

NO 56

STATE OF TEXAS

COUNTY OF UPTON

Order Prohibiting or Restricting Certain Fireworks in unincorporated
Areas of Upton County, Texas

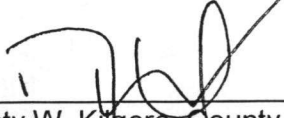
WHEREAS, the Commissioners Court of Upton County is authorized under Occupations Code Section 2154.202(h), to issue an order allowing retail fireworks permit holders to sell fireworks to the public in celebration of Memorial Day; and

WHEREAS, on the 7th day of June, 2021, 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 Fourth of July fireworks period beginning June 24th-Midnight, July 4th This order expires on the date the Texas Fire Service determines drought conditions exist in the county or midnight July 4, 2021, whichever is earlier.

- 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 "rockets 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. Under Local Government Code §352.051(f), Designated areas include Nealy Park (not in ball field) in McCamey, and Red Devil Stadium parking lot in Rankin from 5:00 p.m. until midnight to shoot fireworks

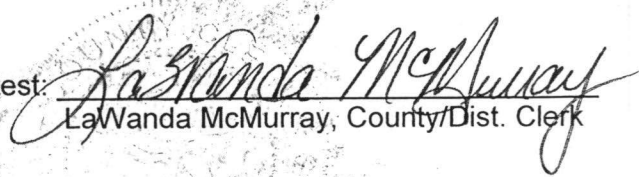
Approved this the 7th day of June, 2021, by the Upton County Commissioners Court.



Dusty W. Kilgore, County Judge



Attest:



LaWanda McMurray, County/Dist. Clerk

06/07/2021 FILED AT 9:47am
LaWanda McMurray
CLERK, COUNTY/DISTRICT COURT
UPTON COUNTY
CLERK/DEPUTY