

Memorandum

To: Santa Fe Board of County Commissioners
From: David Sperling, Interim Fire Chief
Thru: Katherine Miller, County Manager
Date: July 12, 2011
Re: An Emergency Ordinance Declaring Hazardous Fire Conditions and Imposing Restrictions on Open Fires, Smoking and Other Ignition Sources

ISSUE:

The Santa Fe County Fire Department is requesting BCC approval of an emergency ordinance declaring hazardous fire conditions and imposing restrictions on open fires, smoking and other ignition sources.

BACKGROUND:

Due to continuing drought conditions and high fire danger throughout Santa Fe County, the fire department recommends passage of an emergency ordinance banning open fires, smoking, and other ignition sources for another 30 day period. This ordinance will allow us to reduce the threat of accidental fires until sufficient moisture from our annual monsoons alleviates drought conditions.

SUMMARY:

Request approval of the emergency ordinance banning open fires for another 30 day period.

SANTA FE COUNTY

ORDINANCE NO. 2011-_____

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, New Mexico, that because the current dry conditions and fire hazards represent a significant and imminent threat to safety, health and welfare in Santa Fe County, the following prohibitions are hereby **ADOPTED**:

1. Pursuant to NMSA 1978, Section 4-37-1 and NMSA 1978, Section 59A-52-18, the following are prohibited for a period of thirty (30) days commencing on July 12, 2011, 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 wild land area except within an enclosed vehicle or building which is specifically authorized for such and is exempt from the NM No Smoking in Public Facilities Act;
 - 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. Issuance of licenses or permits for open burning.
2. 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.
3. Any individual, firm, partnership or other entity found violating this emergency ordinance shall be punished by imprisonment for up to ninety (90) days or a fine not to exceed three hundred dollars (\$300.00), or both, plus restitution ordered by a Court for damages caused by the violation of this Ordinance.

This Ordinance shall take effect immediately and shall remain in effect for thirty (30) days.

APPROVED, ADOPTED AND PASSED this 12th day of July, 2011.

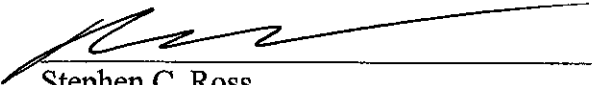
BOARD OF COUNTY COMMISSIONERS

Virginia Vigil, Chair

Attest:

Valerie Espinoza,
Santa Fe County Clerk

Approved as to form:



Stephen C. Ross,
Santa Fe County Attorney