



VILLAGE OF CORRALES

RESOLUTION NO. 11-022

A RESOLUTION DECLARING AN EMERGENCY DUE TO DROUGHT CONDITIONS AND FIRE HAZARD; RESTRICTING OPEN FIRES AND OTHER IGNITION SOURCES; PROVIDING FOR ENFORCEMENT.

WHEREAS, much of the State of New Mexico, including the Middle Rio Grande Valley and the Village of Corrales (the "Village"), has experienced drought and extremely dry conditions during the first five months of 2011; and

WHEREAS, as a consequence of the drought conditions there is a very serious threat of wildfire in the Village, posing an imminent threat to the health, safety, security property and general welfare of the residents of the Village; and

WHEREAS, under the general police powers of the Village the Village Council, the Governing Body of the Village (the "Governing Body"), has authority to impose restrictions on open fires and other ignition sources for the protection of the Village, its residents and their property.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Village of Corrales, New Mexico, that:

1. The following activities are prohibited within the Village:
 - a. Burning of vegetation, rubbish or other waste materials;
 - b. Open fires of any nature whatsoever;
 - c. Discharge or use of fireworks of any kind on public property, or in any other location other than completely within a paved area of no less than 100 square feet and no closer than three (3) feet to the edge of pavement;
 - d. Littering or discarding any ignited materials, including matches, cigarette butts, or other smoking materials on any public property; and
 - e. Issuance of permits or licenses for open burning of any kind.
2. For purposes of this Resolution, a cooking fire that is fully contained within a charcoal grill or similar metal container specifically designed for cooking purposes shall not be deemed an open fire and will be permitted so long as it is continuously monitored by the person or persons who are using it for cooking purposes. Unattended cooking fires are prohibited.
3. Nothing herein shall be construed to limit the authority or responsibilities of the Mayor, Village Administrator, Fire Chief, or Police Chief under any other statute, ordinance, resolution, regulation or other provision of law.

4. The Mayor through appropriate officers of the Village, including but not limited to the Fire Chief, the Police Chief, and the Village's police officers, shall have the power and duty to enforce the terms of this Resolution by all appropriate means, including but not limited to the immediate suppression of any open fires or other activities conducted in violation of this Resolution and the confiscation of any personal property or materials employed in activities that are conducted in violation of this Resolution.

5. This Resolution shall take effect immediately upon its adoption and shall remain in effect through September 30, 2011, unless amended, modified, or repealed by a resolution of the Governing Body. However, in the event of a change in drought conditions resulting in a significant decrease of the fire hazard, the Mayor on the advice of the Fire Chief may by executive action provide for an exception or exceptions to the provisions of this Resolution with such restrictions as to time and place as in the Mayor's view are most prudent to provide adequate protection to the Village and its residents.

PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 26th day of April, 2011.

APPROVED:



The Honorable Philip Gasteyer
Mayor

ATTEST:



Noelle Garcia
Deputy Village Clerk