

RESOLUTION NO. 2008-24

**TO DECLARE A STATE OF FIRE EMERGENCY FOR THE TOWN OF SILVER CITY,
GRANT COUNTY, NEW MEXICO**

Sponsored by: Mayor James R. Marshall

WHEREAS, Sections 91.03 and 91.13 of the Municipal Code of the Town Silver City provides that during periods of extreme drought or other fire emergency, the Fire Chief in consultation with the Town Manager may request the Town Council to make a finding that a state of fire emergency does presently exist; and

WHEREAS, after consultation with the Town Manager and the Fire Chief, the Town Council has determined that a state of fire emergency does presently exist; and

WHEREAS, upon such finding that a state of fire emergency does presently exist, the Fire Chief shall have the authority to issue Orders banning open flames to any extent deemed necessary for the protection of the public and its property; and

WHEREAS, the Town Council has concluded that the exercise of the authority mentioned above should be granted to the Fire Chief for the health, safety, and welfare of the Town;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Silver City that:

1. The Town Council of the Town of Silver City finds that a state of fire emergency does presently exist in the Town.
2. The Fire Chief of the Town of Silver City is authorized to issue Orders banning open flames within the Town to the extent that he deems necessary for the protection of

the health, safety, and welfare of the Town and its inhabitants.

3. The Orders of the Fire Chief shall be prominently posted at a minimum of six (6) prominent locations within the Town, and published in a newspaper of general circulation.

4. Penalty: Any person who violates an Order of the Fire Chief which has been promulgated in the Town shall be guilty of a misdemeanor, and the penalty therefore shall be a fine of not less than \$100 nor more than \$500 per instance of violation, plus up to 90 days imprisonment.

PASSED, ADOPTED and APPROVED this 24th day of June, 2008.

(Seal)

/s/

James R. Marshall, Mayor

Attest:

/s/

Ann L. Mackie, Town Clerk