

DECLARATION OF LOCAL DISASTER FOR COMAL COUNTY, TEXAS

WHEREAS, Comal County has not had rainfall for an extended period and weather forecasters offer little promise of a change in the hot, dry conditions in the near future; and

WHEREAS, these hot, 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 Disaster Act of 1975 authorized declaration of a state of disaster “if the threat of disaster is imminent” and

WHEREAS, the magnitude of the potential damage and the rapidity at which such a fire could escalate to major proportions constitute an imminent threat of disaster; and

WHEREAS, declaration of such disaster authorized the imposition of controls on activities which tend to increase the likelihood of fires;

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

WHEREAS, on July 6, 2023, the Comal County Commissioners Court approved Order # 491- Burn Ban prohibiting all outdoor burning in the unincorporated areas of Comal County, Texas, which remains in effect and is incorporated by reference herein;

NOW THEREFORE IT IS HEREBY ORDERED, pursuant to the authority granted in the Texas Disaster Act of Chapter 418 Texas Government Code, the following regulations shall take effect immediately upon issuance of this Order and shall remain in effect until the state of disaster is terminated or extended:

THE EXERCISE AND USE OF OUTDOOR WELDING AND/OR OTHER ACTIVITIES UTILIZING EXPLOSIVES OR COMBUSTIBLE MATERIALS IS PROHIBITED UNLESS PRIOR APPROVAL OF A FIRE SAFETY PLAN FOR THE SAID WELDING OR OTHER ACTIVITIES IS OBTAINED FROM THE COMAL COUNTY FIRE MARSHAL PRIOR TO ENGAGING IN SUCH ACTIVITY. SAID FIRE SAFETY PLAN MAY INCLUDE BUT IS NOT LIMITED TO THE FOLLOWING FIRE SAFETY MEASURES: SATURATION OF THE SURROUNDING GROUND AREA WITH ADEQUATE MOISTURE, UTILIZATION OF ADEQUATE PERSONNEL TO OBSERVE AND HANDLE THE RESULTING EFFECTS FROM THE USE OF EXPLOSIVE OR COMBUSTIBLE MATERIAL, PREPARATION OF THE GROUND AREA TO PREVENT AND REMOVE LARGE AMOUNTS OF CURED GRASS, AND FIRE SUPPRESSION DEVICES. THE FIRE MARSHAL SHALL HAVE THE FINAL

DETERMINATION AS TO THE NECESSARY FIRE SAFETY MEASURES FOR THE SAID WELDING OR OTHER ACTIVITIES.

THE EXERCISE OF OUTDOOR COOKING WITH OPEN FLAME IS PROHIBITED UNLESS USING A BARBEQUE PIT OR SIMILAR DEVICE, WHICH IS MANUFACTURED WITH A LID THAT WHEN CLOSED WILL CONTAIN ALL OPEN FLAME AND WITH LEGS TO KEEP IT OFF THE GROUND. SAID BARBEQUE PIT OR SIMILAR DEVICE MUST BE USED ONLY FOR COOKING PURPOSES. THE FOLLOWING FIRE SAFETY MEASURES SHOULD BE IMPLEMENTED FOR OUTDOOR COOKING WITH OPEN FLAME, INCLUDING, BUT NOT LIMITED TO: SATURATION OF THE SURROUNDING GROUND AREA WITH ADEQUATE MOISTURE, CONSTANT SUPERVISION AND OBSERVATION OF THE BARBEQUE PIT OR SIMILAR DEVICE, AND FIRE SUPPRESSION DEVICES.

BE IT THEREFORE PROCLAIMED, that I Sherman Krause, County Judge of Comal County, do hereby declare a state of local disaster pursuant to section 418.108 of the Texas Government Code based on the threat of large wildfires in Comal County, Texas; and

BE IT ALSO PROCLAIMED that this state of local disaster will continue until rescinded in accordance with the above statute and order, but in no instance will this declaration continue for more than seven days without authorization by the Comal County Commissioners Court;

BE IT ALSO PROCLAIMED that this state of local disaster is being declared solely for the purpose of implementing controls aimed at mitigating the hazard posed by wildfires during the current hot, dry weather.

BE IT ALSO ORDERED THAT the purpose of this order is the mitigation of the hazard posed by wildfires by curtailing the practice of outdoor burning, which purpose is to be taken into account in any enforcement action based upon this order.

BE IT ALSO ORDERED THAT a person who knowingly or intentionally violates this order commits a Class C misdemeanor, punishable by a fine of up to \$500.00.

IN WITNESS WHEREOF, I affix my signature this 11th day of August, 2023



Comal County Judge



Faint, illegible text at the top of the page, possibly a header or introductory paragraph.

Main body of faint, illegible text, appearing to be several paragraphs of a document.

Faint text at the bottom of the page, possibly a signature or footer.

