



Resolution

No. 2022-0056

THE STATE OF TEXAS
COUNTY OF VICTORIA

§
§

COMMISSIONERS' COURT
SPECIAL TERM

A RESOLUTION CONTINUING THE DISASTER DECLARATION ISSUED BY COUNTY JUDGE BEN ZELLER ON JUNE 21, 2022 DUE TO EXCEPTIONAL DROUGHT CONDITIONS AND PROHIBITING THE SALE, USE AND DISCHARGE OF ALL FIREWORKS IN THE UNINCORPORATED AREAS OF VICTORIA COUNTY.

WHEREAS, on June 21, 2022, County Judge Ben Zeller, issued a disaster declaration due to drought conditions resulting in the imminent threat of severe damage, injury, or loss of life or property that would be exacerbated by the sale, use and discharge of fireworks within the unincorporated areas of Victoria County, Texas; and

WHEREAS, pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of the declaration unless continued or renewed by the Commissioners' Court of Victoria County; and

WHEREAS, the Victoria County Commissioners' Court finds that the drought conditions continue to exist and the continuation of the disaster declaration is necessary.

NOW, THEREFORE, BE IT RESOLVED, by the Victoria County Commissioners' Court, that:


1. The local state of disaster declared by County Judge Ben Zeller on June 21, 2022 is hereby continued for Victoria County pursuant to §418.108(b) of the Texas Government Code until such state of disaster is lifted by the County Judge.
2. Pursuant to §418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk.
3. Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the county emergency management plan.
4. Pursuant to the authority granted under §418.108(i) of the Texas Government Code, the sale, use and discharge of all fireworks in the unincorporated area of Victoria County is expressly prohibited. This prohibition exceeds the restriction authorized by §352.051 Local Government Code; therefore, as required by §418.108 of the Texas Government Code, a request was made and has been approved by the Governor to extend the period prohibiting the sale and use of fireworks beyond the 60-hour period. A copy of the letter of determination is attached to this resolution.
5. That any person who knowingly or intentionally violates the prohibition on the sale, use and




discharge of fireworks in the unincorporated area of Victoria County commits a Class C Misdemeanor, punishable by a fine of up to \$500.00.

6. This resolution shall become effective immediately upon adoption.


APPROVED AND ADOPTED this the 27th day of June 2022.



Ben Zeller
County Judge




Danny Garcia
Commissioner Precinct 1



Kevin M. Janak
Commissioner Precinct 2



Gary Burns
Commissioner Precinct 3



Clint C. Ives
Commissioner Precinct 4



DATE: June 22, 2022

TO: The Honorable Ben Zeller
Victoria County
101 N Bridge Street Suite 102
Victoria, TX 77901

SUBJECT: Letter of Determination - Request for Extension under Texas Government Code, Chapter 418.108 (i) Regarding Fireworks

Dear Judge Zeller:

The Texas Division of Emergency Management is in receipt of your request for an extension under Chapter 418.108 (i) of the Texas Government Code.

After a review of the Texas A&M Forest Service Wildfire Danger Assessment, Victoria County meets the necessary thresholds to warrant a fireworks restriction that exceeds the restriction authorized by Local Government Code Sec. 352.051.

Your request for an extension has been approved by the Office of the Governor and is hereby granted.

Please contact me at 512-424-2443 or Marty Penney, Division Chief at 512-424-2208 should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. Nim Kidd".

W. Nim Kidd, MPA, CEM

Chief – Texas Division of Emergency Management
Vice Chancellor for Disaster and Emergency Services
The Texas A&M University System



In accordance with request from the Texas Division of Emergency Management, and the Office of General Counsel, Office of the Governor, the Texas A&M Forest Service (TAMFS) is asked to verify the following information in implementing procedures for consideration of a county's request for extension for local declaration of disaster.

1. County has an Average Keetch-Byram Drought Index of 575 or greater.
2. Fire occurrence for previous 14 days. Local Fire Department occurrences are dependent on fire departments reporting to Texas FireConnect (fireconnect.tfs.tamu.edu).
3. Current drought intensity. Drought implies an increased availability of dead and live fuels that will contribute to combustion. Increased fuel loading will increase fire intensity, increase the rate of spread and generally increase a wildfire's resistance to control.
4. Burn bans are enacted at the local level, and the burn ban map is updated daily as the TAMFS is notified by local jurisdictions.
5. If the above criteria is not met and special circumstances are cited, provide supporting documentation if possible, to assist with validation/support of special circumstances cited.

On June 21, 2022, a request was received from the State Operations Center for verification of above criteria for Victoria County. The Texas A&M Forest Service verifies criteria for the county as follows:

1. Meets KBDI average criteria: Yes No KBDI 700
2. Reported 14 day fire occurrence:
TAMFS 0 fires for 0 acres
Local Fire Departments 1 fires for 2 acres
3. U.S. Drought Monitor intensities present in county:
DO (Abnormally Dry) D1 (Moderate Drought) D2 (Severe Drought)
D3 (Extreme Drought) D4 (Exceptional Drought) None
4. Is county currently in a Burn Ban, that has been reported to TAMFS: Yes No
5. Special considerations for increased fire potential: Yes No
 - a. Special Circumstance:

Submitted to the SOC on: 06/21/2022

Created by: Emergency Operations Center
Texas A&M Forest Service
200 Technology Way, 1162
College Station, TX 77845
979.458.7306

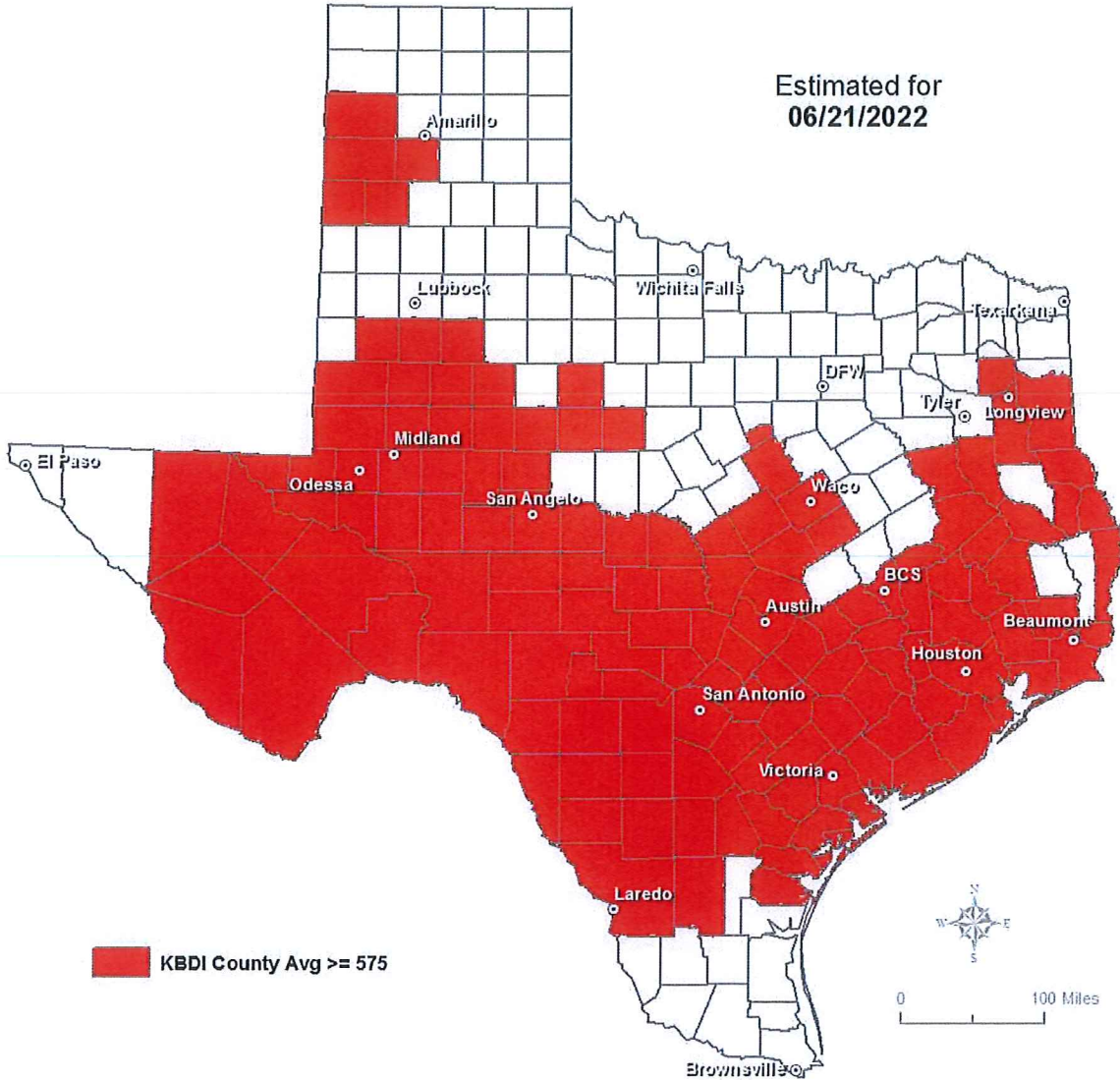
Attachments: 1. KBDI
 2. U.S. Drought Monitor Intensity Map
 3. Reported Burn Ban Map

County	Min	Max	Average	Change
Upton	593	717	666	2
Uvalde	645	749	695	3
Val Verde	443	775	637	3
Van Zandt	390	609	549	9
Victoria	641	746	700	4
Walker	557	650	621	10
Waller	617	684	658	6
Ward	578	747	707	0
Washington	562	680	643	8
Webb	370	729	612	5
Wharton	530	708	645	7
Wheeler	196	419	284	12
Wichita	387	567	494	11
Wilbarger	237	585	429	12
Willacy	330	517	430	8
Williamson	477	675	603	7
Wilson	637	735	691	4
Winkler	493	722	637	2
Wise	344	498	376	17
Wood	259	609	530	9
Yoakum	447	644	545	4
Young	286	546	405	14
Zapata	250	665	380	9
Zavala	617	766	705	3

Keetch-Byram Drought Index

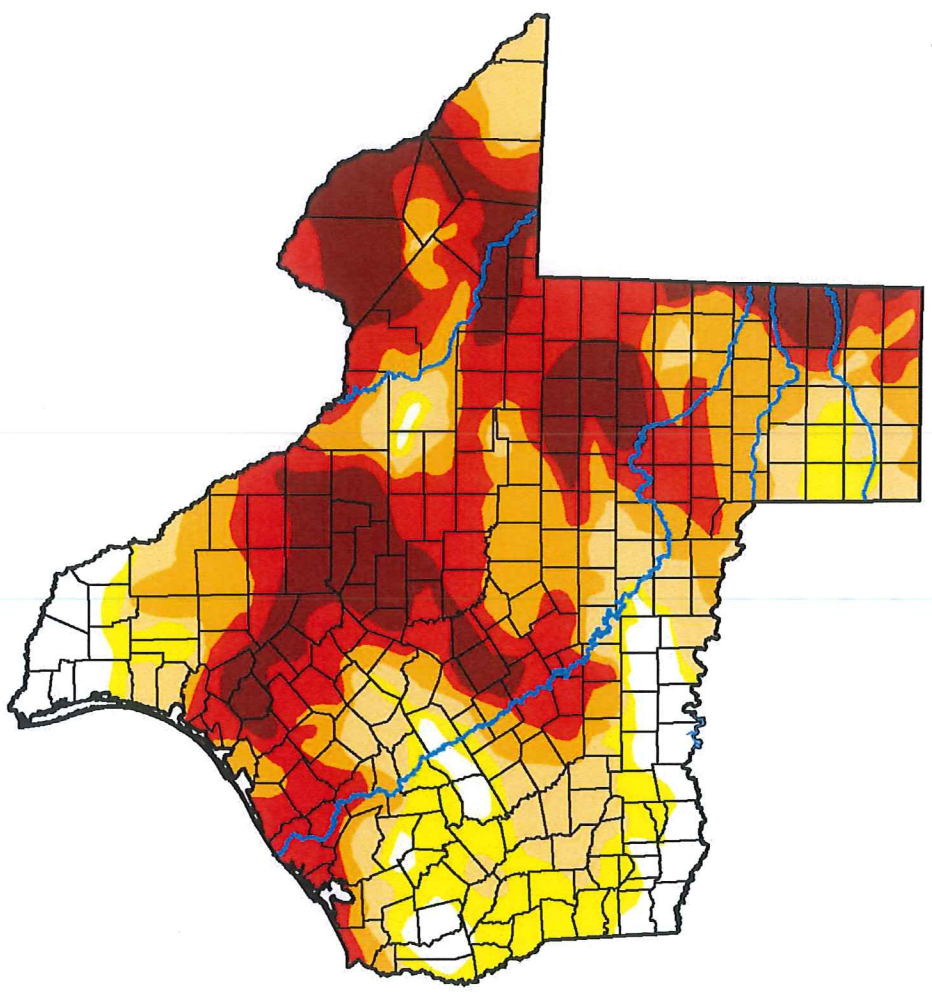
(County Average Value)

Estimated for
06/21/2022









U.S. Drought Monitor Texas

June 14, 2022
(Released Thursday, Jun. 16, 2022)
Valid 8 a.m. EDT



Intensity:

-  None
-  D0 Abnormally Dry
-  D1 Moderate Drought
-  D2 Severe Drought
-  D3 Extreme Drought
-  D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/about.aspx>

Author:

Adam Hartman
NOAA/NWS/NCEP/CPC



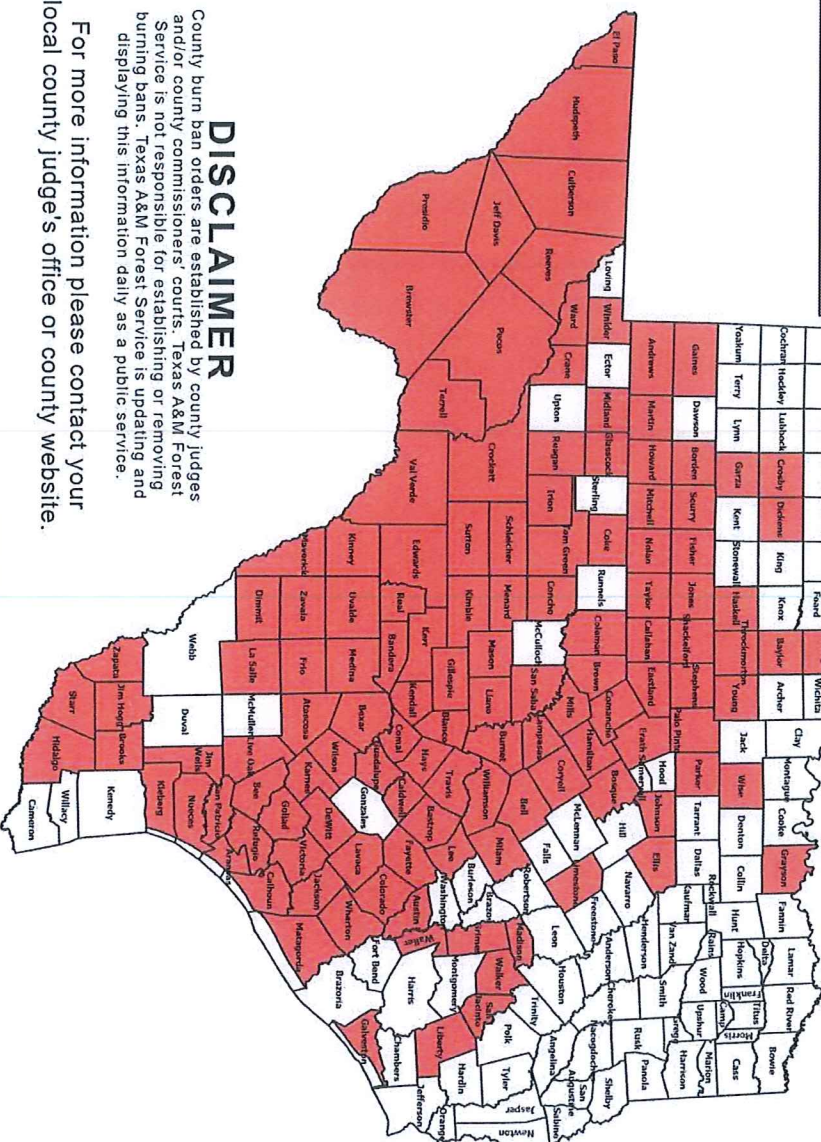
droughtmonitor.unl.edu

OUTDOOR BURN BANS

June 21, 2022



Counties without Established Burn Bans
 Counties with Established Burn Bans



Email updates to:
burnban@tfs.tamu.edu

Counties with Burn Bans: 143

- Andrews
- Arañas
- Aransas
- Armstrong
- Atascosa
- Austin
- Bandera
- Bastrop
- Baylor
- Beck
- Bell
- Bellevue
- Bexar
- Blanco
- Borden
- Bosque
- Brewster
- Briscoe
- Brooks
- Brown
- Burnet
- Caldwell
- Callahan
- Carson
- Castro
- Castro
- Coke
- Coleman
- Colorado
- Comal
- Comanche
- Concho
- Coryell
- Crane
- Crockett
- Crosby
- Culberson
- Deaf Smith
- DeWitt
- Dickens
- Dimmit
- Donley
- Eastland
- Edwards
- Ellis
- El Paso
- Erath
- Fayette
- Fisher
- Frio
- Gaines
- Galveston
- Nueces
- Garza
- Gillespie
- Glasscock
- Goliad
- Grayson
- Grimes
- Beck
- Guadalupe
- Hamilton
- Haskell
- Hays
- Hidalgo
- Howard
- Howell
- Hudspeth
- Irion
- Jackson
- Jeff Davis
- San Saba
- Jim Hogg
- Jim Wells
- Johnson
- Jones
- Karnes
- Kendall
- Kerr
- Kerr
- Kimble
- Kinney
- Kleberg
- Lampasas
- La Salle
- Lavaca
- Lee
- Liberty
- Live Oak
- Live Oak
- Llano
- Madison
- Madison
- Martin
- Mason
- Mataforda
- Maverick
- Medina
- Menard
- Midland
- Millam
- Mills
- Moore
- Notran
- Ochiltree
- Oldham
- Palo Pinto
- Parmer
- Parker
- Pecos
- Pecos
- Potter
- Presidio
- Randall
- Reagan
- Real
- Reeves
- Retulgo
- San Jacinto
- San Patricio
- San Saba
- Schleicher
- Scurry
- Shackelford
- Sherman
- Starr
- Stephens
- Sutton
- Swisher
- Taylor
- Terrell
- Throckmorton
- Tom Green
- Travis
- Uvalde
- Val Verde
- Victoria
- Walker
- Waller
- Ward
- Wharton
- Wheeler
- Willbarger
- Williamson
- Winkler
- Wise
- Young
- Zapata
- Zavala

DISCLAIMER

County burn ban orders are established by county judges and/or county commissioners' courts. Texas A&M Forest Service is not responsible for establishing or removing burning bans. Texas A&M Forest Service is updating and displaying this information daily as a public service.

For more information please contact your local county judge's office or county website.

RED FLAG WARNINGS: www.weather.gov
 Additional map formats available at <https://tfsweb.tamu.edu/Burnbans/>