



GENERAL ORDINANCE

AS ADOPTED BY ITS BOARD OF DIRECTORS

ON

[---], 2025

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TARRANT REGIONAL WATER DISTRICT

GENERAL ORDINANCE

REGULATIONS FOR WATER AND LAND UNDER THE JURISDICTION OF TARRANT REGIONAL WATER DISTRICT, A WATER CONTROL AND IMPROVEMENT DISTRICT

SECTION 1. TITLE AND SCOPE

This General Ordinance (this “Ordinance”) shall be known and may be cited as the Tarrant Regional Water District General Ordinance. This Ordinance shall regulate and apply to all the water and associated land under the control of the Tarrant Regional Water District, a Water Control and Improvement District (the “District”). This Ordinance sets forth the rules and regulations under which the District will exercise and perform its duties by the general laws for water control and improvement districts.

SECTION 2. AUTHORITY

This Ordinance is promulgated under the authority of Article XVI, Section 59 of the Texas Constitution, and operating under the powers and provisions of Chapter 31 of the Texas Parks and Wildlife Code; Chapter 340 of the General and Special Laws enacted by the 44th Legislature of the State of Texas and its Regular Session, now appearing as Sections 51.127, et seq., of the Texas Water Code, as amended; and also under the powers and provisions of Chapters 26, 49, 50, and 51 of the Texas Water Code, as amended.

SECTION 3. PURPOSE

Section 3.01 The purpose of this Ordinance is to establish the rules and regulations that pertain and relate to:

- (a) Delivery of reliable, resilient supply of water to the public;
- (b) Reduction of the risk of flooding through dependable control of infrastructure and operations;
- (c) Sustainment of our natural resources; and
- (d) Creation and maintenance of recreation opportunities around District infrastructure enhancing quality of life.

Section 3.02 District staff shall review and revise this Ordinance as needed and present the revisions to the District Board of Directors for approval and adoption no more than every six years from the date of first adoption.

Section 3.03 A District Officer shall have the authority to enforce provisions of this Ordinance relating to the laws, rules, and regulations of District Land and District Water as provided by the general laws for water control and improvement districts.

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Section 3.04 The District shall have the authority to employ and constitute its own law enforcement officers, to prevent and abate the commission of any offenses against the Ordinance, and against the laws of the State of Texas and federal law, when such offenses or threatened offenses occurs upon any District Land or District Water.

SECTION 4. PRIOR ORDINANCE SUPERSEDED

Section 4.01 The General Ordinance adopted by the District Board of Directors on March 19, 2002, and revised on November 15, 2011, is hereby repealed and replaced in its entirety as of the effective date herein.

Section 4.02 The Commercial Facilities Ordinance adopted by the District Board of Directors on March 19, 2002, is hereby repealed and replaced in its entirety as of the effective date herein.

SECTION 5. DEFINITIONS

Section 5.01 As used in this Ordinance and all Guidelines, the following terms shall have the following meanings:

(1) “Abode” includes a Watercraft if it is occupied by a Person for more than fourteen (14) cumulative days in any sixty (60) day period, or if it is occupied by a Person for more than thirty (30) nights in any ninety (90) day period.

(2) “Airboat” means a shallow-draft boat driven by an airplane propeller and steered by an airplane rudder, including hovercraft and similar craft.

(3) “Annual Operating License” means a license issued by the District in consideration of an annual fee for operation of a Commercial Facility.

(4) “Boat” is defined as a Watercraft.

(5) “Breach of License Regulations” means the commission of any act or maintenance of any condition without a required permit or license from the District, or violation of the terms of such permit or license.

(6) “Breach of the Peace” includes acts causing (a) bodily harm or fear of bodily harm; (b) to deprive another Person of property lawfully in such Person’s possession or control; (c) property damage; (d) to threaten to commit any one or more of the foregoing acts; (e) to encourage or aid another to commit any one or more of the foregoing acts; (f) to disregard any lawful request of any peace officer or other lawfully constituted law enforcement officer, District Peace Office, or District Officers; (g) to resist or interfere with any such officer engaged in the lawful discharge of official duties; (h) any act which reasonably should be anticipated to produce any of the foregoing; and (i) acts prohibited by Chapter 42 of the Texas Penal Code.

(7) “Commercial Activity” means any operation, action, or activity for which a fee or other consideration is received in exchange for goods or services.

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(8) “Commercial Construction Permit” means a permit for the expansion, reconstruction, Construction, Modification, alteration, renovation, or addition of a Commercial Facility on District Land or District Water issued by the District after reviewing an application and confirming compliance with this Ordinance.

(9) “Commercial Facility” means any facility used for the conduct of Commercial Activities, including but not limited to: (a) water-based facilities for mooring, fueling, leasing, or servicing Watercraft, including Fuel Facilities; (b) docks, restaurants, breakwaters, piers, ramps, and anchoring facilities; and (c) Community Docks.

(10) “Community Dock” is a dock or boat slip facility used exclusively by members of a development, property owners’ association, or multi-family residence complex.

(11) “Construction” means erecting or installing structural, electrical, or plumbing components of an Improvement or Commercial Facility, including dredging, filling, and clearing.

(12) “Cove” means a sheltered recess in a reservoir shoreline less than six hundred (600) feet wide.

(13) “District” means the Tarrant Regional Water District, a Water Control and Improvement District.

(14) “District Inspector” means a District employee responsible for inspecting Commercial Facilities, Improvements, and generally for compliance with this Ordinance on District Land and in District Water.

(15) “District Land” includes all land owned or controlled by the District, including, without limitation, District Parks, and all pipelines, flowage, and other easements held by the District.

(16) “District Officers” include the General Manager, Deputy General Manager(s), Assistant General Manager(s), Executives, Chief Officers, Lake Supervisors, Lake Superintendents, Reservoir Managers, Inspectors, and District Peace Officers, and any of their respective authorized designees and agents.

(17) “District Parks” include, without limitation, each of the following parks and associated trails/trailheads: (a) Eagle Mountain Park, located west of Morris Dido Newark Road and south of Peden Road; (b) Twin Points at Eagle Mountain Lake; (c) Marine Creek Lake; and (d) Airfield Falls Trailhead and Conservation Park at 200 Pumphrey Dr., Fort Worth, TX 76114.

(18) “District Peace Officer” is a peace officer contracted or employed by the District in accordance with Section 49.216 of the Texas Water Code and licensed under the Texas Administrative Code, Title 37 – Public Safety, Part VII – Texas Commission on Law Enforcement Standards and Education, or any subsequent regulations adopted by the Texas Commission on Law Enforcement Standards and Education.

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(19) “District Water” includes all lakes, Reservoirs, rivers, streams, creeks, tributaries, sloughs, canals, watercourses, ditches, detention structures, sump areas, Floodways and all other bodies of water, natural or artificial, owned or controlled by the District, including water held, diverted, stored, or otherwise controlled pursuant to a state-granted water right.

(20) “Drone” means an aircraft, or unmanned aircraft system (UAS), including all components (controller, camera, sensors), operated without the possibility of direct human intervention from within or on the aircraft.

(21) “Encroachment” means the expansion, reconstruction, Construction, Modification, alteration, renovation, or addition to a new or existing Improvement or Commercial Facility located within a Right-of-Way located on District Land or District Water, including within a District pipeline Right-of-Way.

(22) “Encroachment Permit” means a permit for the expansion, reconstruction, Construction, Modification, alteration, renovation, or addition to a new or existing Improvement or Commercial Facility located within a Right-of-Way located on District Land or District Water, including within a District pipeline Right-of-Way, issued by the District after reviewing an application and confirming compliance with this Ordinance.

(23) “EPA” means the United States Environmental Protection Agency.

(24) “Event” includes any gathering, activity, or occurrence on District Land or District Waters that involves public or private participation of greater than one hundred (100) Persons.

(25) “Event Permit” means a permit issued by the District for the purpose of holding an Event on District Land or District Waters.

(26) “Expansion” means increasing the water surface area occupied by a commercial facility.

(27) “Facility” means each and every structure, Improvement, building, sign, pipeline, or fence owned, controlled, or constructed by the District.

(28) “Floodway” means the flood protection levees, channel improvements and associated diversion channels constructed on the Clear Fork and West Fork of the Trinity River by the U.S. Army Corps of Engineers (USACE) after the flood of 1949, including subsequent additions. The Floodway extends from approximately 1,000 feet upstream of Meandering Road along the West Fork of the Trinity River to approximately 1,500 feet downstream of the Beach Street dam; and along the Clear Fork of the Trinity River beginning at State Highway 183 southeasterly to the confluence of the West Fork of the Trinity River; or as otherwise determined by USACE.

(29) “Flood Flowage Boundary” refers to the designated area within District Land and District Water that is subject to flooding, and includes, without limitation, the following specific elevation lines, measured in feet above mean sea level known as elevation: (a) elevation 325 feet upon the lands forming the margins of Cedar Creek Reservoir; (b) elevation 320 feet upon

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the lands forming the margins of Richland Chambers Reservoir; (c) elevation 668 feet upon the lands forming the margins of Eagle Mountain Lake; (d) elevation 851 feet upon the lands forming the margins of Lake Bridgeport; and (e) elevation 715 feet upon the lands forming the margins of Marine Creek Lake.

(30) “Flotation Material” means encapsulated polystyrene foam used for flotation.

(31) “Forbidden Zone” means areas where public entry is prohibited, including, without limitation, areas marked by Warning Signs or Buoys as forbidden or prohibited to public entry, and any dam or Facility.

(32) “Fuel Facility” means a Commercial Facility designed for storing and dispensing fuel to motor vehicles, including Watercraft, on District Land or District Water, and includes all equipment and structures necessary for fueling operations, such as storage tanks, pumps, dispensing nozzles, and safety and spill prevention measures. Fuel Facility also includes any Commercial Facility that stores or possesses petroleum products or distillate.

(33) “General Manager” is the Person employed by the District as its General Manager.

(34) “Guidelines” means, as amended from time to time, the Residential Improvement Permit Guidelines, Commercial Construction Permit Guidelines, Commercial Operating License Guidelines, Event Permit Guidelines, Right of Entry Permit Guidelines, Encroachment Permit Guidelines, and On-Site Sewage Facility Permit Guidelines.

(35) “Hazardous Waste” means, as defined by the EPA, waste exhibiting ignitability, corrosivity, reactivity, or toxicity, and includes waste that exhibits the characteristics of Hazardous Waste.

(36) “Headway Speed” means the slowest possible speed a Watercraft may travel under power.

(37) “Improvement” includes all structures, devices, contrivances, or objects placed on District Land or District Water.

(38) “Inland Rules” means the U.S. Coast Guard Inland Navigation Rules.

(39) “International Building Code” or “IBC” means the 2021 Code, as may be amended or restated from time to time, and as adopted in this Ordinance.

(40) “International Fire Code” or “IFC” means the 2021 Code, as may be amended or restated from time to time, and as adopted in this Ordinance.

(41) “Lake Resident Water Conservation and Drought Management Plan” is a plan to conserve water and manage drought conditions.

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(42) “Landowner” means any Person that holds legal title to a parcel of land adjacent to a District Reservoir or Lot. This includes Persons who possess full ownership rights, including the right to use, lease, sell, or otherwise dispose of such property, subject to applicable laws and regulations.

(43) “Lot” means a land parcel for private Improvements or Commercial Facilities and accessory uses, with open spaces.

(44) “Modification” means changes to a structure’s Construction, flotation, anchorage, plumbing, or electrical services.

(45) “National Electrical Code” or “NEC” means the 2023 Edition, as may be amended or restated from time to time by the North Texas Council of Governments, and as adopted in this Ordinance.

(46) “Navigable Passage” means a space at least forty (40) feet wide and ten (10) feet deep for watercraft passage.

(47) “NFPA” means the National Fire Protection Association.

(48) “Noncomplying Facility” includes (i) any Improvement existing on the effective date of this Ordinance that is not permitted in accordance with this Ordinance, and (ii) any Improvement that is deemed by the District to be dilapidated, in disrepair, a Nuisance, a hindrance to operations, a hazard to navigation, or otherwise fails to comply with specifications of this Ordinance.

(49) “Noncomplying Commercial Facility” includes (i) any Commercial Facility existing on the effective date of this Ordinance that is not licensed in accordance with this Ordinance, and (ii) any Commercial Facility that is deemed by the District to be dilapidated, in disrepair, a Nuisance, a hindrance to operations, a hazard to navigation, or otherwise fails to comply with specifications of this Ordinance.

(50) “Nuisance” means acts impairing water quality or creating hazards, unsafe condition, or Breach of the Peace, and includes the definition of “nuisance” under Section 42 of the Texas Penal Code.

(51) “One Hundred Year Flood Elevation” means the flood elevation with a 1% annual chance of occurrence as determined by the Federal Emergency Management Agency or other appropriate regulatory authority.

(52) “On-Site Sewage Facility” or “OSSF” means a wastewater treatment system, including septic tanks or systems, utilized for the treatment of Sewage, greywater, and wastewater on District Land, and includes, but is not limited to, such facilities utilized personally by Landowners or commercially by communities or Commercial Facilities.

(53) “On-Site Sewage Facility Permit” or “OSSF Permit” means a permit for the expansion, reconstruction, Construction, Modification, alteration, renovation, or addition of an

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On-Site Sewage Facility issued by the District after reviewing an application and confirming compliance with this Ordinance.

(54) “Ordinance” means this General Ordinance of the District adopted by the Board of Directors of the District on [____], 2025, as may be amended or restated from time to time.

(55) “Parasail” includes any apparatus for gliding through the air behind a Watercraft.

(56) “Person” includes individuals, partnerships, corporations, associations, or any other entity.

(57) “Personal Floatation Device” or “PFD” means a device for buoyancy in water prescribed by the Coast Guard and approved as a Type I, II, III, or V device.

(58) “Personal Watercraft” means a motor-propelled vessel operated by a Person sitting, standing, or kneeling on it.

(59) “Reservoirs” include all ponds, lakes and earthen embankments, structures, dams, levees, machinery, devices and all other appurtenances thereto which are provided by, owned, or controlled by the District, including Lake Bridgeport, Eagle Mountain Lake, Marine Creek Lake, Cedar Creek Reservoir, and Richland-Chambers Reservoir.

(60) “Residential Improvement Permit” means a permit for the expansion, reconstruction, Construction, Modification, alteration, renovation, or addition of a non-Commercial Activity Improvement on District Land or District Water issued by the District after reviewing an application and confirming compliance with this Ordinance.

(61) “Restricted Areas” include areas marked by Warning Signs or Buoys restricting activity beyond that point, including all District critical infrastructure, dams, power plants, substations, and natural gas facilities, and the District Land surrounding them.

(62) “Right of Entry Permit” means a permit authorizing entry of Persons on or over District Land or District Water on behalf of a third party for activities including, but not limited to, investigations, surveying, utility installation/maintenance, Construction, and/or Modifications issued by the District after reviewing an application and confirming compliance with this Ordinance.

(63) “Right-of-Way” or “ROW” means portions of District Land which the District possesses a legal right to traverse, access, or utilize such area for transportation, utility, or other public or private purposes, including within a District pipeline Right-of-Way.

(64) “Sewage” means water containing organic or inorganic contaminants.

(65) “Shoreline” means the point where water touches land.

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(66) “Special Operating License” means a license for the use of District Land or District Water for a specific commercial purpose for a designated period, not to exceed three (3) months issued by the District after reviewing an application and confirming compliance with this Ordinance.

(67) “Special Permit” means a permit for the use of District Land or District Water for a purpose or activity not specifically addressed in this Ordinance and issued by the District after reviewing an application and confirming compliance with this Ordinance.

(68) “Spill” means an unaccounted release of petroleum, chemicals, or sewage exceeding specified amounts.

(69) “Spillway Elevation” means the contour elevation at which a Reservoir is at optimum capacity, and includes, without limitation, the following specific elevation lines, measured in feet above mean sea level known as elevation: (a) elevation 322 feet upon the lands forming the margins of Cedar Creek Reservoir; (b) elevation 315 feet upon the lands forming the margins of Richland Chambers Reservoir; (c) elevation 649.1 feet upon the lands forming the margins of Eagle Mountain Lake; (d) elevation 836 feet upon the lands forming the margins of Lake Bridgeport; and (e) elevation 687 feet upon the lands forming the margins of Marine Creek Lake.

(70) “Surface Water Sports” include, without limitation, wakeboarding, kneeboarding, water skiing, bodyboarding, wakesurfing, tubing, hydrofoiling, wakeskating, skimboarding, and similar activities, including at all times a Watercraft is in tow of a Person.

(71) “Temporary Operating License” means a license for a Commercial Facility deemed a Noncompliant Commercial Facility by the District, allowing operation while the Commercial Facility is brought back into compliance with this Ordinance.

(72) “TCEQ” means the Texas Commission on Environmental Quality.

(73) “Toilet Facility” includes a Sewage disposal apparatus.

(74) “Trespass” includes, but is not limited to, (i) the failure to leave District Land or District Water when ordered, (ii) the unauthorized entry into Restricted Areas, (iii) the cutting, removal, or burning of any timber or other natural resource on District Land, and (iv) placing equipment, pipes, lines, or other extraction equipment in, under, or upon District Water or District Land for the unauthorized taking of District Water or other natural resources.

(75) “Watercraft” includes any boat, Personal Watercraft, or device for floating and/or navigating on water.

(76) “Wake” means operating a Watercraft to cause waves to crest.

(77) “Warning Sign” or “Buoy” includes devices used to notify Persons of permissible or prohibited activities.

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(78) “Waste Control Order” means an order from the Texas Commission on Environmental Quality (TCEQ) designating the District as an authorized agent to regulate on-site sewage facilities on a specific reservoir. Such orders incorporate TCEQ rules on abatement or prevention of pollution and prevention of injury for on-site sewage disposal systems.

Section 5.02 In this Ordinance:

- (a) Terms defined in the singular shall include the plural, and vice versa;
- (b) All pronouns and their variations shall refer to the masculine, feminine, neuter, singular, or plural, as appropriate to the context;
- (c) The term “include” and its derivatives shall mean “include without limitation;” and
- (d) References to statutes or regulations shall refer to those statutes or regulations as currently amended, as well as any future amendments or superseding provisions.

SECTION 6. VIOLATIONS OF OR FAILURE TO COMPLY WITH THIS ORDINANCE

Section 6.01 Any Person who violates or fails to comply with any provision of this Ordinance, or the aiding and abetting of either, is guilty of a Class C Misdemeanor. Each twenty-four (24) hour period of any violation constitutes a separate offense. Upon conviction, a violator is subject to punishment by penalty under the Texas Penal Code. In addition, a violator may be barred from the use of District Land and District Water. It is a defense to prosecution for a violation of this Ordinance that the Person had a current valid permit or license issued by a District Officer and was in compliance with the conditions of the permit or license; provided, however, the District may enjoin operations and/or void permits or license when actions or activities are in violation of the conditions of a permit or license issued by the District. The District may pursue enforcement in cooperation with a municipal, state, or federal entity with concurrent jurisdiction or independently.

SECTION 7. APPLICABILITY OF LOCAL, STATE, AND FEDERAL LAWS, RULES, AND REGULATIONS

Section 7.01 This Ordinance and the terms, provisions, regulations, and requirements hereunder apply to all District Land and District Water, except that which is under the primary or exclusive control of any local, municipal, state or federal laws, rules, and regulations. Notwithstanding the foregoing, the District will enforce all rights and remedies afforded to it under this Ordinance and applicable law.

Section 7.02 The District has adopted a “see something, say something” policy, under which the District will report violations of all applicable local, municipal, state or federal laws, rules, and regulations. Pursuant to such policy, the District will work with local, municipal, state, and federal agencies to ensure compliance with such laws, rules, and regulations and to protect District Land and District Water. As part of the District’s policy, the District expects reciprocal notifications from local, municipal, state, and federal agencies to protect, preserve, and enhance District Land, District Water, and all Texas natural resources.

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Section 7.03 All terms and provisions of the Texas Water Safety Act, along with all applicable laws, rules, and regulations promulgated by the Texas Parks and Wildlife Department pursuant to the Texas Water Safety Act, shall be applicable to District Water and, where appropriate, adjacent District Land. Additionally, all appropriate laws, rules, and regulations promulgated by the U.S. Army Corps of Engineers, including the provision of Permits, shall, where appropriate, be applicable to District Water and adjacent District Land. Furthermore, all applicable laws, rules, and regulations of the TCEQ shall also be applicable to District Water and District Land.

SECTION 8. PERMITTING AND LICENSING

Section 8.01 Permitting and Licensing Application Procedure.

(a) This Section 8.01 sets forth the general permit or license application process for District permits and licenses, including a Residential Improvement Permit, Commercial Construction Permit, Annual Operating License, Temporary Operating License, Special Operating License, Event Permit, Right of Entry Permit, Encroachment Permit, and Sewage Facility Permit. Sections 8.02 through 8.11, along with the Guidelines attached hereto, provide specific requirements related to the permit or license and the application process.

(b) A permit or license application shall be considered to have been filed on the date that it is received by the appropriate District department. District staff shall not accept a permit or license application that is incomplete. The appropriate District department shall review applications within a reasonable amount of time of receipt and declare the application either accepted for consideration or rejected. In the event the permit or license application is rejected, the applicant will be required to submit a new application for any further consideration. Acceptance of an application during the administrative review phase only indicates that the permit or license application contains all necessary information for consideration. Such acceptance is unrelated to the outcomes of subsequent phases of the application process.

(c) The appropriate District department shall notify the applicant that their permit or license application has been accepted. Accepted applications shall proceed to the technical review phase.

(d) District staff shall commence a technical review of a permit or license application after it is deemed administratively accepted. District staff shall consider any information submitted in the application. During the technical review phase, District staff shall notify the applicant of any additional information necessary to complete the review. The applicant shall provide the requested information as requested by District staff within the time period prescribed in the applicable Guideline, unless otherwise authorized in writing by the District. Once the applicant has submitted all required information, the District staff shall complete the technical review within a reasonable amount of time depending on the complexity of the request.

(e) If the applicant fails to provide further information as requested by District staff within the prescribed time period, unless the time period is extended in writing by District staff, the permit or license application shall be deemed technically incomplete and rejected. There shall be no restriction on subsequent permit or license applications.

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(f) Upon a determination that an application for a permit or license application is technically approved, a final permit decision shall be made in accordance with Section 8.01(i).

(g) A permit or license application may be amended at any time prior to the issuance of a permit or license application for non-substantive changes. Non-substantive changes include slight alterations that do not change the size, footprint, or location of the permitted facility. Substantive changes may be proposed prior to the completion of the technical review phase. However, after completion of the technical review phase, substantive changes shall require a new permit or license application.

(h) A permit or license application may be withdrawn at any time prior to the issuance of a permit or license. An applicant may request an extension of any deadline during the administrative review or technical review phases. Extension requests must be in writing and shall explain in detail the need for additional time. Such requests shall be subject to written approval by the District.

(i) Upon completion of the technical review, District staff shall coordinate any necessary changes with the applicant and make a determination to approve, approve in part, or deny the permit or license application. If District staff approves the permit or license application in full or approves the permit or license application in part, District staff shall prepare and deliver the permit or license, either by mail or electronic transmission, to the applicant, which may include any conditions that the District deems appropriate. If District staff denies the permit or license application, District staff shall issue a letter notifying the applicant that the permit has been denied. The applicant shall have the time period prescribed in the applicable Guideline, unless otherwise authorized in writing by the District, to provide written comments, if any, to District staff. District staff shall then consider applicant's comments and within a reasonable amount of time either issue a permit or license or reaffirm denial of such permit or license. A copy of the executed permit or license application shall be delivered, either by mail or electronic transmission, to the applicant.

(j) The permittee's rights to Construct, Modify, expand, or utilize the facility is limited by the terms and conditions set forth in the permit or license application.

(k) Permits or license for activities on District Land or District Water will be issued only when such activities align with the public's best interest, taking into account public safety, public access, environmental quality, navigational safety, and recreational enjoyment. Permits will not be granted if the proposed activity significantly impairs the shared use of District Water or District Land, contributes to environmental degradation, creates hazards to public safety, or provides exclusive benefits to any individual or entity at the expense of the general public. All proposed activities requiring permits or licenses will be assessed for their cumulative impact on the natural resources and the equitable use by the broader community of District Land and District Water.

Section 8.02 Residential Improvement Permit.

(a) A Residential Improvement Permit is required before Constructing new Improvements or Modifying existing Improvements on District Land or District Water. A Residential Improvement Permit is always needed for any Modification that changes the square

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footage of an existing Improvement. Residential Improvements are regulated by this Ordinance and the District's Residential Improvement Permit Guidelines, which is incorporated herein by reference as if fully set forth herein, as currently in effect and as it may be amended from time to time.

(b) Only after compliance with this Section 8.02 and the Residential Improvement Permit Guidelines attached hereto may a Residential Improvement Permit be issued. The District may, in its sole and absolute discretion, waive the Residential Improvement Permit requirement if the proposed changes are deemed insignificant. Residential Improvement Permits are non-transferable and must be prominently displayed at the Construction site for which it was issued.

(c) The permittee's rights to Construct, Modify, expand, or utilize the facility is limited by the terms and conditions set forth in the Residential Improvement Permit.

(d) If Construction cannot be completed within the time limits specified in the Residential Improvement Permit Guideline, the permittee may request an extension. Any extension, for a time period prescribed by the District following the expiration of the time limit set forth in the Residential Improvement Permit, may be granted at the sole discretion of the District. If an extension fee applies as set forth in the Guidelines, it must be paid before an extension may be granted. If an extension is granted and the applicant fails to complete Construction of the facility within the extended timeframe, then the Residential Improvement Permit shall be cancelled. If the applicant still desires to obtain a Residential Improvement Permit, the applicant shall be required to submit a new application and restart the process.

Section 8.03 Commercial Construction Permit.

(a) A Commercial Construction Permit is required before Constructing new Commercial Facilities or expanding, Modifying, removing, or reconstructing existing Commercial Facilities on District Land or District Water. A Commercial Construction Permit is always needed for any Modification that changes the square footage of a Commercial Facility or any Construction requiring a pump-out facility. Construction or Modification of a Commercial Facility is regulated by this Ordinance and the District's Commercial Construction Permit Guidelines, which is incorporated herein by reference as if fully set forth herein, as currently in effect and as it may be amended from time to time.

(b) Only after compliance with this Section 8.03 and the Commercial Construction Permit Guidelines may a Commercial Construction Permit be issued. The Commercial Construction Permit Guidelines will provide details on the Administrative Review, Public Notice, Technical Review, and Final Approval process for obtaining a Commercial Construction Permit. Throughout the process, the Commercial Construction Permit will be reviewed for compliance with this Ordinance and the Commercial Construction Permit Guidelines.

(c) The District may, in its sole and absolute discretion, waive the Commercial Construction Permit requirement if the proposed changes are deemed insignificant. Commercial Construction Permits are non-transferable and must be prominently displayed at the Construction site for which it was issued.

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Section 8.04 Annual Commercial Operating License.

(a) An Annual Operating License is required to operate a Commercial Facility on District Land or District Water. No Commercial Facility may operate on District Land or District Water without an Annual Operating License issued by the District. Commercial Activities are regulated by this Ordinance, the District's Commercial Activity Guidelines, and the District's Commercial Operating License Guidelines, each of which is incorporated herein by reference as if fully set forth herein, as currently in effect and as it may be amended from time to time.

(b) The District may only issue the Annual Operating License after:

(1) Reviewing and processing the completed application in accordance with the Commercial Operating Guidelines attached hereto;

(2) Inspecting the Commercial Facilities for compliance with this Ordinance; and

(3) Receiving the required fee.

(c) An Annual Operating License shall be renewed annually.

(d) The owner's right to operate the Commercial Facility is limited by the terms and conditions set forth in the Annual Operating License.

(e) Commercial Facilities must be clean, attractive, and maintain operational safety, as determined by the District in its sole and absolute discretion. Noncompliant Commercial Facilities will be classified accordingly and will be subject to the requirements of Section 8.05.

Section 8.05 Temporary Commercial Operating License.

(a) Noncompliant Commercial Facilities must obtain a Temporary Operating License within thirty (30) days of notification by the District of the Commercial Facility being deemed a Noncompliant Commercial Facility. Commercial Activities are regulated by this Ordinance, the District's Commercial Activity Guidelines, and the District's Commercial Operating License Guidelines, each of which is incorporated herein by reference as if fully set forth herein, as currently in effect and as it may be amended from time to time.

(b) The District may only issue the Temporary Operating License after:

(1) Reviewing and processing the completed application in accordance with the Commercial Operating License Guidelines attached hereto; and

(2) Receiving the required fee.

(c) The owner's right to operate the Commercial Facility is limited by the terms and conditions set forth in the Temporary Operating License.

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(d) The Temporary Operating License is valid for a period set by the District, not to exceed one (1) year, to allow for necessary repairs. The District may renew the Temporary Operating License if the facility owner is making reasonable progress toward compliance.

Section 8.06 Special Commercial Operating License.

(a) A Special Operating License is required to operate a Commercial Activity on District Land or District Water. The Special Operating License is for Commercial Activities that will operate for a designated period, not to exceed three (3) months. No Commercial Activity may operate on District Land or District Water without a license issued by the District. Commercial Activities are regulated by this Ordinance, the District's Commercial Activity Guidelines, and the District's Commercial Operating License Guidelines, each of which is incorporated herein by reference as if fully set forth herein, as currently in effect and as it may be amended from time to time.

(b) The District may only issue the Special Operating License after:

(1) Reviewing and processing the completed application in accordance with the Commercial Operating License Guidelines attached hereto;

(2) Inspecting the Commercial Facilities for compliance with this Ordinance; and

(3) Receiving the required fee.

(c) The Special Operating License is valid for a designated period, not to exceed three (3) months. If the Commercial Activity is planned or reasonably expected to continue for longer than three (3) months, an Annual Operating License is required.

(d) The owner's right to operate the Commercial Facility is limited by the terms and conditions set forth in the Special Operating License.

(e) Commercial Facilities must be clean, attractive, and maintain operational safety, as determined by the District in its sole and absolute discretion. Noncompliant Commercial Facilities will be classified accordingly and will be subject to the requirements of Section 8.05.

Section 8.07 Event Permit.

(a) An Event Permit is required for any Event on District Land, District Water, and/or District Parks. Events are regulated by this Ordinance and the District's Event Permit Guidelines, which is incorporated herein by reference as if fully set forth herein, as currently in effect and as it may be amended from time to time. The District Manager may, in its sole discretion, designate a particular site for any Event. The District may only issue an Event Permit after:

(1) Reviewing and processing the completed application in accordance with Section 8.01; and

(2) Receiving the required fee.

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(b) The permittee must have the Event Permit posted or in their possession at all times during the Event. The permittee's rights to host the Event is limited by the terms and conditions set forth in the Event Permit.

Section 8.08 Right of Entry Permit.

(a) A Right of Entry Permit is required for any Person entering District Land, District Water, and/or District Parks on behalf of a third party for activities such as investigations, surveying, utility installation/maintenance, Construction, and/or Modifications. The Right of Entry Permit requirement ensures all activities conducted on District Land or District Water are done in compliance with this Ordinance and any property rights held by the District, as applicable. Entry on or over District Land, District Water, or District Parks is regulated by the District, this Ordinance, and the District's Right of Entry Permit Guidelines, which is incorporated herein by reference as if fully set forth herein, as currently in effect and as it may be amended from time to time. The District may only issue a Right of Entry Permit after reviewing and processing the completed application in accordance with Section 8.01.

(b) The permittee must have the Right of Entry Permit posted or in their possession at all times during the conduct of the permitted activities. Failure to do so may result in revocation of the Right of Entry Permit and cessation of activities.

(c) The rights of the permittee are limited by the terms and conditions set forth in the Right of Entry Permit.

Section 8.09 Encroachment Permit.

(a) An Encroachment Permit is required before Constructing new Improvements or Commercial Facilities, or Modifying existing Improvements or Commercial Facilities, within the limits of any Right-of-Way located on District Land or District Water, including pipeline Right-of-Ways. Encroachments are regulated by this Ordinance and the District's Encroachment Permit Guidelines, which is incorporated herein by reference as if fully set forth herein, as currently in effect and as it may be amended from time to time. The District may issue Encroachment Permits in its sole and absolute discretion.

(b) Only after compliance with this Section 8.09 and the Encroachment Permit Guidelines may an Encroachment Permit be issued. The Encroachment Permit Guidelines will provide details on the application process.

(c) The District reserves the right to approve or deny, in its sole and absolute discretion, any Encroachment Permit application.

Section 8.10 On-Site Sewage Facility Permit.

(a) An OSSF Permit is required before Constructing new, or Modifying existing, OSSFs on lands subject to the District's OSSF Waste Control Order. OSSFs are regulated by this Ordinance and the District's OSSF Permit Guidelines, which is incorporated herein by reference as if fully set forth herein, as currently in effect and as it may be amended from time to time. The District may issue OSSF Permits in its sole and absolute discretion.

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(b) Only after compliance with this Section 8.10 and the OSSF Permit Guidelines may an OSSF Permit be issued. The OSSF Permit Guidelines will provide details on the application process and requirements.

(c) A permit is required for constructing or placing any container or OSSF on lands subject to the District's OSSF Permit Guidelines. A non-refundable permit application fee is required before Construction. The permit is valid for one (1) year from the date of issuance. If final inspection is not completed to the District's satisfaction within such time, the permit will terminate, and a new application with all appropriate fees and documents must be submitted.

(d) The District reserves the right to approve or deny, in its sole and absolute discretion, any OSSF Permit application.

(e) Failure to repair a malfunctioning OSSF, or to take adequate measures to abate an immediate health hazard caused by such a system, after notice from the District, is a violation of this Ordinance.

Section 8.11 Special Permit. A Special Permit is required for activities not specifically addressed in this Ordinance but which involve the private or commercial use of District Land or District Water. To obtain a Special Permit, a Persons should submit an application pursuant to and in accordance with the Event Permit Guidelines, which shall apply to the Special Permit application process. The District may only issue a Special Permit after reviewing and processing the completed application in accordance with Section 8.01.

Section 8.12 Permit and License Fees.

(a) The District will periodically set fees for permits and licenses obtained for use of District Land or District Water. These fees are set to cover the District's administrative costs. Fees are as set forth in the appropriate permit or license Guidelines.

(b) Permit or license fees set by the District are in addition to and separate from any lease fees for District Land where a Commercial Facility is located.

(c) All fees must be paid before a permit or license is issued, unless a written alternative payment schedule is agreed upon.

(d) The District may change the amount of fees at any time in their sole and absolute discretion. Fee increases by the District take effect on March 1 each year, with permittees and licensees notified by August 1 of the previous year. The amount of such fees shall be as set forth in the Guidelines, as amended from time to time.

Section 8.13 Permit and License Guidelines. The District's Board of Directors may consider updates to the Guidelines every two (2) years. The Guidelines may be amended by the District or its representatives from time to time without notice. Always check the District's website or the applicable District department for the most recent version of the Guidelines.

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SECTION 9. PERMIT AND LICENSE ENFORCEMENT AND COMPLIANCE

Section 9.01 A Person's application for and acceptance of any permit or license constitutes the permittee's acceptance of the provisions of this Ordinance.

Section 9.02 The issuance of any permit or license is at the sole discretion of the District. The District assumes no responsibility or liability for the issuance of any permit or license, or the design of Improvements or Commercial Facilities. All Improvements and Commercial Facilities shall be constructed and maintained at the sole risk and expense of the Person constructing them.

Section 9.03 Any wharf, dock, boathouse, or similar structure deemed by the District a Noncomplying Facility or abandoned must be repaired by and at the expense of the owner to meet District standards, or the permit may be revoked, and the structure removed at the owner's expense.

Section 9.04 Any raw water intake for purposes other than (1) irrigating a Shoreline single-family residence, or (2) fish cleaning stations, requires a Residential Improvement Permit and water use contract with the District.

Section 9.05 Fuel Facilities are not allowed on any Non-Commercial Facilities or Watercraft.

Section 9.06 Failure to comply with permit or license terms constitutes a Breach of License Regulations and may result in permit or license revocation and penalties in accordance with this Section 9. The District will notify the permittee of non-compliance, allowing at least five (5) days to comply before revocation. The District may charge fees for inspection time if Construction is non-compliant. The District reserves the right to remove Improvements or Commercial Facilities at the owner's expense.

Section 9.07 The General Manager may adopt or amend rules governing the Construction or Maintenance of Improvements on District Land or District Water.

Section 9.08 Any Improvement existing on the effective date of this Ordinance that is not permitted in accordance with this Ordinance will be designated as a Noncomplying Facility. Noncomplying Facilities are subject to the following:

(a) A Noncomplying Facility may not be enlarged or altered without the appropriate permit. Ordinary maintenance and repairs are permitted without a permit;

(b) If a Noncomplying Facility requires substantial replacement, it cannot be reconstructed without the appropriate permit. Whether or not the Noncomplying Facility needs substantial replacement or ordinary maintenance and repairs is subject to determination by the District Manager, in their sole and absolute discretion;

(c) If a Noncomplying Facility is moved, it must be repaired to comply with this Ordinance; and

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(d) If a Noncomplying Facility becomes a hindrance, Nuisance, or hazard, the owner must remove it at the owner's expense. If the owner fails to do so, the District may remove it and recover costs from the owner.

(e) The District is not liable for the removal of any Noncomplying Facility.

Section 9.09 Inspections. To ensure compliance with the permitting and licensure requirements set forth under Section 8, District Inspectors will:

(a) Inspect the Commercial Facility before issuing an Annual Operating License, Temporary Operating License, or Special Operating License;

(b) Before issuance, and at any time after the issuance, of a Commercial Construction Permit or Residential Improvement Permit; and

(c) Inspect Improvements and Commercial Facilities from time to time without prior notice during normal business hours.

Section 9.10 Suspension or Revocation of Permits and Licenses.

(a) A license or permit issued by the District may be suspended or revoked if:

(1) It was issued based on incorrect information;

(2) The Improvement, Commercial Facility, or activity violates this Ordinance or any law;

(3) Required fees are unpaid;

(4) Entry by a District Inspector is denied;

(5) Work or operations continue after a Stop Work Order;

(6) Illegal or offensive activities occur on the premises;

(7) Applicable insurance requirements are not maintained; or

(8) Construction does not comply with District approved plans, this Ordinance, or applicable building code(s).

(b) If Construction is not compliant, the District will notify the owner, operator, or contractor, who will have five (5) business days to comply before fees are charged or the Commercial Construction Permit is revoked in accordance with Section 9.11(c).

(c) If a license or permit is suspended or revoked, the licensee or permittee can appeal to the District by notifying the General Manager within fourteen (14) calendar days of the decision. The District will address the appeal within thirty (30) calendar days and may consider any information pertaining to the license or permit provided by the licensee or permittee. After consideration, the District's decision on the revocation is final and not appealable. If the license or

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permit is revoked, the facility must be removed from District Land or District Water by the owner, or the District may remove such facility at the owner's expense without liability to the owner.

(d) The District may waive certain requirements of this Ordinance in its sole and absolute discretion.

(e) The District may charge fees for additional District Inspector review time. Such fees shall be as set forth in the Guidelines.

Section 9.11 District's Right to Entry, Inspection, and Information.

(a) To conduct inspections or enforce this Ordinance, the District Inspector or its authorized representatives may enter any part of a Commercial Facility during normal business hours, presenting credentials and requesting entry. They may use any boat ramp or docking service without charge. Denying access can lead to immediate revocation of any District-issued license or permit.

(b) Commercial Facilities must provide names and addresses of all boat storage lessees to the District upon request.

Section 9.12 Stop Work Order. If Construction work violates this Ordinance, District Inspectors may issue a written Stop Work Order to those involved. Failure to comply can result in immediate revocation of any District-issued license or permit.

Section 9.13 Improperly Permitted or Un-Permitted Construction. Construction or Modification of a Commercial Facility or Residential Improvement without a properly issued and valid permit, or continuing such Construction after a Stop Work Order, is a violation of this Ordinance subject to enforcement by the District. Such Person committing any such Construction violation is guilty of a Class C Misdemeanor and subject to enforcement by District Officers under Section 6 of this Ordinance.

Section 9.14 Noncomplying, Dilapidated, Abandoned, or Nuisance Commercial Facilities.

(a) Noncomplying Commercial Facilities must obtain a Temporary Operating Permit in accordance with Section 8.05 of this Ordinance.

(b) Notwithstanding any provision in this Ordinance, the District has the sole discretion to deny or revoke a Commercial Facility's Annual Operating License if, after inspection, the District determines that:

- (1) The Commercial Facility is a Noncomplying Commercial Facility;
- (2) That the Commercial Facility permit would cause or contribute to unsafe Watercraft traffic or congestion on District Waters; or

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(3) That the applicant or owner of the proposed Commercial Facility has not shown sufficient financial ability to complete or operate the facility satisfactorily or in compliance with the ordinance or applicable law.

(c) Any Commercial Facility deemed a Noncomplying Commercial Facility must be repaired by the owner to comply with this Ordinance, or it will be demolished or removed by the District at the facility owner's expense. The District shall have no liability to the owner for the removal of any such facility.

SECTION 10. DESIGNATION OF USE ON DISTRICT LAND OR DISTRICT WATER

Section 10.01 Designation of Use.

(a) The General Manager of the District is authorized to designate:

(1) Areas of a Reservoir exclusively for swimming, fishing, water skiing, operation of Watercraft, or a combination of such activities;

(2) Areas where the operation of certain Watercraft is prohibited or restricted, or where speed is restricted;

(3) Areas of District Land exclusively for walking, running, hiking, biking, camping, and/or launching Watercraft;

(4) Areas that restrict or allow the use of livestock, horses, or pets (other than service animals);

(5) Areas that restrict the operation, use, or parking of vehicles;

(6) District Parks;

(7) The hours of use for specific venues;

(8) Areas for fire use, outdoor cooking, or where such activities are prohibited;

(9) Areas where other activities are prohibited for safety, operational, sanitary, or other reasons; and

(10) Restricted Areas, Forbidden Zones, and Facilities.

(b) The location of such areas shall be clearly marked by Warning Signs or Buoys in accordance with Title 31, Chapter 55, Subchapter G of the Texas Administrative Code, with signs indicating the boundaries, limits, and purposes of such designations. No Person shall engage in any activity in violation of these designated boundaries, limits, or purposes.

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(c) This Section 9 does not apply to Watercraft owned or operated by the District, the Texas Parks and Wildlife Department, or any other governmental agency performing official duties.

(d) The General Manager is also authorized to designate areas on or around the Reservoirs or other District Water or District Land for public waterfowl hunting. If the General Manager so designates hunting areas, a map showing such areas will be available at the appropriate District department or on the District's website.

Section 10.02 Regulation of Activities In, On, Upon, or Adjacent to District Land or District Water.

(a) No Person may possess or transport any exotic aquatic plant or animal, whether or not listed as harmful or potentially harmful by the Texas Parks and Wildlife Department, to, from, in, or onto any District Water or District Land. This includes, but is not limited to, plants such as hydrilla, water hyacinth, and giant salvinia; fish such as tilapia and Asian carps (including grass, silver, and bighead carp); and zebra mussels.

(b) All Persons leaving or approaching any District Water must drain all water from their Watercraft and onboard receptacles, including live wells, bilges, motors, and any other receptacles or water-intake systems that come into contact with the water. No Watercraft may be placed in or on any District Water unless the Watercraft and its trailer have been cleaned, drained, and rinsed, and either dried completely for at least five (5) days or thoroughly washed with hot (at least 140 degrees Fahrenheit), soapy water using a high-pressure washer. However, a Watercraft and its associated trailer used in a particular Reservoir may be used in that same Reservoir without being dried or washed as provided above. A Watercraft and its trailer may not be cleaned in or on any District Water or District Land following use in non-District reservoirs.

(c) No Person who owns, controls, or operates property along the Shoreline of any District Water may cause vegetation (including trees), soil, rocks, Improvements (including retaining walls), or other materials to fall, slide, or otherwise enter District Water. However, natural shoreline erosion that is not caused by, or the result of, non-natural Improvements or landscaping installed by the Landowner shall not constitute a violation of this Ordinance. Such Persons must remove any such material from District Water immediately, and no later than seven (7) days after the District requests removal, at such Persons sole cost, risk, and expense. If they fail to do so, the District may remove the material, and the Person shall be liable to the District for the cost. The District reserves discretion to enforce in a civil legal proceeding or under Section 6.

(d) No Person shall operate, or cause to be operated, a Drone over any District Land or District Water that contains any of the following:

- (1) A District Facility;
- (2) A water intake structure or facility for the transfer or conveyance of water;
- (3) A pump station and related facilities;

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- (4) A water storage tank;
- (5) A balancing or other Reservoir office;
- (6) A pipeline;
- (7) A dam, spillway, or emergency spillway;
- (8) A supervisory control and data acquisition (SCADA) facility;
- (9) Communications facilities, including cellular or radio towers;
- (10) A District law enforcement facility; or

(11) Any facilities defined as “critical infrastructure” under Chapter 423 of the Texas Government Code or similar state or federal law.

(e) The General Manager is authorized to adopt and amend rules and regulations for the installation, operation, maintenance, and removal of Buoys on District Waters.

SECTION 11. ABANDONMENT OF PERSONAL PROPERTY

Section 11.01 No Person shall abandon personal property on District Land or District Water.

Section 11.02 If personal property, including any motor vehicle, is left unattended for more than forty-eight (48) hours on any District Land or District Waters, it shall be deemed abandoned. This rule does not apply to facilities properly permitted under Section 8.

Section 11.03 Abandoned personal property may be impounded by the District and held in its custody, or, at the District’s discretion, by another governmental or private entity. Abandoned property may be reclaimed by paying (a) fees imposed by the entity holding the property, and (b) all other costs incurred by the District in recovering and storing the property.

Section 11.04 Abandoned personal property impounded under this Section 11 that is not reclaimed within ninety (90) days from the date of impoundment may be sold, released, or otherwise disposed of by the District or another governmental entity in compliance with applicable law, including Chapter 683 of the Texas Transportation Code, without the District being liable to the owner. The District or entity may do so at its discretion, with or without notice.

SECTION 12. DESTRUCTION OF DISTRICT PROPERTY

Section 12.01 It is unlawful to destroy, damage, deface, remove, render inefficient, or relocate any District property, facilities, Improvements, or installations—such as Warning Signs, Buoys, bollards, signs, railings, lights, fencing, or warning devices—on District Land or District Water.

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SECTION 13. MODIFICATION OF DISTRICT LAND OR DISTRICT WATER, DREDGING, AND FILLING

Section 13.01 Any modification of the natural topography, terrain, or surface vegetation of District Land or District Waters, including filling or excavation, is prohibited unless plans and specifications have been approved by the District and authorized by a written permit or other authorization from the General Manager. If modifications are made contrary to the approved plans, the modifier may be required to restore the District Land or District Waters to their original condition at their own cost, risk, and expense. The District assumes no responsibility or liability for the plans, design, or modifications approved or authorized.

SECTION 14. OBSTRUCTION OF NAVIGATION AND WATER FLOW

Section 14.01 No Person shall anchor, construct, or maintain any Watercraft or floating or fixed structure on or in the District Water that prevents, impedes, or interferes with safe navigation or access to District Water by the public. No Person shall construct or maintain in the District Water any fence, pump, pipe, or similar device that changes the normal movement of water and/or wind currents or otherwise interferes with the normal movement of water and floating debris.

Section 14.02 All floating or fixed structures of any type on the District Water shall be adequately marked or lighted so as not to create a safety hazard for the public.

SECTION 15. COMMERCIAL ACTIVITIES

Section 15.01 General. All Commercial Activities on District Water or District Land are regulated by this Ordinance and the Commercial Activities Guidelines, which is incorporated herein by reference as if fully set forth herein, as currently in effect and as it may be amended from time to time, and require proper permitting or licensure in accordance with Section 8. Some Commercial Activities may require an additional or separate operating permit due to their nature. The issuance of any additional or separate permit, and the fee charged, will be at the sole discretion of the General Manager.

SECTION 16. RECREATIONAL FACILITIES

Section 16.01 The General Manager is authorized to adopt and amend rules and regulations for all District recreational facilities, including trails and trailheads on District Parks.

Section 16.02 In addition to the rules and regulations for District Land set out in this Ordinance, the following rules shall apply to District Parks:

(a) District Parks are open from thirty (30) minutes before sunrise until thirty (30) minutes after sunset. Outside of this time, District Parks will be closed, and no Persons may enter into or remain in District Parks, unless with written permission from the General Manager or the time has been extended or reduced by order of the General Manager;

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(b) No Person under the age of sixteen (16) is allowed in District Parks unless accompanied by a competent adult over the age of eighteen (18). Persons are responsible for their minor children at all times while in or on District Parks;

(c) Camping in District Parks is prohibited except with a Special Permit;

(d) District Officers may order any Person to leave District Parks. Failure to comply may result in the Person being charged with Trespass; and

(e) No Person may disturb, remove, or damage any vegetation or wildlife within District Parks, this includes cutting, picking, or uprooting plants and feeding or harassing wildlife.

SECTION 17. EVENTS

Section 17.01 Events with less than 100 Persons will be considered a social gathering and do not require a permit issued by the District. However, organizers of such Events are required to provide notice to the District of such Event. The District Manager may, in its sole discretion, designate a particular site for any Event.

Section 17.02 Events with greater than 100 Persons, whether or not considered a Commercial Activity, must submit an application to the District for an Event Permit in accordance with Section 8.07. The District Manager may, in its sole discretion, designate a particular site for any Event.

SECTION 18. ADVERTISEMENTS

Section 18.01 No private or commercial notices, signs, or advertisements shall be placed on or in District Land or District Water without the prior written permission of the General Manager.

SECTION 19. BOATING, VESSELS, AND WATERCRAFT

Section 19.01 Watercraft on District Waters must be equipped and operated in accordance with all applicable state and federal laws, rules, and regulations, as may be amended from time to time, including, without limitation, the following:

- (a) Inland Rules;
- (b) Texas Water Safety Act, Chapter 31;
- (c) Texas Parks and Wildlife Code;
- (d) Texas Water Code, Title 2, Chapter 26; and
- (e) Texas Administrative Code, Title 30, Chapter 321, Subchapter A.

Section 19.02 Additional rules for operating Watercraft on District Waters include:

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(a) Watercraft deemed unseaworthy by the District or other authorities cannot operate on District Waters. The District is not responsible for the condition or operation of any Watercraft. All Watercraft must be properly documented by the United States.

(b) Motors or engines on Watercraft must have an efficient muffler to prevent excessive noise and smoke. Outboard motors must discharge exhaust gases underwater or be muffled to reduce noise. Inboard motors must condense and silence exhaust gases with water circulation. No Watercraft may be operated in a manner that creates a Nuisance. All Watercraft must be compliant with EPA standards to prevent leaks of Hazardous Materials in or on District Waters and District Land.

(c) Watercraft with a Toilet Facility must: (1) receive and pass inspection by the District Manager, (2) display at all times an inspection decal issued by the District, and (3) pay any fees assessed by the District Manager for such inspection and decal. Inspections occur at designated times and places, with notice given to owners. Operating without a valid decal after the inspection period is a violation. A Justice of the Peace may dismiss charges for expired decals if corrected before the hearing. Transferring decals between Watercraft without permission is strictly prohibited.

(d) No Sewage from Watercraft Toilet Facilities may be emptied into District Waters. Toilet Facilities must have a holding tank for Sewage removal to approved onshore facilities, constructed to withstand corrosion and minimize rupture risk, and properly vented.

(e) Airboats are prohibited in or on District Waters without a Special Permit from the General Manager.

(f) Watercraft cannot serve as an Abode without Special Permit from the General Manager.

(g) Use of sirens or flashing lights by Watercraft is prohibited, except for those operated by District Officers or law enforcement.

(h) Watercraft cannot tow Parasails on District Waters without a Special Permit.

(i) Persons cannot position themselves to be hanging or dangling over the bow, stern, or sides of a moving Watercraft.

(j) Operators must obey all Wake and Warning Signs and Buoys.

(k) Watercraft must not exceed Headway Speed under bridges or overpasses.

(l) Watercraft must stay at least 100 feet from Facilities, Restricted Areas, and Forbidden Zones.

(m) Watercraft must stay at least 100 feet from other Watercraft at greater than Headway Speed.

Commented [ST1]: Do we reference a posted distance rather than a specific one here.

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(n) Watercraft must stay at least 200 feet from swimming areas, boathouses, docks, fishermen, Shorelines, or Buoy-marked lines, except for launching and loading, at greater than Headway Speed.

(o) No Person shall moor Watercraft to Buoys closer than 100 feet to Shorelines, docks, or boathouses, or to Buoys marked “non-anchor.”

(p) Watercraft must be fastened to an anchorage or removed from the water to prevent drifting.

(q) Abandoned or adrift Watercraft will be taken by the District, which will have a lien for fees and expenses incurred by the District in recovering such Watercraft. Watercraft left unattended for more than thirty-six (36) hours are considered abandoned, except when properly secured at permitted facilities. Abandoned Watercraft will be disposed of according to Chapter 683 of the Texas Transportation Code. This Section 19.02(q) does not apply to Watercraft properly secured at a permitted marina, pier, dock, boathouse, or other properly permitted facility.

SECTION 20. SURFACE WATER SPORTS AND SIMILAR ACTIVITIES

Section 20.01 Watercraft engaging in Surface Water Sports at greater than Headway Speed, as well as such Person engaging or participating in the Surface Water Sport, must not approach closer than 200 feet to docks, Improvements, Facilities, swimming areas, other Watercraft, fishermen, or the Shoreline.

Section 20.02 The use of Watercraft and engagement of Surface Water Sports are not permitted on Marine Creek Lake except in designated areas designated by the General Manager of the District.

Section 20.03 All Persons riding or operating Watercraft or participating in Surface Water Sports on District Water must comply with state laws regarding Personal Floatation Devices (PFDs).

Section 20.04 All Surface Water Sports, including, but not limited to, windsurfing, wing foiling, canoeing, kayaking, paddleboarding, jet boarding, and similar activities must comply with this Ordinance.

SECTION 21. WARNING SIGNS AND BUOYS

Section 21.01 No Persons other than the District Manager, District Officers, and/or its employees performing their duties shall place, alter, move, or remove Warning Signs, Buoys, or markers located on District Water.

SECTION 22. DIVING, SWIMMING

Section 22.01 No Person is permitted to wade, swim, dive, snorkel, or participate in similar activities within 100 feet of Watercraft launching areas in District Waters, except within Buoyed swimming areas.

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Section 22.02 No Person wading, swimming, diving, or snorkeling in District Waters shall be more than 100 feet from the Shoreline or a Watercraft, except within Buoyed swimming areas.

Section 22.03 Any Person wading, swimming, diving, or snorkeling in District Waters must comply with all Warning Signs, Buoys, and other District rules or regulations applicable to the water or the District park or land where they entered.

SECTION 23. FIREARMS, OTHER WEAPONS, EXPLOSIVES, AND FIREWORKS

Section 23.01 Except as provided for shotguns and bow fishing by the Texas Parks and Wildlife Department approved equipment, no Person may shoot, fire, or discharge a firearm, explosive device, fireworks, pellet gun, BB gun, compound bow, crossbow, longbow, slingshot, or any other impact device in, on, across, or along any District Land or District Waters, except by Special Permit issued by the General Manager of the District.

Section 23.02 The unauthorized or illegal use of firearms, fireworks, or explosives of any type are prohibited on District Water and District Land.

Section 23.03 Commercial fireworks may be discharged only by Special Permit or written authorization from the General Manager. Other fireworks must not be used dangerously over District Land or District Water.

Section 23.04 This Section 23 does not apply to District Peace Officers or representatives of the District or the Texas Parks and Wildlife Department in the discharge of their official duties.

SECTION 24. FISHING

Section 24.01 All federal and state laws, as well as all rules and regulations established by the Texas Parks and Wildlife Department regarding fishing, apply to District Waters.

SECTION 25. HUNTING

Section 25.01 No hunting is allowed on District Land and District Water without the prior written permission of the General Manager.

Section 25.02 All federal and state laws, as well as all rules and regulations established by the Texas Parks and Wildlife Department regarding hunting, shall apply to District Land and District Waters.

Section 25.03 The use of shotguns is only allowed when used in the hunting of waterfowl during the season open to such hunting and only upon District Land and District Waters expressly designated for such public hunting by the District and located below the Spillway Elevation at each Reservoir. When the use of shotguns is allowed, only steel shot may be used. Lead shot is prohibited at all times on any District Land and District Water.

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SECTION 26. MOTOR VEHICLES

Section 26.01 All motor vehicles operating on District Land shall be confined to designated roads and parking areas, except in designated special-use areas. All motor vehicles operated on District Land shall be licensed for street use and operated by Persons with valid driver's licenses. No motor vehicles may be operated below the conservation pool for all District Waters.

Section 26.02 The District Manager may issue a permit to allow the operation of utility terrain vehicles, all-terrain vehicles, recreational off-highway vehicles, and golf carts on designated District Land. Such vehicles shall be operated by Persons with a valid driver's license.

Section 26.03 All motor vehicles shall be operated in a reasonable and prudent manner not to exceed the posted speed limit.

SECTION 27. POLLUTION PROHIBITED

Section 27.01 The District maintains surveillance programs on watersheds draining into District Waters and pursues a water quality control program. Any detection or report of pollution from oil, gas, Sewage, Hazardous Waste, garbage, sediment, or other unpermitted discharges will be promptly investigated and reported to local, state, and federal governmental agencies, including the City of Fort Worth, the Texas Department of State Health Services, the Texas Railroad Commission, TCEQ, EPA, and the U.S. Army Corps of Engineers.

Section 27.02 The District has adopted the following rules:

(a) No person may discharge, apply, or permit the discharge or application of any chemical, pesticide, or other pollutant onto District Land or District Water or within five stream miles upstream of the Spillway Elevation of any District Reservoir as provided under the TCEQ Watershed Rule (30 Texas Administrative Code Section 311.61) where such discharge is reasonably likely to enter District Water, either directly or via surface flow without substantial natural filtration or dilution.

(b) The use of chemicals, including pesticides, on District Land or District Water at or below the Spillway Elevation of a Reservoir is prohibited without a written permit from the General Manager. A report detailing the chemical type, target vegetation, application method, dose, estimated dispersion, and potential threat to humans or wildlife is required.

(c) No paint or residue resulting from paint application or removal activities shall be allowed to enter District Land or District Water, whether intentional or accidental.

(d) No oil, gas, Sewage, Hazardous Waste, garbage, sediment, or other unpermitted discharge shall be allowed to flow into or upon District Land or District Water, whether intentional or accidental.

(e) The District will report any pollution to the responsible party, who must immediately remove the pollutants at their own expense. The District may pursue enforcement in cooperation with a municipal, state, or federal entity with concurrent jurisdiction or independently.

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If the responsible party fails to take remedial action, the District may do so and seek reimbursement for all incurred costs. Violations of this Section 27 are punishable as provided in Section 6 of this Ordinance.

(f) The District's Water Quality Guidance Manual, which requires compliance with TCEQ regulations, is incorporated herein.

SECTION 28. PROHIBITED ACTIVITIES

Section 28.01 Pursuant to the authority granted by Sections 51.127 and 25.004 of the Texas Parks and Wildlife Code, the following activities are prohibited on District Waters, District Land, and any such lands which are located and conditioned as to cause them to drain to District Waters or Floodway:

- (a) Littering, illegal dumping, improper disposal of waste, and/or vandalism;
- (b) Operating generators in the District public use areas in a manner that disturbs others;
- (c) Campfires in areas not designated for such activity by the District;
- (d) Possessing or using glass containers of any kind in or on District Land or District Waters;
- (e) Feeding any feral or wild animal in or around District Land or District Waters;
- (f) Placing, dumping, abandoning or leaving any animal on District Land or District Waters;
- (g) Range or graze any livestock on District Land or District Waters without written permission from the District;
- (h) Bringing pets or domesticated animals into any public use area and the District trail systems unrestrained or on a leash longer than ten (10) feet (other than official service and assistance animals trained to provide aid), Persons responsible for the pet or domesticated animal shall be responsible for removing any waste produced, the waste shall be deposited into an approved trash/waste container;
- (i) Allowing pets or domesticated animals into a designated swimming area;
- (j) Bringing livestock, including horses, into the District Parks, unless written permission is granted by the District;
- (k) Discharging fireworks or detonating explosives, unless written permission is granted by the District;

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- (l) Using any device constructed and operated to launch projectiles on or over the District Land or District Waters;
- (m) Fishing from all public boat ramps and courtesy docks, unless otherwise designated;
- (n) Diving or jumping into District Waters from a height of twenty (20) feet or more, and climbing or rappelling on the District Land;
- (o) Diving or jumping into District Waters from a public highway, roadway bridge, railroad bridge, water intake structure, utility tower, or any other structure that is not privately owned;
- (p) Operating vehicles off-road on the District Land or District Waters, except as specifically authorized by the District;
- (q) Using all-terrain vehicles, dirt bikes, golf carts, UTVs or other vehicles not licensed by the State of Texas for use on public roadways, in the District public use areas and on the District Land or District Waters, without the prior written permission of the District Manager;
- (r) Locating or constructing Improvements or structures on the District Waters or District Land to include placement of privately owned buoys without written permission from the District;
- (s) Dredging, filling or otherwise altering or reconfiguring the beds of District Waters, or excavating, filling, or reshaping of the District Land without written permission from the District;
- (t) Installing or constructing a residential boat ramp and/or rail system; provided, however, boat ramps and rail systems in place prior to this date of this Ordinance may remain in place, subject to the provisions of Section 9.09 as a Noncomplying Facility. Any boat ramp or rail system installed or constructed in violation of these regulations is subject to immediate removal;
- (u) Installing or constructing a commercial boat ramp and/or rail system not developed in accordance with an authorized Commercial Activity permit; provided, however, the District reserves the right to deny the installation or Construction of a commercial boat ramp associated with a Commercial Activity permit. Any boat ramp or rail system installed or constructed in violation of these regulations is subject to immediate removal;
- (v) Aviation activities, including landing and take-off, are not allowed on District Land or District Waters, except by Special Permit issued by the District Manager or in cases of emergency services;
- (w) Stopping, standing, or parking a vehicle where a posted sign prohibits stopping, standing, or parking;

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(x) Any Commercial Activity without the appropriate permit in or upon District Land or District Waters; and

(y) Publishing or displaying private notices, advertisements, or signs, other than no trespassing/private property signs, on District Waters and District Land, except by specific written permission of the District.

Section 28.02 Prohibited Use of Drones.

(a) Critical Infrastructure Facilities. No person shall launch, land, or operate a Drone over or within 400 feet horizontally of any District Land or District Water that contains any of the following:

- (1) A District Facility;
- (2) A water intake structure or facility for the transfer or conveyance of water;
- (3) A pump station and related facilities;
- (4) A water storage tank;
- (5) A balancing or other Reservoir office;
- (6) A pipeline;
- (7) A dam, spillway, or emergency spillway;
- (8) A supervisory control and data acquisition (SCADA) facility;
- (9) Communications facilities, including cellular or radio towers;
- (10) A District law enforcement facility; or
- (11) Any facilities defined as “critical infrastructure” under Chapter 423 of the Texas Government Code or similar state or federal law.

(b) Interference with Security or Operations. It shall be unlawful to operate a Drone in a manner that interferes with, disrupts, or obstructs the normal operation, maintenance, or security of a critical infrastructure facility.

(c) Image Capture Restriction. No person shall intentionally capture images, video, or data of critical infrastructure facilities for surveillance, reconnaissance, or mapping purposes without prior written authorization, unless otherwise authorized under federal or state law.

(d) Public Safety Areas & Emergency Operations.

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(1) No person shall launch, land, or operate a Drone within 400 feet of any active public safety area, including but not limited to:

- (i) Police or law enforcement incident scenes
- (ii) Fire suppression or hazardous materials operations
- (iii) Traffic accidents or crash investigations
- (iv) Disaster response or rescue efforts

(2) It shall further be unlawful to operate a Drone in a manner that interferes with first responders or emergency management operations during a declared emergency, evacuation, or disaster response.

(e) This Section 28.02 shall not apply to:

(1) Law enforcement, fire, emergency management, or search and rescue personnel acting within the scope of official duties.

(2) Operators acting under written authorization from the District.

(3) Operations authorized by the FAA under 14 CFR Part 107 waiver, Certificate of Authorization, or other federal authorization.

(f) Penalties for violations of this Section 28.02 shall include:

(1) Each act of operation constitutes a separate offense.

(2) Drones operated in violation of this ordinance may be subject to seizure in accordance with applicable law.

SECTION 29. SANITATION

Section 29.01 Sanitation activities are regulated by this Ordinance and the District's On-Site Sewage Facility Permit Guidelines, which is incorporated herein by reference as if fully set forth herein, as currently in effect and as it may be amended from time to time. This Section 29 incorporates by reference all applicable laws, rules, regulations, and orders from any federal, state, or local governmental agency with jurisdiction over District Waters and District Land. Violations of the District's On-Site Sewage Facilities Ordinance or any other applicable laws subject the violator to civil and criminal penalties as provided in 30 Texas Administrative Code, Chapter 285, and this Ordinance.

Section 29.02 It is prohibited to leave dead animals, vegetation, grass clippings, brush, tree trimmings, food, garbage, trash, beverage or food containers, cigarette butts, bodily waste, wastewater, gray water, or any decaying matter on or in District Land or District Waters.

Section 29.03 Discharging or releasing any type of garbage, trash, beverage containers, or bodily waste into District Waters is prohibited.

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Section 29.04 It is prohibited for any Person or enterprise to throw or release any type of refuse on or into District Land or District Water.

Section 29.05 Placing or operating any slaughterhouse, facility for killing or processing animals, feedlot, or enclosure that could pollute the air or District Land or District Water is prohibited.

Section 29.06 Refuse, including garbage, rubbish, and litter, must be deposited onshore in approved receptacles, maintained properly, and disposed of to prevent public health Nuisances and possible contamination of District Waters or District Land.

Section 29.07 Non-commercial fish cleaning stations are allowed but must operate without creating a Nuisance. All refuse from these stations must be disposed of to prevent contamination of District Water or District Land.

SECTION 30. RESTRICTED AREAS

Section 30.01 Access to all Restricted Areas is limited to authorized personnel only. Public use of such critical infrastructure for recreational purposes and fishing would interfere with the proper conduct of District business and the lawful use of District critical infrastructure.

Section 30.02 The General Manager is authorized to close areas of District Land to the public and to restrict activities in certain areas to help ensure the safety and health of the public and to secure and preserve property, Facilities, and Improvements. The General Manager is authorized to designate certain areas of the District Water as restricted to fishing, swimming or other activities. Areas that are restricted will be designated by Warning Signs or Buoys.

Section 30.03 No Person shall enter into such Restricted Areas or engage in any activity that violates a posted prohibition, restriction, sign, or buoy.

Section 30.04 Commercial filming on District Water or District Land, including the use of Drones, is prohibited without a Special Operating License from the District.

Section 30.05 This Section 30 shall not apply to the District-authorized operations, maintenance, patrol, or rescue activities.

SECTION 31. MANAGEMENT PLAN, WATER CONSERVATION, AND DROUGHT

Section 31.01 To reduce water loss and waste in District Water, improve water use efficiency, and extend current water supplies during droughts or shortages, the District has adopted a Lake Resident Water Conservation and Drought Management Plan.

Section 31.02 All Shoreline residents of District Waters must comply with the Lake Resident Water Conservation and Drought Management Plan, as amended from time to time.

Section 31.03 The General Manager of the District may adopt, publish, and enforce rules, codes, ordinances, or orders to prevent waste or unauthorized use of District Water. These

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may be amended as needed and are incorporated herein. The General Manager may also recommend that District customers adopt similar measures.

Section 31.04 In addition to other penalties in this Ordinance, the District may terminate any license, permit, or authorization issued to Shoreline residents for using District Waters for irrigation if they fail to comply with the Lake Resident Water Conservation and Drought Management Plan, including restrictions on frequency, time of day, or day of the week.

SECTION 32. EMERGENCY PROCEDURES

Section 32.01 To protect properties and ensure public welfare, access to District Land and District Waters may be restricted at the discretion of the General Manager.

Section 32.02 Watercraft or Persons found on District Waters or District Land during restricted times, without prior consent from the General Manager or a lawful reason, will be charged with Trespassing.

Section 32.03 District Officers responding to emergencies are authorized to act effectively to address the situation. Emergencies include obstructions, contamination, or hazards to water quality, navigation, or use of District Waters or District Land. Actions are considered “effective” if they contribute to preserving lives or property. This Section 32 takes precedence over other District ordinances and conflicting laws. The District and its Personnel are not liable for failing to use ordinary care in emergencies. Personnel should use a reasonable speed, with marked District vehicles or Watercraft if available, and take measures to prevent property destruction or injury.

SECTION 33. ENFORCEMENT

Section 33.01 The Board of Directors of the District is authorized under Section 49.216 of the Texas Water Code to contract for or employ District Peace Officers. Section 49.216 grants each District Peace Officer the authority to make arrests when necessary to prevent or abate the commission of (a) any offense against this Ordinance when the offense or threatened offense occurs on any land, water, or easement owned or controlled by the District, (b) any offense involving injury or detriment to any property owned or controlled by the District, and (c) any offense against the laws of the State of Texas. District Peace Officers also possess additional powers granted by the Texas Water Code, Texas Penal Code, or any other law. Failing to obey lawful instructions or warnings from District Peace Officers or District Officers is a violation of this Ordinance and is punishable as outlined in Section 6.

Section 33.02 A District Peace Officer who arrests or issues a citation for a violation of this Ordinance may provide the alleged violator with a written notice to appear before a Justice of the Peace Court with jurisdiction over the offense within fifteen (15) days. The Person arrested or cited must sign the notice, promising to appear as required. After signing, the Person may be released. Failing to appear in court constitutes a violation of this Ordinance, and a warrant for arrest may be issued.

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SECTION 34. SEVERABILITY

Section 34.01 If any section, paragraph, or provision of this Ordinance is declared invalid by a court, the remaining parts that still provide a workable plan to achieve the Ordinance's purposes will remain in full force and effect.

SECTION 35. LEGAL NOTICES REQUIRED

Section 35.01 All non-penal provisions of this Ordinance are immediately effective. However, penal provisions will be suspended until they are published once a week for two (2) consecutive weeks in a newspaper with general circulation in the area where District Land or District Water is located, as required by the Texas Water Code.

SECTION 36. PRESENT AND FUTURE DISTRICT LAND AND DISTRICT WATER

Section 36.01 All provisions of this Ordinance apply to any and all District Land and District Water, including all lakes, Reservoirs, or other bodies of water constructed, operated, or maintained by the District, whether currently existing or constructed or acquired in the future.

SECTION 37. RELATIONSHIP TO OTHER LAWS

Section 37.01 When regulations or restrictions in this Ordinance differ from those imposed by any governmental authority, the more restrictive or higher standards will govern, unless they are inconsistent with this Ordinance, in which case the provisions of this Ordinance will prevail.

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As evidence of the enactment hereof on [____], 2025:

WITNESS the signing hereof by Leah King, President of the Board of Directors, and attestation by C.B. Team, Secretary of the Board of Directors, with the District's seal.

Leah King, President

ATTEST:

C.B. Team, Secretary