

ORDER NO. 08-26-19-_____
WEBB COUNTY COMMISSIONERS COURT
REGULATING OUTDOOR BURNING (BURN BAN) IN UNINCORPORATED AREAS
OF WEBB COUNTY

WHEREAS, the Texas Forest Service has determined that Webb County has an average Drought Index of 585 KBDI; and

WHEREAS, the Webb County Commissioners Court hereby finds that drought circumstances present in all or part of the unincorporated area of Webb County create a public safety hazard that would be exacerbated by outdoor burning; and

WHEREAS, pursuant to §352.081 of the Local Government Code, the Webb County Commissioners Court has determined that the normal danger of fire in the unincorporated areas of Webb County is greatly enhanced by the extremely dry conditions now currently existing; and

WHEREAS, the Webb County Commissioners finds that it is in the best interest of the residents of Webb County to enact an immediate order to prohibit or restrict outdoor burning to promote the public welfare, safety and health of its citizens;

NOW THEREFORE, IT IS HEREBY ORDERED by the Commissioners Court of Webb County, acting in its duly authorized capacity for Webb County, a political subdivision of the State of Texas that:

- A. All outdoor burning, including but not limited to outdoor burning of trash and brush piles, in the unincorporated areas of Webb County is immediately prohibited for 90 days from the date of the adoption of the Order.
- B. This Order does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Natural Resources Conservation Commission for: (3) planting or harvesting or agriculture crops; or, (4) burn that are conducted by a prescribed burn manager certified under Section 153.048, Natural Resources Code and meet the standards of Section 153.047, Natural Resources Code.
- C. This Order may terminate sooner if a determination is made by the Commissioners Court that the circumstances giving rise to this burn ban order no longer exist.
- D. Any person is entitled to injunctive relief to prevent the violation or threatened violation of a prohibition or restriction established by this order. In accordance with Local Government Code §352.081 (h), a knowing or intentional violation of this Order is a Class C Misdemeanor punishable by a fine not to exceed \$500.00

ADOPTED this the 26th day of August, 2019.

The Honorable Tano E. Tijerina
Webb County Judge

ATTESTED:

Margie Ramirez-Ibarra
Webb County Clerk

APPROVED AS TO FORM:

Ray Rodriguez
Assistant General Counsel
Webb County Civil Legal Division*

*The General Counsel, Civil Legal Division's office, may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval of their own respective attorney(s).

**Passed and approved by the Webb County Commissioners
Court on August 26, 2019; Item no. _____.**