



**City of Pattison**  
**P.O. Box 223**  
**Pattison, TX 77466**

**ORDINANCE NO. 163-2023**

**AN ORDINANCE OF THE CITY OF PATTISON, TEXAS AMENDING ORDINANCE NO. 141; PROVIDING RULES AND REGULATION FOR OUTDOOR BURNING; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the City Council of the City of Pattison, Texas, (“City”), finds that Ordinance No. 141 needs to be amended to provide rules and regulations for limited outdoor burning;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PATTISON, TEXAS:**

**Section 1.** The facts and recitations contained in the preamble of this Ordinance are true and correct and incorporated herein for all purposes.

**Section 2.** That Section 4 of Ordinance No. 141 is deleted and new Section 4 of Ordinance No. 141 is added to read as follows:

“Section 4. Outdoor Burning prohibited, exceptions.

(a) General rule: It shall be unlawful for any person, business, entity, or corporation, to allow, cause, or permit any burning within the corporate limits of the City of Pattison, except as set forth herein.

(b) Exceptions:

1. Residential domestic waste which is burned exclusively on private residential property of no more than three families where it is produced is authorized.
2. Outdoor burning when used solely for recreational or ceremonial purposes, in the noncommercial preparation of food, or as a means of generating warmth in cold weather including campfires, bonfires, and cooking fires is authorized; however, such fires shall not contain electrical insulation, treated lumber, plastics, construction or demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, or items containing natural or synthetic rubber.
3. Trees, brush, grass, leaves, branch trimmings, or other plant growth may be burned on the property on which the material grew if generated as a result of

right-of-way maintenance, land clearing, or maintenance along water canals and no practical alternative to burning exists.

(c) For purposes of this section, domestic waste includes wastes that normally result from the function of life within the residence- for example, kitchen garbage, untreated lumber, cardboard boxes, packaging, clothing, grass, leaves, and branch trimmings. Tires, construction debris, furniture, carpet, electrical wire, and appliances are not considered to be domestic waste and shall not be burned.

(d) Authorized burning shall not cause a nuisance or traffic hazard.


(e) Authorized burning shall not be burned if a burn ban is in effect.”

**Section 3. Penalty.** Any person who violates or causes, allows, or permits another to violate any provision of this ordinance, rule, or police regulation of the city shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine or penalty not to exceed five hundred dollars (\$500.00). If such rule, ordinance, or police regulation governs fire safety, or public health and sanitation, other than the dumping of refuse, the fine or penalty shall not exceed two thousand dollars (\$2,000.00). If such rule, ordinance, or police regulation governs the dumping of refuse, the fine or penalty shall not exceed four thousand dollars (\$4,000.00). Each occurrence of any violation of this ordinance, rule, or police regulation shall constitute a separate offense. Each day on which any such violation of this ordinance, rule, or police regulation occurs shall constitute a separate offense.

**Section 4. Severability.** In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Pattison, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 5. Effective date.** This Ordinance shall become effective immediately and enforceable when published as required by law.

**PASSED, APPROVED, and ADOPTED** this the 2<sup>nd</sup> day of March 2023.

  
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Joe Garcia, Mayor

**ATTEST:**

  
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Lorene L. Hartfiel, City Secretary