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**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2023-\_\_**

**INTRODUCED BY:**

Mayor Alan Webber

**AN ORDINANCE**

**RELATING TO FIRE SAFETY; CREATING A NEW SECTION 12-7 SFCC 1987 TO ALLOW THE CITY MANAGER, IN CONSULTATION WITH THE FIRE CHIEF, EMERGENCY MANAGER, AND THE DIRECTOR OF THE COMMUNITY HEALTH AND SAFETY DEPARTMENT, TO CLOSE CERTAIN PUBLIC SPACES IF FIRE CONDITIONS REQUIRE SUCH CLOSURE TO PROTECT LIFE OR PROPERTY, AND TO PRESERVE PUBLIC PEACE AND SAFETY.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

**Section 1. [NEW MATERIAL] A new Section 12-7 of SFCC 1987 is hereby ordained to read:**

**12-7 RESTRICTIONS DURING VERY HIGH OR EXTREME FIRE RISK.**

**12-7.1 Purpose.**

The purpose of this section is to establish the authorities and processes to administratively restrict access to certain public trails and open spaces and to impose other fire-related restrictions when very high or extreme fire risk threatens life or property and to preserve public peace and

1 safety.

2 **12-7.2 Conditions.**

3 The city manager may impose fire-related restrictions pursuant to Section 12-7.3 when one  
4 or both of the following conditions occurs:

5 A. the United States forest service determines there exists a very high or extreme fire  
6 risk in and around the city of Santa Fe; or

7 B. the city of Santa Fe is considered to be in severe, extreme, or exceptional drought  
8 conditions as determined by the national weather service.

9 **12-7.3 Authority.**

10 In consultation with the fire chief, emergency manager, and the director of the community  
11 health and safety department to the extent possible, the city manager may take any of the following  
12 actions to mitigate fire risks:

13 A. close the portions of trails that begin, end, or cross through city property;

14 B. close open spaces to the extent that they lie on or partially on city property; and

15 C. impose restrictions on the use of cooking equipment on city property.

16 **12-7.4 Duration**

17 The actions described in Section 12-7.3 may continue as long as necessary but not longer  
18 than the next regular meeting of the governing body for which it is possible to include a resolution  
19 for emergency consideration and without prior introduction or committee review.

20 **12-7.5 Violations and penalties.**

21 Any person found to be in violation of a restriction imposed by the city manager or  
22 governing body pursuant to this Section shall be guilty of a penalty assessment misdemeanor in an  
23 amount not to exceed five hundred dollars (\$500.00).

24 PASSED, APPROVED, and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2023.

1 APPROVED AS TO FORM:

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4 ERIN K. McSHERRY, CITY ATTORNEY

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25 *Legislation/2023/Bills/Establishing Fire Restriction Authority*