



POLK COUNTY COMMISSIONERS COURT

February 24, 2026
9:45 AM
2026 - 006

Polk County Regional Health Building
Suite A
Livingston, Texas

NOTICE

is hereby given that an Emergency meeting of the Polk County Commissioners Court will be held on the date stated above in accordance with Texas Government Code, Sections 551.045 and 551.047. Due to the state of emergency, the meeting will be held in the Commissioners Courtroom located at 410 E. Church St. in Livingston, Texas at which time the following subjects will be discussed;

Agenda Topics

(Persons wishing to provide Public Comment must complete and submit a Public Participation Form to the County Clerk prior to the Call To Order).

** Please turn off (or mute) all cell phones and devices **

CALL TO ORDER.

PUBLIC COMMENTS

This item is included to allow public comments on topics relating to the business of the county. In accordance with law, this Court cannot discuss, deliberate or take action on any item or topic not listed on this agenda. Public comments requesting or requiring action or deliberation may be scheduled on a future agenda. Each public comment will be limited to a maximum of 3 minutes, unless a member of the Court requests additional time for the presenter. Any handout materials must be reproduced prior to the meeting and furnished by the presenter. **After the close of this portion of the Agenda, public comment for the remainder of the Court session is no longer appropriate or accepted unless specifically requested by a Member of the Court.**

NEW BUSINESS - REGULAR AGENDA

1. RECEIVE DROUGHT STATUS UPDATE AND CONSIDER ANY NECESSARY ACTION REGARDING INITIATING A BURN BAN IN THE UNINCORPORATED AREAS OF THE COUNTY.

ADJOURN

ACCESSIBILITY STATEMENT FOR DISABLED PERSONS

This meeting site is accessible to disabled persons as follows: A wheelchair ramp provides access to the front entrance. The Commissioners Courtroom is on the first floor. If any special assistance or accommodations are needed in order to attend a Commissioners Court meeting, please contact Commissioners Court staff at 936-327-6813, in advance, so accommodations can be arranged.

I do hereby certify that the above Notice of Meeting of the Polk County Commissioners Court is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice in the Polk County Courthouse at a place readily accessible to the general public during normal business hours on

February 23, 2026, and that said Notice remained so posted continuously for at least 2 hours preceding the scheduled time of said Meeting. This notice has also been posted on the official website of Polk County, Texas (www.co.polk.tx.us).

Posted: February 23, 2026

By: Sydney Murphy, County Judge

A handwritten signature in blue ink, appearing to read "Sydney Murphy". The signature is written in a cursive style with a large initial "S".



**ORDER OF THE COMMISSIONERS COURT
PROHIBITING OUTDOOR BURNING
AND PRESCRIBING AUTHORIZED BURN CRITERIA**

FILED FOR RECORD
 2026-02-24 10:45
 Schelana Hock
 SCHELANA HOCK
 POLK COUNTY CLERK

WHEREAS, Section 352.081 of the Local Government Code provides that the Commissioners Court of a county, by order, may prohibit outdoor burning in the unincorporated area of the county if the Commissioners Court makes a finding that circumstances present in the unincorporated area create a public safety hazard that would be exacerbated by outdoor burning; and

WHEREAS, the Polk County Commissioners Court does hereby find that circumstances present in the unincorporated area of Polk County, Texas create a public safety hazard that would be exacerbated by certain outdoor burning; and

WHEREAS, Section 352.081 of the Local Government Code provides for exemptions from county burn bans for certified and insured prescribed burn managers meeting the requirements of Natural Resources Code, Chapter 153 and the Polk County Commissioners Court believes that additional exceptions are warranted to reduce the likelihood of dangerous and uncontrolled wildfire.

BE IT THEREFORE ORDERED that the following emergency regulations are hereby established for the unincorporated areas of Polk County, Texas not subject to public ownership or stewardship for the above mentioned declaration:

(1) Actions Prohibited:

Except as described hereinafter, a person violates this order if he/she ignites, causes to ignite or allows ignition of any combustible or vegetative material. Outdoor burning in an enclosure is also prohibited, unless properly supervised and sufficiently covered to prevent sparks or wind-blown debris.

(2) Enforcement:

- (a) Under notification of suspected outdoor burning, the fire department assigned to the location of the fire shall respond to the scene and take immediate measures to contain and to extinguish the fire.
- (b) If requested by a fire official, a duly-commissioned peace officer, when available, shall be sent to the scene to investigate the nature of the fire.
- (c) In accordance with Section 352.081 of the Local Government Code, a person who knowingly or intentionally violates this order commits a Class C Misdemeanor, punishable by a fine up to \$500.

- (d) If the responding peace officer finds that the person responsible for the fire is in violation of (1) above, a citation shall be issued for: Violation of Burn Ban Order.

(3) **Exceptions:**

- (a) **Welding.** This order shall not apply to the outdoor burning of vegetative material caused by welding or by other causes relating to the act of welding, if such burning is not malicious or intentional.
- (b) **Authorized by Texas Commission on Environmental Quality (TCEQ).** This order does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Commission on Environmental Quality for: (1) firefighting training; (2) public utility, natural gas pipeline, or mining operations; (3) planting or harvesting of agricultural crops; or (4) burns that are conducted by a certified and insured prescribed burn manager certified under Section 153.048, Natural Resource Code, and meet the standards of Section 153.047, Natural Resources Code.
- (c) **Food Preparation.** Food cooking using enclosed, above-ground grills in a safe area clear of debris.
- (d) **Air Curtain Incinerator.** Operator must obtain Air Curtain Incinerator General Operating Permit from Texas Commission on Environmental Quality (TCEQ). A copy of the Permit must be submitted to the Polk County Fire Marshal by email at firemarshal@co.polk.tx.us prior to burning.

Be it also **ORDERED** that the purpose of this order is the mitigation of the public safety hazard posed by wildfires during the current dry weather period, by curtailing the practice of outdoor burning, which purpose is to be taken into account in any enforcement action based upon this order.

This order prohibiting outdoor burning is effective as of **10 a.m. ON February 24, 2026** and shall remain in effect for a period of **thirty (30) days** and shall expire at the end of said period or upon the date the Polk County Commissioners Court, by order, determines that the circumstances present in the unincorporated area of Polk County no longer creates a public safety hazard that would be exacerbated by outdoor burning, whichever occurs earlier.

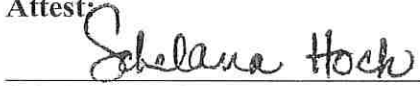
ORDERED BY THE POLK COUNTY COMMISSIONERS COURT
IN AN EMERGENCY MEETING
HELD THIS 24TH DAY OF FEBRUARY 2026.

Signed and entered on FEBRUARY 24, 2026



Sydney Murphy
County Judge

Attest:



Schelana Hock, County Clerk

By: 
Deputy Clerk