



BRAZOS COUNTY

STATE OF TEXAS §
COUNTY OF BRAZOS §

BRYAN, TEXAS

ORDER NO. 09-007

**RESTRICTING USE OF FIREWORKS
IN UNINCORPORATED AREAS OF BRAZOS COUNTY, TEXAS**

WHEREAS, Section 352.051 of the Local Government Code defines "drought conditions" as the existence immediately preceding or during the fireworks season of a KBDI of 575 or greater, and

WHEREAS, on the 13th day of June, 2009, the Commissioners Court of Brazos County has determined that drought conditions exist on average in the County during the fireworks season and the normal danger of fire in the unincorporated areas of Brazos County is greatly enhanced by the extremely dry conditions now existing;

NOW, THEREFORE, the Commissioners Court of Brazos County adopts this Order prohibiting the sale or use of restricted fireworks in the unincorporated areas of Brazos County.

- A. No person may sell, detonate, ignite, or in any way use fireworks classified under 49 C.F.R. part. 173.100(r)(2) (10-1-86 edition), as "skyrockets with sticks" and "missiles with fins" in any portion of the unincorporated area of Brazos County.
- B. This Order does not prohibit:
 - 1. common fireworks, small in size, classified as Class C explosives;
 - 2. large fireworks devices designed primarily to produce visible or audible effects by combustion, deflagration, or detonation and classified as Class B explosives by the U.S. Department of Trans. [TEX. OCC. Code, Chapter 2154].
- C. A person commits an offense if the person knowingly or intentionally violates a prohibition established by this Order. An offense under this Order is a Class C Misdemeanor.

MOTION TO APPROVE was made by Randy Sims and seconded by Irma Cauley

APPROVED this the 13th day of June, 2009 by a vote of 5 Ayes and 0 Nays.

Randy Sims
Randy Sims
County Judge

Lloyd Wassermann
Commissioner Lloyd Wassermann
Precinct 1

Duane Peters
Commissioner Duane Peters
Precinct 2

Kenny Mallard
Commissioner Kenny Mallard
Precinct 3

Irma Cauley
Commissioner Irma Cauley
Precinct 4

ATTEST:

Karen McQueen by Jessa Ramirez
Karen McQueen
Brazos County Clerk