



CITY OF SANTA FE
PROCLAMATION OF EMERGENCY II - FIRE RISK

June 7, 2022

WHEREAS, pursuant to Santa Fe City Code (SFCC) 1987, Section 2-1.3, “Powers and Duties of the Mayor,” the Mayor has, within the city limits, the power conferred on the sheriffs of counties to suppress disorders and keep the peace;

WHEREAS, the City’s Emergency Declaration Ordinance, Section 20-1, authorizes the Mayor to proclaim that a state of emergency exists, after consultation with the emergency manager, chief of police, and/or fire chief;

WHEREAS, such an emergency proclamation allows the Mayor to prohibit and/or require certain actions to protect life and property and to preserve public peace and safety;

WHEREAS, SFCC 1987, Section 2-16, defines “emergency” to include a “wildland and urban fire . . . or any other condition that warrants action to protect life, property, or the environment”;

WHEREAS, Resolution No. 2019-56 recognized that the City’s water sources are “vulnerable to natural conditions that could limit their availability, including climate change, drought, reduced recharge, water quality and wildfire”;

WHEREAS, due to abnormally low winter precipitation, the United States Forest Service data indicates very high or extreme fire danger presently exists;

WHEREAS, in April, May, and June, numerous wildfires have broken out in central and northern New Mexico;

WHEREAS, the danger of range fires, grass fires, forest fires and structure fires is

very high or extremely high in and around the City of Santa Fe;

WHEREAS, the weather in Santa Fe has been dry with historic and unprecedented winds, contributing to the present very high or extreme fire risk, and, should windy and dry weather conditions continue into the coming weeks, these conditions can cause a progressively worsening fire risk;

WHEREAS, the Governing Body has adopted a series of resolutions, including Resolution 2022-025, which recognize severe or extreme drought conditions exist and that restrict the sale or use of fireworks;

WHEREAS, Resolution No. 2022-25 restricts fireworks from May 11, 23, 2022, to June 10, 2022, as permitted in NMSA 1978, Section 60-2C-8.1;

WHEREAS, on April 22, 2022, pursuant to federal regulation, the Santa Fe National Forest (“SFNF”) Forest Supervisor implemented Stage II fire restrictions, including prohibitions and/or restrictions on fires; smoking, blasting, welding, and torches; using an explosive of any kind; equipment powered internal combustion engines; and driving off designated roads;

WHEREAS, on May 19, 2022, pursuant to federal regulation, the SFNF Forest Supervisor implemented Stage III fire restrictions for the full 1.6 million acres of the Santa Fe National Forest, closing the forest until at least July 18, 2022, unless rescinded earlier;

WHEREAS, on May 20, 2022, pursuant to Santa Fe County Ordinance 2001-01, Santa Fe County’s Growth Management Director ordered the closure of certain County trails effective immediately and until the order is superseded by the Board of County Commissioners or a change is made by the Director;

WHEREAS, other than through emergency orders, the City of Santa Fe does not currently have a designated method for a City official to close public trails and open spaces to mitigate the risk of fire;

WHEREAS, on May 28, 2022, I proclaimed an emergency due to risk of fire that the Governing Body extended for ten days, expiring today, June 7, 2022;

WHEREAS, as of June 5, 2022, the combined Calf Canyon and Hermit’s Peak fires

have burned 317,571 acres of land and became the largest fire in the nation and in state history over ten days ago;

WHEREAS, the Calf Canyon and Hermit's Peak fires and have displaced, threatened, or encroached upon numerous communities in Northern New Mexico and continue to burn, with 65% containment;

WHEREAS, residents of San Miguel, Mora, Taos, Colfax and Santa Fe counties are on or remain on high alert for changes to evacuation status and road closures;

WHEREAS, while existing fires do not put the City of Santa Fe at immediate risk, hot and dry weather, extreme winds, and dry vegetation mean new fires can be easily started in the City's vegetated open spaces through irresponsible human use, such as discarded cigarettes, sparks from vehicles and machinery, and other behavior or actions that could cause a fire incident to break out;

WHEREAS, the risk of fire on certain City trails poses a greater risk to the public and property due to their wildland-urban interface and their more remote locations, making them less accessible by the City's Fire Department;

WHEREAS, emergency orders are necessary to protect life and property and preserve the public peace and safety of the people of Santa Fe; and will improve the City of Santa Fe's response to, and limit the harm caused by, wildfires.

THEREFORE, I, ALAN M. WEBBER, Mayor of the City of Santa Fe, New Mexico, hereby declare, that an emergency continues to exist in the City. As a result, events are causing danger of injury or damage to persons and property within the city. I hereby invoke all of Section 2-1.3, and Sections 20-1.2 through 20-1.5 of the Santa Fe City Code of 1987, to preserve the peace and order in the City of Santa Fe.

In particular, I take the following actions:

I. I order the following, effective immediately:

- a. The following trails shall be closed, including the- open spaces accessible from them:
 - i. the Dale Ball Trails;
 - ii. the Dorothy Stewart Trail;

- iii. the Sun Mountain Trail;
- iv. the MX/BMX Trails at La Tierra and the Municipal Recreation Center;
- v. the La Tierra Trails; and

b. The use of grills or other outdoor cooking facilities in public parks and outdoor recreation sites is prohibited.

II. Penalties:

Pursuant to SFCC 1987 Section 20-1.5, any person who fails to comply with emergency orders is guilty of a petty misdemeanor. Upon conviction of a second or subsequent offense, a person is guilty of a fourth degree felony and may be referred to the district attorney's office for prosecution.

III. Further, I strongly recommend that individuals and households take the following precautions:

- a. Prepare a Ready-Set-Go Personal Wildfire Action Plan; information about creating a personal wildfire action plan and other useful information are available at <https://www.santafenm.gov/wildfireinfo2022>; and
- b. Reduce or eliminate conditions around their residences and places of work that could serve as fuel for a fire, including removing and properly disposing of unused household chemicals, oil and gas.

IV. Alternative Recreation. While the trails and open spaces listed above are closed, I encourage residents and tourists to use the City's inner-City trails, open spaces, parks, and recreation centers.

III. Effective Date

I hereby declare that this Proclamation will become effective upon my signature and order the City Manager to disseminate the contents hereof to the public by appropriate news media and any other means at his disposal.

IV. Term.

This Proclamation of Emergency shall last three days and may be extended for such additional periods of time as determined necessary by Resolution of the Governing Body of the City of Santa Fe, New Mexico.

DONE at Santa Fe, New Mexico this 7 day of June, 2022 at the hour of 6 o'clock P.M. (MDT).

Am

ALAN M. WEBBER, MAYOR
City of Santa Fe, New Mexico

ATTEST:

Kristine Mihelcic
Kristine Mihelcic (Jun 7, 2022 18:11 MDT)

KRISTINE MIHELCIC, CITY CLERK
(S E A L)