

STATE OF TEXAS                   §  
   §  
COUNTY OF GUADALUPE       §

**CONTINUATION OF DECLARATION OF LOCAL DISASTER  
Related to Extreme Drought and Wildfires**

---

**WHEREAS**, Guadalupe County has experienced extreme drought and increased wildfires; and

**WHEREAS**, the conditions pose a substantial, significant, and imminent threat to persons and property; and

**WHEREAS**, wildfires have the potential of endangering lives and damaging property on a large scale; and

**WHEREAS**, the Texas Government Code Chapter 418 gives the county judge the power to declare a local disaster within the county “if the threat of disaster is imminent”; and

**WHEREAS**, the magnitude of the potential damage and the rapidity with which wildfires could escalate constitute an imminent threat of disaster; and

**WHEREAS**, the declaration of such a disaster authorizes the imposition of controls on activities which tend to increase the likelihood of injury to the public; and

**WHEREAS**, such controls, once implemented, have the potential to protect lives and property by mitigating the threat of wildfires; and

**WHEREAS**, on July 11, 2023, the Guadalupe County Commissioners Court approved an Order Prohibiting Outdoor Burning, Order No. 07112023-6A, which remains in effect and is incorporated by reference herein;

**WHEREAS**, on September 7, 2023, Guadalupe County Judge Kyle Kutscher declared a local disaster within Guadalupe County due to the imminent threat of disaster from extreme drought and wildfires; and

**WHEREAS**, Section 418.108(b) of the Texas Government Code provides that a declaration of local disaster may not be continued or renewed for a period of more than seven days without the consent of the governing body of the political subdivision.

**NOW, THEREFORE, IT IS ORDERED BY THE COMMISSIONERS COURT OF GUADALUPE COUNTY, TEXAS:**

1. The local state of disaster proclaimed by the County Judge for this threat of extreme drought and wildfires shall continue until January 29, 2023, unless rescinded by the County Judge or the Commissioner's Court.

2. That a local state of disaster based on the threat of extreme drought and wildfires in Guadalupe County, Texas, pursuant to the Texas Disaster Act of 1975 and Texas Government Code Section 418.108(a).
3. Pursuant to Section 418.108(c) of the Texas Government Code, this declaration of Extreme Drought and Wildfires shall be given prompt and general publicity and shall be filed promptly with the County Clerk.
4. Pursuant to Section 418.108(d) of the Texas Government Code, this declaration activates the county emergency management plan.
5. This declaration was approved by the Guadalupe County Commissioners Court on September 26, 2023, and shall take effect immediately.
6. The Guadalupe County Judge is hereby authorized to take such actions as are necessary in order to protect the health, safety, and welfare of the citizens of Guadalupe County, Texas.

**BE IT THEREFORE PROCLAIMED** that I, Kyle Kutscher, County Judge of Guadalupe County, do hereby declare a state of local disaster pursuant to Section 418.108 of the Texas Government Code based on the threat of large wildfires in Guadalupe County, Texas;

**BE IT ALSO PROCLAIMED** that this state of local disaster is being declared solely for the purpose of implementing controls aimed at mitigating the hazard posed by wildfires during this extreme drought of hot, dry weather.


**BE IT ALSO PROCLAIMED** that a violation of this Disaster Declaration is punishable as a Class C misdemeanor by a fine not to exceed \$500.00 or as authorized by Government Code §418.173 and adopted in the county's emergency plan by a fine not to exceed \$1,000.00 or confinement in jail for a term not to exceed 180 days, whichever is greater.

**ORDERED BY THE COMMISSIONERS COURT OF GUADALUPE COUNTY, TEXAS**, on this, the 26th day of September 2023.



Kyle Kutscher  
Guadalupe County Judge

ATTEST:



Teresa Kiel  
Guadalupe County Clerk

