

ORDER PROHIBITING OUTDOOR BURNING

WHEREAS, a drought condition exists in Cass County ("Drought Condition" is defined as the existence of a long-term deficit of moisture creating severe conditions with increased wildfire occurrence as defined by the Texas Forest Service); and

WHEREAS, declaration of such a condition authorizes the imposition of controls on activities which tend to increase the likelihood of such fires; and

WHEREAS, in accordance with Local Government Code Section 352.081, the Commissioners Court is authorized to declare a ban on open burning in unincorporated areas of the County; therefore

BE IT ORDERED that the following emergency regulations are hereby established for all unincorporated areas of Cass County, Texas, with this Order being in effect for a period not to exceed 90 days.

- A. A person commits an offense if he or she burns a combustible material outside of an enclosure, which serves to contain all flames and/or sparks, or orders such burning by others.
- B. In accordance with Local Government Code Section 352.081(h), a violation of this Order is a Class C misdemeanor, punishable by a fine not to exceed \$500.00.

BE IT ALSO ORDERED that this Order may be enforced by any duly commissioned peace officer and that the venue for prosecution of violations of this Order will be the Justice Courts of Cass County, Texas.

BE IT ALSO ORDERED that the purpose of this Order is the mitigation of the hazard posed by wild fires during the current dry weather conditions by curtailing the practice of outdoor burning, which purpose is to be taken into account in any enforcement action based upon this Order.

ORDERED THIS 10th DAY OF OCTOBER, 2017, TO BE EFFECTIVE IMMEDIATELY, ON OCTOBER 10, 2017.



BECKY WILBANKS
CASS COUNTY JUDGE

ATTEST:


JAMIE O'RAND
COUNTY CLERK

Posted: October 10, 2017

By: 