SANTA FE COUNTY

RESOLUTION NO. 2016-65

A Proclamation Resolution
Declaring Extreme or Severe Drought Conditions within the Unincorporated Portions of Santa Fe County and Banning the Sale and Use of Certain Fireworks in the Unincorporated Portions of the County, Including Wildlands, and Limiting the Use of Certain Fireworks to Specified Areas

SFC CLERK RECORDED 06/15/2016

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 fire fuel levels and drought and other conditions;

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

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

WHEREAS, current drought indices published by the National Weather Service and/or other relevant information supplied by the United States Forest Service further indicate extreme or severe drought conditions creating the risk of wildfires;

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)-(G) (1999) provides that the Board of County Commissioners (Board) of Santa Fe County may, after hearing, declare that extreme or severe drought conditions exist, and proclaim certain restrictions on the sale and use of fireworks.

NOW, THEREFORE, the Board hereby resolves and proclaims as follows:

1. There currently exists within the unincorporated portions of Santa Fe County extreme or severe drought conditions, creating a significant and immediate threat due to wildfires to the life, safety, health and welfare of residents of Santa Fe County, and to public and private property located within the Santa Fe County.

2. The sale and use of missile-type rockets, helicopters, aerial spinners, stick-type rockets and ground audible devices are banned within the 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. Public displays of fireworks, as defined by Santa Fe County Ordinance No. 1988-3, shall be permitted.

7. This Proclamation Resolution shall be effective for 30 days from the date below, but may be reissued if severe or extreme drought conditions warrant. Further, this Proclamation Resolution may be modified or rescinded within the 30 day effective period if the Board, after conducting an emergency hearing, determines that weather conditions have improved.

PASSED, APPROVED, AND ADOPTED this 14th day of June, 2016.

BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

Miguel M. Chavez

Miguel M. Chavez, Chair

Attest:

Geraldine Salazar

Geraldine Salazar,
Santa Fe County Clerk

Approved as to form:

Gregory S. Shaffer,
Santa Fe County Attorney

SFC CLERK RECORDED 06/15/2016

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 15TH Day Of June, 2016 at 11:33:07 AM And Was Duly Recorded as Instrument # 1796399 Of The Records Of Santa Fe County

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

COUNTY CLERK
GERALDINE SALAZAR
SANTA FE COUNTY NEW MEXICO