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RESOLUTION #05-13-21/109-61

Restriction of Fireworks and Fireworks Sales IN OTERO COUNTY, NEW MEXICO

WHEREAS, THE Board of County Commissioners of Otero County, New Mexico, in accordance with Otero County Ordinance #18-02, has determined that, due to dry conditions, extreme drought, and the fact that the present fire danger is high within the County of Otero; and

WHEREAS, THE Board of County Commissioners of Otero County has further determined that, this Resolution is necessary in order to protect the health, safety, and welfare of the citizens of Otero County against wild fire danger pursuant to the authority granted by NMSA 1978 4-37-1 et. Seq.; and Fireworks Licensing and Safety Act— See NMSA 1978, § 60-2C-8.1

WHEREAS, THE Board of County Commissioners has also determined that there is extreme or severe drought in Otero County; and

NOW THEREFORE BE IT RESOLVED that the Otero County Board of County Commissioners by this Resolution declare as follows:

1. Within the unincorporated areas of Otero County, permissible fireworks are ground and hand-held sparkling devices, including:
 - a. Cone fountains
 - b. Crackling devices
 - c. Cylindrical fountains
 - d. Flitter sparklers
 - e. Ground spinners
 - f. Illuminating torches
 - g. Wheels
 - h. Novelty items
2. The following types of fireworks are non-permissible fireworks and their possession, sale, possession for sale and use is prohibited within the unincorporated areas of Otero County:
 - a. All fireworks prohibited under the New Mexico Fireworks Safety Act.
 - b. All aerial devices including:
 - i. Aerial shell kit-reloadable tubes
 - ii. Aerial spinners
 - iii. Helicopters
 - iv. Mines
 - v. Missile-type rockets
 - vi. Multiple tube devices

- vii. Roman candles
- viii. Shells
- ix. Stick-type rockets
- c. All ground audible devices, including:
 - i. Chasers
 - ii. Firecrackers

3. This restriction shall remain in place June 8, 2021 thru July 8, 2021.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF MAY, 2021

**BOARD OF COUNTY COMMISSIONERS
OF OTERO COUNTY NEW MEXICO**

Gerald Matherly, Chairman

Vickie Marquardt, Vice-Chair

Couy Griffin, Commissioner

Robyn Holmes, Otero County Clerk