

**ORDER PROHIBITING OUTDOOR BURNING
AND CERTAIN FIREWORKS**

WHEREAS, the Commissioners' Court finds that circumstances present in all 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 Mills County that all outdoor burning is prohibited in the unincorporated area of the county for 90 days from the date of adoption of this Order, unless the restrictions are terminated 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 outdoor 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; 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. Further, this order does not prohibit burning in a burn barrel provided said barrel is equipped with a screen cover with spacings no larger than (1) square inch.

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.

It is ORDERED by the Commissioners' Court of Mills County that should circumstances warrant, as determined by the County Judge with concurrence of one County Commissioner and a volunteer fire chief this order may be rescinded for some or all of the County, either temporarily or permanently, without a vote of the full Commissioners' Court pursuant to TLGC Chapter 352 Subchapter D 352.081e (2).

Finally, it is also ORDERED that the County Judge may grant specific exceptions to this ORDER to the Mills County Prescribed Burn Association for burns approved, conducted and managed by the Association.

ADOPTED this 8th day March 2021, by unanimous vote of the Commissioners' Court of Mills County. To be effective at 12:00 p.m. March 8, 2021.

Attest: 
Sonya Scott, County Clerk


Ed Smith, County Judge

