



Albuquerque **Fire** Rescue

Paul W. Dow, Fire Chief

Saturday, June 16, 2018

To: Councilor Borrego
From: Fire Chief Dow
Subject: Fireworks Information

I understand that you are as concerned as I am regarding the fire danger in the Bosque and the Open Space areas. Please let me explain the fireworks restrictions already in place and how Albuquerque Fire Rescue will respond over the next few weeks.

Fireworks Sales & Use

The sale and use of fireworks in the State of New Mexico is regulated by the State's "Fireworks Licensing and Safety Act," Chapter 60-2C-8.1 NMSA and City Ordinance. The State statute expressly removed from municipalities their general authority to regulate fireworks and replaced it with limited authority to regulate the use of "aerial" and "ground audible devices."

The City of Albuquerque Fire Code prohibits the possession, sale, or use of all aerial and ground audible devices within the city limits.

Examples of Aerial Devices include:

- Aerial Spinners
- Helicopters
- Mines
- Missile-type Rockets
- Roman Candles
- Shells
- Stick Type Rockets
- Chasers

Examples of Ground Audible Devices include:

- Chasers
- Firecrackers

Examples of Permissible Fireworks include:

- Cone Fountains
- Crackling Devices
- Cylindrical Fountains
- Flitter Sparklers
- Ground Spinners
- Illuminating Torches
- Toy Smoke Devices
- Wheels

Permissible fireworks should only be used on paved surfaces or barren areas. A water source should be readily accessible at all times by persons choosing to utilize legal fireworks.

By law, all fireworks are required to have warning labels. A general rule of thumb as to whether fireworks are aerial devices, ground audible devices or permissible fireworks is to examine the labels on each device.

Fireworks will be identified as legal or illegal by the label:

“**WARNING**” - illegal in the city of Albuquerque

“**CAUTION**” - legal and therefore permissible within city limits

No person may sell permissible fireworks unless the appropriate permit has been attained from the Fire Marshal’s Office. Application for permits is required at least fourteen (14) days prior to the date of sales. Permits are required to be posted onsite for inspection at all times.

Any person violating any provision of the Fire Code shall be subject to Citation or Criminal Complaint. Upon conviction, each violation can be punishable by a fine of not more than five hundred dollars (\$500) and/or imprisonment for not more than (90) days.

Reporting Illegal Fireworks

Starting July 1st through July 7th, AFR will recommend that all citizen complaints of illegal fireworks be reported via the “ABQ 311 App”, this is available as a free download on all smart devices. AFR will push this information out to media outlets and through social media, so the public understands our expectations. Complaints via the app will generate an e-mail received by AFR personnel assigned to the Alarm Room.

Response to Illegal Fireworks

6 Fireworks Enforcement Units (FEUs) will report to FMO on July 4th at 1800 hours to be assigned response districts by the Fire Marshal. Each FEU will be made up of one FMO Inspector and one APD Officer. The FEU’s primary objectives are public education, inspection of firework vendors and responding to calls of illegal fireworks, as dispatched by the FMO Command Post. The FEUs will be utilizing the APD Officers vehicle. Arson personnel will also be available upon request.

The FMO Command Post will be located at the Emergency Operations Center (EOC) and will be responsible for monitoring the AFR FMO channel, dispatching all illegal firework calls and conducting Personnel Accountability Reports (PARs) every 30 minutes throughout the assigned enforcement period.

Fire Restrictions

Albuquerque Open Space areas are **always** in Stage I Fire Restrictions (throughout the year).

Stage I. The following activities are prohibited in Open Space areas as defined herein while Stage I restrictions are in effect:

1. Building, maintaining, attending or using a fire, open flame, campfire or stove fire except within a developed recreation site.
2. Smoking, except within an enclosed vehicle.
3. Possessing, discharging or using any kind of fireworks or other pyrotechnic devices.
4. Possessing or operating a motor vehicle off any publicly designated roadway, except when parking in developed parking lots or at developed trailheads unless otherwise authorized by a recognized government agency having such authority.

Stage II. The following activities are prohibited in Open Space areas as defined herein while Stage II restrictions are in effect:

1. Building, maintaining, attending or using a fire, open flame, campfire or stove fire.
2. Smoking.
3. Possessing, discharging or using any kind of fireworks or other pyrotechnic device.
4. Possessing or using a motor vehicle off any publicly designated roadways, except when parking in developed parking lots or at developed trailheads.
5. Operating a chainsaw or other equipment powered by an internal combustion engine.
6. Operating any piece of spark-emitting equipment.
7. Operating any internal or external combustion engine.
8. Welding, or operating an acetylene or other torch with an open flame.
9. Camping or overnight stay.

Stage III. Closure. While Stage III closure is in effect for any or all open space areas as defined herein, it shall be prohibited to enter or be upon the restricted area.

1. Anyone found violating these restrictions is subject to a fine of up to \$500.00 and/or 90 days in jail.

Open Space Patrols

Level I – 1 unit on patrol daily from 1200-1930 assigned to patrol 37,000 acres of open space lands with the City of Albuquerque to include the Foothills, West Mesa, and the Bosque.

Level II – Same as Level I Patrols with the addition of one more unit that may be added during extreme conditions coordinated by Wildland Coordinator and Deputy Chief of Operations.

Albuquerque Fire Rescue began Level I Open Space Patrols on May 26, 2018. These patrols consist of a dedicated wildland apparatus being available and pre-positioned in our Open Space lands in the event there is a wildfire we will be able to respond quickly and contain these fires before the gain in intensity. Level II Open Space Patrols may be enacted, as necessary, to increase the dedicated number of units to two.

AFR will also be staffing four additional wildland apparatus on July 4th, 2018. These units will conduct patrols in and around the Bosque, Foothills, and West Mesa areas. Also, on the weekend following the 4th of July holiday; two wildland apparatus will be staffed to conduct patrols.

AFR will be providing units for both the Freedom 4th fireworks event at Balloon Fiesta Park as well as the Isotopes baseball game scheduled on July 4th. These units/personnel will provide stand-by for fireworks suppression and EMS services for the public in attendance.

Wildland Specialty Stations

Strategically and geographically located to provide rapid response and initial attack on wildland incidents.

-Station 1 – 724 Silver SW 87102

-Station 10 – 2841 Rio Grande NW 87107

-Station 16 – 4727 Juan Tabo NE 87111

-Station 17 – 3630 Yucca NW 87120

-Station 22 (future addition in November 2018) – 10005 Lyons NW 87114

Wildland Apparatus Staffing - July 4th, 2018 1000 hrs. to 2400 hrs.

3 – Type 6 Engines

1 – Type 3 Engines

-personnel will work past 2400 hrs. in the event of a working fire.

Wildland Apparatus Staffing - July 6th and 7th, 2018 1000 hrs. to 2400 hrs.

1 – Type 6 Engine

1 – Type 3 Engine

-personnel will work past 2400 hrs. in the event of a working fire.

Fourth of July Special Events

Freedom Fourth

1 – Type 6 Engine

1 – Type 1 Engine

3 – Rescues

Staffing from trucks will be used for both EMS and fireworks stand-by

4 – FMO Inspectors

Isotopes

1 – Type 1 Engine

2 – FMO Inspectors

6 – Personnel assigned for EMS