

STATE OF TEXAS

§

IN THE COMMISSIONERS COURT

§

OF

COUNTY OF GILLESPIE

§

GILLESPIE COUNTY, TEXAS

ORDER FOR GILLESPIE COUNTY

PROHIBITION OF OUTDOOR BURNING

WHEREAS, in accordance with provisions of Section 352.081 of the Texas Local Government Code, the Gillespie County Commissioners Court has found that circumstances present in all or part of the unincorporated area of Gillespie County create a public safety hazard that would be exacerbated by outdoor burning; and

WHEREAS, a finding of such public safety hazard authorizes the imposition of controls on activities which tend to increase the likelihood of such fires;

BE IT THEREFORE ORDERED that the following regulations are hereby established for all unincorporated areas of Gillespie County, Texas for the duration of this Order:

(1) Actions Prohibited:

A person violates this Order if he or she burns any combustible material outside of an enclosure which serves to contain all flames and/or sparks, or orders such burning by others.

(2) Exceptions:

This Order does not apply to 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 Section 153.048, Natural Resources Code, and meet the standards of Section 153.047, Natural Resources Code.

(3) Enforcement:

- (a) Upon 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/or extinguish the fire.
- (b) As soon as possible, the County Fire Marshal and/or a duly-commissioned peace officer shall be sent to the scene to investigate the nature of the fire.

(c) This Order may be enforced in accordance with Section 352.081 of the Texas Local Government Code. An offense based on a violation of this Order is a Class C misdemeanor, punishable by a fine of up to \$500.00.

(4) Duration:

This Order shall expire either at the end of 90 days after the effective date shown on the Order, or upon a determination by the Commissioners Court, either by its own action or through the County Judge as its authorized agent, that the circumstances referred to herein no longer exist, whichever is earlier.

PASSED AND APPROVED this 24th day of July, 2023.

EFFECTIVE on the 24th day of July, 2023.



Daniel Jones
Gillespie County Judge

ATTEST:


Lindsey Brown
Gillespie County Clerk

