

STATE OF TEXAS           §  
  §  
COUNTY OF Upshur       §

**ORDER [PROHIBITING OR RESTRICTING] OUTDOOR BURNING**

[WHEREAS, the Texas Forest Service has determined that drought conditions exist within the county;]

OR

[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 Commissions Court of Upshur County that [all outdoor burning OR ~~outdoor burning of~~ \_\_\_\_\_ (particular substance)] is [prohibited or ~~restricted~~] in [the unincorporated area of the county OR \_\_\_\_\_ (specific part of the ~~unincorporated part 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. 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 Commission on Environmental Quality 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.

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.

ADOPTED this 21 day of June, 2011 by a vote of 3 ayes and 0 nays.

James Pittman  
COUNTY JUDGE

Attest:  
Wandy Lee  
COUNTY CLERK

