

**CALLAHAN COUNTY, TEXAS  
ORDER PROHIBITING OUTDOOR BURNING**

**WHEREAS**, in accordance with Section 352.081 of the Local Government Code, the Callahan County Commissioners Court find that circumstances present in all or part of the unincorporated areas of Callahan County create a public safety hazard that would be exacerbated by outdoor burning; and,

**WHEREAS**, such a finding authorizes the issuance of an order which prohibits or restricts outdoor burning.

**NOW THEREFORE BE IT ORDERED** that the following regulations are hereby established for all unincorporated areas of Callahan County, Texas.

- (1) Action prohibited:
  - A. A person violates this order if he or she knowingly, intentionally or recklessly burns any combustible material outside of an enclosure which serves to contain all flames and/or sparks or orders such burning by others.
  - B. A person violates this order if he or she knowingly, intentionally or recklessly engages in any activity outdoors which could allow flames or sparks that could result in a fire or orders such activities by others.
- (2) Enforcement:
  - A. A violation of this order is a Class C Misdemeanor.
  - B. This order may be enforced by any duly commissioned peace officer in Callahan County
- (3) This order is effective and enforceable for 90 days after the date of adoption which is indicated below. This order may be rescinded by the County Judge prior to the end of the 90-day period if the County Judge determines that the circumstances identified as a threat to public safety no longer exist.
- (4) This order does not apply to outdoor burning activities related to public health and safety that are authorized by the Texas Natural Resources Conservation Commission for firefighter training; public utility, natural gas pipeline, or mining operations; or, harvesting of agriculture crops.
- (5) Further, a person is not in violation if, prior to the setting of a prescribed or Agricultural burn, he or she notifies the appropriate Volunteer Fire Department and the Callahan County Sheriff's Department of time and location of burn. Do not burn under windy conditions, low humidity and take all necessary precautions.
- (6) See Attachment A for welding precautions and Attachment B for grilling precautions.

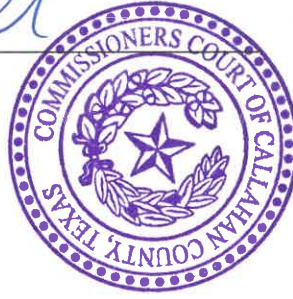
**ORDERED** by the Callahan County Commissioners on the 25<sup>th</sup> day of OCTOBER, 2021, and executed on the same date

  
\_\_\_\_\_  
G. Scott Kniffen  
Callahan County Judge

Attest:

*Nicole Crocker*

Nicole Crocker  
County Clerk



## ***ATTACHMENT A***

Due to high fire danger and dry foliage these restrictions were put in place for the protection of the Citizens and their property in Callahan County. It was not intended to take away a person's livelihood.

### **WELDING WILL BE PERMITTED IF THE PROPER PRECAUTIONS ARE BEING TAKEN.**

1. The individual welding must have a spotter.
2. Two wet fire extinguishers must be available.
3. Must have sufficient supply of water on hand at all times.
4. Must have water sprayer available for use.
5. Must wet down sufficient area (and re-wet as often as necessary).

These safety precautions must be taken and also, please use common sense and good judgement if the conditions are windy. If the job is not an emergency put it off until another date.

Violations will be punishable by a penalty of a fine of up to \$1,000.00 or confinement in jail for a term not exceeding 180 days. An individual, or individuals, could be liable for damages, if fire occurs. If there is a fatality, one could face possible felony charges.

## ***ATTACHMENT B***

Due to high fire danger and dry foliage these restrictions were put in place for the protection of the Citizens and their property in Callahan County.

### **OUTDOOR GRILLING WILL BE PERMITTED IF THESE PRECAUTIONS ARE TAKEN.**

1. Individual grilling must attend the grill at all times.
2. Must have sufficient supply of water on hand at all times.
3. Cooking must be done in an enclosed cooker.

Violations will be punishable by a penalty of a fine of up to \$1,000.00 or confinement in jail for a term not exceeding 180 days. An individual, or individuals, could be liable for damages, if fire occurs. If there is a fatality, one could face possible felony charges.