



**A PROCLAMATION DECLARING
EXTREME, EXCEPTIONAL, OR SEVERE DROUGHT CONDITIONS
WITHIN MCKINLEY COUNTY
NO. JUN-26-033**

PURPOSE: Pursuant to the provisions of NMSA 1978 §60-2C-8.1(F); and after public comment hearing(s), the governing body of McKinley County (The Board of County Commissioners) can issue a proclamation declaring exceptional, extreme or severe drought conditions within the unincorporated portions of the county if the Board of County Commissioners determines such conditions exist.

WHEREAS: The Board of County Commissioners published notice within their Regular Meeting Notices and held public comment hearings to determine if fireworks restrictions should be imposed within the unincorporated portions of the County affected by extreme, exceptional, or severe drought conditions; said hearings were held on: March 17, 2026, April 21, 2026, and May 12, 2026; and June 9, 2026,

WHEREAS: The comment hearing(s) held were to determine whether McKinley County is affected by extreme, severe, and/or exceptional drought conditions and whether fireworks restrictions should be imposed within the boundaries and police power jurisdictional authority of McKinley County for the Firework sell period of Independence Day 2026 (June 20 through July 6, 2026, N.M.S.A. 1978 §60-2C-8.1 (D – H); and,

WHEREAS: The Board of County Commissioners at the public hearing(s), were presented with information on current drought status and forecasts of drought conditions from the National Weather Service concerning the drought indices for McKinley County; and,

WHEREAS: The information regarding drought status and forecasts for McKinley County (published by the National Weather Service) show that McKinley County is in and affected by extreme, exceptional, and severe drought conditions; and,

WHEREAS: The Governing body, in issuing a proclamation declaring an exceptional, extreme, or severe drought and banning the use and sale of fireworks, must make certain findings of fact based upon information provided at the public hearing(s).

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF MCKINLEY COUNTY ISSUES THIS PROCLAMATION, MAKES FINDINGS, AND DECLARES THE FOLLOWING:

Section 1: Extreme, severe, or exceptional drought conditions exist affecting all of McKinley County.

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Section 2: In addition to any Ordinance enacted pursuant to NMSA 1978 §60-2C-7(C), the sale and use within the boundaries and police power jurisdiction of McKinley County of missile-type rockets, helicopters, aerial spinners and stick-type rockets is prohibited by this Proclamation declaring severe and extreme drought conditions in McKinley County. (The prohibited devices named herein and authorized under N.M.S.A. 1978 §60-2C-8.1 to ban under an exceptional, severe, and extreme drought proclamation/declaration are those devices defined in N.M.S.A. 1978 §60-2C-7(A)(2)(b, c, e, and i).

Section 3: In addition to any Ordinance Enacted pursuant to NMSA 1978 §60-2C-7(C), the sale and use within the boundaries of McKinley County and the police power jurisdiction of McKinley County of ground audible devices including: chasers and firecrackers is prohibited by this Proclamation declaring exceptional, severe, and extreme drought conditions in McKinley County. (See, those devices listed in N.M.S.A. 1978 §60-2C-7(A)(3)(a, and b).

Section 4: The Governing Body is authorized to, and hereby limits the use of otherwise permissible fireworks, including: cone fountains, crackling devices, cylindrical fountains, flitter sparklers, ground spinners, illuminating torches, toy smoking devices and wheels to areas within McKinley County boundaries that are paved or barren or areas that have a readily accessible source of water for use by the homeowner or the public.

Section 5: The Governing Body hereby bans the use of all fireworks within wildlands in the jurisdiction of McKinley County.


Section 6: The Governing Body is authorized to and hereby bans the sale or use of display fireworks. For purposes of this Proclamation/declaration, display fireworks: means devices primarily intended for displays that are designed to produce visible or audible effects by combustion, deflagration, or detonation, including salutes containing more than one hundred thirty milligrams of explosive composition; aerial shells containing more than forty grams of chemical composition exclusive of lift charge; and other exhibition display items that exceed the limits for permissible fireworks.

Section 7: This Proclamation declaring exceptional, severe, and extreme drought conditions in McKinley County is effective by statute from June 9th, 2026 (the day this document is recorded), expiring thirty (30) days thereafter unless extended before the expiration date by a subsequent Proclamation; or, repealed early by the Board of County Commissioners for McKinley County. This resolution replaces MAY-26-026.

THIS PROCLAMATION DECLARING EXTREME, EXCEPTIONAL, OR SEVERE DROUGHT CONDITIONS WITHIN THE UNINCORPORATED PORTIONS OF MCKINLEY COUNTY IS PASSED AND APPROVED AT A REGULAR MEETING HELD ON THE 9th DAY OF JUNE 2026.

MCKINLEY COUNTY BOARD OF COMMISSIONERS:

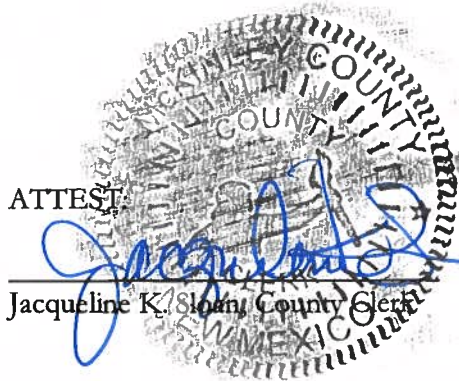

Robert Bacca, Chairperson


Danielle Notah, Commissioner


Walt Eddy, Commissioner

ATTEST


Jacqueline K. Sloan, County Clerk



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