

2012321

0188-190

**THE COUNTY OF TORRANCE, NEW MEXICO  
ORDINANCE NO. 2000-2.**

**AN ORDINANCE OF THE COUNTY OF TORRANCE CONCERNING THE  
SALE, USE AND POSSESSION OF FIREWORKS WITHIN THE COUNTY OF  
TORRANCE.**

**THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE  
COUNTY OF TORRANCE.**

**SECTION 1: SHORT TITLE.**

This Ordinance may be referred to as the Fireworks Control Ordinance.

**SECTION 2: PURPOSE.**

This ordinance is intended to preserve and to protect the general health safety and welfare of the County of Torrance during periods of extreme or severe drought as proclaimed by the governing body.

**SECTION 3: JURISDICTION.**

The 1999 amendments to the Fireworks Licensing and Safety Act, NMSA 1978 60-2C-1 through 60-2C-11 authorize governing bodies of Counties to limit and restrict the sale and use of fireworks within the county boundaries of Torrance in times of extreme or severe drought. This ordinance is enacted pursuant to authority granted to the governing body of NMSA 1978 60-2C-8.1.

**SECTION 4: LIBERAL CONSTRUCTION.**

This ordinance, being necessary to secure the public health, safety, convenience and welfare, shall be liberally construed to affect its purpose.

**SECTION 5: EFFECTIVE DATE.**

This ordinance is enforceable only if the governing body issues a Proclamation declaring a condition of extreme or severe drought following the procedures established in NMSA 1978 60-6C-8.1 and is only enforceable during the period of time which the Proclamation is in force and effect. Any dissolution or suspension of a Proclamation serves to stay enforceability of this ordinance and shall not operate as a repeal or suspension of the ordinance.

This ordinance is in addition to and complimentary with any ordinance concerning aerial devices and ground audible devices adopted in accordance with NMSA 1978 60-2C-7,

and shall not be construed as a limitation of the terms of any ordinance concerning aerial devices and ground audible devices adopted pursuant to NMSA 1978 60-2C-7.

**SECTION 6: SEVERABILITY.**

If any section, subsection, sentence, paragraph, clause, word or provision of this ordinance shall, for any reason, be held to be unconstitutional by a court of competent jurisdiction, such section, subsection, sentence, paragraph, clause, word or provision shall not invalidate the constitutionality of the remaining portions of this ordinance.

**SECTION 7: SALE AND USE OF CERTAIN FIREWORKS PROHIBITED.**

The sale and use within the County boundaries of Torrance of missile-type rockets, helicopters, aerial spinners and stick-type rockets is prohibited.

**SECTION 8: SALE AND USE OF CERTAIN FIREWORKS PROHIBITED.**

The sale and use within the County boundaries of Torrance of ground audible devices is prohibited.

**SECTION 9: RESTRICTIONS ON USE OF CERTAIN FIREWORKS.**

The use of any other permitted fireworks not listed in sections 7 or 8 of this ordinance is hereby restricted to areas within the county boundaries that are paved or barren or that have a readily accessible source of water for use by the homeowner or general public.

**SECTION 10: USE OF FIRE WORKS IN WILDLANDS PROHIBITED.**

The Governing Body, having consulted with the state forester declares that the use of all fireworks in areas designated by the Governing Body as "wildlands" (i.e. lands covered wholly or in part by timber, brush or native grass) is prohibited.

**SECTION 11: DISPLAY FIREWORKS.**

The sale or use of means devices primarily intended for commercial displays that are designed to produce visible or audible effects by combustion, deflagration or detonation, including salutes containing more than one hundred thirty milligrams of explosive composition; aerial shells containing more than forty grams of chemical composition exclusive of lift charge; and other exhibition display items that exceed the limits for permissible fireworks within the County boundaries of Torrance is prohibited.

**SECTION 12: PENALTIES**

Any violation of this Ordinance is punishable by imprisonment of up to 90 days and/or a fine of up to \$300.00 for each offence.

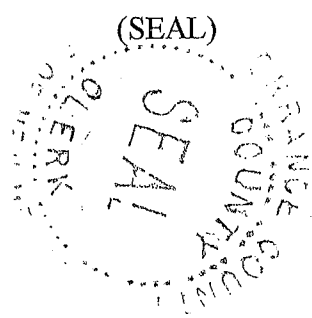
ADOPTED THIS 24 DAY OF May, 2000.

[Signature]  
Commission Chairperson

May 24, 2000  
Date

ATTEST:

05/24/00  
[Signature]  
County Clerk



State of New Mexico  
County of Torrance

I, hereby certify that this instrument was  
filed for record on the 1 day  
of May A.D., 2001  
at 2:14 o'clock P M and duly  
recorded in book 290 at page 188-190

Witness my hand and Seal of Office  
[Signature]  
County Clerk Torrance Co., N.M.  
[Signature] Deputy

