



**RESOLUTION NUMBER 2022-40
PROCLAMATION EXTENDING THE FIREWORK RESTRICTION DUE TO EXTREME
DROUGHT CONDITIONS**

WHEREAS, at the Regularly Scheduled public meeting on May 10, 2022, the Board of County Commissioners of Union County adopted a Proclamation restricting the sale and use of certain fireworks within the unincorporated areas of Union County for thirty (30) days based upon current and future drought conditions pursuant to § 60-2C-8.1 NMSA 1978; and,

WHEREAS, the Board of County Commissioners of Union County finds, based upon the current conditions such as low relative humidity and high winds and the current drought indices published by the National Weather Service and the New Mexico State Forestry Division, that extreme drought conditions continue to affect the unincorporated areas of Union County; and,

WHEREAS, at its special Commission Meeting held on June 9, 2022, the Board of County Commissioners of Union County again reviewed and discussed the current and future weather conditions for Union County and determined that the restriction of fireworks should be extended.

NOW, THEREFORE, the Board of County Commissioners of Union County does hereby proclaim that the restrictions within the Proclamation adopted May 10, 2022 are to remain in effect and hereby are extended for an additional thirty (30) days from the date hereof.

- Section 1. For purposes of the Proclamation, the word “fireworks” means any device intended to produce a visible or audible effect by combustion, deflagration, or detonation. The term fireworks is used in this Proclamation includes but is not limited to the definition of “fireworks” provided in NMSA 1978, Section 60-2C-2N (2007).
- Section 2. Pursuant to NMSA 1978, Section 60-2C-8.1 (F)(2)(a)(1999), the Board of County Commissioners does hereby allow the sale but limits the use of cone fountains, crackling devices, cylindrical fountains, flutter sparklers, ground spinners, illuminating torches, toy smoke devices, wheels, and mines fireworks within the unincorporated areas of Union County 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.
- Section 3. Pursuant to NMSA 1978, Section 60-2c-8.1 (F)(1)(1999) the following types of fireworks are banned from sale and use within the unincorporated areas of Union County: missile-type rockets, helicopters, aerial spinners, stick-type rockets, ground audible devices, and display fireworks.
- Section 4. Pursuant to NMSA 1978, Section 60-2c-8.1 F (2)(b)(1999), the Board of County Commissioners give itself the power to and does hereby ban the use of all fireworks within wild lands in its jurisdiction. (“Wildlands” means any lands covered wholly or in part by timber, brush, or native grass).

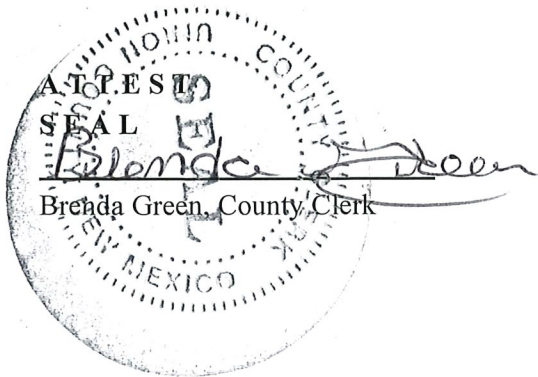
Section 5. Except as permitted by this Proclamation, the sale and use of all other fireworks of any kind or description are banned within the unincorporated areas of Union County.

Criminal and Civil Penalties.

Any individual, firm, partnership or corporation that violates any provision of the Fireworks Licensing and Safety Act, or the terms and provisions of this resolution, shall, pursuant to NMSA 1978 Section 60-2C-10(A), be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one thousand dollars (\$1,000) or imprisoned for not more than one year, or both. If a person is found guilty of violating any of the provisions of the Fireworks Licensing and Safety Act, that person may be subject to civil penalties as set forth in NMSA 1978 Section 60-2C-11.

PASSED, APPROVED AND ADOPTED this 9th day of June, 2022.

BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, NEW MEXICO



By:

Justin Bennett, Chairman

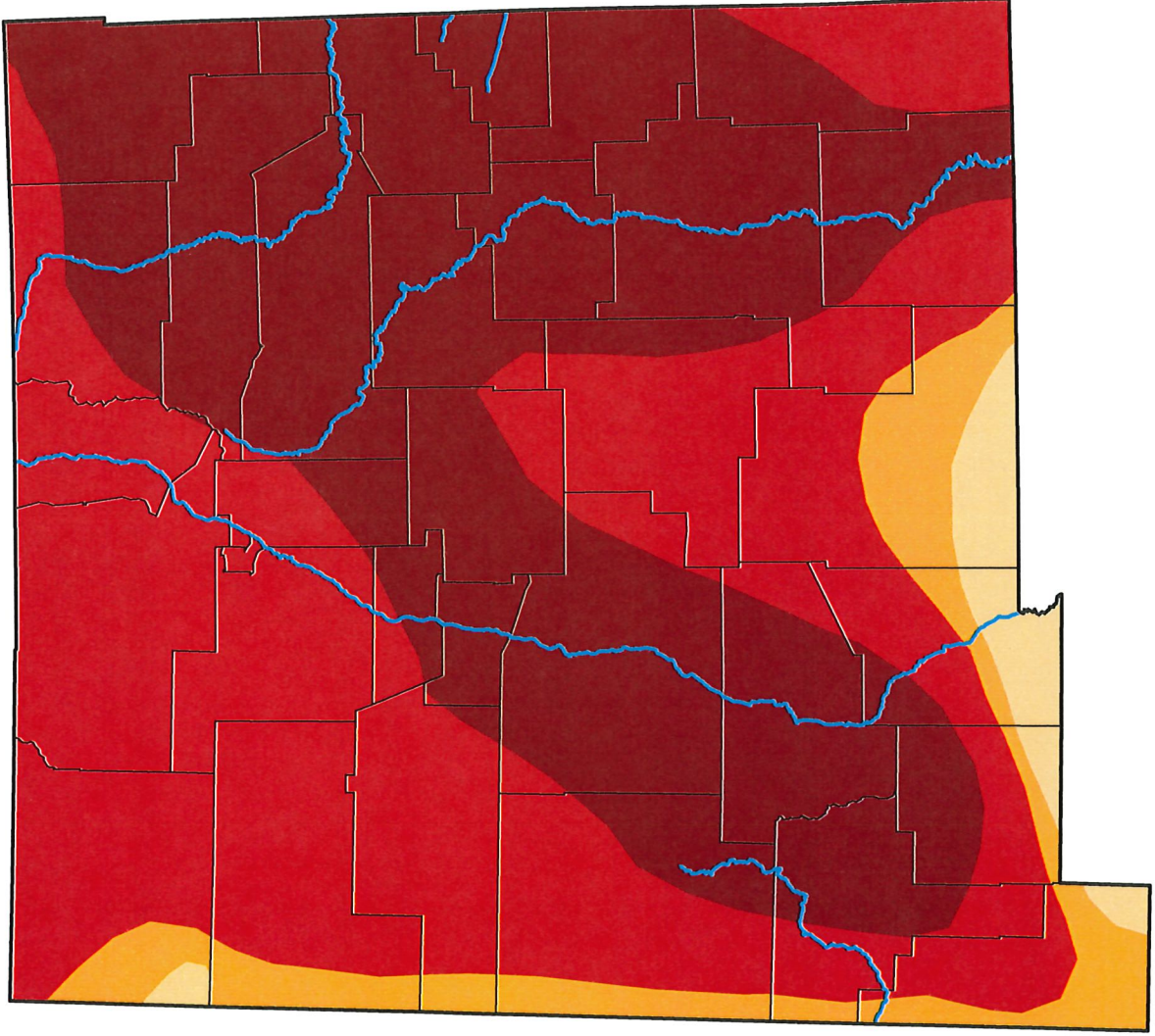
Clayton Kiesling, Member

Walter Hall, Member







U.S. Drought Monitor New Mexico

June 7, 2022

(Released Thursday, Jun. 9, 2022)
Valid 8 a.m. EDT



Intensity:

-  None
-  D0 Abnormally Dry
-  D1 Moderate Drought
-  D2 Severe Drought
-  D3 Extreme Drought
-  D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:

Brad Pugh
CPC/NOAA



droughtmonitor.unl.edu