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KIMBERLY MENKE MK
COUNTY CLERK



COUNTY OF COLORADO

STATE OF TEXAS

ORDER OF COMMISSIONERS COURT
RESTRICTING OUTDOOR BURNING
(Public Safety Hazard)

WHEREAS, Texas Local Government Code Section 352.081 provides that the Commissioners Court of a county, by order, may prohibit outdoor burning in the unincorporated area of a county if the Commissioners Court makes a finding that circumstances present in all or part of the unincorporated areas create a public safety hazard that would be made more severe by outdoor burning; and

WHEREAS, the Colorado County Commissioners Court finds that circumstances and conditions present in the unincorporated areas of the county create a public safety hazard that would be exacerbated by outdoor burning.

IT IS HEREBY ORDERED by the Commissioners Court that outdoor burning is restricted in the unincorporated areas of the county for 90 days from the date of this Order, unless the restrictions are terminated earlier based on a determination made by this Court or the County Judge. This Order is adopted pursuant to local Government Code §352.081(c)(2), and other applicable statutes. This Order restricts outdoor burning as follows:

1. **Outdoor burning banned.** Unless an exception appears below, the use of combustible materials in an outdoor environment by any person is prohibited. Combustible materials include, but are not limited to burning of trash, brush and open campfires and materials used outdoors in activities that could result in a fire. A person may not sell, detonate, ignite, or in any way use fireworks classified as "skyrockets with sticks" under 49 C.F.R. part. 173.100(r)(2) (10-01-86 edition) or missiles with fins in any portion of the unincorporated areas of Colorado County.
2. **Exceptions.** The following outdoor activities shall be allowed provided they are attended at all times and all following precautionary rules and measures are strictly followed:
 - **Household Trash.** Burning of household trash in a receptacle that is enclosed and covered with a mesh material with no more than ¼ inch openings and supervised in a safe area clear of debris.
 - **Barbecues** using above-ground grills, with enclosed fireboxes, in a safe area clear of debris or other combustible materials and attended at all times.
 - **Controlled burns** necessary for planting and harvesting agricultural crops with a defensible space around the burn area, presence of fire suppression tools, and personal presence during the entire controlled burn.
 - **Authorized by TCEQ.** This order does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Commission on Environmental Quality for: (1) firefighting training; (2) public utility, natural gas pipeline or mining operations; (3) planting or harvesting of agriculture crops; or (4) burns that are conducted

by a prescribed burn manager certified under Section 153.048, Natural Resource Code, and meet the standards of Section 153.047, Natural Resource Code.

- **Attwater Prairie Chicken Refuge** maintenance activities.
- **Non-Profit & Religious Organizations** shall be allowed to prepare barbecue provided they contact their local fire department in advance for a site visit by a member of the department and follow all precautionary measures directed by such department.
- **Outdoor Welding** shall only be allowed under the following circumstances:
 - (i) welding, cutting and grinding associated with welding activities shall not take place when the wind is over 15 miles per hour;
 - (ii) the welder must notify the Colorado County Sheriff's Department before any welding, cutting or grinding begins; all grass, leaves, brush and other easily combustible materials must be cleared with a twenty (20) foot radius surrounding the area where activity is to take place before any welding, cutting or grinding begins; and,
 - (iii) a spotter with water and a ready pressurized delivery system must be on hand before any welding, cutting or grinding begins and remain on hand until the activity is completed.

If the responding peace officer determines that a person responsible for the fire is in violation of this Order prohibiting outdoor burning, a citation will be issued.

In accordance with the Texas Local Government Code §352.081(h), a violation of this order is a Class C Misdemeanor, punishable by a fine of up to \$500.00.

Approved and so ordered by Commissioners Court on this the 9th day of March, 2026.



Colorado County Judge