

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2023-12

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5 AN ORDINANCE

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

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

14 Section 1. A new Section 12-7 of SFCC 1987 is hereby ordained to read:

15 12-7 RESTRICTIONS DURING VERY HIGH OR EXTREME FIRE RISK.

16 12-7.1 Purpose.

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

21 12-7.2 Conditions.

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

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

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

3 **12-7.3 Authority.**

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

- 7 A. close the portions of trails that begin, end, or cross through city property;
- 8 B. close open spaces to the extent that they lie on or partially on city property; and
- 9 C. impose restrictions on the use of cooking equipment on city property.

10 **12-7.4 Duration**

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

14 **12-7.5 Violations and penalties.**

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

18 PASSED, APPROVED, and ADOPTED this 29<sup>th</sup> day of March, 2023.

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21 ALAN WEBBER, MAYOR

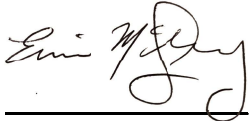
22 ATTEST:

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25 KRISTINE MIHELIC, CITY CLERK

1 APPROVED AS TO FORM:

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4 ERIN K. McSHERRY, CITY ATTORNEY

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*Bill No. 2023-7*

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*Legislation/2023/Or/Establishing Fire Restriction Authority*