

FILED FOR RECORD
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SEP 23 2011

SHELLY CLAYTON, County Clerk
JACK COUNTY, TEXAS
DEPUTY

STATE OF TEXAS §
COUNTY OF JACK §

ORDER RESTRICTING OUTDOOR BURNING

WHEREAS, the Texas Forest Service has determined that drought conditions exist within the County;

WHEREAS, the Commissioners Court has also 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;

IT IS HEREBY ORDERED by the Commissioners' Court of Jack County that all outdoor burning in Jack County for 90 days from the date of adoption of this order, is prohibited 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 V.T.C.A. Local Government Code §352.081 and other applicable statutes.

This Order does not prohibit outdoor burning activities:

(1) related to public health and safety that are authorized by the Texas Natural Resource Conservation Commission for:

- (A) firefighter training;
- (B) public utility, natural gas pipeline, or mining operations; or
- (C) planting or harvesting of agriculture crops; or

(2) 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.

Fort Richardson State Historical Park is granted an exemption from this order on the following conditions:

- (1) All bonfires are prohibited;
- (2) All campfires are prohibited except those in contained in metal fire rings and none are permitted if winds are or are predicted at 20 mph or greater or relative humidity is less than 30% .
- (3) No fire allowed under this exemption shall be left unattended;
- (4) Any fire allowed under this exemption shall be attended with appropriate fire safety equipment such as a shovel and water hose or bucket;

- (5) Charcoal fires will be allowed in fire rings or metal cook boxes; and,
- (6) Charcoal used in said fires shall be of the type which is manufactured to contain sufficient lighting fluid to ignite the charcoal.

Welding is allowed by commercial/professional welders under the following guidelines only:

- (1) A spotter is required for each welder, each cutter, each grinder, and for any activity that causes or may cause a spark.
- (2) A perimeter around the welding area shall be established of a radius of 25 feet and clear of vegetation, if possible, and kept wet. The welding perimeter must be three times the height of the actual welding. Example: if the welding is occurring ten feet off the ground, a perimeter of thirty (30) feet radius must be protected.
- (3) A minimum of 100 gallons of water must be available on site.
- (4) A minimum of one (1) water pressure fire extinguisher per spotter is required.
- (5) If the perimeter cannot be cleared of vegetation, proper precautionary measures must be taken (Example: protecting brush, etc, by utilizing fire resistant tarps).
- (6) Welding in an enclosed area or underground is acceptable.
- (7) No welding is permitted if winds are 20 mph or greater or relative humidity is less than 30%.
- (8) Welder or Company conducting welding operations must prior to activities file with the Jack County Sheriff's Office proof of effective liability insurance or be bonded in an amount of at least \$300,000.
- (9) Prior to ANY welding activity a phone call shall be placed by the welder or company conducting welding operations to the Jack County Sheriff's department relaying the location of the project, cell phone for contact person, name of party responsible, and name of welder.

In accordance with V.T.C.A. Local Government Code §240.906(h), a violation of this Order is a Class C misdemeanor, punishable by a fine not to exceed \$500.00.

ADOPTED this 23rd day of September, 2011.

JACK COUNTY

By: *Mitchell G. Davenport*
Mitchell G. Davenport, County Judge

Attest:

Shelly Clayton
Shelly Clayton, Jack County Clerk

by Carla Marley, deputy