

ORDINANCE 34A

BURNING DURING A BURN BAN

AN ORDINANCE AUTOMATICALLY ENACTING A BAN ON OUTDOOR BURNING WITHIN THE CITY OF LOG CABIN, TEXAS, AT ANY TIME THAT THE COMMISSIONERS COURT OF HENDERSON COUNTY ENACTS A BAN ON OUTDOOR BURNING AND PROVIDING FOR FINES AND/OR PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

SECTION I: PURPOSE

In order to protect, promote, and defend the health, safety and welfare of the citizens of Log Cabin and to prevent unnecessary damage to property and lives due to outdoor burning during unsafe drought conditions, it is necessary to adopt this ordinance providing for a ban on outdoor burning during a burn ban.

SECTION II: ENFORCEMENT

Any member of the Log Cabin Police Department is hereby authorized and directed to implement the enforcement of this ordinance to protect the public welfare and safety. This ordinance shall apply to all persons, firms, groups, organizations, corporations, residents, and visitors to the City of Log Cabin.

SECTION III: OUTDOOR BURNING PROHIBITED AND DURATION

The City of Log Cabin declares that each time the Commissioners Court of Henderson County, in accordance with the Local Government Code 352.081, determines that circumstances present in Henderson County create a public safety hazard that would be exacerbated by outdoor burning, the City of Log Cabin automatically bans and prohibits outdoor burning in the City without further consideration or approval by the governing body.

The duration of the ban and prohibition against outdoor burning will begin immediately upon issuance of a burn ban order or other proclamation from the Commissioners Court of Henderson County and will expire upon the same expiration date and time as the order or other proclamation enacted by the Commissioners Court of Henderson County.

SECTION IV: EXCEPTIONS


This ordinance does not apply to outdoor burning:

- A. Authorized by the Log Cabin City Council.
- B. City sponsored Fireworks show, per city ordinance/resolution.
- C. Firefighter training.
- D. Public utility, natural gas pipeline, or mining operations.
- E. Planting or harvesting of agricultural crops.
- F. 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 Resources Code.

SECTION V: PENALTY

Any person, firm, corporation, agent, or employee thereof who violates any of the provisions of this ordinance shall be subject to a class C misdemeanor and fine not to exceed more than \$500 per offense. Each violation constitutes a separate offense.

PASSED AND APPROVE ON THIS 16TH DAY OF FEBRUARY 2023 BY THE LOG CABIN CITY COUNCIL.


Jennifer Williams, Mayor
Leana Thorp, City Secretary