

NO 193

STATE OF TEXAS

COUNTY OF UPTON

ORDER PROHIBITING FIREWORKS IN
UNINCORPORATED AREAS OF UPTON COUNTY, TEXAS

WHEREAS, on the 2ND of December, 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 December 20th - Midnight, January 1 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 December 20th -Midnight – January 1st, at designated areas, from 5:00 p.m. until midnight.

APPROVED THIS THE 2nd DAY OF DECEMBER, 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

12/02/2019 FILED AT 9:48am
LaWANDA McMURRAY
CLERK COUNTY DISTRICT COURT
UPTON COUNTY
CLERK/DEPUTY

194

STATE OF TEXAS

COUNTY OF UPTON

ORDER AUTHORIZING NEW YEARS 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 New Years.

WHEREAS, on the same 2nd day of December, 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 December 20, 2019, Midnight, January 1, 2020, 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, December 31, 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 December 20, 2019, Midnight, January 1, 2020 at designated areas, from 5:00 p.m. until midnight.

Approved this the 2 day of Dec, 2019 by the UPTON County Commissioners Court.

Jerry Owens

 County Judge

12/03/2019 FILED AT 9:47am
 LAWANDA McMURRAY
 CLERK, COUNTY/DISTRICT COURT
 UPTON COUNTY

 CLERK/DEPUTY

M. Murray

