

STATE OF TEXAS

§

COUNTY OF POTTER

§

**AN ORDER OF THE COMMISSIONERS COURT OF POTTER PROHIBITING OUTDOOR
BURNING AND EXTENDING A DISASTER DECLARATION**

WHEREAS, on July 1, 2026, the Potter County Judge, pursuant to her authority under section 418.108 of the Texas Government Code, issued a disaster declaration due to imminent threat of wildfires within Potter County;

WHEREAS, the drought conditions which warrant issuance of the disaster declaration continue to threaten life and property within Potter County;

NOW THEREFORE, the Potter County Commissioners Court, by unanimous vote of members present, finds the following:

The Court finds that persistent dry and windy weather conditions in Potter County are such that outdoor burning in unincorporated areas of the County would present a public hazard.

IT IS THEREFORE ORDERED pursuant to Texas Local Government Code Section 352.081 that all outdoor burning is prohibited in the unincorporated areas of Potter County for **Ninety (90) days** from and including **07-07-26 through 10-05-2026**;

IT IS FURTHER ORDERED that the disaster declaration issued by the County Judge is extended for the same period, and therefore, the Potter County Emergency Plan will continue to remain active unless the County Judge rescinds this order;

The County Judge may rescind this Order upon a finding that the circumstances that required the Order no longer exist. This Order does not prohibit:

1. Outdoor burning activities related to public health and safety that are authorized by the Texas Commission on Environmental Quality for:

- (a) Firefighter training;
- (b) Public utility, natural gas pipeline, or mining operations;
- (c) Planting or harvesting of agriculture crops; or
- (d) Prescribed burns certified under Section 153.048, Texas Natural Resources Code, and meeting the standards of Section 153.047, Texas Natural Resources Code;

2. The burning of domestic waste at a property designed for and used exclusively as a private residence, housing not more than three families, when the waste is generated only from that property; PROVIDED, that such burning shall be conducted in a metal barrier or other approved metal container and covered by a metal screen capable of preventing flames or sparks from escaping from the container; or,

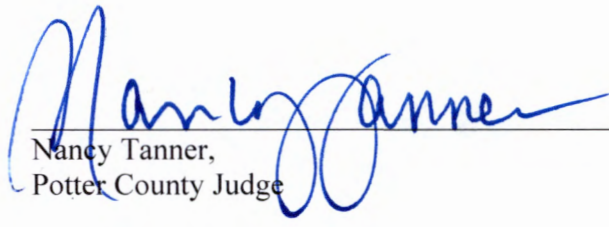
3. A fire used exclusively to provide warmth in cold weather, or a fire used for cooking; PROVIDED, that such burning shall be conducted in a metal barrier or other approved metal container and covered by a metal screen capable of preventing flames or sparks from escaping from the container.

The authority to conduct outdoor burning under this regulation does not exempt or excuse any person responsible from the consequences, damages, or injuries resulting from the burning and does not exempt or excuse anyone from complying with all other applicable laws or ordinances, regulations, and orders of governmental entities having jurisdiction, even though the burning is otherwise conducted in compliance with this regulation

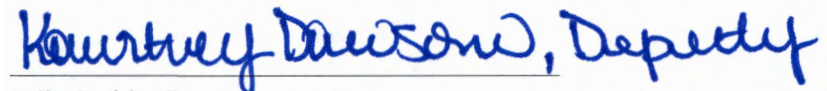
IT IS FURTHER ORDERED, that as provided by Section 352.081(h), Texas Local Government Code, a person commits an offense if the person knowingly or intentionally violates this order. An offense under this subsection is a Class C misdemeanor.

SO ORDERED this 7th day of July, 2026.




Nancy Tanner,
Potter County Judge

ATTEST:


Julie Smith, County
Clerk