

**ORDER OF THE MCLENNAN COUNTY COMMISSIONERS COURT  
PROHIBITING THE OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF  
MCLENNAN COUNTY**

On this 15th day of November, 2011, in response to concerns expressed by local landowners and citizens in the unincorporated areas of McLennan County came before the Court consideration of an Order Prohibiting Outdoor Burning in the Unincorporated Areas of McLennan County, Texas.

**WHEREAS**, local weather forecasts indicate that these dry, windy conditions are projected to continue, with no reasonable expectation of significant, appreciable rainfall expected in the near future;

**WHEREAS**, after a review of local information relative to drought conditions including information provided by the National Weather Service, the Texas Forest Service's Keetch-Byram Drought Index (index of 716) and various individuals who have knowledge of the current dry conditions in the unincorporated areas, the Court makes the finding that circumstances exist in the unincorporated areas of McLennan County that create a public safety hazard that would be exacerbated by outdoor burning and that McLennan County meets the drought criteria necessary to prohibit outdoor burning in all unincorporated areas of McLennan County, as per the provision of the Local Government Code 352.081;

**NOW, THEREFORE**, and after due consideration of same, **THE COMMISSIONERS COURT OF MCLENNAN COUNTY HEREBY ADOPTS THE FOLLOWING ORDER**, to be effective immediately upon the passage of this order, and continuing until the earlier of: 90 days from this date; or the date Commissioners Court, by official action, terminates this Order or the date the Texas Forest Service determines that drought conditions no longer exist in McLennan County:

**ORDER PROHIBITING OUTDOOR BURNING  
IN THE UNINCORPORATED AREAS OF MCLENNAN COUNTY**

- A. Effective immediately, *outdoor burning is prohibited in all unincorporated areas of McLennan County, Texas*, in accordance with the provisions of the Local Government Code 352.081.


For purposes of this Order, the term "Outdoor Burning" means:

1. All outdoor fires, including fires contained in a container or semi-enclosure, such as a barrel or hopper. (It does not include grills, barbeques, or smokers which are used to cook food and are fully covered and attended). Open grills, barbeques or smokers are prohibited; AND
2. The use of welders or cutting torches is prohibited unless the user has on hand adequate fire suppression equipment & personnel, specifically, this must include, as a minimum:
  - a) a 2A-20BC fire extinguisher, kept within 30 feet of any outdoor welding activity; AND
  - b) an individual to serve as a "fire monitor" during all welding activities with the monitor remaining on the scene for a minimum of 30 minutes after cessation of any outdoor welding activity.

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 meets the standards of Section 153.047, Natural Resources Code.

- B. In accordance with Local Government Code Section 352.081(h), a person commits an offense in the person violates the prohibition established by this Order. An offense under this Order, is a Class C Misdemeanor, punishable by a fine not to exceed \$500.00.

**ADOPTED** upon motion duly made, seconded, and passed by unanimous vote this 15th day of November, 2011, by the **MCLENNAN COUNTY COMMISSIONERS COURT**.

  
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JIM LEWIS, County Judge

J. A. "Andy" Harwell, County Clerk

by:   
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Kelly Fullbright, Deputy