

SANTA FE COUNTY

ORDINANCE NO. 2018-2

**AN EMERGENCY ORDINANCE DECLARING HAZARDOUS FIRE
CONDITIONS AND IMPOSING RESTRICTIONS ON
OPEN FIRES, SMOKING AND OTHER IGNITION SOURCES**

Be it ordained by the Board of County Commissioners of Santa Fe County (BCC) that because the current dry conditions and fire hazards represent an immediate danger to the public health, safety and welfare of the county, the following prohibitions are hereby **ADOPTED**:

1. Consistent with its authority to provide for the safety and to preserve the health of the residents of this County, and pursuant to NMSA 1978, Sections 4-37-1 and 59A-52-18, the following are prohibited for a period of ninety (90) days within the unincorporated areas of Santa Fe County:
 - a. Campfires
 - b. Open fires of any kind
 - c. Open burning of vegetation or rubbish
 - d. Smoking within a County park, campground or any wildland area except within an enclosed vehicle or building
 - e. Littering on public roadways/areas with ignited smoking materials
 - f. Use of off-road vehicles and motor bikes within county parks, campground and wild land areas
 - g. The issuance of licenses or permits for open burning except as noted below.
2. The Fire Chief or Fire Marshal shall have the authority to grant exemptions from the Emergency Ordinance for an applicant seeking a burn permit. The exemption shall be granted by issuing the burn permit only after the Fire Chief or Fire Marshal has determined that adequate fire protection is available and all reasonable measures have been taken to mitigate the risk posed by the proposed burn.
3. Nothing herein 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.
4. Pursuant to NMSA 1978, Section 4-37-3, any individual, firm, partnership or other entity found violating this emergency ordinance shall be deemed guilty of a petty misdemeanor and may be punished by imprisonment for up to ninety days or a fine not to exceed three hundred dollars, or both.

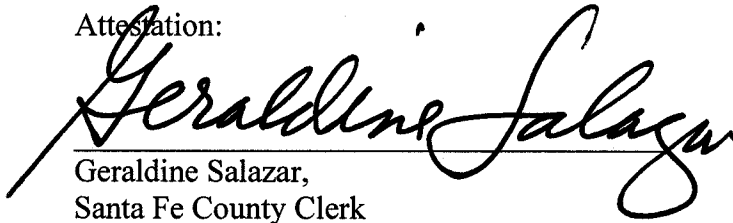
5. If any article, section or provision of this Ordinance is deemed invalid or void, the remaining portions shall not be effected and shall be enforced accordingly.
6. The Board of County Commissioners hereby declares an emergency relating to fire conditions within the County, which is an immediate danger to the public health, safety and welfare of the County and its residents, and the ordinance shall take effect immediately upon adoption by the Board of County Commissioners and recordation by the County Clerk as required by statute. Due to the declared emergency and danger, no publication is required pursuant to Section 4-37-7. This Ordinance shall remain in effect for ninety days.

APPROVED, ADOPTED AND PASSED this 10th day of April, 2018.

BOARD OF COUNTY COMMISSIONERS



 Anna Hansen, Chair

Attestation:


 Geraldine Salazar,
 Santa Fe County Clerk



Approved as to form:

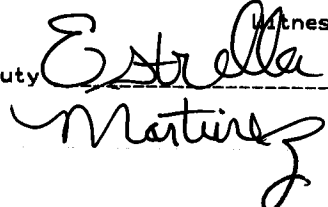

 R. Bruce Frederick,
 Santa Fe County Attorney



COUNTY OF SANTA FE)
 STATE OF NEW MEXICO) ss

BCC ORDINANCE
 PAGES: 2

I Hereby Certify That This Instrument Was Filed for
 Record On The 11TH Day Of April, 2018 at 11:42:43 AM
 And Was Duly Recorded as Instrument # **1854701**
 Of The Records Of Santa Fe County

Deputy  Witness My Hand And Seal Of Office
 Geraldine Salazar
 County Clerk, Santa Fe, NM