

## **CROSBY COUNTY COMMISSIONERS' COURT ORDER**

**State of Texas** §

**County of Crosby** §

### **ORDER RESTRICTING OUTDOOR BURNING**

WHEREAS, the Commissioners' Court finds that circumstances present in all or part of the unincorporated area of the county create a public safety hazard that would be exacerbated by outdoor burning:

IT IS HEREBY ORDERED by the Commissioners' Court of Crosby County that outdoor burning is restricted in the unincorporated area of the county 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. The Order is adopted pursuant to local Government Code §352.081, and other applicable statutes. This Order restricts outdoor burning as follows:

1. The use of combustible materials in an outdoor environment by any person is prohibited. Combustible materials include, but are not limited to the use of all fireworks, brush and open campfires and materials used outdoors in activities such as welding and any other activity that could result in a fire.
2. Notwithstanding No. 1 above, outdoor welding shall be allowed under the following circumstances:
  - a. Welding, cutting, and grinding associated with welding activities shall not take place when the wind is over 10 miles per hour, and water must be readily available at all time.
  - b. All grass, leaves, brush, and other easily combustible materials must be cleared within a fifty (50) foot radius surrounding the area where the activity is to take place before any welding, cutting, or grinding begins.
3. Outdoor use of above ground cooking grills will be allowed in a safe area clear of debris.
4. Burning of household trash will be allowed if burned in metal barrels and barrels are placed in an area clear of grass and debris. No burning will be allowed if winds are in excess of 10 miles per hour.

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) firefighting training; (2) public utility, natural gas pipeline or mining operations; (3) planting or harvesting of agriculture

crops; or (4) burns that are conducted by a prescribed burn manager certified under Section 153.048, Natural Resource Code, and meet the standards of Section 153.047, Natural Resource Code.

All variances from this Order require the following conditions be met:

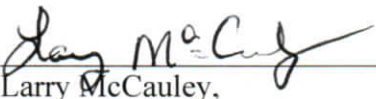
1. The Crosby County Emergency Management Coordinator, Precinct Commissioner or Fire Chief for the area will check the site prior to burning.
2. Both the Fire Chief and Elected County Official must agree that wind conditions do not exceed 10 mph and that all easily combustible materials have been cleared to within a safe distance from the approved activity; and
3. The County Sheriff or Chief Deputy Sheriff must be notified by the Elected County Official that this activity is approved prior to commencement.
4. No burning in Crosby County South of FM 40, East of FM 651 and North of FM 193.


In accordance with Local Government Code §352.081(h), a violation of this Order is a Class C Misdemeanor, punishable by a fine of up to \$500.00.

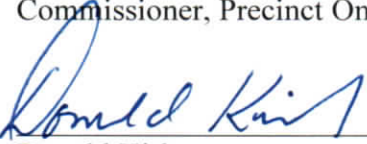
**The purpose of this Order is the mitigation of the public safety hazard posed by wildfires during the current drought and severe weather conditions by restricting use of combustible materials.**

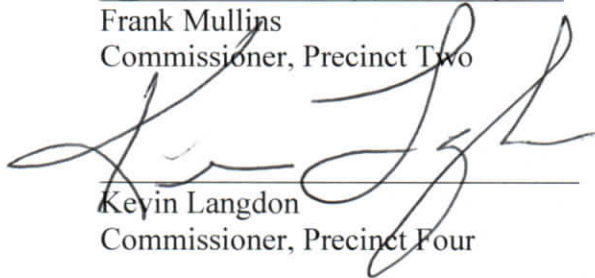
Approved and so ordered this the 14<sup>th</sup> day of August, 2023.


  
\_\_\_\_\_  
Rusty Forbes, Crosby County Judge

  
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Larry McCauley,  
Commissioner, Precinct One

  
\_\_\_\_\_  
Frank Mullins  
Commissioner, Precinct Two

  
\_\_\_\_\_  
Donald Kirksey  
Commissioner, Precinct Three

  
\_\_\_\_\_  
Kevin Langdon  
Commissioner, Precinct Four

Attest:   
\_\_\_\_\_  
Tammy Marshall  
Crosby County Clerk

