

STATE OF TEXAS §
COUNTY OF KAUFMAN §

**ORDER AUTHORIZING ABATEMENT PROCEDURES FOR
PUBLIC HEALTH NUISANCES AND PUBLIC HEALTH THREATS**

On the 8th day of April, 2020, the Commissioners Court of Kaufman County, Texas met in regular session with the following members present and participating, to wit:

Hal Richards	Kaufman County Judge
Mike Hunt	Commissioner, Precinct 1 (ABSENT)
Skeet Phillips	Commissioner, Precinct 2
Terry Barber	Commissioner, Precinct 3
Ken Cates	Commissioner, Precinct 4

WHEREAS, pursuant to Section 121.003(a) of the Texas Health and Safety Code, the Commissioners Court of Kaufman County may enforce any law that is reasonably necessary to protect the public health; and

WHEREAS, pursuant to Section 121.003(c) of the Texas Health and Safety Code, the Commissioners Court of Kaufman County may grant authority to a county employee, who is trained by a health authority appointed by the county under Section 121.021 and who is not a peace officer, to issue a citation in an unincorporated area of the county to enforce any law or order of the commissioners court that is reasonably necessary to protect the public health; and

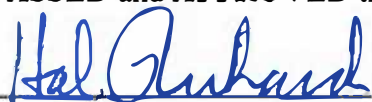
WHEREAS, to ensure and efficiently protect the public health, the Commissioners Court of Kaufman County finds there is a need to adopt nuisance abatement procedures regarding public health nuisances and public health threats pursuant to Chapters 341 and 121 of the Texas Health and Safety Code.

NOW, THEREFORE, IT IS HEREBY ORDERED by the **COMMISSIONERS COURT OF KAUFMAN COUNTY, TEXAS** that the following Procedures for Public Health Nuisances and Public Health Threats be **ADOPTED**:

1. If the Kaufman County Local Health Authority receives information and proof that a public health nuisance exists in the health authority’s jurisdiction, the health authority shall issue a written notice ordering the abatement of the nuisance to any person responsible for the nuisance. The Kaufman County Local Health Authority shall, at the same time, send a copy of the notice to the Kaufman County Criminal District Attorney. §341.012(b) Texas Health and Safety Code.
2. The notice must specify the nature of the public health nuisance and designate a reasonable time within which the nuisance must be abated. §341.012(c) Texas Health and Safety Code.

2. The notice must specify the nature of the public health nuisance and designate a reasonable time within which the nuisance must be abated. §341.012(c) Texas Health and Safety Code.
3. If the public health nuisance is not abated within the time specified by the notice, the Local Health Authority shall notify the Kaufman County Criminal District Attorney who shall proceed to abate the public health nuisance. §341.012(b)(1)(2) Texas Health and Safety Code.
4. If the Local Health Authority receives information and proof that a public health nuisance exists in the Local Health Authority's jurisdiction, the Local Health Authority may declare that a Public Health Threat exists at the specific location.
5. Upon declaration that a specific location constitutes a Public Health Threat, a public utility who is notified by certified letter of the Public Health Threat shall discontinue service of the utilities to the specific location named in the Public Health Threat letter for so long as the authority finds the threat to exist. §121.003(a) Texas Health and Safety Code.
6. County Employees, who are not police officers but who have been trained (by the Local Health Authority) to enforce the health and safety laws relating to food, water, waste control, general sanitation, or vector control, are hereby authorized to issue citations for violations occurring in the unincorporated area of Kaufman County, Texas. A citation issued must comply with §121.003(c) Texas Health and Safety Code.
7. Nothing in this Order shall overrule or modify Kaufman County's current §343 Texas Health and Safety Code Nuisance Abatement Policy, nor shall it impact any law enforcement officer's ability to enforce nuisance abatements. This Order's procedures shall apply to Public Health Nuisances and Public Health Threats pursuant to Chapters 341 and 121 of the Texas Health and Safety Code.

PASSED and APPROVED this 8th day of 2020.



Hal Richards,
COUNTY JUDGE

ATTEST:



County Clerk, Laura Hughes

