

SANTA FE COUNTY

RESOLUTION NO. 2008-93

A RESOLUTION DECLARING HAZARDOUS FIRE CONDITIONS AND IMPOSING RESTRICTIONS ON THE SALE AND USE OF CERTAIN FIREWORKS

WHEREAS, an immediate and present danger of range fires, brush fires, grass fires, forest fires and structure fires exists within Santa Fe County due to persistent drought and lack of moisture; and

WHEREAS, low relative humidity, dry weather, and wind have resulted in conditions of very high risk of fires; and

WHEREAS, given these circumstances, the probability of ignition of materials and the spread of fire is very high and poses a severe threat to persons and property; and

WHEREAS, the recent wildfire in the Manzano Mountains just south of Santa Fe County has burned thousands of acres and many structures and homes; and

WHEREAS, in recent weeks, the Santa Fe County Fire Department has responded to numerous brush, grass, range and forest fires and some of the fires have threatened structures and homes; and

WHEREAS, the use of certain fireworks under these conditions increases the risk of accidental fires that may result in personal injury or significant property damage; and

WHEREAS, other government entities, including Bernalillo County, the City of Santa Fe, and New Mexico Forestry Division have already implemented restrictions on the sale and use of fireworks within their respective jurisdictions in an effort to prevent accidental fires.

NOW THEREFORE, the Board of County Commissioners of Santa Fe County hereby resolves as follows:

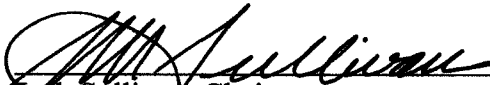
1. The current conditions and very high fire hazards represent a significant and immediate threat to the life, safety, health and welfare of residents of Santa Fe County, and to public and private property, located within the County;

2. Consistent with its authority pursuant to NMSA 1978, Section 60-2C-1 to 60-2C-11, the following are prohibited for a period of thirty (30) days within the unincorporated areas of Santa Fe County:
 - a. Sale and use of aerial fireworks to include aerial shell kit-reloadable tubes, aerial spinners, helicopters, mines, missile-type rockets, multiple tube devices, roman candles, shells, stick-type rockets
 - b. Sale and use of ground audible devices to include chasers and firecrackers.
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. Public displays of fireworks as defined by Santa Fe County Ordinance No. 1988-3 shall be permitted.

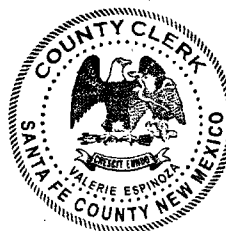
A. This Resolution shall take effect immediately and shall remain in effect for thirty days.

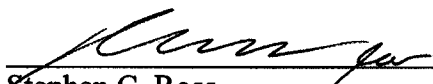
APPROVED, ADOPTED AND PASSED this 10th day of June, 2008.

BOARD OF COUNTY COMMISSIONERS


 Jack Sullivan, Chair

Approved as to form:



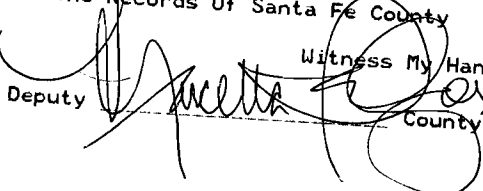

 Stephen C. Ross,
 Santa Fe County Attorney




 Valerie Espinoza,
 Santa Fe County Clerk

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

I Hereby Certify That This Instrument Was Filed for Record On The 18TH Day Of June, A.D., 2008 at 09:45 And Was Duly Recorded as Instrument # 1529320 Of The Records Of Santa Fe County

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