



OFFICE OF THE GOVERNOR

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EXECUTIVE ORDER

No. TA-2020-02

June 30, 2020

FIREWORKS BAN ON THE PUEBLO OF ACOMA

The Pueblo of Acoma is a sovereign Indian nation, recognized as such by the federal government of the United States of America, and in the exercise of its tribal sovereignty remains organized in accordance with Pueblo tradition and the laws of the Tribal Code for the Pueblo of Acoma are set out pursuant to the Pueblo's inherent power as a government to make laws and enforce them, Title 1, §1-1-2;

The purpose of the Tribal Code as set forth in Title 1, §1-1-3, is to protect the public welfare of the Acoma Pueblo Community including its traditions, customs and natural resources and Tribal Officers, including the Governor, have the general duty, under Title 1, §1-3-2(B) to execute the law so as to effectuate its purpose.

The risk of fire from dry weather conditions, warmer temperatures and drying grasslands and timber fuels has greatly increased, threatening the Pueblo of Acoma's public welfare and natural resources. Furthermore, the threat of fire to private residences in high-density neighborhoods, buildings and other structures, and farmlands on Acoma lands are at great risk resulting from the use of fireworks.

Therefore, the Pueblo of Acoma, in conjunction with the United States Department of the Interior, Bureau of Indian Affairs, Southern Pueblos Agency, believes that a ban on the use of all fireworks must be imposed, especially at this time of the year when fireworks are more likely to be used in observance of the July 4th holiday.

This order shall take effect June 30, 2020, and remain in effect until official notice is given by the Governor's Office. The Department of Natural Resources, the Acoma Public Safety Department, including the Acoma Police Department, Pueblo of Acoma Housing Authority, as well as any other involved agencies are hereby directed to enforce the following provisions of this Executive Order:

1. It shall be unlawful and subject to criminal and/or civil penalties for any person to possess or use, light or ignite by fire, heat, friction or tossing against the ground or any surface any type of fireworks anywhere on the Pueblo of Acoma.
2. A firework is a device containing gunpowder and/or other combustible chemicals that causes fire, sparks, explosion and/or explosive sound when it is ignited, lighted on fire or thrown on the ground. Fireworks commonly include, but are not limited to, firecrackers, M-80, Roman Candles, sparklers, ground spinners, fountains, snaps, poppers, smoke bombs, "black cats", and/or "lady fingers."
3. Anyone who violates this Executive Order is subject to civil penalties that include the imposition for compensatory damages for any damage to natural resources, persons and/or property caused by the use of fireworks, and, the imposition of community service and/or a fine not to exceed \$500.00 for each use of a

firework.

4. Anyone who violates this Executive Order is subject to criminal sanctions for failure to obey a lawful order under Title 6, §6-20-19 of the Pueblo of Acoma Law and Order Code.

The measures identified in this Executive Order shall apply to all Acoma residents. This action is taken to diminish the likelihood of a fire, that could endanger the public or threaten the natural resources of the Pueblo.

Signed into effect on this 30th day of June 2020:



Brian D. Vallo, Governor
PUEBLO OF ACOMA