

**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; and

WHEREAS, this includes all outdoor fires, including fires contained in a container or semi-enclosure, such as a barrel or hopper. (This does not include grills, barbeques, or smokers which are used to cook food and are fully covered and attended.) Open grills, barbeques or smokers are prohibited.

IT IS HEREBY ORDERED by the Commissioners Court of Cass County that outdoor burning is prohibited in unincorporated areas of the county, with the following exceptions:

- (1) Outdoor cooking only in enclosed pits or grills, for 90 days from the date of adoption of this Order, unless the restrictions are terminated earlier based on a determination made by the Commissioners Court or the County Judge, upon recommendation by the forestry service, based on a determination that the circumstances that required the Order no longer exist.

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 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 9th DAY OF August, 2023 TO BE EFFECTIVE IMMEDIATELY.

R. TRAVIS RANSOM  
CASS COUNTY JUDGE

Posted: August 9, 2023  
By: Shon Brown