

SANDOVAL COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 6-7-18.10

**BANNING AND RESTRICTING THE USE OF CERTAIN FIREWORKS
IN UNINCORPORATED AREAS OF THE COUNTY.**

WHEREAS, the fire danger is significant in the unincorporated areas of Sandoval County and surrounding jurisdictions; and

WHEREAS, data obtained through the National Weather Service, the U.S. Forest Service and the New Mexico State Forester, indicate drought conditions exist; and

WHEREAS, the risk to life, property and the environment clearly exists within the unincorporated areas of Sandoval County, due to the drought conditions; and

WHEREAS, the possibility of extreme fire situations will severely burden local, state and federal resources; and

WHEREAS, the 4th of July weekend is approaching and fireworks are traditionally used to celebrate; and

WHEREAS, fireworks are another source of ignition in the dry conditions currently existing in Sandoval County; and

WHEREAS, NMSA Section 60-2C-8.1(E)(F)(G) and (H) authorizes local governing bodies of counties to ban the use of fireworks; and

WHEREAS, fireworks are defined in the Fireworks Licensing and Safety Act NMSA 60-2C-2 as amended, as a device intended to produce a visible or audible effect by combustion, deflagration or detonation, and

WHEREAS, the Board of County Commissioners of Sandoval County have held a hearing to determine if fireworks restrictions should be imposed within the unincorporated portions of Sandoval County affected by drought.

CONTINUATION PAGE 2, RESOLUTION 6-7-18.10 BANNING AND RESTRICTING THE USE OF CERTAIN FIREWORKS AND OPEN BURNING IN UNINCORPORATED AREAS OF THE COUNTY.

NOW THEREFORE, IT IS HEREBY PROCLAIMED by the Board of County Commissioners of Sandoval County that drought conditions exist which affects the safety and welfare of Sandoval County citizens and their property, and therefore:

1. Bans the use of missile-type rockets, helicopters, aerial spinners, stick-type rockets and ground audible devices within the unincorporated areas of Sandoval County.

2. Limits the use of ground and hand-held sparkling and smoke device type fireworks, as identified and defined in NMSA Section 60-2C-7(A)(1), within the unincorporated areas of Sandoval County to areas that are paved or barren or that have a readily accessible source of water for use by the homeowner or general public.

3. Bans the use of all fireworks in all of the wildlands in the unincorporated area of Sandoval County.

The ban on fireworks contained hereinabove shall be in effect starting June 8, 2018 and will be in effect indefinitely or until this resolution is rescinded.

CONTINUATION PAGE 3, RESOLUTION 6-7-18.10 BANNING AND RESTRICTING THE USE OF CERTAIN FIREWORKS AND OPEN BURNING IN UNINCORPORATED AREAS OF THE COUNTY.

DONE this 7th day of June, 2018.

SANDOVAL COUNTY COMMISSION:

David J. Heil - Chair

ATTEST:

F. Kenneth Eichwald - Vice Chair


Eileen Garbagni, County Clerk

Dr. JF. Holden-Rhodes-Member

Jay C. Block- Member

Don Chapman - Member

APPROVED AS TO FORM:



Robin S. Hammer, County Attorney