



Colfax County
Board of Commissioners

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COMMISSIONERS

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MARY LOU KERN

Colfax County Manager
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RAYETTA M. TRUJILLO

County Clerk
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RESOLUTION 2018-16

13

A RESOLUTION TO PROCLAIM EXTREME OR SEVERE DROUGHT CONDITIONS WITHIN COLFAX COUNTY AND TO BAN THE SALE AND USE OF CERTAIN FIREWORKS IN THE UNINCORPORATED PORTIONS OF THE COUNTY.

WHEREAS, pursuant to Section 60-2C-8.1, NMSA 1978, a part of the Fireworks Licensing and Safety Act, the governing body of a county may issue a proclamation declaring extreme or severe drought conditions within the unincorporated portion of the county affected by extreme or severe drought conditions, and

WHEREAS, the Colfax County Commission finds that the most recent National Integrated Drought Information System report indicates that Colfax county is experiencing EXTREME OR SEVERE drought conditions, and

WHEREAS, the Colfax County Commission further finds that the most recent NOAA/NCDC Palmer Long Term Drought Indices Conditions show Extreme drought conditions for Colfax County, and

WHEREAS, the danger of range, brush, grass, forest and structure fires is extremely high in Colfax County, and

WHEREAS, responding fire and emergency resources in Colfax County have been heavily burdened by the recent Ute Park Fire, and

WHEREAS, current fire conditions such as low humidity, weather and fuel content make fire immediate and potentially disastrous possibility, and

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

WHEREAS, the discharge or use of fireworks and, in particular, the discharge or use of fireworks that are not under the absolute and complete control of the persons using them and retained within an area



where there are no combustible materials of any sort whatsoever, is likely to cause the ignition of a fire that could cause death, injury or serious property damage within the County,

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS
HEREBY RESOLVES AND PROCLAIMS AS FOLLOWS:

1. 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 shall include all unincorporated portions of Colfax County.
2. The use of fireworks not banned listed above is limited to areas that are paved or barren and that have a readily accessible source of water for use by the homeowner or the general public.
3. The use of all fireworks within the wildlands of Colfax County are banned, after consultation with the State Forester.
4. Display fireworks may be banned or restricted if current conditions persist.
5. This Resolution and Proclamation shall be effective for 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 30 days of their effectiveness if the Board of County Commissioners, after conducting a hearing, determines that weather conditions have improved.

SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Proclamation be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of the Proclamation.

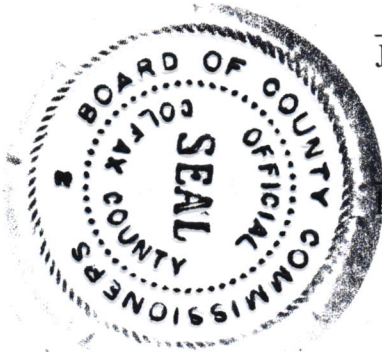
PASSED, APPROVED AND ADOPTED this 13th of June, 2018.

COLFAX COUNTY BOARD OF COMMISSIONERS

William E. Sauble - Via Electronic Device
WILLIAM E. SAUBLE, CHAIRMAN

James L. Newton
JAMES L. NEWTON, VICE-CHAIRMAN

R. P. Fernandez
ROY P. FERNANDEZ, MEMBER



ATTEST:

Rayetta M. Trujillo
RAYETTA M. TRUJILLO, CLERK OF THE BOARD