

STATE OF TEXAS     §  
KENDALL COUNTY   §

DISASTER DECLARATION RELATED TO RISK OF WILDFIRES

WHEREAS, Kendall County has not had rainfall for an extended period of time, creating hot and dry conditions; and

WHEREAS, the hot and dry conditions pose the threat of large, dangerous and fast-moving wildfires; and

WHEREAS, such fires have the potential of endangering lives and damaging property on a large scale; and

WHEREAS, the current Keetch-Byram Drought Index for Kendall County is 715; and

WHEREAS, the Texas Government Code Chapter 418 gives the county judge the power to declare a local disaster within the county "if the threat of disaster is imminent;" and

WHEREAS, the magnitude of the potential damage and the rapidity with which such a fire could escalate to major proportions constitute an imminent threat of disaster; and

WHEREAS, declaration of such disaster authorizes the imposition of controls on activities which tend to increase the likelihood of fires; and

WHEREAS, such controls, once implemented, have the potential of protecting lives and property by mitigating the threat of dangerous fires; and

WHEREAS, a declaration issued under Section 418.108 of the Texas Government Code may include prohibition or restriction on the sale or use of all fireworks within the county; and

WHEREAS, a local disaster declaration expires seven days after its issuance, unless the commissioners court consents to its renewal or continuance.

BE IT THEREFORE PROCLAIMED that I, Darrel L. Lux, County Judge of Kendall County, Texas, declare a local state of disaster based on the threat of large wildfires in Kendall County, Texas.

BE IT ALSO PROCLAIMED that the use of restricted fireworks in the unincorporated area of the county is prohibited during this state of disaster. Restricted Fireworks means only those items classified under 49 C.F.R. Sec. 173.100(r)(2) (10-1-86 edition), as "skyrockets with sticks" and "missiles with fins".

BE IT ALSO PROCLAIMED that this state of disaster will continue until rescinded in accordance with the above cited statute, but in no instance will this declaration continue for more than seven days without being authorized by the County Commissioners Court.

BE IT ALSO PROCLAIMED that the purpose of this order is the mitigation of the hazard posed by wildfires by curtailing the practice of outdoor burning, and the use of all fireworks, which purpose is to be taken into account in any enforcement action based upon this order.

BE IT ALSO PROCLAIMED that a violation of this Disaster Declaration is punishable as a Class C misdemeanor by a fine not to exceed \$500.00 .

This declaration shall be promptly publicized and filed with the County Clerk.

IN WITNESS WHEREOF, I affix my signature this 29 day of June, 2022.



Darrel L. Lux  
County Judge

Attest:



Darlene Herrin  
County Clerk