



Travis County Commissioners Court Agenda Request

Meeting Date: 6/10/2014

Prepared By/Phone Number: Debbie Ties/854-6472

Elected/Appointed Official/Dept. Head: Hershel Lee, Fire Marshal

Commissioners Court Sponsor: Judge Samuel T. Biscoe

AGENDA LANGUAGE: CONSIDER AND TAKE APPROPRIATE ACTION ON THE REGULATION OF FIREWORKS IN UNINCORPORATED TRAVIS COUNTY.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

STAFF RECOMMENDATIONS:

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING:

REQUIRED AUTHORIZATIONS:

Hershel Lee

Danny Hobby

Tom Nuckols

Commissioners Court

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials should be submitted as a pdf to the County Judge's office, agenda@co.travis.tx.us by **Tuesdays at 5:00 p.m.** for the next week's meeting.

TRAVIS COUNTY FIRE MARSHAL'S OFFICE



HERSHEL LEE, FIRE MARSHAL
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MEMORANDUM

To: Travis County Commissioners Court
From: Hershel Lee, Travis County Fire Marshal
Date: June 10, 2014
Subject: **Regulation of Fireworks in Unincorporated Travis County**

Under Section 352.051 (a) (1) of the Local Government Code, the Court may prohibit the sale or use of "restricted fireworks" in the unincorporated area of the county if the Texas Forest Service has determined that drought conditions exist on average in the county. The Texas Forest Service (TFS) is directed to determine if drought conditions exist through the use of Keetch-Byram Drought Index (KBDI) or other comparable measurements. Under Section 352.051 (a) (1) of the Local Government Code "drought conditions" means the existence immediately preceding or during the fireworks season of a Keetch-Byram Drought Index of 575 or greater.

"Restricted Fireworks" are defined as rockets with sticks and missiles with fins. Other fireworks would not be regulated or controlled by an order under this section of Local Government Code.

Travis County had a KBDI reading of only 97 on June 3 when this agenda request was prepared. The Commissioners Court must take action on prohibiting the use of "restricted fireworks" by June 15, 2014, if conditions allow prohibition.

Regulating fireworks by use of LGC 352.051 is not possible for the July 2014 fireworks season.

Further regulation of fireworks is possible through the declaration of a local disaster.

Thank you.