

COUNTY OF TRAVIS

STATE OF TEXAS

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2025081384

ORDER PROHIBITING OUTDOOR BURNING

WHEREAS, Section 352.081 of the Local Government Code provides that the commissioners court of a county by order may prohibit or restrict outdoor burning in general or outdoor burning of a particular substance in all or part of the unincorporated area of the county if the commissioners court makes a finding that circumstances present in all or part of the unincorporated area create a public safety hazard that would be exacerbated by outdoor burning and,

WHEREAS, the Travis County Commissioners Court does hereby find circumstances present in unincorporated areas of Northwest Travis County, along Big Sandy Creek, Cow Creek, and low-lying streams or creeks where flood debris has accumulated create a public safety hazard that would be exacerbated by outdoor burning;

NOW, THEREFORE, it is ORDERED that outdoor burning is prohibited in the portions of northwest unincorporated Travis County where flood debris has accumulated along Big Sandy Creek, Cow Creek, and low-lying streams and creek as follows:

- (1) Actions Allowed in Flood-Affected Areas with Limited Outdoor Burning Permit Issued by Travis County Fire Marshal:
 - (a) A person is allowed to burn brush and/or trees that have accumulated on private property **only if the person has obtained a permit from the Travis County Fire Marshal and conducts the burn in accordance with the permit, this order, and all applicable statutes and regulations.**
 - (b) A person can apply for a limited outdoor burning permit to burn brush/tree piles by contacting the Travis County Fire Marshal at 512-854-BURN (2876) to request a site inspection and permit.
 - (c) The Travis County Fire Marshal will issue a Limited Outdoor Burning Permit only if:
 1. The Fire Marshal has conducted a site inspection of location to verify the size and location of the burn pile.
 2. The burn pile consists only of natural vegetation, brush, and trees; no other materials are allowed to be burned.
 3. The applicant demonstrates that the applicant has sufficient water and site control measures to control the spread of fire and maintains those measures at all times when conducting a burn.
 4. The applicant has a reliable means of calling 911 from the location of the proposed burn.
 5. The applicant will maintain a fire watch at all times while conducting the burn.
 6. The applicant will ensure that there is no active burning or any visible flames at least one hour before sunset.

- (1) Actions prohibited:
 - (a) No burning on public lands or in the right-of-way.
 - (b) A person violates this order if the person burns any combustible material outside of an enclosure which serves to contain all flames and/or sparks, or the person orders such burning by others without obtaining a permit from the Travis County Fire Marshal.
 - (c) A person violates this order if the person engages in any activity outdoors which could allow flames or sparks that could result in a fire unless done in an enclosure designed to protect the spread of fire or orders such activities by others.
- (2) Enforcement:
 - (a) Upon notification of suspected outdoor burning, the fire department with jurisdiction for the location of the fire shall respond to the scene and take immediate measures to contain and/or extinguish the fire.
 - (b) As soon as possible, a duly commissioned peace officer shall be sent to the scene to investigate the nature of the fire.
 - (c) If, in the opinion of the officer on the scene, the goal of this order can be attained by informing the responsible party about the prohibitions established by this order, the officer may, at the officer's discretion, request compliance with it. In such instances, an entry of this notification containing the date, time and place of the warning, along with the name of the party receiving the warning, shall be forwarded to the office of County Judge.
 - (d) In accordance with Section 352.081 of the Local Government Code, a person who knowingly or intentionally violates this order commits a Class C Misdemeanor, punishable by a fine up to \$500.
- (3) This order does not apply to outdoor burning activities:
 - (a) related to public health and safety that are authorized by the Texas Commission on Environmental Quality for:
 - (A) firefighter training;
 - (B) public utility, natural gas pipeline, or mining operations; or
 - (C) planting or harvesting of agriculture crops.
 - (b) 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.
 - (c) that involve the performance of **outdoor** combustible operations, including but not limited to, outdoor welding, cutting or grinding operations and outdoor hot works operations, by any person (i) if the Travis County Fire Marshal has issued a permit for the welding or hot works operations in compliance with the Fire Code or (ii) if the operations are performed in compliance with the following requirements creating a controlled environment and safeguards on each day when operations are performed:
 - (A) Areas where welding, cutting or grinding operations or hot works operations are being performed are free of vegetation for at least twenty-five feet in all directions;
 - (B) Surfaces around welding or hot works area are wetted down;
 - (C) Each location where welding, cutting or grinding operations or hot works operations are being performed must have cellular telephone communications for emergency response;

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- (D) Before beginning any operations, the person performing the welding, cutting or grinding operations or hot works operations must notify the local fire department or Emergency Services District which serves the location where the welding, cutting or grinding operations or hot works operations are planned.
- (E) A dedicated fire watch person attends each welder, cutter, grinder, or worker performing hot works operations or any activity that causes a spark;
- (F) At least one (1) water pressure fire extinguisher per fire watch person is located within 10 feet of the location where welding, cutting or grinding operations or hot works operations are being performed;
- (G) No welding, cutting or grinding operations or hot works operations is allowed on days designated as red flag warning days by the National Weather Service;
- (H) If all welding, cutting and grinding operations or hot works operations are performed only in a total welding or hot works enclosure, or "welding box" or "hot works box", that is sufficiently high to control sparks, including a fire retardant cover over the top, the operations must comply with requirements E, F, and G in this list and is encouraged to comply with requirements A-D inclusive, if feasible and appropriate, and;
- (I) If all welding, cutting and grinding operations or hot works operations are performed only in sub-surface, or "bell hole", welding and grinding operations or hot works operations within approved excavations, the operations must comply with requirements E, F, and G in this list and is encouraged to comply with requirements A-D inclusive, if feasible and appropriate.

Be it also ORDERED that the purpose of this order is the mitigation of the public safety hazard posed by wildfires during the current dry weather by curtailing the practice of outdoor burning, which purpose is to be taken into account in any enforcement action based upon this order.

This order prohibiting outdoor burning shall expire on August 19, 2025, or upon such date as a determination is made by the Travis County Commissioners Court or by the Travis County Fire Marshal that the circumstances present in the unincorporated areas of Travis County no longer create a public safety hazard that would be exacerbated by outdoor burning, whichever occurs earlier.

ORDERED THIS 22nd DAY OF July, 2025.

TRAVIS COUNTY COMMISSIONERS COURT

DocuSigned by:
By: Andy Brown
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Andy Brown, County Judge

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Dyana Limon-Mercado
Dyana Limon-Mercado, County Clerk
Travis County, Texas

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Jul 23, 2025 05:38 PM

Fee: \$0.00

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