

STATE OF TEXAS

§

COUNTY OF ERATH

§

### ORDER RESTRICTING OUTDOOR BURNING

WHEREAS, the Commissioners Court has determined that circumstances present in the unincorporated area of the county create a public safety hazard that would be exacerbated by outdoor burning;

IT IS HEREBY ORDERED by the Commissioners Court of Erath County that all outdoor burning is banned until further notice, until the restrictions are terminated based on a determination made by this Court, included welding. This Order is adopted pursuant to *Local Government Code, §352.081*, and other applicable statutes. This Order does not prohibit outdoor burning activities related to public health and safety that are authorized and permitted by the Texas Commission on Environmental Quality for (1) firefighters training; (2) public utility, natural gas pipeline or mining operations; or (3) harvesting of agricultural crop.

The exception to this rule will be any outdoor cooking appliances designed for preparing food with a containment lid.

Where Welding must be performed in the field, the following mitigating efforts will be in force until the fire emergency declaration has expired:

- All areas where welding, cutting or grinding operations are being performed will be free of vegetation for at least twenty-five (25) feet in all directions;
- Surface around welding area will be wetted down;
- Wind speeds must be no more than 20 miles per hour while performing welding, cutting or grinding operations outside of barriers or enclosures;
- A dedicated fire watch person will attend each welder, cutter, grinder and any activity that causes a spark;
- A minimum of one (1) water pressure fire extinguisher per fire watch person is required
- A minimum of 25 gallons of water on site;
- Each site will have cellular telephone communications for emergency response;
- All welding, cutting, and grinding operations may be performed in a total welding enclosure, or “welding box”, that is sufficiently high to control sparks and includes a fire retardant cover over the top. Winds speeds must not exceed 30 miles per hour while utilizing an enclosure;
  - a. Where welding (above ground and sub-surface) is required in an area where there is a potential for a hazardous atmosphere, barriers will be substituted for total enclosures (e.g. “wind walls”) to prevent sparks from coming in contact with any combustible material;

- b. The barriers will be installed to allow ventilation of the worked area and ingress and egress to the work area for personnel safety;
- c. Sub-surface, or "bell hole", welding and grinding operations within approved excavations are allowed if all other mitigation efforts are included.

In accordance with *Local Government Code, §352.081*, a violation of this Order is a Class C misdemeanor, punishable by a fine not to exceed \$500.00.

Adopted this 14th day of December, 2020 by a vote of 4 ayes and 0 nays. Pct. 2 Commissioner absent.

  
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ALFONSO CAMPOS, ERAH COUNTY JUDGE

ATTEST:   
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Gwinda Jones, Erath County Clerk