



RESOLUTION NO. 2022- 27

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

**WHEREAS**, Governor Lujan Grisham issued Executive Order 2022-022 urging municipal and County governments to consider firework bans; and

**WHEREAS**, in recent weeks, fire danger has increased within Torrance County (the County) due to warmer temperatures, lower humidity, high winds, and an abundance of dry, fine fuels; and

**WHEREAS**, there are wildfires in surrounding counties resulting from the drought conditions, including the Calf Canyon Fire immediately to the North of Torrance County which has already burned in excess of 145,000 acres; and

**WHEREAS**, current drought indices indicate extreme, exceptional or severe drought conditions; and

**WHEREAS**, an immediate and present danger of range fires, brush fires, grass fires, forest fires and structure fires exist within the County due to persistent drought; and

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

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

**WHEREAS**, NMSA 1978, Section 60-2C-8.1(E) provides that the Board of County Commissioners of the County of Torrance may, after hearing, declare that extreme or severe drought conditions exist, and proclaim certain restrictions on the use of fireworks.

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


1. There currently exists within the unincorporated portions of the County extreme or severe drought conditions, creating a significant and immediate threat to the life, safety, health and welfare of residents of the County, and to public and private property located within the County.
2. The 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 the 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 the County is banned, the State Forester having been consulted as required by statute and having concurred with such ban.
5. The use of display fireworks is banned within the unincorporated portions of the County.
6. Public displays of fireworks, as approved by the Torrance County Fire Chief shall be permitted.
7. This Resolution shall be effective for 30 days from the date below but may be reissued by the Board of County Commissioners if severe or extreme drought conditions warrant. Further, this Resolution may be modified or rescinded within the 30 days of its effectiveness if the Board of County Commissioners, after conducting an emergency hearing, determines that weather conditions have improved.


**PASSED, APPROVED AND ADOPTED** this 11<sup>th</sup> day of May, 2022 by the Board of County Commissioners of the County of Torrance.

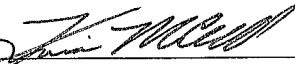
**APPROVED AS TO FORM ONLY:**

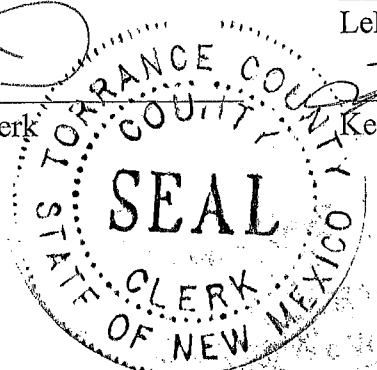
**TORRANCE COUNTY COMMISSION**

  
 \_\_\_\_\_  
 John M. Butrick, County Attorney

  
 \_\_\_\_\_  
 Ryan Schwebach, Chair

Attest:  
  
 \_\_\_\_\_  
 Yvonne Otero, County Clerk

\_\_\_\_\_  
 LeRoy Candelaria, Vice Chair  
 \_\_\_\_\_  
  
 Kevin McCall, Member





# State of New Mexico

Michelle Lujan Grisham  
*Governor*

## **EXECUTIVE ORDER 2022-022**

### **DECLARING SEVERE DROUGHT AND FIRE CONDITIONS THROUGHOUT THE STATE AND URGING MUNICIPAL AND COUNTY GOVERNMENTS TO CONSIDER FIREWORK BANS UNDER THE FIREWORKS LICENSING AND SAFETY ACT**

**WHEREAS**, in recent weeks, fire danger has increased throughout the State due to warmer temperatures, lower humidity, high winds, and an abundance of dry, fine fuels;

**WHEREAS**, according to the United States Drought Monitor, approximately 93% of New Mexico is experiencing severe drought conditions, while more than 70% the State is experiencing extreme to exceptional drought conditions;

**WHEREAS**, significant fire danger and prevailing drought conditions create the possibility for numerous natural disasters, including severe wildfires, flooding due to severe wildfires, and crop production loss;

**WHEREAS**, the State is experiencing, or recently experienced, multiple large wildfires, including the Hermits Peak Fire, the McBride Fire, the Nogal Fire, the Calf Canyon Fire, the Cooks Peak Fire, and the Big Hole Fire;

**WHEREAS**, federal authorities have recently enacted early measures to respond to increased fire danger in the State by issuing Stage I and Stage II fire restrictions on federal lands; and

**WHEREAS**, tribal governments have also imposed fire restrictions on their lands.

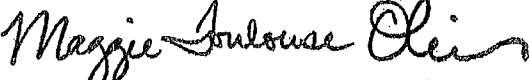
**NOW, THEREFORE, I**, Michelle Lujan Grisham, Governor of the State of New Mexico,

by virtue of the authority vested in me by the Constitution and the laws of the State of New Mexico do hereby **DECLARE** severe drought and fire conditions exist throughout New Mexico and **URGE** New Mexico's counties, municipalities, and local governments to consider implementing appropriate firework bans pursuant to the Fireworks Safety and Licensing Act, NMSA 1978, §§ 60-2C-1 to -11, as well as any other appropriate fire prevention measures that they may legally enact.

**I FURTHER ORDER** and **DIRECT** as follows:


1. This Order supersedes any previous orders, proclamations, or directives to the extent they are in conflict.
2. This Order shall take effect immediately and shall remain in effect until renewed, modified, or rescinded.

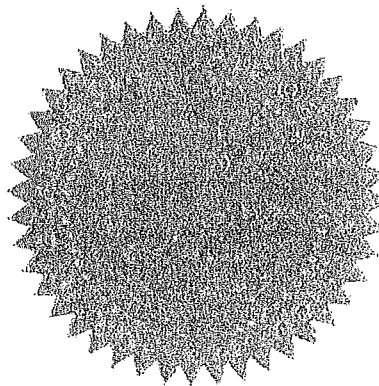
ATTEST:

  
MAGGIE TOULOUSE OLIVER  
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE  
THIS 25TH DAY OF APRIL 2022

WITNESS MY HAND AND THE GREAT  
SEAL OF THE STATE OF NEW MEXICO

  
MICHELLE LUJAN GRISHAM  
GOVERNOR





**TORRANCE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
RESOLUTION NO. R 2020- 20**

**A RESOLUTION DECLARING A FIRE DANGER EMERGENCY AND PROHIBITING  
ALL OPEN FIRES**

**WHEREAS**, the Governing Body of Torrance County has 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 ongoing critical fire weather; and,

**WHEREAS**, the COVID-19 Pandemic has increased the stress on available resources to respond to any fire incident; and

**WHEREAS**, there is an unacceptable risk to first responders and the public due to any response during the COVID-19 Pandemic because of the close proximity of responders and of the public who may be housed in temporary or emergency shelters; and

**WHEREAS**, the County Manager recommends to the Board of County Commissioners that a Fire Danger Emergency exists due to dry conditions and the threat to the health, safety, and welfare of the public, should a fire event happen during the COVID-19 emergency.

**NOW THEREFORE, BE IT RESOLVED**, that the Torrance County Commission hereby declares a "Fire Danger Emergency" as defined by and under the authority of Torrance County Ordinance 87-2 Section 5B. All open fires are prohibited for the duration of the COVID-19 emergency. This restriction does not apply to ceremonial, barbecuing, heating in fireplaces, and warming at construction sites as defined by Ordinance 87-2 Section 4D, (2) through (6).

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

DONE THIS 27<sup>TH</sup> DAY OF MAY, 2020.

APPROVED AS TO FORM ONLY:

*[Signature]* 5/27/2020  
County Attorney Date

BOARD OF COUNTY COMMISSIONERS

*[Signature]*  
Ryan Schwebach, Chair

*[Signature]*  
Javier Sanchez, Vice Chair

*[Signature]*  
Kevin McCall, Member

ATTEST:

*[Signature]*  
Linda Jaramillo, County Clerk

Date: 5/27/2020

