

FILED FOR RECORD

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CONNIE BECTON
COUNTY CLERK
HARDIN COUNTY, TEXAS
BY *Connie Becton*



STATE OF TEXAS §

COUNTY OF HARDIN §

**DECLARATION OF DISASTER
AND
ORDER RESTRICTING OUTDOOR BURNING**

WHEREAS, on the 27TH day of July, 2023, Hardin County, Texas, is currently experiencing climate conditions which provide for widespread critically dry surface fuels, conducive to the rapid spread of wildland fires, including drought conditions and low relative humidity; and

WHEREAS, the current drought, dry fuels, and weather conditions pose an imminent threat of large and dangerous wildfires with the potential to spread quickly, endanger lives, and cause large scale property damage, creating a public safety hazard that would be exacerbated by outdoor burning; and

WHEREAS, upon analysis of information relative to the existence and continuance of drought conditions in Hardin County provided by the National Weather Service - Lake Charles, and Texas A&M Forest Service Keetch-Byram Drought Index (KBDI), the current drought, dry fuels, and wind conditions are forecasted to continue, and deteriorate, for the foreseeable future; and

WHEREAS, The Texas Disaster Act of 1975 (Texas Government Code: Title 4. Executive Branch; Subtitle B. Law Enforcement and Public Protection; Chapter 418. Emergency Management. Section 418.108) authorizes the County Judge to declare a local state of disaster within the county; and

WHEREAS, a local disaster declaration issued by the Hardin County Judge may not be continued or renewed for a period of more than seven (7) days except with the consent of the Hardin County Commissioners Court; and

WHEREAS, the enormity of potential damage and the rapidity with which such a wildfire could intensify to major proportions constitutes an imminent threat of disaster, as was experienced in Hardin County during the Wildfires of 2011; and

WHEREAS, declaration of such disaster authorizes the imposition of controls on activities which increase the likelihood of wildfires during extremely high temperatures and droughts; and

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

BE IT THEREFORE PROCLAIMED that I, Wayne McDaniel, County Judge of Hardin County, Texas, do hereby declare a local state of disaster in the unincorporated areas of Hardin County due to the current climate conditions that exist which are forecasted to deteriorate; and

BE IT ALSO PROCLAIMED that this declaration of local state of disaster will continue until rescinded, and under no circumstance will this declaration continue for more than seven (7) days unless renewed or continued by the Hardin County Commissioners Court in accordance with Texas Government Code § 418.108(b); and

BE IT ALSO PROCLAIMED this declaration of local state of disaster hereby activates the Hardin County Emergency Management Plan.

IT IS HEREBY ORDERED that all outdoor burning of trash, brush, trees, or debris is prohibited in all unincorporated areas of Hardin County.

Outdoor burning activity related to public health and safety that are authorized by the Texas Commission on Environmental Quality is not prohibited.

Outdoor burning of vegetative material when such burning is performed in accordance with a prescribed plan which addresses the useful nature of such activity, such as natural resource management as described by the U.S. Natural Resource Conservation Service is not prohibited.

In accordance with Section 352.081(h) of the Local Government Code, a VIOLATION OF THIS ORDER IS A CLASS C MISDEMEANOR, PUNISHABLE BY A FINE NOT TO EXCEED **\$500.00**

This Proclamation shall take effect immediately from and after its issuance, shall be promptly publicized, and filed with the Hardin County Clerk.

ORDERED this 27TH Day of July 2023.



**Wayne McDaniel, County Judge
Hardin County, Texas**