

# SANTA FE COUNTY

Ordinance No. 2006- 4

## AN EMERGENCY ORDINANCE DECLARING HAZARDOUS FIRE CONDITIONS WARRANTING RESTRICTIONS ON OPEN FIRES AND SMOKING WITHIN SANTA FE COUNTY

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

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

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.

**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. 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.

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5. Unauthorized use of off-road vehicles, motor bikes and chain saws within County parks, campground and wildland areas.
6. The issuance of licenses or permits for open burning.
7. Except as specifically set forth herein, 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.
8. 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.
9. Any individual, firm, partnership or other entity found violating this emergency ordinance shall be deemed guilty of a misdemeanor and shall be punished by imprisonment for up to 90 days or a fine not to exceed three hundred dollars (\$300) or both.
10. Each and every occasion on which this emergency ordinance is violated shall be considered a separate offense.
11. If any paragraph or provisions of this emergency 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.
12. This emergency ordinance shall take effect immediately upon its passage.
13. This emergency ordinance, including any extension, shall remain in effect until the Fire Marshal determines that the fire danger has alleviated or for a period of one year, whichever comes first.

**APPROVED, ADOPTED AND PASSED this 28th day of March, 2006.**

**BOARD OF COUNTY COMMISSIONERS**

*[Signature]*  
 Harry B. Montoya, Chairman



*[Signature]*  
 Valerie Espinoza  
 County Clerk



Approved as to Form:

*[Signature]*  
 Stephen C. Ross  
 Santa Fe 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 3RD Day Of April, A.D., 2006 at 11:21 And Was Duly Recorded as Instrument # 1427140 Of The Records Of Santa Fe County

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

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