

**SANTA FE COUNTY
RESOLUTION NO. 2012 - 113**

A Resolution Supporting Fireworks Licensing and Safety

WHEREAS, 2,427,023 acres burned across New Mexico between 2008-2011, roughly two times the 2002-2007 acreage of 1,357,887;

WHEREAS, according to statistics from the National Interagency Fire Center (NIFC), the New Mexico average number of fires between 2008-2011 was 1,328 and between 2002-2007 was 1,681 a decrease in the average fires; however between 2008-2011 the average acres burned per fire was 415.65, almost four times the 2002-2007 average acres per fire which was 113.61;

WHEREAS, the risk to life, property and the environment clearly exists within New Mexico, due to the extremely dry conditions; and

WHEREAS, extreme fire situations can severely tax current local, state, and federal resources;

WHEREAS, the 1999 amendments to the Fireworks Licensing and Safety Act ("the Act"), NMSA 1978, Sections 60-2C-1 through 60-2C-11, authorized governing bodies of counties to limit and restrict the sale and use of fireworks within the unincorporated portions of the County under certain circumstances;

WHEREAS, Section 60-2C-8.1.E of the Act authorizes the governing body of a county to hold a hearing to determine if fireworks restrictions should be imposed within the unincorporated portions of the county affected by extreme or severe drought conditions, with the findings of the governing body to be based on current drought indices published by the National Weather Service and any other relevant information supplied by the U.S. Forest Service;

WHEREAS, pursuant to 60-2C-8.1 F of the Act, the governing body of a county shall issue a proclamation declaring extreme or severe drought conditions within the unincorporated portions of the county if the governing body determines such conditions exist;

WHEREAS, pursuant to 60-2C-8.1 F of the Act, the governing body has the authority within such a proclamation to ban the sale or use of various classes of fireworks within the unincorporated portions of the county if the governing body determines extreme or severe drought conditions exist within the unincorporated portions of the county; and

WHEREAS, the National Integrated Drought Information System has determined and found that extreme or severe drought conditions do exist within the unincorporated

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portions of the counties, with such findings being based on current drought indices published by the national weather service or relevant information supplied by the U.S. Forest Service.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of County Commissioners for Santa Fe County supports legislation that would amend NMSA 1978, Section 60-2C-8.1 (B)(1) (1999) and NMSA 1978, Section 60-2C-8.1 (F)(1) (1999) to include "roman candles, mines and shells."

APPROVED, ADOPTED AND PASSED this 11th day of SEPT, 2012.

BOARD OF COUNTY COMMISSIONERS

By: _____

Liz Stefanus
Liz Stefanus, Chair

ATTEST:

Valerie Espinoza
Valerie Espinoza, County Clerk



APPROVED AS TO FORM:

Stephen C. Ross
Stephen C. Ross, County Attorney

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
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I Hereby Certify That This Instrument Was Filed for Record On The 13TH Day Of September, 2012 at 10:53:21 AM And Was Duly Recorded as Instrument # 1681309 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office Valerie Espinoza
Deputy *Marcella* County Clerk, Santa Fe, NM



REC'D - COUNTY CLERK - RECORDED - 09/13/2012