

Joyce Hudman  
County Clerk  
Brazoria County, Texas

## Prohibition of Outdoor Burning

WHEREAS, the Commissioners Court find that circumstances present in all of the unincorporated areas of the county create a public safety hazard that would be made worse by outdoor burning; and

WHEREAS, declaration of such disaster authorized the imposition of controls on activities which tend to increase the likelihood of such fires:

IT IS THEREFORE ORDERED by the Commissioners Court that the following emergency regulations are hereby established for all unincorporated areas of Brazoria County, Texas for the duration of 90 days from the date of adoption of this Order, unless the restrictions are terminated earlier based on a determination made by the County Judge upon recommendation by the County Fire Marshal.

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 by the Texas Commission on Environmental Quality for: (1) firefighter training; (2) public utility, natural gas pipeline; (3) burns 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.

### 1. Actions Prohibited:

A person violates this order if he or she burns any combustible material outside of an enclosure serving to contain all flames and/or sparks, or orders such burning by others.

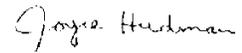
### 2. Enforcement:

A. Upon notification of suspected outdoor burning, the fire department assigned to 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 at the scene and/or the fire chief, the goal of the order can be attained by informing the responsible party about the prohibitions established by this order, the officer may, at his discretion, notify the party about the provisions of this order and request compliance with it. In such instances, an entry of the notification shall be made into the dispatchers log containing the time, date, and place of the warning, and the name of the person receiving the warning.

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



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3. At the discretion of the peace officer or the fire chief, second or flagrant violations of this order may be prosecuted in accordance with the statutes and procedures governing misdemeanors.

BE IT ALSO ORDERED that this order may be enforced by any duly-commissioned peace officer and that the venue for prosecution of this order will be the Justice of the Peace.

APPROVED, this 10th day of February, 2026



Brazoria County Judge  
L. M. "Matt" Sebesta, Jr.