

COUNTY BURN BAN ORDER

COUNTY OF WISE
STATE OF TEXAS

ORDER PROHIBITING OUTDOOR BURNING

WHEREAS, Section 352.081 of the Local Government Code provides that the commissioners court of a county, by order, may prohibit outdoor burning in the unincorporated area of the county if the commissioners court makes a finding that circumstances present in the unincorporated area create a public safety hazard that would be exacerbated by outdoor burning; and,

WHEREAS, the Wise County Commissioners Court does hereby find that circumstances present in the unincorporated areas of Wise County create a public safety hazard that would be exacerbated by certain outdoor burning; and,

BE IT THEREFORE ORDERED that the following emergency regulations are hereby established for portions of the unincorporated areas of Wise County, Texas not subject to public ownership or stewardship for the duration of the above mentioned declaration:

(1) Actions Prohibited:

A person violates this order if he or she ignites a spark or flame outdoors, or causes ignition of any combustible, vegetative, or metal material outdoors, or orders such ignition by others.

(2) Enforcement:

- (A) Under notification of suspected outdoor burning, a duly-commissioned peace officer, when available, shall be sent to the scene to investigate the nature of the fire.
- (B) In accordance with Section 352.081 of the Local Government Code, a person who knowingly or intentionally violates this order commits a Class C Misdemeanor, punishable by a fine up to \$500.
- (C) If the responding peace officer finds that the person responsible for the burning is in violation of (1) above, a citation may be issued for: Violation of Burn Ban Order.
- (D) If requested by a peace officer, the fire department assigned to the location of the fire shall respond to the scene and take immediate measures to contain and to extinguish the fire.

(3) Exception:

It is an exception to this order for a person to engage in welding, cutting, grinding, hot work and related activities provided:

- (A) The National Weather Service has not issued a Red Flag warning for Wise County, Texas.
- (B) There is no ignitable surface, vegetation, or object within a ten (10) foot radius of the welding, cutting, grinding, hot work, and related activities.
- (C) A person ("spotter") is present whose sole responsibility is to alert those engaged in the above activities of any fire.
- (D) The means to effectively extinguish a fire is readily available.
- (E) Those exercising this exception must continuously monitor the safety of their activities and take any additional steps, or cease their activities, if the guidance provided is not adequate to prevent the ignition of an unintended fire.
- (F) The exercise of this exception does not relieve those engaged in the above activities from criminal or civil responsibilities as the result of a fire. It is assumed that a fire that results from the above activity is a violation of this order.

This order shall not apply to outdoor burning activities specified in Section 352.081(f) of the Local Government Code.

Be it also **ORDERED** that the purpose of this order is the mitigation of the public safety hazard posed by wildfires during the current dry weather period, by curtailing the practice of outdoor burning.

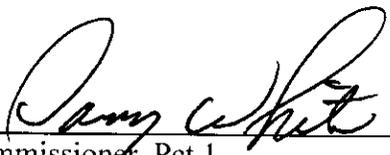
This order supersedes all previous orders prohibiting outdoor burning, and shall remain in effect for a period of ninety (90) days, and shall expire at the end of said period, or upon the date the Wise County Commissioners Court, the county judge, or county fire marshal, determines that the circumstances present in the unincorporated areas of Wise County no longer create a public safety hazard that would be exacerbated by outdoor burning, whichever occurs earlier.

ORDERED THIS 14 DAY OF September, 2015

WISE COUNTY COMMISSIONERS COURT



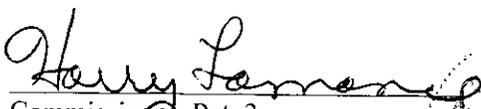
 County Judge



 Commissioner, Pct 1

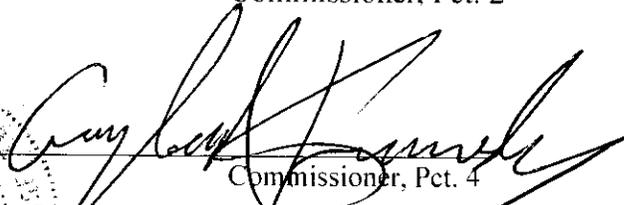


 Commissioner, Pct. 2

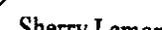


 Commissioner, Pct. 3





 Commissioner, Pct. 4


 Sherry Lamon