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## **CITY OF AUSTIN DECLARATION OF DISASTER DUE TO EXTREME WILDFIRE THREAT**

### **Recitals**

**WHEREAS**, beginning in July 2023 and continuing through the present, the City of Austin began experiencing persistent extreme heat, high winds, and drought conditions. These conditions create a severe risk of wildfires. As a result of these conditions, numerous wildfires have occurred in the City of Austin and in Travis County; and

**WHEREAS**, in just the past two weeks, the Austin Fire Department has sent resources to respond to the Cedar Park Fire and Hog Eye Fire in Travis County. The Cedar Park Fire, which began on August 8, 2023 and burned approximately 37 acres, destroyed a 24-unit apartment building, damaged other buildings, and caused evacuations before it was controlled. The Hog Eye Fire began on August 9, 2023 and burned approximately 68 acres before being controlled; and

**WHEREAS**, in addition, between August 6, 2023 and August 13, 2023, the Austin Fire Department has responded to well over 100 grass and brush fires in the City of Austin. A wildfire in the City of Austin may require more resources, create the need for evacuations, and create risk of displaced persons; and,

**WHEREAS**, on August 11, 2023, pursuant to §418.014 of the Texas Government Code, Governor Greg Abbott issued a disaster proclamation for 191 Texas Counties (including Travis County and surrounding counties), based on the existence of wildfires beginning on July 24, 2023 that pose an imminent threat of widespread or severe damage, injury or loss of life and further certifying that such conditions continue to exist in accordance with §418.017 of the Texas Government Code; and,

**WHEREAS**, the Texas Disaster Act of 1975 (Chapter 418 of the Texas Government Code) authorizes the declaration of a state of disaster if a threat of disaster is imminent; and,

**WHEREAS**, based on staff input, the Mayor has determined that the Central Texas area and Austin are experiencing extreme wildfire risk conditions which create the imminent threat of widespread and severe property damage, injury, or loss of life to residents; and,

**WHEREAS**, Texas Government Code Chapter 418, Section 418.108 authorizes the Mayor of a municipality to declare a local state of disaster, and exercise the powers granted therein on an appropriate local scale; and,

**WHEREAS**, pursuant to sections 418.108(f) and 418.185 of the Government Code, the Mayor is authorized to order the evacuation of all or part of an area stricken or threatened by a disaster within the municipality if necessary for the preservation of life or other disaster mitigation,

response or recovery and may compel persons who remain in the evacuated area to leave and authorize the use of reasonable force to remove persons from the area; and,

**WHEREAS**, pursuant to Government Code section 418.108(g), a Mayor is authorized to control ingress and egress from a local disaster area, and control the movement of persons and the occupancy of premises in that disaster area; and,

**WHEREAS**, pursuant to Section 418.017 of the Texas Government Code, the Governor through his Disaster Proclamation has authorized the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster; and,

**WHEREAS**, in accordance with Governor's Disaster Proclamation and pursuant to §418.109 and §418.020 of the Government Code, a local government is authorized to provide mutual aid assistance in accordance with its policies and procedures and may make arrangements necessary to acquire, prepare, or equip sites for temporary housing; and,

**WHEREAS**, it is necessary to issue this disaster declaration in order to protect the health, safety, and welfare of our residents and activate emergency plans as contemplated in state law; however, the City is otherwise open and continues operations; and

**WHEREAS**, this declaration is not intended to prohibit or inhibit business within the City and operations at City facilities may continue with their normal operations.

**NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF AUSTIN:**

1. By virtue of the authority vested in me by the City Charter, as the presiding officer of the governing body and under Texas Government Code, Section 418.108, **I DECLARE** a local state of disaster within the City of Austin.
2. Pursuant to Section 418.108(b) of the Texas Government Code, the state of local disaster shall continue for a period of not more than seven (7) days from the date of this declaration unless continued or renewed by the City Council.
3. Pursuant to Section 418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Clerk.
4. Pursuant to Section 418.018(d) of the Texas Government Code, this declaration of assistance activates the City's Emergency Management Plan. All other Charter, statutory, and ordinance powers vested in me and all officers of the City of Austin to act in this local state of disaster are activated. This declaration activates the recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of all aid and assistance as deemed necessary or desirable by those administering such plans.

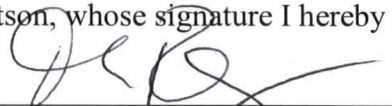
5. Pursuant to the authority granted under the laws of the State of Texas, the City may take actions necessary to protect the health of persons in the City.
6. This declaration shall take effect immediately from and after its issuance.
7. The City Clerk is directed to give prompt and general publicity of the issuance of this DECLARATION.

**DECLARED** this the 15th day of August 2023, in the City of Austin, Travis County, Texas, in witness whereof I subscribe my name.



Kirk Watson  
Mayor, City of Austin

Filed with me, the City Clerk of the City of Austin, this 15<sup>th</sup> day of August 2023, by Mayor Kirk Watson, whose signature I hereby attest under my hand.



Myrna Rios, City Clerk

