

RESOLUTION 2020-10

A RESOLUTION PROHIBITING OPEN BURNING WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF EDGEWOOD, BEGINNING IMMEDIATELY AND CONTINUING UNTIL FURTHER ORDER OF THE FIRE MARSHAL.

WHEREAS, The Fire Code defines open burning as "[t]he burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudge pots and similar devices associated with safety or occupational uses typically considered open flames, *recreational fires* or use of portable outdoor fireplaces. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.";

WHEREAS, The majority of the Town of Edgewood is within or close to the Wildland Urban Interface Area, an area particularly prone to fire dangers;

WHEREAS, Personnel of the County Fire Department are both trained firefighters and emergency medical service providers, responsible for responding to both fires and calls for emergency medical services. This means that deploying personnel to fight fires reduces the personnel available to respond to calls for emergency medical services;

WHEREAS, The Fire Code provides that a permit shall be obtained from the Fire Marshal prior to kindling a fire for: recognized agricultural, range or wildlife management practices; prevention or control of disease or pests; or a bonfire;

WHEREAS, The Fire Code also provides that open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous;

WHEREAS, Burn permits issued by the Fire Marshal specify that the Fire Marshal can require that open burning be immediately discontinued if it is determined that smoke emissions are offensive to occupants of surrounding property, or that burning constitutes a hazardous condition;

WHEREAS, Governor Michelle Lujan Grisham and the Board of County Commissioners (Board) have both declared an emergency resulting from the COVID-19 pandemic. [*E.g.*, Executive Order Nos. 2020-004 and 2020-022; Santa Fe County Resolution No. 2020-24.];

WHEREAS, The COVID-19 emergency has created local circumstances that make open burning hazardous, as follows:

- Open burning always entails the risk that the fire will get out of control and create a wildland fire on and/or extending off of the premises.
- Firefighters are sometimes dispatched to the premises where open burning is occurring to extinguish the fire before it spreads off the premises.
- Wildland fires within Wildland Urban Interface Area require significant allocation of personnel from the County Fire Department at a time when those resources must be preserved to assist with the COVID-19 public health emergency;
- Fighting wildland and other fires requires firefighters to be closer to each other than public health officials recommend to avoid the spread of COVID-19

- This creates the risk that County Fire Department personnel fighting a wildland or other fire could contract COVID-19 while doing so, which could further deplete the ranks of County Fire Department personnel available for the COVID-19 public health emergency;
- Fighting wildland and other fires would inappropriately consume personal protective equipment (PPE) that is in severe shortage and must be preserved to prevent the spread of COVID-19;
- COVID-19 patients with respiratory symptoms may be negatively impacted by smoke caused by open burning and any resulting wildland fires.
- Smoke inhalation can create upper respiratory symptoms that may be incorrectly attributed to COVID-19, resulting in unnecessary testing or self-isolation of County Fire Department personnel and/or members of the public; and
- For similar reasons, the National Forest Service has banned campfires within the national forests within New Mexico.

NOW, THEREFORE, BE IT RESOLVED that the Town of Edgewood following the recommendations of the Santa Fe County Fire Marshal Order 4.27.20.01 does order that

Any Burn Permits issued to residents within the municipal boundaries of the Town of Edgewood are suspended until further order of the Santa Fe County Fire Marshal.

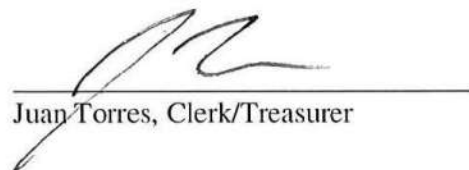
Burn permits will not be issued until further order of the Santa Fe County Fire Marshal.

Open burning is prohibited within the municipal boundaries of the Town of Edgewood until further order of the Santa Fe County Fire Marshal.

PASSED, APPROVED, and ADOPTED this 27th day of May 2020.


John Bassett, Mayor

ATTEST:


Juan Torres, Clerk/Treasurer