



FILED FOR RECORD  
COLORADO COUNTY, TX

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KIMBERLY HENKE  
COUNTY CLERK MK

**FIRST AMENDED DECLARATION OF LOCAL  
DISASTER FOR COLORADO COUNTY, TEXAS  
(Amending Declaration of June 24, 2022)**

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**WHEREAS**, Colorado County is currently in a severe drought and experiencing record high temperatures; and

**WHEREAS**, the extreme hot and dry conditions pose the threat of large, dangerous and fast moving wildfires; and

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

**WHEREAS**, the Texas Government Code Chapter 418 provides the county judge may declare a local disaster within the county “if the threat of disaster is *imminent*”; and

**WHEREAS**, the magnitude of the potential damage and the rapidity with which such a fire could escalate to major proportions constitute an imminent threat of disaster and has been experienced in this county in the past decade; and

**WHEREAS**, declaration of such disaster authorizes the imposition of controls on activities which increase the likelihood of fires during extremely high temperatures and droughts; and

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

**WHEREAS**, a declaration issued under Section 418.108 of the Texas Government Code may include a prohibition or restriction on the sale or use of all fireworks within the unincorporated areas of the county; and

**WHEREAS**, a local disaster declaration expires seven (7) days after its issuance, unless the commissioners court consents to its renewal or continuance; and

**WHEREAS**, to the extent that a disaster declaration includes a provision related to the restriction of the sale and use of fireworks, any portion of the declaration that exceeds the restrictions authorized by Local Government Code §352.051 is only effective for 60 hours, unless the county judge requests and the governor authorizes an extension of the broader fireworks restriction.

**BE IT THEREFORE PROCLAIMED** that I, Ty Prause, County, Judge of Colorado County, do hereby declare a local state of disaster in the unincorporated areas of Colorado County due to the severe drought conditions and the threat of dangerous and fast moving wildfires.

**BE IT ALSO PROCLAIMED** that this state of disaster will continue until rescinded in accordance with the above cited statute, but in no instance will this declaration continue for more than seven (7) days without being authorized by the County Commissioners Court, or in the event the declaration pertains to fireworks, no more than 60 hours unless an extension of the restriction on fireworks has been received from the governor.

**BE IT ALSO PROCLAIMED** that this declaration of a local state of disaster activates the Colorado County Emergency Management Plan.

**BE IT ALSO PROCLAIMED** that the purpose of this order is the mitigation of the hazard posed by wildfires by curtailing the practice of outdoor burning, and the sale and use of all fireworks in the unincorporated areas of the county, which purpose is to be taken into account in any enforcement action based upon this order.

Pursuant to the authority granted under section 418.108(i) of the Texas Government Code, the sale, use and discharge of all fireworks in the unincorporated area of Colorado County is expressly prohibited. This prohibition exceeds the restriction authorized by Section 352.051 Local Government code; therefore, as required by 418.108 of the Texas Government Code, a request will be sent to the Governor to extent the period prohibiting the sale and use of fireworks beyond the 60-hours period.

The prohibition on the use and discharge of fireworks contained in this Order shall not include an authorized public display that meets the requirements of Section 2154.204 of the Texas Occupations Code or for the "safe area(s)" designated by a governing body.

That any person who violates the prohibition on the sale, use and discharge of fireworks in the unincorporated areas of Colorado County may be punished by a fine that does not exceed \$1,000.

This declaration shall be promptly publicized and filed with the County Clerk.

IN WITNESS WHEREOF, I affix my signature this 1st day of July, 2022.

  
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Ty Prause  
Colorado County Judge

Filed with the Clerk of Colorado County on July 1, 2022.