

ORDINANCE 09082026

AN ORDINANCE OF THE CITY OF MILES, TEXAS BANNING OUTDOOR BURNING WITHIN THE CORPORATE LIMITS OF THE CITY OF MILES IN CERTAIN CIRCUMSTANCES; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE; PROVIDING A PENALTY NOT TO EXCEED \$2000.00 FOR A VIOLATION OF ANY PROVISION HEREOF; REPEALING ANY ORDINANCE INCONSISTENT OR IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR NOTICE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City recognizes the need to protect the health, safety and welfare of the community from dangerous conditions which can be caused by fires inside the City limits; and

WHEREAS, such pose a tremendous risk to the life and property of the citizens of the City of Miles and reasonable and proper regulation of same is an exercise of good government, the orderly conduction of City business and the preservation of the residents and City property.

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF MILES, TEXAS:

SECTION 1. PURPOSE.

This ordinance provides restrictions during specific drought-related conditions on the lawful burning outdoors in order to protect public health, safety and welfare and to preserve public and private property. This ordinance provides for a City burn ban (as defined herein) inside the city limits and extraterritorial jurisdiction of the city to coincide with a county burn ban that has been effectuated by Runnels County for the same duration and scope of activities and at other times when the City deems it appropriate.

SECTION 2. COUNTY BURN BAN.

By and through the enactment of this subchapter, the City Council recognizes and acknowledges any prohibition on outdoor burning effectuated by Runnels County, Texas. For purposes of this subchapter, the phrase county burn ban includes a local disaster declaration or resolution promulgated by the Runnels County Judge or effectuated by the Runnels County Commissioners Court, including (but not limited to) actions in the form of an order or proclamation, that limits or prohibits outdoor burning.

SECTION 3. CITY BURN BAN.

(A) There shall be throughout the city limits and extraterritorial jurisdiction of the city a prohibition on outdoor burning effectuated by the City Council, by and through this subchapter, to run concurrently with a county burn ban (a "city burn ban"). A City burn ban shall be in effect within the city limits and the extraterritorial jurisdiction of the city immediately upon the declaration of a county burn ban.

(B) The City Council is authorized to, as it deems appropriate and when it deems appropriate, issue a city burn ban within the city limits and extraterritorial jurisdiction of the city prohibiting outdoor burning to protect the public health, safety and welfare and to preserve public and private property.

SECTION 4. EMERGENCY CITY BURN BAN.

(A) The Mayor is authorized to issue an emergency city burn ban to prohibit outdoor burning within the city limits and extraterritorial jurisdiction of the city as he or she deems appropriate to protect the public health, safety and welfare and to preserve public and private property. An emergency city burn ban issued by the Mayor shall be in effect immediately upon issuance and continue for a period of 14 days or until acted upon by the City Council.

(B) The City Council is authorized to take action to rescind or continue an emergency city burn ban issued by the Mayor as it deems appropriate. If action is not taken by the City Council on the emergency city burn ban, the emergency city burn ban expires 14 days after it is issued.

SECTION 5. PROHIBITION.

It shall be unlawful for any person in the city limits or the extraterritorial jurisdiction of the city to perform any action in violation of the terms, conditions or restrictions of a county burn ban, city burn ban, or emergency city burn ban as defined in this subchapter.

SECTION 6. PENALTY.

(A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of this ordinance.

(B) Any person, firm, co-partnership, entity or corporation violating the provisions of this ordinance and upon conviction thereof shall be punished by a fine of not less than one dollar (\$1.00) and not exceeding two thousand dollars (\$2,000.00).

(C) A separate offense shall be deemed committed for each day during which the violation is committed, continued or permitted.

SECTION 7. Any ordinances which are in conflict or inconsistent with any provisions of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

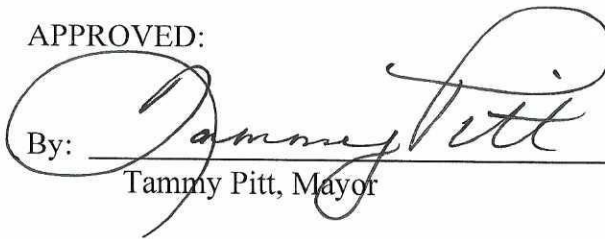
SECTION 8. If any provision of this Ordinance be deemed to be unlawful, illegal or invalid, such shall not affect the remainder of this Ordinance and such remainder shall be valid.

SECTION 9. The City Secretary shall give notice of the enactment of this Ordinance by promptly publishing it or its descriptive caption and penalty after final passage in the official newspaper of the City; the Ordinance to take effect upon publication.

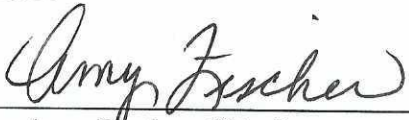
SECTION 10. This ordinance shall be in force and effect from and after the date of its adoption, be it so ordained.

PASSED AND APPROVED this 8th day of September 2026.

APPROVED:

By: 
Tammy Pitt, Mayor

ATTEST:

By: 
Amy Fischer, City Secretary

