

NO 2022-05

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 6<sup>th</sup> day of June, 2022, 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 24-MIDNIGHT, JULY 4) This order expires on the date the Texas Fire Service determines drought conditions exist in the county or midnight July 4, 2022 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 "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. 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 6<sup>th</sup> day of June, 2022, by the Upton County Commissioners Court.

\_\_\_\_\_  
Dusty W. Kilgore, County Judge

*Dusty Kilgore*  
6/6/22

Attest:

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LaWanda McMurray, County/Dist. Clerk

