



VILLAGE OF CORRALES

PROCLAMATION NO. 13-02

A PROCLAMATION FINDING THAT SEVERE, EXTREME AND EXCEPTIONAL DROUGHT CONDITIONS CONTINUE IN THE VILLAGE OF CORRALES; CONTINUING THE PROHIBITION ON THE SALE AND USE OF CERTAIN FIREWORKS WITHIN THE VILLAGE; READOPTING, REAFFIRMING AND EXTENDING THE PROVISIONS OF PROCLAMATION NO. 13-01 ADOPTED MAY 14, 2013.

WHEREAS, pursuant to Section 60-2C-8.1, NMSA 1978, a part of the Fireworks Licensing and Safety Act, the governing body of a municipality may hold a hearing to determine whether fireworks restrictions should be imposed within the boundaries of the municipality if the municipality is affected by extreme or severe drought conditions; and

WHEREAS, on May 14, 2013, the Village Council, the governing body (“Governing Body”) of the Village of Corrales (the “Village”) adopted its Proclamation No. 13-01, declaring that moderate, extreme and exceptional drought conditions prevail in the Village, prohibiting the sale and use of certain fireworks within the Village, and providing that additional restrictions on the sale, possession and use of fireworks should be adopted by resolution; and

WHEREAS, on May 14, 2013, the Governing Body also adopted its Resolution No. 13-022 placing additional restrictions and prohibitions on the sale, possession and use of fireworks, and continuing in effect through September 30, 2013; and

WHEREAS, the Village Council, the governing body finds that there has been no improvement of drought conditions in the Corrales area since May 14, 2013, and specifically the National Oceanic and Atmospheric Administration/National Climate Data Center (“NOAA/NCDC”) Palmer Z Index, Short Term Conditions, still shows **SEVERE DROUGHT** conditions for the area in which the Village is located; the NOAA/NCDC Palmer Long-Term Drought Indices (Meteorological and Hydrological) Conditions, both still show **EXTREME DROUGHT** conditions for the area in which the Village is located; the NOAA three-month temperature outlook for June to August 2013 still predicts **TEMPERATURES SIGNIFICANTLY ABOVE NORMAL** for the area in which the Village is located; the National Weather Service U.S. Drought Monitor still shows that the area in which the Village is located is presently in a state of **EXCEPTIONAL DROUGHT** conditions; and the National Weather Service U.S. Drought Outlook for the period from May 16, 2013 through August 31, 2013 predicts that present **DROUGHT CONDITIONS** are likely to **PERSIST** or **INTENSIFY**; and

WHEREAS, the Governing Body finds that so long as the foregoing drought conditions persist or are reasonably likely to persist or intensify, it is imperative in order to protect the lives, safety, property, and general welfare of the residents of and visitors to the Village that all reasonable precautions be taken to avoid the ignition or spread of fire within the Village and in other nearby areas; and

WHEREAS, the discharge or use of fireworks and, in particular, the discharge or use of fireworks that are not under the absolute and complete control of the persons using them and retained within an area where there are no combustible materials of any sort whatsoever, is likely to cause the ignition of a fire that could cause death, injury, or serious property damage within the Village.

NOW, THEREFORE, BE IT PROCLAIMED by the Village Council, the Governing Body of the Village of Corrales, that:

1. The terms and provisions of Proclamation No. 13-01 are hereby **readopted, reaffirmed** and **extended** for a period of thirty (30) days from the date of adoption of this Proclamation No. 13-02.

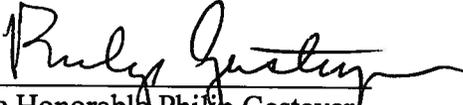
2. Resolution No. 13-022 remains in full force and effect in accordance with its terms.

3. This Proclamation shall be effective immediately upon its adoption and posting on the Village's web site, and shall remain in full force and effect for a period of thirty (30) days thereafter. Proclamation No. 13-01 as readopted, reaffirmed and extended by this Proclamation may be further readopted, reaffirmed or extended from time to time by action of the Governing Body as conditions warrant; *provided, however*, that if upon adoption, reaffirmation or extension thereof at any regular meeting of the Governing Body a period of time greater than thirty (30) days will elapse before the next regularly scheduled meeting of the Governing Body, Proclamation No. 13-01 as readopted, reaffirmed and extended by this Proclamation shall remain in full force and effect until the next regular meeting of the Governing Body.

SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Proclamation be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Proclamation. The Governing Body of the Village of Corrales hereby declares that it would have passed this Proclamation and each section, subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, upon discussion and consideration at public hearing, this 28th day of May, 2013.

APPROVED:


The Honorable Philip Gasteyer
Mayor

ATTEST:


Juan J. Reyes, Village Clerk