

THE STATE OF TEXAS §

No. 15-2011

COUNTY OF CALDWELL §

ORDER PROHIBITING OUTDOOR BURNING

WHEREAS, the Commissioners Court finds that circumstances present in all or part of the unincorporated area of Caldwell County create a public safety hazard that would be exacerbated by outdoor burning; and according to the Texas Forest Service, 90% of all wildfires are human-caused;

IT IS HEREBY ORDERED that outdoor burning is prohibited in the unincorporated areas of Caldwell County for a period of ninety (90) days beginning June 20th, 2011, unless the restrictions are terminated earlier based on a determination made by this Court. This Order is adopted pursuant to § 352.081 of the Local Government Code and other applicable statutes and authority. This Order does not prohibit prescribed fires conducted in compliance with guidelines set forth by federal or state natural resource agencies and burned under a burn plan approved by such agencies, or 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 agricultural crops; or
4. That are conducted by a prescribed burn manager certified under § 153.048 of the Natural Resources Code, and that meets the standards of § 153.047 of the Natural Resources Code.

IT IS FURTHER ORDERED that an exemption be hereby granted for a bona fide commercial land clearing business, allowing said business to burn as long as all other provisions of this Order and applicable laws and ordinances are adhered to as set forth herein, and contact is made and the burning approved by the Caldwell County Emergency Management Office **prior to any outdoor burning.**

IT IS FURTHER ORDERED that an exemption, in accordance with items A-I below, be hereby granted to those businesses where welding is an essential function of the business. Operations that are permitted involve the performance of **outdoor** combustible operations, including but not limited to, outdoor welding, cutting, or grinding operations and outdoor hot works operations, by any person (1) if the Caldwell County Emergency Management Office has approved the welding or hot works operations or (2) if the operations are performed in compliance with the following requirements creating a controlled environment and safeguards on each day when operations are performed:

- (A) Areas where welding, cutting, or grinding operations or hot works operations are