

ORDER ESTABLISHING RULES AND REGULATIONS REGARDING  
USE OF DISTRICT RECREATIONAL FACILITIES

WHEREAS, Mayde Creek Municipal Utility District (the "District"), is a conservation and reclamation district, a governmental agency and body politic of the State of Texas created pursuant to Article XVI, Section 59 of the Texas Constitutions, and Chapters 49 and 54 of the Texas Water Code, as amended; and

WHEREAS, to protect District property and to provide for the operation and maintenance of District recreational facilities, the District's Board of Directors wishes to establish certain rules and regulations regarding the use of District recreational facilities and to establish penalties for the violation thereof; Now, Therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS OF MAYDE CREEK MUNICIPAL UTILITY DISTRICT THAT:

Section 1. The facts recited above are hereby declared to be true and correct.

Section 2. Pursuant to its authority under Section 54.205 of the Texas Water Code, the Rules and Regulations attached as **Exhibit A** are hereby declared to be unlawful within any of the District's recreational facilities:

Section 3. Any person, corporation, or other entity violating Section 2 of this Order may be subject to a fine of up to \$5,000 per violation or criminal penalties, including imprisonment, or both.

Section 4. The District is hereby authorized to publish a substantive statement of these rules, regulations, and penalties as required by Section 54.207 of the Texas Water Code, and such penalties described herein shall be effective and enforceable five days after publication.

[Execution page follows]

PASSED, APPROVED, AND EFFECTIVE this 10<sup>th</sup> day of December, 2012.

[Signature]  
Vice President, Board of Directors

ATTEST:

[Signature]  
Secretary, Board of Directors

(SEAL)



CERTIFICATE FOR ORDER

THE STATE OF TEXAS                   §  
   §  
COUNTY OF HARRIS                   §

I, the undersigned officer of the Board of Directors of Mayde Creek Municipal Utility District, hereby certify as follows:

1. The Board of Directors of Mayde Creek Municipal Utility District convened in regular session on December 10, 2012, inside the boundaries of the District, and the roll was called of the members of the Board:

- |                    |                     |
|--------------------|---------------------|
| Juan Montano       | President           |
| Willie Jo Reynolds | Vice President      |
| Rebecca Ann Patton | Secretary           |
| Dalfina Campos     | Assistant Secretary |
| Jean Chevalier     | Assistant Secretary |

and all of said persons were present except Director(s) Montano, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting: a written

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was introduced for the consideration of the Board. It was then duly moved and seconded that the order be adopted, and, after due discussion, the motion, carrying with it the adoption of the order, prevailed and carried unanimously.

2. A true, full, and correct copy of the aforesaid order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; the action approving the order has been duly recorded in the Board's minutes of the meeting; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid meeting, and that the order would be introduced and considered for adoption at the meeting, and each of the officers and members consented, in advance, to the holding of the meeting for such purpose; the meeting was open to the public as required by law; and public notice of the time, place, and subject of the meeting was given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code.

SIGNED AND SEALED on December 10, 2012.



Rebecca Ann Patton  
Secretary, Board of Directors

(SEAL)

## EXHIBIT A

### Rules and Regulations

#### for Mayde Creek MUD Parks Program

Revised: September 1, 2012

#### **Section 1: Authority**

The Board of Directors of Mayde Creek MUD, acting in its capacity as the governing body of Parks North and South and Connector Trails, adopted these Rules and Regulations as of September 24, 2012.

#### **Section 2: Administration**

The Board of Directors hereby designates the Park Manager, along with the Harris County Sheriff, the Harris County Constables, and any District Representative or Consultant and their respective deputies, to enforce these Rules and Regulations.

#### **Section 3: Definitions**

As used in these Rules and Regulations:

- 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 a beverage, either alone or diluted.
- b. Board of Directors means the Board of Directors of Mayde Creek MUD.
- c. District means the legal boundaries of the MUD and the operations therein.
- d. Explosive means any chemical compound or mixture that is commonly used or intended for the purpose of producing an explosion.
- e. Individual means a human being.
- f. Light truck means any truck with a manufacturer's rated carrying capacity not to exceed two thousand (2,000) pounds and it intended to include those trucks commonly known as pickup trucks, paneled delivery trucks, carryall trucks, and vans.
- g. Park means a property owned, operated, or maintained by the District for recreation and enjoyment by the general public.

- h. Park Manager means the company and/or individual named or designated as a Park Manager by the Board of Directors of the District.
- i. Peace Officer means a peace officer as defined in article 2.12 of the Texas Code of Criminal Procedure, as amended.
- j. Person means any individual, group of individuals, organization, corporation, or other legal entity, but does not include the District.
- k. Pet means a domesticated animal kept for pleasure rather than utility.
- l. Special Event means a non-routine organized activity intended for more than twenty (20) individuals to share a common purpose as a group.
- m. Vehicle means every device in, upon, or by which any individual or property may be transported or drawn upon a road, except a device moved by human power.
- n. Weapon means a rifle, bow and arrow, club, handgun, firearm, illegal knife, shotgun, short-barrel firearm, gas gun or gas pistol, air gun or BB gun or BB pistol, pellet gun or pellet pistol, zip gun, sling or sling shot, and includes those objects defined as weapons or prohibited weapons in chapter 46 of the Texas Penal Code, as amended.
- o. Wildlife means living creatures that are neither human nor domesticated.

#### **Section 4: Park Use**

No person shall use the park, or any area or facility therein, for any purpose other than for the purpose for which was designed or designated. Children under the age of ten (10) shall be accompanied by an adult at all times.

#### **Section 5: Park Hours of Operation**

No person shall enter into or remain within a park at any time other than during such time as the park is open to the public as designated on the sign posted at or near the entrance of the park, unless given prior written approval by the Board of Directors or its agent. Hours are from dawn to dusk. Additionally, the Board of Directors of the District and/or the Park Manager has the authority to close a park at any time and for any reason,

at the sole discretion of the Board of Directors and/or the Park Manager. If not otherwise indicated by posted signage, a park is deemed to be closed if the gates to the park lots are closed and locked. PARK IS CLOSED TO ALL PERSONS AND ACTIVITIES WHEN THE DETENTION AREA IS FLOODED - NO EXCEPTIONS.

### **Section 6: Vehicles**

- a. No person shall operate a vehicle within a park except on the parking lots therein. This provision does not apply to District park maintenance or patrol vehicles.
- b. No person shall operate a truck within a park. This provision does not apply to light trucks or trucks making deliveries of materials, supplies, and equipment purchased or rented by the District.
- c. No person shall cause a vehicle to be parked within a park, except in a designated parking area or with a special permit and permission granted by the BOD or Park Manager.
- d. No person shall cause a vehicle to remain within a park after-hours or in excess of twenty-four (24) hours at any given time unless one of the entities named in Section 2 is notified and approval is granted. Vehicles remaining within a park for which approval has not been granted will be fined and/or towed and placed in storage by the appropriate peace officer at the owner's expenses.

### **Section 7: Alcoholic Beverages and Drugs**

No person shall possess or consume alcoholic beverages in a park at any time. No person shall possess or use illegal drugs at the park at any time.

### **Section 8: Wildlife**

No person shall willfully harm, harass, trap, confine, catch, feed, or possess any wildlife within a park. Note: This does not include persons who have specific authority from the State of Texas or the Park Manager to remove dangerous animals from the park.

### **Section 9: Plant Life and Amenities**

No person shall willfully destroy, disturb, cut, injure, damage, deface or remove any tree, shrub, vine, wildflower, grass, fern, moss, leaves, cones, turf, soil, sand, gravel, landscape material, dead or downed wood, or any

other plant life within a park without the consent of or under the direct supervision of the Park Manager. No person shall willfully destroy, disturb, cut, injure, damage, deface or remove any rock, monument, bench, picnic table or other structure, apparatus, amenity, or other park property.

**Section 10: Fires/Smoking**

No person may light, build, or maintain a fire within a park other than within a camp stove or barbecue pit. Use of tobacco products is prohibited in the park. If a burn ban is in effect within the county, no fires or smoking will be allowed in the Park.

**Section 11: Weapons**

No person, other than a peace officer, may carry or possess a weapon within a park. However, other than at a high school, collegiate, or professional sporting event or interscholastic event in the park, a person licensed to carry a concealed handgun under the authority of subchapter H, chapter 411, of the Texas Government Code may carry a concealed handgun.

**Section 12: Explosives**

No person may possess or discharge gunpowder or other combustibles, explosives, or fireworks within a park unless authorized by the Board of Directors. This provision does not apply to gasoline and other petroleum products in fuel tanks of motor vehicles, propane or petroleum products intended to be used as fuel for maintenance purposes authorized by the District.

**Section 13: Animals**

No person may bring into or possess in a park any animal other than a dog or domestic cat. Any person bringing a dog or domestic cat into a park shall keep the dog or domestic cat confined to a vehicle or secured by a leash not exceeding six (6) feet in length (including retractable leashes). The MUD is not responsible for animals engaging other animals in the Park at any time. Pet Owners are responsible to pick up after their pets all waste. Waste containers are located around the park.

**Section 14: Glass Beverage Containers**

No person shall use or possess any glass containers in the park.

**Section 15: Metal Detectors**

No person may bring into or possess in a park any metal detector unless approved by the District.

**Section 16: Reservations**

Any person may reserve a pavilion. Reservations may be made on the District's website 24/7 at [www.maydecreekmud.com](http://www.maydecreekmud.com) by e-mailing the community center manager; by contacting the manager; or by e-mailing the manager at [maydecreekmud@gmail.com](mailto:maydecreekmud@gmail.com). Use of the pavilion will be approved by the Park Manager on a first-come, first-served basis. If the area is not cleaned, or the facility or its furnishings are damaged, the Park Manager shall determine the amount necessary to compensate the District for the expense of remedying this default.

**Section 17: Use of Loudspeakers**

The use of loudspeakers or other harsh noise or distraction audible devices within the park shall be governed by and not violate sections 42.01(a)(5) and (c) of the Texas Penal Code, Disorderly Conduct, and can be approved, denied or stopped by the Park Manager, District Consultant or Board of Directors.

**Section 18: Dumping and Littering**

The disposal of rubbish in any manner other than by depositing it in trash cans provided for this purpose, the willful destruction of or damage to or theft of District property, the creation of any hazard to persons or things, removal or displacement of gravel, rocks, boulders or other landscape amenities and the climbing upon plant bedding areas or any part of a public building are prohibited. No person shall bring into a park any trash, refuse, or waste material.

**Section 19: Solicitations, Advertisements and Sale of Goods and Services and Other**

The solicitation or sale of goods and services, or the seeking of donations for a cause, is prohibited unless the person receives the prior written approval of the Board of Directors. The distribution, posting placement or erection of any advertisement, handbill, circular, bill, notice, paper or other advertising device is prohibited. Any activity that the District believes may create a danger to the public or may be considered a public nuisance is prohibited. All persons must wear appropriate, proper and decent attire.



**Section 20: Camping**

No person shall engage in overnight camping in the park.

**Section 21: Defacing of Amenities**

No person shall mark, write upon, paint or deface in any manner any building, monument, fence, bench, water fountain, pavilion, or other structures or amenities/facilities within the Park.

**Section 22: Special Events**

No person shall solicit for, hold, or sponsor a special event in a park or park facility without the prior written permission of the Board of Directors, who shall require the provision of liability insurance in the amount of \$100,000 for injury or death to one person, \$300,000 for injury or death of more than one person, and \$100,000 for injury or damages to property in any one accident or occurrence, with the District named as insured. In addition, the person is required to furnish one or more peace officers, depending on the size of the special event, for security purposes. The minimum number of officers required for security is one (1) peace officer per 25-100 individuals.

**Section 23: Decorum**

No person shall use any threatening, abusive or insulting language or other language constituted as "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. No person shall urinate or defecate within the Park. No person shall play or bet at or against any game that is played, conducted, dealt or carried on with cards, dice or other devices for money, chips, shells, credit or any other thing representing value, or maintaining or exhibiting any gambling table or other instrument or gambling or gaming.

**Section 24: Soccer Fields**

Soccer Fields located at the North Park dedicated for use by the public. There is no exclusive access to the fields. Fields are available to the public at a first come - first serve basis during park hours. Fields may be closed during inclement weather at the sole discretion of the District. Fields should not be used in the detention pond areas when flooded / NO EXCEPTIONS.

**Section 25: Effect on Existing Law**

These Rules and Regulations are in addition to, and not in lieu of, all federal, state, and municipal laws, rules, and regulations applicable within the park and a District detention pond facility.

**Section 26: Enforcement**

The Park Manager, the District Representative or Consultant, or their designee shall be authorized to remove any person who violates any of these Rules and Regulations from the park. In addition to removal from the park, charges may be filed against a violator.

**Section 27: Severability**

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

**Section 28: Amendments**

These Rules and Regulations may be amended at any time at the discretion of the Board of Directors.

**Section 29: Posting**

These Rules and Regulations shall be posted at the District Office and the District's Website. [www.maydecreekmud.com/parks](http://www.maydecreekmud.com/parks) and a copy located for public review at the District Office.

**Section 30: Offenses**

In addition to any penalty provided by the laws of the State of Texas, a violation of these Rules and Regulations is an offense punishable as a Class C misdemeanor and offenders shall be subject to a penalty of up to \$5,000.00 each day for each violation. Each day that a breach of any provision hereof continues shall be considered a separate breach.

The District shall seek full restitution for any damage to District property caused by any person(s) that violates these rules and regulations.

**Section 31: Effective Date**

These Rules and Regulations shall become effective on October 1, 2012.

All previously adopted rules and regulations are superseded and repealed effective the same date. The District is not responsible for any accidents or injuries.

**USE OF PARK FACILITIES SHALL BE AT THE SOLE RISK OF EACH INDIVIDUAL.**