

JODY A. FAULEY
COUNTY JUDGE

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DISTRICT AND COUNTY CLERK

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COUNTY OF SAN SABA
SAN SABA, TEXAS 76877

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JUSTICE OF THE PEACE

ALLAN GARRETT &
EVAN STUBBS
DISTRICT JUDGE

WILEY "SONNY" McAFEE
DISTRICT ATTORNEY

PHIL PALL
VETERANS SERVICE OFFICER

EMERGENCY ORDER PROHIBITING OUTDOOR BURNING

WHEREAS, the Texas Local Government Code provides that the County Judge of a county, by order, may prohibit outdoor burning in the unincorporated area of the county if the County Judge makes a finding that circumstances present in the unincorporated area create a public safety hazard that would be exacerbated by outdoor burning; and if the County Judge has declared a disaster in accordance with the Texas Disaster Act of 1975, as amended, and

WHEREAS, the Texas A&M Forest Service ("TFS") uses Keetch-Byram Drought Index ("KBDI") for determination of drought conditions within the State of Texas, which is based on a daily water balance, where a drought factor is balanced with precipitation and soil moisture and is expressed in hundredths of an inch of soil moisture depletion: and

WHEREAS, the KBDI attempts to measure the amount of precipitation necessary to return the soil to full field capacity and uses a closed system ranging from 0 to 800, where 0 represents saturated soil and 800 absolutely dry soil; and

WHEREAS, the KBDI for San Saba County, as of January 1st, was an average of 578 with a high in the County of 664; and

WHEREAS, Fire Chiefs from our Volunteer Fire Departments and County Commissioners in San Saba County have recommended that an Order banning outdoor burning be issued: and

WHEREAS, the San Saba County Judge does hereby find that circumstances present in the unincorporated areas of San Saba County create a public safety hazard that would be exacerbated by certain outdoor burning; and,

BE IT THEREFORE ORDERED that the following emergency regulations are hereby established for portions of the unincorporated areas of San Saba County, Texas that are not subject to public ownership or stewardship for the duration of the above mentioned declaration:

(1) Actions Prohibited:

Except as described hereinafter, a person violates this order if he ignites, or causes ignition of any combustible or vegetative material outside of an enclosure which serves to contain all flames and/or sparks, or orders such burning or ignition by others.

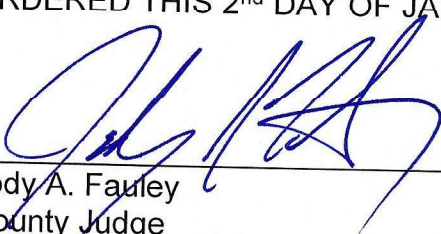
(2) Enforcement:

- (a) Under 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 to extinguish the fire.
 - (b) If requested by a fire official, a duly-commissioned peace officer, when available, shall be sent to the scene to investigate the nature of the fire.
 - (c) In accordance with Section 352.081 of the Local Government Code, a person who knowingly or intentionally violates this order commits a Class C Misdemeanor, punishable by a fine up to \$500.
- (3) If the responding peace officer finds that the person responsible for the fire is in violation of (1)above, a citation shall be issued for: Violation of Burn Ban Order.
- (4) This order shall not apply to the outdoor burning of vegetative material caused by welding or by other causes relating to the act of welding, if such burning is not malicious or intentional.
- (5) This order shall not prohibit other lawful burning as may be permissible by rules established by the Texas Commission on Environmental Quality.

Be it also ORDERED that the purpose of this prohibition of outdoor burning is the mitigation of the public safety hazard posed by wildfires during the current dry weather period by curtailing the practice of outdoor burning, which purpose is to be taken into account in any enforcement action based upon this order.

THIS ORDER SHALL TAKE EFFECT AT NOON ON THURSDAY, JANUARY 2, 2025 AND EXPIRES AT NOON ON WEDNESDAY, JANUARY 8, 2025 UNLESS OTHERWISE EXTENDED BY ORDER OF THE SAN SABA COUNTY COMMISSIONERS COURT.

ORDERED THIS 2nd DAY OF JANUARY, 2025,



Jody A. Fauley
County Judge