



# DISASTER DECLARATION

## LAVACA COUNTY, TEXAS

**WHEREAS**, Lavaca County has not had rainfall for an extended period of time, creating hot and dry conditions; and

**WHEREAS**, the hot and 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 on a large scale; and

**WHEREAS**, the Texas Government Code Chapter 418 gives the county judge the power to declare a local disaster within the county "if the threat of disaster is imminent"; and

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

**WHEREAS**, declaration of such disaster authorizes 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; and

**WHEREAS**, a declaration issued under Section 418.108 of the Texas Government Code may include a prohibition or restriction on the sale or use of certain fireworks classified under 49 C.F.R. Sec. 173.1(r)(2) as "skyrockets with sticks" and "missiles with fins" within the county; and

**WHEREAS**, a local disaster declaration expires seven days after its issuance, unless the commissioners court consents to its renewal or continuance; and

**WHEREAS**, to the extent that a declaration includes a provision related to fireworks, any portion of the provision that exceeds the restrictions authorized by Local Government Code § 352.051 is effective only for 60 hours, unless the county judge requests and the governor authorizes an extension of broader fireworks restrictions.

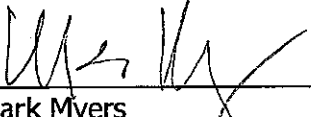
**BE IT THEREFORE PROCLAIMED** that I, County Judge of Lavaca County, do hereby declare a local state of disaster based on the threat of large wildfires in Lavaca County, Texas.

**BE IT ALSO PROCLAIMED** that this state of disaster will continue until rescinded in accordance with the above cited statute, but in no instance will this declaration continue for more than seven days without being authorized by the County Commissioners Court, or in the event the declaration pertains to fireworks, no more than 60 hours unless an extension of the restriction on fireworks has been received from the governor.

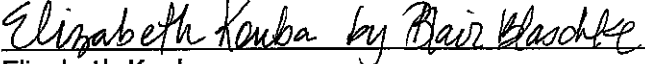
**BE IT ALSO PROCLAIMED that the purpose of this order is the mitigation of the hazard posed by wildfires by curtailing the practice of outdoor burning, and the sale and use of certain aerial fireworks in all unincorporated areas of Lavaca County, which purpose is to be taken into account in any enforcement action based upon this order.**

This declaration shall be promptly publicized and filed with the County Clerk.

**IN WITNESS WHEREOF**, I affix my signature at 9:30 <sup>A.M.</sup> ~~P.M.~~ this 22<sup>nd</sup> day of June, 2022.

  
\_\_\_\_\_  
Mark Myers  
Lavaca County Judge


Attested By

  
\_\_\_\_\_  
Elizabeth Kouba  
Lavaca County Clerk



**FILED FOR RECORD**  
AT 9:48 o'clock A M

JUN 22 2022

ELIZABETH A. KOUBA, CLERK  
COUNTY COURT LAVACA CO., TEXAS  
By:  Deputy