

MAR 17 2025

1:44 P.M.

HUTCHINSON COUNTY TEXAS
BY  DEPUTY

STATE of TEXAS §
COUNTY OF HUTCHINSON §

ORDER DECLARING A LOCAL STATE OF DISASTER/PROHIBITING OUTDOOR BURNING

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

Large wildfire threat impacting Hutchinson County, to include the communities of Borger, Fritch, Stinnett and Sanford, and

WHEREAS, Section 418.004(l) 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, Texas Counties, including Hutchinson County, are threatened by extreme fire hazards due to current weather conditions posing significant fire danger; and

WHEREAS, based on recommendations of the Hutchinson County Fire Marshal, Hutchinson County Office of Emergency Management and due to the disaster conditions cited herein, the County Judge of Hutchinson County **must protect the health, safety and welfare** of the County’s citizens; and

WHEREAS, the County Judge of Hutchinson County has determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property; and

NOW, THEREFORE, BE IT PROCLAIMED by the County Judge of Hutchinson County:

1. That a local stated of disaster is hereby declared for Hutchinson County pursuant to 418.108(a) of the *Texas Government Code* (the “Declaration and Order”);
2. This Declaration and Order **SHALL PROHIBIT** outdoor burning in all of the unincorporated areas of Hutchinson County, as follows:
 - (A) Actions Prohibited:
 - i. 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.
 - (B) Enforcement:
 - i. 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.
 - ii. As soon as possible, a duly commissioned peace officer shall be sent to the scene to investigate the nature of the fire.
 - iii. 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.
 - (C) 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.

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.

3. Pursuant to 418.018(b) of the *Texas Government Code*, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the Commissioners Court of Hutchinson County.
4. Pursuant to 418.018(c) of the *Texas Government Code*, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the Hutchinson County Clerk.
5. Pursuant to 418.018(d) of the *Texas Government Code*, this declaration of a local state of disaster activates the Hutchinson County emergency management plan.

This Declaration and Order is adopted this 17th of March, 2025, at 2:00 p.m., to be effective immediately.


Cindy Irwin

Hutchinson County Judge