



COUNTY JUDGE

Fort Bend County, Texas

Robert E. Hebert
County Judge

**AMENDED DISASTER DECLARATION FOR
THREAT OF WILDFIRES PROCLAMATION**

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WHEREAS, Fort Bend County has not had rainfall for an extended period and weather forecasters offer little promise of a change in the hot, dry conditions in the near future; and

WHEREAS, these hot, 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 of a large scale; and

WHEREAS, the Texas Disaster Act of 1975 (Chapter 418 of the TEXAS GOVERNMENT CODE) authorized declaration of a state of disaster "if the threat of disaster is imminent" ;and

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

WHEREAS, declaration of such disaster authorized 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.

BE IT THEREFORE PROCLAIMED, that I Robert E. Hebert, County Judge of Fort Bend County, do hereby declare a state of disaster based on the threat of large wildfires in Fort Bend County and that the sale, dispensing, use, or transportation of fireworks that are classified under Section 352.051 of the Texas Local Government Code as "skyrockets with sticks" and "missiles with fins" are prohibited as they increase the risk of damage, injury, and loss of life under the conditions creating this disaster; and

BE IT ALSO PROCLAIMED that this state of disaster will continue for 60 hours from the date that this order was signed unless it has been extended by the Governor of Texas; and

BE IT ALSO PROCLAIMED that this state of disaster is being declared solely for the purpose of implementing controls aimed at mitigating the hazard posed by wildfires during the current hot, dry weather; and

BE IT ALSO ORDERED THAT the purpose of this order is the mitigation of the hazard posed by wildfires by curtailing the sale or use of restricted fireworks, which purpose is to be taken into account in any enforcement action based upon this order;

BE IT ALSO ORDERED THAT this order shall not apply to the conduct of a public display of fireworks by a person holding a valid pyrotechnic operator's license or a valid pyrotechnics special effects operator's license issued in accordance with Chapter 2154 of the Texas Occupations Code, provided that such display is a display that the license authorizes the person to conduct and is conducted in accordance with Chapter 2154 of the Texas Occupations Code and applicable regulations.

IN WITNESS WHEREOF, I affix my signature this 24th day of June, 2009 at 5:08 PM

The Honorable Robert Hebert, County Judge

FILED FOR RECORD

NO. _____ TIME 10:21 A.M.
P.M. ds

JUN 25 2009

County Clerk Fort Bend Co. Tex.