

ORDINANCE NO. 2025-08

OUTDOOR BURNING ORDINANCE

AN ORDINANCE OF THE CITY OF SNOOK, TEXAS, PROVIDING FOR REGULATIONS CONCERNING OUTDOOR BURNING WITHIN CITY LIMITS OF THE CITY OF SNOOK; REPEAL; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING.

WHEREAS, the City of Snook, Texas (“City”) is a Type A General Law municipality incorporated and operating under the Laws of the State of Texas; and

WHEREAS, pursuant to Texas Local Government Code § 51.001, the City Council of the City of Snook, Texas (“City Council”) has the authority to adopt, publish, amend or repeal an ordinance that is for the good government, peace or order of the City; and

WHEREAS, pursuant to Texas Health and Safety Code § 382.113, the City Council has the authority to enact and enforce an ordinance for the control and abatement of air pollution, including pollution from burning; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace, and order of the City to adopt the regulations herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SNOOK, TEXAS THAT:

I. FINDINGS OF FACT.

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. DEFINITIONS.

For the purposes of this Ordinance the following words and terms shall, when used, have the meaning given in this section.

Bulk waste means appliances (stoves, refrigerators, water tanks, washing machines, dryers), furniture, mattresses, box springs, carpet, and other similar waste materials.

City means the City of Snook, Texas.

Construction debris means waste building materials resulting from construction, remodeling, repair, or demolition operations.

Domestic waste (i.e., household trash or rubbish) means those wastes that normally result from the activities of life within a residence including, but not limited to, kitchen garbage, cardboard boxes, packaging, and clothing.

Extinguished means the absence of any visible flames, glowing coals, or smoke.

Lawn maintenance waste or land clearing waste means grass clippings, leaves, branch trimmings, trees, brush, and other plant overgrowth.

Person means an individual, firm, organization, partnership, unincorporated association, corporation, or any other type of entity.

Recreational purposes means the burning of materials other than rubbish for pleasure, religious, ceremonial, non-commercial cooking, warmth, or similar purposes in which the fuel being burned is not contained in an incinerator, a barbecue grill, or a barbecue pit and the total fuel area is not exceeding 3 feet in diameter and 2 feet in height.

III. GENERAL REQUIREMENTS FOR OUTDOOR BURNING

- (a) Any burning authorized by this Ordinance shall begin no earlier than one hour after sunrise and shall be extinguished the same day, no later than one hour before sunset.
- (b) Burning shall be attended until extinguished.
- (c) Residual fires or smoldering embers shall be extinguished.
- (d) Remaining debris from burning shall be disposed of.
- (e) Burning shall not cause a traffic hazard.
- (f) Burning shall not contain any prohibited materials.
- (g) All burning authorized by this Ordinance must comply with Texas Commission on Environmental Quality and Burleson County rules, regulations, and orders.

IV. KINDS OF OUTDOOR BURNING ALLOWED.

The following types of outdoor burning are allowed within the city limits as long as the waste does not contain any prohibited materials:

- (a) Burning of lawn maintenance waste or land-clearing waste;
- (b) Burning of construction debris; and
- (c) Burning used exclusively for recreational purposes.

V. MATERIALS PROHIBITED FROM BURNING.

Materials prohibited from burning at any time include, but are not limited to:

- (a) Domestic waste;
- (b) Bulk waste;
- (c) Construction or demolition debris that contains prohibited materials, metal wiring, shingles, or other asphaltic or petroleum-based products;
- (d) Chemical waste;
- (e) Potentially explosive materials such as batteries and aerosol cans;
- (f) Asphalt materials such as shingles;
- (g) Rubber products (natural or synthetic) such as tires, electrical wiring insulation;
- (h) Fiberglass products;
- (i) Glass products or containers;
- (j) Metal cans or containers;
- (k) Plastics;
- (l) Oil products such as heavy oil, machine oil, motor oil, transmission fluids and the like; and
- (m) Any petroleum-based products not specifically identified above.

VI. EMERGENCY BURN BAN.

The Mayor, or Mayor's designee, after consultation with the City Marshall and/or the County Emergency Management Coordinator, is hereby authorized and directed to execute an emergency order to ban all outdoor burning within the corporate city limits and its extra-territorial jurisdiction. The emergency order shall be in writing and effective on the date issued. The emergency order shall be placed on the next scheduled City Council meeting agenda for rescinding or continuation.

VII. PENALTY.

Any person violating any of the provisions or terms of this Ordinance shall be guilty of a misdemeanor and upon conviction will be subjected to a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation is continued shall be deemed a separate offense.

VIII. EFFECTIVE DATE.

This Ordinance shall be and become effective immediately upon and after its passage and publication as may be required by governing law.

IX. REPEALER.

Ordinance No. 2022-02 is repealed in its entirety. All other ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

X. SEVERABILITY.

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

XI. PROPER NOTICE AND MEETING.

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED THIS THE 25TH DAY OF AUGUST, 2025.



**HON. FRANK FIELDS, MAYOR
CITY OF SNOOK, TEXAS**

ATTEST:



**DAVID JUNEK, CITY ADMINISTRATOR/CITY SECRETARY
CITY OF SNOOK, TEXAS**