



WASHINGTON COUNTY CLERK

2026 AUG 24 AM 10:44

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COUNTY OF WASHINGTON
STATE OF TEXAS

**DECLARATION OF LOCAL DISASTER AND
EMERGENCY ORDER PROHIBITING OUTDOOR BURNING**

WHEREAS, Section 418.004(1) of the Texas Government Code defines a “disaster” to include the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from fire, drought, extreme heat, or another public calamity requiring emergency action; and

WHEREAS, Section 418.108(a) of the Texas Government Code authorizes the presiding officer of the governing body of a political subdivision, including a County Judge, to declare a local state of disaster; and

WHEREAS, Washington County is experiencing hot and dry conditions and increasing wildfire potential. Texas A&M Forest Service Keetch-Byram Drought Index data for August 23, 2026, reflects a Washington County average KBDI of 596, a maximum of 659, and an increase of 10 points from the prior reporting period; and

WHEREAS, these conditions have increased the dryness of grass, brush, litter, and other fuels, creating conditions in which outdoor burning may ignite or contribute to large, dangerous, and rapidly spreading wildfires; and

WHEREAS, the County Judge finds that the present and imminent threat of wildfire creates the potential for widespread or severe damage, injury, or loss of life or property in Washington County and requires immediate emergency action to protect public health and safety; and

WHEREAS, a declaration of local disaster under Section 418.108 may include regulations necessary to protect public health and safety, including a prohibition or restriction on outdoor burning; and

NOW, THEREFORE, I, JOHN DURRENBERGER, COUNTY JUDGE OF WASHINGTON COUNTY, TEXAS, pursuant to Texas Government Code Chapter 418, including Section 418.108, do hereby **DECLARE** a local state of disaster based on the imminent threat of wildfire and **ORDER** the following emergency restrictions:

1. PROHIBITION ON OUTDOOR BURNING.

- Except as expressly provided in this Order, all outdoor burning is prohibited in the unincorporated areas of Washington County, Texas.
- A person violates this Order if the person ignites, causes the ignition of, or directs another person to ignite combustible or vegetative material outdoors, unless the activity is expressly permitted by this Order and is otherwise lawful.

2. ENFORCEMENT.

- Upon notification of suspected outdoor burning, the fire department assigned to the location may respond to the scene and take immediate measures necessary to contain and extinguish the fire.
- If requested by a fire official, a commissioned peace officer may be sent to the scene to investigate the nature of the fire and take enforcement action authorized by law.

- A person who knowingly or intentionally violates this Order is subject to any penalty authorized by applicable law. If the Washington County emergency management plan establishes an offense under Texas Government Code Section 418.173, a violation may be punished as provided in that plan, subject to the limits established by Section 418.173.

3. EXCEPTIONS.

- This Order does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Commission on Environmental Quality, including firefighter training; public utility, natural gas pipeline, or mining operations; or planting or harvesting of agricultural crops, provided the activity is otherwise conducted in compliance with applicable law.
- This Order does not prohibit a prescribed burn conducted in accordance with a written burn plan and authorized in writing by the Washington County Environmental Health Office under the County's prescribed burn permitting procedures. Required local notifications must be completed before the burn begins.
- This Order does not prohibit the outdoor burning of household garbage in a properly constructed screened barrel or screened pit, provided the burning is otherwise lawful under state and local requirements.
- This Order does not prohibit burning in an Air Curtain Incinerator (ACI) if the operator has obtained any registration or authorization required by the Texas Commission on Environmental Quality and has notified the Washington County Emergency Management Coordinator at least twenty-four (24) hours before use during the effective period of this Order.

4. PURPOSE.

- The purpose of this Order is to mitigate the public safety hazard posed by wildfires during the present hot and dry conditions by curtailing outdoor burning that could increase the likelihood, intensity, or spread of wildfire.

5. EMERGENCY MANAGEMENT PLAN.

- Pursuant to Texas Government Code Section 418.108(d), this Declaration activates the appropriate provisions of the applicable local or interjurisdictional emergency management plan and authorizes the furnishing of aid and assistance under this Declaration.

6. EFFECTIVE DATE; DURATION; EARLY TERMINATION.

- This Declaration and Emergency Order is issued and shall take effect at 12:00 a.m. (midnight) on Tuesday, August 25, 2026.
- Unless earlier terminated, this Declaration and Emergency Order shall automatically expire at 12:00 a.m. (midnight) on Tuesday, September 1, 2026, and shall not be continued or renewed beyond seven (7) days without the consent of the Washington County Commissioners Court as required by Texas Government Code Section 418.108(b).
- The County Judge may terminate this Declaration and Emergency Order earlier upon determining that the emergency conditions no longer warrant the restrictions imposed herein.

7. PUBLICITY AND FILING.

- Pursuant to Texas Government Code Section 418.108(c), this Declaration and Emergency Order shall be given prompt and general publicity and shall be filed promptly with the Washington County Clerk.

ISSUED AND EFFECTIVE AT 12:00 A.M. (MIDNIGHT) ON AUGUST 25, 2026.

John Durrenberger
John Durrenberger
Washington County Judge

FILED WITH THE WASHINGTON COUNTY CLERK:

Date: 8-24-26 Time: 10:44 am
By: Tommy Rosenbaum Deputy