

**DECLARATION OF DISASTER AND ORDER PROHIBITING THE  
SALE OR USE OF FIREWORKS IN  
DEAF SMITH COUNTY, TEXAS**

This 7<sup>th</sup> <sup>Posted</sup> day of June, 2022  
at 1:37 p.m.

**WHEREAS**, Deaf Smith County has not had rainfall for an extended period of time, 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 all fireworks 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 Texas Local Government Code § 352.051 is effective only for 60 hours, unless the county judge requests and the governor authorizes an extension of the broader fireworks restriction.

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

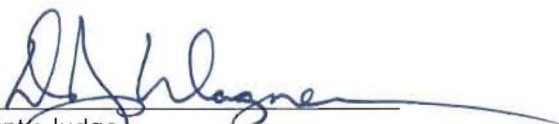
**BE IT ALSO PROCLAIMED** that this state of disaster will continue until rescinded in accordance with the above cited statute, but in no instance will this declaration continue for more than seven days without being authorized by the County Commissioners Court, or in the event the declaration pertains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

**BE IT ALSO PROCLAIMED** that the sale and use of all fireworks is prohibited in Deaf Smith County, Texas for the duration of this Declaration.

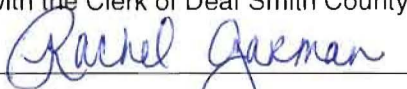
**BE IT ALSO PROCLAIMED** that the purpose of this order is the mitigation of the hazard posed by wildfires by curtailing the practice of outdoor burning, and the sale and use of all fireworks, which purpose is to be taken into account in any enforcement action based upon this order.

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

**IN WITNESS WHEREOF**, I affix my signature this 7<sup>th</sup> day of June, 2022 at 1:30 o'clock p.m.

  
\_\_\_\_\_  
County Judge  
Deaf Smith County, Texas

Filed with the Clerk of Deaf Smith County on June 7, 2022

Attest:   
\_\_\_\_\_  
Rachel Garman, County Clerk