



RESOLUTION NO. 2012-20

PROCLAMATION DECLARING EXTREME OR SEVERE DROUGHT CONDITIONS WITHIN THE UNINCORPORATED PORTIONS OF TORRANCE COUNTY AND IMPOSING BURNING AND FIREWORKS RESTRICTIONS

WHEREAS, the Governing Body of Torrance County held a hearing to determine whether fireworks restrictions should be imposed within the unincorporated portions of the county affected by extreme or severe drought conditions; and,

WHEREAS, the Governing Body of Torrance County obtained information and forecasts from the National Weather Service as well as the United States Forest Service and New Mexico State Forestry Division concerning drought conditions; and,

WHEREAS, the Governing Body of Torrance County, pursuant to the Open Burning Ordinance, Section 4-E Burning Restrictions, has determined based on drought information that an emergency exists; and,

WHEREAS, the Governing Body made certain findings of the fact based upon information provided; and,

WHEREAS, among the findings of the Governing Body of Torrance County found that Torrance County is being affected by extreme or severe drought conditions based on current drought indices published by the National Weather Service and other information supplied by the United States Forest Service and New Mexico State Forestry Division;

NOW THEREFORE, BE IT RESOLVED, per Torrance County Ordinance No. 87-2:

- Section 1:** Extreme or severe drought conditions exist within the boundaries of Torrance County;
Section 2: Pursuant to aforementioned ordinance Section 4, as defined in Section 4, The following types of open fire are prohibited: "open burning", "ceremonial burning", "recreational burning";
Section 3: Barbequing as defined in Section 4 is permissible;

BE IT FURTHER RESOLVED, that:

1. The sale and use of missile-type rockets, helicopters, aerial spinners, stick-type rockets and ground audible devices within the affected drought area are prohibited.
2. The use of fireworks otherwise permissible under the Fireworks Licensing and Safety Act and not listed above is restricted to areas that are paved and that have a readily accessible source of water for use by the homeowner or the general public.
3. All fireworks are prohibited in wildland areas. Wildland areas include lands covered wholly or in part in timber, brush, grass, grain or other inflammable vegetation.
4. The sale or use of display fireworks is prohibited unless such sale or use is part of a public exhibit approved by the local fire department.

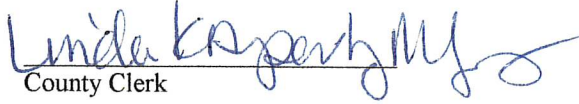
BE IT STILL FURTHER RESOLVED, due to the emergency conditions described herein, consequences for the unauthorized use of fireworks will be in accordance with the Act and include confiscation of the fireworks.

BE IT STILL FURTHER RESOLVED, that the Improper Handling of Fire is prohibited criminally under Section 30-17-1, NMSA 1978.

BE IT STILL FURTHER RESOLVED, this resolution is effective for a period of thirty days from this date, or may be lifted prior to the thirty days when recommendation is made by the Fire Marshal and approved by the Commission in writing.

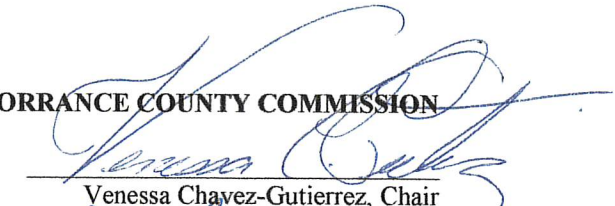
DONE, this 13th day of June 2011.

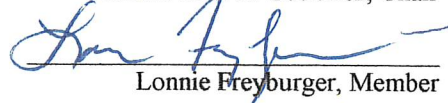
Attest:


County Clerk



TORRANCE COUNTY COMMISSION


Venessa Chavez-Gutierrez, Chair


Lonnie Freyburger, Member


Leanne Tapia, Member