



FILED FOR RECORD
AT 10:39 AM

FEB 11 2022

EMERGENCY ORDER PROHIBITING OUTDOOR BURNING

Issued Friday, February 11, 2022 at 10:00 AM, CST

Jane Jones, County Clerk
DELTA COUNTY, TEXAS
Jane Jones

WHEREAS, the Texas Local Government Code provides that the County Judge of a county, by order, may prohibit outdoor burning in the unincorporated area of the county if the County Judge makes a finding that circumstances present in the unincorporated area create a public safety hazard that would be exacerbated by outdoor burning.

WHEREAS, the Delta County Judge does hereby find that circumstances present in the unincorporated areas of Delta County create a public safety hazard that would be exacerbated by certain outdoor burning; and,

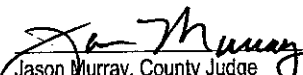
BE IT THEREFORE ORDERED that the following emergency regulations are hereby established for portions of the unincorporated areas of Delta County, Texas that are not subject to public ownership or stewardship for the duration of the above-mentioned declaration:

- 1) Actions Prohibited:
Except as described hereinafter, a person violates this order if he ignites, or causes ignition of any combustible or vegetative material outside of an enclosure which serves to contain all flames and/or sparks, or orders such burning or ignition by others.
- 2) Enforcement:
 - (a) Under notification of suspected outdoor burning, the fire department assigned to the location of the fire shall respond to the scene and take immediate measures to contain and to extinguish the fire.
 - (b) If requested by a fire official, a duly-commissioned peace officer, when available, shall be sent to the scene to investigate the nature of the fire.
 - (c) In accordance with Section 352.081 of the Local Government Code, a person who knowingly or intentionally violates this order commits a Class C Misdemeanor, punishable by a fine up to \$500.
- 3) If the responding peace officer finds that the person responsible for the fire is in violation of (1) above, a citation shall be issued for: Violation of Burn Ban Order.
- 4) This order shall not apply to the outdoor burning of vegetative material caused by welding or by other causes relating to the act of welding, if such burning is not malicious or intentional.
- 5) This order does not apply to outdoor burning activities:
 - (a) Related to public health and safety that are authorized by the Texas Commission on Environmental Quality for:
 - i. (A) firefighter training;
 - ii. public utility, natural gas pipeline, or mining operations; or
 - iii. planting or harvesting of agriculture crops.
 - iv. that are conducted by a prescribed burn manager certified under Section 153.048, Natural Resources Code, and meet the standards of Section 153.047, Natural Resources Code.

Be it also **ORDERED** that the purpose of this prohibition of outdoor burning is the mitigation of the public safety hazard posed by wildfires during the current dry weather period by curtailing the practice of outdoor burning, which purpose is to be taken into account in any enforcement action based upon this order.

This order may be renewed or expired on the 7th day, as determined by the Commissioners' Court of Delta County, Texas.

ORDERED THIS 11th DAY OF FEBRUARY, TO TAKE EFFECT AT 10:00 A.M., FRIDAY,
FEBRUARY 11, 2022.


Jason Murray, County Judge
Delta County, Texas

Delta County, Texas
200 West Dallas Avenue
Cooper, Texas 75432