

* ORDER ESTABLISHING RULES AND REGULATIONS REGARDING
USE OF DISTRICT RECREATIONAL FACILITIES

WHEREAS, Willow Fork Drainage District (the "District"), is a conservation and reclamation district, a governmental agency and body politic of the State of Texas created pursuant to Article XVI, Section 59 of the Texas Constitutions, and Chapters 49 and 51 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 WILLOW FORK DRAINAGE DISTRICT THAT:

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

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

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

Section 4. The District is hereby authorized to publish a substantive statement of these rules, regulations, and penalties as required by Section 51.128 of the Texas Water Code, and such penalties described herein shall be effective and enforceable five days after publication.

[Execution page follows]

PASSED, APPROVED, AND EFFECTIVE this 22nd day of June, 2016.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

(SEAL)

EXHIBIT A

Rules and Regulations

for Willow Fork Drainage District Parks Program

Revised: June 22, 2016

Section 1: Authority

The Board of Directors of Willow Fork Drainage District, acting in its capacity as the governing body of Central Green, Exploration Park, Willow Fork Park and Connector Trails, adopted these Rules and Regulations as of May 25, 2016.

Section 2: Administration

The Board of Directors hereby designates the Park Manager, along with the Fort Bend County Sheriff, the Fort Bend County Constables, On-Site Protection LLC and any District Representative or Consultant and their respective deputies, to enforce these Rules and Regulations.

Section 3: Definitions

As used in these Rules and Regulations:

- a. Alcoholic Beverage means any beverage containing more than one-half of one percent (.5%) of alcohol by volume, which is suitable for use as a beverage, either alone or diluted.
- b. Board of Directors means the Board of Directors of Willow Fork Drainage District.
- c. District means the legal boundaries of Willow Fork Drainage District and the operations therein.
- d. Explosive means any chemical compound or mixture that is commonly used or intended for the purpose of producing an explosion.
- e. Individual means a human being.
- f. Light truck means any truck with a manufacturer's rated carrying capacity not to exceed two thousand (2,000) pounds and it intended to include those trucks commonly known as pickup trucks, paneled delivery trucks, carryall trucks, and vans.
- g. Park means a property owned, operated, or maintained by the District for recreation and enjoyment by the general public, including Central Green, Exploration Park, Willow Fork Park and connecting trails.

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

Section 4: Park Use

No person shall use the park, or any area or facility therein, for any purpose other than for the purpose for which was designed or designated. Children under the age of twelve (12) shall be accompanied by an adult at all times.

Section 5: Park Hours of Operation

No person shall enter into or remain within a park at any time other than during such time as the park is open to the public as designated on the sign posted at or near the entrance of the park, unless given prior written approval by the Board of Directors or its agent. Hours are from dawn to dusk unless specifically noted. Additionally, the Board of Directors of the District and/or the Park Manager has the authority to close a park at any time and for any reason, at the sole discretion of the Board of Directors and/or the Park Manager. If not otherwise indicated by posted signage, a park is deemed to be closed if the gates to the park lots are closed and locked. PARK IS CLOSED TO ALL PERSONS AND ACTIVITIES WHEN THE PARK AREA IS FLOODED - NO EXCEPTIONS.

Section 6: Vehicles

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

Section 7: Alcoholic Beverages and Drugs

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

Section 8: Wildlife

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

Section 9: Plant Life and Amenities

No person shall willfully destroy, disturb, cut, injure, damage, deface or remove any tree, shrub, vine, wildflower, grass, fern, moss, leaves, cones, turf, soil, sand, gravel, landscape material, dead or downed wood, or any other plant life within a park without the consent of or under the direct supervision of the Park Manager. No person shall willfully destroy, disturb, cut, injure, damage, deface or remove any rock, monument, bench, picnic table or other structure, apparatus, amenity, or other park property.

Section 10: Fires/Smoking

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

Section 11: Weapons

No person, other than a peace officer, may carry or possess a weapon within a park except as permitted by law.

Section 12: Explosives

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

Section 13: Animals

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

Section 14: Glass Beverage Containers

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

Section 15: Metal Detectors

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

Section 16: Reservations

Use of any pavilions or facilities at Exploration Park or Willow Fork Park will be on a first-come, first-served basis. Facilities at Central green may be reserved by contacting the Parks Manager. If the area is not cleaned, or the facility or its furnishings are damaged, the Park Manager shall determine the amount necessary to compensate the District for the expense of remedying this default.

Section 17: Use of Loudspeakers

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

Section 18: Dumping and Littering

The disposal of rubbish in any manner other than by depositing it in trash cans

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

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

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

Section 20: Camping

No person shall engage in overnight camping in the park.

Section 21: Defacing of Amenities

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

Section 22: Special Events

No person shall solicit for, hold, or sponsor a special event in a park or park facility without the prior written permission of the Board of Directors, who shall require the provision of liability insurance in amounts as determined in a rental agreement with the Board, with the District named as insured. In addition, the person is required to furnish one or more peace officers, depending on the size of the special event, for security purposes.

Section 23: Decorum

No person shall use any threatening, abusive or insulting language or other language constituted as "fighting words". No person shall commit any obscene, lewd or indecent act or create a nuisance of any kind. No person shall disturb in any manner any picnic, meeting, service, concert, exercise or exhibition. No person shall urinate or defecate within the Park. No person shall play or bet at or against any game that is played, conducted, dealt or carried on with cards, dice or other devices for money, chips, shells, credit or any other thing representing value, or maintaining or exhibiting any gambling table or other instrument or gambling or gaming.

Section 24: Effect on Existing Law

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

Section 25: Enforcement

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

Section 26: Severability

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

Section 27: Amendments

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

Section 28: Posting

These Rules and Regulations shall be posted at the District Office at locations with District Parks and the District's Website www.willowfork.com.

Section 29: Offenses

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

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

Section 30: Effective Date

These Amended Rules and Regulations shall become effective on May 25, 2016. All previously adopted rules and regulations are superseded and repealed effective the same date. The District is not responsible for any accidents or injuries.

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