

# WILLIAMSON COUNTY, TEXAS

## COUNTY JUDGE

WILLIAMSON COUNTY COURTHOUSE  
710 MAIN STREET, SUITE 101  
GEORGETOWN, TEXAS 78626  
(512) 943-1550

DAN A. GATTIS  
COUNTY JUDGE

LISA BIRKMAN  
COMMISSIONER, PRECINCT 1

CYNTHIA LONG  
COMMISSIONER, PRECINCT 2

VALERIE COVEY  
COMMISSIONER, PRECINCT 3

RON MORRISON  
COMMISSIONER, PRECINCT 4

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## ORDER DECLARING A LOCAL STATE OF DISASTER FOR WILLIAMSON COUNTY, TEXAS

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**WHEREAS**, the County of Williamson, Texas, due to drought, dry vegetation, wind, and/or other weather related conditions, is experiencing the occurrence and imminent threat of widespread and severe damage, injury, and/or loss of life and property resulting from:

Wildfires, and in particular, wildfires caused the burning of any type of incendiary device, combustible material and/or any pyrotechnical material, and outdoor burning including controlled or prescribed burns of grass and/or brush for any purpose; and

**WHEREAS**, Section 418.004(1) of the *Texas Government Code* defines disaster to be the "occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause, including fire, flood, earthquake, wind, storm, wave action, oil spill or other water contamination, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, other public calamity requiring emergency action, or energy emergency;" and

**WHEREAS**, the County Judge of Williamson County has determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property due to recent widespread wildfires in and around Williamson County; and

**WHEREAS**, Texas counties, including Williamson County and its surrounding counties of Bell, Travis, Milam, and Burnet, are threatened by extreme fire hazards due to dry frontal passages posing significant fire danger because of the large amount of cured grass across the state; and

**WHEREAS**, there has been no significant amount of precipitation in Williamson County in the past twenty-four (24) hours and current weather predictions do not predict any significant amount of precipitation for the next seven (7) days; and

**WHEREAS**, due to the disaster conditions as cited herein, the County Judge of Williamson County **must protect the health, safety and welfare** of the County's citizens; and

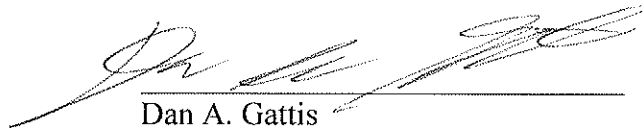
**NOW THEREFORE, BE IT DECLARED and ORDERED** pursuant to the authority granted in the Texas Disaster Act of Chapter 418 Texas Government Code, as follows:

1. That a local state of disaster is hereby declared for Williamson County pursuant to Section 418.108(a) of the *Texas Government Code* (the “Declaration and Order”);
2. Pursuant to Section 418.108(b) of the *Texas Government Code*, this Declaration and Order shall continue for a period of seven (7) days from the date hereof unless extended by the consent of the Williamson County Commissioners Court;
3. Pursuant to Section 418.108(d) of the *Texas Government Code*, this Declaration and Order activates the recovery and rehabilitation aspects of the Williamson County Emergency Management Plan and authorizes the furnishing of aid and assistance under this Declaration and Order. The preparedness and response aspects of the Williamson County Emergency Management Plan are hereby activated and shall take effect immediately upon this Declaration and Order;
4. Pursuant to Section 418.108(c) of the *Texas Government Code*, this Declaration and Order shall be given prompt and general publicity and shall be filed promptly with the County Clerk of Williamson County;
5. This Declaration and Order **SHALL PROHIBIT** the outdoor burning of any combustible material, which shall include, but not be limited to the following:
  - a. outdoor cooking of any kind;
  - b. burning activities 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;
  - c. burning activities 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;
  - d. except as specifically set forth otherwise herein, burning activities that involve the performance of outdoor combustible operations.
6. This Declaration and Order **DOES NOT PROHIBIT** outdoor welding, cutting or grinding operations and outdoor hot works operations, **PROVIDED THAT** such operations are strictly performed in compliance with the following requirements creating a controlled environment and safeguards on each day when operations are performed:

- i. 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;
  - ii. Surfaces around welding, cutting or grinding operations or hot works operations area are wetted down;
  - iii. Each location where welding, cutting or grinding operations or hot works operations are being performed must have cellular telephone communications for emergency response;
  - iv. Before beginning any welding, cutting or grinding operations or hot works 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 such operations are planned;
  - v. A dedicated fire watch person attends **each** welder, cutter, grinder, or worker performing hot works operations or any activity that causes a spark;
  - vi. 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;
  - vii. No welding, cutting or grinding operations or hot works operations shall be performed on days when red flag conditions are prevailing;
  - viii. Even 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, or such operations are performed only in sub-surface, or "bell hole" within approved excavations, the operations must comply with the above requirements i-vii.
7. In accordance with Sections 418.108(i) & 418.173 of the *Texas Government Code*, a person who knowingly or intentionally violates this order commits a Class B misdemeanor, punishable by a fine that does not exceed \$1,000.00 and confinement in jail for a term not to exceed 180 days;
  8. In accordance with Section 418.108(i) of the *Texas Government Code*, an affected party is entitled to injunctive relief to prevent the violation or threatened violation of a requirement or prohibition established by this Declaration and Order;
  9. In the event the drought conditions diminish between now and the end of the effective date of this Declaration and Order, the County Judge shall reevaluate this Declaration and Order at that time; and

10. During the effective period of this Declaration and Order, this Declaration and Order shall control over any prior local state of disaster declarations and/or burn ban orders that may have been issued and in place as of the date of this Declaration and Order;

**This Declaration and Order is adopted this 6<sup>th</sup> day of September, 2011 at 3:30 pm p.m., effective immediately.**



Dan A. Gattis  
Williamson County Judge  
710 Main St., Suite 101  
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