SANTA FE COUNTY
Ordinance No. 2005-6

AN EMERGENCY ORDINANCE DECLARING HAZARDOUS FIRE CONDITIONS AND IMPOSING RESTRICTIONS ON FIREWORKS, OPEN FIRES, SMOKING AND OTHER IGNITION SOURCES WITHIN SANTA FE COUNTY

Be it ordained by the Board of Santa Fe County Commissioners:

A. The Board of County Commissioners hereby **FINDS**:

1. The danger of range fires, brush fires, grass fires, forest fires and structure fires is extremely high in Santa Fe County.
2. Current fire conditions such as low relative humidity, weather, and fuel content and condition are extremely high in Santa Fe County.
3. The probability of ignition of materials and fire spread is extremely high in Santa Fe County.
4. In recent months, the Santa Fe County Fire Department has responded to numerous brush, grass, range and forest fires throughout Santa Fe County.
5. Many of the above fires have threatened structures/homes in Santa Fe County.
6. Many of these fires have been started by agricultural and other open burning, campfires and/or smoking.
7. In light of these conditions, the U. S. Forest Service and New Mexico State Forestry could also implement fire restrictions in the Santa Fe area.

B. The Santa Fe Board of County Commissioners, therefore, declares that the dry conditions and high fire hazards represent a significant and immediate threat to the safety, health and welfare of Santa Fe County.

C. **WHEREFORE**, the Santa Fe Board of County Commissioners ADOPTS the following prohibitions:

1. Campfires
2. Open fires of any kind
3. Open burning of vegetation or rubbish
4. Use of aerial and ground audible fireworks as follows:
   a. Aerial spinners, helicopters, mines, missile-type rockets, roman candles, shells, stick-type rockets.
   b. Chasers and firecrackers

SFC CLERK RECORDED 07/22/2005

5. Smoking within a County park, campground or any wildland area except within an enclosed vehicle or building or littering on public roadways/areas with ignited smoking materials.
6. Unauthorized use of off-road vehicles, motor-bikes and chain saws within County parks, campground and wildland areas.
7. The issuance of licenses or permits for open burning.

D. Nothing in this emergency ordinance shall be construed to limit the authority or responsibilities of the Santa Fe County Fire Marshal or the Santa Fe County Sheriff under the provisions of other ordinances.

E. Public displays of fireworks as defined in Santa Fe County ordinance 1988-3 are permitted in strict conformance with the requirements and conditions for public displays set forth in that ordinance.

F. Any individual, firm, partnership or other entity found violating this emergency ordinance shall be deemed guilty of a petty misdemeanor and shall be punished by imprisonment for up to ninety days or a fine not to exceed three hundred dollars, or both.

G. If any paragraph or provision of this ordinance is adjudged to be invalid for any reason, the remainder of this emergency ordinance, not so adjudged, shall remain in full force and effect.

H. This ordinance shall take effect immediately and shall remain in effect for thirty (30) days.

APPROVED, ADOPTED AND PASSED this 12th day of July, 2005.

BOARD OF COUNTY COMMISSIONERS

Michael Anaya, Chairman

Approved as to Form:

Santa Fe County Attorney

Attest:

County Clerk

SFC CLERK RECORDED 07/22/2

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
BCC RESOLUTIONS
PAGES: 2

I Hereby Certify That This Instrument Was Filed for Record On The 22ND Day Of July, A D., 2005 at 13 52 And Was Duly Recorded as Instrument # 1389947
Of The Records Of Santa Fe County

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

Deputy

COUNTY CLERK SANTA FE COUNTY NEW MEXICO VALERIE ESPINOZA