

## DISASTER DECLARATION

**WHEREAS**, Coryell County has not had rainfall for an extended period of time, creating hot and dry conditions; and

**WHEREAS**, the hot and 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 Government Code Chapter 418 gives the County Judge the power to declare a local disaster within the county "if the threat of disaster is imminent"; and

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

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

**WHEREAS**, a declaration issued under Section 418.108 of the Texas Government Code may include a prohibition or restriction on the sale or use of all fireworks within the county; and

**WHEREAS**, a local disaster declaration expires seven days after its issuance, unless the Commissioners' Court consents to its renewal or continuance; and

**WHEREAS**, to the extent that a declaration includes a provision related to fireworks, any portion of the provision that exceeds the restrictions authorized by Local Government Code 5 352.051 is effective only for 60 hours, unless the County Judge requests and the Governor authorized an extension of the broader fireworks restriction.

### **NOW, THEREFORE, BE IT HEREBY DECLARED:**

That the County of Coryell Commissioners' Court does hereby declare a local state of disaster based on the threat of large wildfires in Coryell County, Texas.

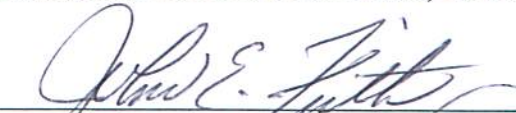
**BE IT ALSO DECLARED** that this state of disaster will continue until rescinded in accordance with the above cited statute, but in no instance will this declaration continue for more than seven days without being authorized by the Coryell County Commissioners' Court, or in the event the declaration pertains to fireworks, no more than 60 hours unless an extension on the restriction on fireworks has been received from the Governor.

**BE IT ALSO DECLARED** that the purpose of this order is the mitigation of the hazard posed by wildfires by curtailing the practice of outdoor burning, and the sale and use of all fireworks, which purpose is to be taken into account in any enforcement action based on this order, however, pyrotechnic displays under the supervision of local fire departments are exempted from the ban.

**BE IT ALSO DECLARED** that a violation of this Declaration is a Class C Misdemeanor punishable by a fine of up to **\$500.00**. Except as otherwise provided herein, this Disaster Declaration shall continue until terminated by Order of the Coryell County Judge or Coryell County Commissioners' Court.

**PASSED, APPROVED, AND ADOPTED** on this 23rd day of May, 2011 at a regular meeting of the Commissioner's Court, which meeting was held in compliance with the Open Meetings Act, Texas Government Code, 551.001, at which meeting a quorum was present and voting.

**DECLARED AND ORDERED THIS THE 20TH DAY OF JUNE, 2011.**

  
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John E. Firth, County Judge



  
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Jack Wall, Commissioner Precinct #1

  
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Daren Moore, Commissioner Precinct #2

  
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Don Jones, Commissioner Precinct #3

  
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Justin Latham, Commissioner Precinct #4