



TOWN OF HURLEY PROCLAMATION 2022-2

A PROCLAMATION DECLARING EXTREME AND SEVERE DROUGHT CONDITIONS REQUIRING BANS AND RESTRICTIONS ON THE SALE AND USE OF FIREWORKS WITHIN OF THE TOWN OF HURLEY

WHEREAS, NMSA 1978 §60-2C-8.1(A) (the “Fireworks Licensing & Safety Act”) authorizes municipalities to adopt bans and restrictions on the sale and use of fireworks within their jurisdictions due to extreme and severe drought conditions that create increased risks of fire danger; and

WHEREAS, the Town set a hearing on June 14, 2022 pursuant to the Fireworks Licensing & Safety Act to determine whether fireworks restrictions should be imposed; and

WHEREAS, at the hearing, the Town Council considered the input of the public, staff, and the following evidence:

- A. On April 22, 2022, the New Mexico State Forester issued fire restrictions and fireworks bans on state lands, recommending further that similar restrictions be implemented by local government authorities;
- B. On April 25, 2022 Governor Michelle Lujan Grisham issued Executive Order 2022-022 declaring severe drought and fire conditions throughout the State of New Mexico and urging county governments to consider implementing bans and restrictions under the Fireworks Licensing and Safety;
- C. On May 2, 2022, the United States Department of Interior Bureau of Land Management implemented fire restrictions on all public lands in Grant County to include the Town of Hurley;
- D. The National Weather Service reports and published United States Forest Service restrictions indicate that the State of New Mexico, including the Town of Hurley, is experiencing severe drought conditions that have caused fires throughout the State and pose a threat for additional fires to develop;
- E. Due to the hazardous conditions, local emergency and fire response officials recommend implementing restrictions and bans on the sale and use of fireworks.

NOW, THEREFORE, the Town Council of the Town of Hurley, New Mexico hereby proclaims that extreme drought conditions exist within the Town of Hurley which create an extreme risk of fire hazards and pose an immediate and significant threat to the peace, safety, health, and welfare of the citizens of the Town of Hurley and their property, and **THEREFORE**, issues the following bans and restrictions:


- 1) The sale and use of missile type rockets, helicopters, aerial spinners, stick type rockets,

and ground audible devices within the Town of Hurley are prohibited.

- 2) Fireworks not listed in Paragraph 1 and expressly permitted in the Fireworks Licensing & Safety Act shall only be used in areas that are paved, are barren, and have readily accessible sources of water for use by the public.
- 3) The use of all fireworks in wildlands and on Town owned public property is strictly prohibited.
- 4) The sale and use of display fireworks are strictly prohibited, unless it is a public exhibit approved by and under the supervision of local fire authorities.
- 5) This proclamation will expire within 30-days unless renewed by the Governing Body at a duly noticed Town Council meeting.
- 6) Pursuant to the Fireworks Licensing and Safety Act, violations of this proclamation will be subject to criminal and civil penalties.

APPROVED AND ADOPTED June 14, 2022.

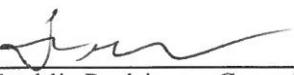
THE TOWN COUNCIL OF THE TOWN OF HURLEY



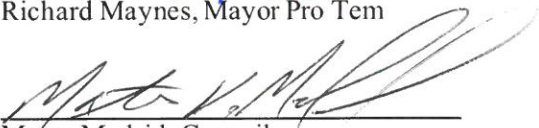
Ed Stevens, Mayor



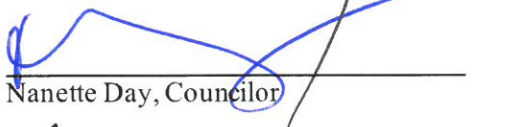
Richard Maynes, Mayor Pro Tem



Freddie Rodriguez, Councilor



Mateo Madrid, Councilor



Nanette Day, Councilor

Attest:



Lori Ortiz, Town Clerk