

NO 2019-03

STATE OF TEXAS

COUNTY OF UPTON

ORDER AUTHORIZING FOURTH OF JULY FIREWORKS SALES

WHEREAS, the Commissioners Court of Upton County is authorized under Occupations Code Section 2154.202(h)(1), to issue an order allowing retail fireworks permit holders to sell fireworks to the public in celebration of Fourth of July.

WHEREAS, on the same 20th day of MAY, 2019 the Commissioners Court of Upton County has determined that conditions are favorable to issue such an Order;

NOW, THEREFORE, the Commissioners Court of Upton County adopts this Order authorizing the sale of fireworks to the public by retail fireworks permit holders during the December firework holiday period beginning June 24 through July 4th, subject to the following restrictions:

- a. This Order expires on the date the Texas Fire Service determines drought conditions exist in the county or midnight, July 4, 2019, whichever is earlier.
- b. Designated areas include Nealy Park (not in ball field) in McCamey, and Red Devil Stadium parking lot in Rankin. Fireworks allowed from June 24, 2019 through July 4, 2019 at designated areas, from 5:00 p.m. until midnight.

Approved this the 20th day of MAY, 2019 by the Upton County Commissioners Court.




Dusty W. Kilgore, County Judge



Pete Jackson, Pct. #1



Tommy Owens, Pct. #2

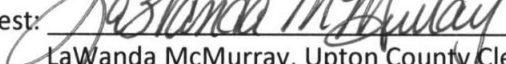


Mike Smart, Pct. #3



Gary Wolfe, Pct. #4

I, the undersigned, LaWanda McMurray, County Clerk of Upton County, Texas, do hereby certify that the above is a true and correct copy of a resolution duly adopted by the County of Upton, at a regular meeting duly convened on May 20, 2019.

Attest: 

LaWanda McMurray, Upton County Clerk

Date: 5-20-2019



NO 2019-4

STATE OF TEXAS

COUNTY OF UPTON

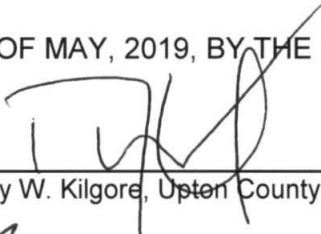
ORDER PROHIBITING FIREWORKS IN
UNINCORPORATED AREAS OF UPTON COUNTY, TEXAS

WHEREAS, on the 20th of May, 2019, the Texas Forest Service and Commissioners' Court of Upton County has determined that the normal danger of fire in the unincorporated areas of Upton County is greatly enhanced by the extremely dry conditions now existing;

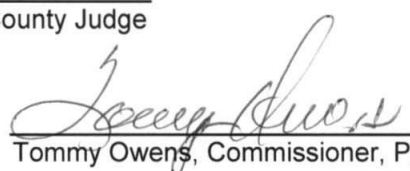
NOW THEREFORE, the Commissioners' Court of Upton County adopts this Order (prohibiting OR restricting) the sale or use of restricted fireworks in the unincorporated areas of Upton County.

- A. No person may sell, detonate, ignite, or in any way use fireworks classified under 49 C.F. R. part 173.100 (r)(2) (10-1-86 edition), as "skyrockets with sticks" and "missiles with fins" in any portion of the unincorporated areas of Upton, County.
- B. This Order does not prohibit:
1. Common fireworks, small in size classified as Class C explosives;
 2. Large fireworks devices designed primarily to produce visible or audible effects by combustion, deflagration, or detonation and classified as Class B explosive by the U.S. Dept. of Trans. [Tex. Occ. Code, Chapter 2154].
- C. A person commits an offense if the person knowingly or intentionally violates a prohibition established by this Order. An offense under this order is a Class C Misdemeanor. Fireworks allowed ~~June 24, 2019~~ - July 4, 2019 at designated areas, from 5:00 p.m. until midnight.
- D. Designated areas include Nealy Park (not in ball field) in McCamey, and Red Devil Stadium parking lot in Rankin. Fireworks allowed ~~June 24, 2019~~ - July 4, 2019 at designated areas, from 5:00 p.m. until midnight.

APPROVED THIS THE 20th DAY OF MAY, 2019, BY THE UPTON COUNTY COMMISSIONERS' COURT.


Dusty W. Kilgore, Upton County Judge


Pete Jackson, Precinct 1


Tommy Owens, Commissioner, Precinct 2


Mike Smart, Commissioner, Precinct 3


Gary Wolfe, Commissioner, Precinct 4

Attest: 
LaWanda McMurray, Upton County Clerk

