STATE OF TEXAS

COUNTY OF BREWSTER

ORDER RESTRICTING OUTDOOR BURNING

WHEREAS, the Commissioners Court finds that circumstances present in all or part of the unincorporated area of the county create a public safety hazard that would be exacerbated by outdoor burning;

IT IS HEREBY ORDERED by the Commissioners Court of Brewster County that outdoor burning of trash, debris, and brush is prohibited in the unincorporated area of the county for 90 days from the date of adoption of this Order, unless the restrictions are terminated earlier based on a determination made by the Commissioners Court that the circumstances that required the Order no longer exist. Additionally, this Order places restrictions on outdoor welding:

- Provide a spotter for each welder, each cutter, each grinder and for any activity that causes or may cause a spark.
- Maintain a perimeter around the welding area of a radius of 25 feet or three times the height of the actual welding, whichever is greater. The perimeter must be cleared of vegetation and kept wet. If the perimeter cannot be cleared of vegetation, proper precautionary measures must be taken.
- Maintain a minimum of 100 gallons of water at the site.
- No welding shall occur if winds are greater than 20 mph.

Should circumstances improve to where a determination that the Order be rescinded in the time between regularly scheduled meetings of the Commissioners Court of Brewster County, the County Judge has the authority to rescind the Order.

This Order is adopted pursuant to Local Government Code §352.081, and other applicable statutes. This Order does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Commission on Environmental Quality for: (1) firefighter training; (2) public utility, natural gas pipeline or mining operations; (3) planting or harvesting of agricultural crops; or, (4) burns that are conducted by a prescribed burn manager certified under Natural Resources Code §153.048 and meet the standards of Natural Resources Code §153.047. This Order does not prohibit outdoor cooking fires but does require campfires to be contained within a fire pit or a fire ring. All cooking fires and campfires shall be extinguished completely prior to the user(s) leaving.

In accordance with Local Government Code §352.081(h), a violation of the Order is a Class C misdemeanor, punishable by a fine not to exceed $500.00.

APPROVED this 10th day of May, 2016, by the Brewster County Commissioners Court.

Eleazar Cano, Brewster County Judge

Attest:

Berta Rios-Martinez

Berta Rios-Martinez, Brewster County Clerk