

City of Bayard

RESOLUTION 13-2026

A Resolution to Proclaim Extreme or Severe Drought Conditions within the City of Bayard and to Ban the Sale and Use of Certain Fireworks in the City of Bayard and Within Wildlands in the City

WHEREAS, current drought indices published by the United States National Integrated Drought Information System and the United States Forest Service indicate extreme or severe drought conditions in the region:

WHEREAS, an immediate and present danger of range fires, brush fires, grass fires, forest fires, and structure fires exists within the City of Bayard due to persistent drought;

WHEREAS, current fire conditions, including low humidity, high temperatures, dry weather, wind, and low fire fuel moisture content, have resulted in conditions of extreme risk of fire;

WHEREAS, under these circumstances, the probability of ignition and the spread of fire pose a severe threat to persons and property;

WHEREAS, the health, safety, and welfare of citizens are in danger as a result of such conditions;

WHEREAS, NMSA 1978, Section 60-2C-8.1 (A)-(D), authorizes the governing body of a municipality to declare that extreme or severe drought conditions exist and to restrict the sale and use of certain fireworks within its jurisdiction, after consultation with the State Forester regarding band within wildlands;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BAYARD:

1. The Governing Body of the City of Bayard hereby finds and declares that extreme or severe drought conditions currently exist within the City, creating an immediate and significant threat to the life, safety, health, and welfare of residents and to public and private property.
2. Pursuant to NMSA 1978, Section 60-2C-8.1, the sale and use of the following fireworks are prohibited within the City of Bayard: missile-type rockets, helicopters, aerial spinners, stick-type rockets, and ground audible devices, except as part of a public display conducted by or on behalf of the City of Bayard.
3. The use of permissible fireworks, not listed in Paragraph 2 above, is restricted to areas that are paved, barren, or have a readily accessible source of water for use

by the homeowner or general public, as authorized by NMSA 1978, Section 60-2C-8.1(B)(2)(a)


4. The use of all fireworks within wildlands in the City of Bayard is prohibited. The State Forester has been consulted, as required by NMSA 1978, Section 60-2C-8.4(B)(2)(b), and has concurred with this ban.
5. The sale and use of display fireworks are prohibited within the City of Bayard, except for public fireworks displays conducted by or on behalf of the City of Bayard, as permitted by NMSA 1978, Section 60-2C-8.1(B)(2)(c).
6. Any public fireworks display conducted by or on behalf of the City of Bayard must have a readily accessible source of water on site. The public viewing area must be located at a safe distance from the firing operation, as determined by the Fire Marshal or other designated official. No display shall proceed if wind conditions include sustained winds or gusts in excess of fifteen (15) miles per hour.
7. This Resolution shall be effective for thirty (30) days from the date of adoption but may be reissued if severe or extreme drought conditions persist. The City Council may modify or rescind this Resolution with the thirty (30) day period if, after conducting an emergency hearing, it determines that the weather conditions have improved sufficiently to reduce the risk of fire, as provided in NMSA 1978, Section 60-2C-8.1(D).

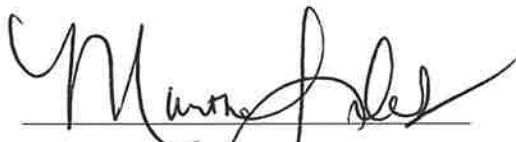
PASSED, APPROVED, and Adopted this 11th day of June 2026, by the City of Bayard

Council



Attest:


John L. Ojinaga, Mayor


Martha Salas, City Clerk Treasurer