

CO#136434



COMMISSIONERS COURT  
COMMUNICATION

REFERENCE NUMBER

PAGE 1 OF

5

DATE: 09/28/2021

SUBJECT: **APPROVAL OF PROHIBITION AGAINST OUTSIDE BURNING WITHIN UNINCORPORATED AREAS OF TARRANT COUNTY**

**COMMISSIONERS COURT ACTION REQUESTED:**

It is requested that the Commissioners Court approve and sign an order prohibiting outside burning within the unincorporated areas of Tarrant County for a period of ninety (90) days from this date or until repealed by the Court in accordance with State of Texas law

**BACKGROUND:**

The County Fire Marshal has requested that outside burning be prohibited within the unincorporated areas of Tarrant County. The ban is in response to the threat of wildfires in several areas of Tarrant County due to the high temperatures and lack of moisture in plant life due to the recent lack of rainfall. The Texas A&M Forest Service and National Weather Service/Fort Worth Office supports this request for a ban on outside burning. Controlled burning under the supervision or regulation of any state agency or political subdivision is specifically exempted from the order.

Legislation by the 76th Texas Legislature changed procedures/time frames for prohibition of outside burning. The major change calls for increments of ninety (90) days, which may be repealed within that period of time if the ban is no longer needed. If, after that period of time, the Fire Marshal recommends continuation of the ban, another ninety (90) day ban will be requested.

**FISCAL IMPACT:**

There is no fiscal impact associated with this action.

SUBMITTED BY:	Tarrant County Fire Marshal	PREPARED BY:	Randy Renois
		APPROVED BY:	



## TARRANT COUNTY

### PROHIBITION OF OUTSIDE BURNING IN UNINCORPORATED AREAS

**WHEREAS**, Tarrant County has not had rainfall for an extended period of time and the Texas Forest Service has determined that drought conditions exist in all of the unincorporated areas of Tarrant County at this time; and

**WHEREAS**, the present dry conditions pose the threat of dangerous grass fires; and

**WHEREAS**, the present meteorological conditions and the dry, dead plant life create an imminent threat of widespread and severe damage, injury, and loss of life or property resulting from a man-made cause, namely fire, and a natural cause, namely drought; and

**WHEREAS**, the Tarrant County Commissioners Court finds that the conditions herein described persist in all of the unincorporated areas of Tarrant County, Texas and these conditions create a public safety hazard that would be exacerbated by uncontrolled burning; and

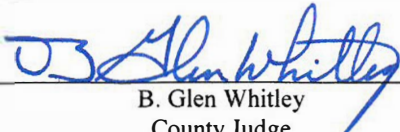
**WHEREAS**, the Tarrant County Commissioners Court is acting under the authority codified at §352.081 of the Texas Local Government Code in adopting the following Commissioners Court Order.

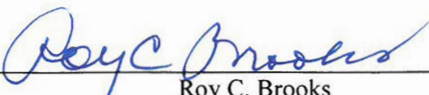
**NOW, THEREFORE, BE IT ORDERED** by the Commissioners Court of Tarrant County:

1. That all outdoor burning is prohibited in the unincorporated areas of Tarrant County, Texas except burning within an enclosure which serves to contain all flames and sparks, and welding guidelines established by the County Fire Marshal or except as authorized by the Texas Commission on Environmental Quality; and
2. That violations of this order are defined and punishable as described in §352.081 of the Texas Local Government Code; and
3. That this order shall take effect September 28, 2021 and continue for a period of 90 days from and including the date of the adoption of this order and unless repealed in accordance with the State of Texas law.


This Order shall take effect immediately from and after its passage on this the 28<sup>th</sup> day of September 2021.


Court Order # 136434

  
\_\_\_\_\_  
B. Glen Whitley  
County Judge

  
\_\_\_\_\_  
Roy C. Brooks  
County Commissioner, Precinct 1

  
\_\_\_\_\_  
Gary Fickes  
County Commissioner, Precinct 3

  
\_\_\_\_\_  
Devan Allen  
County Commissioner, Precinct 2

  
\_\_\_\_\_  
J.D. Johnson  
County Commissioner, Precinct 4



**TARRANT COUNTY**  
FORT WORTH TEXAS 76111

**RANDY RENOIS**  
FIRE MARSHAL

2750 PREMIER STREET  
PHONE: (817) 838-4660  
FAX: (817) 831-2007

September 28, 2021

**OUTDOOR WELDING GUIDELINES**  
**DURING THE BAN ON OUTDOOR BURNING**

1. Where welding must be performed in the field, the following mitigating efforts will be in force until the Ban on Outdoor Burning has expired.
2. 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.
3. Surface around welding area will be wetted down.
4. Wind speeds must be no more than fifteen (15) miles per hour while performing welding, cutting or grinding operations outside of barriers or enclosures.
5. A dedicated fire watch person will attend each welder, cutter, grinder and any activity that causes a spark.
6. A minimum of one (1) water pressure fire extinguisher per fire watch person is required.
7. Each site will have cellular telephone communications for emergency response.
8. 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. Wind 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 work 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.
9. If an emergency exists where welding has to be performed, the Fire Marshal may issue a temporary exception to the order.

Should you have additional questions contact the Tarrant County Fire Marshal's Office at 817-838-4660 or email [firemarshal@tarrantcountytx.gov](mailto:firemarshal@tarrantcountytx.gov)