

## TOWN OF MOUNTAINAIR

### DROUGHT CONDITIONS PROCLAMATION 2018

**WHEREAS:** The Governing Body of the Town of Mountainair has obtained information and forecasts from the National Weather Service concerning drought indices; and

**WHEREAS:** The Governing Body of the Town of Mountainair has obtained relevant information from the United States Forest Service concerning drought conditions; and

**WHEREAS:** The Governing Body of the Town of Mountainair held a public hearing on April 3<sup>rd</sup>, 2018, to determine whether the Town of Mountainair is affected by extreme or severe drought conditions and whether fireworks restrictions should be imposed within the municipal boundaries of the Town of Mountainair; and

**WHEREAS:** The Governing Body makes the following findings of fact based upon information provided during the public hearing;

(a) The Town of Mountainair is affected by extreme or severe drought conditions based on current drought indices published by the National Weather Service and other information supplied by the United States Forest Service.

### **NOW THEREFORE, BE IT PROCLAIMED BY THE GOVERNING BODY OF THE TOWN OF MOUNTAINAIR:**

**Section 1:** Extreme or severe drought conditions exist within the municipal boundaries of the Town of Mountainair.

**Section 2:** In addition to any ordinance enacted pursuant to NMSA 1978 §60-2C-7.C, the sale and use within the municipal boundaries of the Town of Mountainair of missile-type rockets, helicopters, aerial spinners and stick-type rockets is prohibited by this Proclamation.

**Section 3:** In addition to any ordinance enacted pursuant to NMSA 1978 §60-2C-7.C the sale and use within the municipal boundaries of the Town of Mountainair of ground audible devices including: chasers and firecrackers is prohibited by this Proclamation.

**Section 4:** The use of otherwise permissible fireworks, including: cone fountains, crackling devices, cylindrical fountains, flutter sparklers, ground spinners, illuminating torches, toy smoking devices and wheels is hereby limited to areas within the municipal boundaries that are paved or barren or to areas that have a readily

accessible source of water.

**Section 5:** The Governing Body prohibits the sale or use of display fireworks. For purposes of this Proclamation, display fireworks means: devices primarily intended for commercial 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 6:** This Proclamation is effective for a period of thirty (30) days from this date unless a subsequent Proclamation is issued by the Governing Body.

PASSED, APPROVED and ADOPTED by the Town Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Peter Nieto  
Mayor

ATTEST: \_\_\_\_\_  
Dennis Fulfer  
Town Clerk