

TOWN OF EDGEWOOD

RESOLUTION NO. 2013-12

A RESOLUTION TO PROCLAIM EXTREME OR SEVERE DROUGHT CONDITIONS WITHIN THE TOWN OF EDGEWOOD AND TO BAN THE SALE AND USE OF CERTAIN FIREWORKS WITHIN THE BOUNDARIES OF THE TOWN AND ITS WILDLANDS

WHEREAS, NMSA 1978,60-2C-8.1 (1999), et seq., provides that the Town Council of the Town of Edgewood may, after hearing, declare that extreme or severe drought conditions exist, and proclaim certain restrictions on the sale and use of fireworks;

WHEREAS, the Town held a hearing on June 5, 2013, to determine whether extreme or severe drought conditions exist; and

WHEREAS, evidence was presented during the hearing that an immediate and present danger of range fires, brush fires, grass fires, forest fires and structure fires exists within Santa Fe County and surrounding areas due to persistent drought and lack of moisture; and

WHEREAS, evidence was presented during the hearing that current fire conditions such as low humidity, dry weather, wind and fire fuel content have resulted in conditions of very high risk of fires; and

WHEREAS, evidence was presented during the hearing that, given these circumstances, the probability of ignition of materials and the spread of fire is very high and poses a severe threat to persons and property; and

WHEREAS, evidence was presented during the hearing that current drought indices published by the National Weather Service and other relevant information supplied by the United States Forest Service further indicate extreme or severe drought conditions; and

WHEREAS, evidence was presented during the hearing that the health, safety and welfare of area residents are in danger as a result of such conditions.

NOW, THEREFORE, the Town of Edgewood Council hereby resolves and proclaims as follows:

1. There currently exists within the incorporated boundaries of the Town of Edgewood extreme or severe drought conditions, creating a significant and immediate threat to the life, safety, health and welfare of residents of the Town of Edgewood, and to public and private property located within the Town.
2. The sale and 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 incorporated portions of the Town of Edgewood

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 Town of Edgewood 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 incorporated portions of the Town of Edgewood
6. This resolution and Proclamation shall be effective for thirty (30) days from the date below, but may be reissued if extreme or severe drought conditions warrant. Further, this Resolution and Proclamation may be modified or rescinded within the thirty (30) days of their effectiveness if the Town Council, after conducting an emergency hearing, determines that weather conditions have improved.

APPROVED, ADOPTED AND PASSED this 3rd day of JULY, 2013.

Brad E. Hill, Mayor

ATTEST:

Estefanie Muller, CMC, Clerk-Treasurer