



DENTON COUNTY

Commissioner Court Order # AE-09-19

ORDER OF THE DENTON COUNTY COMMISSIONER COURT

WHEREAS, the Commissioners Court of Denton County has declared a state of disaster for Denton County, resulting from the potential threat of wildfires due to drought and adverse weather conditions; and

WHEREAS, such fires have the potential of endangering lives and damaging property on a large scale; and

WHEREAS, declaration of such disaster authorizes the imposition of controls on activities which tend to increase the likelihood of fires; and

WHEREAS, such controls, once implemented, have the potential of protecting lives and property by mitigating the threat of dangerous fires; and

WHEREAS, said state of disaster requires that certain emergency measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management, specifically §418.108(a) of the Government Code and as authorized by 418.012;

NOW, THEREFORE, the following regulations governing outdoor burning shall take effect immediately upon issuance of this order and shall remain in effect until the state of disaster is terminated by Denton County Commissioners Court or the Denton County Judge:

OUTDOOR BURNING (BURN BAN)

Burning or Use of a combustible material outdoors or knowingly and willingly allowing the use of a combustible material outdoors on private property or in any outdoor environment by any person is prohibited. Open burning of combustible material;

- Combustible materials include, but are not limited to; wood, lumber, leaves, brush, or materials used in activities such as welding and other activity that could result in a fire.
- Knowingly or Recklessly discarding lighted or burning materials
- Exceptions to the burn ban may only be authorized by the Denton County Commissioners Court or County Judge
- Professional Fireworks displays using 1.3G fireworks will only be authorized by permit if conditions and locations are appropriate. 1.4G recreational use fireworks are NOT banned due to statutory limitations but are highly discouraged.
- This Ban/Order does **NOT** limit the authority granted under other state statutory regulations including reckless damage of property. Damage to property resulting from reckless conduct of outdoor burning or discharge of fireworks could result in further violations of Texas Statutes.

OUTDOOR COOKING

- All outdoor cooking or open flame device is prohibited
 - i. Unless the cooking device is propane or natural gas and has a complete and full enclosure that is utilized at all times.
 - ii. Unless the cooking device is wood or charcoal and has a complete and full enclosure that is utilized, and all areas around the cooking device shall be clear of vegetation and/or combustible materials or debris for a 5' radius

OPEN HOTWORK

Where welding must be performed in the field, the following mitigating efforts will be in force until the fire emergency declaration has expired.

- All areas where welding, cutting or grinding operations are being performed will be free of vegetation and/or combustibles for at least thirty feet in all directions;

- Winds speed must be no more than 20 miles per hour while performing welding, cutting or grinding operations outside of approved barriers or enclosures;
- Relative humidity must be above 25%
- Each site will have the ability to call 911 for emergency response;
- A dedicated fire watch person will attend each welder, cutter, grinder or any activity that causes a spark;
- A minimum of one (1) water pressure fire extinguisher or pressurized water source per fire watch person is required;
- If an emergency exists where welding has to be performed, the Fire Marshal may issue a temporary exception to the order.

ENCLOSED HOTWORK

- All welding, cutting and grinding operations may be performed in a total welding enclosure, or “welding box”, that is sufficiently high to control sparks and includes a fire-retardant cover over the top.
- All areas where welding, cutting or grinding operations are being performed will be free of vegetation and/or combustibles for at least twenty feet in all directions;
- Winds speed must be no more than 22 miles per hour while performing welding, cutting or grinding operations;
- Relative humidity must be above 20%
- Each site will have the ability to call 911 for emergency response;
- A dedicated fire watch person will attend each welder, cutter, grinder or any activity that causes a spark;
- A minimum of one (1) water pressure fire extinguisher or pressurized water source per fire watch person is required;
- Where welding (above ground and sub-surface) is required in an area where there is a potential for a hazardous atmosphere, barriers will be substituted for total enclosures (e.g. “wind walls”) to prevent sparks from encountering any combustible material and/or vegetation
 - ii. The barriers will be installed to allow ventilation of the work area and ingress and egress to the work area for personnel safety;
 - iii. Sub-surface, or “bell hole”, welding and grinding operations within approved excavations are allowed if all other “enclosed” mitigation efforts are in compliance;
- If an emergency exists where welding must be performed, the Fire Marshal may issue a temporary exception to the order.

In accordance with Government Code 418.173, a person who knowingly or intentionally violates this order commits a Class C Misdemeanor, punishable by a fine up to \$500.00.

The purpose of this order is the mitigation of the public safety hazard posed by wildfires during the current drought and severe weather conditions by curtailing the use of all combustible materials.

Adopted the 24th day of Sept, 2019

Andy Eads

 Andy Eads
 Denton County Judge



9.24.19

[Signature]

 Attest: County Clerk