

**ORDINANCE NUMBER 2023-03**

**AN ORDINANCE OF THE TOWN OF LAGUNA VISTA, TEXAS, AUTHORIZING A ONE-TIME PRESCRIBED BURN SUBJECT TO THE TEXAS CLEAN AIR ACT.**

**WHEREAS**, Chapter 30 TAC §§111.217(3) requires that prescribed burns be conducted outside the corporate limits of a city or town except where the town has enacted ordinances which permit burning consistent with the Texas Clean Air Act, Subchapter E, Authority of Local Governments; and,

**WHEREAS**, the Town of Laguna Vista has been approached by Conservation Equity Partners with the intentions to burn approximately 430 acres on the south side of Hwy. 100 (see Exhibit A), of which approximately 56 acres of this property is within the corporate limits of Laguna Vista; and,

**WHEREAS**, the Town Council desires to support the land conservation efforts made by Conservation Equity Partners; and,

**WHEREAS**, after due deliberation and consideration the Town Council of the Town of Laguna Vista has determined a need for a one-time authorization for a prescribed burn;

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAGUNA VISTA, TEXAS THAT:**

**Section 1.** Pursuant to 30 TAC §§111.217(3), Conservation Equity Partners, together with its duly authorized agents, shall be permitted to conduct a prescribed burn of that portion of approximately 430 acres located on the south side of Highway 100 that are contained within the corporate limits of the Town, as described on the map attached hereto as Exhibit A (approximately 56 acres).

**Section 2.** The permit granted herein is for a single prescribed burn of the described area. However, nothing in this Ordinance shall prohibit the permittee from conducting the prescribed burn in phases at different times if doing so is reasonable and necessary for the safe conduct of the burn.

**Section 3.** Conservation Equity Partners, together with its duly authorized agents, shall at all times, possess all necessary authorizations required by the State of Texas, the Texas Commission on Environmental Quality, and any other governmental entity or agency having jurisdiction over prescribed burn activity, and shall coordinate with the Town's Police and Fire Departments when conducting activity permitted by this Ordinance.


**PASSED, APPROVED AND ADOPTED on First Reading by the Town Council of the Town of Laguna Vista, Texas at the regular meeting on the 14<sup>th</sup> day of March, 2023.**

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**PASSED, APPROVED AND ADOPTED on Second Reading by the Town Council of the Town of Laguna Vista, Texas at the regular meeting on the 16th day of May, 2023.**

  
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Michael Carter, Mayor

Attest:

  
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Crystal Chapa,  
City Secretary