



# FANNIN COUNTY

## ORDER FOR PROHIBITION OF OUTDOOR BURNING

**WHEREAS**, in accordance with provision of Section 352.081 of the Texas Local Government Code, the Fannin County Commissioners Court has found that circumstances present in all or part of the unincorporated area of Fannin County create a public safety hazard that would be exacerbated by outdoor burning; and

**WHEREAS**, a finding of such public safety hazard authorizes the imposition of controls on activities which tend to increase the likelihood of such fires;

**BE IT THEREFORE ORDERED** that the following regulations are hereby established for all unincorporated areas of Fannin County, Texas for the duration of this Order:

**(1) Actions Prohibited:**

A person violates this Order if the person burns any combustible material (including burn barrels for trash) or orders such burning by others.

**(2) Exceptions:**

This Order does not apply to 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) 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. (4) This Order also does not apply to any burns that are conducted in accordance with a plan that has been approved by the natural Resources Conservation Service or by the directors of the Fannin Soil & Water Conservation District. (5) US-Forest Service employees with RXB2 Burn authority for Caddo Grasslands only. (6) Welding, including cutting and grinding with the following restrictions: areas 10 ft. radius altered with the fire retardant or non-combustible material, fire fighting capability of 100 gallons of water, fire watch with cell phone, winds less than 20 mph, call into the County Judge or Commissioner AND Local Fire Department (closest to work location), to provide work location address before work begins. (7) NTMWD may burn within the permanent water area of the Bois d' Arc Lake with advanced notice to the Sheriff's office, local fire department(s) for that area and the Emergency Management Office before work begins (8) UTRWD may burn within the permanent water area of Lake Ralph Hall with advanced notice to the Sheriff's office, local fire department(s) for that area and the Emergency Management Office before work begins.

**Sheriff: 903-583-2143**

**Emergency Management: 903-640-6464**

**County Judge: 903-583-7455**

**(3) Enforcement:**

- (a) Upon notification of suspected outdoor burning, the fire department assigned to the location of the fire shall respond to the scene and take immediate measures to contain and/or extinguish the fire.
- (b) As soon as possible, a duly-commissioned peace officer shall be sent to the scene to investigate the nature of the fire.
- (c) This Order may be enforced in accordance with section 352.081 of the Texas Local Government Code. An offense based on a violation of this Order is a Class C misdemeanor, punishable by a fine of up to \$500.00.


**(4) Duration:**

This order shall remain in effect from the effective and extended dates listed below, and shall continue upon determination by the Commissioners Court, either by its own action, or through the County Judge as its authorized agent, in which the circumstances referred to herein no longer exist, whichever is earlier.

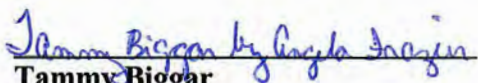
APPROVED this 8<sup>th</sup> day of August, 2023 in Regular Session of Commissioners Court.

Effective on the 8 day of August, 2023, for 14 days.



  
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NEWT CUNNINGHAM  
FANNIN COUNTY JUDGE

**ATTEST:**

  
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Tammy Biggar  
Fannin County Clerk