

TIMBER LANE UTILITY DISTRICT

Order Adopting Rules and Regulations for District Parks, Recreational Areas and District Property, Facilities, Easements and Rights-of-Way

The board of directors of Timber Lane Utility District (“District”) met at its regular meeting place, on ~~November 8, 2018~~August 10, 2023, with a quorum of directors present, as follows:

Daniel M. Meacham, President
Robert B. Schenck, Vice President
James F. Messer, Secretary
A. F. “Bud” Gessel, Assistant Secretary
Eric Langstaff, Director

and the following were absent:

~~None~~Daniel M. Meacham, President

when the following business was transacted:

The order set out below was introduced for consideration of the board. It was duly moved and seconded that said order be adopted; and, after due discussion, said motion carried by the following vote:

Ayes: All directors present
Noes: none

The order thus adopted is as follows:

The order hereinafter set forth shall become effective on ~~November 8,~~
~~2018~~August 10, 2023.

TIMBER LANE UTILITY DISTRICT

**RULES AND REGULATIONS
FOR
DISTRICT PARKS, LAKES, RECREATIONAL AREAS AND
DISTRICT PROPERTY, FACILITIES, EASEMENTS AND
RIGHTS-OF-WAY**

MISSION STATEMENT

In pursuit of an enhanced quality of life through a greater opportunity for recreational activity, Timber Lane Utility District seeks to develop and maintain versatile parks, lakes and recreational facilities for the residents of the District and further seeks to preserve the health and well-being of residents of the District.

STANDARDS

The board of directors of Timber Lane Utility District has determined that expenditures of funds derived from fees paid by users of park, lakes and recreational facilities and customers of the District's water and wastewater systems, together with proceeds of grants from other agencies and bonds issued by the District will facilitate the acquisition, development, construction, improvement, maintenance and operation of park, lake and recreational facilities for the people in the District and will not impair or reduce the District's ability to provide an adequate water supply system and wastewater collection and treatment system for customers of the District and to protect the District's property, facilities, easements and rights-of-way.

The Board has further determined that the size and location of recreational facilities to be developed and operated by the District, including the Timber Lane Park, Liberty Park, the Spring Community Playground, Sandpiper Park, Herman Little Park, Cypress Creek Park of Timber Lane, and the Cypress Creek Hike and Bike Trails and related recreational areas, have been established in consideration of and taking into account municipal and county recreational facilities, whether existing or proposed, that will serve the area of the District, that the District's recreational facilities are needed and will not duplicate any similar facilities provided by other governmental entities.

RULES

Section 1: **AUTHORITY.** These rules and regulations ("Rules") were adopted by the Board of Directors of Timber Lane Utility District under authority of §54.205 of the Texas Water Code and the order adopted by the Board of Directors on January 12, 1995, as amended on March 14, 1996, April 10, 2003, July 12, 2007, December 13, 2007, July 8, 2010, November 11, 2010, July 14, 2011, April 12, 2012, May 9, 2013, April 14, 2016, ~~and~~ November 8, 2018 and August 10, 2023. These Rules apply to the Timber Lane Park, Liberty Park, the Spring Community Playground Sandpiper Park, Cypress Creek Park at Timber Lane, Herman Little Park and the Cypress Creek Hike and Bike Trails and related recreational areas and lakes developed and maintained pursuant to §49.463 of the Texas Water Code, and to all District property, facilities, easements and rights-of-way.

Section 2: ADMINISTRATION. The Board of Directors, along with the Harris County Sheriff, the Harris County Precinct 4 Constable and their respective deputies, shall enforce these Rules.

Section 3: AREA COVERED. These Rules shall apply to the area known as the Timber Lane Park, described in the plat recorded at Film Code No. 359127 of the Map Records of Harris County, Texas; and the area known as the Spring Community Playground, comprised of a 1.6853-acre tract of land described in a deed recorded at Clerk's File No. W371112 and Film Code No. 562-01-0883 in the Real Property Records of Harris County, Texas, and a 1.819-acre tract of land described in a deed recorded at Clerk's File No. W302887 and Film Code No. 560-69-0800 in the Real Property Records of Harris County, Texas; and the area known as Herman Little Park, comprised a tract of land described in a deed recorded at Clerk's File No. 20080011601 and Film Code No. 053-19-2106 and a 40.1249-acre tract of land described in a deed recorded at Clerk's File No. 20100194087 and Film Code No. 071-84-1850 in the Real Property Records of Harris County, Texas; and the area known as Cypress Creek Park at Timber Lane, comprised of a 23.991-acre tract of land described in a deed recorded at Clerk's File No. Z521799 and Film Code No. 026-09-2474 in the Real Property Records of Harris County, Texas and a 79.882-acre tract of land described in a deed recorded at Clerk's File No. 2013012228 and Film Code No. ER039-83-0361 in the Real Property Records of Harris County, Texas, together with such additional land as may be designated as Recreational Areas by the District, and to all District property, facilities, easements and rights-of-way.

Section 4: DEFINITIONS. As used in these Rules:

a. "Alcoholic Beverage" means any beverage containing more than one-half of one percent (.5%) of alcohol by volume, which is suitable for use as beverage, either alone or diluted;

b. "Board of Directors" or "Board" means the Board of Directors of Timber Lane Utility District of Harris County, Texas;

c. "County" means Harris County, Texas;

d. "Cypress Creek Hike and Bike Trails" or "Trails" means a series of paths or walking surfaces in marked areas along and adjacent to Cypress Creek;

e. "District" means Timber Lane Utility District;

f. "District Property" means any water plant site, wastewater treatment plant site, detention pond site, lift station site, easement or right-of-way owned or used by the District in performing its responsibilities as a Texas municipal utility district, including facilities and improvements located thereon;

g. "Electric Bicycle" means a two- or three-wheeled cycle with fully operable pedals and an electric motor of not more than 750 watts, so long as the motor is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour;

h. "Explosives" means any chemical compound or mixture that is commonly used or intended for the purpose of producing an explosion;

ih. “Lake” or “Lakes” means any body of water owned and maintained by the District intended for recreational use. The term does not include District storm water detention ponds and/or related storm water facilities;

ij. “Light ~~T~~truck” means any truck with a manufacturer’s rated carrying capacity not to exceed Two Thousand (2,000) pounds and is intended to include those trucks commonly known as pickup trucks, panel delivery trucks and carryall trucks;

ik. “Park” or “Parks” means the Timber Lane Park, Liberty Park Timber Lane Park, Liberty Park, Spring Community Playground, Sandpiper Park, Cypress Creek Park at Timber Lane ~~and Cullinan Park at Cypress Creek~~, Herman Little Park and the Cypress Creek Hike and Bike Trails and such areas along and adjacent to the Cypress Creek Hike and Bike Trails, if any, as may be designated as parks;

il. “Peace Officer” means sheriffs and their deputies; constables and deputy constables; and all other peace officers as defined in Article 2.12 of the Code of Criminal Procedure of the State of Texas, as amended;

im. “Pet” means a domesticated animal kept for pleasure rather than utility;

in. “Recreational Area” means any Park, Lakes, Playground, Trail or other area, whether within or outside the District’s boundaries, that has been designated by the District for recreational use by residents of the District and the public;

io. “Road” means any road maintained or controlled by the County for public passage for vehicles;

ip. “Special ~~event~~Event” means an organized activity intended for more than ~~twenty five~~ (25)fifty (50) persons to share a common purpose as a group;

iq. “Splash Pad Water Feature Area” means the splash pad area and water feature in Timber Lane Park;

ir. “Spring Community Playground” or “Playground” means the community-built playground on the south side of Trailing Vine Road across from Hirsch Elementary School, together with all structures within the fenced playground area and the pavilion, parking lot and grounds around the fenced playground area;

is. “Tot Lot” means the area within the Playground that contains only small-scale play structures for children between ages 2 and 5;

it. “Vehicle” means every motor-driven device, whether propelled by internal combustion or electricity, in, upon, or by which any person or property is or may transported or drawn upon a road except an Electric Bicycle, a motorized wheelchair, or a devices moved solely by human power;

iu. “Weapon” means a rifle, handgun, pistol, bow and arrow, shotgun, gas gun or gas pistol, BB gun or BB pistol, pellet gun or pellet pistol, sling or sling shot;

iv. “Wildlife” means living things that are neither human nor domesticated.

Section 5: HOURS OPEN. Unless otherwise posted, the Parks, Lakes, Playground and Trails shall be open from sunrise to sundown. No person shall enter into or remain within the Parks, Lakes, Playground or Trails at any other time without prior written approval of the Board.

Section 6: ~~MOTORIZED~~-VEHICLES AND BOATS.

a. No person shall operate a ~~motor driven vehicle~~-Vehicle within the Parks, Lakes, Playground, Trails or District Property except on the public roads or parking lots. Operation of a ~~motor driven~~-Vehicle on the shoulder of a road will be limited to driving thereon for the purpose of parking on the shoulder of the road or driving a parked Vehicle from the shoulder of the road to the paved portion of the road. This provision does not apply to Light Trucks nor trucks making deliveries of material, supplies and equipment purchased or rented by the District;

b. No person shall operate a ~~motor driven~~-Vehicle in the Parks at a speed in excess of the posted speed limit;

c. No person shall cause a ~~motor driven~~-Vehicle to be parked within the Parks or Trails except in a designated parking area. ~~Motor driven~~-Vehicles parked on the shoulder of a road in designated areas must be parked parallel to the road. This provision does not apply to Light Trucks nor trucks making deliveries of materials, supplies and equipment purchased or rented by the District;

d. No person shall cause a ~~motor driven~~-Vehicle to remain within the Parks, Lakes, Playground or Trails after hours unless one of the officers named in Section 2 above is notified, provided however, that in no event shall any person cause a ~~motor driven~~-Vehicle to remain within the Parks in excess of twenty-four (24) hours at any given time. ~~Motor driven vehicles~~-Vehicles remaining within the Parks, Lakes, Playground or Trails for which notification has not been received will be towed and placed in storage by peace officers at the owner's expense; and;

e. No boats, canoes, rafts or other waterborne craft shall be propelled by means of an internal combustion engine(s).

Section 7: WILDLIFE. No person shall willfully feed, harm, harass, trap, confine, catch, or possess any Wwildlife within the Parks, Lakes, Playground or Trails except as provided by Section 22.

Section 8: PLANT LIFE. No person shall willfully destroy or remove any tree, shrub, vine, wildflower, grass, fern, moss, leaves, cones, or dead or downed wood within the Parks, Lakes or Playground except with prior written approval of the Board.

Section 9: FIRES. No person may light, build or maintain a fire within the Parks other than within a camp stove and/or barbecue pit. If a burn ban has been enacted by the District, fire is prohibited in all areas.

Section 10: SMOKING. No person shall light, burn or smoke any cigar, pipe, cigarette, electronic cigarette (e-cigarette) or other device used for smoking or delivering tobacco or nicotine or any other legal substance within the fenced area of the Playground.

Section 11: WEAPONS. No person other than a peace officer or a person duly licensed by the State of Texas or otherwise permitted by law may carry or possess a weapon within the Parks, Lakes, Playground or Trails. The unlawful possession or discharge of weapons within the Parks, Lakes, Playground or Trails is prohibited.

Section 12: EXPLOSIVES. No person may possess gun powder or other combustibles, Explosives or fireworks within the Parks, Lakes, Playground or Trails. ~~-p~~Provided, however, that this provision does not apply to gasoline and other petroleum products in fuel tanks of ~~motor~~ Vehicles nor to petroleum products intended to be used as fuel for cooking.

Section 13: ANIMALS. No person may bring into or possess in the Parks Lakes, or Trails any animal other than a dog or domestic cat ~~except in areas clearly marked "off-leash"~~. Any person bringing a dog or domestic cat into the Parks or Trails shall keep such dog or domestic cat confined to a vehicle or secured by a leash not exceeding fifteen (15) feet in length except in areas clearly marked "off-leash". ~~-~~ No person may bring into or possess any animal in the Playground ~~or Lake-area.~~ Animals must be under control at all times. Animals with a known history of aggressive or dangerous behavior are prohibited. If an animal exhibits aggressive or dangerous behavior, it must be removed from District property immediately.

IT IS THE ~~RESIDENT'S~~ RESPONSIBILITY OF THE PERSON BRINGING THE ANIMAL TO REMOVE HIS/HER PET'S WASTE FROM THE PARKS, LAKES, PLAYGROUND AND TRAILS AND DISPOSE OF SUCH WASTE IN THE APPROPRIATE TRASH RECEPTACLES LOCATED THROUGHOUT THE PARK AREAS. OWNERS ARE RESPONSIBLE FOR DAMAGE OR INJURY CAUSED OR INFLICTED BY THEIR ANIMAL.

Section 14: GLASS BEVERAGE CONTAINERS. No person shall use any glass beverage containers in the Parks, Lakes, Playground or Trails. This provision shall not apply to baby bottles, baby food jars, glass lined thermos bottles and glass lined picnic beverage coolers, which may be used except inside the Splash Pad Water Feature Area.

Section 15: ALCOHOLIC BEVERAGES. No person shall consume an alcoholic beverage in the Parks, Lakes, Playground or Trails.

Section 16: USE OF LOUDSPEAKERS. No person shall use any loudspeaker, public address system or amplifier within the Parks, Lakes, Playground or Trails without prior written permission from the Board of Directors.

Section 17: DUMPING AND LITTERING. All persons shall dispose of trash associated with their use of the Parks, Lakes or Playground in the receptacles provided therefor. No person shall bring into the Parks, Lakes, Playground or District Property any trash, refuse or waste material. Disposal of household waste, trash or refuse using the District's trash receptacles within the Parks, Lakes, Playground or District Property is prohibited.

Section 18: ADVERTISING. No person shall place, erect, or attach any structure, sign, bulletin board, post, pole or advertising device of any kind whatever, or attach any notice, bill, poster, sign, wire, rod or cord to any tree, shrub, fence, railing, post or structure in the Parks, Lakes, Playground or Trails.

Section 19: SOLICITING AND SALES. No person shall solicit funds or donations, or sell or offer to sell services or goods or distribute circulars in the Parks, Lakes, Playground or Trails. This rule does not apply to the following:

- a. Persons soliciting donations or conducting fund-raising events for and on behalf of non-profit organizations, who have secured prior written permission from the Board of Directors;
- b. Concessionaires and persons employed by concessionaires when selling goods or services, or charging for amusements pursuant to written authority of the Board of Directors; and,
- c. Fees, including reasonable security deposits, for the use of specific Parks, Lakes or Playground facilities as may be established by the Board of Directors from time to time.

Section 20: CAMPING. No person shall engage in overnight camping in the Parks except with prior written approval of the Board. No camping shall be permitted in Liberty Park, the Playground or Trails at any time.

Section 21: SUPERVISION OF CHILDREN. Children under 10 years of age must be supervised by an adult at all times.

Section 22: SWIMMING AND FISHING.

- a. Swimming or any activity that may cause a ~~resident or guest~~ person to be in a District Lake is strictly prohibited except in areas designated by District signs. This includes, but is not limited to, swimming, wade fishing, wading, scuba diving, snorkeling, tubing, windsurfing, etc.
- b. Diving, climbing or jumping, even in designated swimming areas, is strictly prohibited.
- c. ~~Residents and their guests~~ Park users are permitted to fish in clearly designated areas or from the shoreline. Use of the following fishing techniques is not allowed:

- (1) Trotlines
- (2) Throwlines
- (3) Joglines
- (4) Nets
- (5) Traps
- (6) Yo-Yo's

Taking of fish from the waters shall be prohibited if a catch and release policy is in effect. If harvesting is allowed, harvest sizes and bag (creed) limits are as follows: (i) for catfish, the minimum length limit is twelve (12) inches with a daily bag limit being five (5) fish; and (ii) for trout, there is no minimum length limit but the daily bag limit is five (5) fish-. The District reserves the right to amend these rules as it deems necessary.

No ~~resident person~~ shall stock, release or introduce any type of fish or animals without approval of the District.

- d. Piers, docks, ramps, etc. are not permitted.

e. Waterfowl can cause serious problems in the water as well as on land. **Residents Persons are not permitted to manipulate the number of waterfowl by introduction, harvesting, extraction or breeding.** The District reserves the right to remove, dispose of or destroy any waterfowl it feels is necessary whether or not such waterfowl belongs to or was purchased by a **resident person** without liability to any **resident person**.

Section 23: TOT LOT. Use of the Tot Lot shall be restricted to children between the ages of 2 and 5. Children using the Tot Lot must be supervised by an adult at all times.

Section 24: USE OF SPLASH PAD WATER FEATURE AREA.

a. No person may bring any **P**pet or animal, other than a service animal, into the Splash Pad Water Feature Area.

b. No person may change a diaper within the Splash Pad Water Feature Area.

c. No person may use the Splash Pad Water Feature Area with a contagious disease or diarrhea.

d. Children who are not potty trained must use a swim diaper in the Splash Pad Water Feature Area.

e. No person shall bring food or drinks into the Splash Pad Water Feature Area.

f. No person shall bring a bicycle, **Electric Bicycle**, skateboard, roller blades, or scooter into the Splash Pad Water Feature Area.

g. No person shall climb, hang, swing or pull on any of the equipment in the Splash Pad Water Feature Area.

h. The Splash Pad Water Feature Area is not supervised or monitored by lifeguards or any District personnel. Users are responsible for vacating when there is thunder or lightning.

i. All children under the age of seven (7) must be accompanied by an adult in the Splash Pad Water Feature Area.

j. Roughhousing and violent play are prohibited in the Splash Pad Water Feature Area.

k. Splash Pad Water Feature Area may be closed at any time due to weather, maintenance or other operational feature.

Section 25: NUISANCE: No person shall use profanity or vulgar language within the playground area of a Park or Playground or at the Splash Pad Water Feature Area. No person shall use any threatening, abusive, or insulting language or language otherwise constituting "fighting words." No person shall commit any obscene, lewd or indecent act or create a nuisance of any kind. No person shall disturb in any manner any picnic, meeting, service, concert, exercise or exhibition.

Section 26: SPECIAL EVENTS. No person or organization shall solicit for, hold or sponsor a ~~S~~special ~~E~~event in the Parks, or Playground without submitting a completed Application for Use for Special Event form and the prior written permission of the Board of Directors, who may require the providing of liability insurance in the amounts of \$100,000 for each person, \$300,000 for each single occurrence for bodily injury or death and \$100,000 for each single occurrence for injury to or destruction of property, naming the District as insured, and the furnishing of one or more peace officers. The opinion of the Board of Directors as to whether or not insurance will be required and as to the required number of peace officers shall be final and binding.

Section 27: USE OF BASEBALL/SOCCER FIELD.

- a. Use of the Timber Lane Park baseball/soccer field and the Liberty Park soccer field shall be on a first come, first served basis, except with prior reservations approved by the Board.
- b. Use of the Timber Lane Park baseball/soccer field for simultaneous games of soccer and baseball is prohibited.
- c. Use of the Timber Lane Park baseball/soccer field and the Liberty Park soccer field is prohibited when the fields are wet following rainfall or when maintenance is being performed on the fields.

Section 28: USE OF JOGGING/WALKING TRAIL. ~~Bicycles~~is and Electric Bicycles ~~are~~ not permitted on the Timber Lane Park or Liberty Park jogging/walking trails.

Section 29: USE OF PLAYGROUND: ~~Bicycles~~ing, Electric Bicycles, and skateboarding are not permitted within the Playground.

Section 30: SCHULTZ GULLY. The Harris County Flood Control District Drainage Ditch known as Schultz Gully is not part of the Timber Lane Park. Persons using the Timber Lane Park are not authorized to enter Schultz Gully.

~~Section 31: BUILDING AT 2806 TRAILING VINE. The building at 2806 Trailing Vine, including the yard, driveway, garage and out buildings, is the Liberty Park Community Center and is not part of the Spring Community Playground. Persons using the Playground are not authorized to enter the Community Center or its premises at any time.~~

Section ~~3231~~: CYPRESS CREEK HIKE AND BIKE TRAILS. The Cypress Creek Hike and Bike Trails consist of walking surfaces of between five (5) and ten (10) feet in width on which materials such as concrete, asphalt, crushed stone and the like have been or will be placed for persons to walk, jog or ride bicycles or Electric Bicycles, together with a cleared area up to ten (10) feet in width on either side of the walking surface.

- a. The areas designated as Trails shall be used for walking, jogging, ~~and riding~~ bicycles and Electric Bicycles only. Unless otherwise indicated, the Trails do not constitute parks and may not be used for other recreational purposes.
- b. Alterations and/or modifications of the Trails and adjacent areas, including digging, piling dirt or logs, cutting of trees and vegetation of any kind, placement of graffiti, construction of forts or play areas, ramps, ~~or~~ placement of any man-made structure or material are prohibited.
- c. ~~Motorized conveyances~~Vehicles are prohibited on the Trails and adjacent areas except for vehicles used for maintenance or repairs of the Trails as authorized by the District.
- d. Horses are prohibited on the Trails and adjacent areas.
- e. Dumping of trash, grass clippings, garbage, litter or any debris on the Trails and adjacent areas is prohibited.

f. No form of plant, flower, bush or vine may be planted on or adjacent to the Trails without prior approval of the District.

g. Open fires and burning of any object on the Trails or adjacent areas is prohibited.

h. The speed limits for bicycles and Electric Bicycles shall be 20 miles per hour.

Section ~~323~~: DISTRICT SKATE PARKS. District Skate Parks are subject to the following additional rules:-

a. Skate Parks are operated at the user's own risk. Users must exercise common sense and general courtesy to others. Spectators must watch from the spectator area or outside the paved area for safety.

b. All skaters are required to wear helmets and protective equipment, including kneepads, elbow pads and wrist guards.

c. Skate Parks are for skateboards and in-line skates only. Bicycles, Electric Bicycles, BMX bikes, scooters, razors and any other device not specified are prohibited.

d. Skateboarding and in-line skating are prohibited outside the Skate Parks.

e. Skate Parks are closed during wet or icy conditions.

f. No food or refreshment is allowed on skating surface.

g. Use of wax is prohibited.

h. Use of tobacco is prohibited.

i. Users must not proceed down a ramp until it is clear of other users. Only one person may skate on a ramp at one time.

j. Skating against traffic flow is dangerous and is prohibited.

k. No other items such as benches, tables, homemade ramps, or other objects may be used as ramps.

l. All Pets are prohibited in the Skate Parks.

m. Texas law (Chapter 75, Civil Practice and Remedies Code) limits the liability of the District for damages arising directly from hockey, in-line hockey, skating, in-line skating, roller skating, skateboarding, or rollerblading, on premises that the District owns, operates or maintains for that purpose.

Section ~~3433~~: EMERGENCY BURN BAN. The Board of Directors may, at its sole discretion, find and determine that drought conditions exist in the District and in the vicinity of the District and that such drought conditions create an elevated danger of fire in parks, trails, storm water detention ponds and other District property that constitutes a hazard to public health and safety and an emergency.

After making such findings, the Board of Directors may impose a temporary emergency burn ban to prohibit smoking, charcoal fires, open fires, fireworks, outdoor use of inflammable materials and other conduct that could result in a fire, such burn ban to be applicable to and effective on all District property, easements and rights-of-way, including, but not limited to parks, trails, recreation areas, playgrounds and detention ponds.

Imposition of a burn ban by the Board of Directors shall have the effect of an immediate, temporary suspension of any and all authority for fires, smoking, fireworks and use of combustible materials as provided in Sections 9, 10 and 12 of these Rules until termination of the burn ban by the Board of Directors.

Notice of a District emergency burn ban shall be provided by signs, flyers, public service announcements and any other means necessary to call public attention to the burn ban, the conditions that constitute an emergency, and penalties that may result from violations of the burn ban. Notice of termination of a burn ban shall be provided by the same means.

Section ~~3534~~: VIOLATIONS; REWARDS. No person shall use any area or facility of the Parks, Lakes, Playground, Trails or District Property for any purpose other than for the purpose for which it was designed or designated. The District will pay a reward of up to ~~\$1,000~~\$10,000 for information leading to the arrest of persons responsible for vandalism or destruction of District Property, or facilities in the Parks, Lakes, Playground or Trails.

Section ~~3635~~: PENALTIES. Compliance with these Rules and state and federal law is a condition of the use of the Parks, Lakes, Playground or Trails. Pursuant to the authority granted by §§49.004 and 54.205, Texas Water Code, as amended, the Board of Directors may seek reasonable penalties for the failure of any person to comply with these rules and regulations, which penalties shall not exceed the jurisdiction of a justice court as provided in Section 27.031, Texas Gov't Code, currently, up to ~~\$10,000.00~~\$20,000. Such penalties shall be in addition to any other penalties provided by the laws of the state and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. In any suit to enforce its rules the District shall seek to recover reasonable fees for attorneys, expert witnesses and other costs incurred by the District before the court.

Section ~~3736~~: SANCTIONS. Compliance with these Rules and state and federal laws is a condition of the use of the Parks, Lakes, Playground and Trails.

a. The authorities designated in Section 2 above to enforce these Rules are hereby authorized to notify any person who fails or refuses to comply with these Rules or applicable federal or state laws to depart from the Park, Playground or Trail.

b. Any person who fails to depart upon such notification shall be subject to prosecution under Section 30.05 of the Texas Penal Code for criminal trespass in addition to other punishment or prosecution for any other crime.

c. A person who fails to comply with these Rules is subject to civil penalties of up to ~~\$10,000~~\$20,000 for each violation, together with attorneys' fees and costs, all as provided in Section 49.004, Texas Water Code, as amended. These penalties shall be in addition to any other penalties

provided by the laws of the state and may be enforced by complaints filed in the appropriate court of jurisdiction in the County.

d. In the event of a violation of these Rules, a violation notice shall be issued to the person responsible for the violation, and the Board shall conduct a hearing on the violation and imposition of a penalty in the manner described in Sections 2.3c), 2.3e) and 2.4 of the District's Order Establishing Policy and Rates for Water and Sewer Service and Imposition of Penalties, as same may be amended from time to time, the provisions of which Order are incorporated by reference herein.

e. Any person witnessing any concerning action or discovery of any concerning situation should immediately notify a District constable or other peace officer on duty, the Parks & Recreation Manager or a member of the Board of Directors.

Section 378: EFFECT ON EXISTING LAW. These Rules are in addition to, and not in lieu of, all federal and state laws, and other rules and regulations applicable within the Parks, Lakes, Playground, Trails and District Property.

Section 389: SEVERABILITY. The provisions of these Rules are severable. If any word, phrase, clause, sentence, section, provision or part of these Rules should be held invalid or unconstitutional, it shall not affect the validity of the remaining provisions, and it is hereby declared to be the intent of the Board of Directors that these Rules would have been adopted as to the remaining portions, regardless of the invalidity of any part.

Section 4039: AMENDMENTS. These Rules may be reviewed and amended from time to time by the Board of Directors.

Section 4140: POSTING: A summary of these Rules shall be conspicuously posted at or near the entrances to the Parks, Lakes, Playground, Splash Pad Water Feature Area, and at entry points along the Trails, and a copy or an excerpt of these Rules shall be provided to any person who requests a copy and to any person who submits an Application for Use for Special Event of the Parks or the Playground.

Section 4241: EFFECTIVE DATE: These Rules shall become effective and enforceable five days after the first publication of the notice of adoption or any amendment of these Rules as provided in §54.207 and §54.208 of the Texas Water Code.

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The President or Vice President is authorized to execute and the Secretary or Assistant Secretary to attest this order on behalf of the board and the District.

Passed and adopted, this ~~November 8, 2018~~August 10, 2023.

MEACHAM

~~ROBERT B. SCHENCK~~DANIEL M.

~~Vice~~-President

ATTEST:

JAMES F. MESSER

Secretary



I, the undersigned secretary of the Board of Directors of Timber Lane Utility District, hereby certify that the foregoing is a true and correct copy of the Order Adopting Rules and Regulations for District Parks, Recreational Areas and District Property, Facilities, Easements and Rights-of-Way adopted by said Board at its meeting of ~~November 8, 2018~~August 10, 2023, and a minute entry of that date showing the adoption thereof, the original of which resolution appears in the minute book of said Board, on file in the District's office.

I further certify that said meeting was open to the public, and that notice thereof was posted in compliance with the provisions of Tex. Gov't. Code Ann. § 551.001 et seq.

Witness my hand and seal of said District, this ~~November 8, 2018~~August 10, 2023.

Secretary

