

State of Texas §  
County of Galveston §

**ORDER PROHIBITING OUTDOOR BURNING IN ALL UNINCORPORATED AREAS OF GALVESTON COUNTY, TEXAS (OUTDOOR BURN BAN)**

**Whereas**, pursuant to Section 352.081 of the Local Government Code, the County Judge by order may prohibit or restrict outdoor burning in all or part of the unincorporated area of Galveston County, Texas;

**Whereas**, in accordance with Section 352.081(c)(1) of the Local Government Code, the County Judge is authorized to prohibit or restrict outdoor burning if the Texas Forest Service has determined that drought conditions exist in Galveston County;

**Whereas**, the Texas Forest Service has determined that drought conditions exist in Galveston County as evidenced by the Keetch-Byram Drought Index (KBDI), issued October 11<sup>th</sup>, 2022;

**Whereas**, in accordance with Section 352.081(d) of the Local Government Code, this Order may not extend beyond seven (7) days except with the consent of the Commissioners Court of the County of Galveston; and

**Whereas**, in accordance with Section 352.081(e)(1) of the Local Government Code, this Order may be lifted prior to seven (7) days if a determination is made by the Texas Forest Service that drought conditions no longer exist in Galveston County.

**Now, Therefore, it is hereby ORDERED**, by the County Judge of Galveston County, Texas, that:

- 1.) In accordance with the authority of Section 352.081 of the Local Government Code, outdoor burning in **all unincorporated areas** of Galveston County is hereby **PROHIBITED**; as such, this Order **PROHIBITING** outdoor burning applies in any unincorporated area of Galveston County, Texas;
- 2.) In accordance with Section 352.081(t) of the Local Government Code, this Order shall not apply to outdoor burning activities:
  - a.) related to public health and safety that are authorized by the Texas Commission on Environmental Quality for: firefighter training; public utility, natural gas pipeline, or mining operations; or planting or harvesting of agricultural crops; or
  - b.) that are conducted by a certified and insured prescribed burn manager certified under Section 153.048, Natural Resources Code, and meet the standards of Section 153.047, Natural Resources Code; or
  - c.) that are conducted by the members of a prescribed burning organization under the conditions provided by Section 153.049, Natural Resources Code, and meet the standards of Section 153.047, Natural Resources Code;

- 4.) In accordance with Section 352.081(h) of the Local Government Code and Section 12.23 of the Penal Code, a person commits an offense if the person knowingly or intentionally violates this Order; an offense under this Order is a Class C misdemeanor, punishable by a fine not to exceed \$500.00; and
- 5.) The County Judge of Galveston County, Texas is authorized to execute this Order on behalf of the Commissioners Court of Galveston County, Texas.

**Be it FURTHER ORDERED**, that the County Clerk is **ORDERED** to transmit forthwith a copy of this Order to the Sheriff, Constables, and Criminal District Attorney of Galveston County for enforcement purposes.

It is hereby **ORDERED**, this 11<sup>th</sup> day of October, 2022.

  
Mark Henry,  
County Judge of Galveston County, Texas