



STATE OF TEXAS
COUNTY OF SMITH

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IN THE COMMISSIONERS COURT

ORDER PROHIBITING OUTDOOR BURNING

WHEREAS, the Smith County Commissioners Court has determined 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.

THEREFORE, IT IS HEREBY ORDERED: by the Commissioners Court of Smith County, Texas that **ALL OUTDOOR BURNING IS PROHIBITED** for 90 days from the date of adoption of this Order, unless the restrictions are terminated earlier based on a determination made by:

1. the Texas Forest Service that drought conditions no longer exist; or
2. the County Fire Marshal based on a determination that the circumstances that required this Order no longer exist.

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 (TCEQ) for:

1. firefighter training;
2. public utility, TXDOT operations, 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 Natural Resources Code § 153.048 and meet the standards of Natural Resources Code § 153.047.

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.

Nathaniel Moran

NATHANIEL MORAN
COUNTY JUDGE

Jeff Warr

Jeff Warr
Commissioner, Pct. 1

Cary Nix

Cary Nix
Commissioner, Pct. 2

Terry Phillips

Terry Phillips
Commissioner, Pct. 3

JoAnn Hampton

JoAnn Hampton
Commissioner, Pct. 4

ATTEST: *Karen Phillips*
KAREN PHILLIPS, COUNTY CLERK