

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Rudy N. Garcia
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

FIRE MARSHAL ORDER 8.25.20.01

COMES NOW the Santa Fe County (County) Fire Marshal, pursuant to the authority vested in the Fire Marshal by County Ordinance 2018-8, the Fire Code, including Chapter 1, Part 2, Section 103.1 and Chapter 1, Part 2, Section 104.1 of the International Fire Code, 2015 edition, and issues this Order prohibiting open burning within the unincorporated areas of Santa Fe County, beginning Friday, August 28, 2020, and continuing until further order of the Fire Marshal.

FINDINGS

1. The Fire Code defines open burning as “[t]he burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudgepots and similar devices associated with safety or occupational uses typically considered open flames, *recreational fires* or use of portable outdoor fireplaces. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.”
2. The majority of the County is within or close to the Wildland Urban Interface Area, an area particularly prone to fire dangers.
3. Personnel of the County Fire Department are both trained firefighters and emergency medical service providers, responsible for responding to both fires and calls for emergency medical services. This means that deploying personnel to fight fires reduces the personnel available to respond to calls for emergency medical services.

4. The Fire Code provides that a permit shall be obtained from the Fire Marshal prior to kindling a fire for: recognized agricultural, range or wildlife management practices; prevention or control of disease or pests; or a bonfire.

5. The Fire Code also provides that open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous.

6. Burn permits issued by the Fire Marshal specify that the Fire Marshal can require that open burning be immediately discontinued if it is determined that smoke emissions are offensive to occupants of surrounding property, or that burning constitutes a hazardous condition.

7. COVID-19 patients with respiratory symptoms and other respiratory illnesses may be negatively impacted by smoke caused by open burning and any resulting wildland fires;

8. Smoke inhalation can create upper respiratory symptoms that may be incorrectly attributed to COVID-19, resulting in unnecessary testing or self-isolation of County Fire Department personnel and/or members of the public.

9. Smoke from active wildland fires in New Mexico and surrounding states are negatively impacting the air quality in Santa Fe County and creating hazardous atmospheric conditions.

10. For similar reasons, the Santa Fe National Forest (SFNF) has implemented stage 1 fire restrictions.

11. Current atmospheric conditions are hazardous to emergency responders and the public.

ORDER

NOW, THEREFORE, the Fire Marshal orders that, beginning Friday, August 28, 2020:

1. Santa Fe County burn permits are suspended until further order of the Fire Marshal;

2. Burn permits will not be issued until further order of the Fire Marshal;
3. Open burning is prohibited in the unincorporated areas of Santa Fe County until further order of the Fire Marshal; and
4. Violations of this Order shall constitute a violation of Chapter 3, Section 307.1 of the Fire Code.

NOTICE OF APPEAL

This Order constitutes an appealable decision of the Fire Marshal and can be appealed in accordance with the Fire Code, Section 6(P).

IT IS SO ORDERED.



Jaome R. Blay, Santa Fe County Fire Marshal

August 25, 2020
Date

