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State of New Mexico  
**County of Otero**

**PRESS RELEASE**

**FOR IMMEDIATE RELEASE – June 13, 2012**

**Burn Ban Proclamation in Otero County.**

Effective 8:00 AM June 14, 2012, Otero County has determined that, in order to protect the health, safety, and welfare of the citizens of Otero County due to existing drought conditions, current fire activity and minimal moisture received within Otero County, the present fire danger has increased, and hereby enacts a Burn Ban within Otero County.

This ban prohibits fireworks on all lands within the boundaries of the Lincoln National Forest and all burning of open flames, fires, trash, rubbish, shrubbery or other material of any kind within the affected unincorporated area of the County. Fireplaces in particular, the unquenched ashes from same, may present a significant hazard and use should be discouraged during this period of drought.

Failure to comply with restrictions in this proclamation may be chargeable under the following State Statutes;

- NMSA 1978 § 30-8-1. Public Nuisance (petty misdemeanor)
- NMSA 1978 § 30-17-1. Improper handling of fire. (petty misdemeanor)
- NMSA 1978 § 30-17-2. Use of an engine without spark arrester. (petty misdemeanor)
- NMSA 1978 § 19-6-2. Duty to extinguish fires; penalty for failure. (misdemeanor)
- NMSA 1978 § 19-6-1. Fires on state lands; lighting or leaving; penalty. (felony)
- NMSA 1978 § 30-17-5. Arson and negligent arson. (misdemeanor to 3<sup>rd</sup> degree felony)
- NMSA 1978 § 30-17-6. Aggravated arson. (2<sup>nd</sup> degree felony)
- NMSA 1978 § 30-32-1. Fires extinguished by officers; responsibility for costs.
- NMSA 1978 § 30-32-4. Civil action for damages.

This proclamation is to remain in effect until it is rescinded by declaration of the Otero County Emergency Services Director upon his receipt of documented evidence from the National Weather Service and the U.S.D.A. Forest Service that the fire danger and drought levels in Otero County have abated. The declaration shall be made in writing and published to the news entities and radio stations specified in the Otero County Open Meetings Resolution adopted by the Board of County Commissioners of Otero County for the current calendar year. Alternatively, the Board of County Commissioners may rescind or modify this proclamation at any duly convened public meeting of the Board of County Commissioners.

For additional information, please contact the Otero County Sheriff's Office at 575-437-2210 or, in the case of an emergency, dial 911.