



EMERGENCY ORDINANCE 01-2025
REQUIRING PERSONS INITIATING OPEN BURNS IN CATRON COUNTY TO NOTIFY THE
COUNTY MANAGER 12 HOURS IN ADVANCE

WHEREAS, the Catron County Commission met in a special meeting on April 3, 2025, at 10:00 A.M. in the Catron County Courthouse, 100 Main Street., Reserve, New Mexico; and,

WHEREAS, NMSA 1978, Section 3-18-1 (1972) provides that municipalities, and also counties pursuant to NMSA 1978, Section 4-37-1 (1995), have the power to "protect generally the property of its municipality and its inhabitant " and to "preserve peace and order"; and,

WHEREAS, NMSA 1978, Section 4-37-1 *et seq.* provides that counties may adopt ordinances, not inconsistent with statutory or constitutional limitations placed on counties, to discharge those powers necessary and proper to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of the county and its inhabitants; and,

WHEREAS, NMSA 1978, Section 4-37-7 (1975) eliminates the general ordinance publication requirement for ordinances "dealing with an emergency declared by the board of county commissioners to be an immediate danger to the public health, safety and welfare of the county;" and,

WHEREAS, the danger of brush fires, grass fires, forest fires and structure fires is extremely high in the State of New Mexico and especially Catron County and the surrounding jurisdictions; and,

WHEREAS, according to the National Weather Service's report of April 3, 2025 over half of the County is in extreme drought conditions with no forecasted relief.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, THAT:

Section 1. Declaration.

The Board of County Commissioners hereby declares that Catron County is suffering from abnormally warm temperatures, low humidity, high winds, and the abundance of dry, fine fuels that present a significant and immediate threat to the peace, safety, health and welfare of Catron County. The Board acknowledges that according to the National Weather Service Carton County is experiencing extreme drought and that wild-fires are currently burning in the State causing untold property damage and hardship.

Section 2. Requirement for Notification.

Any individual intending to commence an open burn for any reason on his/her private property in the unincorporated area of Catron County shall contact the County Manager 8:00 am to 5:00 pm Monday thru Friday and to contact Catron County dispatch after hours on weekdays and on weekends at least twelve (12) hours prior to the intended time of burning and notify her of the time and place of the intended burn. Upon receipt of notice of an intended burn by the Manager she shall contact the respective fire district chief and County dispatch to place those entities on notice in order to allow the deployment of available resources and to reduce the probability of improperly calling out limited resources. Notice may be made utilizing the following communication methods:

Manager Phone: 575-533-6423 (office)
Manager Facsimile: 575 533-6433 (fax)
Manager Email: deborah.mahler@catroncountynm.gov
Dispatch Phone: 575-533-6222

The County requests that all burns be limited to the hours of 5:00 am and 10:00 am. The Manager will advise against burning under adverse conditions.

Section 3. Effective Date and Duration.

Pursuant to NMSA 1978, Section 4-37-9 (C) (1997), the Board of County Commissioners hereby declares it is necessary for the public peace, health, safety and welfare that this Ordinance take effect immediately after passage. This Ordinance may be repealed by the Board or by a written finding of the County Manager that conditions have improved to the point where this Ordinance is no longer necessary, or a subsequent Ordinance limiting burning takes effect.

Section 4. Enforcement.

The Sheriff's Department of Catron County, the County Manager and any other legally qualified law enforcement officer or any of their agents shall have the ability to enforce this Ordinance

Section 5. Penalties.

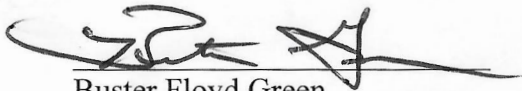
Any violation of this Ordinance shall be deemed a misdemeanor and punishable by a fine of not more than three hundred dollars (\$300) and/or up to 90 days in jail.

Section 6. Severability.

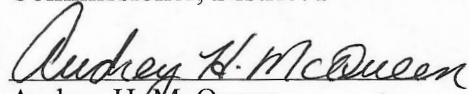
If any article, section, subsection paragraph, sentence, clause, phrase, provision or portion of any article, section, subsection paragraph, sentence, clause, phrase or provision in this Ordinance is for any reason, held to be unconstitutional, invalid, or void, the remaining portion shall not be affected since it is the express intention of the Catron County Board of County Commissioners to pass such article, section, subsection, paragraph, sentence, clause, phrase or provision and every other part.

ORDAINED, APPROVED AND ADOPTED, this 3rd day of April 2025.

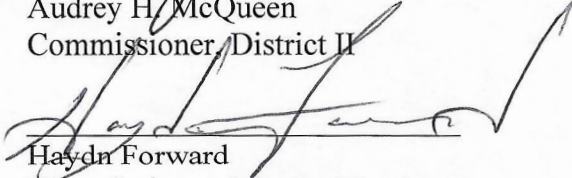
BOARD OF COUNTY COMMISSIONERS



Buster Floyd Green
Commissioner, District I

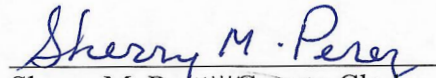


Audrey H. McQueen
Commissioner, District II



Hayden Forward
Commissioner, District III

Attest:


Sherry M. Perez, County Clerk