

ORDER ESTABLISHING RULES AND REGULATIONS REGARDING
USE OF DISTRICT RECREATIONAL FACILITIES

WHEREAS, Mission Bend Municipal Utility District No. 1 (the "District") is a conservation and reclamation district, a governmental agency and body politic of the State of Texas created pursuant to Article XVI, Section 59 of the Texas Constitutions, and Chapters 49 and 54 of the Texas Water Code, as amended; and

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

BE IT ORDERED BY THE BOARD OF DIRECTORS OF MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 1 THAT:

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

Section 2. Pursuant to its authority under Section 54.205 of the Texas Water Code, the following acts are hereby declared to be unlawful within any of the District's recreational facilities:

- (a) use of motorized vehicles, other than upon roads, streets, parking lots or other areas designated for such purpose;
- (b) use of bicycles, roller blades, roller skates or skateboards, unless designated by sign;
- (c) carrying or discharging any firecrackers, rockets, torpedoes, other fireworks, air guns, bows, arrows, blowguns, darts or slingshots;
- (d) carrying any firearms, except those persons duly authorized and licensed by the State of Texas to carry a concealed handgun in accordance with the provisions of the Texas Concealed Handgun Act;
- (e) discharging any firearm;
- (f) hitching, fastening, leading, driving or letting loose any kind of animal or fowl; provided that this shall not apply to dogs or house cats when led by cord or chain not more than six feet long;
- (g) owners not picking up animal waste;

(h) damaging, cutting, breaking, injuring, defacing or disturbing any tree, shrub, plant, rock, building, monument, fence, bench, or other structure, apparatus or property;

(i) cutting or removing any wood, turf, grass, soil, rock, sand, gravel, landscape material or fertilizer;

(j) bringing in and or disposing of outside garbage;

(k) leaving garbage, cans, bottles, papers or other refuse within the recreational facilities in places other than in trash receptacles provided therefore;

(l) burning of any kind;

(m) carrying glass bottles of any type;

(n) carrying and/or consuming alcoholic beverages of any type;

(o) selling or offering for sale any food, drinks, confections, merchandise or services unless such person has a written agreement or permit issued by the District;

(p) camping overnight or using Ambrose Park after 11:00 p.m.;

(q) playing or betting at or against any game that is played, conducted, dealt or carried on with cards, dice or other device, for money, chips, shells, credit or any other representative of value, or maintaining or exhibiting any gambling table or other instrument of gambling or gaming;

(r) using any threatening, abusive or insulting language or language otherwise constituting "fighting words";

(s) committing any obscene, lewd or indecent act or creating a nuisance of any kind;

(t) disturbing in any manner any picnic, meeting, service, concert, exercise or exhibition;

(u) distributing, posting, placing or erecting any advertising, handbill, circular, bill, notice, paper or other advertising devise;

(v) practicing, carrying on, conducting or soliciting for any trade, occupation, business or profession; and

(w) driving golf balls in and around the vicinity of Ambrose Park.

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

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

Section 5. This Order voids and supercedes the Order Establishing Rules and Regulations Regarding Use of District Park dated October 16, 1989.

[EXECUTION PAGE FOLLOWS]

PASSED, APPROVED, AND EFFECTIVE this 17th day of January, 2005.

Merrill H. McDonald
President, Board of Directors

ATTEST:

Deborah B. Cupples
Secretary, Board of Directors

