

INCORPORATED COUNTY OF LOS ALAMOS

PROCLAMATION IMPOSING RESTRICTIONS AND LIMITING THE USE OF FIREWORKS DURING EXTREME DROUGHT CONDITIONS

WHEREAS, pursuant to the New Mexico Fireworks Licensing and Safety Act, NMSA 1978, Chapter 60 Article 2C, the Incorporated County of Los Alamos ("County") Council is empowered to ban or limit the use and sale of certain fireworks when the U.S. National Oceanic and Atmospheric Administration, National Weather Service ("NWS") determines that extreme or severe drought conditions exist in the County; and

WHEREAS, NWS publishes drought indices which indicate that extreme drought conditions exist within the County map as published April 26, 2022 (**Attachment 1**), and predicts a Seasonal Drought Outlook map through July 31, 2022 where drought conditions will persist in Los Alamos County (**Attachment 2**); and

WHEREAS, the two NWS maps show drought conditions indicate that 100% of Los Alamos County is experiencing an extreme drought conditions; and

WHEREAS, because of the extended drought conditions creating extreme fire danger the region has seen an increase in fire activity such as the Cerro Pelado, Calf Canyon, Hermit's Peak, Cooks Peak fires early in the wildfire season as compared to past years; and

WHEREAS, on April 25, 2022, the Governor's Office of Michele Lujan Grisham issued Executive Order 2022-022 declaring severe drought and fire conditions throughout the State urging local governments to issue fireworks bans (**Attachment 3**); and

WHEREAS, as a result of the increased fire danger on April 25, 2022, the Fire Marshal for the Los Alamos Fire Department declared Stage 2 Fire Restrictions within the County; and

WHEREAS the use of fireworks of all kinds presents a serious potential for the ignition of unwanted fires, under present drought conditions, which may spread rapidly and become a threat to health, safety and welfare of the residents and visitors of the County; and

WHEREAS, the Council held a public hearing on May 17, 2022, to decide on whether to issue this Proclamation; and

WHEREAS, Council, after holding a public hearing, finds that it is incumbent upon the County to impose restrictions upon the sale and use of fireworks in the County, to the maximum extent permitted by law, in order to reduce the fire risk which poses a threat to the health and safety of the residents and visitors of the County, and a threat of severe damage to structures, business, and public lands and natural vegetation and appeal of recreational areas for open space use.

NOW THEREFORE THE COUNTY COUNCIL OF THE INCORPORATED COUNTY OF LOS ALAMOS HEREBY PROCLAIMS:

1. The sale or use of aerial devices and ground audible devices, including aerial shell kit-reloadable tubes, aerial spinners, helicopters, mines, missile-type rockets, multiple tube devices, roman candles type (able to shoot balls of flame 50-60 plus feet in the air), shells, stick-type rockets, chasers, and firecrackers as those terms are defined in NMSA 1978, Section 60-2C-2, is hereby **PROHIBITED** for the next 30 days on all lands, public and private within the County.

2. The use of ground and hand-held sparkling devices, including cone fountains, crackling devices, cylindrical fountains, flitter sparklers, ground spinners, illuminating torches/static (non-flame shooting type) roman candles, toy smoke devices, and wheels as those terms are defined in NMSA 1978, Section 60-2C-2 is **PERMITTED ONLY IF:**

(a) The use is within a space having an area of at least four hundred (400) square feet, which space is paved or entirely barren of vegetation, and the ground or hand-held sparkling device is used or placed at least five (5) feet from the perimeter of the paved or barren area; AND

(b) there is an operable garden hose or similar device within reach of the area where the fireworks are used and capable of providing water at a rate of at least four (4) gallons per minute for a continuous period of at least ten (10) minutes.

3. The possession of fireworks of all kinds, including ground and hand-held sparkling devices, whether or not legally acquired and whether or not intended for immediate use is **PROHIBITED** within the open space, parks, campsites, horse stables and other recreational areas and lands owned by the County, except for the transport of legally acquired fireworks within enclosed vehicles on public roads of the County.

4. Display fireworks shall require a permit from the Fire Marshal's office.

5. This Proclamation shall be effective **IMMEDIATELY** upon the adoption of this Proclamation of the County Council and shall remain in effect for thirty (30) days.

SO PROCLAIMED this 17th of May 2022.

**COUNCIL OF THE INCORPORATED COUNTY
OF LOS ALAMOS**

Randall T. Rytz,
Council Chair

U.S. Drought Monitor New Mexico

April 26, 2022
(Released Thursday, Apr. 28, 2022)
Valid 8 a.m. EDT

Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	0.00	100.00	98.94	95.79	67.99	15.74
Last Week 04-19-2022	0.00	100.00	98.94	93.32	63.32	7.17
3 Months Ago 01-25-2022	0.00	100.00	97.15	78.16	30.01	1.88
Start of Calendar Year 01-04-2022	0.00	100.00	97.83	75.86	20.91	0.00
Start of Water Year 09-28-2021	10.70	89.30	79.47	49.33	19.12	0.00
One Year Ago 04-27-2021	0.00	100.00	100.00	99.37	80.93	53.16

Intensity:

 None	 D2 Severe Drought
 D0 Abnormally Dry	 D3 Extreme Drought
 D1 Moderate 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 Rippey
U.S. Department of Agriculture



A-Incorporated County of Los Alamos Proclamation Imposing Restrictions and Limiting the Use of Fireworks during Severe to Extreme Drought Conditions

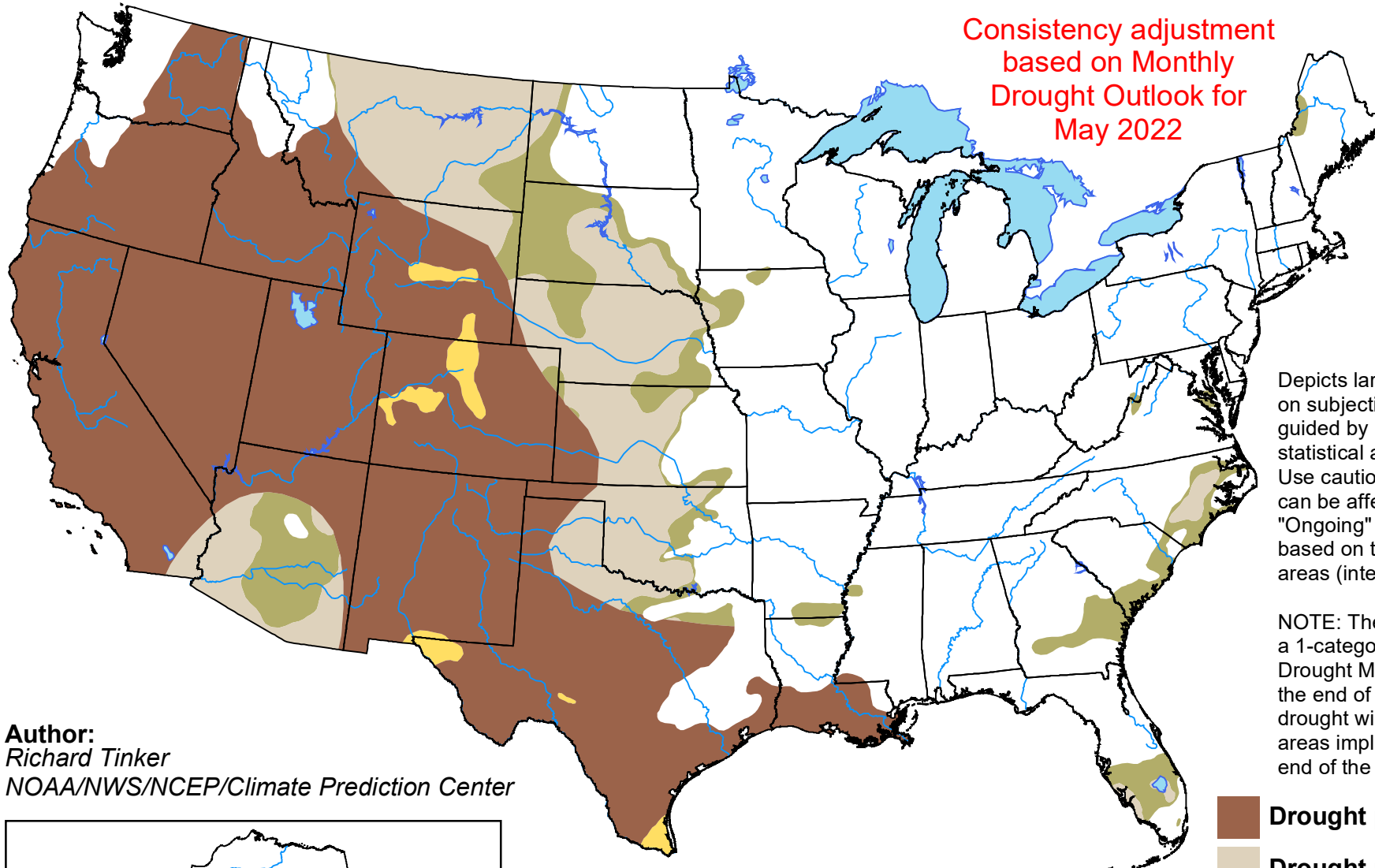
droughtmonitor.unl.edu

U.S. Seasonal Drought Outlook

Drought Tendency During the Valid Period




Valid for May 1 - July 31, 2022
Released April 30, 2022

Consistency adjustment
based on Monthly
Drought Outlook for
May 2022

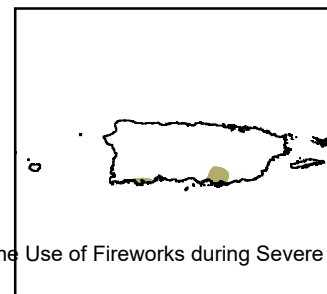
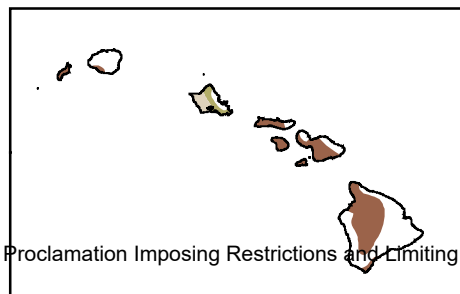
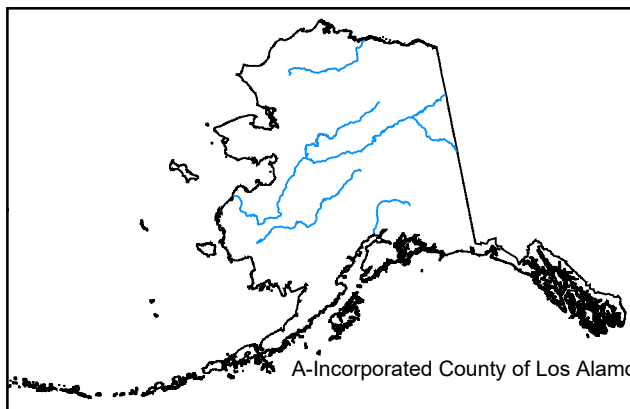


Depicts large-scale trends based on subjectively derived probabilities guided by short- and long-range statistical and dynamical forecasts. Use caution for applications that can be affected by short lived events. "Ongoing" drought areas are based on the U.S. Drought Monitor areas (intensities of D1 to D4).

NOTE: The tan areas imply at least a 1-category improvement in the Drought Monitor intensity levels by the end of the period, although drought will remain. The green areas imply drought removal by the end of the period (D0 or none).

-  Drought persists
-  Drought remains but improves
-  Drought removal likely
-  Drought development likely

Author:
Richard Tinker
NOAA/NWS/NCEP/Climate Prediction Center



A-Incorporated County of Los Alamos Proclamation Imposing Restrictions and Limiting the Use of Fireworks during Severe to Extreme Drought Conditions.

<http://go.usa.gov/3eZ73>



State of New Mexico

Michelle Lujan Grisham
Governor

EXECUTIVE ORDER 2022-022

DECLARING SEVERE DROUGHT AND FIRE CONDITIONS THROUGHOUT THE STATE AND URGING MUNICIPAL AND COUNTY GOVERNMENTS TO CONSIDER FIREWORK BANS UNDER THE FIREWORKS LICENSING AND SAFETY ACT

WHEREAS, in recent weeks, fire danger has increased throughout the State due to warmer temperatures, lower humidity, high winds, and an abundance of dry, fine fuels;

WHEREAS, according to the United States Drought Monitor, approximately 93% of New Mexico is experiencing severe drought conditions, while more than 70% the State is experiencing extreme to exceptional drought conditions;

WHEREAS, significant fire danger and prevailing drought conditions create the possibility for numerous natural disasters, including severe wildfires, flooding due to severe wildfires, and crop production loss;

WHEREAS, the State is experiencing, or recently experienced, multiple large wildfires, including the Hermits Peak Fire, the McBride Fire, the Nogal Fire, the Calf Canyon Fire, the Cooks Peak Fire, and the Big Hole Fire;

WHEREAS, federal authorities have recently enacted early measures to respond to increased fire danger in the State by issuing Stage I and Stage II fire restrictions on federal lands; and

WHEREAS, tribal governments have also imposed fire restrictions on their lands.

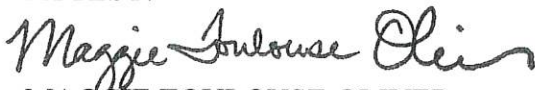
NOW, THEREFORE, I, Michelle Lujan Grisham, Governor of the State of New Mexico,

by virtue of the authority vested in me by the Constitution and the laws of the State of New Mexico do hereby **DECLARE** severe drought and fire conditions exist throughout New Mexico and **URGE** New Mexico's counties, municipalities, and local governments to consider implementing appropriate firework bans pursuant to the Fireworks Safety and Licensing Act, NMSA 1978, §§ 60-2C-1 to -11, as well as any other appropriate fire prevention measures that they may legally enact.

I FURTHER ORDER and DIRECT as follows:

1. This Order supersedes any previous orders, proclamations, or directives to the extent they are in conflict.
2. This Order shall take effect immediately and shall remain in effect until renewed, modified, or rescinded.

ATTEST:



MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE
THIS 25TH DAY OF APRIL 2022

WITNESS MY HAND AND THE GREAT
SEAL OF THE STATE OF NEW MEXICO



MICHELLE LUJAN GRISHAM
GOVERNOR

