

STATE OF TEXAS

CLAY COUNTY

ORDER RESTRICTING OUTDOOR BURNING

WHEREAS, the Commissioners' Court of Clay County has determined that circumstances present in all areas of the county create a public safety hazard that would be exacerbated by outdoor burning:

IT IS HEREBY ORDERED by the Commissioners' court of Clay County that outdoor burning is banned in Clay County for thirty (30) days from the date of adoption of this Order, 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 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 operations; (3) planting or harvesting of agricultural crops; (4) burns 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 and also before burn advise the Clay County Sheriff's Department and all neighbors and have local Volunteer Fire Department on scene; (5) welding is permitted if you have at least 2 people (1 spotter) and at least 100 gallons of water with sprayer, and (6) outdoor cooking is permitted in an enclosed cooking container only, no open fires.

Additional Exemptions, limitations and guidelines:

- A.)** Agriculture burning of brush, brush piles, or fields is authorized if:
- i) There is at least a sixty (60) feet perimeter plowed, or cleared where burning is not possible, and wind speed is less than twenty (20) mph.
 - ii) The land owner has notified the Sheriff Department of their intention to have a controlled burn.
 - iii) A Fire Department has at least one fire truck on the location of the intended burn area.

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.

Burn Ban Exemptions, limitations and guidelines:

- A) Agriculture burning of brush, brush piles, or fields is authorized if:
 - i) There is at least a sixty (60') foot perimeter plowed, or cleared where burning is not possible, and wind speed less than twenty (20) mph.
 - ii) The land owner has notified the Sheriff department of their intention to have a controlled burn.
 - iii) A fire department has at least one fire truck on the location of the intended burn area.
- B) Welding, if there is a spotter on location with a water sprayer with at least one hundred (100) gallons of water.
- C) Outdoor cooking if the grill or cooker has a covered top and the grill is located on a vegetation free area.