Docusign Envelope ID: BC55B008-181F-847F-82AE-5966AD1FA35F

FILED

SEP 2 8 2026

Krista Bartsch
Bastrop County Clerk

COUNTY OF BASTROP

STATE OF TEXAS

EMERGENCY ORDER PROHIBITING OUTDOOR BURNING

WHEREAS, Section 352.081 of the Local Government Code provides that the commissioners of a county, by order, may prohibit outdoor burning in the unincorporated area of the county if the Commissioners Court finds that circumstances present in the unincorporated area create a public safety hazard that would be exacerbated by outdoor burning; and,

WHEREAS, the Bastrop County Judge does hereby find that circumstances present in the unincorporated area of Bastrop County create a public safety hazard that would be exacerbated by certain outdoor burning; and,

BE IT THEREFORE ORDERED that the following emergency regulations are hereby established for all portions of the unincorporated areas of Bastrop County, Texas that are not subject to public ownership or stewardship, for the duration of the declaration:

(1) **Actions Prohibited:**
Except as described hereinafter, a person violates this ORDER if they ignite, or cause ignition of any combustible or vegetative material outdoors, or orders such burning or ignition by others.

(2) **Enforcement:**

(a) Under 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 to extinguish the fire.

(b) A duly-commissioned peace officer, when available, shall be sent to the scene to investigate the nature of the fire.

(c) In accordance with Section 352.081 of the Local Government Code, a person who intentionally or knowingly violates this Order commits a Class C Misdemeanor, punishable by a fine up to $500.

(d) If the responding peace officer finds that the person responsible for the fire is in violation of (1) above, a citation shall be issued for: Violation of Burn Ban Order.

(3) **Exceptions:**
This order does not prohibit the following outdoor activities:

(a) Welding, Cutting, or Grinding Operations: This order shall not apply to the outdoor burning of vegetative material caused by welding, cutting or grinding operations if such burning is not malicious or intentional and the following provisions are followed:

Docusign Envelope ID: BC55B008-181F-847F-82AE-5966AD1FA35F

(i) Surfaces within 20 feet around the welding, cutting, or grinding operations shall be wetted down prior to and at least every hour during the operations;

(ii) Wind speeds must not be more than 20 miles per hour while performing welding, cutting, or grinding operations outside of barriers or enclosures;

(iii) A dedicated fire watch person shall be stationed within 100 feet of any welding, cutting, or grinding operation and will remain on the scene of any such activity for a minimum of 30 minutes after the cessation of any welding, cutting, or grinding operation;

(iv) Each fire watch person shall have at least one water pressure fire extinguisher and shall be trained in its use;

(v) Each fire watch person shall have cellular telephone communications for emergency response; and

(vi) Welding, cutting, or grinding operations may be performed in a total welding enclosure, or "welding box," that is sufficiently tall to control sparks and includes a fire-retardant cover over the top. Wind speeds must not exceed 30 miles per hour while using such an enclosure. Where welding (above ground and sub-surface) is required in an area where there is a potential for a hazardous atmosphere, barriers (e.g. "windwalls") shall be substituted for total enclosures to prevent sparks from coming in contact with any combustible material; the barriers will be installed to allow ventilation of the work area and ingress and egress to the work area for personnel safety. Sub-surface, or "bell hole," welding and grinding operations within approved excavations are allowed if all other mitigation efforts are included.

No outdoor welding, cutting or grinding operations are allowed on days designated as Red Flag Warning Days by the National Weather Service.

(b) Burning authorized by Texas Commission on Environmental Equality (TCEQ): This order does not prohibit outdoor burning activities related to public health and safety that are authorized by the TCEQ for:

(i) Firefighter training; or,

(ii) Public utility, natural gas pipeline, or mining operations; or,

(iii) Planting or harvesting of agricultural crops; or,

(iv) 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 Resource Code; or,

FILED

SEP 2 8 2026

Krista Bartsch
Bastrop County Clerk

Docusign Envelope ID: BC55B008-181F-847F-82AE-5966AD1FA35F

(v) Burns that are conducted by the Texas Parks and Wildlife Department, under training and guidelines of the National Wildlife Coordinating Group (NWCG).

(c) **Food Preparation**
Cooking using above-ground, covered grills in a safe area clear of debris.

(d) **Air Curtain Incinerator**
Burning in an Air Curtain Incinerator under a general operating permit from the TCEQ.

(e) The fire chief or his/her designee with the designated authority having jurisdiction in conjunction with the Bastrop County Office of Emergency Management is granted the authority to make exemptions to the Burn Ban Order to accommodate commercial film studios with outdoor special effects that involve outdoor burning. This exemption will require the fire department with jurisdiction in the area to be onsite in a standby mode while outdoor burning is being conducted with sufficient resources to safely monitor and prevent the spread of any expected burning at the expense of the commercial film studio. If the fire department in the specific area is not able to man the exempt burn at a given time, they may work in conjunction with another Bastrop County Fire Department to provide the monitoring.

The purpose of this order is the mitigation of the public safety hazard posed by wildfires during the current dry weather conditions 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 remain in effect through Tuesday, October 13, 2026***, and shall expire at the end of said period or upon the date the Bastrop County Commissioners Court, by order, determines that the circumstances present in the unincorporated areas of Bastrop County no longer create a public safety hazard that would be exacerbated by outdoor burning, whichever occurs earlier.

Adopted and effective this the 28th day of September, 2026, ***to take effect at 12:01 A.M., Tuesday, September 29, 2026.***

Signed by:
Gregory Klaus
21902DA448E44E4...
Gregory Klaus
County Judge

Signed by:
Butch Carmack
0502581915 7B420...
Charles Carmack
Commissioner Precinct 1

DocuSigned by:
Mark Meuth
A2DF9A720E82448...
Mark Meuth
Commissioner Precinct 3

FILED

SEP 28 2026

Krista Bartsch
Bastrop County Clerk

DocuSigned by:
Clara Beckett
2519BCCD1A9A459...
Clara Beckett
Commissioner Precinct 2

Signed by:
David Glass
D29F036367A6446...
David Glass
Commissioner Precinct 4