

**OTERO COUNTY COMMISSION
"EMERGENCY MEETING"
FRIDAY, JUNE 13th, 2003 1:00 P.M.**

**Commission Chairman: Michael Nivison, Commission District 3
Commission Vice-Chairman: Clarissa D. McGinn, Commission District 2
Commission Member: Doug Moore, Commission District 1**

INVOCATION

PLEDGE OF ALLEGIANCE

"I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

SALUTE TO THE FLAG OF NEW MEXICO

"I salute the flag of the state of New Mexico, the zia symbol of perfect friendship among united cultures."

1:00 P.M.

**Consider Approval of Resolution No. 6-13-03/91-43
regarding Banning Burning & Fireworks in Otero
County, New Mexico.**

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**For Information Only:
The next Otero County Commission Meeting is scheduled for
Tuesday, June 17th, 2003 at 6:00 p.m.**



State of New Mexico
County of Otero

RESOLUTION NO. 06-13-03/91-43
RE: **BANNING BURNING & FIREWORKS**
IN OTERO COUNTY, NEW MEXICO

WHEREAS, the Board of County Commissioners of Otero County, New Mexico, has determined that, due to conditions of extreme drought, the present fire danger is exceedingly high within the County of Otero; and

WHEREAS, the Board of County Commissioners of Otero County has further determined that, in order to protect the health, safety, and welfare of the citizens of Otero County, **the Board was required to take emergency action at its Emergency meeting on June 13, 2003; and**

WHEREAS, the Board of County Commissioners of Otero County is aware that the Lincoln National Forest in both Lincoln and Otero County has issued a ban on all open flames and fireworks usage on the Lincoln National Forest; and

WHEREAS, the City of Alamogordo has banned all fireworks usage and open flames in the city, and the Village of Cloudcroft has banned all fireworks and open flames within the Village of Cloudcroft; and

WHEREAS, the jurisdictional boundaries of the County and these entities are intertwined and intermingled; and

WHEREAS, the health, safety and welfare of the citizens of Otero County requires that the County cooperate with and consistently regulate the use of open flames and fireworks with these other jurisdictions.

NOW, THEREFORE, BE IT RESOLVED,

1. That the Board of County Commissioners of Otero County, New Mexico, hereby proclaims a ban in Otero County on all burning of open flames, fires, campfires (**except in designated areas**) trash, rubbish, shrubbery or other material of any kind, except by permit, and **hereby bans the use of display fireworks** and the use of missile-type rockets, helicopters, aerial spinners, stick-type rockets and ground audible devices within the affected unincorporated area of the County. In addition, all fireworks not listed in this paragraph shall be limited to areas that are paved or barren or that have a readily

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Re: Banning Burning & Fireworks
in Otero County, State of New Mexico**

accessible source of water for use by homeowner or the general public. Fireplaces in particular, the unquenched ashes from same, may present a significant hazard and use should be discouraged during this period of drought.

2. In Otero County, persons desiring to conduct a burn for agricultural or other purposes shall notify the Otero County Sheriff's Office of the request to conduct such a burn. The Sheriff shall notify the Fire Services Coordinator who shall notify the affected Fire Department, Fire Chief who shall inspect the site, determine whether the burn can proceed as requested and conduct stand by operations during the pendency of the requested burn.

3. This Resolution is to remain in effect for thirty days (30) or until rescinded by the Board of County Commissioners pursuant to NMSA 60-2C-8.1.

FURTHERMORE, the use of all fireworks is hereby limited to areas that are paved or barren or that have a readily accessible source of water for use by the homeowner or the general public. To that end, the Board of County Commissioners hereby designate the seventeen acre parcel owned by the County on U.S. Highway 54/70 North as a permitted area for citizens to utilize for the purpose of fireworks displays.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF JUNE, 2003.

**BOARD OF COUNTY COMMISSIONERS
OTERO COUNTY, STATE OF NEW MEXICO**

ATTEST:

Mary D. Quintana, County Clerk

(Seal)

Michael Nivison, Chairman

Clarissa. McGinn, Vice-Chairperson

Doug Moore, Member