



RESOLUTION 20-21A

A RESOLUTION PROCLAIMING EXTREME OR SEVERE DROUGHT CONDITIONS WITHIN THE TOWN OF TAOS; RESTRICTING THE SALE AND USE OF CERTAIN FIREWORKS WITHIN TOWN LIMITS, CONSISTENT WITH NMSA 1978 60-2C-8.1 (Amending Resolution 20-21)

WHEREAS, the Town Council is the duly authorized governing body of the Town of Taos, a New Mexico municipality; and

WHEREAS, the Town of Taos and the majority of Taos County, NM as of May 26, 2020, have been determined by the US Department of Agriculture (USDA), the National Drought Mitigation Center, the National Oceanic and Atmospheric Administration (NOAA), and the US Department of Commerce (Attachment 1), as well as the US Department of the Interior's US Forest Service (USFS) and Bureau of Land Management (BLM) as being in a "D2", or "Severe Drought" condition; and

WHEREAS, the National Weather Service is predicting continued above "average temperatures" and "drought persisting" through August 31, 2020; and,

WHEREAS, the dry, windy conditions with no sign of monsoon rains or significant precipitation in the near future that currently exist within the Town of Taos requires increased awareness and preventative measures; and

WHEREAS, a state of national and state public health emergency already exists that is requiring increased services from our first responders and emergency management personnel; and,

WHEREAS, such drought conditions pose a public health and safety danger to the public through an increased structural, brush and wildfire risk; and

WHEREAS, under such drought conditions the sale or use of fireworks within the municipality increases the risk of structural, brush and wildfires; and

WHEREAS, the State constitution empowers local governments to act on behalf of the public in the protection of the public's health and safety during these heightened times; and

WHEREAS, consistent with the above, NMSA 1978 60-2C-8.1, titled "Extreme or severe drought conditions; restricted sale and use (of fireworks)" the state empowers a municipality to hold a public hearing, to include testimony by the Office of Fire Marshall, Fire Chief, Emergency

NOW, THEREFORE, the Town Council, having been presented with the testimony of the Fire Marshall, Fire Chief and other personnel of the Town and having been presented with evidence (see attached Exhibits) that, per state statutes, that the National Weather Service has determined that a condition of severe drought exists, and that the Council, pursuant to NMSA 1978, §60-2C-8.1 of the Fireworks Licensing and Safety Act, does hereby resolve that fireworks restrictions should be imposed within the boundaries of the Town of Taos due to severe drought conditions;

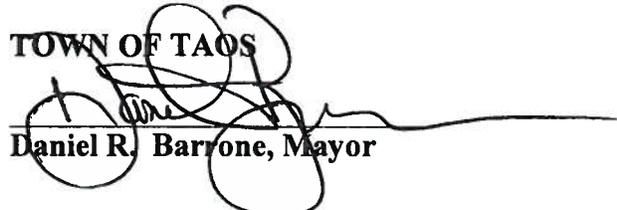
IT IS, THEREFORE, RESOLVED that, with the exception of the Town's annual fireworks display, the sale and use of fireworks that are missile-type rockets, helicopters, aerial spinners, stick-type rockets and ground audible devices are prohibited in the Town of Taos, New Mexico, and that fireworks of a type not prohibited herein shall be limited to use in paved or barren areas or areas that have a readily accessible source of water for use by the homeowner or the general public; and

IT IS FURTHER RESOLVED that this resolution regarding fireworks shall remain in effect for a period of thirty (30) days from its adoption and the Council may issue succeeding proclamations if extreme or severe drought conditions warrant.

PASSED, ADOPTED AND APPROVED, this 9th day of June, 2020, at the Regular Meeting of the Town Council by the following vote:

Mayor Pro Tem Nathaniel Evans	<u>Yes</u>
Councilmember George "Fritz Hahn"	<u>Yes</u>
Councilmember Pascualito Maestas	<u>Yes</u>
Councilmember Darien Fernandez	<u>Yes</u>

TOWN OF TAOS


Daniel R. Barrone, Mayor

ATTEST:


Francella Garcia, Town Clerk

APPROVED AS TO FORM:

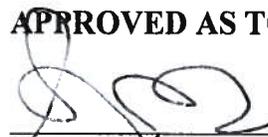
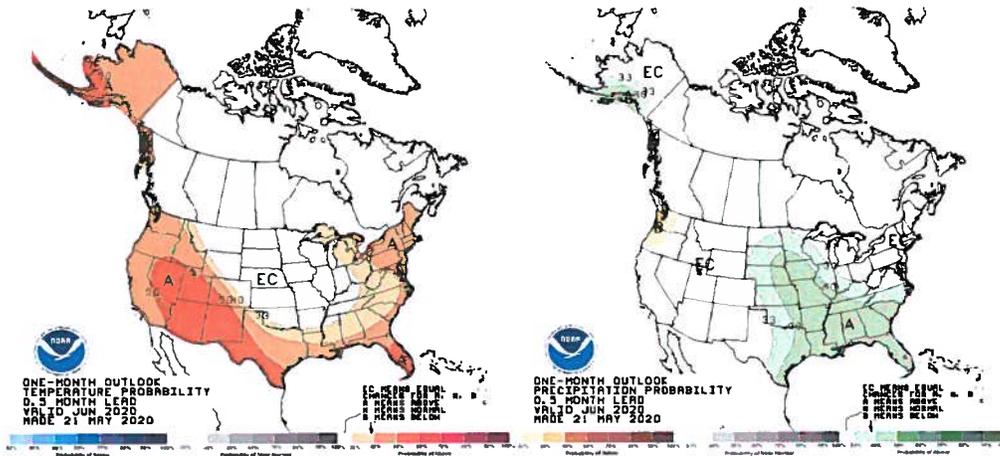

Stephen Ross, Town Attorney

EXHIBIT 1

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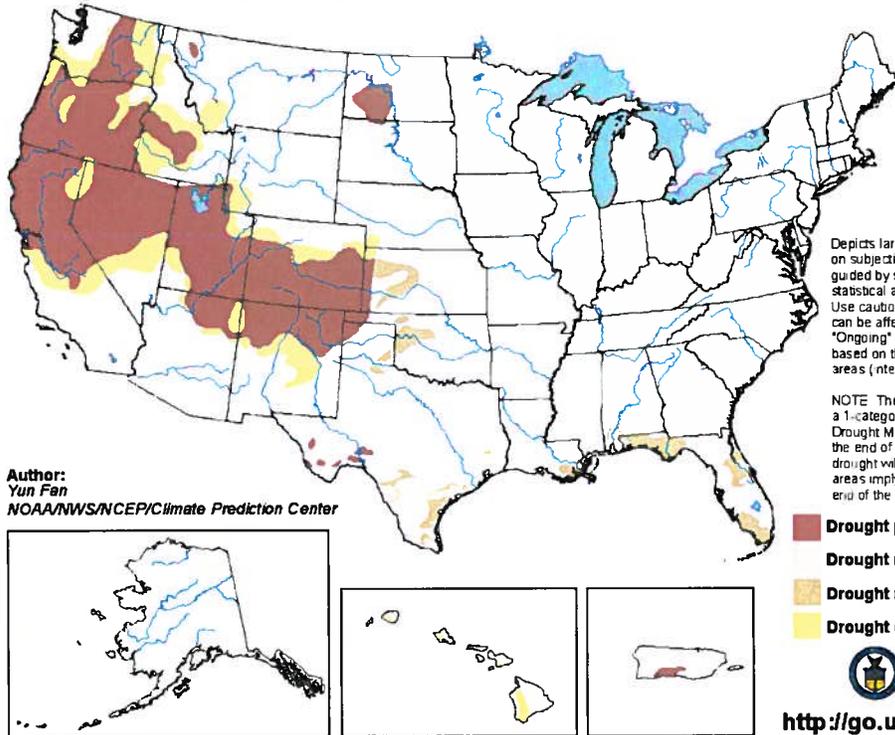
NOAA ONE MONTH TEMPERATURE AND PRECIPITATION OUTLOOK



NATIONAL WEATHER SERVICE US SEASONAL DROUGHT OUTLOOK

U.S. Seasonal Drought Outlook Drought Tendency During the Valid Period

Valid for May 21 - August 31, 2020
Released May 21



Author:
Yun Fan
NOAA/NWS/NCEP/Climate Prediction Center

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



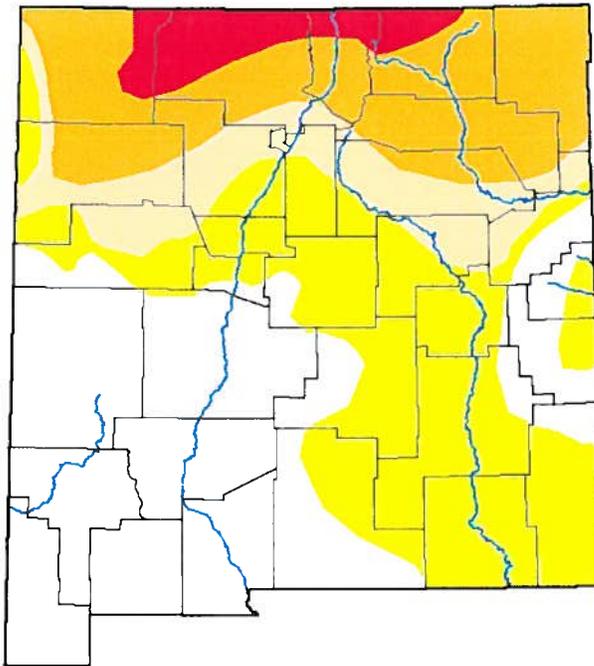
<http://go.usa.gov/3eZ73>

EXHIBIT 2

NATIONAL WEATHER SERVICE CURRENT DROUGHT STATUS IN NEW MEXICO

U.S. Drought Monitor New Mexico

May 19, 2020
(Released Thursday, May 21, 2020)
Valid 8 a.m. EDT



Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	36.71	63.29	33.40	23.00	4.44	0.00
Last Week 05-12-2020	53.19	46.81	28.91	15.82	0.49	0.00
3 Months Ago 02-19-2020	43.52	56.38	26.62	11.60	0.00	0.00
Start of Calendar Year 12-31-2019	52.86	47.14	26.33	15.26	0.00	0.00
Start of Water Year 10-01-2019	37.27	62.73	29.82	6.81	0.00	0.00
One Year Ago 05-21-2019	64.58	35.42	18.85	0.00	0.00	0.00

Intensity

- None
- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme 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

Brian Fuchs
National Drought Mitigation Center



droughtmonitor.unl.edu



RESOLUTION 20-21

A RESOLUTION BY THE TOWN OF TAOS COUNCIL RESTRICTING THE SALE AND USE OF CERTAIN FIREWORKS WITHIN TOWN LIMITS, CONSISTENT WITH NMSA 1978 60-2C-8.1

WHEREAS, the Town Council is the duly authorized governing body of the Town of Taos, a New Mexico municipality; and

WHEREAS, the Town of Taos and the majority of Taos County, NM as of May 26, 2020, have been determined by the US Department of Agriculture (USDA), the National Drought Mitigation Center, the National Oceanic and Atmospheric Administration (NOAA), and the US Department of Commerce (Attachment 1), as well as the US Department of the Interior's US Forest Service (USFS) and Bureau of Land Management (BLM) as being in a "D2", or "Severe Drought" condition; and

WHEREAS, the National Weather Service is predicting continued above "average temperatures" and "drought persisting" through August 31, 2020; and,

WHEREAS, the dry, windy conditions with no sign of monsoon rains or significant precipitation in the near future that currently exist within the Town of Taos requires increased awareness and preventative measures; and

WHEREAS, a state of national and state public health emergency already exists that is requiring increased services from our first responders and emergency management personnel; and,

WHEREAS, such drought conditions pose a public health and safety danger to the public through an increased structural, brush and wildfire risk; and

WHEREAS, under such drought conditions the sale or use of fireworks within the municipality increases the risk of structural, brush and wildfires; and

WHEREAS, the State constitution empowers local governments to act on behalf of the public in the protection of the public's health and safety during these heightened times; and

WHEREAS, consistent with the above, NMSA 1978 60-2C-8.1, titled "Extreme or severe drought conditions; restricted sale and use (of fireworks)" the state empowers a municipality to hold a public hearing, to include testimony by the Office of Fire Marshall, Fire Chief, Emergency Management and Code Official, to determine if fireworks restrictions should be imposed within the municipality;

NOW, THEREFORE, the Town Council, having been presented with the testimony of the Fire Marshall, Fire Chief and other personnel of the Town and having been presented with evidence (see attached Exhibits) that, per state statutes, that the National Weather Service has determined that a condition of severe drought exists, and that the Council, pursuant to NMSA 1978, §60-2C-8.1 of the Fireworks Licensing and Safety Act, does hereby resolve that fireworks restrictions should be imposed within the boundaries of the Town of Taos due to severe drought conditions;

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IT IS FURTHER RESOLVED that this resolution regarding fireworks shall remain in effect for a period of thirty (30) days from its adoption or until either renewed by Council or the weather conditions have improved to such an extent that there is a withdrawal of the resolution by the Council.

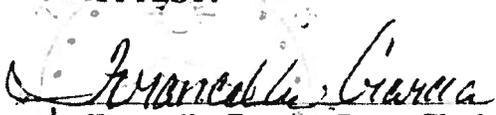
PASSED, ADOPTED AND APPROVED THIS 26th day of May, 2020, at the Regular Meeting of the Town Council by the following vote:

Mayor Pro Tem Nathaniel Evans	<u>Yes</u>
Councilmember George "Fritz Hahn"	<u>Yes</u>
Councilmember Pascualito Maestas	<u>Yes</u>
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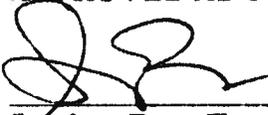
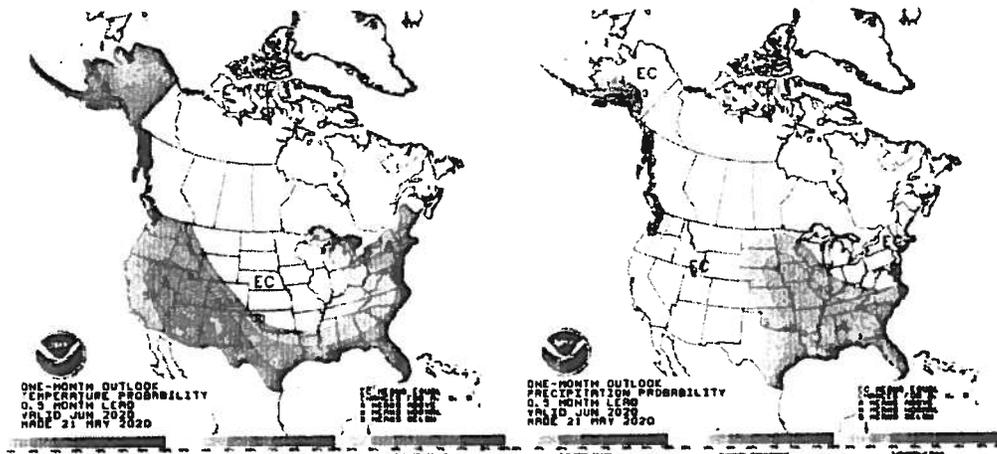

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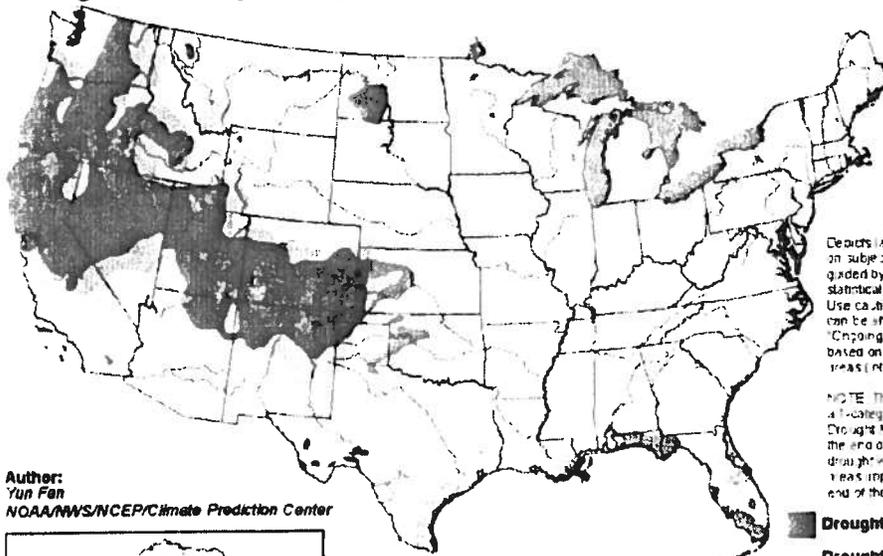
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<http://go.usa.gov/3eZ73>

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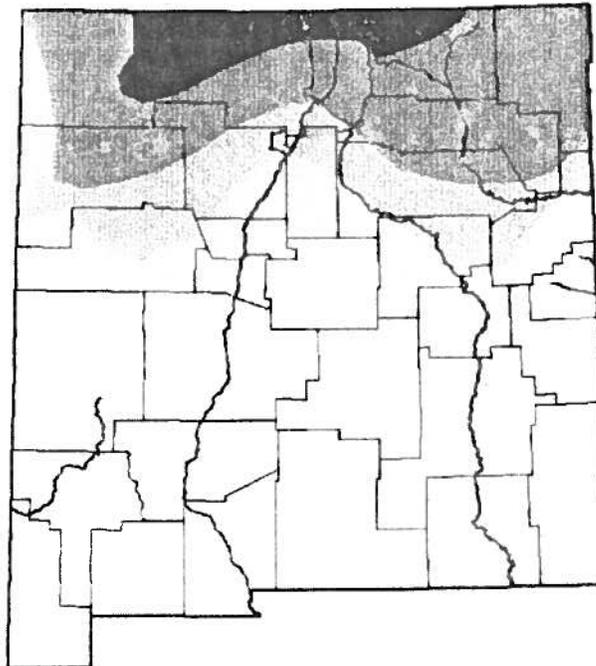
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