

STATE OF TEXAS           §

COUNTY OF UPTON       §

### ORDER RESTRICTING OUTDOOR BURNING

**WHEREAS**, the Commissioners' Court has determined 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 Upton County that all outdoor burning, with exception of enclosed containers, is banned in the unincorporated area of the county for **90 days** from the date this order is adopted, which will make the expiration date **July 11, 2022**, unless the restrictions are terminated earlier based on a determination made by the Texas Forest Service or this Court. 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 Natural Resources Commission for (1) firefighter training; (2) public utility, natural gas pipeline or mining operation; (3) planting or harvesting of agricultural crops; or, (4) burns that are conducted by prescribed burn manager certified under Section 153.048, Natural Resources Code, and meet the standards of Section 153.047, Natural Resources Code.

ALL OTHER CONTROLLED BURNS MUST BE APPROVED BY AN UPTON COUNTY COMMISSIONER, SHERIFF AND FIRE DEPARTMENT WITH A "RELEASE TO CONDUCT CONTROLLED BURN FORM" FILLED OUT AND RETURNED TO THE COURTHOUSE 24 HOURS BEFORE BURNING.

The County Judge may rescind this Order upon a determination that the circumstances that required the Order no longer exist.

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

ADOPTED this 11<sup>th</sup> day of April, 2022.

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County Judge  
Dusty W. Kilgore

