

BURN BAN
ORDER BANNING OPEN FIRES –
PROHIBITION OF OUTDOOR BURNING

WHEREAS, in accordance with the provisions of the Local Government Code, Section 352.081 (c)(2), the Commissioner Court hereby finds and declares that circumstances present in all or part of the unincorporated area create a public safety hazard that would be exacerbated by outdoor burning exist in Liberty County; and such conditions create an imminent threat of destruction from wildfire; and

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

WHEREAS, circumstances present in all or part of the unincorporated areas in Liberty County create a public safety hazard that would be exacerbated by outdoor burning;

WHEREAS, in accordance with the Local Government Code, Section 352.082, A person commits an offense if the person intentionally or knowingly burns household refuse outdoors on a lot that is:

- (1) located in a neighborhood; or
- (2) smaller than five acres.

WHEREAS, in accordance with the Texas Administrative Code, Section 111.201, No person may cause, suffer, allow, or permit any outdoor burning within the State of Texas, except as provided by this subchapter or by orders or permits of the commission.

BE IT THEREFORE ORDERED, that the following emergency regulations are hereby established for all unincorporated areas of Liberty county Texas, with this order being in effect until a determination is made that the circumstances creating an imminent threat no longer exist; or a public safety hazard will not be exacerbated by outdoor burning and the threat of wildfires ceases.

- A. A person commits an offense if the person engages in burning any combustibles material outside of an enclosure which serves to contain all flames and/or sparks or orders such burning by others.
- B. An offense under this Order is a Class C Misdemeanor punishable by a fine up to \$500.00

BE IT ALSO ORDERED that this order may be enforced by any duly commissioned Peace Officer and that the venue for prosecution of a violation of this order be the Justice of the Peace in the precinct which the alleged violation occurred.

BE IT ALSO ORDERED that;

This section does not apply to outdoor burning activities:

(1) related to public health and safety that are authorized by the Texas Commission on Environmental Quality for:

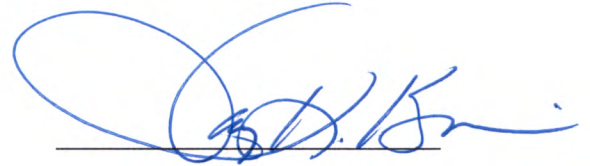
- (A) firefighter training;
- (B) public utility, natural gas pipeline, or mining operations; or
- (C) planting or harvesting of agriculture crops; or

(2) that are conducted by a certified and insured prescribed burn manager certified under Section 153.048, Natural Resources Code, and meet the standards of Section 153.047, Natural Resources Code.

IN WITNESS THEREOF, this Order is entered this the 25TH of MARCH, 2025 and will be in effect until the duration of this Order **OR** until a determination is made by the Liberty County Commissioners Court, Liberty County Judge or Liberty County Fire Marshal that the circumstances identified no longer exist.



Nathan Green
Fire Marshal – Liberty County, TX



Jay H. Knight
County Judge – Liberty County, TX