

SANTA FE COUNTY

RESOLUTION NO. 2022-032

**A RESOLUTION TO PROCLAIM EXTREME OR SEVERE DROUGHT
CONDITIONS WITHIN SANTA FE COUNTY AND TO BAN THE SALE AND
USE OF CERTAIN FIREWORKS IN THE UNINCORPORATED PORTIONS OF
THE COUNTY AND WITHIN WILDLANDS IN THE COUNTY**

WHEREAS, On April 25, 2022, Governor Lujan Grisham issued Executive Order 2022-022 urging municipal and county governments to consider firework bans;

WHEREAS, On April 26, 2022, Santa Fe County (County) adopted Emergency Ordinance 2022-02 Declaring Hazardous Fire Conditions and Imposing Restrictions on Open Fires, Smoking and Other Ignition Sources;

WHEREAS, on April 23, 2022, the New Mexico State Forester banned the use of fireworks citing abnormally warm temperatures, low humidity, high winds and the abundance of dry fuel material increase the chances of fire incidents;

WHEREAS, the United States Bureau of Land Management enacted Fire Prevention Order #NMF910-22-01 prohibiting fireworks and exploding targets;

WHEREAS, the State of New Mexico Energy, Minerals and Natural Resources Department (EMNRD) Forestry Division announced restrictions on fireworks, smoking, campfires, and open fires in New Mexico as of April 22, 2022;

WHEREAS, EMNRD has urged coordination with other jurisdictions, including counties, to ensure that appropriate protections are in place to protect New Mexico as fire danger and wildfires increase;

WHEREAS, as of April 22, 2022, the New Mexico is experiencing twenty (20) or more wild fires, including Hermits Peak Fire, the McBride Fire, the Nogal Fire, the Calf Canyon Fire, the Cooks Peak Fire, and the Big Hole Fire;

WHEREAS, County Fire resources are committed to existing fires, which could diminish the capacity to respond to new fires;

WHEREAS, current drought indices published by the United States National Integrated Drought Information System and the United States Forest Service further indicates extreme or severe drought conditions;

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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;

WHEREAS, current fire conditions such as low humidity, dry weather, wind and fire fuel moisture content have resulted in conditions of extreme risk of fires;

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

WHEREAS, the health, safety and welfare of citizens are in danger as a result of such conditions; and

WHEREAS, NMSA 1978, 60-2C-8.1(E) (1999), et seq., provides that the Board of County Commissioners of the County of Santa Fe may declare that extreme or severe drought conditions exist, and proclaim certain restrictions on the sale and use of fireworks.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby resolves and proclaims as follows:

1. There currently exists within the unincorporated portions of Santa Fe County extreme or severe drought conditions, creating extreme fire conditions causing an immediate and significant 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. The sale and use of missile-type rockets, helicopters, aerial spinners, stick-type rockets and ground audible devices are banned within the affected drought area, which includes all unincorporated portions of Santa Fe County.
3. The use of fireworks not listed in Paragraph 2 above is limited to areas that are paved or barren or have a readily accessible source of water for use by the homeowner or general public.
4. The use of all fireworks within wildlands in Santa Fe County is banned, the State Forester having been consulted as required by statute and having concurred with such ban.
5. The sale and use of display fireworks are banned within the unincorporated portions of Santa Fe County.
6. This Resolution shall be effective for 30 days from the date below, but may be reissued if severe or extreme drought conditions warrant. Further, this Resolution may be modified or rescinded within the 30 days of the effective

date if the Board of County Commissioners, after conducting an emergency hearing, determines that weather conditions have improved.

PASSED, APPROVED, AND ADOPTED this 10th day of May, 2022 by the Board of County Commissioners of the County of Santa Fe.

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SANTA FE

Anna T. Hamilton
Anna T. Hamilton, Chair

ATTESTATION:
Katharine E. Clark
Katharine E. Clark, Santa Fe County Clerk



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APPROVED AS TO FORM:

Rachel Brown

Rachel Brown, Interim Santa Fe County Attorney

COUNTY OF SANTA FE) BCC RESOLUTIONS
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I Hereby Certify That This Instrument Was Filed for Record On The 10TH Day Of May, 2022 at 08:58:05 PM And Was Duly Recorded as Instrument # 1988194 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clark
Deputy *Destiny Romero* County Clerk, Santa Fe, NM

