



COUNTY OF POLK
STATE OF TEXAS

COPY

**ORDER OF THE COMMISSIONERS COURT
PROHIBITING OUTDOOR BURNING
AND PRESCRIBING AUTHORIZED BURN CRITERIA**

WHEREAS, Section 352.081 of the Local Government Code provides that the Commissioners Court of a county, by order, may prohibit outdoor burning in the unincorporated area of the county if the Commissioners Court makes a finding that circumstances present in the unincorporated area create a public safety hazard that would be exacerbated by outdoor burning; and.

WHEREAS, the Polk County Commissioners Court does hereby find that circumstances present in the unincorporated area of Polk County, Texas create a public safety hazard that would be exacerbated by certain outdoor burning; and

WHEREAS, Section 352.081 of the Local Government Code provides for exemptions from county burn bans for certified prescribed burn managers meeting the requirements of Natural Resources Code, Ch. 153 and the Polk County Commissioners Court believes that additional exceptions are warranted to reduce the likelihood of dangerous and uncontrolled wildfire.

BE IT THEREFORE ORDERED that the following emergency regulations are hereby established for the unincorporated areas of Polk County, Texas not subject to public ownership or stewardship for the duration of the above mentioned declaration:

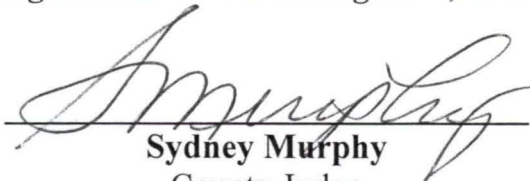
(1) Actions Prohibited:

Except as described hereinafter, a person violates this order if he/she ignites, causes to ignite or allows ignition of any combustible or vegetative material outside of an enclosure which serves to contain all flames and/or sparks, or orders such burning or ignition by others.

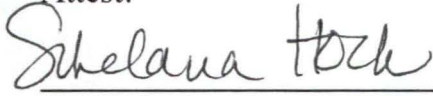
(2) Enforcement:

- (a) Under notification of suspected outdoor burning, the fire department assigned to the location of the fire shall respond to the scene and take immediate measures to contain and to extinguish the fire.
- (b) If requested by a fire official, a duly-commissioned peace officer, when available, shall be sent to the scene to investigate the nature of the fire.
- (c) In accordance with Section 352.081 of the Local Government Code, a person who knowingly or intentionally violates this order commits a Class C Misdemeanor, punishable by a fine up to \$500.
- (d) If the responding peace officer finds that the person responsible for the fire is in violation of (1) above, a citation shall be issued for: Violation of Burn Ban Order.

Signed and entered on August 11, 2015


Sydney Murphy
County Judge

Attest:


Schelana Hock, County Clerk

By: _____,
Deputy Clerk

