

**ORDER OF THE EL PASO COUNTY COMMISSIONERS COURT**  
**CONSENTING TO THE CONTINUATION AND RENEWAL OF THE**  
**DECLARATION OF LOCAL DISASTER BY THE EL PASO COUNTY**  
**JUDGE**

**AND**

**BANNING THE SALE, POSSESSION AND USE OF ALL FIREWORKS IN**  
**THE UNINCORPORATED AREAS OF EL PASO COUNTY**

WHEREAS, pursuant to Texas Government Code Section 418.108, the El Paso County Judge has DECLARED a local state of disaster due to extreme fire danger caused by severe and persistent drought in El Paso County and has requested the governor to extend the disaster declaration; and,

WHEREAS, when local state of disaster exists due to a drought and fire danger the El Paso County Commissioners Court has the authority to restrict the sale, possession, and use of all fireworks in the unincorporated areas of the county pursuant to Texas Government Code Section 418.108(i); and,

WHEREAS, pursuant to Texas Local Government Code Section 352.051(a)(2), the El Paso County Commissioners Court FINDS that the Texas Forest Service has determined that severe and persistent drought conditions exist as evidenced by a Keetch-Byram Drought Index of 643 on June 6, 2014, and is predicted by the Texas Forest Service to continue to exist in El Paso County reaching an average Keetch-Byram Drought Index of 674 for the next 14 days during the 2014 Fourth of July fireworks season.

IT IS THEREFORE ORDERED, pursuant to Texas Government Code Section 418.108(b) that the El Paso County Commissioners Court hereby consents to the continuation and renewal of the declaration of local disaster by the El Paso County Judge dated June 9, 2014 for a period in excess of seven (7) days and which shall be extended until the severe and persistent drought conditions no longer exist.

IT IS FURTHER ORDERED that the sale, possession, and use of all fireworks, as defined in Chapter 2154 of the Texas Occupations Code, are hereby prohibited in all unincorporated areas of the County of El Paso, Texas pursuant to Texas Government Code Section 418.108(i) and Texas Local Government Code Section 352.051(c).

IT IS FURTHER ORDERED that this Order banning the sale, possession, and use of all fireworks is effective for sixty (60) hours from the date of the County Judge's Declaration of Local Disaster, unless the governor extends the local state of disaster and restriction banning the sale, possession, and use of all fireworks pursuant to Texas Government Code Section 418.108(i), in which case this Order shall be effective from its date of adoption until the expiration of the governor's extension of the local state of disaster and restriction banning the sale, possession, and use of all fireworks.

IT IS FURTHER ORDERED that this prohibition of the possession and use of fireworks does not apply to professional public fireworks displays authorized by and permitted/licensed pursuant to Chapter 2154 of the Texas Occupations Code.

IT IS FURTHER ORDERED that this prohibition of the possession of fireworks does not apply to the commercial transportation of fireworks on the roads and highways

in the unincorporated areas of El Paso County for commercial resale in jurisdictions where the sale of fireworks is permitted.

IT IS FURTHER ORDERED that violation of this Order is a Class C Misdemeanor punishable by a fine of up to \$500 pursuant to Texas Local Government Code 352.051(i).

IN WITNESS WHEREOF, by Order of the El Paso County Commissioners Court adopted this the 9<sup>th</sup> day of June, 2014.

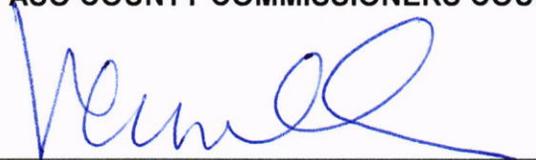
**ATTEST:**

**EL PASO COUNTY COMMISSIONERS COURT**



\_\_\_\_\_  
Delia Briones  
County Clerk

By

  
\_\_\_\_\_  
Veronica Escobar  
County Judge