

STATE OF TEXAS

§

§

COUNTY OF HIDALGO

§

### ORDER RESTRICTING OUTDOOR BURNING

**WHEREAS**, on the request of the commissioners court of a county, the Texas Forest Service shall determine whether drought conditions exist in all or part of the County; and

**WHEREAS**, the Texas Forest Service has determined that such conditions exist, and shall notify the County when the conditions no longer exist; and

**WHEREAS**, the Commissioners Court may prohibit or restrict outdoor burning of a particular substance in all or part of the unincorporated area of the county when drought conditions have been determined to exist; and

**WHEREAS**, the Commissioners Court finds that circumstances present in all or part of the unincorporated areas of the county create a public safety hazard that would exacerbate by outdoor burning:

**NOW THEREFORE BE IT RESOLVED AND HEREBY ORDERED** by the Commissioners Court of Hidalgo County that outdoor burning is restricted in the unincorporated area of the county to include any incorporated city that does not have its' own fire suppression resources, and extra-territorial jurisdiction area and any property immediately adjacent to for 90 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 does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Commission on Environmental Quality for:

(1) firefighter training; (2) public utility, natural gas pipelines or mining operations; (3) planting or harvesting of agricultural crops; or, (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 any burning of household trash will be allowed under the auspices of a "Burn Permit" issued by and at the discretion of the County Fire Marshal's Office. The burning of trash will be conducted within a recommended container with a lid and be supervised by a responsible party from ignition until extinguished.

This restriction does not apply to any outdoor cooking activities that take place within a cooking apparatus. Outdoor cooking fires will be supervised by a responsible party from ignition until extinguishment.

Outdoor burning of any kind is prohibited on any day when "FIRE WATCH or RED-FLAG" weather advisory is issued by the National Weather Service. Notification of those days shall be via commercial news stations and the County's website.

In accordance with Local Government Code § 352.081 (h), a person commits an offense if the person knowingly or intentionally violates a prohibition or restriction established by this Order. An offense for a violation of this order is a Class C misdemeanor, punishable by a fine not to exceed \$500.00.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Richard F. Cortez, County Judge

\_\_\_\_\_  
David L. Fuentes  
Commissioner, Precinct 1

\_\_\_\_\_  
Eduardo "Eddie" Cantu  
Commissioner, Precinct 2

\_\_\_\_\_  
Everardo "Ever" Villarreal  
Commissioner, Precinct 3

\_\_\_\_\_  
Ellie Torres  
Commissioner, Precinct 4

Attest:

\_\_\_\_\_  
Arturo Guajardo, Jr., County Clerk