of the County.

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20 Section 1.3: The Board further FINDS that the most convenient  
21 expeditious, and easily enforceable method of enjoining the  
22 use of permissible fireworks is to temporarily ban the use and  
23 sale of permissible fireworks during the 1989 summer season.

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## Section 2: Order and Penalties

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Section 2.1: The sale or use of permissible fireworks as defined in Santa Fe County Ordinance 1988-3, as amended, within Santa Fe County is PROHIBITED as of the effective date of this Ordinance. Any individual, firm, partnership or corporation convicted of violating this Section shall be punished for each offense by a fine not to exceed \$300.00 or by imprisonment for up to ninety days, or by both the fine and imprisonment as provided in Section 4-37-3 N.M.S.A. 1978.

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Section 2.2: The County Fire Marshal shall not issue any licenses authorizing the retail sale of permissible fireworks as of the effective date of this Ordinance.

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Section 2.3: Nothing contained in this Ordinance shall be construed to restrict the authority or responsibility of the County Fire Marshal or the County Sheriff under the provisions of Santa Fe County Ordinance 1988-3 except as specifically provided herein. Should any Section or Subsection of this Ordinance be declared invalid for any reason, no other Section or Subsection shall be deemed invalidated thereby.

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Section 3: Effective Date

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Section 2.4: Nothing contained in this Ordinance shall be construed in any manner as to affect the lawful Public Display of fireworks as provided in Santa Fe County Ordinance 1988-3 as amended.

Section 3.1: This Ordinance shall be effective thirty (30) days after it is adopted and filed in the Office of the County Clerk.

Section 3.2: No Notice by Publication is required prior to the adoption of this Ordinance because of the EMERGENCY declared pursuant to Section 4-37-7(C) N.M.S.A. 1978.

PASSED, APPROVED, AND ADOPTED On this 10th day of July, 1989.

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SANTA FE BOARD OF COUNTY COMMISSIONERS

*Nancy Rodriguez*  
Nancy Rodriguez, Chairwoman

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

*Norman Osborne*  
Norman Osborne, Esq. County Attorney

CERTIFICATE

I, the undersigned County Clerk, do hereby certify that the above Ordinance was duly adopted by the Santa Fe Board of County Commissioners at a regular meeting. The Ordinance was filed in the Office of the County Clerk on the 12<sup>th</sup> day of July, 1989, in Ordinance Book 652, page 619-622.

A T T E S T:

*Jona G. Armijo*  
Jona G. Armijo, County Clerk



682-950  
COUNTY OF SANTA FE )  
STATE OF NEW MEXICO )  
I hereby certify that this instrument was filed  
for record on the 12<sup>th</sup> day of July A.D.  
19 89 at 5:40 o'clock P.M.  
and was duly recorded in book 652  
page 619-622 of the records of  
Santa Fe County.

Witness my Hand and Seal of Office  
Jona G. Armijo  
County Clerk, Santa Fe County, N.M.

*Jona G. Armijo*  
Deputy