

**CHAMBERS COUNTY
PROCLAMATION
October 4, 2022**

**PROCLAMATION OF CHAMBERS COUNTY JUDGE
PROHIBITION OF OUTDOOR BURNING**

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

WHEREAS, the average KBDI in Chambers County is 609 as determined by the Texas A&M Forest Service; and

WHEREAS, the response to grass and brush fires has increased for fire departments; 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 of 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 Texas Local Government Code Sec. 352.081 allows a county to prohibit outdoor burning; 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; and

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

BE IT THEREFORE PROCLAIMED, that I Jimmy Sylvia, County Judge of Chambers County, do hereby declare a state of disaster based on the threat of large wildfires in Chambers County, Texas; and

BE IT ALSO PROCLAIMED that this state of disaster will continue until rescinded in accordance with the above statute and order, but in no instance will this declaration continue for more than seven days without authorization by the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



BE IT ALSO PROCLAIMED that this state of 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.

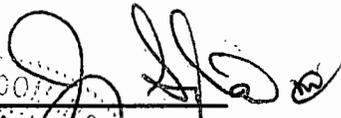
BE IT ALSO PROCLAIMED that this order does not apply to Air Curtain Incineration which is conducted according to Title 30 Texas Administrative Code § 106.496 and Title 30 Texas Administrative Code § 106.4, and for which the proper TCEQ permit has been obtained, as TCEQ does not define air curtain incineration as “outdoor burning”.

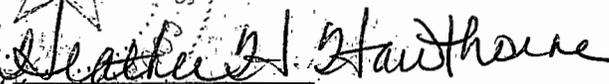
BE IT ALSO PROCLAIMED that this order does not prohibit outdoor burning activities exempted by Local Government Code Ch. 352,081(f) related to public health and safety that are authorized by the Texas Commission on Environmental Quality for: (1) firefighter training; (2) planting or harvesting of agricultural crops; or, (3) burns that are conducted by a prescribed burn manager certified under Section 153.048, Natural Resources Code, and meet the standards of Section 153.047, Natural Resources Code. This order does not apply to Air Curtain Incineration conducted according to Title 30 Texas Administrative Code §106.496 and Title 30 Texas Administrative Code §106.4, and for which the proper TCEQ permit has been obtained.

BE IT ALSO PROCLAIMED that according to Local Government Code Sec. 352.081(h) “A person commits an offense if the person knowingly or intentionally violates a prohibition or restriction established by an order adopted under this section. An offense under this subsection is a Class C misdemeanor,” and may be enforced by any duly commissioned peace officer with authority to enforce laws in Chambers County, Texas.

BE IT THEREFORE ORDERED that outdoor burning is prohibited in Chambers County for the duration of this Proclamation, unless the restrictions are terminated earlier based on a determination made by the Texas A&M Forest Service or the County Judge.

IN WITNESS WHEREOF, I affix my signature this 4th day of October 2022.


Jimmy Sylvia
County Judge

Attest: 
Heather Hawthorne
County Clerk

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Heather H. Hawthorne, County Clerk
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