

LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1.

List of Offenses Under Ordinances, as of March 30, 1961

OFFENSE	ORDINANCE	
	<u>Sec.</u>	<u>No.</u>
<u>ADMISSION FEES:</u>		
Evasion of payment of admission fees	2	III (3-30-61)
Levy of double admission fees in event of illegal entry	3	III (9-16-60) (3-30-61)
<u>BOATING:</u>		
Exceeding speed limit for boat in designated fishing area	10B	I (9-16-60)
Failure of occupant to wear adequate life preserver	4	IV (3-30-61)
Failure of owner to provide life preserver for each occupant	4	IV (3-30-61)
Operating boat in designated Exhibition Area	5	II (3-30-61)
Operating boat in designated Children's Recreational Area	2	V (3-30-61)
Water Safety Law (Failure to Comply)	State Law-Article 1722a, P. C., State of Texas	
<u>CAMPING WITHOUT PERMIT:</u>	10	IV (3-30-61)
<u>ENTRANCES:</u>		
Entering at place other than designated entrance	1	III (3-30-61)
<u>FIRES:</u>		
Building fires in unauthorized locations	9	IV (3-30-61)
<u>FIREARMS OR FIREWORKS:</u>	11	IV (3-30-61)
(Possession or discharge without permission)		
<u>FISHING:</u>		
Fishing in areas where no fishing permitted (general)	9	I (9-16-60)
Fishing in Children's Recreation Area	2	V (3-30-61)
Fishing in designated Exhibition Area	5	II (3-30-61)

OFFENSE	ORDINANCE	
Possession of fish <u>caught by illegal method</u>	11	I (9-16-60)
Possession of fish in ex- cess of <u>bag limit</u>	11	I (9-16-60)
Possession of fish in violation of <u>size limits</u>	12	I (9-16-60)
Selling or buying of fish	13	I (9-16-60)
Unlawful methods of fishing (method other than by ordinary pole and line, rod and reel, fly rod with fly, troll or spinner or any winding device)	8	I (9-16-60)
<u>INTOXICATING BEVERAGES OR LIQUORS:</u>		
Display or consumption in pub- lic place	14	IV (3-30-61)
<u>PARKING:</u>		
Parking in place not designated for parking	2	IV (3-30-61)
<u>PERMITS:</u>		
Holding of special events, ex- hibitions or contests without permit	4	II (3-30-61)
Failure to have recreation per- mit in possession or to exhibit same when duly requested	5	I (9-16-60)
<u>PICNICS:</u>		
(in places not designated or permitted)	10	IV (3-30-61)
<u>PROPERTY:</u>		
Damage or destruction - (private or public)	13	IV (3-30-61)
<u>RECREATION PERMIT:</u>		
Failure to have recreation per- mit in possession	5	I (9-16-60)
Failure to exhibit recreation permit when requested by police officer	5	I (9-16-60)
<u>SANITATION:</u>		
Failure to connect residence with Water & Anti-Pollution System	5(a)	IV (3-30-61)
Garbage - (Failure to dispose as required)	5(b)	IV (3-30-61)
<u>SIGNS AND WARNINGS:</u>		
(Non-Observance)	16	IV (3-30-61)



OFFENSEORDINANCESKIING:

Skiing in area designated for  
fishing

10A I  
(9-16-60)

Skiing in designated  
Exhibition Area

5 II  
(3-30-61)

Skiing in designated  
Children's Recreation Area

2 V  
(3-30-61)

Water Safety Act (Failure to  
comply)

State Law Article  
1722a, P. C., State  
of Texas.

SOLICITATION AND ADVERTISING WITHOUT  
AUTHORIZATION:

6 IV  
(3-30-61)

SPEED LIMITS:

Vehicles on roads or drives

1 IV (3-30-61)

Boats in Fishing Area

10B I(9-16-60)

VIOLATION OF ORDINANCES -  
RULES & REGULATIONS

(Authority of Officers to  
exclude violators)

17 IV  
(3-30-61)

WILD ANIMALS OR WILD LIFE:

(Hunting, trapping or kill-  
ing wild animals or birds)

7 IV  
(3-30-61)

LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT

DISTRICT NO. 1.

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ORDINANCES ENACTED

ORDINANCE NO. 1. enacted on September 16, 1960,

Providing for Peace Officers and Prescribing their Powers and Duties;

Requiring Recreation Permits, Prescribing Fees and Conditions of their issuance;

Regulating Fishing; and,

Declaring Non-Liability of District for Personal or Property Damages.

ORDINANCE NO. II, enacted on March 30, 1961,

Authorizing Special Exceptions to Ordinances, Rules and Regulations to Permit Special Shows, Exhibitions and Contests; and,

Prohibiting Fishing Boating and Skiing interfering with Exhibitions in designated Exhibition Areas.

ORDINANCE NO. III, enacted on March 30, 1961,

Prohibiting unauthorized Entry to Buffalo Lakes Area;

Making Evasion of Payment of Fees Unlawful; and,

Levying of double Admission Fees in event of unauthorized entry or failure to pay regular Admission Fees.

ORDINANCE NO. IV, enacted on March 30, 1961,

Regulating Speed on Roads and Drives;

Providing Sanitary Regulations;

Prescribing Regulations concerning destruction or Damage to Property, Fires, Fireworks and Firearms, Camping, Picnicing, Protection of Wild Animals and Wild Life, Protection of Plants and Shrubs, Adoption of Water Safety Act, Requiring each occupant of boat to wear adequate life preserver, Prohibiting display and/or consumption of intoxicating beverages or liquors in public places, Regulating Solicitation and advertising, Authorizing officers to exclude violators; and,

Declaring Non-Liability of District for Personal or Property Damage.

ORDINANCE NO. V, enacted on March 30, 1961,

Authorizing Designation of Children's Recreational Area; and,

Prohibiting Fishing, Skiing or Boating in Designated Children's Recreational Area.



## ORDINANCE NO. 1

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES; PROVIDING FOR PEACE OFFICERS FOR SAID DISTRICT, PROVIDING FOR THEIR COMPENSATION AND DEFINING THEIR POWERS AND DUTIES; PROVIDING FOR RECREATION PERMITS FOR THE BUFFALO LAKES AREA AND PRESCRIBING THE FEES THEREFOR AND THE CONDITIONS FOR THE ISSUANCE THEREOF; REGULATING FISHING IN THE BUFFALO LAKES AREA; PROHIBITING THE SALE OR PURCHASE OF FISH IN THE BUFFALO LAKES AREA; PRESCRIBING PENALTIES FOR VIOLATIONS FOR THE PROVISIONS OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY TEXAS:

### SECTION 1

#### DEFINITIONS

(A) "District" shall mean The Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas.

(B) "Buffalo Lakes Area" shall mean all that area lying about six miles Southeast of the City of Lubbock, in Lubbock County, Texas, acquired by The Lubbock County Water Control and Improvement District No. 1 from W. H. Rodgers and George Etz by warranty deeds which are recorded in the deed records of Lubbock County, Texas, and the record of which deeds and instruments of conveyance are hereby referred to and incorporated herein by such reference as fully as if copied herein verbatim for all purposes, including the lakes, dams, spillways and all lands adjacent thereto which are owned by The Lubbock County Water Control and Improvement District No. 1, as well as all improvements situated thereon and owned by said District.

(C) "Upper Lake" means the water covered area of Buffalo Lakes above and West of the Causeway and spillway now existing in said Buffalo Lakes Area.

(D) "Lower Lake " means the water covered area of Buffalo Lakes below and East of the causeway and spillway in said Buffalo Lakes Area.

(E) "Person" means an individual, partnership, firm, corporation, association, or other entity.

### SECTION 2

#### APPLICATION OF ORDINANCE

The provisions of this ordinance shall apply to the Buffalo Lakes area and all of the property, land, water and area constituting the property acquired by The Lubbock County Water Control and Improvement District No. 1 and in connection with the use and operation of the Buffalo Lakes area and property, pursuant to the provisions of Title 128, Chapter 3-A of Vernon's Annotated Texas Statutes, including Article 7880-7 of said Statutes.



### SECTION 3

#### PEACE OFFICERS

Realizing that the peace officers of Lubbock County, Texas, due to the pressure of their other duties, should not be primarily depended upon for the enforcement of the provisions of this ordinance as well as any other effective ordinances heretofore or hereafter enacted by the governing body of this District, it is hereby provided that the General Manager of this District is hereby constituted as a peace officer with all of the powers, duties and functions as such peace officer that are hereinafter prescribed for peace officers provided for in this ordinance. It is hereby further provided that the General Manager of this District shall be and such manager is hereby directed, authorized and empowered to appoint, constitute and establish one or more peace officers (in addition to such General Manager who is hereby constituted as a peace officer) of this District. The qualifications and compensation of such peace officers so appointed by such General Manager and the duration of service, shall be fixed by the Board of Directors by appropriate orders. Any such peace officer, including the General Manager of this District in his capacity as peace officer, shall be required to give a good and solvent surety company bond, the premium thereon to be payable by the District, in the penal sum of One thousand and no/100 (\$1,000.00) dollars, payable to this District, which shall be conditioned, insofar as appropriate, in the same manner as is, or may be provided by the laws of the State of Texas with respect to the Sheriffs of counties, but, such bond may contain such other and further conditions as may be deemed by the District to be appropriate. Upon approval of any such bond by the Board of Directors of this District, any such peace officer, insofar as may be appropriate, shall be required to take the oath of office prescribed, or to be prescribed by the laws of the State of Texas for Sheriffs of counties of this state. The duties of any such peace officer, as such, shall be only those authorized by provisions of the Act of the Texas Legislature creating or authorizing the creation of this District shall have no liability for any act of any such peace officer, whether within or exceeding the scope of his lawful authority, save in cases where said officer may be acting under express recorded authorization by The Board of Directors of said Lubbock County Water Control and Improvement District No. 1. Every peace officer appointed and acting as such under this ordinance shall be furnished with a commission and badge to give evidence of his authority to act as peace officer



of such District. Such peace officers may be designated by such titles of position or required to wear, while engaged in the enforcement of the rules, regulations and ordinances of this District, a standard uniform, bearing such insignia as may be prescribed by appropriate orders of the Board of Directors of this District.

Each such peace officer shall have the authority and duty to enforce the provisions of this ordinance and all reasonable rules and regulations adopted hereunder, as well as all other ordinances enacted or adopted by the Board of Directors of this District, and rules and regulations adopted pursuant thereto, in like manner as would be the duty of a sheriff enforcing the laws of the State of Texas; provided, however, that such officers may make arrests only when necessary to prevent or abate the commission of any offense against the provisions of this ordinance, or any amendment thereof, or other ordinances, rules or regulations duly enacted or adopted by the governing body of this District, or any offense against the laws of the State of Texas, when any such offense, or threatened offense occurs upon any land, water, easement, or other property owned or controlled by this District. Any such peace officer, in any event, shall have the power to file specific complaints concerning offenses committed in violation of this ordinance, or other effective ordinances, rules or regulations of this District, or in violation of any laws of the State of Texas, or in violation of any laws of the United States of America.

#### SECTION 4

##### PERMIT - FEES

No person, persons, firm or corporation shall fish or have, use, operate, or maintain a craft or boat in or on the waters of Buffalo Lakes without having first procured a recreation permit from the District. Fees for said recreation permit shall be:

Individual annual recreation permit-

-Includes spouse and members of

household \_\_\_\_\_ \$20.00

Daily fishing recreation permit -

-Individual - 12 years of age and

older \_\_\_\_\_ 1.00

Individual - 6 to 12 years of age \_\_\_\_\_ .25

No fee shall be charged for children under six (6) years of age, and all



children under 12 years must be accompanied by an adult who has secured a valid recreational permit. Daily permits shall be considered to be in effect from midnight to midnight and shall become void at midnight on the date issued. Annual permits shall be considered to be in effect from January 1 through December 31 of the calendar year for which issued.

## SECTION 5

### POSSESSION OF PERMIT REQUIRED

Any person for whom a recreation permit is required under the provisions of this ordinance shall have a valid recreation permit in his or her possession at all times while within the Buffalo Lake area, and upon request shall exhibit the same to any peace officer or other designated official of the District. Failure to have such permit in possession or to exhibit the same as herein provided shall be construed as a violation of the penal provisions of this ordinance.

## SECTION 6

### CONDITIONS OF PERMITS

(A) All recreation permits issued under the terms of this ordinance shall be issued upon the express agreed condition that the acceptance thereof by any person or persons, or the acceptance, enjoyment or exercise of any privilege thereunder by any such permittee shall be and constitute a full and complete release of the Lubbock County Water Control and Improvement District No. 1, or any officer, agent, or employee of such District, from any and all liability for or because of any and all damages that might be sustained by the person or persons receiving or accepting such a permit, or those for which such person or persons may be legally responsible, while on the premises operated or controlled by said Lubbock County Water Control and Improvement District No. 1.

(B) It is further provided that all recreation permits issued under the terms of this ordinance shall be issued upon the condition that by the acceptance thereof by any person or persons, such permittee agrees to abide by all of the applicable ordinances, rules and regulations of this District and all of the applicable State and Federal laws governing the activities, including but not limited to fishing, in which such permittee may engage while in the Buffalo Lakes area, and any violation of any such ordinances, rules, regulations or laws shall subject said permit to immediate revocation and forfeiture of any and all fees paid therefor.



## SECTION 7

### FISHING - STATE LAWS TO GOVERN, EXCEPT AS SUPPLEMENTED OR COMPLEMENTED BY THIS ORDINANCE; PRESCRIBING DATE FOR FISHING IN BUFFALO LAKES

(A) The general laws of Texas, as the same are or may be amended, save and except as the same are or may be lawfully supplemented or complemented by this ordinance, or as the same may be hereafter lawfully supplemented by proper ordinances and regulations passed by the Board of Directors of this District, shall govern and control the taking of fish from the Buffalo Lakes area.

(B) No fishing shall be permitted in Buffalo Lakes area prior to October 10, 1960, 5:00 A. M.

## SECTION 8

### FISHING METHODS

It shall be unlawful in said Buffalo Lakes area to catch, take or attempt to catch or take any fish, or to possess any fish taken by any method, means or device, except by ordinary pole and line, or by means of rod and reel, or fly rod with fly, troll or spinner or any winding device. Both live and artificial bait may be used. All other means or methods of fishing in said Buffalo Lakes area are hereby expressly prohibited.

## SECTION 9

### FISHING NOT PERMITTED EXCEPT IN DESIGNATED AREAS

It shall be unlawful for any person or persons to fish in any portion of the Buffalo Lakes area which has not been designated as a fishing area by the General Manager of the District under appropriate orders of the Board of Directors of this District. Areas in which fishing is permitted shall be all of the upper lake, except an area designated and marked by buoys as a loading and boat docking area, and in those portions of the lower lake from the shore-line to the buoys designating and marking the area in which fishing is permitted. Provided, however, from thirty minutes after sunset to thirty minutes before sunrise, fishing is permitted in any portion of the Buffalo Lakes area, except an area designated and marked as a loading and boat docking area in the upper lake. Appropriate signs shall be erected designating the areas in which fishing is permitted.

## SECTION 10



## PROHIBITED ACTIVITIES IN DESIGNATED FISHING AREAS

(A) No skiing shall be permitted within the designated area for fishing.

(B) No boat in such designated fishing area shall be permitted to exceed a speed of five (5) miles per hour.

### SECTION 11

#### BAG LIMITS - FISHING

It shall be unlawful for any person or persons to catch, take or attempt to catch or take any fish or to possess any fish out of the Buffalo Lakes area in excess of the following bag limits per day:

Bass -----	10
Perch or	
Bream -----	20
Crappie -----	15
Channel cat -----	10

### SECTION 12

#### FISHING - SIZE LIMITS

It shall be unlawful for any person or persons to retain any bass under the minimum length of 7 inches. Bass of less than the minimum length shall be placed back into the lake from which it has been caught.

### SECTION 13

#### SELLING OF FISH PROHIBITED

It shall be unlawful for any person or persons to sell or buy, or offer to buy or sell, or to take or possess for commercial purposes, fish from the waters of the Buffalo Lakes area.

### SECTION 14

#### PENALTIES

The doing of any act forbidden to be done by this ordinance, or the failure to do any act required by the provisions of this ordinance shall be deemed to be a misdemeanor, which, in case of a lawful conviction thereof, shall be punishable by the infliction of a fine of not more than \$200.00, together with the costs of court; provided the fine and costs of court may not exceed \$200.00. The fines collected hereunder, insofar as may not be required for payment of the cost of court, shall be payable to this District and shall be credited to its operational funds. In case of the assessment of a fine hereunder and the refusal or inability of the guilty persons to discharge any such fine, together with the court costs incurred by reason



of the prosecution of the offense, upon order of the Board of Directors of this District, any such person shall be committed to the County Jail to serve out any such penalty at the same rate of credit as would be done to him in case of conviction of a misdemeanor under the laws of the State of Texas. It, however, is provided that no such imprisonment shall be ordered by the court of jurisdiction unless this District makes provision to reimburse the County for the confinement and maintenance of any such person at the same rate per day as would prevail in the case of confinement of a county prisoner, or upon any other basis of a compensation which may be agreed upon between the County Commissioners' Court and the Directors of this District. The penalty hereby authorized shall be in addition to any other penalty provided by the laws of the State of Texas, or by the laws of the United States of America, and may be enforced or imposed under complaints filed by the District, its peace officers, or any other interested person, in an appropriate court of jurisdiction.

Any person, persons, firm or corporation found guilty of violation of any section or sections of this ordinance shall upon request of the District, surrender his permit or lease for suspension or cancellation by the District. In the event of such suspension or cancellation by the District, any fees which may have been paid by the permittee for such permit, shall automatically be forfeited, and the District shall not, in any event, be liable for the return or refund of any part thereof.

#### SECTION 15

##### REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

#### SECTION 16

##### SAVINGS CLAUSE

In the event any particular provision of this ordinance, or any portion of any section or paragraph hereof is judicially declared to be invalid, nevertheless, those parts of this ordinance, and its several paragraphs and subdivisions that shall remain after such declaration, shall have full force and effect.

#### SECTION 17

##### PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect

five (5) days after the second publication of the notice of this ordinance as required by law, and ignorance of any provision of this ordinance, after such publication, shall not constitute a defense to the prosecution for the enforcement of a penalty by this ordinance provided; and the provisions hereof after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of the enactment hereof, on this the 16th day of September, 1960, witness the signing thereof by Earl E. Kerr as Chairman of The Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by Woodrow DeBusk as Secretary of such District, with the imprinting of the District's seal.

/S/ Earl E. Kerr  
Chairman

ATTEST:

/S/ WOODROW DEBUSK  
Secretary

(SEAL)



## ORDINANCE II.

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, PROVIDING FOR SPECIAL EXCEPTIONS TO THE GENERAL ORDINANCES, RULES AND REGULATIONS GOVERNING THE ACTIVITIES AND USE OF THE WATERS OF BUFFALO LAKES AND ADJACENT AREA WITHIN SAID LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, SO AS TO ENABLE THE SAID BOARD TO PERMIT THE PRESENTATION AND HOLDING OF SUCH SPECIAL EXHIBITIONS, PERFORMANCES, SHOWS, CONTESTS AND DISPLAYS, INCLUDING BUT NOT LIMITED TO WATER AND SKIING SHOWS, CONTESTS AND EXHIBITIONS, AND FIRE WORKS EXHIBITIONS AND DISPLAYS, IN OR UPON THE SAID WATERS OF BUFFALO LAKES AND THE ADJACENT AREA, AS MAY BE HEREAFTER DETERMINED AND PERMITTED BY SUCH BOARD, PROVIDED, HOWEVER, NO SUCH SPECIAL EXCEPTION SHALL APPLY FOR MORE THAN FIVE (5) SUCCESSIVE DAYS FOR ANY PARTICULAR EVENT; AUTHORIZING THE SAID BOARD TO GRANT PERMISSION FOR THE PRESENTATION OF SUCH SHOWS, EXHIBITIONS AND DISPLAYS LIMITED TO A PERIOD NOT EXCEEDING FIVE (5) DAYS FOR ANY PARTICULAR EVENT, AND DIRECTING SAID BOARD TO MAKE APPROPRIATE INVESTIGATIONS REGARDING PROPOSED PERFORMANCES AND EVENTS, SO AS TO PREVENT THE HOLDING OF SPECIAL EVENTS NOT IN THE PUBLIC WELFARE, SAFETY AND INTEREST, AND TO PRESCRIBE CONDITIONS WITHIN THE SOUND DISCRETION OF SAID BOARD, FOR GRANTING SUCH PERMISSION, INCLUDING REQUIREMENT FOR PUBLIC LIABILITY INSURANCE, IF ANY, AS THE BOARD MAY DETERMINE; PROVIDING FOR THE ERECTION OF APPROPRIATE SIGNS AND NOTICES, MARKING AND DESIGNATING THE DISPLAY OR EXHIBITION AREA; PROHIBITING THE PRESENTATION OF SHOWS, EXHIBITIONS OR DISPLAYS WITHOUT PERMISSION BY SAID BOARD; PROHIBITING FISHING, BOATING OR ANY OTHER ACTIVITY WITHIN THE DESIGNATED EXHIBITION AREA, EXCEPT IN ACCORDANCE WITH RULES AND REGULATIONS ADOPTED BY SAID BOARD GOVERNING SUCH SPECIAL EXHIBITION OR EVENT; DECLARING NON-LIABILITY OF DISTRICT FOR DAMAGES RESULTING FROM HOLDING OR PRESENTATION OF SUCH EXHIBITIONS OR SPECIAL EVENTS WITHIN SAID DISTRICT; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS:

### SECTION I.

#### SPECIAL EXCEPTIONS AUTHORIZED

The Board of Directors of The Lubbock County Water Control and Improvement District No. 1, shall provide for such special exceptions to the General Ordinances, Rules and Regulations heretofore or hereafter enacted by said Board, governing the activities and use of the waters of Buffalo Lakes and adjacent area within The Lubbock County Water Control and Improvement District No. 1, of Lubbock County, Texas, as may be reasonably necessary and proper for authorizing and permitting the presentation and/or holding of such special exhibitions, performances, shows, contests and displays, including, but not limited to boat racing, skiing exhibitions or contests, and fire works displays or exhibitions, in or upon the waters of said Buffalo Lakes and/or the adjacent area, as may be determined and permitted by said Board; provided, however, no such special exception adopted hereunder for the purpose of authorizing or permitting any particular exhibition or special event shall be effective for more than five (5) consecutive days.



## SECTION 2

### GRANTING PERMISSION FOR SPECIAL EVENTS

The Board of Directors of The Lubbock County Water Control and Improvement District No. 1 may grant permission to any person, firm, corporation or association of persons for the holding or presentation of any such exhibition or special event, under such Special Exceptions to the District's general ordinances, rules and regulations, and under such other reasonable terms and conditions as shall be prescribed or contracted for by said Board; provided, however, that no permission shall be granted with respect to a particular exhibition, display or event which shall exceed a period of five (5) consecutive days. It shall be the duty of the said Board to make or cause to be made appropriate investigation sufficient to determine the type and character of a proposed exhibition or special event, and, in each instance, the Board shall determine that such proposed exhibition or special event shall not be detrimental to the public safety, welfare and interest before granting its permission for the holding of such event. Also, the Board, shall, in its sound discretion, specify such reasonable conditions upon the granting of such permission as the public welfare, safety and interest may require, and the Board may, in its sound discretion, require the permittee to carry public liability insurance or provide such other indemnification in such amounts as the Board shall determine in each instance.

## SECTION 3.

### PERMISSION REQUIRED

It shall be unlawful for any person, firm, corporation or association of persons, to hold and/or present, or to attempt to hold and/or present, or to participate in any special contest, exhibition or display within said Lubbock County Water Control and Improvement District No. 1, of Lubbock County, Texas, without having secured appropriate permission therefor from the Board of Directors of said District as required by this Ordinance.

## SECTION 4

### DESIGNATION OF EXHIBITION AREA

The General Manager of said Lubbock County Water Control and Improvement District No. 1, shall under appropriate rules and orders of the Board of Directors of said District, be authorized to designate the exhibition area for any special event or exhibition for which permission for the holding or



presentation thereof shall have been granted, by appropriate signs, notices and marking for the purpose of informing the public of the boundaries of such area, and of the prohibited activities within such area during the period designated for the holding or presentation of such exhibit or special event.

## SECTION 5

### PROHIBITED ACTIVITIES IN EXHIBITION AREA

It shall be unlawful for any person, firm, corporation or association of persons to engage in fishing, boating, skiing, or any other activity within the designated exhibition area which may interfere in any manner with the holding or presentation of any exhibition contest or special event which has been duly authorized or permitted by the Board of Directors of said Lubbock County Water Control and Improvement District No. 1, except in accordance with the rules and regulations duly adopted by said Board with respect to such special exhibition or event.

## SECTION 6.

### NON-LIABILITY OF DISTRICT FOR PERSONAL OR PROPERTY DAMAGES

The Lubbock County Water Control and Improvement District No. 1 shall not be liable to any person, firm, corporation or association of persons, for damages of any character whatsoever, whether to person or persons or to property, which may accrue or result from the presentation or holding of any exhibition or special event within said District.

## SECTION 7.

### PENALTIES

The doing of any act forbidden to be done by this ordinance or the failure to do any act required by the provisions of this ordinance shall be deemed to be a misdemeanor, which, in case of a lawful conviction thereof, shall be punishable by the infliction of a fine, the amount of which, combined with the costs of court, shall not exceed \$200.00, and each day during which any such violation shall continue shall constitute a separate offense.

## SECTION 8

### REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.



SECTION 9.

SAVINGS CLAUSE

In the event any particular provision of this ordinance, or any portion of any section or paragraph hereof is judicially declared to be invalid, nevertheless, those parts of this ordinance, and its several paragraphs and subdivisions that shall remain after such declaration, shall have full force and effect.

SECTION 10.

PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this ordinance as required by law, and ignorance of any provision of this ordinance, after such publication, shall not constitute a defense to the prosecution for the enforcement of a penalty by this ordinance provided; and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of the enactment hereof, on this the 30th day of March, 1961, witness the signing thereof by O. Gowen as President of the Board of Directors of The Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by H. D. Waller as Secretary of such Board, with the imprinting of the District's seal.

/S/ O. Gowen  
President

ATTEST:

/S/ H. D. WALLER  
Secretary



### ORDINANCE III.

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A, of VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, REQUIRING AND DIRECTING ANY PERSON OR PERSONS DESIRING TO ENTER THE BUFFALO LAKES AREA OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, TO MAKE SUCH ENTRANCE ONLY AT AN OFFICIALLY DESIGNATED ENTRANCE, AND BEFORE ENTERING SUCH AREA TO PAY THE PRESCRIBED ADMISSION FEES OR CHARGES, AND DEFINING UNAUTHORIZED ENTRY INTO SUCH AREA; DECLARING IT TO BE UNLAWFUL FOR ANY PERSON OR PERSONS TO EVADE OR ATTEMPT TO EVADE BY ANY METHOD OR MEANS THE PAYMENT OF ANY FEE OR OTHER CHARGES WHICH MAY BE LEVIED FOR ADMISSION TO OR USE OF BUFFALO LAKES AREA OR ANY FACILITY CONTAINED THEREIN; PRESCRIBING AND LEVYING DOUBLE ADMISSION FEES FOR PERSONS MAKING UNAUTHORIZED ENTRY, AND PRESCRIBING THE DUTIES AND POWERS OF POLICE OFFICERS OF SUCH DISTRICT WITH RESPECT TO UNAUTHORIZED ENTRIES IN SUCH AREA; PROVIDING THAT FAILURE TO PAY SUCH DOUBLE ADMISSION FEES AFTER UNAUTHORIZED ENTRY CONSTITUTES VIOLATION OF THIS ORDINANCE, AND DECLARING SUCH OFFENSE TO BE SEPARATE OFFENSE FROM OTHER VIOLATIONS AND CUMULATIVE OF ANY OTHER OFFENSES COMMITTED IN VIOLATION OF THIS ORDINANCE; PRESCRIBING A PENALTY; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS:

#### SECTION 1.

##### REQUIREMENTS AS TO ENTRANCE AND PAYMENT OF ADMISSION FEES

Any person or persons desiring to enter the Buffalo Lakes Area of The Lubbock County Water Control and Improvement District No. 1, as such Area has been heretofore officially designated pursuant to effective ordinance of the governing Body of such District, for any purpose whatsoever, whether as a pedestrian, or traveling in a motor vehicle, or by any mode of land transportation, are hereby directed and required to make such entrance only at the officially designated entrances thereof, and, before entering, shall stop in the manner and at the place designated and marked, and pay to the designated official of such District the prescribed fees or charges for admission to the said Buffalo Lakes Area, or present to such official a valid Permit Card authorizing such admission. Any entry made into such Buffalo Lakes Area other than at an officially designated entrance, or the failure upon the part of any person or persons to stop at such entrance and make payment of the prescribed admission fees or present a valid Permit Card, all in the manner above stated, shall be considered as an unauthorized entry.

#### SECTION 2.

##### EVASION OF PAYMENT OF ADMISSION FEES PROHIBITED

It shall be unlawful for any person or persons to evade or attempt to evade by any method or means any fee or other charges which may be levied for



admission to or use of the said Buffalo Lakes Area or any facility contained therein.

### SECTION 3.

#### DOUBLE ADMISSION FEES LEVIED IN EVENT OF UNAUTHORIZED ENTRY

It shall be the duty of the duly designated Police Officers of said District to apprehend any person or persons who shall make an unauthorized entry into said Buffalo Lakes Area of said District, either by entering the same in any manner at any place not designated for such entry, or by reason of failure to stop and make payment of the prescribed fees or charges for such admission, and upon apprehending any such person or persons who shall make such unauthorized entry, any such police officer is hereby authorized and directed to demand and receive from such person or persons, for and in behalf of the said District, as an admission fee which is hereby levied, a sum of money equal to two (2) times or double the amount prescribed for the normal admission charges or fees; and failure upon the part of any such person or persons to comply with such demand and make immediate payment of said admission fees in said amount double the normal prescribed admission fees, as herein provided, shall be considered as a violation of this ordinance, and any person or persons so violating shall be subject to prosecution therefor as a separate offense. The offense of failure to pay such double admission fees after unauthorized entry shall be regarded as an offense separate from any other offense hereunder, and may be considered as cumulative of any other offenses which may be committed in violation hereof.

### SECTION 4.

#### PENALTIES

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be fined in any amount which, combined with the costs of court, shall not exceed the sum of two hundred (\$200.00) dollars.

### SECTION 5.

#### REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

### SECTION 6.

#### SAVINGS CLAUSE



In the event any particular provisions of this ordinance, or any portion of any action or paragraph hereof is judicially declared to be invalid, nevertheless, those parts of this ordinance, and its several paragraphs and subdivisions that shall remain after such declaration, shall have full force and effect.

SECTION 7.

PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this ordinance as required by law, and ignorance of any provision of this ordinance, after such publication, shall not constitute a defense to the prosecution for the enforcement of a penalty by this ordinance provided; and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of the enactment hereof, on this the 30th day of March, 1961, witness the signing thereof by O. Gowen as President of the Board of Directors of The Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by H. D. Waller as Secretary of such Board, with the imprinting of the Director's seal.

/S/ O. GOWEN  
President

ATTEST:

/S/ H. D. WALLER  
Secretary

(SEAL)



#### ORDINANCE IV.

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A, OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, REGULATING TRAFFIC ON THE HIGHWAYS, ROADWAYS AND DRIVES WITHIN THE BUFFALO LAKES AREA OF SUCH DISTRICT; ADOPTING THE PROVISIONS OF THE WATER SAFETY LAW OF THE STATE OF TEXAS, DESIGNATED AS ARTICLE 1722a OF VERNON'S ANNOTATED PENAL CODE OF THE STATE OF TEXAS, AND ALL AMENDMENTS THERETO; REQUIRING THAT EACH PERSON OCCUPYING OR RIDING IN ANY BOAT SHALL BE EQUIPPED WITH AND WEAR ADEQUATE LIFE PRESERVER AT ALL TIMES; PROVIDING SANITARY REGULATIONS; REGULATING SOLICITING AND ADVERTISING; PROHIBITING REMOVAL OF SHRUBS OR WILD FLOWERS; PROHIBITING HUNTING, CATCHING, KILLING OR REMOVAL OF WILD BIRDS OR ANIMALS EXCEPT BY SPECIAL PERMISSION FOR PURPOSES OF SCIENTIFIC RESEARCH; REGULATING THE BUILDING OF FIRES; REGULATING CAMPING AND PICNICS; REGULATING THE USE OF FIREARMS AND FIREWORKS; PROHIBITING THE WILFUL DAMAGING AND DESTRUCTION OF PUBLIC OR PRIVATE PROPERTY; PROHIBITING THE DISPLAY OR CONSUMPTION OF INTOXICATING LIQUOR OR BEVERAGE IN ANY PUBLIC PLACE WITHIN THE BUFFALO LAKES AREA; PROVIDING THAT STATE LAW SHALL GOVERN PERSONAL CONDUCT AND USE OF BUFFALO LAKES AREA AND FACILITIES UNLESS PROVIDED OTHERWISE BY ORDINANCE AND REGULATIONS; REQUIRING OBEDIENCE TO LAWFUL INSTRUCTIONS, NOTICES AND SIGNS; AUTHORIZING POLICE OFFICERS OF DISTRICT TO REMOVE OR EXCLUDE ANY PERSON OR PERSONS FROM BUFFALO LAKES AREA WHO SHALL BE IN VIOLATION OF ANY APPLICABLE STATE LAW OR ANY ORDINANCE OR REGULATION OF THE DISTRICT; PRESCRIBING NON-LIABILITY OF DISTRICT FOR PERSONAL INJURIES OR LOSS OF LIFE, OR PROPERTY DAMAGES SUSTAINED IN CONNECTION WITH THE USE OF SAID BUFFALO LAKES AREA OR ANY FACILITIES OF THE DISTRICT; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS:

#### SECTION 1.

##### SPEED LIMITS FOR VEHICLES ON ROADS AND DRIVES

It shall be unlawful for any person to operate or drive a motor vehicle on any highway, drive or roadway within the Buffalo Lakes Area of the Lubbock County Water Control and Improvement District No. 1, of Lubbock County, Texas, as such Area has been designated by valid ordinance of record in Office of said District, at a greater rate of speed than forty (40) miles per hour.

Where the Board of Directors of said Lubbock County Water Control and Improvement District No. 1, has determined that the maximum reasonable and prudent speed at any intersection, or portion of a highway, drive or roadway within such Buffalo Lakes Area is less than the speed limitation hereinabove set forth, or that such motor vehicle should come to a complete stop before proceeding on any such highway, drive or roadway, it shall authorize the General Manager of the District to erect appropriate signs giving notice thereof, and it shall be unlawful for any person to operate or drive a motor or other vehicle at a greater rate of speed than is shown on such sign, or to fail to stop or otherwise drive or operate such vehicle in accordance with the notice



or instruction shown on such sign or signs.

## SECTION 2.

### PARKING IN DESIGNATED PLACES

No person shall park any motor vehicle or any other vehicle except in designated parking places.

## SECTION 3.

### \*\*\*\* ADOPTION OF WATER SAFETY ACT\*\*\*\*

All boats or vessels operated or to be operated upon any of the waters in the Buffalo Lakes Area shall be operated in strict accordance with the provisions of the Water Safety Act of the State of Texas, designated as Article 1722a, of Vernon's Annotated Penal Code of the State of Texas, and all Amendments thereto, and such Act, together with all Amendments thereto, are hereby adopted in all of their terms and provisions by the Board of Directors of said Lubbock County Water Control and Improvement District No.1.

## SECTION 4.

### REQUIRING EACH OCCUPANT OF BOAT TO WEAR ADEQUATE LIFE PRESERVER

In addition to all requirements of the Water Safety Act of the State of Texas, or any other provision of this or any other ordinance, rule or regulation of this District, each person who shall occupy or ride in any boat or vessel of any kind upon any of the waters of the Buffalo Lakes Area is hereby required to be equipped with and wear at all times while in any such boat or vessel, an adequate life preserver.

## SECTION 5

### SANITATION

(a) All owners of cabins or residential houses in the Buffalo Lakes Area are hereby required to connect with the Water and Anti-Pollution System of said District and pay all fees prescribed by the Board of Directors of such District for such services.

(b) All garbage or refuse must be placed in designated containers, and no person shall place any refuse or garbage of any kind, including cans or bottles, in any of the waters of Buffalo Lakes, or on any highway, drive or roadway, or at any other public place within such Buffalo Lakes Area unless the same is placed in a container designated for such use.



(c) No person shall wash any dish, pot, pan, cooking utensil, cutlery or any article of clothing in any of the streams or waters of the Buffalo Lakes Area.

#### SECTION 6.

##### SOLICITING AND ADVERTISING

No person shall solicit, sell or advertise in the Buffalo Lakes Area without the written authorization of the Board of Directors of The Lubbock County Water Control and Improvement District No. 1.

#### SECTION 7

##### REMOVAL OF SHRUBS OR WILD FLOWERS

It shall be unlawful for any person to cut, destroy, damage or remove any tree, bush, shrub, plant or flower growing in the Buffalo Lakes Area. Any person who willfully destroys, cuts, breaks or removes any tree, shrub, bush, plant or flower growing in such Buffalo Lakes Area shall be in violation of this Ordinance.

#### SECTION 8

##### PROTECTION OF WILD LIFE

It shall be unlawful for any person to hunt, trap, pursue, catch or kill any wild bird or wild animal within the Buffalo Lakes Area, except by special permission and under the supervision of the General Manager of the District, for purposes of scientific research.

#### SECTION 9

##### FIRES

Fires may be built only in fire places and other places designated for such purposes, and no person shall build or set any fire within the Buffalo Lakes Area unless built or set at such designated places or with special permission of the General Manager of the District. Any fire built or set in said Buffalo Lakes Area shall not be left untended and upon abandonment of same, the fire shall be completely extinguished.

#### SECTION 10

##### CAMPING

No person shall erect a tent for the purpose of tent-camping, or



otherwise engage in camping, in any portion of the Buffalo Lakes Area, whether along any roadway, or otherwise, without specific written permission from the General Manager of the District, except in areas specifically designated for tenting and/or other types of camping purposes.

SECTION 11.

PICNIC AREA

No person shall picnic in any portion of the Buffalo Lakes Area except in the designated places therefor without the specific approval of the General Manager of the District.

SECTION 12.

FIREARMS AND FIREWORKS

It shall be unlawful for any person other than duly designated police officers to carry into or have in possession any form of firearm in the Buffalo Lakes Area. No person shall discharge or set off within the Buffalo Lakes Area any firecrackers, torpedoes, rockets, cap pistols or other fireworks without special permission from the General Manager.

SECTION 13.

DAMAGE OR DESTRUCTION OF PROPERTY

Any person who shall wilfully or mischievously injure or destroy property of any description, whether public or private, and of a value of \$50.00 or less, shall be guilty of a misdemeanor.

SECTION 14.

DISPLAY OR CONSUMPTION OF INTOXICATING LIQUOR OR  
BEVERAGES PROHIBITED IN PUBLIC PLACES

It shall be unlawful for any person or persons to display, drink or consume any intoxicating liquor or beverage at or in any public place within the Buffalo Lakes Area.

SECTION 15.

APPLICATION OF STATE LAWS

All applicable Laws of the State of Texas now in force, or which may hereafter be enacted, shall govern with respect to the conduct of persons and the operation and use of the properties and facilities of the Buffalo Lakes Area of said Lubbock County Water Control and Improvement District No. 1, except



as legally modified, supplemented or complemented by effective Ordinances and regulations enacted by the Board of Directors of said District.

#### SECTION 16.

##### INSTRUCTIONS, SIGNS AND WARNINGS

No person shall fail or refuse to obey any lawful instruction or warning issued by any Police Officer of the District, nor shall any person fail or refuse to obey any instruction or warning displayed upon any sign erected by the District.

#### SECTION 17

##### AUTHORITY OF OFFICERS TO EXCLUDE FROM BUFFALO LAKES AREA

The General Manager or any police officer of the District shall have the right and authority to exclude and/or remove from the Buffalo Lakes Area any person who is in violation of valid ordinances, regulations or laws governing the conduct of persons and/or the use and operation of the property and facilities of the Buffalo Lakes Area, and any person so excluded or removed shall not be entitled to a refund of any fees paid for admission to the Area.

#### SECTION 18.

##### NON-LIABILITY OF DISTRICT

The Lubbock County Water Control and Improvement District No. 1 shall in no event be liable to any person on account of the loss or damage to any property that may be placed or left in the Buffalo Lakes Area, or any other portion of the District, nor shall such District be liable in any event to any person or persons whomsoever on account of personal injuries or loss of life that may be sustained by any person or persons entering in said Buffalo Lakes Area, or elsewhere in said District, and any person entering in said Buffalo Lakes Area, or elsewhere within said District, shall do so at his sole risk, and shall not be privileged to enter or remain in said Buffalo Lakes Area, or elsewhere within said District, except under the terms and provisions of this Section and such other applicable ordinances, resolutions, orders and regulations that have been, or may hereafter be adopted by the District.

#### SECTION 19

##### PENALTIES

The doing by any person or persons of any act forbidden to be done by this Ordinance or the failure upon the part of any person or persons to do



*Revised  
1976*

ORDINANCE IV

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF CHAPTER 51 OF THE WATER CODE OF THE STATE OF TEXAS AND PARTICULARLY SECTIONS 51.001 THROUGH 51.836 OF SAID WATER CODE REPEALING ORDINANCE NO. IV, HERETOFORE ADOPTED BY THE BOARD OF DIRECTORS ON MARCH 31, 1961, AND SUBSTITUTING IN LIEU THEREOF A COMPLETE NEW ORDINANCE NUMBER IV, WHICH CHANGES, EXTENDS AND ENLARGES UPON THE SUBJECT MATTER THEREIN SET FORTH BY PROVIDING FOR THE FOLLOWING SPECIFIC MATTERS: REGULATING TRAFFIC ON THE HIGHWAYS, ROADWAYS AND DRIVES WITHIN THE BUFFALO SPRINGS LAKE AREA OF SUCH DISTRICT; ADOPTING THE PROVISIONS OF THE WATER SAFETY LAW OF THE STATE OF TEXAS, DESIGNATED AS TITLE 4, CHAPTER 31, SECTIONS 31.001 THROUGH 31.129, INCLUSIVE OF THE TEXAS PARKS AND WILDLIFE CODE, AS NOW EXISTING OR AS IT MAY HEREAFTER BE AMENDED, ALTERED OR CHANGED, VERNON'S ANNOTATED CIVIL STATUTES OF THE STATE OF TEXAS, REQUIRING THAT EACH PERSON OCCUPYING OR RIDING IN ANY BOAT OR SKIING SHALL BE EQUIPPED WITH AND WEAR AN APPROVED PRESERVER AT ALL TIMES: PROVIDING SANITARY REGULATIONS: REGULATING SOLICITING AND ADVERTISING: REGULATING THE SIZE AND TYPES OF BOATS, PERMITTED UPON BUFFALO SPRINGS LAKE AND PROHIBITING ANY HOUSEBOAT OR OTHER TYPE OF BOAT WHICH CONTAINS ANY TYPE OF SANITARY DEVICE OR HOLDING TANK FROM OPERATING UPON SAID LAKE. PROHIBITING REMOVAL OF SHRUBS OR WILD FLOWERS: PROHIBITING HUNTING, CATCHING, KILLING OR REMOVAL OF WILD BIRDS OR ANIMALS EXCEPT BY SPECIAL PERMISSION FOR PURPOSES OF SCIENTIFIC RESEARCH: REGULATING THE BUILDING OF FIRES: REGULATING CAMPING AND PICNICS: REGULATING THE USE OF FIREARMS AND FIREWORKS: PROHIBITING THE WILLFUL DAMAGING AND DESTRUCTION OF PUBLIC OR PRIVATE PROPERTY: PROHIBITING THE POSSESSION, DISPLAY OR CONSUMPTION OF INTOXICATING LIQUOR OR BEVERAGE IN ANY PUBLIC PLACE WITHIN THE BUFFALO SPRINGS LAKE AREA: PROVIDING THAT STATE LAW SHALL GOVERN PERSONAL CONDUCT AND USE OF BUFFALO SPRINGS LAKE AREA AND FACILITIES UNLESS PROVIDED OTHERWISE BY ORDINANCE AND REGULATIONS: REQUIRING OBEDIENCE TO LAWFUL INSTRUCTIONS, NOTICES AND SIGNS: AUTHORIZING POLICE OFFICERS OF DISTRICT TO REMOVE OR EXCLUDE ANY PERSON OR PERSONS FROM BUFFALO SPRINGS LAKE AREA WHO SHALL BE IN VIOLATION OF ANY APPLICABLE STATE LAW OR ANY ORDINANCE OR REGULATION OF THE DISTRICT: PRESCRIBING NON-LIABILITY OF DISTRICT FOR PERSONAL INJURIES OR LOSS OF LIFE OR PROPERTY DAMAGES SUSTAINED IN CONNECTION WITH THE USE OF SAID BUFFALO SPRINGS LAKE AREA OR ANY FACILITIES OF THE DISTRICT: PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE: PROVIDING A REPEALING CLAUSE: PROVIDING A SAVINGS CLAUSE: AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF LUBBOCK COUNTY, TEXAS:

WHEREAS, Ordinance No. IV contains various general purpose subjects with respect to the conduct of persons upon the properties of the Buffalo Springs Lake Area and experience with such ordinance made evident that certain changes should be made in such ordinance for the ultimate benefit of the District and the persons making use of the facilities of the District and that such ordinance should be repealed and re-enacted with certain changes for the purpose of bringing the ordinance into conformity with certain statutes of the State of Texas, which have been amended since March 31, 1961, and for the further purpose of correcting certain provisions therein and establishing new and current provisions therein; and,



WHEREAS, the Board of Directors of said District have, after due consideration, changed the form, terms conditions and provisions of such original Ordinance No. IV and deem it advisable to completely repeal the Ordinance No. IV which was adopted by this Board of Directors on March 31, 1961 and to substitute in lieu thereof an amended Ordinance No. IV as of this date:

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF LUBBOCK COUNTY, TEXAS:

ARTICLE I.

REPEAL

That Ordinance No. IV duly adopted by this Board of Directors on March 31, 1961, be and the same is hereby repealed in its entirety.

ARTICLE II.

SUBSTITUTION

That in lieu and substitution of such Ordinance IV, the following amended Ordinance No. IV shall be and is hereby enacted:

SECTION ONE

SPEED LIMITS FOR VEHICLES ON ROADS, HIGHWAYS  
AND DRIVES

(a) No person shall drive or operate a motor vehicle, motorcycle, motor driven cycle or motor-assisted bicycle on any road, highway, trailway or roadway within the Buffalo Springs Lake Area of the Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, as such area has been designated by ordinance of record in the office of the district, at a rate of speed greater than is reasonable and prudent under the circumstances then existing.

Except when a special hazard exists that requires lower speeds for compliance with subdivision (b) of this Section, the limits shall not exceed forty (40) miles per hour within the Buffalo Springs Lake Area.

(b) Where the Board of Directors of said District determines that the maximum reasonable and prudent speed at any intersection or specific portion of a highway, drive or roadway within the



Buffalo Springs Lake Area is less than the speed limitation hereinabove set forth, it shall authorize the General Manager of the District to erect appropriate signs and giving notice thereof, and it shall be unlawful for any person to operate any such motor vehicle, motorcycle, motor-driven cycle or motor-assisted bicycle at a greater rate of speed than is shown on said sign in such specific area, or to fail to stop or otherwise drive or operate such vehicle in accordance with the notice or instruction on such sign or signs.

(c) It is hereby specifically provided that all of the laws of the State of Texas regulating vehicular traffic on the roads, highways and streets within the State of Texas and particularly Article 670ld. of Vernon's Annotated Texas Statutes being the UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS, including the law relating to driving while intoxicated and the speed laws of the State of Texas, are hereby made applicable to all roads, highways, paved areas, trailways and roadways within the Buffalo Springs Lake Area and all such roads, highways, paved ways, parking areas, trailways and other access roads which are situated within the Buffalo Springs Lake Area are hereby declared to be the public roads and highways within the term as used in such statutes.

(d) Inasmuch as some of the trailways, roads and driving areas within the Buffalo Springs Lake Area are rather narrow, winding and potentially dangerous, especially to those who are traversing the same on motorcycles, motor-driven cycles or motor-assisted bicycles, it is hereby specifically provided that any person who is operating or riding upon any such motorcycle, motor-driven cycle or motor-assisted bicycle upon any road, highway, trailway, cycle trail or public area of the Buffalo Springs Lake Area shall wear at all times protective headgear which has been approved by the Department of Public Safety of the State of Texas.

## SECTION TWO

### PARKING IN DESIGNATED PLACES

No person shall park any motor vehicle or any other



vehicle except in designated parking places. No person shall operate or drive a motor vehicle or any other type of vehicle within the Buffalo Springs Lake Area, except upon those roads, driveways and trails which shall be established, designated and maintained for such express travel.

### SECTION THREE

#### ADOPTION OF WATER SAFETY ACT

All boats, motorboats or vessels operated or to be operated upon any waters in the Buffalo Springs Lake Area shall be operated in strict accordance with the provisions of the WATER SAFETY ACT of the State of Texas, now designated as Title 4, Chapter 31, Sections 31.001 through 31.129, inclusive of the TEXAS PARKS AND WILDLIFE CODE, as amended and such act as it now exists or as it may be amended from time to time by the Legislature of the State of Texas shall be and is hereby adopted in all of its terms, provisions and conditions by the Board of Directors of the Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas; and the same as it now exists or may be hereafter amended and changed shall be applicable to all watercraft navigated or moving on the waters of the Buffalo Springs Lake Area.

### SECTION FOUR

REQUIRING EACH OCCUPANT OF A BOAT, MOTOR BOAT OR VESSEL OR SKIER UPON THE WATERS OF BUFFALO SPRINGS LAKE TO WEAR AN ADEQUATE LIFE PRESERVER

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In addition to all of the requirements of the WATER SAFETY ACT of the State of Texas, or any other provisions of this or any other ordinance, rule or regulation of this District, each person who shall occupy or ride in any boat, motorboat, vessel or water vehicle of any kind or nature or who shall ski upon any of the waters of the Buffalo Springs Lake Area is hereby required to be equipped with and wear at all times while upon the waters of the Buffalo Springs Lake Area, an adequate life preserver.

### SECTION FIVE

#### SANITATION

(a) All owners of cabins or residential houses in the Buffalo Springs Lake Area are hereby required to connect with



the Water and Anti-Pollution System of said District and pay all fees prescribed by the Board of Directors of such District for such services.

(b) All garbage or refuse must be placed in designated containers, and no person shall place any refuse or garbage of any kind, including cans or bottles, in any of the waters of Buffalo Springs Lake or on any highway, drive or roadway, or at any other public place within such Buffalo Springs Lake Area unless the same is placed in a container designated for such use.

(c) No person shall wash any dish, pot or pan, cooking utensil, cutlery or any article of clothing in any of the streams or waters of the Buffalo Springs Lake Area.

#### SECTION SIX

##### ILLEGAL SOLICITING A NUISANCE

(a) Since the Buffalo Springs Lake Area was established as a public recreation area, and sites for cabins, cottages and residential buildings for the personal use of private individuals is permitted for the express purpose of furnishing a quiet and peaceable place where Lot Lessees may erect and construct summer and weekend recreational cabins, cottages and residential buildings for the rest, recreation and relaxation of the occupants and their guests, it is hereby declared that the practice of going in and upon any private summer or weekend recreational cabin, cottage or residential building by solicitors, peddlers, hawkers, itinerant merchants or transient vendors of merchandise, for the purpose of soliciting orders for the sale of goods, wares and merchandise and/or for the purpose of disposing of and/or peddling or hawking the same and/or for the purpose of soliciting and obtaining gifts or contributions of money or any other valuable thing for the support or benefit of any charitable or non-profit organization, association or corporation or project without having been expressly requested or invited to do so by the owner or owners or occupants of said private recreational cabin, cottage or residence is hereby declared to be a public nuisance and an unlawful act.

(b) Likewise, it is hereby declared to constitute a nuisance for any person to engage in the act of (1) soliciting, peddling,



hawking of merchandise or (2) soliciting orders for the sale of goods, wares and merchandise or (3) soliciting and obtaining gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable or non-profit association, organization, corporation or project from the public or from any individual or group of individuals who may be present upon and using the recreational facilities of the Buffalo Springs Lake Area without first having applied for and having been given specific permission by the General Manager or by the Board of Directors of the Lubbock County Water Control and Improvement District No. 1.

(c) Anyone who violates subdivision (a) or (b) of this Section shall be guilty of a misdemeanor, which, in case of conviction thereof, shall be punished by the infliction of a fine, the amount of which, combined with costs of court, shall not exceed Two Hundred Dollars (\$200.00), and each day during which any such violation shall continue shall constitute a separate offense. In addition the doing by any person or persons of any act forbidden to be done by this section or the failure upon the part of any person or persons to do any act required by the provisions of this section, shall constitute a nuisance and may be abated by any person who shall be adversely affected by the act, through any manner provided by law or available to such person so adversely affected.

(d) The provisions of this section of this ordinance shall not apply to officers or employees of the City, County, State or Federal Governments or any subdivision thereof when on official business. Likewise the provisions of this section shall not apply to any act or any individual where the application of the same would deny any individual any of his civil rights under the Constitution and Laws of the United States.

#### SECTION SEVEN

PROHIBITING BOATS OF 26 FEET IN LENGTH AND OVER AND HOUSEBOATS AND OTHER BOATS, CONTAINING PORTABLE OR CARRY-ON MARINE SANITATION DEVICES OR HOLDING SANITARY SEWER TANKS OR ANY PERMANENTLY INSTALLED MARINE SANITATION DEVICE FROM USING THE WATERS OF BUFFALO SPRINGS LAKE AND FROM BEING BROUGHT ONTO ANY PORTION OF  
THE BUFFALO SPRINGS LAKE AREA

(a) It is hereby affirmatively found and declared by the Board of Directors of the Lubbock County Water Control and



Improvement District No. 1 of Lubbock County, Texas, as follows:

1. The Buffalo Springs Lake area contains a water surface of only 225 acres and is too small to permit any boat of 26 feet or more in length to be used upon the waters of said lake.
2. The District does not have any "pump-out" facilities designed to lift and transfer fluids and capable of the removal of sewage from boats.
3. The adoption of this Section is necessary to promote, maintain and protect the health, welfare and safety of those who utilize the recreational accommodations of this District.

(b) As used in this Section:

1. "Person" means an individual, corporation, organization government or governmental agency, or subdivision, business trust, partnership, association or any legal entity.

2. "Boat" means any vessel or other watercraft, whether moved by oars, paddles, sails or other powers or mechanisms, inboard or outboard, or any other vessel or structure floating on the waters of the Buffalo Springs Lake Area, whether or not capable of self-locomotion, including but not limited to cabin cruisers, houseboats, barges, marinas and similar floating objects.

(c) No person shall bring on the Buffalo Springs Lake Area or place or operate in the Buffalo Springs Lake waters any boat of 26 feet or more in length or any houseboat or other vehicle or device designed for sleeping, eating or living accommodations or dwelling; and no boat shall be permitted upon the waters of the Buffalo Springs Lake Area which is equipped with any marine sanitation device, holding tank or other mechanism designed to be used to receive, retain or store sewage.

#### SECTION EIGHT

##### REMOVAL OF SHRUBS OR WILD FLOWERS

It shall be unlawful for any person to cut, destroy, damage or remove any tree, bush, shrub, plant or flower growing in the Buffalo Springs Lake Area, except by special permission and under supervision of the general manager of the District for horticultural and scientific research. Any person who without such permission willfully destroys, cuts, breaks or removes any tree, shrub, bush or plant or flower growing on the Buffalo Springs Lake area shall be in violation of this ordinance.



## SECTION NINE

### PROTECTION OF WILD LIFE

It shall be unlawful for any person to hunt, trap, pursue catch or kill any wild bird or wild animal within the Buffalo Springs Lake Area, except by special permission and under the supervision of the general manager of the District for the purpose of scientific research.

## SECTION TEN

### FIRES

Fires may be built only in fire places and other places designated for such purpose and no person shall build or set any fire within the Buffalo Springs Lake Area unless built or set at such designated places or with special permission from the general manager of the District. Any fire built or set in said Buffalo Springs Lake Area shall not be left untended and upon abandonment of same the fire shall be completely extinguished.

## SECTION ELEVEN

### CAMPING

1. For the convenience of the Public at large engaged in overnight camping three areas shall be provided as follows:
  - (a) Camping area "A" which shall contain full hook-ups including water, sewer and electrical outlets.
  - (b) Camping area "B" which shall contain electrical hook-ups only.
  - (c) Camping area "C" which shall contain no hook-ups.
2. The Board of Directors of the District shall by orders duly entered, establish the respective fees for occupancy of such camping areas and the limits of continuous occupancy thereof. These may be changed, amended or altered from time to time by the Board of Directors.
3. Camping permits shall authorize camping rights and privileges only, and if the applicant desires to utilize fishing or boating privileges of the District, regular fee for such shall be paid.
4. With respect to the use of the camping facilities of this District, the following rules and regulations shall be applicable and must be observed by all campers, viz:
  - (1) Overnight camping will be by permit only and at the specific site or location designated by Lake Ranger on such permit.
  - (2) Camping shall be limited to 14 consecutive days. After



using the camping facilities of the district for the 14-day period, a camper may not use such facilities again until a maximum period of ten days has elapsed.

- (3) Trailers having sinks, lavatories, or toilet facilities will not drain waste on or into the ground.
- (4) T. V., radio, recorded music and instruments shall not be played after 11:00 P.M. in picnic and camping areas in such a manner as to disturb occupants of such areas.
- (5) Children under 17 years of age will not be permitted to register or stay overnight unless adequately chaperoned by an adult.
- (6) When any occupant of a camping area brings a dog or other pet into the camping area, such pet shall not be permitted to run at large upon the Buffalo Springs Lake Area. Any pet must either be kept contained in the travel trailer or placed on a leash if permitted to remain outside. No vicious animal shall be permitted within the camping area; if any animal or pet brought into such area bites or attacks another animal or a person on Buffalo Springs Lake Area, the owner of such animal shall be required to have such animal examined immediately by a veterinarian and quarantined. The expense of such quarantine and examination as well as the treatment of the animal or person so bitten or attacked shall be the obligation of the owner of such animal which shall engage in such vicious conduct.
- (7) It shall be unlawful for any person to possess, display, drink or consume any intoxicating liquor or beverages at or upon any PUBLIC PLACE within the Buffalo Springs Lake Area.
- (8) Firearms shall not be used or displayed at any time on the Buffalo Springs Lake Area and fireworks shall not be displayed or discharged on the Buffalo Springs Lake Area during any season of the year.
- (10) No wild flowers, trees or shrubs shall be picked, cut broken or otherwise mutilated.
- (11) No person shall dump or deposit refuse in the Buffalo Springs Lake Area, and all trash must be deposited in proper receptacles, garbage and trash containers prepared for that purpose.
- (12) Loud, unnecessary noises and improper conduct will not be permitted.
- (13) No person shall willfully injure or destroy or attempt to injure or destroy any property of any kind situated upon the Buffalo Springs Lake Area.
- (14) Patrons may be permitted to bring horses on the Buffalo Springs Lake Area not longer than overnight for riding pleasure and recreation only but (1) no horse shall be tied to or near any tree, shrub or other plant; (2) such horse must be tethered to hitching racks in a designated area and (3) all horses or ponies must be ridden on regular bridle trails or on shoulder of roads and highways and shall not be ridden on the paved roads of the District except in those instances when the use of the paved roads is absolutely necessary to gain access to certain areas of the Buffalo Springs Lake Project.
- (15) Motor vehicles shall not be driven over the roads of the Buffalo Springs Lake Area at greater rates of speed than those shown upon the posted speed signs of the District.
- (16) Vehicle travel shall be permitted only on designated and authorized trails and roads.

## SECTION TWELVE

### PICNIC AREA

No person shall picnic in any portion of the Buffalo Springs Lake Area except in the designated places therefor without the specific approval of the general manager of this District.

## SECTION THIRTEEN

### FIREARMS, FIREWORKS AND EXPLOSIVES

It shall be unlawful for any person other than duly designated police officers to carry into or have in their possession any form of firearm within the Buffalo Springs Lake Area. No person shall store, sell, discharge, explode or detonate upon and within the Buffalo Springs Lake Area any firecrackers, torpedoes, rockets, cap pistols or any other type or kind of fireworks whatsoever. It shall likewise be unlawful for any person to store or to sell or offer to sell any dynamite, nitroglycerin, gunpowder or any explosives of any nature or kind, including the explosive commonly known as TNT upon any of the area encompassed by the boundaries of the Buffalo Springs Lake Area project.

## SECTION FOURTEEN

### DAMAGE OR DESTRUCTION OF PROPERTY

Any person who shall willfully or mischievously injure or destroy property of any description, whether public or private, and of a value of \$50.00 or less, shall be guilty of a misdemeanor.

## SECTION FIFTEEN

### THE POSSESSION, DISPLAY OR CONSUMPTION OF INTOXICATING LIQUOR OR BEVERAGES PROHIBITED IN PUBLIC USE AREA OF DISTRICT

It shall be unlawful for any person to possess, display, drink or consume any intoxicating liquor or beverage at or in any public use area situated on the Buffalo Springs Lake Area. The words PUBLIC USE AREA as used in this section and as applied to the Buffalo Springs Lake area operated by the Lubbock County Water Control and Improvement District No. 1 shall extend to and include all roads, highways, parking areas, lake surface, camping areas, public trailways, picnicking facilities, shoreline, beaches, concession buildings and facilities and all other places within the enclosed boundaries of Buffalo Springs Lake where the public



customarily gathers for recreation and other purposes excepting only the specific lots which may be under lease to private individuals for personal use.

#### SECTION SIXTEEN

##### APPLICATION OF STATE LAWS

All applicable laws of the State of Texas now in force, or which may hereafter be enacted, shall govern with respect to the conduct of persons and the operation and use of the properties and facilities of the Buffalo Springs Lake Area of said Lubbock County Water Control and Improvement District No. 1, except as legally modified, supplemented or complemented by effective ordinances and regulations enacted by the Board of Directors of said District.

#### SECTION SEVENTEEN

##### INSTRUCTIONS, SIGNS AND WARNINGS

No person shall fail or refuse to obey any lawful instruction or warning issued by any Police Officer of the District, nor shall any person fail or refuse to obey any instructions or warning displayed upon any sign erected by the District.

#### SECTION EIGHTEEN

##### AUTHORITY OF OFFICERS TO EXCLUDE FROM BUFFALO SPRINGS LAKE AREA

The general manager or any police officer of the District shall have the right and authority to exclude and/or remove from the Buffalo Springs Lake Area any person who is in violation of valid ordinances, regulations or laws governing the conduct of persons and/or the use and operation of the property and facilities of the Buffalo Springs Lake Area, and any person so excluded or removed shall not be entitled to a refund of any fees paid for admission to the Buffalo Springs Lake Area.

#### SECTION NINETEEN

##### NON-LIABILITY OF DISTRICT

The Lubbock County Water Control and Improvement District No. 1 shall in no event be liable to any person on account of the loss or damage to any property that may be placed or left in the Buffalo Springs Lake Area, or any other portion of the District, nor shall such District be liable in any event to any person or persons whomsoever on account of personal injuries

or loss of life that may be sustained by any person or persons entering in said Buffalo Springs Lake Area, or elsewhere in said District, and any person entering in said Buffalo Springs Lake Area, or elsewhere within said District, shall do so at his sole risk, and shall not be privileged to enter or remain in said Buffalo Springs Lake Area, or elsewhere within said District, except under the terms and provisions of this Section and such other applicable ordinances, resolutions, orders and regulations that have been, or may hereafter be adopted by the District.

#### SECTION TWENTY

##### PENALTIES

The doing by any person or persons of any act forbidden to be done by this ordinance or the failure upon the part of any person or persons to do any act required by the provision of this ordinance shall be deemed a misdemeanor, which, in case of conviction thereof, shall be punishable by the infliction of a fine, the amount of which, combined with costs of court, shall not exceed Two Hundred Dollars (\$200.00), and each day during which any such violation shall continue shall constitute a separate offense.

#### SECTION TWENTY-ONE

##### REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

#### SECTION TWENTY-TWO

##### SAVINGS CLAUSE

In the event any particular provision of this ordinance, or any portion of any section or paragraph hereof is judicially declared to be invalid, nevertheless, those parts of this ordinance, and its several paragraphs and subdivisions that shall remain after such declaration, shall have full force and effect.

#### SECTION TWENTY-THREE

##### PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this ordinance as required by law, and ignorance of any pro-



vision of this ordinance, after such publication, shall not constitute a defense to the prosecution for the enforcement of a penalty by this ordinance provided; and the provisions hereof after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city or the State of Texas.

As evidence of the enactment hereof, on this the 3rd day of May, 1976, witness the signing thereof by R. M. (Max) Wiser, as President of the Board of Directors of The Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by H. D. Waller as Secretary of such Board, with the imprinting of the District's seal.

/s/ R. M. Wiser  
President

ATTEST:

/s/ H. D. Waller  
Secretary

(DISTRICT SEAL)

any required by the provisions of this Ordinance shall be deemed a misdemeanor, which, in case of law conviction thereof, shall be punishable by the infliction of a fine, the amount of which, combined with costs of court, shall not exceed Two Hundred (\$200.00) Dollars, and each day during which any such violation shall continue shall constitute a separate offense.

SECTION 20.

REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION 21.

SAVINGS CLAUSE

In the event any particular provision of this ordinance, or any portion of any section or paragraph hereof is judicially declared to be invalid, nevertheless, those parts of this ordinance, and its several paragraphs and subdivisions that shall remain after such declaration, shall have full force and effect.

SECTION 22

PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this ordinance as required by law, and ignorance of any provision of this ordinance, after such publication, shall not constitute a defense to the prosecution for the enforcement of a penalty by this ordinance provided; and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of the enactment hereof, on this the 30th day of March, 1961, witness the signing thereof by O. Gowen as President of the Board of Directors of The Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by H. D. Waller as Secretary of such Board, with the imprinting of the District's seal.

/S/ O. GOWEN  
President

ATTEST: /S/ H. D. WALLER  
Secretary

(SEAL)



\*\*\*\* WATER SAFETY LAW \*\*\*\*

AN ACT

PROMOTING SAFETY BY REGULATING VESSELS, WATER SKIING, AND AQUAPLANING UPON THE WATERS OF THIS STATE; CONFERRING POWERS AND IMPOSING DUTIES ON THE STATE HIGHWAY DEPARTMENT; CONTAINING A DECLARATION OF POLICY; DEFINING CERTAIN TERMS; REQUIRING BOATS TO BE NUMBERED; ESTABLISHING A FEE THEREFOR; ESTABLISHING PROCEDURES FOR NUMBERING AND THE RENEWAL THEREOF AND TRANSFER OF SUCH NUMBER; REQUIRING SERIAL NUMBERS ON ALL BOATS MANUFACTURED FOR SALE IN TEXAS AFTER APRIL 1, 1960; ESTABLISHING THE OPERATIVE DATE OF THE NUMBERING REQUIREMENTS; AUTHORIZING DEALERS NUMBERS; PRESCRIBING CERTAIN EQUIPMENT; PROVIDING CERTAIN EXEMPTIONS; PRESCRIBING CERTAIN DUTIES, REQUIREMENTS AND FEES FOR BOAT LIVERIES; PROHIBITING OPERATION IN A WILLFUL, WANTON, RECKLESS OR NEGLIGENT MANNER; PROHIBITING OPERATION WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR CERTAIN DRUGS; REQUIRING REPORTS; PROHIBITING LOCAL REGULATIONS IN CONFLICT; AUTHORIZING THE DEPARTMENT TO PROMULGATE RULES AND REGULATIONS; PROVIDING FOR TRANSMITTAL OF INFORMATION; PRESCRIBING CERTAIN PENALTIES; ESTABLISHING ENFORCEMENT PROCEDURES; AUTHORIZING ARRESTS WITHOUT WARRANT; PROVIDING FOR THE DISPOSITION OF FINES; PROVIDING CERTAIN EXCEPTIONS; PROVIDING CERTAIN FEES WHICH ARE IN LIEU OF OTHER REGISTRATION FEES; PROVIDING FOR FUNDS TO BE DEPOSITED IN THE STATE TREASURY TO THE CREDIT OF THE SPECIAL BOAT FUND; AUTHORIZING THE HIGHWAY DEPARTMENT TO USE SPECIAL BOAT FUNDS FOR CERTAIN PURPOSES; PROHIBITING REGISTRATIONS IN CONFLICT; CONTAINING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. DECLARATION OF POLICY. THIS ACT SHALL BE REFERRED TO AS THE "WATER SAFETY ACT." IT IS THE POLICY OF THIS STATE TO PROMOTE SAFETY FOR PERSONS AND PROPERTY IN AND CONNECTED WITH THE USE, OPERATION AND EQUIPMENT OF VESSELS AND TO PROMOTE UNIFORMITY OF LAWS RELATING THERETO.

SECTION 2. DEFINITIONS. AS USED IN THIS ACT, UNLESS THE CONTEXT CLEARLY REQUIRES A DIFFERENT MEANING:

(1) "VESSEL" MEANS EVERY DESCRIPTION OF WATERCRAFT, OTHER THAN A SEAPLANE ON WATER, USED OR CAPABLE OF BEING USED AS TRANSPORTATION OTHER THAN A SEAPLANE ON WATER, USED OR CAPABLE OF BEING USED AS TRANSPORTATION ON WATER OR WHICH OPERATES AT NIGHT, AND USES ANY MEANS OF LOCOMOTION OTHER THAN PADDLE, OARS, OR POLING.



(2) "MOTORBOAT" MEANS ANY VESSEL PROPELLED BY MACHINERY WHETHER OR NOT SUCH MACHINERY IS THE PRINCIPAL SOURCE OF PROPULSION, BUT SHALL NOT INCLUDE A VESSEL WHICH HAS A VALID MARINE DOCUMENT ISSUED BY THE BUREAU OF CUSTOMS OF THE UNITED STATES GOVERNMENT, OR ANY FEDERAL AGENCY SUCCESSOR THERETO.

(3) "OWNER" MEANS THE PERSON WHO CLAIMS LAWFUL POSSESSION OF A VESSEL BY VIRTUE OF LEGAL TITLE OR EQUITABLE INTEREST THEREIN WHICH ENTITLES HIM TO SUCH POSSESSION.

(4) "WATERS OF THIS STATE" MEANS ANY PUBLIC WATERS WITHIN THE TERRITORIAL LIMITS OF THIS STATE; PROVIDED HOWEVER, PRIVATE OWNED WATERS SHALL BE EXCLUDED FROM THE PROVISIONS OF THIS ACT.

(5) "PERSON" MEANS AN INDIVIDUAL, PARTNERSHIP, FIRM, CORPORATION, ASSOCIATION, OR OTHER ENTITY.

(6) "OPERATE" MEANS TO NAVIGATE OR OTHERWISE USE A MOTORBOAT OR A VESSEL.

(7) "DEPARTMENT" MEANS STATE HIGHWAY DEPARTMENT.

(8) "DEALER" MEANS A PERSON, FIRM, OR CORPORATION ENGAGED IN THE BUSINESS OF SELLING MOTORBOATS.

(9) "BOAT LIVERY" MEANS A BUSINESS ESTABLISHMENT ENGAGED IN RENTING OR HIRING OUT MOTORBOATS FOR PROFIT.

SECTION 3. OPERATION OF UNNUMBERED MOTORBOATS. EVERY MOTORBOAT ON THE WATERS OF THIS STATE SHALL BE NUMBERED, EXCEPT AS PROVIDED BY EXEMPTIONS IN THIS ACT. NO PERSON SHALL OPERATE OR GIVE PERMISSION FOR THE OPERATION OF ANY MOTORBOAT ON SUCH WATERS UNLESS THE MOTORBOAT IS NUMBERED AS REQUIRED BY THIS ACT WHICH NUMBERING SYSTEM SHALL BE IN ACCORD WITH THE FEDERAL BOATING ACT OF 1958 AND SUBSEQUENT AMENDMENTS THERETO, AND UNLESS (1) THE CERTIFICATES OF NUMBER AWARDED TO SUCH MOTORBOAT IS IN FULL FORCE AND EFFECT, AND (2) THE IDENTIFYING NUMBER SET FORTH IN THE CERTIFICATE IS PROPERLY DISPLAYED ON EACH SIDE OF THE BOW OF SUCH MOTORBOAT.

SECTION 4. IDENTIFICATION NUMBER. (A) ON OR BEFORE MARCH 1, 1960, THE OWNER OF EACH MOTORBOAT REQUIRING NUMBERING BY THIS STATE SHALL FILE AN APPLICATION FOR NUMBER WITH THE DEPARTMENT OF FORMS APPROVED BY IT. THE APPLICATION SHALL BE SIGNED BY THE OWNER OF THE MOTORBOAT AND SHALL BE ACCOMPANIED BY A FEE FOR WHICH IS HEREINAFTER PROVIDED. UPON RECEIPT OF THE APPLICATION IN APPROVED FORM THE DEPARTMENT SHALL ENTER THE SAME UPON THE RECORDS OF ITS OFFICE AND ISSUE TO THE APPLICANT A CERTIFICATE OF NUMBER STATING THE NUMBER AWARDED TO THE MOTORBOAT AND THE NAME AND ADDRESS OF THE OWNER. THE OWNER SHALL PAINT ON OR ATTACH TO EACH SIDE OF THE MOTORBOAT OR VESSEL NEAR THE BOW



THEREOF THE IDENTIFICATION NUMBER IN SUCH MANNER AS MAY BE PRESCRIBED BY THE DEPARTMENT. THE NUMBER SHALL BE CLEARLY VISIBLE AND MAINTAINED IN LEGIBLE CONDITION. THE CERTIFICATE OF NUMBER SHALL BE POCKET SIZE. THE FORM OF CERTIFICATE OF NUMBER, APPLICATION FORM AND MANNER OF RENEWAL SHALL BE PRESCRIBED BY THE DEPARTMENT, PROVIDED, HOWEVER THAT CERTIFICATE OF NUMBER DOES NOT HAVE TO PHYSICALLY BE ON THE PERSON OF THE OPERATOR. PARTIAL FEES FOR NEWLY PURCHASED WATERCRAFT OR OTHER BOATS NOT PREVIOUSLY OPERATED WITHIN THIS STATE MAY BE PAID ON A QUARTERLY BASIS. THE CERTIFICATE OF NUMBER PROVIDED FOR HEREIN SHALL BEAR THE FOLLOWING LEGEND "THIS LICENSE REQUIRED BY ACT OF THE UNITED STATES CONGRESS."

(B) THE OWNER OF ANY VESSEL OR MOTORBOAT FOR WHICH A CURRENT CERTIFICATE OF NUMBER HAS BEEN AWARDED PURSUANT TO ANY FEDERAL LAW OR A FEDERALLY APPROVED NUMBERING SYSTEM OF ANOTHER STATE SHALL, IF SUCH MOTORBOAT OR VESSEL IS OPERATED ON THE WATERS OF THIS STATE IN EXCESS OF NINETY (90) DAYS, MAKE APPLICATION FOR A RESIDENT OF THIS STATE.

(C) THE OWNER SHALL FURNISH THE DEPARTMENT NOTICE OF THE TRANSFER OF ALL OR ANY PART OF HIS INTEREST OTHER THAN THE CREATION OF A SECURITY INTEREST IN A MOTORBOAT NUMBERED IN THIS STATE OR OF THE DESTRUCTION OR ABANDONMENT OF SUCH MOTORBOAT, WITHIN A REASONABLE TIME THEREOF. IN ALL SUCH CASES, THE NOTICE SHALL BE ACCOMPANIED BY A SURRENDER OF THE CERTIFICATE OF NUMBER. WHEN THE SURRENDER OF THE CERTIFICATE IS BY REASON OF THE MOTORBOAT BEING DESTROYED OR ABANDONED, THE DEPARTMENT SHALL CANCEL THE CERTIFICATE AND ENTER SUCH FACT IN THE RECORDS. THE PURCHASER OF A MOTORBOAT SHALL, WITHIN A REASONABLE TIME AFTER ACQUIRING SAME, PRESENT EVIDENCE OF OWNERSHIP THEREOF AND MAKE APPLICATION TO THE DEPARTMENT FOR TRANSFER TO HIM OF THE CERTIFICATE OF NUMBER ISSUED TO SUCH MOTORBOAT, GIVING HIS NAME, ADDRESS, AND NUMBER OF THE MOTORBOAT AND SHALL AT THE SAME TIME PAY TO THE DEPARTMENT A FEE OF ONE DOLLAR (\$1). UPON RECEIPT OF THE APPLICATION AND FEE THE DEPARTMENT SHALL TRANSFER THE CERTIFICATE OF NUMBER ISSUED FOR SUCH MOTORBOAT TO THE NEW OWNER. UNLESS SUCH APPLICATION IS MADE AND FEE PAID WITHIN A REASONABLE TIME, SUCH MOTORBOAT SHALL BE DEEMED TO BE WITHOUT CERTIFICATE OF NUMBER, AND IT SHALL BE UNLAWFUL FOR ANY PERSON TO OPERATE SUCH MOTORBOAT UNTIL THE CERTIFICATE IS ISSUED.

(D) THE DEPARTMENT MAY AWARD ANY CERTIFICATE OF NUMBER DIRECTLY OR MAY AUTHORIZE ANY PERSON TO ACT AS AGENT FOR AWARDING OF CERTIFICATES. IN THE EVENT THAT A PERSON ACCEPTS AUTHORIZATION HE SHALL EXECUTE A FAITHFUL PERFORMANCE BOND OF NOT LESS THAN ONETHOUSAND DOLLARS (\$1,000) IN FAVOR OF THE STATE OF TEXAS, AND MAY BE ASSIGNED A BLOCK OR BLOCKS OF NUMBERS AND CERTIFICATES



WHICH UPON AWARD, IN CONFORMITY WITH THIS ACT AND WITH ANY RULES AND REGULATIONS OF THE DEPARTMENT, SHALL BE VALID AS IF AWARDED DIRECTLY BY THE DEPARTMENT. SUCH AGENT SHALL BE ENTITLED TO A FEE FOR HIS SERVICES NOT TO EXCEED TEN PER CENT (10%) OF THE FEE FOR EACH ORIGINAL CERTIFICATE.

(E) ALL OWNERSHIP RECORDS OF THE DEPARTMENT MADE OR KEPT PURSUANT TO THIS ACT SHALL BE PUBLIC RECORDS. COPIES OF ALL RULES AND REGULATIONS PURSUANT TO THIS ACT SHALL BE FURNISHED WITHOUT COST WITH EACH CERTIFICATE OF NUMBER ISSUED.

(F) EVERY CERTIFICATE OF NUMBER AWARDED PURSUANT TO THIS ACT SHALL CONTINUE IN FULL FORCE AND EFFECT FOR A PERIOD OF THREE(3) YEARS UNLESS SOONER TERMINATED OR DISCONTINUED IN ACCORDANCE WITH THE PROVISIONS OF THIS ACT. CERTIFICATES OF NUMBER SHALL BE VALID FOR THE BIENNIUM FROM APRIL 1 OF ONE YEAR TO MARCH 31 OF THE SECOND SUCCEEDING YEAR, BOTH DAYS INCLUSIVE.

(G) ANY HOLDER OF A CERTIFICATE OF NUMBER SHALL NOTIFY THE DEPARTMENT WITHIN A REASONABLE TIME, IF HIS ADDRESS NO LONGER CONFORMS TO THE ADDRESS APPEARING ON THE CERTIFICATE AND SHALL, AS A PART OF THE NOTIFICATION, INCLUDE HIS NEW ADDRESS. THE DEPARTMENT MAY PROVIDE IN ITS REGULATIONS FOR THE SURRENDER OF THE CERTIFICATE BEARING THE FORMER ADDRESS AND ITS REPLACEMENT WITH A CERTIFICATE BEARING THE NEW ADDRESS OR FOR THE ALTERATION OF THE OUTSTANDING CERTIFICATE TO SHOW THE NEW ADDRESS OF THE HOLDER. CHANGES OF ADDRESS SHALL BE NOTED ON THE RECORDS OF THE DEPARTMENT.

(H) IN THE EVENT THAT ANY CERTIFICATE OF NUMBER BECOMES LOST, MUTULATED, OR ILLEGIBLE, THE OWNER OF THE MOTORBOAT FOR WHICH THE CERTIFICATE WAS ISSUED MAY OBTAIN A DUPLICATE UPON APPLICATION TO THE DEPARTMENT AND THE PAYMENT OF A FEE OF ONE DOLLAR (\$1).

(I) IT SHALL BE UNLAWFUL FOR ANY PERSON TO PAINT, ATTACH, OR OTHERWISE DISPLAY ON EITHER SIDE OF THE BOW OF ANY MOTORBOAT ANY NUMBER OTHER THAN THE NUMBER AWARDED TO SAID MOTORBOAT OR GRANTED RECIPROCITY PURSUANT TO THIS ACT.

(J) IT SHALL BE UNLAWFUL FOR ANY PERSON TO DEFACE OR ALTER THE CERTIFICATE OF NUMBER OR NUMBER ASSIGNED AND APPEARING ON THE BOW OF ANY BOAT.

(K) AN APPLICATION FOR RENEWAL OF A CERTIFICATE OF NUMBER SHALL BE MADE BY THE OWNER ON AN APPLICATION THEREFOR WHICH MUST BE RECEIVED BY THE DEPARTMENT WITHIN A PERIOD CONSISTING OF THE LAST NINETY (90) DAYS BEFORE THE EXPIRATION DATE ON THE CERTIFICATE OF NUMBER AND THE SAME NUMBER WILL BE ISSUED UPON RENEWAL. ANY APPLICATION NOT SO RECEIVED SHALL BE TREATED IN THE SAME MANNER AS AN ORIGINAL APPLICATION.



SECTION 5. MANUFACTURER'S SERIAL NUMBER. ALL NEW BOATS MANUFACTURED FOR SALE IN TEXAS AFTER APRIL 1, 1960, MUST CARRY A MANUFACTURER'S SERIAL NUMBER STAMPED ON OR LAMINATED INTO THE STRUCTURE OF A BOAT BEFORE THE OWNER THEREOF MAY OBTAIN A CERTIFICATE OF NUMBER UNDER THIS ACT.

SECTION 6. DEALER'S AND MANUFACTURER'S NUMBER. (a) ANY DEALER OR MANUFACTURER OF A MOTORBOAT IN THIS STATE MAY, INSTEAD OF SECURING A CERTIFICATE OF NUMBER FOR EACH BOAT HE MAY WISH TO SHOW OR DEMONSTRATE OR TEST ON WATERS OF THIS STATE SHALL PROCURE A DEALER'S AND MANUFACTURERS NUMBER WHICH SHALL BE ATTACHED TO ANY MOTORBOAT WHICH HE SENDS TEMPORARILY ON THE WATERS. THE THREE (3) YEAR FEE FOR A DEALER'S AND MANUFACTURER'S NUMBER SHALL BE TWENTY-FIVE DOLLARS (\$25). EVERY DEALER OR MANUFACTURER APPLYING FOR SUCH A NUMBER SHALL APPLY ON FORMS PROVIDED BY THE DEPARTMENT. THE APPLICATION SHALL STATE THAT THE APPLICANT IS A DEALER OR MANUFACTURER WITHIN THE MEANING OF THIS ACT, AND THE FACTS STATED ON THE APPLICATION SHALL BE SWORN BEFORE AND OFFICER AUTHORIZED TO ADMINISTER OATHS. NO SUCH NUMBER SHALL BE ISSUED UNTIL THE PROVISIONS OF THIS ARTICLE HAVE BEEN SATISFIED.

(B) EACH DEALER OR MANUFACTURER HOLDING A DEALER'S OR MANUFACTURER'S NUMBER MAY ISSUE A REASONABLE TEMPORARY FACSIMILE OF SUCH NUMBER WHICH MAY BE USED BY ANY AUTHORIZED PERSON. A PERSON PURCHASING A MOTORBOAT MAY USE THE DEALER'S NUMBER FOR A PERIOD NOT TO EXCEED TEN (10) DAYS, PRIOR TO FILING APPLICATION FOR NUMBER. THE FORM OF THE DEALER'S AND MANUFACTURER'S NUMBER AND THE MANNER OF DISPLAY SHALL BE PRESCRIBED BY THE DEPARTMENT.

SECTION 7. CLASSIFICATION AND REQUIRED EQUIPMENT. (a) MOTORBOATS SUBJECT TO THE PROVISIONS OF THIS ACT SHALL BE DEVIDED INTO FOUR (4) CLASSES AS FOLLOWS:

CLASS A. LESS THAN SIXTEEN (16) FEET IN LENGTH.

CLASS 1. SIXTEEN (16) FEET OR OVER AND LESS THAN TWENTY-SIX (26) FEET IN LENGTH.

CLASS 2. TWENTY-SIX (26) FEET OR OVER AND LESS THAN FORTY (40) FEET IN LENGTH.

CLASS 3. FORTY (40) FEET OR OVER.

(b) EVERY VESSEL OR MOTORBOAT WHEN NOT AT DOCK IN ALL WEATHERS FROM SUNSET TO SUNRISE SHALL CARRY AND EXHIBIT AT LEAST ONE BRIGHT LIGHT, LANTERN, OR FLARE UP AND THE FOLLOWING LIGHTS WHEN UNDER WAY, AND DURING SUCH TIME NO OTHER LIGHTS WHICH MAY BE MISTAKEN FOR THOSE PRESCRIBED SHALL BE EXHIBITED:

(1) EVERY MOTORBOAT OF CLASS 1 SHALL CARRY THE FOLLOWING LIGHT:



FIRST. A WHITE LIGHT AFT TO SHOW ALL AROUND THE HORIZON.

SECOND: A COMBINED LANTERN IN THE FORE PART OF THE VESSEL AND LOWER THAN THE WHITE LIGHT AFT, SHOWING GREEN TO STARBOARD AND RED TO PORT, SO FIXED AS TO THROW THE LIGHT FROM RIGHT AHEAD TO TWO POINTS ABAFT THE BEAM ON THEIR RESPECTIVE SIDES.

(2) EVERY MOTORBOAT OF CLASSES # 2 AND 3 SHALL CARRY THE FOLLOWING LIGHTS:

FIRST. A BRIGHT WHITE LIGHT IN THE FORE PART OF THE VESSEL AS NEAR THE STEM AS PRACTICABLE, SO CONSTRUCTED AS TO SHOW AN UNBROKEN LIGHT OVER AN ARC OF THE HORIZON OF TWENTY (20) POINTS OF THE COMPASS, SO FIXED AS TO THROW THE LIGHT TEN (10) POINTS ON EACH SIDE OF THE VESSEL; NAMELY, FROM RIGHT AHEAD TO TWO (2) POINTS ABAFT THE BEAM ON EITHER SIDE.

SECOND: A BRIGHT WHITE LIGHT AFT TO SHOW ALL AROUND THE HORIZON AND HIGHER THAN THE WHITE LIGHT FORWARD.

THIRD: ON THE STARBOARD SIDE A GREEN LIGHT SO CONSTRUCTED AS TO SHOW AN UNBROKEN LIGHT OVER AN ARC OF THE HORIZON OF TEN (10) POINTS OF THE COMPASS, SO FIXED AS TO THROW THE LIGHT FROM RIGHT AHEAD TO TWO (2) POINTS ABAFT THE BEAM ON THE PORT SIDE. THE SAID SIDE LIGHTS SHALL BE FITTED WITH INBOARD SCREEN OF SUFFICIENT LENGTH SO SET AS TO PREVENT THESE LIGHTS FROM BEING SEEN ACROSS THE BOW.

(3) MOTORBOATS OF CLASSES A AND 1 WHEN PROPELLED BY SAIL ALONE SHALL CARRY THE COMBINED LANTERN, BUT NOT THE WHITE LIGHT AFT, PRESCRIBED BY THIS SECTION. MOTORBOATS OF CLASSES 2 AND 3, WHEN PROPELLED BY SAIL ALONE, SHALL CARRY THE COLORED SIDE LIGHTS, SUITABLY SCREENED, BUT NOT THE WHITE LIGHTS, PRESCRIBED BY THIS SECTION. MOTORBOATS OF ALL CLASSES, WHEN SO PROPELLED, SHALL CARRY, READY AT HAND, A LANTERN OR FLASHLIGHT SHOWING A WHITE LIGHT WHICH SHALL BE EXHIBITED IN SUFFICIENT TIME TO AVERT COLLISION.

(4) EVERY WHITE LIGHT PRESCRIBED BY THIS SECTION SHALL BE OF SUCH CHARACTER AS TO BE VISIBLE A REASONABLE DISTANCE. EVERY COLORED LIGHT PRESCRIBED BY THIS SECTION SHALL BE OF SUCH CHARACTER AS TO BE VISIBLE AT A REASONABLE DISTANCE. THE WORD VISIBLE IN THIS SUBSECTION, WHEN APPLIED TO LIGHTS, SHALL MEAN VISIBLE ON A DARK NIGHT WITH CLEAR ATMOSPHERE.

(6) WHEN PROPELLED BY SAIL AND MACHINERY, ANY MOTORBOAT SHALL CARRY THE LIGHTS REQUIRED BY THIS SECTION FOR A MOTORBOAT PROPELLED BY MACHINERY ONLY.

(c) ANY VESSEL MAY CARRY AND EXHIBIT LIGHTS REQUIRED BY THE FEDERAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1948, FEDERAL ACT OF OCTOBER 11, 1951, (33USC 143-147d) AS AMENDED, IN LIEU OF THE LIGHTS REQUIRED BY SUBSECTION



(b) OF THIS SECTION.

(d) EVERY MOTORBOAT OR VESSEL SHALL HAVE ABOARD ONE LIFE PRESERVER, BUOYANT VEST, RING BUOY, OR BUOYANT CUSHION OF THE TYPE APPROVED BY THE COMMANDANT OF THE UNITED STATES COAST GUARD IN GOOD AND SERVICEABLE CONDITION FOR EACH PERSON ON BOARD.

(e) NO PERSON SHALL OPERATE OR GIVE PERMISSION FOR THE OPERATION OF A VESSEL WHICH IS NOT EQUIPPED AS REQUIRED BY THIS SECTION OR MODIFICATION THEREOF.

SECTION 8. EXEMPTION FROM NUMBERING PROVISIONS OF THIS ACT. A MOTORBOAT SHALL NOT BE REQUIRED TO BE NUMBERED UNDER THIS ACT IF IT IS:

(1) ALREADY COVERED BY A NUMBER IN FULL FORCE AND EFFECT WHICH HAS BEEN AWARDED TO IT PURSUANT TO FEDERAL LAW OR A FEDERALLY APPROVED NUMBERING SYSTEM OF ANOTHER STATE; PROVIDED, THAT SUCH MOTORBOAT SHALL NOT HAVE BEEN WITHIN THIS STATE FOR A PERIOD OF NINETY (90) CONSECUTIVE DAYS.

(2) A MOTORBOAT FROM A COUNTRY OTHER THAN THE UNITED STATES TEMPORARILY USING THE WATERS OF THIS STATE.

(3) A MOTORBOAT WHOSE OWNER IS THE UNITED STATES, A STATE OR SUBDIVISION THEREOF.

(4) A SHIP'S LIFEBOAT.

(5) A MOTORBOAT BELONGING TO A CLASS OF MOTORBOATS WHICH HAS BEEN EXEMPTED FROM NUMBERING BY THE DEPARTMENT AFTER SAID AGENCY HAS FOUND THAT THE NUMBERING OF MOTORBOATS OF SUCH CLASS WILL NOT MATERIALLY AID IN THEIR IDENTIFICATION. OR IF AN AGENCY OF THE FEDERAL GOVERNMENT HAS A NUMBER SYSTEM APPLICABLE TO THE CLASS OF MOTORBOATS TO WHICH THE MOTORBOATS IN QUESTION BELONGS, AFTER THE DEPARTMENT HAS FURTHER FOUND THAT THE MOTORBOAT WOULD ALSO BE EXEMPT FROM THE NUMBERING IF IT WERE SUBJECT TO THE FEDERAL LAW.

(6) ALL MOTORBOATS OF TEN (10) HORSEPOWER OR UNDER SHALL BE EXEMPT FROM THE NUMBERING PROVISIONS, AND FROM THE SAFETY EQUIPMENT PROVISIONS EXCEPT IN SO FAR AS THEY SHALL BE REQUIRED TO HAVE ONE APPROVED LIFE PRESERVER FOR EACH PERSON ABOARD, AND A WHITE LIGHT TO EXHIBIT BETWEEN THE HOURS OF SUNSET AND SUNRISE.

SECTION 9. BOAT LIVERIES. (a) THE OWNER OF A BOAT LIVERY SHALL KEEP A RECORD OF: THE NAME AND ADDRESS OF THE PERSONS HIRING ANY VESSEL WHICH IS DESIGNED OR PERMITTED BY HIM TO BE OPERATED AS A MOTORBOAT; THE CERTIFICATE OF NUMBER THEREOF; THE TIME AND DATE OF DEPARTURE AND THE EXPECTED TIME OF



RETURN. THE RECORD SHALL BE KEPT SIX (6) MONTHS.

(b) BOAT LIVERIES SHALL MAKE APPLICATION DIRECTLY TO THE DEPARTMENT ON FORMS PROVIDED BY THE DEPARTMENT. THE APPLICATION SHALL STATE THE APPLICANT LIVERY IS WITHIN THE MEANING OF THIS ACT, AND THE FACTS STATED IN THE APPLICATION SHALL BE SWORN BEFORE AN OFFICER AUTHORIZED TO ADMINISTER OATHS.

SECTION 10. PROHIBITED OPERATION. IT SHALL BE UNLAWFUL FOR ANY PERSON TO OPERATE ANY MOTORBOAT OR VESSEL OR MANIPULATE ANY WATER SKIS, AQUAPLANE, OR SIMILAR DEVICE IN A WILLFULLY OR WANTONLY RECKLESS OR NEGLIGENT MANNER SO AS TO ENDANGER THE LIFE, LIMB, OR PROPERTY OF ANY PERSON.

SECTION 11. COLLISIONS, ACCIDENTS AND CASUALTIES. (a) IT SHALL BE THE DUTY OF THE OPERATOR OF A VESSEL INVOLVED IN A COLLISION, ACCIDENT OR CASUALTY, SO FAR AS HE CAN DO WITHOUT SERIOUS DANGER TO HIS OWN VESSEL, CREW AND PASSENGERS (IF ANY), TO RENDER TO OTHER PERSONS AFFECTED BY THE COLLISION, ACCIDENT OR CASUALTY SUCH ASSISTANCE AS MAY BE PRACTICABLE AND AS MAY BE NECESSARY IN ORDER TO SAVE THEM FROM OR MINIMIZE ANY DANGER CAUSED BY THE COLLISION, ACCIDENT OR CASUALTY AND ALSO TO GIVE HIS NAME, ADDRESS AND IDENTIFICATION OF HIS VESSEL IN WRITING TO ANY PERSON INJURED AND TO THE OWNER OF ANY PROPERTY DAMAGED IN THE COLLISION, ACCIDENT OR OTHER CASUALTY.

(b) IN THE CASE OF COLLISION, ACCIDENT OR OTHER CASUALTY INVOLVING A VESSEL, THE OPERATOR THEREOF, IF THE COLLISION, ACCIDENT OR OTHER CASUALTY RESULTS IN DEATH OR INJURY TO A PERSON OR DAMAGE TO PROPERTY IN EXCESS OF ONE HUNDRED DOLLARS (\$100) SHALL FILE WITH THE DEPARTMENT A FULL DESCRIPTION AS SAID AGENCY MAY, BY REGULATION REQUIRE ON OR BEFORE THIRTY (30) DAYS.

(c) THESE ACCIDENT REPORTS SHALL BE CONFIDENTIAL AND SHALL NOT BE ADMISSIBLE IN COURT AS EVIDENCE.

(d) ANY PERSON WHO OPERATES ANY VESSEL OR MANIPULATES ANY WATER SKIS, AQUAPLANE OR SIMILAR DEVICE, UPON THE WATERS OF THIS STATE WHILE SUCH PERSON IS INTOXICATED, OR UNDER THE INFLUENCE OF INTOXICATING LIQUOR, OR WHILE UNDER THE INFLUENCE OF ANY NARCOTIC DRUGS OR BARBITUATES OR MARIJUANA SHALL BE GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE PUNISHED BY A FINE OF NOT LESS THAN FIFTY DOLLARS (\$50) NOR MORE THAN FIVE HUNDRED DOLLARS (\$500) OR BY IMPRISONMENT OF NOT TO EXCEED SIX (6) MONTHS, OR BOTH.

SECTION 12. WATER SKIS AND AQUAPLANES. (a) NO MOTORBOAT SHALL HAVE IN TOW OR SHALL OTHERWISE BE ASSISTING IN TOWING A PERSON ON WATER SKIS, AQUAPLANE OR SIMILAR CONTRIVANCE FROM THE PERIOD OF ONE HOUR AFTER SUNSET TO ONE HOUR



PRIOR TO SUNRISE; PROVIDED THAT HIS SUBSECTION SHALL NOT APPLY TO MOTORBOATS USED IN DULY AUTHORIZED WATER SKI TOURNAMENTS, COMPETITIONS, EXHIBITIONS OR TRIALS THEREFOR WHERE ADEQUATE LIGHTING IS PROVIDED.

(b) ALL MOTORBOATS HAVING IN TOW OR OTHERWISE ASSISTING IN TOWING A PERSON ON WATER SKIS, AQUAPLANE OR SIMILAR CONTRIVANCE, SHALL BE OPERATED IN A CAREFUL AND PRUDENT MANNER AND AT A REASONABLE DISTANCE FROM PERSONS AND PROPERTY SO AS NOT TO ENDANGER THE LIFE OR PROPERTY OF ANY PERSON.

SECTION 13. LOCAL REGULATION PROHIBITED. (a) THE PROVISIONS OF THIS ACT, AND OF OTHER APPLICABLE LAWS OF THIS STATE, SHALL GOVERN THE OPERATION, EQUIPMENT, NUMBERING AND ALL OTHER MATTERS RELATING THERETO WHENEVER ANY VESSEL SHALL BE OPERATED ON THE WATERS OF THIS STATE, OR WHEN ANY ACTIVITY REGULATED BY THIS ACT SHALL TAKE PLACE THEREON, BUT NOTHING IN THIS ACT SHALL BE CONSTRUED TO PREVENT THE ADOPTION OF ANY ORDINANCE OR LOCAL LAW RELATING TO OPERATION AND EQUIPMENT OF VESSELS, THE PROVISIONS OF WHICH ARE CONSISTENT WITH THE PROVISIONS OF THIS ACT, AMENDMENTS THERETO OR REGULATIONS ISSUED THEREUNDER, PROVIDED FURTHER THAT AN INCORPORATED MUNICIPALITY MAY ADOPT ORDINANCES LIMITING THE HORSEPOWER OF MOTORBOATS ON ALL LAKES OWNED BY OR SITUATED IN THE JURISDICTIONAL LIMITS OF SUCH MUNICIPALITY.

SECTION 13A. TRANSMITTAL OF INFORMATION. IN ACCORDANCE WITH ANY REQUEST DULY MADE BY AN AUTHORIZED OFFICIAL OR AGENCY OF THE UNITED STATES ANY INFORMATION COMPILED OR OTHERWISE AVAILABLE TO THE DEPARTMENT PURSUANT TO SECTION 11 (b) SHALL BE TRANSMITTED TO SAID OFFICIAL OR AGENCY OF THE UNITED STATES.

SECTION 14. PENALTIES. (a) EVERY PERSON WHO VIOLATES OR FAILS TO COMPLY WITH ANY PROVISION OF THIS ACT, SHALL BE GUILTY OF A MISDEMEANOR.

(b) EVERY PERSON CONVICTED OF A MISDEMEANOR FOR WHICH ANOTHER PENALTY IS NOT PROVIDED SHALL BE PUNISHED BY A FINE OF NOT LESS THAN TEN DOLLARS (\$10) NOR MORE THAN FIFTY DOLLARS (\$50).

SECTION 15. ENFORCEMENT. (a) ALL PEACE OFFICERS OF THIS STATE AND ITS POLITICAL SUBDIVISIONS SHALL HAVE AND ARE HEREBY GIVEN AUTHORITY AS ENFORCEMENT OFFICERS FOR THE PURPOSE OF THIS ACT, AND THEY AND EACH OF THEM SHALL HAVE THE POWER AND AUTHORITY TO ENFORCE THE PROVISIONS OF THIS ACT BY ARREST AND THE TAKING INTO CUSTODY ANY PERSON WHO MAY COMMIT ANY ACT OR OFFENSE PROHIBITED BY THIS ACT OR ANY PERSON WHO MAY VIOLATE ANY PROVISION OF THIS ACT, PROVIDED,



HOWEVER, THAT SUCH PERSON SHALL NOT BE TAKEN INTO CUSTODY UNLESS HE FIRST REFUSES TO SIGN A PROMISE TO APPEAR IN COURT WITHIN THIRTY DAYS (30) AS PROVIDED BELOW.

(b) ANY SUCH OFFICER IN ORDER TO ENFORCE THE PROVISIONS OF THIS ACT IS HEREBY GIVEN THE POWER AND THE AUTHORITY TO STOP AND TO BOARD ANY VESSEL SUBJECT TO THIS ACT WHICH DOES NOT HAVE PROPER IDENTIFYING NUMBER OR IS BEING OPERATED IN A RECKLESS MANNER. OFFICERS SO BOARDING ANY VESSEL SHALL FIRST IDENTIFY THEMSELVES BY PRESENTING PROPER CREDENTIALS AND IT SHALL BE UNLAWFUL FOR ANY PERSON OPERATING A BOAT ON THE WATERS OF THIS STATE TO REFUSE TO OBEY THE DIRECTIONS OF SUCH OFFICER WHEN SUCH OFFICER IS ACTING PURSUANT TO THE PROVISIONS OF THIS ACT. PROVIDED, HOWEVER, THAT THE SAFETY OF THE VESSEL SHALL ALWAYS BE THE PARAMOUNT CONSIDERATION OF ANY ARRESTING OFFICER.

(c) ANY SUCH OFFICER ARRESTING A PERSON FOR A VIOLATION OF THIS ACT SHALL DELIVER TO SUCH ALLEGED VIOLATOR A WRITTEN NOTICE TO APPEAR (WITHIN THIRTY (30) DAYS) FROM AND AFTER THE DATE OF SUCH ALLEGED VIOLATION, BEFORE THE COUNTY COURT HAVING JURISDICTION OF THE OFFENSE, SUCH PERSON SO ARRESTED SHALL SIGN SAID WRITTEN NOTICE TO APPEAR AND THEREBY PROMISE TO MAKE HIS APPEARANCE IN ACCORDANCE WITH THE REQUIREMENTS THEREIN SET FORTH, WHEREUPON HE MAY BE RELEASED. IT SHALL BE UNLAWFUL FOR ANY PERSON WHO HAS MADE SUCH WRITTEN PROMISE TO APPEAR BEFORE THE COUNTY COURT HAVING JURISDICTION TO FAIL TO APPEAR, AND SUCH FAILURE TO APPEAR AT THE TIME SPECIFIED SHALL CONSTITUTE A MISDEMEANOR AND WARRANT FOR HIS ARREST MAY BE ISSUED.

(d) ANY COUNTY COURT OF ANY COUNTY OF THIS STATE WITHIN WHICH ANY ALLEGED VIOLATION OR OFFENSE UNDER THE TERMS AND PROVISIONS OF THIS ACT MAY BE COMMITTED IS HEREBY VESTED WITH JURISDICTION UNDER THIS ACT.

SECTION 16. FINES AND PENALTIES. IT SHALL BE THE DUTY OF ANY JUSTICE OF THE PEACE, CLERK OF ANY COURT, OR ANY OTHER OFFICER OF THIS STATE RECEIVING ANY FINE OR PENALTY IMPOSED BY ANY COURT FOR VIOLATION OF THIS ACT WITHIN TEN (10) DAYS AFTER RECEIPT OF SUCH FINE OR PENALTY, TO REMIT SAME TO DEPOSIT OF SPECIAL BOAT FUND, GIVING THE DOCKET NUMBER OF THE CASE, NAME OF THE PERSON FINED, AND THE SECTION OF ARTICLE OF THE LAW UNDER WHICH CONVICTION WAS SECURED. ALL COSTS OF THE COURT SHALL BE RETAINED BY THE COURT HAVING JURISDICTION OF THE OFFENSE, TO BE DEPOSITED AS OTHER FEES IN THE PROPER COUNTY FUND.

SECTION 17. FEES. (a) THERE IS HEREBY LEVIED A THREE (3) YEAR FEE IN



SECTION 4 OF THIS ACT AS FOLLOWS:

CLASS OF MOTORBOATS	THREE (3) YEAR FEE
CLASS A	\$1.00
CLASS 1	5.00
CLASS 2	10.00
CLASS 3	12.50

SUCH FEE SHALL ACCOMPANY THE ORIGINAL AND/OR RENEWAL APPLICATION FOR CERTIFICATES OF NUMBER AS REQUIRED BY THIS ACT.

(B) PARTIAL FEES FOR NEWLY PURCHASED MOTORBOATS OR OTHER MOTORBOATS NOT PREVIOUSLY OPERATED WITHIN THIS STATE, WHICH ACCORDING TO SECTION 4, MUST NOW BE REGISTERED, MAY BE PAID ON A PRORATED BASIS REDUCED EACH QUARTER-YEAR.

(C) ALL FEES SHALL BE COLLECTED BY THE DEPARTMENT OR THROUGH ITS DULY AUTHORIZED AGENTS AND DEPOSITED IN THE STATE TREASURY TO THE CREDIT OF THE SPECIAL BOAT FUND.

(D) THE CERTIFICATE OF NUMBER AND NUMBERING FOR PURPOSE OF IDENTIFICATION, AND THE FEES HEREIN PROVIDED FOR SHALL BE IN LIEU OF ALL OTHER SIMILAR REGISTRATIONS HERETOFORE REQUIRED BY A COUNTY, MUNICIPALITY OR OTHER POLITICAL SUBDIVISION OF THIS STATE, AND NO SUCH REGISTRATION FEES OR OTHER LIKE BURDENS SHALL BE REQUIRED OF ANY OWNER OF ANY MOTORBOAT BY ANY COUNTY, MUNICIPALITY OR OTHER SUBDIVISION OF THE STATE.

SECTION 18. NONE OF THE FEES OF THIS ACT SHALL APPLY TO COMMERCIAL FISHING OR SHRIMPING BOATS HAVING A BOAT LICENSE ISSUED BY THE STATE OF TEXAS TO SHRIMP OR FISH COMMERCIALLY IN THE SALT WATERS OF THIS STATE.

SECTION 19. THE STATE HIGHWAY DEPARTMENT IS HEREBY AUTHORIZED AND DIRECTED TO USE ANY LOCAL FUNDS ON HAND OR AVAILABLE TO SAID DEPARTMENT FOR ISSUING, RECORDING AND KEEPING ALL SUCH RECORDS AS ARE NECESSARY TO EFFECTUATE THE PURPOSE OF THIS ACT AND ALL FUNDS AVAILABLE OR THAT ACCRUE FROM BOAT REGISTRATION FEES ABOVE THE ADMINISTRATIVE COSTS OF SAID REGISTRATIONS ARE TO BE USED FOR THE PURPOSE OF PURCHASING ACCESS WAYS TO PUBLIC WATERS, BOAT RAMPS AND FOR THE MAINTENANCE THEREOF.

SECTION 20. IF ANY SECTION, SUBSECTION, OR PART OF THIS ACT SHALL BE HELD INVALID OR UNCONSTITUTIONAL, SUCH INVALIDITY OR UNCONSTITUTIONALITY SHALL NOT AFFECT THE REMAINING PORTIONS THEREOF, IT BEING THE EXPRESS INTENTION OF THE LEGISLATURE TO ENACT SUCH ACT WITHOUT RESPECT TO SUCH SECTION, SUBSECTION, OR A PART SO HELD TO BE INVALID OR UNCONSTITUTIONAL.



SECTION 21. THE NEED FOR ENFORCEMENT OF WATER SAFETY ON THE WATERS OF THIS STATE CREATES AN EMERGENCY AND AN IMPERATIVE PUBLIC NECESSITY THAT THE CONSTITUTIONAL RULE REQUIRING BILLS TO BE READ ON THREE SEVERAL DAYS IN EACH HOUSE BE SUSPENDED, AND SAID RULE IS HEREBY SUSPENDED, AND THAT THIS ACT SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE, AND IT IS SO ENACTED.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_,  
SPEAKER OF THE HOUSE

I HEREBY CERTIFY THAT H.B. NO. 11 WAS PASSED BY THE HOUSE ON MAY 7, 1959, BY THE FOLLOWING VOTE: YEAS 88, NAYS 52; AND THAT THE HOUSE CONCURRED IN SENATE AMENDMENTS TO H.B. NO 11 ON MAY 12, 1959, BY A VIVA-VOCE VOTE.

\_\_\_\_\_  
CHIEF CLERK OF THE HOUSE

I HEREBY CERTIFY THAT H.B. NO. 11 WAS PASSED BY THE SENATE AS AMENDED, ON MAY 11, 1959, BY A VIVA-VOCE VOTE.

\_\_\_\_\_  
SECRETARY OF THE SENATE

APPROVED: \_\_\_\_\_

DATE

\_\_\_\_\_  
GOVERNOR



## ORDINANCE NO. V

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, AUTHORIZING THE GENERAL MANAGER OF THE DISTRICT TO DESIGNATE AND IMPROVE A PORTION OF THE BUFFALO LAKES AREA AS A CHILDREN'S RECREATIONAL AND BOATING AREA; PROHIBITING ALL FISHING, BOATING AND SKIING IN SUCH CHILDREN'S RECREATIONAL AREA OTHER THAN THAT PERTAINING TO SAID CHILDREN'S RECREATIONAL AREA; PROVIDING A PENALTY; REPEALING INCONSISTENT ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECT OF ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS:

### SECTION 1.

#### AUTHORIZING THE DESIGNATION AND IMPROVEMENT OF CHILDREN'S RECREATIONAL AND BOATING AREA

The General Manager of the District is hereby authorized and directed to designate at an appropriate location in the Buffalo Lakes Area of the Lubbock County Water Control and Improvement District No. 1, and cause to be improved, out of funds belonging to the District, subject to specific appropriations therefor to be hereafter made by the Board of Directors, an Area to be known as a Children's Recreational and Boating Area. The Area shall be set out and designated by appropriate signs.

### SECTION 2.

#### FISHING, BOATING AND SKIING PROHIBITED IN CHILDREN'S RECREATIONAL AREA

It shall be unlawful for any person to engage in fishing, boating and/or skiing within any duly designated Children's Recreational and Boating Area, within the Buffalo Lakes Area, except, however, this section shall not apply to boating activities pertaining to such designated Children's Recreational and Boating Area.

### SECTION 3.

#### PENALTY

Any person or persons violating any provision of this Ordinance shall be guilty of a misdemeanor which, in case of a lawful conviction thereof, shall be punishable by the infliction of a fine, the amount of which combined with costs of court, shall not exceed Two Hundred (\$200.00) Dollars.

### SECTION 4.

#### REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.



SECTION 5.

SAVINGS CLAUSE

In the event any particular provision of this ordinance, or any portion of any section or paragraph hereof is judicially declared to be invalid, nevertheless, those parts of this ordinance, and its several paragraphs and subdivisions that shall remain after such declaration, shall have full force and effect.

SECTION 6.

PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this ordinance as required by law, and ignorance of any provision of this ordinance, after such publication, shall not constitute a defense to the prosecution for the enforcement of a penalty by this ordinance provided; and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of the enactment hereof, on this the 30th day of March, 1961, witness the signing thereof by O. Gowen as President of the Board of Directors of The Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by H. D. Waller as Secretary of such Board, with the imprinting of the District's seal.

/S/ O. Gowen  
President

ATTEST:

/S/ H. D. Waller  
Secretary

(SEAL)



## ORDINANCE NO. V

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS, UNDER ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, AUTHORIZING THE GENERAL MANAGER OF THE DISTRICT TO DESIGNATE AND IMPROVE A PORTION OF THE BUFFALO LAKES AREA AS A CHILDREN'S RECREATIONAL AND BOATING AREA; PROHIBITING ALL FISHING, BOATING AND SKIING IN SUCH CHILDREN'S RECREATIONAL AREA OTHER THAN THAT PERTAINING TO SAID CHILDREN'S RECREATIONAL AREA; PROVIDING A PENALTY; REPEALING INCONSISTENT ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECT OF ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS:

### SECTION 1.

#### AUTHORIZING THE DESIGNATION AND IMPROVEMENT OF CHILDREN'S RECREATIONAL AND BOATING AREA

The General Manager of the District is hereby authorized and directed to designate at an appropriate location in the Buffalo Lakes Area of the Lubbock County Water Control and Improvement District No. 1, and cause to be improved, out of funds belonging to the District, subject to specific appropriations therefor to be hereafter made by the Board of Directors, an Area to be known as a Children's Recreational and Boating Area. The Area shall be set out and designated by appropriate signs.

### SECTION 2.

#### FISHING, BOATING AND SKIING PROHIBITED IN CHILDREN'S RECREATIONAL AREA

It shall be unlawful for any person to engage in fishing, boating and/or skiing within any duly designated Children's Recreational and Boating Area, within the Buffalo Lakes Area, except, however, this section shall not apply to boating activities pertaining to such designated Children's Recreational and Boating Area.

### SECTION 3.

#### PENALTY

Any person or persons violating any provision of this Ordinance shall be guilty of a misdemeanor which, in case of a lawful conviction thereof, shall be punishable by the infliction of a fine, the amount of which combined with costs of court, shall not exceed Two Hundred (\$200.00) Dollars.

SECTION 4.

REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5.

SAVINGS CLAUSE

In the event any particular provision of this ordinance, or any portion of any section or paragraph hereof is judicially declared to be invalid, nevertheless, those parts of this ordinance, and its several paragraphs and subdivisions that shall remain after such declaration, shall have full force and effect.

SECTION 6.

PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this ordinance as required by law, and ignorance of any provision of this ordinance, after such publication, shall not constitute a defense to the prosecution for the enforcement of a penalty by this ordinance provided; and the provisions here of, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of the enactment hereof, on this the 30th day of March, 1961, witness the signing thereof by O. Gowen as President of the Board of Directors of The Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by H. D. Waller as Secretary of such Board, with the imprinting of the District's Seal.

/S/ O. Gowen  
President

ATTEST:

/S/ H. D. Waller  
Secretary

(SEAL)



ORDINANCE NO. VI.

AN ORDINANCE ADOPTING FORM AND BASIC PROVISIONS OF GROUND LEASE AGREEMENT FOR USE IN LEASING LOTS OWNED BY THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, AND CONFIRMING ALL PREVIOUS LEASES ENTERED INTO EMPLOYING SUCH FORM AND CONTAINING SUCH BASIC PROVISIONS; PRESCRIBING THE MINIMUM REQUIREMENTS AS TO FLOOR SPACE OF RESIDENTIAL BUILDINGS ERECTED AND/OR TO BE ERECTED, AND THE AMOUNT OF ANNUAL RENTAL TO BE CHARGED PURSUANT TO GROUND LEASE AGREEMENTS COVERING AND AFFECTING LOTS NOS. 1 - 337, INCLUSIVE, LOTS NOS. 501 - 616, INCLUSIVE, AND LOTS NOS. 1001 - 1008, INCLUSIVE, AS SHOWN ON THE OFFICIAL PLAT OF BUILDING SITES IN THE BUFFALO LAKE AREA OF SAID DISTRICT ON FILE AT THE OFFICE OF SAID DISTRICT; REQUIRING THAT THE DESIGN, MATERIALS AND CONSTRUCTION STANDARDS OF ANY RESIDENTIAL BUILDING WHEN ERECTED ON ANY LOT LEASED FROM SAID DISTRICT SHALL NOT, BY REASON OF ITS GENERAL APPEARANCE OR TYPE AND/OR QUALITY OF MATERIALS OR CONSTRUCTION CONSTITUTE A PRIVATE OR PUBLIC NUISANCE, AND SHALL NOT BE DETRIMENTAL TO THE VALUE OF THE LOT UPON WHICH LOCATED OR ANY OTHER HOUSES OR PROPERTIES IN SAID BUFFALO LAKES AREA; DECLARING IT TO BE UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION, OR ASSOCIATION OF PERSONS, TO CONSTRUCT ANY RESIDENTIAL BUILDING, OR ADDITION OR ALTERATION THERETO, WITHOUT SECURING WRITTEN APPROVAL OF PLANS AND SPECIFICATIONS BY THE GENERAL MANAGER OF THE DISTRICT, OR HIS REPRESENTATIVE, PRIOR TO COMMENCEMENT OF CONSTRUCTION, OR TO USE OR OCCUPY SUCH BUILDING, OR ADDITION OR ALTERATION THERETO, AFTER COMPLETION OF CONSTRUCTION WITHOUT WRITTEN APPROVAL BY SAID GENERAL MANAGER OR HIS REPRESENTATIVE; REQUIRING WRITTEN PERMIT PRIOR TO REMOVAL OF ANY BUILDING OR FOR REMOVAL OF ANY FURNITURE, FIXTURES, LUMBER OR OTHER BUILDING MATERIALS FROM ANY BUILDING OR PREMISES WITHIN BUFFALO LAKES AREA; PRESCRIBING A PENALTY; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS:

SECTION 1.

ADOPTION OF FORM AND BASIC PROVISIONS OF  
GROUND LEASE AGREEMENT

The Form and Basic Provisions of the Ground Lease Agreement contained in the attached copy thereof, which attached copy is hereby incorporated herein and made a part hereof for all purposes, is hereby approved and adopted as the Form and Basic Provisions of Ground Lease Agreements to be used in leasing the various lots owned by The Lubbock Water Control and Improvement District No. 1 of Lubbock County, Texas, and all previous Lease Agreements made by the said District employing such Form and containing said basic provisions are hereby in all things confirmed and ratified.

LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1  
LUBBOCK, TEXAS

GROUND LEASE

THE STATE OF TEXAS  
COUNTY OF LUBBOCK

THIS AGREEMENT made between LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, a Municipal Corporation of the State of Texas, hereinafter referred to as the "District", and \_\_\_\_\_, of \_\_\_\_\_ County, \_\_\_\_\_, hereinafter called "Tenant",

W I T N E S S E T H :

1

In consideration of the agreed rental hereinafter set forth, and the agreements,

convenants and obligations resting upon the Tenant under the terms of this agreement,



the District hereby leases, demises and lets to Tenant the following described real estate, situated in Lubbock County, Texas, to-wit:

Site No....., as shown on the Plat prepared by Parkhill, Smith and Cooper, entitled "Buffalo Springs Lake, Lubbock County Water Control and Improvement District No. 1, Plat of Building Sites", a copy of which Plat is deposited in the District's office in Lubbock County, Texas,

for a term commencing on the date of this contract, and terminating nine (9) years from December 31st of the current year.

2

The agreed rental to be paid by Tenant to the District is the sum of \$..... per annum, the prorated rental for the period of time intervening between the execution of this agreement and December 31st of the current year having been paid coincidentally with the execution hereof, receipt of which is hereby acknowledged by the District; a payment in the amount of the annual rental shall be made on or before January 1st next ensuing after the date of this agreement, and a similar payment shall be made on or before each January 1st thereafter during the term of this lease. Rental shall be paid at the office of the District in Lubbock County, Texas.

3

Throughout the term of this lease, the above named Tenant, his spouse and his minor children will be granted the privilege of free ingress and egress through the gate, or gates, maintained by the District at the entrance, or entrances, to its grounds in which the above designated site is located. The District will furnish such permits and passes as are proper under the foregoing provisions, and the Tenant, his spouse and minor children, shall comply with the rules and regulations now established and which may hereafter be established, altered, amended or promulgated by the District with reference to the use of such passes and permits.

4

The leased premises may be used for residential purposes only during the term of this agreement, and no advertising or other commercial enterprise whatsoever shall be carried on thereon.

5

The Tenant agrees that while on the leased premises and elsewhere on the District's grounds, he and his family, guests, licensees, and invitees will abide by all lawful statutes, ordinances, rules and regulations now established and which may hereafter be established, altered, amended or promulgated by the District or by any other body having authority so to do.

6

If the premises above described are unimproved at the present time, the Tenant agrees that he will, within six (6) months from the date of this agreement, commence the construction of a residential building, and will complete such construction within twelve (12) months from the date of this agreement. Such construction shall be done in accordance with the rules and regulations now established and which may hereafter be established, altered, amended or promulgated by the District, and shall comply with the standards set up by the District, it being understood that said residence shall contain not less than ..... square feet of floor space, exclusive of breezeways, garages and open porches. If said site is already improved, Tenant shall, within six (6) months from the date hereof, at his own cost and expense, complete whatever additions, alterations and changes are necessary to cause such improvements to comply with the rules, regulations and standards of the District, including the requirement that the completed structure contain the number of square feet aforesaid.

7

If the existence of this agreement shall cause any tax, whether federal, state or local, to be imposed upon the District, the Tenant agrees that he will pay the amount of such tax to the District as additional rental within thirty (30) days from the date such tax becomes due and payable.

8

The District reserves a strip six (6) feet wide lying adjacent to and inside of each of the boundary lines of the above described site, upon which strips the District may, at its option, install such pole lines, pipe lines, sewer lines and other utility lines as it may deem proper. The Tenant may use such strip for any purpose not inconsistent with the aforesaid uses, but shall not locate any improvement in such a manner as to interfere with the installation, operation or maintenance of any such line.

9

Upon the expiration of this lease, the Tenant shall have the right to remove, at his own cost and expense, any building or other improvement that he may have placed on said site, provided he be not then in default in performance of his obligations hereunder; provided, however, that such removal must be accomplished within thirty (30) days after the termination of this lease, whether by expiration of the term or otherwise, and if not accomplished within such period, all such improvements shall remain attached to and be considered a part of the real estate, and shall be the property of the District, its successors or assigns.



10

The District shall have an express contract lien, in addition to the landlord's lien granted by the laws of Texas, upon the fixtures, improvements and personal property of the Tenant placed upon or used on or about the leased premises to secure payment of the agreed rental payable hereunder, and to secure performance of the other obligations resting upon Tenant under the terms and provisions hereof.

11

At the expiration of the term of this agreement, the Tenant being not then in default, he shall have the right, at his election, to renew this lease for a term of ten (10) years from the expiration of the original term hereof, upon the same terms and conditions as are hereinabove set forth; provided, however, that the rental to be paid by the Tenant during such renewal term shall be the ground rent for comparable lots last established by the District. If the Tenant wishes to exercise this option, he shall, not less than thirty (30) days prior to the expiration of the term of this lease, notify the District in writing of his election so to do, such notice to be effective when the same is actually received by the District at its office in Lubbock County, Texas.

12

The privilege is hereby granted to the Tenant to assign this lease for all or any part of the unexpired portion of its term; provided, however, that no such assignment shall relieve the Tenant of his primary obligation for the payment of the agreed rental and the performance of the other obligations resting upon him hereunder, and provided further than no such assignment shall be binding on the District unless made on a form approved by the District and unless a copy of such assignment be filed with and accepted by the District. In case of any such assignment, the card passes theretofore issued to the

assignor and to members of his family shall be surrendered, and the District will issue new passes to the assignee.

13

The ownership of this lease does not entitle the Tenant to any privileges with reference to the facilities of the District other than the use and occupancy of the above described real estate, together with ingress and egress through the District's gates. For the exercise of any other privilege for which the District makes a charge, Tenant will be charged the same fee as other members of the public.

14

Failure on the part of the Tenant to perform any of the obligations resting upon him hereunder, including but not limited to failure on his part to pay the agreed rental aforesaid, shall entitle the District, at its option, to cancel this lease and terminate all rights of the Tenant created hereby. Such option shall be exercised by the District by giving written notice to the Tenant of its election so to do, such notice to be given either by United States Mail, addressed to the Tenant at the address stated below, or by leaving a copy of such notice at the leased premises.

15

Tenant hereby agrees that his occupancy of the above site, and his use of the grounds of the District, shall be at his own risk, and he hereby waives any and all claims for damages, either to his person, his family, or his property, arising or growing out of any occurrence, omission or circumstance transpiring on the leased premises or elsewhere on the District's ground. Further, the Tenant shall hold the District harmless against the claims and demands of any member of his family or any guest of his arising or growing out of any such occurrence, omission or circumstance.

EXECUTED in duplicate originals this \_\_\_\_\_ day of \_\_\_\_\_, A. D., 19\_\_\_\_.

LUBBOCK COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NO. 1

Tenant: \_\_\_\_\_

Address: \_\_\_\_\_

By: \_\_\_\_\_  
District

Site No. \_\_\_\_\_

## SECTION 2

### MINIMUM REQUIREMENTS AS TO FLOOR SPACE OF RESIDENTIAL BUILDINGS, AND GROUND LEASE RENTAL RATES UPON CERTAIN LOTS

The minimum requirements as to floor space of residential buildings,



exclusive of breezeways, garages and open porches, erected and/or to be erected upon the hereinafter designated lots, as shown on the official Plat of Building Sites in the Buffalo Lakes Area of The Lubbock County Water Control and Improvement District No. 1, on file at the office of said District, and the annual rate of Ground Lease Rental upon such lots are set forth as follows:

Lots Nos.	Minimum No. of Square Feet of Floor Space	Annual Ground Lease Rental
1 - 98, inclusive,	400	\$ 100.00
99 - 188, inclusive,	600	150.00
189 - 337, inclusive,	900	200.00
501 - 616, inclusive,	400	100.00
999 - 1008, inclusive,	900	200.00

### SECTION 3.

#### DESIGN, MATERIALS AND CONSTRUCTION OF RESIDENTIAL BUILDINGS

The design, materials and construction standards of any residential building when erected on any lot leased from said Lubbock County Water Control and Improvement District No. 1 shall not, by reason of its general appearance or type and/or quality of materials or construction thereof, constitute a private or public nuisance and shall not be detrimental to the value of the lot upon which located or any other residential houses, buildings or properties located in the Buffalo Lakes Area of said District.

### SECTION 4.

#### REQUIRING APPROVAL OF PLANS AND SPECIFICATIONS FOR RESIDENTIAL BUILDINGS

It shall be unlawful for any person, firm, corporation or association of persons to construct or cause to be constructed any residential building, or any addition or alteration thereto, upon any lot leased from said Lubbock County Water Control and Improvement District No. 1, without first having obtained, prior to commencement of such construction, approval in writing of the plans and specifications for such construction from the General Manager of said District, or his representative. In the event such plans and specifications submitted are in accordance with all of the requirements of this ordinance, the Ground Lease Agreement covering and affecting such lot, and any other applicable ordinances, rules and regulations governing the erection of such buildings, additions or alterations, then such General Manager, or



his representative, shall give his written approval of such plans and specifications and the party or parties entitled to seek such approval may then proceed with such construction.

#### SECTION 5.

##### REQUIRING APPROVAL OF COMPLETED STRUCTURE PRIOR TO USE OR OCCUPANCY

It shall be unlawful for any person, firm, corporation or association of persons to use or occupy any residential building, or addition or alteration thereto, after the completion of the construction upon any lot leased from said District, until written approval thereof has been secured from the General Manager of the District, or his representative. In the event such building when completed shall have been constructed in accordance with all of the requirements of this ordinance, the Ground Lease Agreement covering and affecting such lot, and any other applicable ordinances, rules and regulations governing the construction of such building, addition or alteration, then such General Manager shall, after inspection thereof, give his written approval of such structure, and the party or parties so seeking such approval may then use and occupy the same.

#### SECTION 6.

##### REQUIRING PERMIT TO REMOVE ANY BUILDING, OR FURNITURE, FIXTURES, LUMBER OR OTHER BUILDING MATERIALS

It shall be unlawful for any person, firm, corporation or association of persons to remove, or cause to be removed, any building from the Buffalo Lakes Area, or to remove, or cause to be removed, any furniture, fixtures, lumber or other building material from any residence or other building or premises within the Buffalo Lakes Area, whether such property be owned privately or by the public, without first having obtained a written permit from the General Manager of said District authorizing such removal of property. Prior to the granting of such permit for the proposed removal of any such property, the General Manager shall make sufficient investigation to determine that such proposed removal for which a permit is sought is to be performed by the owner of the property or under the authorization or direction of such owner.

#### SECTION 7.

##### PENALTIES

The doing of any act forbidden to be done by this ordinance or the failure to do any act required by the provisions of this ordinance shall be



deemed to be a misdemeanor, which, in case of a lawful conviction thereof, shall be punishable by the infliction of a fine, the amount of which combined with the costs of court, shall not exceed Two Hundred (\$200.00) Dollars, and each day during which any such violation shall continue shall constitute a separate offense.

SECTION 8.

REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

SECTION 9.

SAVINGS CLAUSE

In the event any particular provision of this ordinance, or any portion of any section or paragraph hereof is judicially declared to be invalid, nevertheless, those parts of this ordinance, and its several paragraphs and subdivisions that shall remain after such declaration, shall have full force and effect.

SECTION 10.

PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this ordinance as required by law, and ignorance of any provision of this ordinance, after such publication, shall not constitute a defense to the prosecution for the enforcement of a penalty by this ordinance provided; and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of the enactment hereof, on this the 4th day of August, 1961, witness the signing thereof by O. Gowen as President of the Board of Directors of The Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by H. D. Waller as Secretary of such Board, with the imprinting of the District's seal.

\_\_\_\_\_/S/ O. Gowen\_\_\_\_\_  
President

ATTEST: \_\_\_\_\_/S/ H. D. Waller\_\_\_\_\_  
Secretary

(SEAL)



## ORDINANCE NO. VII

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A, OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, REGULATING SKIING, SURF BOARDING AND OTHER COMPARABLE WATER SPORTS OR ACTIVITIES UPON THE WATERS OF THE BUFFALO LAKES AREA OF SUCH DISTRICT; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF LUBBOCK COUNTY, TEXAS:

### SECTION 1.

It shall be unlawful for any person to engage in skiing, surf boarding or other comparable water sports or activities upon the waters of the Buffalo Lakes Area of The Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, between sunset and sunrise, nor shall any person operate a boat for the purpose of towing any person or persons engaged in any such water sports or activities between sunset and sunrise, provided that this section shall not apply to persons engaged in duly authorized water ski tournaments, competitions or exhibitions, or trials therefor.

### SECTION 2.

Any person or persons violating any provision of this Ordinance shall be guilty of a misdemeanor, which, in case of lawful conviction thereof, shall be punishable by the infliction of a fine, the amount of which shall not be less than Ten (\$10.00) Dollars, nor more than Fifty (\$50.00) Dollars.

### SECTION 3.

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

### SECTION 4.

In the event any particular provision of this Ordinance, or any portion of any section or paragraph hereof is judicially determined to be invalid, nevertheless, those parts of this Ordinance, and its several paragraphs and subdivisions that shall remain after such declaration, shall have full force and effect.

### SECTION 5.

The provisions of this Ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provision of this Ordinance, after such



publication, shall not constitute a defense to the prosecution for the enforcement of a penalty by this Ordinance provided; and the provisions hereof, after such publication, shall be judicially known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of the enactment hereof, on this the 4th day of August, 1961, witness the signing thereof by O. Gowen, as President of the Board of Directors of The Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by H. D. Waller as Secretary of such Board, with the imprinting of the District's seal.

/S/ O. Gowen  
President

ATTEST:

/S/ H. D. Waller  
Secretary

(SEAL)



ORDINANCE NO. VIII

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A, OF VERNON'S ANNOTATED CIVIL STATUTES, PROVIDING FOR THE HEALTH, SAFETY AND CONVENIENCE OF THE INVITEES, TENANTS AND THE PUBLIC AT LARGE WHO USES THE FACILITIES OF THE BUFFALO SPRINGS LAKE AREA BY PROHIBITING THE RUNNING AT LARGE OF ANY ANIMAL OF ANY KIND UPON THE PROPERTY, LANDS AND AREA CONSTITUTING THE BUFFALO SPRINGS LAKE PROJECT, RESTRICTING THE POSSESSION OF DOGS AND CATS BY TENANTS, PATRONS AND OTHER PEOPLE OCCUPYING PREMISES UPON THE PROPERTY OF SAID DISTRICT, PREVENTING THE KEEPING OR HARBORING OF ANY ANIMALS WHICH DISTURB THE PEACE BY LOUD NOISES AT ANY TIME OF DAY OR NIGHT OR WHICH ENDANGER THE PEACE, HEALTH AND WELFARE OF OCCUPANTS AND PATRONS OF SAID DISTRICT PROPERTY BY VIRTUE OF VICIOUS TEMPERAMENT: PROVIDING FOR THE KILLING OF DANGEROUS ANIMALS BY LAKE RANGERS: PROVIDING FOR THE INOCULATION OF ALL DOMESTIC ANIMAL PETS, INCLUDING CATS, DOGS AND OTHER ANIMALS BEFORE THE SAME MAY BE PERMITTED ON THE PREMISES OF THE DISTRICT: PROVIDING FOR IMPOUNDING ANY ANIMAL THAT BITES OR ATTACKS ANY PERSON OR OTHER ANIMAL ON THE PREMISES OF SAID DISTRICT AND THE EXAMINATION OF ANY SUCH ANIMAL BY A VETERINARIAN AT THE EXPENSE OF THE OWNER OF THE ANIMAL AND THE DESTRUCTION OF SUCH ANIMAL OR ITS PERMANENT REMOVAL FROM THE PREMISES OF THE DISTRICT IF IT SHALL BE DETERMINED THAT IT HAS RABIES OR HAS A PERMANENT VICIOUS AND DANGEROUS DISPOSITION; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING REPEALING CLAUSE; PROVIDING SAVINGS CLAUSE AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE:

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF LUBBOCK COUNTY, TEXAS:

SECTION 1.

The Board of Directors of the Lubbock County Water Control and Improvement District Number One, does hereby declare that all property, improvements and water facilities of the District shall be made safe for the use of the occupants, and tenants of cabins, patrons of the District and public at large and that so far as possible youths, children and families using the facilities of the District shall be protected from injury, danger and risks, and thus be assured a place of relaxation, enjoyment and recreation, without the inconvenience and discomfort of being molested, disturbed or annoyed by harsh noise and offensive animals running at large, and for that purpose this ordinance is adopted.

SECTION 2.

Dangerous Animals: It shall be unlawful to permit any animal of any kind to run at



large upon any of the property of the Bufflao Springs Lake area. Tenants who have leased lots from the District and have erected and constructed improvements thereon may be permitted to keep dogs and cats within any such cabin or within a well-fenced yard or area situated upon any such lot, but no such dog or cat shall be permitted to run at large and roam at will throughout the premises of the District, including the campgrounds, roads, driveways and other public facilities of the District. Any tenant of any lot or premises situated upon Buffalo Springs Lake area or any patron which may enter the premises of said District for camping or recreational purposes, may be permitted to have a domesticated, properly disciplined dog or cat in his possession, provided he shall have it under control at all times by having the same attached to a leash; and provided further that such dog or cat shall not be vicious or dangerous either to other animals or people who shall be using the facilities of the District.

#### SECTION 3.

Noise: It shall be unlawful to harbor or keep any animals which disturb the peace or disrupt the quietness and tranquility of any resident of said District by loud noises at any time of the day or night.

#### SECTION 4.

Strays: No cattle, horse, swine, sheep, goats or poultry shall be kept or permitted at any cabin or around any picnic area, or shall be permitted to run at large upon any area of the Buffalo Springs Lake. Any such animal found at any cabin, park or picnic area or found running at large in any public place upon the District property shall be impounded in the manner provided in this ordinance. Provided, however, that a riding academy and facilities may be maintained by permission of the District at a designated place, where horses and like animals may be kept for pleasure rides by patrons of the District; and provided further that patrons of said District may be permitted to bring a saddle horse or pony upon the premises of the District for a short period of time, not to exceed a day and night, for riding for pleasure or relaxation, except that the following regulations shall apply to such occasional entry of such horse or pony, viz:



- (a) All such horses or ponies shall never be tethered or hitched to or near any tree, shrub or plant on such property so as to make possible the injury to or destruction of any such tree, shrub or plant by any saddle pony.
- (b) Such animals must be tethered or hitched to hitching racks and posts prepared by the District for such purposes and placed in a designated area; and no such horse or pony may be tied, tethered or hitched in any other area upon the premises of the District.
- (c) All such horses or ponies must be ridden only over the regular bridle trails or on the shoulders of the paved roads and highways of the District, and at no time shall any such horse or pony be ridden upon or be permitted to stray or remain on any of the paved highways of the District so as to interfere with the orderly movement of automobiles and other vehicles over the paved roads and highways of the District.

#### SECTION 5.

Killing Dangerous Animals: The Lake Rangers, any Buffalo Springs Lake official, and any peace officer of State or Federal Game Warden shall be authorized and directed to kill any dangerous animal of any kind when it shall be necessary for the protection of any person or property upon the premises of this District.

#### SECTION 6.

Diseased Animals: No domestic animal afflicted with a contagious or infectious disease shall be allowed upon the property of the District or shall be allowed to be exposed in any public place upon the District property whereby the health of man or beast may be affected; nor shall any such diseased animal be removed from the premises of the owner thereof, except under the supervision of a Lake Ranger or an appropriate Health Official.

#### SECTION 7.

Housing: No person shall allow any place, dog house, dog or cat pen or enclosed



portion of their premises where a dog or cat shall be kept to become unclean or unwholesome, so as to emit foul and disagreeable odors in the area.

#### SECTION 8.

Rabies Inoculation: It shall be unlawful to harbor or keep any dog, cat or other pet or domesticated animal over the age of six months within the boundaries of the Buffalo Springs Lake area unless such animal has been inoculated against rabies by a licensed veterinarian within the preceding year. No dog, cat or other pet shall be permitted to come upon or remain upon any area of the Buffalo Springs Lake unless the owner of any such pet animal shall have proof that it has been inoculated against rabies by having securely fastened to such pet animal a collar to which is affixed a current valid rabies tag.

#### SECTION 9.

Dog and Cat Bites: Whenever any dog or cat or other domesticated animal maintained as a pet by any person on the premises of the Buffalo Springs Lake area bites, attacks or otherwise molests any other animal or person on the premises of said District, the owner of said animal shall immediately notify a Lake Ranger, who shall order the animal held on the owner's premises or shall have it impounded for a period of three weeks. The animal shall be examined by a licensed veterinarian immediately after it has bitten or attacked anyone or any other animal and again at the end of a three weeks period. The expense of such examination shall be the obligation of the owner of such animal. If at the end of three weeks a veterinarian is convinced that the animal is then free from rabies, the animal shall be released from quarantine or from the pound as the case may be. If the animal dies in the meantime, its head shall be sent to the State Department of Health for examination for rabies. Provided, however, that if upon original examination of such animal by the veterinarian it is his opinion that such animal may be infected with rabies, then such animal shall be immediately killed and its head sent to the State Department of Health for examination.

In this regard it is further provided that if an animal bites or otherwise attacks a person or any other animal on the premises of such District on more than one



ocassion, it shall be prima facie evidence of the fact that such animal has a vicious and dangerous disposition and the owner of said animal shall be required to either keep the animal permanently housed on his own permises or properly caged on his own premises and after receiving notice from any Lake Ranger that his animal has been so declared vicious and dangerous, it shall be unlawful for such owner to permit such animal at any time to leave his immediate premises or be let out of his house.

#### SECTION 10.

Penalties: The doing of any act forbidden to be done by this ordinance or the failure to do any act required by the provisions of this ordinance shall be deemed to be a misdemeanor, which, in case of lawful conviction thereof, shall be punished by the infliction of a fine, the amount of which combined with cost of court, shall not exceed \$200.00, and each day during which any such violation shall continue shall constitute a separate offense.

#### SECTION 11.

Repeal of Inconsistent Ordinances: All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

#### SECTION 12.

Savings Clause: In the event any particular provision of this ordinance or any portion of any section or paragraph thereof is judicially declared to be invalid, nevertheless, those parts of this ordinance and its several paragraphs and subdivisions that shall remain after such declaration, shall have full force and effect.

#### SECTION 13.

Publication and Effect of Ordinance: The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this ordinance as required by law, and ignorance of any provisions of this ordinance after such publication, shall not constitute a defense to the prosecution for the enforcement of a penalty by this ordinance provided; and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a City of the State of Texas.

As evidence of the enactment hereof, on this the 14 day of January, 1966,



witness the signing thereof by T. E. Milam, as President of the Board of Directors of the Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by H. D. Waller, as Secretary of such Board, with the imprinting of the District's Seal.

/S/ T. E. Milam  
President

ATTEST:

/S/ H. D. Waller  
Secretary

(DISTRICT SEAL)

## ORDINANCE IX

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A, OF VERNON'S ANNOTATED TEXAS CIVIL STATUTES, INCLUDING ARTICLES 7880-7 OF SUCH STATUTES, PROVIDING THAT THE BOARD OF DIRECTORS OF SAID DISTRICT SHALL FROM TIME TO TIME BY ORDER DULY ENTERED ON THE MINUTES OF SAID DISTRICT ESTABLISH VARIOUS CHARGES, FEES AND DUES TO BE MADE FOR ADMISSION TO THE PROPERTIES OF BUFFALO SPRINGS LAKE AREA AND THE USE OF THE RECREATIONAL FACILITIES, PRIVILEGES AND BENEFITS AVAILABLE FOR THE PUBLIC; REQUIRING AND DIRECTING ANY PERSON OR PERSONS DESIRING TO ENTER THE BUFFALO SPRINGS LAKE AREA OF SUCH DISTRICT AND TO USE SUCH RECREATIONAL FACILITIES OF SUCH DISTRICT TO MAKE SUCH ENTRANCE ONLY AT AN OFFICIALLY DESIGNATED ENTRANCE LOCATION AND ONLY AFTER MAKING PAYMENT OF THE REQUIRED FEE, FEES OR CHARGE SO ESTABLISHED BY THE DISTRICT FOR THE USE OF THE PARTICULAR RECREATIONAL FACILITY OR ACTIVITY WHICH SUCH PERSON OR PERSONS ACTUALLY USE OR ENGAGE IN; DECLARING IT TO BE UNLAWFUL FOR ANY PERSON OR PERSONS TO EVADE OR TO ATTEMPT TO EVADE BY ANY METHOD OR MEANS WHATSOEVER THE PAYMENT TO THE DISTRICT OF ANY FEE OR OTHER CHARGE WHICH MAY BE LEVIED FOR ADMISSION TO OR THE USE OF THE RECREATIONAL FACILITIES AND PRIVILEGES OF SUCH BUFFALO SPRINGS LAKE AREA; PRESCRIBING AND LEVYING DOUBLE THE AMOUNT OF THE NORMAL CHARGE FOR ANY PERSON OR PERSONS WHO SHALL MAKE AN UNAUTHORIZED ENTRY UPON THE PROPERTIES OF THIS DISTRICT OR WHO SHALL USE ANY RECREATIONAL FACILITY OR ENGAGE IN ANY RECREATIONAL ACTIVITY WITHOUT FIRST HAVING PAID THE PRESCRIBED FEE THEREFOR AND PRESCRIBING THE DUTIES AND POWERS OF LAKE RANGERS OF SUCH DISTRICT WITH RESPECT TO THE UNAUTHORIZED ENTRY UPON THE PROPERTY OF THIS DISTRICT OR THE USE OF THE RECREATIONAL FACILITIES OF THE DISTRICT WITHOUT HAVING OBTAINED A PERMIT THEREFOR AND WITHOUT HAVING PAID THE REQUIRED FEE FOR EXERCISING SUCH RECREATIONAL ACTIVITY; PROVIDING THAT FAILURE TO PAY SUCH DOUBLE CHARGE AFTER SUCH UNAUTHORIZED ENTRY OR SUCH UNAUTHORIZED USE OF RECREATIONAL FACILITY OR SUCH UNAUTHORIZED RECREATIONAL ACTIVITY SHALL CONSTITUTE A VIOLATION OF THIS ORDINANCE AND DECLARING ANY SUCH OFFENSE TO BE A SEPARATE OFFENSE FROM OTHER VIOLATIONS AND CUMULATIVE OF ANY OTHER OFFENSES COMMITTED IN VIOLATION OF THIS ORDINANCE; PRESCRIBING A PENALTY: PROVIDING A REPEALING CLAUSE AND SPECIFICALLY REPEALING FORMER ORDINANCE NO. III HERETOFORE EXISTING ON THIS SUBJECT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF LUBBOCK COUNTY, TEXAS:

### SECTION 1.

REQUIREMENTS FOR LEVY, AND COLLECTION OF FEES FOR ENTRANCE TO AND USE OF RECREATIONAL FACILITIES OF BUFFALO SPRINGS LAKE AREA:

Any person or persons desiring to enter the Buffalo Springs Lake Area, of the Lubbock County Water Control and Improvements District No. 1 of



Lubbock County, Texas, as such area has been heretofore officially designated pursuant to effective ordinances of the governing body of such District, for any purpose whatsoever, whether as a pedestrian, or traveling in a motor vehicle, or by any mode of land transportation, are hereby directed and required to make such entrance only at the officially designated entrances thereof; and, before entering, shall stop in the manner and at the place designated and marked and pay to the designated official of such District the prescribed fees or charges, which shall be established by order of the Board of Directors from time to time, for the use of the recreational facilities of the District or for the privilege of engaging in the recreational activities available to the public upon the area of such District; or present to such official a valid Permit Card authorizing such admission for such purpose or purposes.

Any person or persons who shall (i) make an entry onto the area of Buffalo Springs Lake or (ii) use any of the recreational facilities of the District or (iii) engage in any of the recreational activities available to the public upon the District property without first having (a) make such entry at an officially designated entrance area, and (b) having stopped at such entrance, and (c) either (1) having paid the required fee then in force and effect for the use of the particular recreational facility so used or for the particular recreational activity engaged in or (2) having upon his person a valid permit authorizing the same, shall be deemed to have gained unauthorized entrance upon such property of the District and shall be deemed to have used the recreational facilities or to have engaged in the recreational activities of the District in an unauthorized manner and shall therefore be deemed to have violated and shall become subject to the penalties of this ordinance.

## SECTION 2.

### EVASION OF PAYMENT OF ADMISSION FEES AND OTHER CHARGES FOR USE OF RECREATIONAL FACILITIES AND ACTIVITIES OF DISTRICT:

It shall be unlawful for any person or persons to evade or attempt to evade by any method or means whatsoever the payment of any fees or charges which may be levied for admission to the property of or the use of the recreational

facilities and activities of the Buffalo Springs Lake Area.

### SECTION 3.

#### DOUBLE ADMISSION AND PERMIT FEES LEVIED IN EVENT OF UNAUTHORIZED USE OF THE RECREATIONAL FACILITIES AND ACTIVITIES OF THE DISTRICT:

It shall be the duty of the Lake Rangers of Lubbock County Water Control and Improvement District No. 1 to apprehend any person or persons who shall make an unauthorized entry upon the property of The Lubbock County Water Control and Improvement District No. 1 or who shall in any unauthorized manner make use of the recreational facilities or engage in the recreational activities offered to the public by said District, as such acts are defined in Section 1 of this Ordinance; and, upon apprehending any such person or persons who shall have violated this ordinance, any such Lake Ranger is hereby authorized and directed to demand and receive from such person or persons, for and on behalf of the District, a fee for such admission or the use of such recreational facility or engaging in such recreational activity, which fee is hereby specifically hereby levied, and assessed, which shall be a sum of money equal to two (2) times or double the amount then in force and effect for the particular recreational facility which the violator shall then be engaged in or using; and, failure of such person or persons to comply with such demand and make immediate payment of such double fee or charge, as herein provided, shall be considered as a violation of this ordinance and any person or persons so violating shall be subject to prosecution therefor as a separate offense. The Lake Ranger shall issue a special permit under such circumstances and shall require the violator to sign such permit and the failure and refusal of the violator to sign such special permit shall subject him to prosecution under the penalty of this ordinance as a separate offense.

### SECTION 4.

#### PENALTIES:

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be fined in any amount which, combined with cost of court, shall not exceed the sum of two hundred and no/100ths Dollars (\$200.00).



## SECTION 5.

### REPEAL OF INCONSISTENT ORDINANCES AND ORDINANCE III:

All ordinances or parts of ordinances inconsistent or in conflict of the provisions of this ordinance are hereby repealed. Ordinance III, adopted by the Board of Directors of the Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas on the 30th Day of March, 1961, shall be and hereby is specifically repealed.

## SECTION 6.

### SAVINGS CLAUSE:

In the event any particular provisions of this ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of this ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

## SECTION 7.

### PUBLICATION AND EFFECT OF ORDINANCE:

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this ordinance as required by law, and ignorance of any provisions of this ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like into that of valid penal ordinances of a city of the State of Texas.

As evidence of the enactment hereof on this the 7th day of December, 1967,  
Witness the signing hereof by H. D. Waller, as President of the Board of Directors of the Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by V. G. Browning, as Secretary of such Board, with the imprinting of the Seal of the District.

/s/ H. D. Waller

President, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1, of  
Lubbock County, Texas

ATTEST:

/s/ V.G. Browning

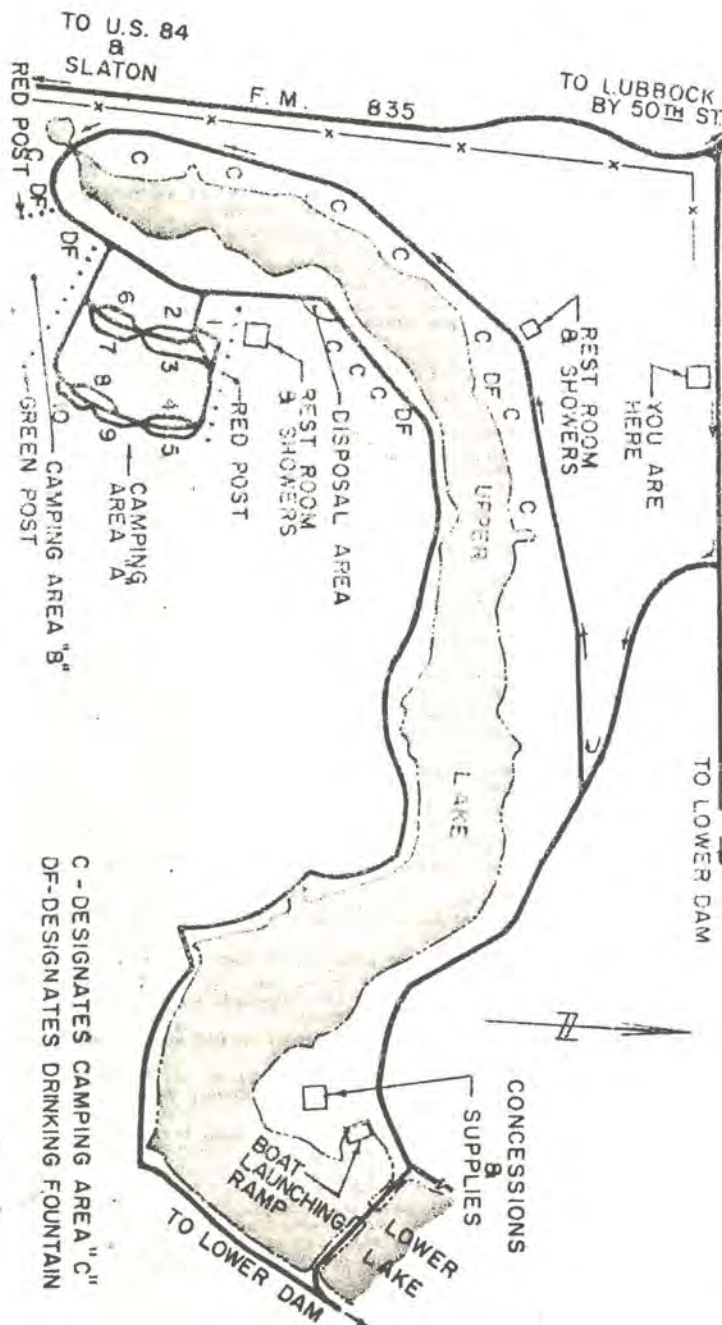
SECRETARY, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1 of  
Lubbock County, Texas

(DISTRICT SEAL)



# ORDINANCE NO. X

CAMPING AREA "A" - FULL HOOK-UPS  
CAMPING AREA "B" - ELECTRIC HOOK-UPS ONLY  
CAMPING AREA "C" - NO HOOK-UPS



## LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 RULES AND REGULATIONS GOVERNING THE USE OF CAMPING FACILITIES AT BUFFALO SPRINGS LAKE

### RATES

#### Camping Rates Per Night Per Unit

1. No hook-ups - Area "C"	\$1.00
2. Electrical hook-ups only - Area "B"	\$2.00
3. Full hook-ups - Area "A"	\$3.00

Plus General Admission Fee for occupants:  
Adults (12 years and older) \$ .50  
Children (6 years through 11 years) \$ .25  
If boating or fishing privileges are desired, the regular fee for such privilege must also be paid.

- Overnight camping will be by permit only and at the site or location approved or assigned by the Lake Ranger.
- Camping shall be limited to 14 consecutive days. After using the camping facilities of the District for the maximum 14-day period allowed, a camper may not use such camping facilities again until a minimum period of 10 days has elapsed.
- Trailers having sinks, lavatories or toilet facilities will not drain waste on or into the ground.
- Television, radios, recorded music and musical instruments shall not be played after 11:00 o'clock P.M. in the picnic and camping areas in such a loud manner as to disturb other occupants of such areas.
- Children under seventeen years of age will not be permitted to register or stay overnight in the Buffalo Springs Lake Area, unless chaperoned and accompanied by an adult.
- Any person using the camping facilities of the Lake who also procures a fishing permit and/or boat permit must comply with all fishing and boating rules and regulations of the District. These rules and regulations will be given to you upon request.
- Pets will be permitted on leash only.
- No swimming is permitted in the waters of Buffalo Springs Lake.
- It shall be unlawful for any person or persons to display, drink or consume any intoxicating liquor or beverage at or in any public place within the Buffalo Springs Lake Area.
- Firearms will not be used or displayed at any time on the Buffalo Springs Lake Area; and, except for specific occasions such as July 4th, fireworks will not be displayed or otherwise discharged.
- No hunting shall be allowed on the Buffalo Springs Lake Area and there shall be no shooting or killing of birds, animals or game of any sort within the Buffalo Springs Lake Area during any season of the year.
- No wild flowers, trees or shrubs shall be picked, cut, broken or otherwise mutilated.
- No person shall dump or deposit refuse in the Buffalo Springs Lake Area, and all trash must be deposited in proper receptacles, garbage and trash containers prepared for that purpose.
- Loud, unnecessary noises and improper conduct will not be permitted.
- No person shall wilfully injure or destroy, or attempt to injure or destroy any property of any kind situated upon the Buffalo Springs Lake Area.
- Horseback riding shall be permitted in designated areas only.
- Motor vehicles shall not be driven over the roads of the Buffalo Springs Lake Area at greater rates of speed than those shown upon the posted speed signs of the District.
- Vehicle travel shall be permitted on designated and authorized roads only.
- All concession rights within the boundaries of the Buffalo Springs Lake Area are reserved by the Lubbock County Water Control and Improvement District No. 1.
- All provisions of the State boating law shall be enforced on the Buffalo Springs Lake.

### - NOTICE -

Appropriate ordinances have been adopted by the Board of Directors of the Lubbock County Water Control and Improvement District No. 1 which promulgate the rules and regulations above set out and appropriate penalties have been provided in such ordinances for any violation thereof.

On the reverse side of this leaflet will be found a map or plat of the "Upper Lake" of the Buffalo Springs Lake Area, with designated camping sites and facilities marked. One of these leaflets will be given to you with your camping permit, with the area where you are to camp being marked for your convenience.



## ORDINANCE X

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A, OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, REGULATING CAMPING WITHIN THE BUFFALO SPRINGS LAKE AREA; PROHIBITING HUNTING, TRAPPING, CATCHING, KILLING OR MOLESTING ANY WILD BIRDS OR WILD ANIMALS; PROHIBITING THE DRAINAGE OF WASTE FROM SINKS, LAVATORIES OR TOILET FACILITIES OF TRAILERS ON OR INTO THE GROUND; LIMITING THE PERIOD OF TIME WITHIN WHICH A TRAILER MAY CAMP UPON THE FACILITIES OF THE DISTRICT; PROHIBITING THE PLAYING OF TELEVISIONS, RADIOS, RECORDED MUSIC AND MUSICAL INSTRUMENTS AFTER ELEVEN O'CLOCK P.M. IN THE CAMPING AREA IN SUCH A LOUD MANNER AS TO DISTURB OTHER OCCUPANTS OF THE AREA; PROHIBITING OVERNIGHT OCCUPANCY BY CHILDREN UNDER SEVENTEEN YEARS OF AGE UNLESS CHAPERONED AND ACCOMPANIED BY AN ADULT; PROHIBITING THE PICKING, CUTTING, BREAKING OR OTHERWISE MUTILATION OF WILD FLOWERS, TREES OR SHRUBS ON THE BUFFALO SPRINGS LAKE AREA; PROVIDING THAT STATE LAW SHALL GOVERN PERSONAL CONDUCT AND USE OF THE BUFFALO SPRINGS LAKE AREA AND FACILITIES THEREOF FOR CAMPING AND OTHER PURPOSES UNLESS PROVIDED OTHERWISE BY ORDINANCE AND REGULATION; AUTHORIZING POLICE OFFICERS AND LAKE RANGERS TO REMOVE OR EXCLUDE ANY PERSON WHO SHALL BE IN VIOLATION OF ANY APPLICABLE STATE LAW OR ORDINANCE OR REGULATION OF THE DISTRICT; PRESCRIBING NON-LIABILITY OF THE DISTRICT FOR PERSONAL INJURIES OR LOSS OF LIFE, OR PROPERTY DAMAGE SUSTAINED IN CONNECTION WITH THE USE OF ANY OF THE CAMPING FACILITIES OF THE DISTRICT; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING REPEALING CLAUSE; PROVIDING SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF LUBBOCK COUNTY, TEXAS:

### SECTION 1. GENERAL CAMPING PROVISIONS

The General Manager, with the advice and consent of the Directors of this District shall designate areas on the property of this District which shall be set aside for use and occupancy by the public for the purpose of camping. Separate areas may be established for each type or kind of camping method such as Tent, Tent-trailer, Pickup-camper, Bus, Trailer, Station or Ranch Wagon, and Travel Trailer. Likewise, such types and kinds of camping vehicles may be further separated into areas designated as No Hook-up, Electrical Hook-up Only, Full Hook-up and other types and kinds of facilities. From time to time, the General Manager with the consent of the Directors may fix various charges, fees and admission costs which may be made for the use and occupancy of the camping areas of the District.

### SECTION 2. FIREARMS AND FIREWORKS

It shall be unlawful for any person, other than duly designated police officers to carry into or have in possession any form of firearm, any kind of rifles, shotguns, pistols, longbows and arrows, or any instrument capable of shooting an arrow, in the Buffalo Springs Lake area. Firearms will not be used or displayed at any time on the Buffalo Springs Lake Area, and, except for specific occasions such as January 1st and July 4th, fireworks will not be displayed or otherwise discharged; and even when fireworks are discharged on such special occasions, no



such fireworks shall be set off in a reckless and dangerous manner so as to endanger the safety, peace and tranquility of the person or property of other occupants of the area.

### SECTION 3. CAMPING BY PERMIT ONLY

Overnight camping within the Buffalo Springs Lake area shall be by special permit only; and when such permit shall be issued, such permit shall designate the particular area in which such permittee shall camp. At the time of the issuance of such permit the person procuring the permit shall state the number of days he intends to camp and shall be issued a permit for that number of days. Such permittee shall pay the stated fee for the length of time he intends to camp as designated for the particular area in which he shall have been assigned camping privileges. Camping by anyone within any of the camping areas shall be limited to fourteen (14) consecutive days. Upon the expiration of the fourteen (14) consecutive days the permittee shall surrender his camping space and vacate and remove his camping vehicle from the Buffalo Springs Lake area. After a permittee shall have occupied a camping space for the maximum fourteen (14)-day period allowed, he shall not be permitted to camp in the Buffalo Springs lake area again until a minimum period of ten (10) days has elapsed.

### SECTION 4. NO WASTE TO BE DISCHARGED

The permittee which may possess and gain admittance with a trailer or camping vehicle which is equipped with sinks, lavatories or toilet facilities shall not drain or discharge any waste from any such sinks, lavatories or toilet facilities upon or into the ground of any camping area. Since the District has provided facilities for trailers and camping vehicles with such equipment at designated areas, all such vehicles shall use only those facilities which have been prepared and equipped for such accommodations. Any camping vehicle which shall not be attached to or hooked up with such waste disposal outlets shall not permit the discharge of any such waste, either upon the grounds or the waters of Buffalo Springs Lake area.

### SECTION 5. LOUD MUSIC AND NOISE PROHIBITED

Televisions, radios, recorded music and musical instruments shall not be played after eleven o'clock P.M. in the picnic and camping areas of the District in such manner and to such extent as to disturb other occupants of such areas.

### SECTION 6. APPLICATION OF STATE LAW

Except as modified or supplemented by ordinances duly adopted by the Lubbock County Water Control and Improvement District No. 1, all applicable laws of the

State of Texas now in force or which may hereafter be enacted shall govern with respect to the conduct of persons and the operation and use of the properties and facilities of the Buffalo Springs Lake area.

SECTION 7. LIMITATION ON OVERNIGHT OCCUPANCY BY CHILDREN

Children under the age of seventeen years shall not be permitted to register or remain overnight in the Buffalo Springs Lake area unless chaperoned and accompanied by an adult.

SECTION 8. WILD FLOWERS, TREES AND SHRUBS TO BE PROTECTED

No wild flowers, trees or shrubs shall be picked, cut, broken or otherwise mutilated.

SECTION 9. NO HUNTING

No hunting shall be allowed on the Buffalo Springs Lake area, and there shall be no shooting or killing of birds, animals or game of any sort within the Buffalo Springs Lake area during any season of the year.

SECTION 10. AUTHORITY OF OFFICERS TO EXCLUDE FROM BUFFALO SPRINGS LAKE AREA

The General Manager, any Lake Ranger or other peace officer of the District shall have the right and authority to exclude and/or remove from the Buffalo Springs Lake area any person who is in violation of this or any other valid ordinance, regulation or laws governing the conduct of persons and/or the use and operation of property and facilities of the District, and any person so excluded or removed shall not be entitled to a refund of any fees paid for admission to the area.

SECTION 11. NON-LIABILITY OF THE DISTRICT

The Lubbock County Water Control and Improvement District No. 1 shall in no event be liable to any person on account of the loss or damage to any trailer, camper or recreational vehicle or any other property of any kind or nature which may be placed or left upon the property of the Lubbock County Water Control and Improvement District No. 1, nor shall such District be liable in any event to any person or persons whomsoever on account of personal injuries or loss of life that may be sustained by any person or persons entering upon any of the property of the District, and any person entering upon the properties of the District shall do so at his sole risk, and shall not be privileged to enter or remain in the Buffalo Springs Lake area or elsewhere within or upon the properties of said District, except under the terms and provisions of this section and such other applicable ordinances, resolutions, orders and regulations which have been or which may hereafter be adopted by the District.



SECTION 12. PENALTIES

The doing by any person or persons of any act forbidden to be done by this ordinance or the failure upon the part of any person or persons to do any act required by the provisions of this ordinance shall be deemed a misdemeanor, which, in case of lawful conviction thereof, shall be punishable by the infliction of a fine, the amount of which, combined with costs of court, shall not exceed Two Hundred Dollars (\$200.00), and each day during which any such violation shall continue shall constitute a separate offense.

SECTION 13. REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict only.

SECTION 14. SAVINGS CLAUSE

In the event any particular provision of this ordinance or any portion or any section or paragraph hereof is judicially declared to be invalid, nevertheless, those parts of this ordinance, and its several paragraphs and subdivisions that shall remain after such judicial determination, shall have full force and effect.

SECTION 15. PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this ordinance as required by law, and ignorance of any provision of this ordinance, after such publication shall not constitute a defense to the prosecution or enforcement of a penalty by this ordinance provided; and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of the enactment hereof, on this the 13th day of March, 1969, witness the signing thereof by Gordon H. Rose, as President and the attesting thereof by Burl H. Kizer, as Secretary, of the Board of Directors of the Lubbock County Water Control and Improvement District of Lubbock County, Texas.

/s/ Gordon H. Rose  
President

ATTEST:

/s/ Burl H. Kizer  
Secretary

(SEAL OF DISTRICT)

## ORDINANCE XI

AN ORDINANCE AMENDING ORDINANCE NO. VI INsofar AS THE SAME PRESCRIBES THE FORM AND BASIC PROVISIONS OF THE GROUND LEASE AGREEMENT TO BE USED IN LEASING THE VARIOUS LOTS OWNED BY THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS AND ADOPTING THE NEW FORM OF SUCH LEASE AGREEMENT; PROVIDING THE TERMS, CONDITIONS AND CIRCUMSTANCES UNDER WHICH TENANTS UNDER SUCH GROUND LEASE CONTRACTS MAY SUBLEASE SUCH GROUND LEASE AND THE IMPROVEMENTS THEREON AND FURTHER PROVIDING THE TERMS, CONDITIONS AND CIRCUMSTANCES UNDER WHICH SUCH IMPROVEMENTS ERECTED AND CONSTRUCTED UPON SUCH LOTS UNDER THE PROVISIONS OF SUCH GROUND LEASES MAY BE RENTED; AND OTHER THAN AS AMENDED HEREBY RATIFYING AND CONFIRMING SUCH ORDINANCE NO. VI; ESTABLISHING THE METHOD OF RECORDING A COLLATERAL ASSIGNMENT AND SECURITY INTEREST IN GROUND LEASE CONTRACTS; ESTABLISHING A SCHEDULE OF FEES TO BE CHARGED FOR RECORDING A SUBLEASE, ASSIGNMENT OR TRANSFER OF A GROUND LEASE, RECORDING A COLLATERAL ASSIGNMENT OF ANY SUCH GROUND LEASE, AND ESTABLISHING A SECURITY INTEREST IN AND TO SUCH GROUND LEASE CONTRACT AND IMPROVEMENTS SITUATED THEREON; STIPULATING THAT UNDER THE GROUND LEASE CONTRACT, THE TENANT SHALL MAINTAIN THE PREMISES IN A CLEAN AND ORDERLY CONDITION; PRESCRIBING A PENALTY FOR A VIOLATION OR VIOLATIONS OF THE AFFIRMATIVE PROVISIONS OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE:

WHEREAS, Ordinance No. VI contained in Section 1 thereof the basic form of ground lease contract to be used in connection with the leasing of the lots situated on the plat of building sites located within the area and boundaries of Buffalo Springs Lake, and it is deemed advisable by the Board of Directors of said District that such basic lease contract should be changed as to its terms and conditions based upon the experience encountered and undergone over the past ten years of using such contract; and

WHEREAS, the Board of Directors of said District have, after due consideration, changed the form, terms, conditions and agreements contained in such original contract and deem it advisable to amend Ordinance VI only insofar as and to the extent that it stipulated the form and substance of such ground lease contract:

NOW, THEREFORE, BE IT ENACTED AND ORDNANIED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF LUBBOCK COUNTY, TEXAS:

### SECTION 1.

That Section 1 of Ordinance No. VI be, and the same is hereby, repealed in its entirety.

### SECTION 2.

That Section 1 of said Ordinance No. VI shall hereafter read as follows:

"Section 1: The form and basic provisions of the Ground Lease Agreement contained in the attached copy thereof, which attached copy is hereby incorporated herein and made a part hereof for all purposes, is hereby approved and adopted as the



form and basic provisions of ground lease agreements to be used in leasing the various lots owned by the Lubbock County Water Control and Improvement District No. 1 and any and all renewals of existing lease agreements made by the District employing such form and containing such basic provisions are hereby ratified and confirmed.

"Such basic lease agreement in the following form shall be used to the exclusion of any others in the future with respect to renewing or extending outstanding leases and the making of any new lease agreements from and after the adoption of this Ordinance," viz:

SECTION 3.

That in accordance with the provisions of Sections 4 and 12 of such Ground Lease Contract, any original tenant shall have the privilege of subleasing the ground lease and improvements thereon and of renting such improvements in strict compliance with the provisions of such ground lease agreement but not otherwise. With respect to the rental or subleasing of such ground lease and improvements thereon, the following form is hereby adopted by the Board of Directors and must be executed prior to any renting or subleasing of such ground lease and improvements situated thereon:

SECTION 4.

That for the purpose of maintaining a current and adequate record of the ownership of each Ground Lease Contract and the proper person who shall be in possession of each such ground lease and improvements situated thereon, there shall be kept by the General Manager of this District a current and up-to-date record of all such contracts outstanding and each rental or subleasing of any such Ground Lease Contract and improvements situated thereon. For the purpose of defraying a part of the cost of maintaining such records, the following fees shall be charged for each transfer, viz:

(1) For each recorded rental agreement or sublease agreement filed with the District a recording fee of \$5.00 shall be charged the original tenant.

(2) For each outright assignment of a Ground Lease Contract, a recording fee of \$10.00 shall be charged; the assignor shall pay the \$10.00 assignment fee.

No lot and improvements included in any Ground Lease Contract shall be rented or subleased by any original tenant without reporting the same to the General Manager of the District and without filling out and filing with the District the required form of Rental or Subleasing of Ground Lease and Improvements Thereon, hereinabove set out, and without paying to the District the required recording fee of \$5.00 for each such transaction.

No Ground Lease Contract shall be transferred and/or assigned by any original tenant or any subsequent assignee without reporting the same to the General Manager of the District and without filling out and filing with the District the required Assignment of Lease form and without paying to the District the required recording fee of \$10.00.

#### SECTION 5.

When any such assignment of Ground Lease Contract shall be made along with the sale of the improvements thereon by the tenant to the assignee and a part of the consideration for the conveyance of such improvements shall be represented by a deferred purchase money note against such improvements to be paid by the assignee to the tenant over any period of time, it is hereby specifically provided that a security interest may be retained by the assignor in and to such improvements and a collateral assignment of the Ground Lease Contract may be taken by the assignor to secure such assignor in the payment of any such deferred consideration to be represented by notes or other debt. Likewise, a collateral assignment of the Ground Lease Contract and security interest on improvements situated thereon may be taken for security of any lien created by tenant or any assignee of the Ground Lease Contract. The forms for establishing and preserving such security interest shall be prescribed by the General Manager of the District upon advice and consent of the legal counsel of the District; and it shall be obligatory upon the parties to use the forms thus prescribed by the District in establishing and fixing such liens. A recording fee of \$15.00, which shall be paid by the debtor, shall be charged by the District for filing such lien forms. The parties to any such transaction may prepare such other and additional forms as they may desire, provided, however, that they must use and file with the District the forms prescribed by the legal counsel of the District in order to record properly such transaction on the records of the District.



No Ground Lease Contract shall be assigned and improvements situated thereon transferred with a lien impressed thereon by any tenant or assignor without complying with the requirements of this Section 5.

#### SECTION 6.

Each tenant shall at all times keep the premises covered by a Ground Lease Contract in a clean and orderly condition and shall not permit garbage, refuse and trash to accumulate thereon and shall maintain covered garbage disposal containers into which all garbage, trash and refuse shall be deposited for removal by the employees of the District in accordance with this and other applicable ordinances. The tenant shall not permit thistles, cockleburrs, ragweed, jimson and other noxious weeds of similar kind to grow upon the premises, but at all times shall keep the same free from unsightly weeds and vegetation. In event of failure to maintain the premises and improvements in a clean and orderly condition, the proper officials of this District shall give the tenant notice of failure to do so and shall point out in writing the action necessary to restore the property to an orderly and clean condition; and if within ten days after being served with such notice the tenant fails and/or refuses to so restore such premises and improvements to the required condition, the District shall be authorized to remove such weeds and to perform such work as shall bring the premises into orderly and clean condition; and any charges so incurred shall be paid by the tenant to the District. The failure and refusal of any tenant to comply with the request to restore such premises to an orderly and clean condition shall constitute an offense and shall subject the tenant to the penalties of this ordinance.

#### SECTION 7. PENALTY

The doing of any act forbidden to be done by this ordinance or the failure to do any act required by the provisions of this ordinance shall be deemed a misdemeanor which, in case of a lawful conviction thereof, shall be punishable by the infliction of a fine, the amount of which, combined with the costs of court, shall not exceed Two Hundred Dollars (\$200), and each day during which any such violation shall continue shall constitute a separate offense.

#### SECTION 8. REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby expressly repealed to the extent of such inconsistency or conflict.

SECTION 9. SAVINGS CLAUSE

In the event any particular provision of this ordinance, or any portion of any section or paragraph hereof, is judicially declared to be invalid, nevertheless, those parts of this ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

SECTION 10. PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five days after the second publication of the notice of this ordinance as required by law, and ignorance of any provision of this ordinance, after such publication, shall not constitute a defense to the prosecution for the enforcement of a penalty by this ordinance provided; and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of the enactment hereof, on this the 16th day of April, 1970, WITNESS the signing thereof by R. M. Wiser, as President of the Board of Directors of the Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by Burl H. Kizer, as Secretary of such Board, with the imprinting of the District's Seal.

R. M. Wiser, President of the Board of  
Directors of Lubbock County Water Control  
and Improvements District No. 1

ATTEST:

Burl H. Kizer, Secretary

(SEAL OF DISTRICT)



ORDINANCE XII

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF CHAPTER 51.001 THROUGH 51.836 OF THE WATER CODE OF THE STATE OF TEXAS (ACTS 1971 62nd LEGISLATURE CHAPTER 58, HOUSE BILL 343, EFFECTIVE AUGUST 30, 1971) ESTABLISHING A STANDARD OF CLEANLINESS TO BE OBSERVED AND MAINTAINED BY LOT LESSEES, OWNERS, OR OCCUPANTS OF CABINS, COTTAGES AND RESIDENCES SITUATED WITHIN THE DISTRICT PROPERTIES: REGULATING THE MANNER AND MEANS OF DISPOSING OF GARBAGE AND OTHER REFUSE WITHIN THE BOUNDARIES OF THE PROPERTY OF THE DISTRICT: PROVIDING FOR A FEE FOR DISPOSITION OF GARBAGE AND REFUSE BY THE DISTRICT; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING FOR A REPEALING CLAUSE, A SAVINGS CLAUSE AND FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE:

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BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS:

Section 1: DEFINITIONS: As used in this ordinance the words Refuse, Garbage and Ashes shall be defined and mean as follows:

A. REFUSE SHALL INCLUDE BUT NOT BE LIMITED TO (1) COMBUSTIBLE TRASH, including but not limited to paper, cartons, boxes, barrels, wood, excelsior, dry tree branches in diameter of one inch or less and in lengths of two feet or less and small yard and hedge trimmings which have been cut in lengths of not exceeding two feet, wood furniture, bedding, sawdust, shavings, bark or any substance which will be completely consumed through exposure to fire resulting in ash residue; (2) NON-COMBUSTIBLE TRASH, including but not limited to, metals, tin cans, metal furniture, dirt, small quantities of rock and pieces of concrete, glass, crockery and any other mineral or metal substance which will not be completely consumed through exposure to fire; (3) STREET RUBBISH, including but not limited to sidewalk, drive way and street sweepings, dirt leaves, catch-basin dirt and contents of litter receptacles.

Provided, however, that refuse shall not include solid earth and wastes from building and/or construction operations and projects, including heaps of lumber, scraps and shavings from any construction project, and provided further that refuse shall not include brush, tree trimmings containing branches in excess of one inch in diameter and two feet in length, large hedge trimmings containing branches in excess of one inch in diameter and two feet in length and uncultivated plant which is obnoxious and injurious to man and animals, all of which items of waste shall be considered bulk brush and shall not be placed in receptacles and/or containers specifically designated by this ordinance for garbage, refuse and ashes.

B. ASHES: Residue from fires used for cooking, outdoor barbecuing and fireplaces and other heating facilities used for heating buildings.

C. GARBAGE: Wastes resulting from the handling, preparation, cooking and consumption of food.

Section 2: Since the LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 in its operation and control of the Buffalo Springs Lake project, in addition to the use of the lake,



dam, structures, projects, works and improvements for flood control and the conservation and development of water within and without the boundaries of the District, has also established and maintains and operates the recreational facilities made available thereby, including but not limited to amusement rides, various types of concessions, picnicking and fishing opportunities, boating accommodations, camping improvements, general park conveniences and designated areas which are leased to individuals for purpose of erecting and constructing thereon, cabins, structures and improvements for personal occupancy and enjoyment, it is the intent of the Board of Directors of said District and the purpose of adopting this ordinance that the facilities of the District may be used by the greatest number of the citizens of this area in a manner which will promote, maintain and protect their health, welfare and enable them to utilize such accommodations for wholesome and profitable enjoyment. Believing that clean, wholesome, well-kept and orderly premises are necessary to contribute to the enjoyment of any recreation area and for the purpose of protecting the health, welfare and safety of those who utilize the recreational accommodations of this District and to prevent pollution which may render the area harmful, detrimental or injurious to humans, animal life, vegetation or property or which may impair the usefulness or the public enjoyment of the waters and facilities of such District for any lawful or reasonable purposes, this ordinance is hereby adopted to accomplish and assure the most beneficial use of the various resources, conveniences and opportunities of this District, and to assure the maintenance of the esthetic and recreational value of the property of the District.

Section 3: IT SHALL BE UNLAWFUL AND SHALL CONSTITUTE A VIOLATION OF THIS ORDINANCE:

1. To place or permit to remain anywhere within the boundaries of the Buffalo Springs Lake Area any garbage or other material subject to decay other than leaves and grass, excepting in a tightly covered container as specified in this ordinance.

2. To cause or permit to accumulate any dust, ashes or trash of such material that it can be blown away by the wind anywhere within the Buffalo Springs Lake Area excepting in a covered

container as specified in this ordinance.

3. To deposit or permit to fall from any vehicle any garbage, refuse or ashes on any public street, roadway, driveway, parkway or other public place within the Buffalo Springs Lake Area; provided, however, that this section shall not be construed to prohibit placing garbage, refuse, or ashes in a container complying with the provisions of this ordinance preparatory to having such material collected and disposed of in the manner provided herein.

4. To dump or place any garbage, refuse or ashes on any premises or into any container prepared for such purposes situated upon such premises without the express consent and knowledge of the owner of such premises.

5. To dispose of any garbage, refuse or ashes anywhere within the boundaries of the Buffalo Springs Lake Area excepting in a proper container approved for such purpose and located at a designated place.

6. For any Lot Lessee, owner or occupant of a cabin or residence situated within the Buffalo Springs Lake Area to use a cardboard box, pasteboard box, oil drum, barrel, grocery sack, pail, crate, or any other type packing container as a receptacle for garbage, refuse or ashes, other than the type, kind and size of container specified for that purpose by this ordinance.

7. For any Lot Lessee, owner or occupant of a cabin or residence situated within the Buffalo Springs Lake Area to continue to use any container as a receptacle for garbage, refuse or ashes after the same has become deteriorated to the extent of being incapable of containing adequately and completely all garbage, refuse and ashes.

8. For any Lot Lessee, owner or occupant of a cabin or residence situated within the Buffalo Springs Lake Area to fail, refuse or neglect to replace any receptacle or container for storage of refuse, garbage or ashes which has become deteriorated to the extent of being incapable of adequately or completely containing all refuse, garbage and ashes within a period of ten days after having been notified by the proper officials of the District that such container has become so deteriorated and is no longer suitable for such use, as provided for in this ordinance.



9. For any Lot Lessee, owner or occupant of any cabin or residence situated upon the Buffalo Springs Lake Area, to place or cause to be placed regulation refuse, garbage and ash containers and receptacles at a location on any such lot other than in front of the dwelling at a place which shall be marked and designated by the District as a place most accessible to the employee of the District who shall so collect such refuse, garbage and ashes from such container.

10. For any Lot Lessee, owner or occupant of any cabin, cottage or residence situated upon the Buffalo Springs Lake Area to keep, deposit on or permit to become scattered over any premises under his control any of the following:

- (a) Lumber, trash, junk or debris;
- (b) Abandoned, discarded or unused objects or equipment such as automobiles, furniture, stoves, refrigerators, freezers, cans, containers, boats, boat trailers, vehicles and machinery.

Section 4: CONTAINERS AND RECEPTACLES FOR PLACING REFUSE, GARBAGE AND ASHES FOR REMOVAL: Each Lot Lessee, owner or occupant of any cabin, residence or improvement situated upon any Lot on the Buffalo Springs Lake Area must provide at his own expense an acceptable container and/or receptacle for the purpose of temporarily storing refuse, garbage and ashes as the same is defined in this ordinance which is accumulated from the use of such premises and must maintain the same in an acceptable condition of repair and at a location designated by the proper officials of this District, where the same may be periodically unloaded into the garbage trucks of the District for transporting to the land fill area of the District. Such containers and receptacles shall meet the following requirements:

A. REGULATION CONTAINERS: A container shall be constructed of a solid and durable grade metal or heavy plastic of not less than twenty (20) nor more than thirty-two (32) gallons capacity. Each container shall be securely fastened to some frame, post or other similar sturdy object to prevent the same being knocked over by dogs or other animals and to prevent spillage of the contents thereof. A concrete or wood frame or rack may be constructed as a storage place for said container.

Each container shall have two (2) outside handles and a close-fitting lid to prevent spillage of the contents. In no instance shall the lid be attached to the container. The container must not have any inside structures, such as reinforcing angles or anything within the container to prevent the free discharge of the contents. The combined weight of the container and the contents shall not exceed eighty (80) pounds.

B. PLASTIC BAGS OR WATERPROOF PAPER BAGS: Plastic or waterproof paper bags are acceptable as containers only when the following requirements are met:

(1) The waterproof paper bags shall be specifically designed for garbage disposal and of sufficient strength not to tear when handled.

(2) The plastic bags shall be of sufficient strength not to tear when handled.

(3) The plastic bags or waterproof paper bags shall be removed from any receptacle or stand with which they are used, securely fastened at the top, and placed at the regular garbage collection point. The weight of the bags and contents shall not exceed eighty (80) pounds.

Section 5: Each Lot Lessee, owner or occupant of any cabin or improvement must keep premises free of loose refuse, ashes and garbage, and must maintain an adequate container therefor.

It shall be the duty of every Lot Lessee of any lot in the Buffalo Springs Lake Area and of every owner and occupant of any improvements situated upon any such lot to provide a container or containers in good order and repair and to keep such lot and premises free and clear of all loose refuse, ashes and garbage. Containers that have deteriorated to the extent that they are incapable of adequately and completely containing all refuse, garbage and ashes accumulated on such premises and deposited therein or that have been damaged to the extent of having jagged or sharp edges capable of causing injury to garbage collectors or to other persons whose duty it is to handle such containers, or to the extent that the covers will not fit securely are hereby declared unacceptable and a public nuisance creating a dangerous condition injurious to the public health.



Notice of such condition shall be given to the owner or occupant by the proper official of this District and shall be corrected by such occupant within ten days after the giving of such notice. The failure to correct such condition within ten days after such notice is given shall constitute a misdemeanor and the Lot Lessee, owner or occupant may be prosecuted for such offense and in addition the public nuisance may be abated by the removal of such container by the proper official of the District.

Section 6: The garbage collection department of the District shall designate a place on each lot at which such container shall be placed for the most convenient access by the garbage department of the District and it shall be unlawful for any Lot Lessee, owner, or occupant of any such lot to place or cause to be placed any regulation garbage containers for collection purposes at a location other than that which has been duly designated by the garbage collection department of this District.

Section 7: The designated officer and employees of this District shall have charge of the collection of the refuse, garbage and ashes from the properties located within the boundaries of the Buffalo Springs Lake Area. The collection shall be made from all premises at least once each week, provided that the material is properly stored for collection in containers complying with the provisions of this ordinance.

The fees for such collection shall be paid monthly and shall be billed along with water and sewer charges to each Lot Lessee.

The fees to be charged beginning for the month of May, 1976, and continuing each month thereafter shall be \$2.50.

PROVIDED, HOWEVER, that when the collection of such refuse, garbage and ashes from any one lot shall exceed the normal amount for such place and in excess of the average amount collected from a majority of the other lots upon the property of such District, so that the fee prescribed for such collection is not fair and reasonable as applied to such lot in comparison with that assessed against the other lot owners, the General

Manager of this District may recommend to the Board of Directors of this District the establishment of a special rate for such lot.

In the case of tree and limb trimmings in excess of the size and dimension permitted to be placed in the container which may accumulate from special clean up projects initiated by the occupant, the General Manager shall make such additional charge as may be required for the removal of such heavy and unusually large tree trimmings, yard trimmings and other heavy garbage disposal transactions.

In cases where construction projects are in progress upon any lot caused by initial construction of buildings thereon or the improvement of existing structures and various debris, rubbish, ruins, rubble and waste shall accumulate on any such lot as a result of such construction, either the contractor or the owner of such improvements must clear off the premises and remove all such waste material or arrangements must be made for the removal of the same by the garbage department of the District and the transportation of the same to the land fill of the District. In the event the District removes such waste material, an additional charge will be made by the District for service.

Section 8: No person owning, leasing, occupying or having charge of any premises situated within the boundaries of the area controlled by this District, whether as owner, lessee, tenant, occupant or otherwise shall allow any partially dismantled, wrecked, junked, discarded or otherwise non-operating motor vehicle, furniture, stoves, refrigerator, freezer, cans, containers, boats, boat trailers and machinery to remain on such property longer than ten days; and no person shall leave any such property on any of the property, roadways, park areas and other public lands within the property controlled by this District for a longer time than ten days; except that this section shall not apply with regard to any such personal property which is stored or situated within an enclosed building so located upon the premises as not to be readily visible from any public place or from any surrounding private property.

Section 9: Enforcement of this ordinance may be accomplished by the District in any manner authorized by law,



and in addition, any person who by reason of another's violation of any provision of this ordinance, suffers a special damage to himself different from that suffered by other property owners, residents and occupants throughout the District area generally, may bring an action to enjoin or otherwise abate an existing violation. The violation of this ordinance shall constitute a nuisance and a nuisance shall be considered to exist when any condition or use of premises or of building exteriors is permitted which is detrimental to the property of others which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which said premises are located.

Section 10: The doing by any person or persons of any act forbidden to be done by this ordinance or the failure upon the part of any person or persons to do any act required by the provisions of this ordinance shall be deemed a misdemeanor, which, in case of conviction thereof, shall be punishable by the infliction of a fine, the amount of which, combined with cost of court, shall not exceed TWO HUNDRED (\$200.00) DOLLARS, and each day during which any violation shall continue shall constitute a separate offense.

Section 11: All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

Section 12: In the event any particular provision of this ordinance, or any portion of any section or paragraph hereof is judicially declared to be invalid, nevertheless, those parts of this ordinance, and its several sections, and its several paragraphs and subdivisions that shall remain after such declaration, shall have full force and effect.

Section 13: The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this ordinance as required by law, after a substantive statement of the provisions of this ordinance shall have been published for once a week for two successive weeks in a newspaper of general circulation in the area in which the property of this District is located, and

ignorance of any provision of this ordinance, after such publication, shall not constitute a defense to the prosecution for the enforcement of a penalty by this ordinance provided; and the provisions hereof, after such publication, shall be judicially known to the Courts and shall be considered of a nature like unto that of valid penal ordinances of a City of the State of Texas, as provided for by Articles 51.127 through 51.132 of Title Four of the Water Code of the State of Texas.

As evidence of the enactment hereof, on this the 3rd day of May, 1976, witness the signing thereof by R. M. (Max) Wiser, President and attesting thereof by H. D. Waller, Secretary of the Board of Directors of the Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, with the imprinting of the seal of said District.

/s/ R. M. Wiser  
President

Attest

/s/ H. D. Waller  
Secretary

(SEAL OF THE DISTRICT)



## ORDINANCE XII - AMENDMENT

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF CHAPTER 51, SUBCHAPTER D, SECTIONS 51.127 THROUGH 51.132, INCLUSIVE, OF THE WATER CODE OF THE STATE OF TEXAS, AS AMENDED, AMENDING SECTION 7, OF ORDINANCE XII, ORIGINALLY ADOPTED ON MAY 3, 1976, CHANGING THE METHOD, MANNER AND PROCEDURE OF COLLECTING FEES BY THE DISTRICT FOR WATER, SEWER AND GARBAGE CHARGES: PROVIDING FOR A REPEALING CLAUSE, A SAVINGS CLAUSE AND FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE:

Whereas, on May 3, 1976, this Board of Directors adopted an ordinance Numbered XII regulating the manner, means and procedure for disposing of garbage within the boundaries of this District and providing for bill for water, sewer and garbage disposal and it now appears that it is advisable and to the best interest of the District and its patrons that Section 7 of said ordinance should be amended as provided for herein:

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS:

That Section 7 of Ordinance No. XII be and the same is hereby repealed in its entirety and that such Section 7 shall be re-enacted to hereby read and provide as follows:

### SECTION 7.

The designated officer and employees of this District shall have charge of the collection of refuse, garbage and ashes from the properties located within the boundaries of the Buffalo Springs Lake Area. The collection shall be made from all premises at least once each week, provided that the material is properly stored for collection in containers complying with the provisions of this ordinance.

The fees for such collection shall be established and adjusted from time to time by an order of the Directors of this District and shall be paid monthly and shall be billed along with the water and sewer charges which may be made by the District to each Lot Lessee.

When the collection of such refuse, garbage and ashes from any one lot shall exceed the normal amount for such place and in excess of the average amount collected from a majority of the other lots upon the property of such District, so that the fee prescribed for such collection is not fair and reasonable as applied to such lot in comparison with that assessed against the other lot owners, the General Manager of this District may recommend to the Board of Directors of this District the establishment of a special rate for such lot.

In the case of tree and limb trimmings in excess of the size and dimension permitted to be placed in the container which may accumulate from special clean up projects initiated by the occupant, the General Manager shall make such additional charge as may be required for the removal of such heavy and unusually large tree trimmings, yard trimmings and other heavy garbage disposal transactions.

In cases where construction projects are in progress upon any lot caused by initial construction of buildings thereon or the improvement of existing structures and various debris, rubbish, ruins, rubble and waste shall accumulate on any such lot as a result of such construction, either the contractor or the owner of such improvements must clear off the premises and remove all such waste material or arrangements must be made for the removal of the same by the garbage department of the District and the transportation of the same to the land fill of the District. In the event the District removes such waste material, an additional charge will be made by the District for service.

That except only as amended and changed hereby all provisions and sections of the original Ordinance XII as adopted on May 3, 1976, are hereby in all respects ratified, confirmed and validated.

#### REPEAL OF INCONSISTENT ORDINANCES

All ordinances and parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed to the extent of any such conflict.

#### SAVINGS CLAUSE

In the event any particular provision of this ordinance, or any portion of any section or paragraph hereof is judicially declared to be invalid, nevertheless, those parts of this ordinance and its several paragraphs and subdivisions that shall remain after such declaration, shall have full force and effect.

#### PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of



this ordinance as required by law and ignorance of any provision of this ordinance, after such publication, shall not constitute a defense to the prosecution for the enforcement of a penalty by this ordinance provided; and the provisions hereof after such publication, shall judicially be known to the Courts and shall be considered of a nature like unto that of valid penal ordinances of a City or the State of Texas.

As evidence of the enactment hereon, on this the 7th day of May, 1979, witness the signing thereof by R. M. Wiser, as President, with the attesting signature of Billy Sims, as Secretary, of the Lubbock County Water Control and Improvement District No. 1 with the imprinting of the District's Seal.

/s/ R. M. Wiser  
R. M. Wiser, President

ATTEST:

/s/ Billy Sims  
Billy Sims, Secretary

(SEAL OF THE DISTRICT)

ORDINANCE NO. XIII

AN ORDINANCE REPEALING ORDINANCE NO. VI, ADOPTED ON AUGUST 4, 1961, AND ORDINANCE NO. XI, ADOPTED ON APRIL 16, 1970, AND ENACTING A NEW ORDINANCE TO BE KNOWN AS ORDINANCE NO. XIII WHICH RELATES TO THE FORM AND BASIC PROVISIONS OF THE GROUND LEASE AGREEMENT TO BE USED HEREFTER IN LEASING LOTS OWNED BY THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, LUBBOCK COUNTY, TEXAS, SITUATED ON THE BUFFALO SPRINGS LAKE AREA OF SAID DISTRICT IN LUBBOCK COUNTY, TEXAS, DESIGNATING THE MAINTENANCE OF AN APPROVED PLAT OF SAID LOTS, WHICH SHALL BE AMENDED FROM TIME TO TIME TO ADJUST FOR CHANGES IN THE SIZE AND AREA OF SAID LOTS AND THE BUILDING RESTRICTIONS WHICH SHALL BE PLACED THEREON, PROVIDING FOR THE DESIGN, MATERIALS AND CONSTRUCTION STANDARDS APPLICABLE TO ALL IMPROVEMENTS TO BE CONSTRUCTED THEREON: DECLARING IT TO BE UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION OR ASSOCIATION OF PERSONS TO CONSTRUCT ANY RESIDENTIAL BUILDING OR ADDITION OR ALTERATION THERETO, WITHOUT SECURING WRITTEN APPROVAL OF THE PLANS AND SPECIFICATIONS BY THE OFFICIAL DESIGNATED BY THE DISTRICT TO EXAMINE AND APPROVE ALL SUCH PLANS PRIOR TO THE COMMENCEMENT OF SUCH CONSTRUCTION OR TO USE OR OCCUPY SUCH BUILDING OR ADDITION OR ALTERATION THERETO, AFTER COMPLETION OF CONSTRUCTION WITHOUT WRITTEN APPROVAL BY THE OFFICIAL DESIGNATED FOR SUCH PURPOSES: REQUIRING WRITTEN PERMIT PRIOR TO REMOVAL OF ANY FURNITURE, FIXTURES, LUMBER OR OTHER BUILDING MATERIALS FROM ANY BUILDING OR PREMISES WITHIN THE BUFFALO SPRINGS LAKE AREA: PROVIDING THAT ALL LEASES OF SUCH LOTS ARE FOR THE EXCLUSIVE USE BY THE TENANT FOR HIS IMMEDIATE FAMILY AS A PRIVATE RESIDENCE AND PROHIBITING THE CARRYING ON OF ANY BUSINESS OR COMMERCIAL ENTERPRISE THEREON AND PROHIBITING THE SUBLEASING OF ANY LOTS OR ANY IMPROVEMENTS THEREON AND PROHIBITING THE USE OF ANY SUCH LOT BY THE TENANT FOR PROFIT: ESTABLISHING THE METHOD OF RECORDING ASSIGNMENTS OR TRANSFERS OF SAID LOT LEASE AGREEMENTS AND RECORDING A SECURITY INTEREST IN SAID LEASE CONTRACT TO SECURE DEBTS OF THE TENANT: STIPULATING THAT UNDER THE GROUND LEASE CONTRACT THE TENANT SHALL MAINTAIN THE PREMISES IN A CLEAN AND ORDERLY CONDITION: PRESCRIBING A PENALTY FOR A VIOLATION OF THE AFFIRMATIVE PROVISIONS OF THIS ORDINANCE: PROVIDING A REPEALING CLAUSE: PROVIDING A SAVINGS CLAUSE: AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE:

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WHEREAS, ORDINANCE NO. VI, adopted on August 4, 1961, and ORDINANCE NO. XI, adopted on April 16, 1970, relate to the basic form and provisions of the ground lease contracts to be entered into by this District and various tenants who should lease lots in the Buffalo Springs Lake Area and also provide other guidelines and directions in the use and occupancy of said lots and the construction and maintenance of improvements thereon by the Tenant under such lease agreements; and

WHEREAS, since the adoption of these ordinances many changed conditions have brought about the necessity to alter, improve and up-date these provisions and guidelines:

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF LUBBOCK COUNTY, TEXAS:



SECTION 1

EXISTING ORDINANCES VI & XI REPEALED

That Ordinances Numbers VI and XI previously adopted by the Board of Directors of this District be and the same are hereby repealed in all respects; and that in lieu and substitution thereof the following ORDINANCE NO. XIII BE AND THE SAME IS HEREBY ENACTED, VIZ:

ORDINANCE NO. XIII

SECTION 1

PROVISIONS RELATING TO PLAT OF BUILDING SITES AND LEASE CONTRACTS

1.1: The form and basic provisions of the ground lease agreement which shall be used from time to time with respect to the leasing of the various lots situated and delineated on the OFFICIAL PLAT ORIGINALLY PREPARED BY Parkhill, Smith and Cooper, Inc., District Engineers and entitled "BUFFALO SPRINGS LAKE, LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, PLAT OF BUILDING SITES", as such plat may be amended, changed, altered, extended or enlarged from time to time, shall be the official form which is now in use or as such form may be changed, altered or amended from time to time by an order duly entered by the Board of Directors of this District. Such lease agreement shall contain such restrictions, limitations, conditions and shall provide for such rental rates as may be established from time to time by the Board of Directors of this District; provided, however, that when any change, alteration or amendment is made to such lease agreement form, the lease form shall be redrawn and republished to include the latest amendments and changes and such blank forms shall be kept up-to-date by the General Manager of this District and the current form in use shall be maintained in adequate number of printed copies for use by the District.

1.2: The basic form which is currently in use as it may be changed, altered or amended from time to time shall be used to the exclusion of any others in the future with respect to the renewing and extending of all outstanding leases and no alteration thereof or special provisions shall be permitted to be added thereto.

## SECTION 2

### PROVISIONS RELATING TO TYPE OF RENTAL CONTRACTS TO BE EXECUTED: TYPE OF RECORDS TO BE MAINTAINED FOR LEASES, TRANSFERS & LIEN INSTRUMENTS

2.1: The official plat of lots and building sites as specified above shall be maintained in current condition by the General Manager of this District for the purpose of reflecting changes which may be necessary from time to time to adjust for changes in the size and area of said lots and the building restrictions which shall be placed thereon providing for the size of each building which may be constructed thereon.

2.2: The General Manager of this District shall maintain a current file for each lot owned by this District which shall contain current and adequate records to disclose the current tenant and the proper person who shall be officially in possession of each ground lease and the improvements which are situated thereon. All such lots and premises shall be leased to a Tenant, who may be a person, partnership or corporation. When an individual executes a lease as Tenant, the use of the premises by such individual shall be restricted to the personal use of the tenant and his immediate family as a private residence only. When a partnership executes a lease as Tenant, the use of such premises by the partnership shall be restricted to sole and exclusive use by members of the immediate family of each partner for private residential purposes. When a corporation executes a lease as Tenant, the use of such premises by the corporation shall be restricted to private personal use by the officers, directors and employees of the corporation for purely private and personal purposes. In no event shall any Tenant whether person, partnership or corporation, be permitted to conduct any activities thereon for the purpose of generating a profit or income to the Tenant and no business, industrial or commercial use shall be made of the premises. The following acts shall constitute prohibited uses of the premises:

- (1) Leasing the buildings and improvements for any period of time to anyone for any consideration.
- (2) Conducting any business, trade, occupation, profession or other activity for profit.



- (3) Subleasing any improvements erected and constructed on said premises by the Tenant for any period of time.
- (4) Permitting anyone to occupy such premises for any consideration paid to the Tenant.
- (5) Any other use of such premises for profit.

The only exception to the exclusive use of said premises by the Tenant and his immediate family for personal residential purposes shall be that the Tenant may at any time permit personal guests and invitees to occupy such premises for personal residential purposes for a period of not exceeding thirty days upon a non-paying basis, provided the Tenant shall procure or cause to be procured gate admittance passes for such non-paying guests and the Tenant shall assume full responsibility for the conduct of his guests while they are occupying such property and all such guests shall observe all rules and regulations of the District while using the facilities of the District during the course of such temporary occupancy of such premises.

2.3: For the purpose of defraying a part of the cost of maintaining a current record of the ownership of the leasehold estate and maintaining a current record of all security agreements and lien instruments which may be executed covering the improvements situated upon said leased lots as well as collateral assignment of the lease contract, the General Manager shall charge fees for filing and maintaining a record of all such instruments according to a schedule which may be established from time to time by the Board of Directors of said District. Such schedule of fees along with the requirements established by the District for adequate transfer records shall be published periodically by the General Manager of the District and shall be made available to any interested party.

2.4: When any such assignment of Ground Lease Contract shall be made along with the sale of the improvements thereon by the Tenant to the Assignee and a part of the consideration for the conveyance of such improvements shall be represented by a deferred purchase money note against such improvements to be paid by the Assignee to the Tenant over any period of time, it is hereby specifically

provided that a security interest may be retained by the assignor in and to such improvements and a collateral assignment of the Ground Lease Contract may be taken by the Assignor to secure such Assignor in the payment of any such deferred consideration to be represented by notes or other debts. Likewise, a collateral assignment of the Ground Lease Contract and security interest on improvements situated thereon may be taken for security of any lien created by the Tenant or any Assignee of the Ground Lease Contract. The forms for establishing and preserving such security interest shall be prescribed by the General Manager of the District upon advice and consent of the legal counsel of the District; and it shall be obligatory upon the parties to use the forms thus prescribed by the District in establishing and fixing such liens.

2.5: The parties to any such transaction may prepare such other and additional forms as they may desire, provided, however, that they must use and file with the District the forms prescribed by the legal counsel of the District in order to record properly such transaction on the records of the District.

2.6: No Ground Lease Contract shall be assigned and improvements situated thereon transferred with a lien impressed thereon by any Tenant or Assignor without complying with the requirements of this Section.

### SECTION 3

#### IMPOSING CONDITIONS FOR MAINTENANCE OF PREMISES IN CLEAN AND ORDERLY APPEARANCE

3.1: Each Tenant shall at all times keep the premises covered by a Ground Lease Contract in a clean and orderly condition and shall not permit garbage, refuse and trash to accumulate thereon and shall maintain covered garbage disposal containers into which all garbage, trash and refuse shall be deposited for removal by the employees of the District in accordance with this and other applicable ordinances. The Tenant shall not permit thistles, cockleburrs, ragweed, jimson and other noxious weeds of similar kind to grow upon the premises, but at all times shall keep the same free from unsightly weeds and vegetation.

3.2: In event of failure to maintain the premises and improvements in a clean and orderly condition, the proper officials of this



District shall give the Tenant notice of failure to do so and shall point out in writing the action necessary to restore the property to an orderly and clean condition; and if within ten days after being served with such notice the Tenant fails and/or refuses to so restore such premises and improvements to the required condition, the District shall be authorized to remove such weeds and to perform such work as shall bring the premises into orderly and clean condition; and any charges so incurred shall be paid by the Tenant to the District. The failure and refusal of any Tenant to comply with the request to restore such premises to an orderly and clean condition shall constitute an offense and shall subject the Tenant to the penalties of this ordinance.

#### SECTION 4

##### PROHIBITING TRANSFER OF LEASE CONTRACT AND FIXING LIEN WITHOUT PROPERLY RECORDING THE SAME WITH THE DISTRICT.

4.1: No Ground Lease Contract shall be transferred and/or assigned by any original tenant or any subsequent assignee without reporting the same to the General Manager of the District and without completing and filing with the District the required assignment of lease form and without paying the District the required filing fee.

4.2: No security agreement, lien instrument or collateral assignment shall be taken against the improvements situated upon any such lot or the lot lease agreement without reporting the same to the General Manager of the District and without completing and filing with the District the required Security Agreement form and Without paying the District the required filing fee therefor.

#### SECTION 5

##### REQUIRING PRIOR APPROVAL OF DESIGN, MATERIALS AND CONSTRUCTION STANDARDS FOR ALL IMPROVEMENTS ERECTED UPON LOTS IN AREA

5.1: It shall be unlawful for any person, firm, corporation or association of persons to erect or construct any new building or improvements or repair, improve or reconstruct any new additions to any existing building or improvements on any lot leased from this District, without first having submitted plans and specifications therefor to the General Manager of this District and without having

received the prior approval of the design, materials and construction standards to be observed and followed in such proposed construction. The failure to observe this requirement may subject the owner of said lease and the contractor of said improvement to the penalty of this ordinance, or at the option of the District or any adjoining property owner a suit may be brought against such owner and contractor to have such improvements declared a private or public nuisance because the general appearance of such improvements is detrimental to the value of said lot and the tenants of adjoining lots, due to the design, materials used and failure to observe the construction standards required by the District. Such suit may seek as a remedy either an injunction requiring the owner and contractor to cease such construction until the building standards established by the District are complied with or in the alternative the remedy sought may be damages by way of compensation for such non-compliance.

#### SECTION 6

##### REQUIRING APPROVAL OF PLANS AND SPECIFICATIONS FOR RESIDENTIAL BUILDINGS

6.1: It shall be unlawful for any person, firm, corporation or association of persons to construct or cause to be constructed any residential building, or any addition or alteration thereto, upon any lot leased from said Lubbock County Water Control and Improvement District No. 1 without first having obtained, prior to commencement of such construction, approval in writing of the plans and specifications for such construction from the General Manager of said District, or his representative. In the event such plans and specifications submitted are in accordance with all of the requirements of this ordinance, the Ground Lease Agreement covering and affecting such lot, and any other applicable ordinances, rules and regulations governing the erection of such buildings, additions or alterations, then such General Manager, or his representative, shall give his written approval of such plans and specifications and the party or parties entitled to seek such approval may then proceed with such construction.

#### SECTION 7

##### REQUIRING APPROVAL OF COMPLETED STRUCTURE PRIOR TO USE OR OCCUPANCY



7.1: It shall be unlawful for any person, firm, corporation or association of persons to use or occupy any residential building, or addition or alteration thereto, after the completion of the construction upon any lot leased from said District, until written approval thereof has been secured from the General Manager of the District, or his representative. In the event such building when completed shall have been constructed in accordance with all of the requirements of this ordinance, the Ground Lease Agreement covering and affecting such lot, and any other applicable ordinances, rules and regulations governing the construction of such building, addition or alteration, then such General Manager shall, after inspection thereof, give his written approval of such structure, and the party or parties so seeking such approval may then use and occupy the same.

#### SECTION 8

##### REQUIRING PERMIT TO REMOVE ANY BUILDING, OR FURNITURE, FIXTURES, LUMBER OR OTHER BUILDING MATERIALS

8.1: It shall be unlawful for any person, firm, corporation or association of persons to remove, or cause to be removed, any building from the Buffalo Springs Lake Area, or to remove, or cause to be removed any furniture, fixtures, lumber or other building materials from any residence or other building or premises within the Buffalo Springs Lake Area, whether such property be owned privately or by the public, without first having obtained a written permit from the General Manager of said District authorizing such removal of property. Prior to the granting of such permit for the proposed removal of any such property, the General Manager shall make sufficient investigation to determine that such proposed removal for which a permit is sought is to be performed by the owner of the property or under the authorization or direction of such owner.

#### SECTION 9

##### PENALTIES

9.1: The doing of any act forbidden to be done by this ordinance or the failure to do any act required by the provisions of this ordinance shall be deemed to be a misdemeanor, which, in case of a lawful conviction thereof, shall be punishable by the infliction of

a fine, the amount of which combined with the costs of court, shall not exceed Two Hundred (\$200.00) Dollars, and each day during which any such violation shall continue shall constitute a separate offense.

#### SECTION 10

##### REPEAL OF INCONSISTENT ORDINANCES

10.1: All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed.

#### SECTION 11

##### SAVINGS CLAUSE

11.1: In the event any particular provision of this ordinance or any portion of any section or paragraph hereof is judicially declared to be invalid, nevertheless, those parts of this ordinance, and its several paragraphs and subdivisions that shall remain after such declaration, shall have full force and effect.

#### SECTION 12

##### PUBLICATION AND EFFECT OF ORDINANCE

12.1: The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this ordinance as required by law, and ignorance of any provision of this ordinance, after such publication, shall not constitute a defense to the prosecution for the enforcement of a penalty by this ordinance provided; and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of the enactment hereof, on this the 7th day of May, 1979, witness the signing thereof by R. M. Wiser as President of the Board of Directors of The Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by Billy Sims as Secretary of such Board, with the imprinting of the District's seal.

/s/ R. M. Wiser  
R. M. Wiser, President

ATTEST:

/s/ Billy Sims  
Billy Sims, Secretary



#### ORDINANCE NUMBER XIV

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF CHAPTER 51, OF THE WATER CODE OF THE STATE OF TEXAS, AND PARTICULARLY SECTIONS 51.127 THROUGH 51.131, INCLUSIVE OF SAID CHAPTER 51, REQUIRING THAT ANY PERSON, FIRM OR CORPORATION, WHICH SHALL SUFFER ANY INJURY TO PERSON OR PROPERTY, WHILE ENGAGED IN ANY ACTIVITY UPON THE BUFFALO SPRINGS LAKE AREA OWNED AND CONTROLLED BY THIS DISTRICT SHALL WITHIN THIRTY DAYS AFTER THE OCCURRENCE OF SUCH EVENT WHICH SO RESULTED IN ANY INJURY TO PERSON OR PROPERTY, FILE WRITTEN NOTICE WITH THE GENERAL MANAGER OF THIS DISTRICT AT THE ADMINISTRATION OFFICE OF THE DISTRICT AT THE ENTRANCE TO THE BUFFALO SPRINGS LAKE, STATING SPECIFICALLY IN SUCH NOTICE WHEN, WHERE AND HOW, THE EXACT INJURY AND/OR DAMAGE TO PROPERTY OCCURRED AND THE FULL EXTENT THEREOF, TOGETHER WITH THE AMOUNT OF DAMAGES CLAIMED OR ASSERTED; AND PROVIDING THAT THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, SHALL NEVER BE LIABLE FOR ANY INJURY TO PERSON OR PROPERTY, WHETHER RESULTING IN DEATH OR NOT AND WHETHER RESULTING IN PARTIAL OR COMPLETE DESTRUCTION OF PROPERTY, UNLESS SUCH PERSON, FIRM OR CORPORATION WHO SHALL SUFFER SUCH PERSONAL OR PROPERTY LOSS, OR SOMEONE ON BEHALF OF SUCH CLAIMANT SHALL HAVE SO FILED SUCH NOTICE WITHIN THIRTY DAYS AFTER THE OCCURRENCE OF SUCH EVENT; AND PROVIDING FURTHER THAT NEITHER THE PRESIDENT, SECRETARY NOR ANY MEMBER OF THE BOARD OF DIRECTORS NOR ANY ATTORNEY FOR THIS DISTRICT NOR ANY OTHER OFFICER, EMPLOYEE OR REPRESENTATIVE OF THIS DISTRICT SHALL HAVE ANY AUTHORITY TO WAIVE ANY OF THE PROVISIONS OF THIS ORDINANCE SO REQUIRING THE FILING OF SUCH NOTICE WITHIN THIRTY DAYS AFTER THE OCCURRENCE OF ANY SUCH EVENT UPON WHICH A CLAIM AGAINST THIS DISTRICT IS BASED; AND FURTHER PROVIDING THAT SUCH REQUIREMENT SHALL ONLY BE WAIVED BY AN OFFICIAL ORDER LEGALLY ADOPTED BY THE BOARD OF DIRECTORS OF THIS DISTRICT AT A SPECIAL OR REGULAR MEETING THEREOF, DULY ENTERED IN THE MINUTES OF THIS BOARD, ENACTED AND PASSED BEFORE THE EXPIRATION OF SAID THIRTY DAY PERIOD PROVIDED IN THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

#### SECTION ONE

The Board of Directors of the LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF LUBBOCK COUNTY, TEXAS, hereby specifically finds and determines that the object and purpose of this Ordinance is to protect the Lubbock County Water Control and Improvement District No. 1 from the expense of needless litigation and to give the officials of this District an opportunity for the investigation of all facts and circumstances which may surround and result in any injury to person and property while using the facilities of this District or situated upon its property known as The Buffalo Springs Lake Area and thereby to allow it to adjust differences and settle claims without suit and to determine by such investigation whether or not any such claim is valid or should be contested as to its validity in the courts of this county; and also to shield this District against spurious claims and to enable this District to secure proof,

list of witnesses and preserve such evidence while the facts are fresh in the minds of the witnesses and prior to the death or removal of the witnesses from the jurisdiction of the courts. This Ordinance shall not be construed as an attempt by the Board of Directors to alter any State Law, now or hereafter in force and effect establishing a period of limitation for initiating litigation for any injury to person or property.

#### SECTION TWO

THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS, shall never be liable for any injury to the person or property of any individual, corporation, partnership or other legal entity, by reason of the occurrence of any accident, unforeseen and unexpected incident, casualty, catastrophe, calamity, disaster, mishap, misfortune or other misadventure of any kind of nature, upon the BUFFALO SPRINGS LAKE AREA, under the ownership and control of this District, whether such event shall result in the death or not of any individual and/or the total or partial loss of the property of any individual, corporation, partnership or other legal entity, unless the person injured or the owner of the property destroyed, partially or totally, or someone upon behalf of such claimant or in event the injury results in death, the person or legal representative who may have a cause of action by reason of such injury resulting in death, shall file a notice in writing within thirty days after the occurrence of such event with the General Manager of the Lubbock County Water Control and Improvement District No. 1 at the Administrative Office of the District at the Entrance to the Buffalo Springs Lake Area, stating specifically in such notice when, where and how the exact injury and/or damage to property occurred and the full extent thereof, together with the amount of damages claimed or asserted and specifying all facts and circumstances leading up to the event resulting in such loss together with a list of all witnesses to such event, giving their names, addresses and ages.

#### SECTION THREE

It is hereby specifically provided that the President, Secretary, any member of the Board of Directors of this District,



the General Manager or any other officer, employee, attorney, or legal representative of this District shall have no authority to waive any of the provisions of this Ordinance; but the same may be waived solely and only by an order duly adopted by the Board of Directors of this District at any regular or special meeting thereof which must be passed before the expiration of the thirty day period provided for in the above sections of this Ordinance, which order must be entered in the minutes of this Board when so adopted.

#### SECTION FOUR

The provisions of this Ordinance shall be applicable to any and all occurrences resulting in injury or death to any individual or damage to property owned and controlled by this District, whether or not the municipal function or activity out of which the claim arose is characterized as governmental or proprietary, of negligence on the part of any employee of this District or any latent or patent defect in any equipment, machinery or facility of the District available for public use.

#### SECTION FIVE

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of any such conflict.

#### SECTION SIX

In the event any particular provision of this Ordinance, or any portion of any section or paragraph hereof is judicially declared to be invalid, nevertheless, those parts of this Ordinance and its several paragraphs and subdivisions that shall remain after such declaration, shall have full force and effect.

#### SECTION SEVEN

The provisions of this Ordinance shall be in full force and effect five (5) days oafter the second publication of the notice of this Ordinance as required by law, and ignorance of any provision of this Ordinance, after such publication, shall not constitute a defense to the enforcement or assertion of the effect of this Ordinance in any Court of Law of the State of Texas; and, the provisions hereof, after such publication shall judicially be known to the Courts and shall be considered

of a nature like unto that of a valid Penal Ordinance of a city or the State of Texas.

As evidence of the enactment hereof, on this the 2nd day of February A.D. 1981, witness the signing thereof by R.M. (Max) Wiser, as President and the attestation thereof by Billy Sims, as the Secretary, respectively of the Board of Directors of the Lubbock County Water Control and Improvement District No. 1, of Lubbock County, Texas, with the imprinting of the seal of said District.

/s/ R. M. Wiser  
R. M. (Max) Wiser, President

Attest

/s/ Billy Sims  
Billy Sims, Secretary

(CORPORATE SEAL OF DISTRICT)



AN ORDINANCE GRANTING A FRANCHISE FOR CABLE TELEVISION TO MIDWAY CABLE CORPORATION, PRESCRIBING THE RATES CHARGED FOR CABLE TELEVISION SERVICE AND OTHER FEES; PRESCRIBING A FRANCHISE TAX; PROVIDING FOR INDEMNITY INSURANCE; PROVIDING A LEASE FOR THE PERMITTEES USE; PROVIDING FOR REPAIR OF POSSIBLE DAMAGES; AND OTHER MATTERS.

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 THAT:

(A) MIDWAY CABLE CORPORATION, a Texas Corporation, is hereby granted an exclusive franchise for the purpose of installing Cable Television facilities at the Buffalo Springs Lake, for the purpose of serving residential or other users at the Buffalo Springs Lake area.

(B) This franchise is for a period of fifteen (15) years, commencing effective upon the enactment of this ordinance.

(C) The charge that the Permittee shall be allowed to charge users is as follows:

1. For Cable Television, a charge of \$15.00 per month.
2. For Home Box Office service, separate and apart from Cinemax, \$10.00 per month.
3. For Cinemax service, separate and apart from Home Box Office, a charge of \$10.00 per month.
4. For Home Box Office and Cinemax combined, a total of \$17.50 per month.
5. For wiring of a home or structure of a user, \$10.00 for one television outlet.
6. For wiring a house or structure of a user for a second television outlet, the sum of \$12.00.

(D) Permittee shall pay to Lubbock County Water Control and Improvement District No. 1 the following franchise taxes:

1. Three percent (3%) of the gross receipts of the Permittee from subscribers at the Buffalo Springs Lake area, for the first three (3) years of this franchise, commencing upon the receipt of the first month's service charges by Permittee, payable quarterly.
2. Beginning the fourth year of this franchise, the Permittee shall pay to Lubbock County Water Control and Improvement District No. 1 five percent (5%) of the gross receipts from users at the Buffalo Springs Lake Area, payable quarterly.

(E) The charges allowed by this franchise may not be changed by the Permittee without the expressed consent of the Board of Directors of Lubbock County Water Control and Improvement District No. 1.

(F) The Lubbock County Water Control and Improvement District No. 1 shall furnish to the Permittee, a site of approximately 50 feet by 50 feet for the installation of Permittee's equipment for the receipt of tele-communications, such site to be in that area which is now leased at \$350.00 per year, and the Permittee shall pay such lease amount to the Lubbock County Water Control and Improvement District No. 1. The site to be leased to the Permittee shall be subject



to the approval of the General Manager of Lubbock County Water Control and Improvement District No. 1.

(G) Before commencing any installation of any equipment of any kind by Permittee, the Permittee shall furnish to the General Manager of Lubbock County Water Control and Improvement District No. 1, satisfactory proof of a general public liability, showing the Permittee to be insured in an amount of at least \$200,000.00 for injuries that may be caused to property or persons on account of the activities, actions and operations by Permittee.

(H) If, during the installation of Permittee's equipment, or during the operation of Permittee's business at the Buffalo Springs Lake area, the Permittee should cause, or through its operations allow to be caused any damage to either the property of Lubbock County Water Control and Improvement District No. 1, or the personal property of any tenant of Lubbock County Water Control and Improvement District No. 1, such damage shall be repaired at the earliest possible time, and to the complete satisfaction and under the supervision of the General Manager of Lubbock County Water Control and Improvement District No. 1.

(I) The Permittee shall, at the Permittee's own cost and at no fee or cost to Lubbock County Water Control and Improvement District No. 1, install any "Turner Co." television to the Buffalo Springs Clubhouse, such free service to be through the life of this franchise and any renewals and extensions thereof.

(J) Failure of the Permittee to abide by the provisions of this franchise shall be grounds for the cancellation of this franchise, but such franchise shall not be cancelled or rescinded except after a full hearing, open to the public, at which the Permittee is given ample opportunity to explain the Permittee's position in regard to the alleged violation of this franchise.

(K) The Permittee shall not, by this ordinance, be granted the use of any facilities of any public utilities now serving the Buffalo Springs area. Any use of any facilities of any public utility shall be arranged between the Permittee and such public utility.

(L) The Permittee shall cause to be erected such fence or other restraining device as the Permittee may determine to be required to protect the Permittee's premises, and specifically a nursing station, from interference by persons other than Permittee's employees and agents.

(M) Collection of charges made by Permittee for users in the Buffalo Springs area is the sole responsibility of the Permittee, and no collections may be made at the business office of the Lubbock County Water Control and Improvement District No. 1 without the expressed consent of the General Manager of said Water District.

Passed by the unanimous consent of the Board of Directors of Lubbock County Water Control and Improvement District No. 1 on the \_\_\_\_\_ day of \_\_\_\_\_, 1982.

  
BILLY MIKES, President

  
J. M. MILLER, Secretary



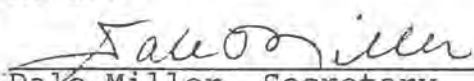
AN ORDINANCE PERMITTING SKIING ON UPPER LAKE; DEFINING HOURS AND DAYS OF SKIING; PROVIDING FOR SPEED LIMITATIONS AND OTHER PROVISIONS; PROVIDING FOR PENALTY OF VIOLATION HEREOF AND OTHER MATTERS

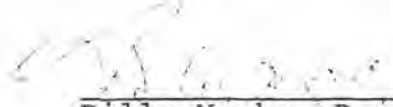
Be it ordained by the Board of Directors of LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER 1 that:

- A. Water skiing shall be permissible on the upper lake as follows:
1. From 9:00 A.M. until Sundown on Monday through Friday of each week.
  2. Such water skiing shall be confined to the slalom skiing only.
  3. Such skiing shall be confined to the slalom course now installed, or as the same may hereafter be changed under the direction of the General Manager.
  4. The maximum speed for any boat in such slalom course is 36 miles per hour.
  5. The maximum speed for a boat to turn at either end of the slalom course is approximately 30 miles per hour.
  6. Water skiers may use slalom course only pursuant to the posted rules and regulations.
- B. The ordinances of LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER 1 in conflict herewith are hereby repealed to the extent of such conflict.
- C. Any person or persons violating this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined in any amount not to exceed TWO HUNDRED AND NO/DOLLARS (\$200.00). Each and every separate occurrence shall be a violation of this ordinance.
- D. The title of this ordinance shall be published in any newspaper, published weekly or daily in Lubbock County, Texas.

Adopted by the Board of Directors of LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER 1 this the 2nd day of August, 1982.

ATTEST:

  
Dale Miller, Secretary

  
Billy Meeks, President

## ORDINANCE NO. XV

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, PROHIBITING THE USING OF THE 911 EMERGENCY SERVICE IN AN UNLAWFUL MANNER; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE: PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS:

### SECTION 1

#### MISUSING OR PLACING FALSE CALLS

It shall be unlawful for any person or persons to willfully or mischievously misuse or place false calls to the 911 Emergency Service on or near the Lubbock County Water Control and Improvement District No. 1 Area.

### SECTION 2

#### PENALTIES

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be fined in any amount which, combined with cost of court, shall not exceed the sum of two hundred and 00/100 Dollars (\$200.00).

### SECTION 3

#### REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

### SECTION 4

#### SAVINGS CLAUSE

In the event any particular provisions of this Ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of this ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

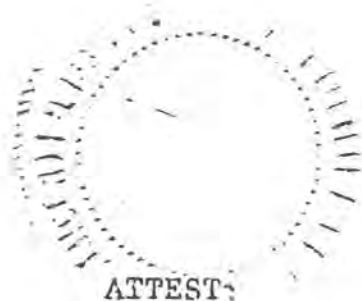


SECTION 5

PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of this enactment hereof on this the 6th day of February, 1989. Witness the signing hereof by Tommy Fisher as President of the Board of Directors of the Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by Jack Driver as Secretary of such Board, with the imprinting of the Seal of the District.



Tommy Fisher  
President, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

Jack Driver  
Secretary, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

## ORDINANCE NO. XVI

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, PROHIBITING THE USE OF NON-LICENSED, PLAY VEHICLES ON ANY PAVED OR IMPROVED ROADWAY OF THE DISTRICT; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS:

### SECTION 1

#### PROHIBITING PLAY VEHICLES ON ROADWAYS

It shall be unlawful for any person or persons, including minor children, to engage in the operating of any non-licensed, play vehicles on any paved or improved roadways or on any public right-of-way within the Lubbock County Water Control and Improvement District No. 1 area.

### SECTION 2

#### PENALTIES

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be fined in any amount which, combined with cost of court, shall not exceed the sum of two hundred and 00/100 Dollars (\$200.00).

### SECTION 3

#### REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

### SECTION 4

#### SAVINGS CLAUSE

In the event any particular provisions of this Ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of this ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

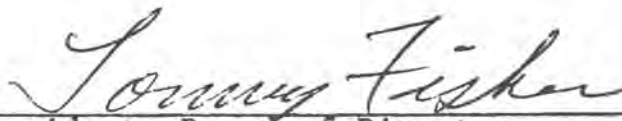


SECTION 5


PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of this enactment hereof on this the 1st day of May, 1989. Witness the signing hereof by Tommy Fisher as President of the Board of Directors of the Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by Jack Driver as Secretary of such Board, with the imprinting of the Seal of the District.

  
\_\_\_\_\_  
President, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

AN ORDINANCE DEFINING JUNK VEHICLES, DEFINING ANTIQUE VEHICLES, PROVIDING FOR REMOVAL OF JUNK VEHICLES; PROVIDING FOR PUBLIC HEARING FOR NOTICE PROCEDURES, PROVIDING OTHER PROCEDURES TO BE ESTABLISHED BY GENERAL MANAGER; PROVIDING PENALTY FOR VIOLATION HEREOF; PROVIDING FOR PUBLICATION; PROVIDING A REPEALING CLAUSE AND OTHER MATTERS.

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE:

WHEREAS, the Texas Legislature has amended Vernon's Annotated Statutes, Article 44.76-9A, establishing procedures to be followed to removed junked vehicles from both public and private property in a city within the State of Texas;

And WHEREAS, the Board of Directors of the Lubbock County Water Control and Improvement District Number One deems it to be in the best interest of the citizens of the Water District to amend the Ordinances of the Water District, to conform to the legislative amendments aforementioned;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE that Section 1 Definitions for purposes of this Ordinance, the following definitions shall be used:

Section 1        ANTIQUE AUTO means passenger cars or trucks that were manufactured in 1925 or before, or which become thirty-five (35) or more years old.

COLLECTOR means the owner of one or more antique or special interest vehicles who collects, purchases, acquires, trades or disposes of special interest or antique vehicles or parts of them for his own use in order to restore, preserve and maintain an antique or special interest vehicle for historic interest.

JUNKED VEHICLE means any motor vehicle as defined in Section 1 of Article 6701d-11, Vernon's Texas Civil Statutes, as amended, which:

(1) Is inoperative and which does not have lawfully affixed thereto both an unexpired license plate or plates and a valid motor vehicle safety inspection certificate and which is wrecked, dismantled, partially dismantled or discarded; or

(2) Remains inoperable for a continuous period of more than one hundred and twenty (120) days.

SPECIAL INTEREST VEHICLE means a motor vehicle of any age which has not been altered or modified from original manufacturer's specifications and, because of its historic interest, is being preserved by hobbyists.



Section 2      EXCEPTIONS - LAWFULLY PARKED VEHICLES

This Article shall not apply to:

(1) A vehicle or part thereof which is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property;

(2) A vehicle or part thereof which is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicles dealer or a junkyard; or

(3) Unlicensed, operable or inoperable antique or special interest vehicles stored by a collector on his property, provided that the vehicles and the outdoor storage areas are maintained in such manner that they do not constitute a health hazard and are screened from ordinary public view by means of a fence, rapidly growing trees, shrubbery or other appropriate means.

Section 3      SAME - VEHICLES OBSTRUCTING TRAFFIC

Nothing in this Article shall affect Ordinances or state statutes that permit immediate removal of a vehicle left on public property which constitutes an obstruction to traffic.

Section 4      ADMINISTRATION

The responsibility of the Board of Directors of the Lubbock County Water Control and Improvement District Number One and the General Manager, or such designated District employees and such persons as shall have the powers stated in the "Texas Litter Abatement Act."

Section 5      UNLAWFUL TO KEEP

It shall be unlawful for any person to leave or permit to remain upon any public property, public right-of-way, or upon any lot or tract of land within the District any junked vehicle as defined in Section 1 above.

Section 6      PUBLIC NUISANCE - DECLARED

Any junked vehicle located in the District in any place where it is visible from a public place or public right-of-way is detrimental to the safety and welfare of the general public, tending to reduce the value of private property, vandalism, to create fire hazards, and to constitute an attractive nuisance creating a hazard to the health and safety of minors and is detrimental to the economic welfare of the District, by producing urban blight which is adverse to the maintenance and continuing development of the District; and such vehicle is, therefore, declared to be a public nuisance.

Section 7

SAME - NOTICE OF, AND ORDER TO ABATE

Whenever any public nuisance, as declared in Section 6, exists in the District, the General Manager shall send written notice, by certified mail with a five-day return requested, to the last known registered owner of the junked motor vehicle, every lien holder of record, and to the owner or the occupant of the premises whereupon such nuisance exists, or abuts the public property whereupon such nuisance exists, to abate or remove such public nuisance. Such notice shall state the nature of the public nuisance and specify that the nuisance must be abated and removed within ten (10) days after the delivery date of the notice, and further state that such person receiving the notice, if a hearing is desired, must request such hearing before the expiration date of said ten-day period. If any notice is returned undelivered by the United States post office, official action by the District to abate said nuisance shall be continued to a date not less than ten (10) days from the date of such return.

Section 8 PUBLIC HEARING PRIOR TO REMOVAL

A public hearing, prior to the removal of a vehicle or part thereof under this Article as a public nuisance, shall be held before the Board of Directors, or any other board or commission designated by the Board of Directors, when such a hearing is requested by the owner or occupant of the public or private premises on which said vehicle is located, or by the owner or occupant of the premises adjacent to the public right-of-way, within ten (10) days after service of notice to abate the nuisance. An Order of such board or commission requiring removal of a vehicle or part thereof shall include a description of the vehicle and the correct identification number and license number of the vehicle, if available at the site.

Section 9

DISPOSITION

(a) Junked vehicles which have been removed pursuant to this Article shall not be reconstructed or made operable.

(b) In the event such junked vehicle has not been removed and the public nuisance abated after due notice and the expiration of time set forth or after public hearing, if one is requested, and an Order issued to abate such nuisance and such vehicle has not been removed, then such junked vehicle or parts thereof shall be removed by the District.

(c) Notice shall be given by the District to the Texas Highway Department within five (5) days after the removal of such junked vehicle, identifying the vehicle or part thereof.

(d) Junked vehicles or parts thereof may



be disposed of by removal to a scrapyard, demolishers or any suitable site operated by the District for processing as scrap or salvage in accordance with the "Texas Litter Abatement Act."

Section 10                    SAME - REMOVAL WITH PERMISSION

If within ten (10) days after receipt of notice from the General Manager and/or his employees, or his duly authorized agent, to abate the nuisance, as herein provided, the owner or occupant of the premises shall give his written permission to the General Manager and/or his employees, or his duly authorized agent for removal of the junked motor vehicle from the premises, the giving of such permission shall be considered compliance with the provisions of Article 9.

Section 11                    SAME - PRESUMPTION

The person in whose name a junked vehicle is last registered shall be presumed to be the owner and person in control of such vehicle for purposes of prosecution under Article 9. Proof of ownership may be made by production of a copy or facsimile of the registration of a vehicle with the State Department of Highways and Public Transportation or the county motor vehicle licensing department or any other licensing authority showing the name of the person to whom the license plates for the vehicle were issued. This proof shall constitute prima facie evidence of the fact that the person to whom such certificate of registration was issued was the owner and person in control of the junked motor vehicle determined to be a public nuisance.

Section 12                    All Ordinances in conflict herewith are repealed to the extent of such conflict.

Section 13                    This Ordinance shall become effective after publication of the title hereof as provided by law.

DONE and PASSED by the Board of Directors of the Lubbock County Water Control and Improvement District Number One on the 5th day of August, 1985.

/s/ Tommy Fisher  
President

ATTEST:

/s/ Jack Driver  
Secretary

ORDINANCE NO. XVIII

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, PROVIDING FOR THE FURNISHING OF WATER SERVICES TO CUSTOMERS OF THE DISTRICT AND PRESCRIBING FEES TO BE CHARGED AND THE TERMS UNDER WHICH WATER SERVICE WILL BE FURNISHED; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS:

SECTION 1

FURNISHING WATER TO CUSTOMERS

Upon the execution of the appropriate request for water service, the District agrees to provide water to the appropriate connecting point as determined by the Lake Manager, provided that the party requesting the service complies with the following conditions:

1. All fees for water shall be paid by the 20th of the month following the furnishing of the water.

2. If payment is not received by the District by the 20th of each month, then a late charge in the amount of 10 percent of the arrearage will be charged to the customer.

3. If any amount owing by the customer remains due for more than fifty (50) days after the first billing, then the District, at its discretion, may give to the customer a notice mailed by regular mail stating that the water will be turned off within ten (10) days after the date that the letter is mailed. If full payment is not received within the ten (10) day notice period, the District may, in its sole discretion, turn off the water.

4. Even though the water may be turned off, late charges and an amount equal to the minimum billing amount will be charged monthly to each customer until such time as full payment is received by the District for all amounts due to it for water service. This minimum billing amount which is currently \$27.50 shall continue to be charged because it is necessary for the District to maintain its water service facilities and to make such service accessible to each customer, even though the customer may not actually be utilizing the water. This minimum



monthly amount is equal to the amount charged for water, sewer and waste disposal services furnished by the District, together with reserves for such services.

5. Once all amounts have been paid in full to the District, a reconnect fee of \$35.00 will be charged to the customer and must be paid in advance prior to the reinstitution of service.

## SECTION 2

### PENALTIES

The doing of any act forbidden to be done by this ordinance or the failure to do any act required by the provisions of this ordinance shall be deemed to be a misdemeanor, which, in case of lawful conviction thereof, shall be punishable by the infliction of a fine, the amount of which, combined with cost of court shall not exceed \$200.00, and each day during which any such violation shall continue shall constitute a separate offense.

## SECTION 3

### REPEAL OF INCONSISTENT ORDINANCES

All ordinances or part of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

## SECTION 4

### SAVINGS CLAUSE

In the event any particular provisions of this Ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of this ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

## SECTION 5

### PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of this enactment hereof on this the 7th  
day of August, 1989. Witness the signing hereof by  
Tommy Fisher as President of the Board of Directors of the  
Lubbock County Water Control and Improvement District No. 1 of  
Lubbock County, Texas, and the attesting hereof by Jack Driver  
as Secretary of such Board, with the imprinting of the Seal of  
the District.

Tommy Fisher  
President, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:

Jack Driver  
Secretary, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas



## ORDINANCE NO. XIX

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 129, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7830-7 OF SUCH STATUTES, PROVIDING FOR LESSEES LEASING WATER FRONT PROPERTIES DESIRING TO EXCAVATE THEIR PROPERTY TO MAKE A SLIP FOR THE STORAGE OF THEIR BOAT AND PRESCRIBING TERMS AND REGULATIONS FOR SUCH STORAGES; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS:

### SECTION 1

#### WATERFRONT LESSEE BOAT SLIP EXCAVATION

That those Lessees leasing water front properties desiring to excavate their property to make a slip for the storage of their boat may do so, providing that the natural shorelines or banks of the Lake will not be changed and that this excavation will be on their property only, allowing for the six (6) foot set back and will be approved by the Board of Directors and/or the Architechtrual Review Committee of the District. Also the Lessee desiring to build a covering over the slip for shelter of their boat will adhere to all building codes of the District and that the covering or building will be set back six (6) feet from the natural shoreline of the Lake. All work must have a workable set of plans submitted and approved by the Architechtrual Review Committee and the Board of Directors for the District prior to starting construction and meet all building codes or requirements set by the District.

### SECTION 2

#### PENALTIES

The doing of any act forbidden to be done by this ordinance or the failure to do any act required by the provisions of this ordinance shall be deemed to be a misdemeanor, which, in case of lawful conviction thereof, shall be punishable by the infliction of a fine, the amount of which, combined with cost of court shall not exceed \$200.00 and each day during which any such violation shall continue shall constitute a separate offense.

SECTION 3

REPEAL OF INCONSISTENT ORDINANCES

All ordinances or part of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

SECTION 4

SAVINGS CLAUSE


In the event any particular provisions of this Ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of this ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

SECTION 5

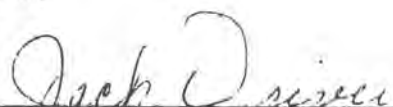
PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of this enactment hereof on this the 7th day of August, 1989. Witness the signing hereof by Tommy Fisher as President of the Board of Directors of the Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by Jack Driver as Secretary of such Board, with the imprinting of the Seal of the District.

  
President, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:

  
Secretary, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas



## **ORDINANCE XX**

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS UNDER THE POWERS, AUTHORITIES AND PROVISIONS OF CHAPTER 51 OF THE WATER CODE OF THE STATE OF TEXAS PROVIDING FOR ADOPTION OF A BUILDING CODE, INCLUDING PROCEDURES FOR THE CLEARING OF SUBSTANDARD STRUCTURES, AND PROVIDING FOR REPAIR AND THE REMOVAL OF SUCH STRUCTURES AFTER A HEARING, PROVIDING CRIMINAL PENALTIES FOR VIOLATION OF THIS ORDINANCE, A REPEALING CLAUSE, A SAVINGS CLAUSE AND PROVIDING FOR EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS:

### **SECTION 1 UNIFORM BUILDING CODE**

The 1988 Edition of the Uniform Building Code and Appendix Chapters 32 and 55 of said code, as copyrighted in 1988 by the International Conference of Building Officials, Whittier, California, as hereinafter amended in this article, is specifically adopted as the building code of the Lubbock County Water Control and Improvement District Number One, and a copy is attached hereto and incorporated herein by reference as though set out completely in detail. References in this article to the Uniform Building Code shall mean the 1988 Edition. A copy of said Uniform Building Code shall be filed with the general manager and a copy maintained in his office, to be open to public inspection during the business hours of the office where it is maintained.

This code shall apply to all buildings and structures of whatever nature and shall not be limited to dwelling structures. All sections and provisions in this code shall be interpreted in this manner. If the Building Code conflicts with other portions of this Ordinance, the specific provisions of this Ordinance rather than the Building Code shall prevail.

### **SECTION 2 PURPOSE**

The purpose of this code is to provide minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public from the hazards and dangers of substandard structures.

### **SECTION 3 UNSAFE BUILDINGS OR STRUCTURES**

All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health, or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment, as specified in this code or any other effective ordinance, are, for the purpose of this section, unsafe buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in this Ordinance or by any other procedures provided by law.

## SECTION 4 NOTICE OF SUBSTANDARD CONDITION

If the general manager of the District finds that a structure does not comply with this Code or is substandard or unsafe in any way, he shall issue a notice to the record owner of the building. The notice shall contain:

1. The street address and a legal description sufficient for identification of the premises upon which the building is located.
2. A statement that the general manager has found the building to be substandard, with a brief and concise description of the conditions found to render the building substandard.
3. A statement advising that a hearing has been set before the Board of Directors for the purpose of making a final determination of whether the building is substandard, naming a specific hearing date to be not less than ten (10) days hence.
4. A statement advising that if the Board of Directors confirms that the building in question is substandard, depending on the degree of substandardness and other variables, the Board may issue an order requiring that the building be repaired or demolished by the owner within a time to be set by the Board and if the owner does not comply, the Water District may be instructed to seek judicial remedies or to have the work performed and a lien filed on the property for the expense of said work.
5. A statement advising that any person affected by any order may seek within ten (10) days to appeal said order to any court of competent jurisdiction for relief and upon failure to do so within such period of time such findings shall be final.

## SECTION 5 METHOD OF SERVICE

Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at his address as it appears on the last equalized assessment roll of the county or as known to the general manager. If no address of any such person so appears or is known to the general manager, then a copy of the notice and order shall be so mailed, addressed to such person, at the address of the building involved in the proceedings. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this section. Delivery by certified mail in the manner herein provided shall be effective service on the date of mailing.

## SECTION 6 HEARING

Before any work is performed by the general manager on any building or part thereof for being in violation of this code, there shall first be a hearing conducted by the Board of Directors to determine if the building or part thereof in question is substandard as defined by this code.



After the hearing, if the building or part thereof is found by the Board of Directors to be substandard, the Board of Directors may direct that the building or part thereof be repaired or removed.

Any person affected by any order may seek within ten (10) days to appeal said order to any court of competent jurisdiction for relief and upon failure to do so within such period of time such findings shall be final.

## SECTION 7 STANDARDS TO BE FOLLOWED

The following standards shall be followed by the Board of Directors in ordering the repair, vacation, demolition or removal of any substandard building or structure:

1. Once a structure has been found to be substandard, as defined within this code, a determination must be made whether the property owner is entitled as a matter of right to the opportunity to recondition his property and thus eliminate the substandard conditions by some manner other than demolition or removal.
  - a. If the substandard conditions can be eliminated only by demolition, removal or repairs constituting a substantial reconstruction of the structure, the property owner is not entitled as a matter of right to recondition his structure and may be required to either demolish the structure, or to remove it.
  - b. If the substandard conditions can be eliminated by some restorative procedure other than repairs constituting a substantial reconstruction of the structure, the property owner is entitled as a matter of right to perform at his option any abatement procedure effecting compliance with this code.
2. If the conditions which cause the structure to be substandard (as defined within this code) are so immediately and substantially dangerous to the life, safety or property of the public as to create a dire emergency, the general manager may summarily abate those conditions and may do so by using whatever measures are necessary under the circumstances without the necessity of meeting any other standards prescribed in this Ordinance.

## SECTION 8 ENFORCEMENT OF THE ORDER OF THE BOARD OF DIRECTORS

(a) After any order of the housing Board of Directors made pursuant to this code has become final, no person to whom any such order is directed shall fail, neglect or refuse to obey such order. Any such person who fails to comply with any such order is guilty of a misdemeanor.

If, after any order of the Board of Directors made pursuant to this code has become final, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the general manager may (1) cause such person to be prosecuted under subsection (a) of this section or (2) institute any appropriate action to abate such building as a public nuisance.

In addition to any other remedy herein provided, if the order was for demolition and the person to whom it was directed shall

fail, neglect or refuse to obey such order, the general manager may cause the building to be demolished and the lot cleaned.

## **SECTION 9 PERFORMANCE OF DEMOLITION OR OTHER WORK**

When any demolition or other work is to be done pursuant to this Ordinance the general manager shall cause the work to be accomplished by District personnel or by a private contractor under his direction.

The cost of such work shall be made a special assessment against the property involved.

## **SECTION 10 RECOVERY OF COST OF DEMOLITION OR OTHER WORK**

The general manager shall keep an itemized account of the expense incurred by the District for repair or demolition or removal of any structure and the cleaning of the lot where the structure was located. Upon completion of this work, the general manager shall prepare a statement specifying the work done, the itemized and total cost of the work, a description of the real property upon which the structure was located and the names and addresses of the persons entitled to notice.

Upon completion of this statement it shall be sent to the President of the District for his signature thereon, whereupon it shall then be recorded with the county clerk as an assessment against and a lien upon the property.

Immediately upon recordation, the amount assessed shall be payable, and the assessment shall be a lien against a parcel of Leased land situated thereupon where the work was performed and against any remaining improvements thereon. The lien shall be subordinate only to tax liens.

All such assessments remaining unpaid after thirty (30) days from the date of recordation shall become delinquent and shall bear interest at the rate of ten (10) per cent per annum from and after said date.

For any such expenditures and interest, as aforesaid, suit may be instituted and foreclosure had in the name of the District; and the statements so made, as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended in any such work.

## **SECTION 11**

This Ordinance does not supersede or preempt the provisions of or the remedies provided for in the District's lease agreements or by Texas law.

## **SECTION 12 PENALTIES**

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined in any amount which, combined with cost of court, shall not exceed the sum of Two Hundred and No/100 (\$200.00) Dollars.



**SECTION 13**  
**REPEAL OF INCONSISTENT ORDINANCES**

All ordinances or parts of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

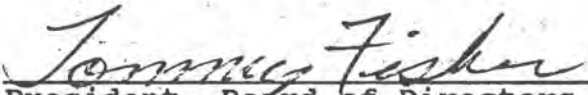
**SECTION 14**  
**SAVINGS CLAUSE**

In the event any particular provisions of this Ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of this ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.


**SECTION 15**  
**PUBLICATION AND EFFECT OF ORDINANCE**

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a Water District of the State of Texas.

As evidence of this enactment hereof on this the 10th day of February, 1990. Witness the signing hereof by Tommy Fisher as President of the Board of Directors of the Lubbock County Water Control and Improvement District Number One of Lubbock County, Texas, and the attesting hereof by Jack Driver as Secretary of such Board, with the imprinting of the Seal of the District.

  
\_\_\_\_\_  
President, Board of Directors  
Lubbock County Water Control and  
Improvement District Number One  
Lubbock County, Texas

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors  
Lubbock County Water Control and  
Improvements District Number One  
Lubbock County, Texas

## ORDINANCE XXI

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES RULES AND REGULATIONS GOVERNING CERTAIN NUISANCE ACTIVITIES AND THE INTENT OF THIS ORDINANCE IS TO PROTECT DISTRICT PROPERTY, PROPERTY LEASED FROM THE DISTRICT, THE RIGHTS OF RESIDENTS AND PERSONS ENTERING THE BOUNDARIES OWNED BY THE DISTRICT KNOWN AS BUFFALO SPRINGS LAKE FROM THE CONDUCT OF ANY PERSON OR PERSONS CAUSING MATERIAL ANNOYANCE, INCONVENIENCE, OR INJURY TO OTHERS, IN RESPECT TO HEALTH, SAFETY, COMFORT, SENSE OF DECENCY, MORALS, OR EXERCISE OF THEIR RIGHTS, BY MEANS OF BEING A NUISANCE; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE..

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS:

### SECTION 1

#### DEFINITIONS

Whatsoever is or could become dangerous to human life, health, safety, or property of not only others, but also to themselves, or whatsoever renders the ground water, air, food or property a hazard, injurious, or offensive to the human senses or that is or tends to become detrimental to the public health is hereby declared to be a nuisance.

### SECTION 2

#### DUTY TO ABATE

Every person possessing any place in or on which there is a nuisance shall, as soon as its presence comes to his knowledge, proceed at once and continue to abate, and/or cease such nuisance.

### SECTION 3

#### NOTICE OF ORDER TO ABATE

Whenever any nuisance, generally or specifically defined in this ordinance shall exist within the boundaries of the property owned by the District, the General Manager shall notify in person or order a Peace Officer employed by the District, to notify the owner or occupant of premises in person by delivering a written notice of warning or by mailing a written notice of warning



advising that such nuisance exists and order such owner or occupant to abate, remove or cease the nuisance described in such notice, within such time as may be specified within the notice. The time allowed to abate, cease or discontinue to perform a nuisance will be determined by the nuisance offense itself, and could range from the immediate to not more than 20 days.

#### SECTION 4

##### OBSTRUCTION - DECLARED A NUISANCE

It shall be unlawful within the boundaries of the area owned by the District for the accumulation and existence of anything which may be considered an obstruction in its tributaries or any gullies, water course or depression lying within its water shed. Substance such as scrap from building materials, cans, boxes, brush, old tubs, limbs, paper, cloth, grass clippings, or any other substance, commodity or material calculated to obstruct the water flow are hereby declared to be a nuisance and prohibited within the boundaries of the land owned by the District.

#### SECTION 5

##### EXTENSION OF TIME TO ABATE

Whenever an order or warning has been given by the General Manager of the District to abate, remove, or cease any nuisance that may be taking place or that exists upon any lot or premises, the owner thereof shall have the right to request a hearing before the Board of Directors of the District. This request must be made in writing and delivered to the General Manager within 10 days of the order. The General Manager may at his discretion give an extension of time or set a time for a hearing before the Board, if there is no immediate danger to public health or public or private property.

#### SECTION 6

##### ABATEMENT BY THE DISTRICT

If the owner or occupant of premises on which there exists a nuisance fails, neglects, or refuses to obey an order to abate or cease, as provided for in the preceding section, or if the

premises are unoccupied and the owner or his agent cannot be found, the General Manager for the District shall cause such nuisance to be abated or removed and shall defray the expenses thereof out of the District's general funds. All expenses so incurred shall be charged against the owner and shall be a lien on the lot and improvements whereupon such nuisance exists.

#### SECTION 7

##### DUTIES OF THE GENERAL MANAGER AND DISTRICT EMPLOYEES

It shall be the duty of the General Manager and all Peace Officers employed by the District to watch for any nuisance defined by this ordinance or by any other ordinance of the District. Any employee of the District is to report all the facts to the General Manager at the Office for the District.

#### SECTION 8

##### MAINTENANCE - PENALTIES

Every nuisance defined in this ordinance, whether generally or specifically, is prohibited and forbidden within the boundaries and on the property owned by the District whether Leased or not, and any person making, causing, permitting, suffering or maintaining any of such nuisances as are defined generally or specifically shall be guilty of a misdemeanor, and upon conviction therefor, shall be fined in any amount which, combined with cost of court, shall not exceed the sum of two hundred and 00/100 dollars (\$200.00) and each day any such violation shall continue, shall constitute a separate offense.

#### SECTION 9

##### REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict of the provisions of this ordinance are hereby repealed.

#### SECTION 10

##### SAVINGS CLAUSE

In the event any particular provisions of this ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of this ordinance



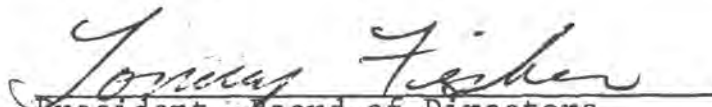
and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

## SECTION 11

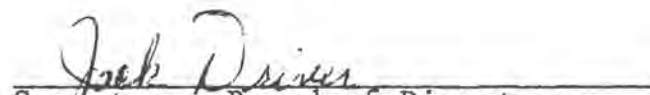
### PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this ordinance as required by law, and ignorance of any provisions of this ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this ordinance, and the provisions hereof, after such publication shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of this enactment hereof on this the 7th day of May, 1990. Witness the signing hereof by Tommy Fisher as President of the Board of Directors of the Lubbock County Water Control and Improvement District No. 1 of Lubbock County, Texas, and the attesting hereof by Jack Driver as Secretary of such Board, with the imprinting of the Seal of the District.

  
President, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:

  
Secretary, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

## ORDINANCE XXII

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS FOR THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISION OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES RULES AND REGULATIONS PROVIDING FOR LESSEES DESIRING TO SUBLET THEIR PROPERTY TO A RENTER PRESCRIBING TERMS AND REGULATIONS FOR SUCH RENTAL; PRESCRIBING PENALTIES FOR VIOLATIONS OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

### SECTION I.

#### LESSEES DESIRING TO SUBLET THEIR PROPERTY TO A RENTER

That those Lessees desiring to sublease their property to a renter may do so providing both the Lessee and the Renter sign a Renter's Agreement identifying all persons living at the property; purchase yearly gate passes for all persons living at the property; and abide by all the Rules and Regulations and Ordinances of the District. Signing of the Renter's Agreement by the Lessee and the Renter and purchasing of yearly gate passes must be executed within 10 days from the time of rental, or from the 1st day the property is occupied by the Renter.

### SECTION II.

#### PENALTIES

The doing of any act forbidden to be done by this ordinance or the failure to do any act required by the provisions of this ordinance shall be deemed to be a misdemeanor, which, in case of lawful conviction thereof, shall be punishable by the infliction of a fine, the amount of which, combined with cost of court shall not exceed \$200.00 and each day during which any such violation shall continue shall constitute a separate offense.

### SECTION III.

#### REPEAL OF INCONSISTENT ORDINANCES

All ordinances or part of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

### SECTION IV.

#### SAVINGS CLAUSE

In the event any particular provisions of this ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of this ordinance



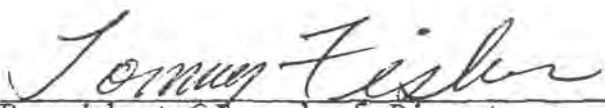
and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

SECTION V.


PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this ordinance as required by law, and ignorance of any provisions of this ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of this enactment hereof on this the 31st day of January, 1991. Witness the signing hereof by Tommy Fisher as President of the Board of Directors of the Lubbock County Water Control and Improvement District Number One of Lubbock County, Texas, and the attesting hereof by Jack Driver as Secretary of such Board, with the imprinting of the Seal of the District.

  
\_\_\_\_\_  
President, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

BUILDING CODES AMENDED

1. Current Lot Survey
  2. Complete set of blue prints or workable Plot Plan or Floor Plan
  3. Front Elevation
  4. Side Elevation
  5. Specification Sheet
  6. Culverts to be installed where needed at a minimum of 18 inches in diameter and in some cases larger and necessary drainage corrections performed where needed.
  7. All materials used in the construction of a single dwelling unit remodeling of a single unit dwelling, or addition to a single dwelling unit must be new.
  3. All materials used in addition, or remodeling must match the exterior decor of the structure that is being remodeled, or added to.
  9. All wiring must meet State Electrical and Fire Codes.
  10. All plumbing must meet State Plumbing and Health Codes.
  11. All water and sewer taps must be left open for inspection prior to use.
  12. All utilities or other installations that are required to cross a paved roadway within the District shall be drilled or bored under the pavement at required depths. Depths or distance shall be set by the District.
  13. Retaining walls must be installed where needed.
  14. A portable toilet must be placed at construction site before and during the time of all construction, except in cases of remodeling or additions where a dwelling exists which contains a workable toilet.
  15. A charge for water meter and meter box installation will be assessed.
  16. A minimum of 1,000 square feet of living space is required in the construction of all single dwelling units.
  17. Any violation of the Building Codes will constitute a Stop Work Order being issued and subject the offender to a penalty of \$25.00 to \$250.00 fine at the discretion of the Board of Directors.
  18. A fee of \$75.00 will be charged for on-site inspections and construction approval. The fee must be paid and inspection and approval obtained before occupancy or use.
- \*\* At a meeting of the Board of Directors on November 15, 1986, Lee Kelso made a motion to accept the above building codes. Richard Hillbush seconded the motion. Motion passed unanimously.



## ORDINANCE NO. XXIII

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS FOR THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, MAKING IT ILLEGAL TO HAVE IN POSSESSION OR IN USE WHETHER OR NOT IN THE IMMEDIATE POSSESSION OF ANY PERSON, ANY GLASS BOTTLE OR GLASS CONTAINERS OF ANY KIND, SIZE OR SHAPE WITHIN 500 FEET OF THE BODY OF WATER KNOWN AS BUFFALO SPRINGS LAKE OR ANY OF ITS TRIBUTARIES WHICH FEEDS OR DISCHARGES FROM THE LAKE; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS FOR THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS:

### SECTION 1

#### POSSESSION OF GLASS CONTAINERS

It shall be illegal to have in possession or in use, whether or not in the immediate possession of any person, any glass bottle or glass containers of any kind, size or shape within 500 feet of the body of water known as Buffalo Springs Lake or any of its tributaries which feeds or discharges from the lake.

### SECTION 2

#### PENALTIES

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be fined in any amount which, combined with cost of court, shall not exceed the sum of Two Hundred and 00/100 Dollars (\$200.00).

### SECTION 3

#### REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

### SECTION 4

In the event any particular provisions of this Ordinance, or any portion of any clause or paragraph thereof, is judicially


declared to be invalid, nevertheless, those parts of this ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

## SECTION 5


### PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this Ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of this enactment hereof on this the 28th day of May, 1991. Witness the signing hereof by  
Tommy Fisher as President of the Board of Directors of the Lubbock County Water Control and Improvement District Number One of Lubbock County, Texas, and the attesting hereof by  
Jack Driver as Secretary of such Board, with the imprinting of the Seal of the District.

  
\_\_\_\_\_  
President, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST;

  
\_\_\_\_\_  
Secretary, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas



## ORDINANCE NO. XXVI

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, PROHIBITING MOTORIZED OR NON-MOTORIZED VEHICLES FROM TRAVELING OFF OF DESIGNATED OR ESTABLISHED ROADWAYS; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS:

### SECTION 1

#### OFFROADING UNLAWFUL AND PROHIBITED

It shall be unlawful for any person or persons, including minor children to operate a motorized or non-motorized vehicle used for transporting one or more persons anywhere within the area known as Buffalo Springs Lake and on land owned by the Lubbock County Water Control and Improvement District Number 1, except on roads established by the District as roadways or thoroughfares and used for normal traffic by the District or on trails established and posted by the District as offroad vehicle trails.

### SECTION 2

#### PENALTIES

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be fined in any amount which, combined with cost of court, shall not exceed the sum of two hundred and 00/100 Dollars (\$200.00).

### SECTION 3

#### REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

### SECTION 4

#### SAVINGS CLAUSE

In the event any particular provisions of this Ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of this ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

As evidence of this enactment hereof on this the 24th day  
of February, 1992. Witness the signing hereof by  
Tommy Fisher as President of the Board of Directors of the  
Lubbock County Water Control and Improvement District No. 1 of  
Lubbock County, Texas, and the attesting hereof by Jack Driver  
as Secretary of such Board, with the imprinting of the Seal of the  
District.

Tommy Fisher  
President, Board of Directors  
Lubbock County Water control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:

Jack Driver  
Secretary, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas



## ORDINANCE XXVII

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS FOR THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, RULES AND REGULATIONS GOVERNING THE SIZE AND PLACEMENT OF SIGNS WITHIN THE DISTRICT'S BOUNDARIES OWNED BY THE DISTRICT KNOWN AS BUFFALO SPRINGS LAKE. PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS FOR THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS:

### SECTION 1 PURPOSE OF ORDINANCE

The purpose of this Ordinance is to promote a positive image on the District's property reflecting order, harmony and pride in the District community.

### SECTION 2 TYPES OF SIGNS

It shall be unlawful for any person or persons to display a sign within the area of land owned by the District and known as Buffalo Springs Lake except:

A. No signs for commercial purposes should be placed on District property or on property leased from the District.

B. Informational signs relating to District purposes and informing the public of District events may be placed upon District property by District employees.

C. Signs for political purposes or for the purpose of advertising the sale of improvements on land leased from the

District may be placed upon property leased from the District by the tenant of the leased property provided that such signs will not exceed a size of thirty-six inches by thirty-six inches (36 in. x 36 in.). If the signs are for political purposes, they shall be removed within thirty (30) days after the date of the election to which the signs are directed.

D. No signs will be placed closer than six feet (6 ft.) from the front property line of any land leased from the District.

### **SECTION 3 EXCEPTIONS**

Any person or persons wishing to place a sign upon the property leased from the District which exceeds the limitations described in this Ordinance, may file a request with the Board of Directors in writing, seeking an exception to this ordinance. This request will be considered in the next official board meeting of the Board of Directors. If approved by the Board of Directors, a permit will be issued by the Board setting out the terms and conditions for such an exception and the charges for such a permit, if any.

### **SECTION 4 DUTY TO ABATE**

Any person or persons found to be in violation of this Ordinance shall, as soon as its presence comes to his or her knowledge, proceed at once and continue to abate said violation; if they refuse to abate the violation, the General Manager may cause removal or order a peace officer, employed by the District, or an employee of the District, to cause the removal of said



violation.

## **SECTION 5 NOTICE OF ORDER TO ABATE**

Whenever a violation, generally or specifically defined in this Ordinance, shall exist within the boundaries of the property owned by the District, the General Manager shall notify in person or order a peace officer employed by the District, to notify in person or by delivering a written notice of order or warning in person, or by U.S. Mail, advising that such violation exists and order such violator to abate, remove, and cease the violation described in such notice, within such time as may be specified in such notice. The time allowed to abate, cease or discontinue to perform said violation will be determined by the offense itself and could range from the immediate to not more than five (5) days.

## **SECTION 6 DUTIES OF THE GENERAL MANAGER AND DISTRICT EMPLOYEES**

It shall be the duty of the General Manager and all peace officers employed by the District to watch for any violation defined by this Ordinance or by any other ordinance of the District. Any employee of the District is to report all the facts to the General Manager at the office for the District.

## **SECTION 7 PENALTIES**

Every violation defined in this Ordinance, whether generally or specifically, is prohibited and forbidden within the boundaries and on the property owned by the District, whether leased or not and any person making, causing, or permitting such violations as

are defined generally or specifically, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in any amount which combined with cost of court, shall not exceed the sum of Two Hundred and No/100 (\$200.00) Dollars and each day any such violation shall continue, shall constitute a separate offense.

#### **SECTION 8 REPEAL OF INCONSISTENT ORDINANCES**

All ordinances or parts of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

#### **SECTION 9 SAVINGS CLAUSE**

In the event any particular provisions of this Ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of the Ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

#### **SECTION 10 PUBLICATION AND EFFECT OF ORDINANCE**

The provisions of this Ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.



As evidence of this enactment hereof on this \_\_\_\_ day of \_\_\_\_\_, 1992. Witness the signing hereof by \_\_\_\_\_ as President of the Board of Directors of the Lubbock County Water Control and Improvement District Number One of Lubbock County, Texas and the attesting hereof by \_\_\_\_\_ as Secretary of such Board, with the imprinting of the Seal of the District.

Tommy Fisher  
PRESIDENT, BOARD OF DIRECTORS  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:

Jack Driver  
SECRETARY, BOARD OF DIRECTORS  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ORDINANCE XXIV

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS FOR THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, MAKING IT UNLAWFUL WITHIN THE BOUNDARIES OF THE AREA OWNED BY THE DISTRICT FOR ANYONE TO REDIRECT WATER FROM ANY GULLIES, DITCHES, NATURAL DEPRESSIONS, OR ANY OF ITS TRIBUTARIES, LYING WITHIN ITS WATERSHED ONTO HIS NEIGHBOR'S LEASED PROPERTY OR PROPERTY OF THE DISTRICT WITHOUT FIRST OBTAINING WRITTEN PERMISSION FROM THE GENERAL MANAGER OF THE DISTRICT ACTING WITHIN ITS POWERS IN AN AUTHORIZED BOARD MEETING HELD BY THE DISTRICT; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS FOR THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF LUBBOCK COUNTY, TEXAS:

SECTION 1

DIVERTING WATER OR RUNOFF

It shall be unlawful within the boundaries of the area owned by the District for anyone to redirect water from any gullies, ditches, natural depressions, or any of its tributaries, lying within its watershed onto his neighbor's leased property or property of the District without first obtaining written permission from the General Manager of the District or by permission of the Board of Directors for the District acting within its powers in an authorized Board meeting held by the District.

SECTION 2

PENALTIES

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be fined in any amount which, combined with cost of court, shall not exceed the sum of Two Hundred and 00/100 Dollars (\$200.00).



SECTION 3

REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

SECTION 4

SAVINGS CLAUSE

In the event any particular provisions of this Ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of this ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

SECTION 5

PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of this enactment hereof on this the 5th day of August, 1991. Witness the signing hereof by Tommy Fisher as President of the Board of Directors of the Lubbock County Water Control and Improvement District Number One of Lubbock County, Texas, and the attesting hereof by Jack Driver as Secretary of such Board, with the imprinting of the Seal of the District.

President, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:

Secretary, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas



## ORDINANCE XXV

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS FOR THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, MAKING IT UNLAWFUL FOR ANYONE TO ENTER INTO THE WATER KNOWN AS BUFFALO SPRINGS LAKE OR ANY OF ITS TRIBUTARIES FOR THE PURPOSE OF SWIMMING. ENTERING INTO THE WATERS OF THE DISTRICT WILL BE ALLOWED ONLY IN AREAS DESIGNATED BY SIGNS AND THEN ONLY WHEN USING COAST GUARD APPROVED FLOATING DEVICES OR WHEN PARTICIPATING IN WATER SPORTS SUCH AS WATER SLIDING, SKIING, JET SKIING, TUBING, SAIL BOARDING; ALSO WHEN PARTICIPATING IN SPORTING EVENTS SANCTIONED BY THE DISTRICT, AND IN ACCORDANCE WITH OTHER LOCAL, STATE AND FEDERAL LAWS; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS FOR THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS:

### SECTION 1

#### SWIMMING PROHIBITED

It shall be unlawful for anyone to enter into the water known as Buffalo Springs Lake or any of its tributaries for the purpose of swimming. Entering into the waters of the district will be allowed only in areas designated by signs and then only when using Coast Guard approved floating devices or when participating in water sports such as water sliding, skiing, jet skiing, tubing, sail boarding; also when participating in sporting events sanctioned by the district, and in accordance with other local, state and federal laws.

### SECTION 2

#### PENALTIES

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be fined in any amount which, combined with cost of court, shall not exceed the sum of Two Hundred and 00/100 Dollars (\$200.00).

## REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

### SECTION 4

#### SAVINGS CLAUSE

In the event any particular provisions of this Ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of this ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

### SECTION 5

#### PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of this enactment hereof on this the 5th day of August, 1991. Witness the signing hereof by Tommy Fisher as President of the Board of Directors of the Lubbock County Water Control and Improvement District Number One of Lubbock County, Texas, and the attesting hereof by Jack Driver as Secretary of such Board, with the imprinting of the Seal of the District.



President, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:

Secretary, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ORDINANCE NO. XXVI

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, PROHIBITING MOTORIZED OR NON-MOTORIZED VEHICLES FROM TRAVELING OFF OF DESIGNATED OR ESTABLISHED ROADWAYS; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS:

SECTION 1

OFFROADING UNLAWFUL AND PROHIBITED

It shall be unlawful for any person or persons, including minor children to operate a motorized or non-motorized vehicle used for transporting one or more persons anywhere within the area known as Buffalo Springs Lake and on land owned by the Lubbock County Water Control and Improvement District Number 1, except on roads established by the District as roadways or thoroughfares and used for normal traffic by the District or on trails established and posted by the District as offroad vehicle trails.

SECTION 2

PENALTIES

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be fined in any amount which, combined with cost of court, shall not exceed the sum of two hundred and 00/100 Dollars (\$200.00).



### SECTION 3

#### REPEAL OF INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

### SECTION 4

#### SAVINGS CLAUSE

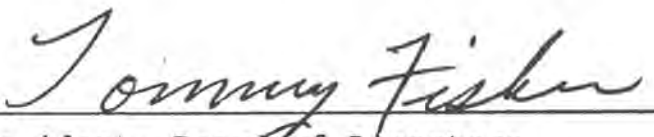
In the event any particular provisions of this Ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of this ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

### SECTION 5


#### PUBLICATION AND EFFECT OF ORDINANCE

The provisions of this ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.

As evidence of this enactment hereof on this the 24th day  
of February, 1992. Witness the signing hereof by  
Tommy Fisher as President of the Board of Directors of the  
Lubbock County Water Control and Improvement District No. 1 of  
Lubbock County, Texas, and the attesting hereof by Jack Driver  
as Secretary of such Board, with the imprinting of the Seal of the  
District.

  
\_\_\_\_\_  
President, Board of Directors  
Lubbock County Water control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas



## ORDINANCE XXVII

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS FOR THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS UNDER THE POWERS, AUTHORITY AND PROVISIONS OF TITLE 128, CHAPTER 3-A OF VERNON'S ANNOTATED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, RULES AND REGULATIONS GOVERNING THE SIZE AND PLACEMENT OF SIGNS WITHIN THE DISTRICT'S BOUNDARIES OWNED BY THE DISTRICT KNOWN AS BUFFALO SPRINGS LAKE. PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS FOR THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS:

### SECTION 1 PURPOSE OF ORDINANCE

The purpose of this Ordinance is to promote a positive image on the District's property reflecting order, harmony and pride in the District community.

### SECTION 2 TYPES OF SIGNS

It shall be unlawful for any person or persons to display a sign within the area of land owned by the District and known as Buffalo Springs Lake except:

A. No signs for commercial purposes should be placed on District property or on property leased from the District.

B. Informational signs relating to District purposes and informing the public of District events may be placed upon District property by District employees.

C. Signs for political purposes or for the purpose of advertising the sale of improvements on land leased from the

District may be placed upon property leased from the District by the tenant of the leased property provided that such signs will not exceed a size of thirty-six inches by thirty-six inches (36 in. x 36 in.). If the signs are for political purposes, they shall be removed within thirty (30) days after the date of the election to which the signs are directed.

D. No signs will be placed closer than six feet (6 ft.) from the front property line of any land leased from the District.

### **SECTION 3 EXCEPTIONS**

Any person or persons wishing to place a sign upon the property leased from the District which exceeds the limitations described in this Ordinance, may file a request with the Board of Directors in writing, seeking an exception to this ordinance. This request will be considered in the next official board meeting of the Board of Directors. If approved by the Board of Directors, a permit will be issued by the Board setting out the terms and conditions for such an exception and the charges for such a permit, if any.

### **SECTION 4 DUTY TO ABATE**

Any person or persons found to be in violation of this Ordinance shall, as soon as its presence comes to his or her knowledge, proceed at once and continue to abate said violation; if they refuse to abate the violation, the General Manager may cause removal or order a peace officer, employed by the District, or an employee of the District, to cause the removal of said



violation.

## **SECTION 5 NOTICE OF ORDER TO ABATE**

Whenever a violation, generally or specifically defined in this Ordinance, shall exist within the boundaries of the property owned by the District, the General Manager shall notify in person or order a peace officer employed by the District, to notify in person or by delivering a written notice of order or warning in person, or by U.S. Mail, advising that such violation exists and order such violator to abate, remove, and cease the violation described in such notice, within such time as may be specified in such notice. The time allowed to abate, cease or discontinue to perform said violation will be determined by the offense itself and could range from the immediate to not more than five (5) days.

## **SECTION 6 DUTIES OF THE GENERAL MANAGER AND DISTRICT EMPLOYEES**

It shall be the duty of the General Manager and all peace officers employed by the District to watch for any violation defined by this Ordinance or by any other ordinance of the District. Any employee of the District is to report all the facts to the General Manager at the office for the District.

## **SECTION 7 PENALTIES**

Every violation defined in this Ordinance, whether generally or specifically, is prohibited and forbidden within the boundaries and on the property owned by the District, whether leased or not and any person making, causing, or permitting such violations as

are defined generally or specifically, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in any amount which combined with cost of court, shall not exceed the sum of Two Hundred and No/100 (\$200.00) Dollars and each day any such violation shall continue, shall constitute a separate offense.

#### **SECTION 8 REPEAL OF INCONSISTENT ORDINANCES**

All ordinances or parts of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

#### **SECTION 9 SAVINGS CLAUSE**

In the event any particular provisions of this Ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of the Ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

#### **SECTION 10 PUBLICATION AND EFFECT OF ORDINANCE**

The provisions of this Ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a city of the State of Texas.



As evidence of this enactment hereof on this \_\_\_\_ day of \_\_\_\_\_, 1992. Witness the signing hereof by \_\_\_\_\_ as President of the Board of Directors of the Lubbock County Water Control and Improvement District Number One of Lubbock County, Texas and the attesting hereof by \_\_\_\_\_ as Secretary of such Board, with the imprinting of the Seal of the District.

\_\_\_\_\_  
PRESIDENT, BOARD OF DIRECTORS  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:

\_\_\_\_\_  
SECRETARY, BOARD OF DIRECTORS  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

V.

In the event any particular provisions of this ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of the Ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

VI.

The provisions of this Ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid Penal Ordinances of a City of the State of Texas.

As evidence of this enactment hereof on this 2<sup>nd</sup> day of AUGUST, 1993. Witness the signing hereof by Lee Kelso, President of the Board of Directors of the Lubbock County Water Control and Improvement District Number 1 of Lubbock County, Texas and the attesting hereof by Richard Hillbush as Secretary of such Board with the imprinting of the seal of the District.



LEE KELSO, PRESIDENT BOARD OF DIRECTORS  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:



RICHARD HILLBUSH, SECRETARY BOARD OF DIRECTORS  
Lubbock County Water Control and Improvement  
District No. 1 Lubbock County, Texas



AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT #1, OF LUBBOCK COUNTY, TEXAS, UNDER THE POWERS, AUTHORITY & PROVISIONS OF TITLE 128, CHAPTER 3-A, OF VERNON'S ANNOTED TEXAS STATUTES, INCLUDING ARTICLE 7880-7 OF SUCH STATUTES, RESTRICTING THE INSTALLATION OF GATES USED TO PROVIDE ACCESS TO THE PROPERTY OF THE DISTRICT; PROVIDING A GRANDFATHER CLAUSE FOR EXISTING GATES; PRESCRIBING A PENALTY; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

WHEREAS, The facilities provided by the Lubbock County Water Control and Improvement District #1 are to be maintained by the use of Entrance Fees for the enjoyment of all who come to this facility, and;

WHEREAS, There needs to be controlled access to the facilities provided by the District, and;

WHEREAS, The Board of Directors has determined that any gate is a possible violation of this access control;

NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER 1, OF LUBBOCK COUNTY TEXAS.

I.

From the date of the passage of this ordinance no openings will be allowed or permitted to be made in the fence that surrounds the perimeter of the property under the title of Lubbock County Water Control and Improvement District No. 1, otherwise known as Buffalo Springs Lake.

II.

Nothing in this Ordinance shall cause the closing of any existing gates or openings in the perimeter fence as long as the rules, set out at the time of granting these openings, are complied with; unless cause is presented to require the closing of the gate for access control purposes. Any gate or opening now in existence shall be allowed to remain in place until such time at the property the gate provides access to is sold or changes owners in any way, at which time the opening will be closed and sealed.

III.

Any person violating any provision of this ordinance shall be guilty of a misdemeanor which, in case of a lawful conviction thereof, shall be punishable by the infliction of a fine, the amount of which combined with costs of court, shall not exceed TWO HUNDRED (\$200.00) DOLLARS.

IV.

All ordinances or parts of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

ORDIANANCE NO XXVIII

PERIMETER FENCE PERSONAL USE GATES.



V.

In the event any particular provisions of this ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, nevertheless, those parts of the Ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

VI.

The provisions of this Ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid Penal Ordinances of a City of the State of Texas.

As evidence of this enactment hereof on this 2<sup>nd</sup> day of AUGUST, 1993. Witness the signing hereof by Lee Kelso, President of the Board of Directors of the Lubbock County Water Control and Improvement District Number 1 of Lubbock County, Texas and the attesting hereof by Richard Hillbish as Secretary of such Board with the imprinting of the seal of the District.



LEE KELSO, PRESIDENT BOARD OF DIRECTORS  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:



RICHARD HILLBISH, SECRETARY BOARD OF DIRECTORS  
Lubbock County Water Control and Improvement  
District No. 1 Lubbock County, Texas

ORDINANCE NO. XXIX

RENTAL ORDINANCE  
AND EXCEPTION PROCEDURE



ORDINANCE NO. XXIX

Repeated  
Board  
8-5-2-94

An Ordinance allowing for hardship exceptions to the requirement that leased premises be used as a personal residence by the tenant.

1. All ground lease agreements of the water district specify in paragraph four (4) that the premises being leased are leased to the tenant for the personal use of the tenant and his immediate family as a private residence. Therefore, no tenant shall be entitled to sublease the property being leased to him. Because however certain hardship situations may arise whereby a tenant may not be able to use the leased property as a private residence the water district by means of this ordinance establishes the following procedure for tenants to follow in such hardship situations.

2. Should a tenant for hardship reasons not be able to use his leased property as a private residence for he and his immediate family, the tenant is authorized to file with the office of the water district an application for a hardship exception. This application shall state the hardship that exists, the date when such hardship began, and the date when it is anticipated that the hardship will end. The application shall request that the tenant be authorized to sub-lease his property and shall set out the period of time for which the exception is requested.

3. Upon receipt of such application, the Board of Directors shall set a hearing date at which time the application will be considered. The hearing normally will be held during regular district board of directors meetings but can be heard at a special meeting called by the Board of Directors. At such hearing, the applicant will have the opportunity to present information in support of the application for an exception which would allow the applicant to sub-lease his properties for a period of time.

4. Should the Board of Directors find that a hardship exists, the Board of Directors shall be authorized, but not required, to grant an exception to the applicant for a period of time not to exceed one (1) year. A tenant may apply for additional exceptions should he desire.

5. Failure to comply with the provisions of the lease agreement relating to use of this property as a private residence for the tenant and his immediate family or failure to comply with the terms of an exception which may be granted by the water district Board of Directors shall entitle the district to cancel the lease agreement with the tenant. Failure to comply either with the lease terms relating to the private residence requirement or the terms of any exception granted by the board will be a default under the lease and the district shall be entitled to pursue all legal remedies for such a default.

This ordinance was adopted by the board on the 7<sup>th</sup> day of  
December, 1993.

  
\_\_\_\_\_  
Lee Kelso, President



## ORDINANCE NUMBER XXX

AN ORDINANCE REGULATING THE PRESENCE OF MINORS UNDER THE AGES OF SEVENTEEN (17) OF AGE ON PUBLIC ROADS AND OTHER PLACES BETWEEN CERTAIN HOURS WITHIN THE BOUNDARIES OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER 1, IN LUBBOCK COUNTY, TEXAS. MAKING IT UNLAWFUL FOR ANY PARENT OR PERSONS HAVING LAWFUL CUSTODY TO PERMIT A MINOR TO BE UPON THE ROADS AND AROUND ANY PUBLIC FACILITY WITHIN SUCH TIME LIMITS, PROVIDING A SAVING CLAUSE; PROVIDING THAT ANY VIOLATION OF THIS ORDINANCE SHALL BE A MISDEMEANOR; DUTIES OF PARENTS OR OTHERS IN CARE OF MINORS; PROVIDING FOR ARREST AND PENALTIES OF VIOLATION THEREOF; AND REPEALING ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER 1, IN LUBBOCK COUNTY, TEXAS:

SECTION 1: Loitering of minors prohibited. It shall be unlawful for any minor, whether male or female, under the age of seventeen (17) years to be and remain upon any of the roads of the Lubbock County Water Control and Improvement District Number 1, or be in or around any of the public grounds, streets, public places and public buildings, except when engaged in lawful employment between 12:00 midnight and 6:00 o'clock A.M., Sunday night through and including Saturday night of the week unless such minor shall be accompanied by his/her parent or guardian, or some other person having legal custody of such minor; or where the minor is upon an emergency errand or legitimate business directed by his or her parent, guardian or other adult or person having the care and custody of the minor.

SECTION 2: Responsibility of parents. It shall be unlawful for the parent or other adult person having the care and custody of a minor under the age of seventeen (17) years to knowingly permit such minor to go or be upon any of the roads on the Lubbock County Water Control and Improvement District No. 1, or be in or upon and public grounds, public places, streets or public buildings, between the hours of 12:00 o'clock midnight and 6:00 o'clock A.M.; Provided however that the provisions of this section do not apply when the minor is accompanied by his or her parents, guardian or other adult persons having the care and custody of the minor, or where the minor is upon a emergency errand or legitimate business directed by his or her parent guardian, or other adult person having care and custody of the minor.

SECTION 3: Penalties. Any minor violating the provisions of Section 1 shall be dealt with in accordance with the Juvenile Court Law and procedure and continual violations of this Ordinance will allow the juvenile to be classified as a habitual violator. Any person found guilty of violating the provisions hereof shall be guilty of a misdemeanor and shall upon conviction be fined not less than \$25.00 nor more than \$200.00. Each violation of the provisions of this Ordinance shall constitute a separate offense.

SECTION 4: Repeal of conflicting Ordinances. All existing Ordinances of the Lubbock County Water Control and Improvement District Number 1 are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

SECTION 5: In the event that any section, clause, sentence or paragraph, or any part of this Ordinance shall for any reason be adjudged by any Court of Jurisdiction to be invalid, such invalidity shall not affect or impair or invalidate the remainder of this Ordinance and, all other provisions hereof shall remain valid and enforceable.



SECTION 6: The provisions of this Ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication shall judicially be known to the courts and shall be considered of a nature like unto that of a valid penal ordinance of a city of the State of Texas.

As evidence of this enactment hereof on this the 12TH day of APRIL, 1994. Witness the signing hereof by Lee Kelso as president of the Board of Directors of the Lubbock County Water Control and Improvement District Number 1 of Lubbock County, Texas, and the attesting hereof by Richard Hillbush as Secretary of such Board, with the imprinting of the Seal of the District.



President, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:



Secretary, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas



## ORDINANCE NUMBER XXX

AN ORDINANCE REGULATING THE PRESENCE OF MINORS UNDER THE AGES OF SEVENTEEN (17) OF AGE ON PUBLIC ROADS AND OTHER PLACES BETWEEN CERTAIN HOURS WITHIN THE BOUNDARIES OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER 1, IN LUBBOCK COUNTY, TEXAS. MAKING IT UNLAWFUL FOR ANY PARENT OR PERSONS HAVING LAWFUL CUSTODY TO PERMIT A MINOR TO BE UPON THE ROADS AND AROUND ANY PUBLIC FACILITY WITHIN SUCH TIME LIMITS, PROVIDING A SAVING CLAUSE, PROVIDING THAT ANY VIOLATION OF THIS ORDINANCE SHALL BE A MISDEMEANOR; DUTIES OF PARENTS OR OTHERS IN CARE OF MINORS; PROVIDING FOR ARREST AND PENALTIES OF VIOLATION THEREOF; AND REPEALING ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER 1, IN LUBBOCK COUNTY, TEXAS:

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SECTION 2: Responsibility of parents. it shall be unlawful for the parent or other adult person having the care and custody of a minor under the age of seventeen (17) years to knowingly permit such minor to go or be upon any of the roads on the Lubbock County Water Control and Improvement District No. 1, or be in or upon and public grounds, public places, streets or public buildings, between the hours of 12:00 o'clock midnight and 6:00 o'clock A.M.; Provided however that the provisions of this section do not apply when the minor is accompanied by his or her parents, guardian or other adult persons having the care and custody of the minor, or where the minor is upon a emergency errand or legitimate business directed by his or her parent guardian, or other adult person having care and custody of the minor.

SECTION 3: Penalties. Any minor violating the provisions of Section 1 shall be dealt with in accordance with the Juvenile Court Law and procedure and continual violations of this Ordinance will allow the juvenile to be classified as a habitual violator. Any person found guilty of violating the provisions hereof shall be guilty of a misdemeanor and shall upon conviction be fined not less than \$25.00 nor more than \$200.00. Each violation of the provisions of this Ordinance shall constitute a separate offense.

SECTION 4: Repeal of conflicting Ordinances. All existing Ordinances of the Lubbock County Water Control and Improvement District Number 1 are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

SECTION 5: In the event that any section, clause, sentence or paragraph, or any part of this Ordinance shall for any reason be adjudged by any Court of Jurisdiction to be invalid, such invalidity shall not affect or impair or invalidate the remainder of this Ordinance and, all other provisions hereof shall remain valid and enforceable.

SECTION 6: The provisions of this Ordinance shall be in full force and effect five (5) days after the second publication of the notice of this Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication shall judicially be known to the courts and shall be considered of a nature like unto that of a valid penal ordinance of a city of the State of Texas.

As evidence of this enactment hereof on this the 12TH day of APRIL, 1994. Witness the signing hereof by Lee Kelso as president of the Board of Directors of the Lubbock County Water Control and Improvement District Number 1 of Lubbock County, Texas, and the attesting hereof by Richard Hillbish as Secretary of such Board, with the imprinting of the Seal of the District.

\_\_\_\_\_  
President, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas

ATTEST:

\_\_\_\_\_  
Secretary, Board of Directors  
Lubbock County Water Control and  
Improvement District No. 1  
Lubbock County, Texas



RESOLUTION NO. 970804-01

TEXPOOL

AMENDING AUTHORIZED REPRESENTATIVES

STATE OF TEXAS

COUNTY OF LUBBOCK

WHEREAS, the Lubbock County Water Control and Improvement District No. 1 is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool, "TexPool", a public funds investment pool, was created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Lubbock County Water Control and Improvement District No. 1:

- A. That the individuals, whose signatures appear in this Resolution, are authorized representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.

List of the authorized representatives of the Participant. These individuals will be issued P.I.N. numbers.

1. Tommy Fisher  
Tommy Fisher - Vice President
2. Jack Driver  
Jack Driver - Sec/Treasurer
3. Lee Kane  
Lee Kane - General Manager

The Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement is:

Lee Kane - General Manager.


In addition, one additional authorized representative is designated to perform only inquiry of selected information. This limited representative cannot make deposits or withdrawals, but is a designated representative with inquiry rights only. This designated representative with inquiry rights only is:

Gwen Ready - Finance Director

- B. That this resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool receives a copy of any such amendment or revocation.

This resolution is hereby introduced and adopted by the Participant at its Regular Quarterly Meeting held on the 4th day of August, 1997.

LUBBOCK COUNTY W.C.I.D. #1

  
\_\_\_\_\_  
Lee Kelso - President

ATTEST:

  
\_\_\_\_\_  
Jack Driver - Secretary



RESOLUTION NO. 970804-02

G.S.C. COOPERATIVE PURCHASING PROGRAM

STATE OF TEXAS

COUNTY OF LUBBOCK

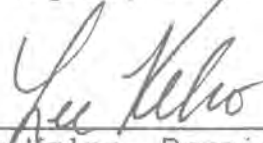
WHEREAS, the Board of Directors of the Lubbock County Water Control and Improvement District No. 1, a Political Subdivision of the State of Texas, pursuant to the authority granted by Sections 271.081 thru 271.083, Local Government Code, V.T.C.A., as amended, and Section 3.04 of the General Services Act (Article 601b, V.T.C.S.), desires to participate in described purchasing programs of the General Services Commission, and in the opinion that participation in these programs will be highly beneficial to the taxpayers through the anticipated savings to be realized;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Lubbock County Water Control And Improvement District No. 1.

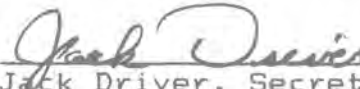
That we request the General Services Commission to include its stated need on the Commission's term contracts and scheduled purchases, whereby, Lee Kane, General Manager, is authorized and directed to sign and deliver all necessary requests and other documents in connection therewith for and on behalf of the Lubbock County Water Control And Improvement District No. 1, and we acknowledge obligation to pay participation fees established by the commission.

I certify that the foregoing is a true and correct copy of the resolution duly adopted by the Board of Directors of the Lubbock County Water Control And Improvement District No. 1 and that the same now appears of record in my office.

IN WITNESS THEREOF, I have hereunto set my hand and affixed by official seal this 4th day of August, 1997.



Lee Kelso, President of the Board  
Lubbock County Water Control And  
Improvement District No. 1



Jack Driver, Secretary of the Board  
Lubbock County Water Control And  
Improvement District No. 1





RESOLUTION NO. 970804-01

TEXPOOL

AMENDING AUTHORIZED REPRESENTATIVES

STATE OF TEXAS

COUNTY OF LUBBOCK

WHEREAS, the Lubbock County Water Control and Improvement District No. 1 is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool, "TexPool", a public funds investment pool, was created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Lubbock County Water Control and Improvement District No. 1:

- A. That the individuals, whose signatures appear in this Resolution, are authorized representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.

List of the authorized representatives of the Participant. These individuals will be issued P.I.N. numbers.

1. Tommy Fisher  
Tommy Fisher - Vice President
2. Jack Driver  
Jack Driver - Sec/Treasurer
3. Lee Kane  
Lee Kane - General Manager

The Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement is:

Lee Kane - General Manager.


In addition, one additional authorized representative is designated to perform only inquiry of selected information. This limited representative cannot make deposits or withdrawals, but is a designated representative with inquiry rights only. This designated representative with inquiry rights only is:

Gwen Ready - Finance Director

- B. That this resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool receives a copy of any such amendment or revocation.

This resolution is hereby introduced and adopted by the Participant at its Regular Quarterly Meeting held on the 4th day of August, 1997.

LUBBOCK COUNTY W.C.I.D. #1

  
Lee Kelso - President

ATTEST:

  
Jack Driver - Secretary



RESOLUTION NO. 970804-02

G.S.C. COOPERATIVE PURCHASING PROGRAM

STATE OF TEXAS

COUNTY OF LUBBOCK

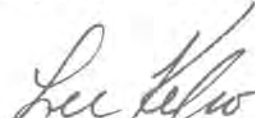
WHEREAS, the Board of Directors of the Lubbock County Water Control and Improvement District No. 1, a Political Subdivision of the State of Texas, pursuant to the authority granted by Sections 271.081 thru 271.083, Local Government Code, V.T.C.A., as amended, and Section 3.04 of the General Services Act (Article 601b, V.T.C.S.), desires to participate in described purchasing programs of the General Services Commission, and in the opinion that participation in these programs will be highly beneficial to the taxpayers through the anticipated savings to be realized;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Lubbock County Water Control And Improvement District No. 1.

That we request the General Services Commission to include its stated need on the Commission's term contracts and scheduled purchases, whereby, Lee Kane, General Manager, is authorized and directed to sign and deliver all necessary requests and other documents in connection therewith for and on behalf of the Lubbock County Water Control And Improvement District No. 1, and we acknowledge obligation to pay participation fees established by the commission.

I certify that the foregoing is a true and correct copy of the resolution duly adopted by the Board of Directors of the Lubbock County Water Control And Improvement District No. 1 and that the same now appears of record in my office.

IN WITNESS THEREOF, I have hereunto set my hand and affixed by official seal this 4th day of August, 1997.



Lee Kelso, President of the Board  
Lubbock County Water Control And  
Improvement District No. 1



Jack Driver, Secretary of the Board  
Lubbock County Water Control And  
Improvement District No. 1

RESOLUTION NO. 980330-01

LOT LEASE CONTRACT AMENDMENT

The Board of Director of the Lubbock County Water Control and Improvement District No. 1 hereby adopts the following resolution which will amend all lot leases currently in existence or which may be issued in the future. The lease is amended in the following respects:

1. If a mortgage lender has notified the District that it has a mortgage on a particular lot or the improvements thereon, any notices required to be given under the lease will be given to the mortgage lender at least thirty (30) days prior to the date that action is taken by the District.
2. Should condemnation take place on any interest of a lot lessee, it is agreed that the condemnation proceeds, if any, will be divided according to the agreement between the lot lessee and any mortgage lender, or if no agreement is reached, shall be divided as their respective interest may be shown to exist.
3. To the extent that the District has authority to agree, the District agrees that there will be no merger of title should the District transfer to any lot lessee any interest over and above a leasehold interest.

THIS RESOLUTION was moved, seconded, and adopted by a forum of the Board on this the 30th day of March, 1998.

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Tommy Fisher - President  
Lubbock County W.C.I.D. No. 1

ATTEST:

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Jack Driver - Secretary



**RESOLUTION ADOPTING  
THE ANNUALLY DETERMINED CONTRIBUTION RATE PLAN  
AND MAKING PLAN SELECTIONS THEREUNDER**

WHEREAS, THE DISTRICT is a participating subdivision in the Texas County and Retirement System (hereafter "System") under Subtitle F, Title 8, Government Code (hereafter "TCDRS Act") and this Board has determined that it is in the public interest that the District adopt the Annually Determined Contribution Rate Plan as the basis of its future participation in the System, it is RESOLVED:

**I. ADOPTION OF ADCR PLAN.**

Effective January 1, 1999, the District adopts the Annually Determined Contribution Rate Plan authorized under and described in Subchapter H, Chapter 844 of the TCDRS Act, and, makes the plan selections set forth below as authorized by said Act.

**II. EMPLOYEE DEPOSIT RATE.**

For each payroll period from and after January 1, 1999, member deposits of each eligible District employee shall be made to the System at the rate of 7 % of compensation; and such deposits shall be withheld by the payroll officer and transmitted to the System for deposit to the individual employee account.

**III. CURRENT SERVICE CREDIT PERCENTAGE.**

For service performed for the District on and after January 1, 1999, each member shall receive multiple matching credit, which when added to the rate used to determine the current service credit allowable under Section 843.403 of the TCDRS Act, will total 200 % of the member's deposits. Current service credit for periods ending prior to January 1, 1999, shall be at the greater of the rate currently in effect December 31, 1998, or the rate to take effect January 1, 1999.

**IV. PRIOR SERVICE CREDIT PERCENTAGE.**

Allocated (special) prior service credits granted to any member by the District and in effect December 31, 1998, shall be recomputed at 125 % of the maximum (special) prior service credit of each member affected.

**V. OPTIONAL BENEFIT ELIGIBILITY PLAN 1:** (10 year length-of-service requirement for vesting, service/disability retirement and deferred service retirement).

Unless Optional Benefit Eligibility Plan Two is hereinafter adopted under Section 844.210 by this Resolution the District adopts or continues the Optional Benefit Eligibility Plan One described in Section 844.207 of the TCDRS Act, under which, effective January 1, 1999:

- (a) Any TCDRS member who is age 60 on or after January 1, 1999, and has ten (10) or more years of service credit with the District and other subdivisions that have adopted the provisions of Section 844.207 of the TCDRS Act, shall have the right to retire and receive a service retirement annuity.
- (b) Any TCDRS member who is age 60 on or after January 1, 1999, and has ten (10) or more years of credited service with this District and other subdivisions which have adopted the provisions of Section 844.207 of the TCDRS Act, may retire and receive a disability retirement annuity if he or she is certified as disabled in accordance with Section 844.303(b)(2) of the TCDRS Act.

- (c) Any TCDRS member who on or after January 1, 1999, has twenty (20) or more years of service credit with the District and other subdivisions that have adopted 20-year deferred service eligibility; or who is age 60 and has ten (10) or more years of credited service with the District and other subdivisions that have adopted 10-year deferred service eligibility, shall have the right of "deferred service retirement" under the provisions of Sections 844.203 and 844.207 of the TCDRS Act.
- (d) Any TCDRS member who on or after January 1, 1999, has ten (10) or more years of service credit with the District and other subdivisions which have adopted 10-year vesting, shall have the right, despite withdrawal from service prior to age 60, to remain a member and retire at or after age 60, provided that he or she lives to the age of retirement and does not take a refund of accumulated deposits with the System.
- (e) Unless Optional Benefit Eligibility Plan Three is hereinafter adopted under Section 844.211, any TCDRS member who on or after January 1, 1999, has accrued sufficient years of service credit with the District and other subdivisions that have adopted the provisions of Section 844.207 of the TCDRS Act, shall have the right to retire and receive a service retirement annuity when the member's years of credited service added to his or her age equals or exceeds the sum of eighty (80).

#### VI. SELECTION AND ADOPTION OF OTHER OPTIONAL CREDITS AND BENEFITS.

Effective January 1, 1999, in accordance with Section 844.704 of the TCDRS Act, the District adopts the following additional rights, credits and benefits (please have the presiding officer of your governing body check (✓) and initial each option selected or the line indicating that no options are being selected for 1999):

- (✓) Vested Survivor Death Benefit under Sec. 844.209 (initial here) J. D.
- ( ) Increase in Existing Annuities under Sec. 844.208 at the rate of \_\_\_\_\_ % (initial here) \_\_\_\_\_
- ( ) Optional Benefit Eligibility Plan 2 (8-year Vesting/Retirement Eligibility) under Sec. 844.210 (initial here) \_\_\_\_\_
- ( ) Optional Benefit Eligibility Plan 3 ("Rule of 75" Retirement Eligibility) under Sec. 844.211 (initial here) \_\_\_\_\_
- ( ) Reinstatement ("Buy-Back") of Previously Forfeited Service Credit under Sec. 843.033 (initial here) \_\_\_\_\_
- ( ) Prior Service Credit for Military Service under Sec. 843.202 (initial here) \_\_\_\_\_
- ( ) Current Service Credit for Military Service under Sec. 843.601 (initial here) \_\_\_\_\_
- ( ) Pre-Membership Credit under Sec. 843.204 (initial here) \_\_\_\_\_
- ( ) Recalculation of Benefit Credits on Full-Salary Basis under Sec. 843.702 (initial here) \_\_\_\_\_

or

- ( ) We elect none of the above plan options for 1999 (initial here) \_\_\_\_\_

#### VII. EMPLOYER CONTRIBUTION RATE.

The District hereby undertakes to make monthly normal contributions and prior service contributions to the System at the annual rates determined from year to year by the actuary of the System, and approved by the Board of Trustees as provided by Subchapter H of Chapter 844 of the TCDRS Act. The total of such rates (excluding those for "picked-up" contributions under



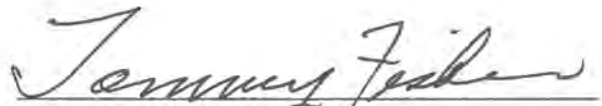
Section 845.403(I) of the TCDRS Act and those, if any, to the Supplemental Death Benefits Fund) shall not exceed the maximum rate of 11% prescribed by Section 844.703© of the Act, and shall total 3.77 % for the year 1999.

**VIII. OTHER PARTICIPATION PROVISIONS CONTINUED.**

Except as modified by this Resolution, the resolutions previously adopted by the District relating to participation in the System and in effect on December 31, 1998, are continued in effect.

**AND IT IS SO ORDERED.**

On Motion by Jim Smith, Seconded by Jack Driver, The Foregoing Resolution Was Passed And Approved on This The 2nd Day of November, 1998, by Vote of 5 Votes "FOR" And 0 Votes "AGAINST" Said Resolution.

  
Tommy Fisher, President

**ATTEST:**

  
Jack Driver, Secretary





**RESOLUTION AUTHORIZING SALE OF IMPROVEMENTS  
LOCATED ON LOT 81, BUFFALO SPRINGS LAKE**

WHEREAS, Tandra Gregory (Gregory) executed a ground lease (Ground Lease), leasing from Lubbock County Water Control And Improvement District No. 1 (District), property described as Lot 81, Buffalo Springs Lake (Real Property); and

WHEREAS, Gregory defaulted in payments and repairs as required by the Ground Lease; and

WHEREAS, on or about April 17, 1998, attorneys for the District sent a letter to Gregory demanding that the payments and repairs be made; and

WHEREAS, Gregory did not pay as demanded by the April 17, 1998 letter and thus, attorneys for the District sent a letter to Gregory on or about June 19, 1998 terminating the Ground Lease and giving Gregory 30 days to remove improvements from the property (Improvements) as allowed by the Ground Lease or the District would consider the Improvements as part of the Real Property and thus property of the District; and

WHEREAS, Gregory did not remove the Improvements from the Real Property as required by the letter and the Improvements have become property of the District as specified in the Ground Lease; and

WHEREAS, the District now desired to sell the Improvements and execute a new Ground Lease of the Real Property.

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY  
WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1:**

**SECTION 1:**

That the General Manager of the District is authorized to advertise and offer for sale the Improvements and is authorized to sell said Improvements under terms and conditions that he determines to be in the best interest of the District.

**SECTION 2:**

That the sale as authorized in Section One shall be subject to any unpaid taxes owing to the Lubbock Central Appraisal District or any other entity and the purchaser of the Improvements shall agree to pay at closing any taxes so owing.

**SECTION 3:**

That the General Manager shall also be authorized to re-lease the Real Property in accordance with the District's rules, regulations and procedures.

**SECTION 4:**

That this resolution shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

On Motion by Les Fithen, Seconded by Jim Smith, The Foregoing Resolution Was Passed And Approved on This The 2<sup>nd</sup> Day of November, 1998, by Vote of 4 Votes "FOR" And 1 Votes "AGAINST" Said Resolution.

  
Tommy Fisher, President

ATTEST:

  
Jack Driver, Secretary



**RESOLUTION AUTHORIZING SALE OF IMPROVEMENTS  
LOCATED ON LOT 246, BUFFALO SPRINGS LAKE**

WHEREAS, Naomi White (White) executed a ground lease (Ground Lease), leasing from Lubbock County Water Control and Improvement District No. 1 (District), property described as Lot 246, Buffalo Springs Lake (Real Property); and

WHEREAS, White defaulted in payments of her water bill as required by the Ground Lease; and

WHEREAS, on or about April 17, 1998, attorneys for the District sent a letter to White demanding that the water bill be paid in full; and

WHEREAS, White did not pay as demanded by the April 17, 1998 letter and thus, attorneys for the District sent a letter to White on or about June 18, 1998 terminating the Ground Lease and giving White 30 day to remove improvements from the property (Improvements) as allowed by the Ground Lease or the District would consider the Improvements as part of the Real Property and thus property of the District; and

WHEREAS, White did not remove the Improvements from the Real Property as required by the letter and the Improvements have become property of the District as specified in the Ground Lease; and

WHEREAS, the District now desires to sell the Improvements and execute a new Ground Lease of the Real Property.

NOW THEREFORE,

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY  
WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1:**

**SECTION 1:**

That the General Manager of the District is authorized to advertise and offer for sale the Improvements and is authorized to sell said Improvements under terms and conditions that he determines to be in the best interest of the District.

**SECTION 2:**

That the sale as authorized in Section One shall be subject to any unpaid taxes owing to the Lubbock Central Appraisal District or any other entity and the purchaser of the Improvements shall agree to pay at closing any taxes so owing.

**SECTION 3:**

That the General Manager shall also be authorized to re-lease the Real Property in accordance with the District's rules, regulations and procedures.

**SECTION 4:**


That this resolution shall take effect immediately from and after its passage.

AND IT IS SO ORDERED.

On Motion by Jim Smith, Seconded by Les Fithen, the Foregoing Resolution Was Passed and Approved on this the 2<sup>nd</sup> Day of November, 1998, by Vote of 4 Votes "FOR" and 1 Votes "AGAINST" Said Resolution.

  
Tommy Fisher, President

ATTEST:

  
Jack Driver, Secretary



ORDINANCE NO. XXXII

An Ordinance allowing for hardship exceptions to the requirement that leased premises be used as a personal residence by the tenant.

1. All ground lease agreements of the water district specify in paragraph four (4) that the premises being leased are leased to the tenant for the personal use of the tenant and his immediate family as a private residence. Therefore, no tenant shall be entitled to sublease the property being leased to him, until the tenant has owned his lease for one year with the intent to live on the property. At the time the lease is executed by the tenant, he shall state in writing that he intends to live on the property being leased (at least on a part-time basis).

2. Because, however, certain hardship situations may arise within the first year of the lease whereby a tenant may not be able to use the leased property as a private residence, the water district by means of this ordinance, establishes the following procedure for tenants to follow in such hardship situations. Should a tenant for hardship reasons not be able to use his leased property as a private residence for he and his immediate family, the tenant is authorized to file with the office of the water district an application for a hardship exception. This application shall state the hardship that exists, the date when such hardship began, and the date when it is anticipated that the hardship will end. The application shall request that the tenant be authorized to sub-lease his property and shall set out the period of time for which the exception is requested.

3. Upon receipt of such application, the Board of Directors shall set a hearing date at which time the application will be considered. The hearing normally will be held during regular district board of directors meetings but can be heard at a special meeting called by the Board of Directors. At such hearing, the applicant will have the opportunity to present information in support of the application for an exception which would allow the applicant to sublease his properties for a period of time.

4. Should the Board of Directors find that a hardship exists, the Board of Directors shall be authorized, but not required, to grant an exception to the applicant for a period of time not to exceed one (1) year. A tenant may apply for additional exceptions should he desire.

5. Failure to comply with the provisions of the lease agreement relating to use of this property as a private residence for the tenant and his immediate family or failure to comply with the terms of an exception which may be granted by the water district Board of Directors shall entitle the district to cancel the lease agreement with the tenant. Failure to comply either with the lease terms relating to the private residence requirement or

the term of an exception granted by the board will be a default under the lease and the district shall be entitled to pursue all legal remedies for such a default, at the sub-tenant expense.

6. Should the leased property be subleased to anyone, a deposit in the amount of \$350.00 shall be placed with the District to ensure that the tenant and sub-tenant shall comply with the lease provisions in their entirety, particularly those provisions relating to maintenance of the property and payment of amounts owing to the District.

7. Allowing a sublease does not waive the portion of paragraph 4 of the lease with the District, which prohibits the tenant from conducting any business, trade, occupation, profession, or any commercial, business or industrial activity on said premises.

8. Failure to comply with this ordinance shall be a misdemeanor. Upon proper citation, notice and hearing, a party found guilty of violating the provisions hereof, shall be guilty of a misdemeanor and shall upon conviction be fined no less than \$25 nor more than \$200. Each violation of the provisions of this Ordinance shall constitute a separate offense.

This Ordinance was adopted by the board on the 15th day of August, 1994.

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Lee Kelso, President



ORDINANCE NO. XXXII

An Ordinance allowing for hardship exceptions to the requirement that leased premises be used as a personal residence by the tenant.

1. All ground lease agreements of the water district specify in paragraph four (4) that the premises being leased to the tenant for the personal use of the tenant and his immediate family as private residences. Therefore, no tenant shall be entitled to sublease the property being leased to him, until the tenant has owned his lease for one year with the intent to live on the property. At the time the lease is executed by the tenant, he shall state in writing that he intends to live on the property being leased (at least on a part-time basis).

2. Because, however, certain hardship situations may arise within the first year of the lease where by a tenant may not be able to use the leased property as a private residence, the water district by means of this ordinance, establishes the following procedure for tenants to follow in such hardship situations. Should a tenant for hardship reasons not be able to use his leased property as a private residence for he and his immediate family, the tenant is authorized to file with the office of the water district an application for a hardship exception. This application shall state the hardship that exists, the date when such hardship began, and the date when it is anticipated that the hardship will end. The application shall request that the tenant be authorized to sub-lease his property and shall set out the period of time for which the exception is requested.

3. Upon receipt of such application, the Board of Directors shall set a hearing date at which time the application will be considered. The hearings normally will be held during regular district board of directors meetings but can be heard at a special meeting called by the Board of Directors. At such hearing, the applicant will have the opportunity to present information in support of the application for an exception which would allow the applicant to sublease his properties for a period of time.

4. Should the Board of Directors find that the hardship exists, the Board of Directors shall be authorized, but not required, to grant an exception to the applicant for a period of time not to exceed one (1) year. A tenant may apply for additional exceptions should he desire.

5. Failure to comply with the provisions of the lease agreement relating to use of this property as a private residence for the tenant and his immediate family or failure to comply with the terms of an exception which may be granted by the water district Board of Directors shall entitle the district to cancel the lease agreement with the tenant. Failure to comply either with the lease terms relating to the private residence requirement or the term of an exception granted by the board will be a default under the lease and the district shall be entitled to pursue all legal remedies for such a default, at the sub-tenant's expense.

6. Should the leased property be subleased to anyone, a deposit in the amount of \$350.00 shall be placed with the District to ensure that the tenant and sub-tenant shall comply with the lease provisions in their entirety, particularly those provisions relating to maintenance of the property and payment of amounts owing to the District.

7. Allowing a sublease does not waive the portion of paragraph 4 of the lease with the District, which prohibits the tenant from conducting any business, trade, occupation, profession, or any commercial business or industrial activity on said premises.

8. Failure to comply with this ordinance shall be a misdemeanor. Upon proper citation, notice and hearing, a party found guilty of violating the provisions hereof, shall be guilty of a misdemeanor and shall upon conviction be fined no less than \$25 nor more than \$200. Each violation of the provisions of this Ordinance shall constitute a separate offense.

This Ordinance was adopted by the board on the 15th day of August, 1994.

Lee Kalso, President





Ordinance Number XXXIII

AN ORDINANCE ENACTED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE, OF LUBBOCK COUNTY, TEXAS RELATING TO THE CONSTRUCTION OF BOAT HOUSES, BOAT DOCKS, BOAT SLIPS AND OTHER PLATFORMS OR SIMILAR STRUCTURES FOR THE STORAGE OF THEIR BOAT AND PRESCRIBING TERMS AND REGULATIONS FOR SUCH STORAGES; PRESCRIBING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVENESS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE OF LUBBOCK COUNTY, TEXAS:

**Section 1**

**WATERFRONT LESSEE BOAT DOCK CONSTRUCTION**

Lessees leasing water front properties desiring to install and build boat houses, boat docks, boat slips, or other platforms or similar structures may do so, provided that the natural shoreline of the lake shall not be changed and that the excavation and construction shall be on their property only, with a six (6) foot setback between any adjoining property and that the construction shall be approved by the Board of Directors and/or the Architectural Review Committee of the District.

Lessees desiring to build either a boat houses, boat docks, boat slips or other platform or similar structure shall adhere to the International Building Code and the structure shall be set back even with the then existing natural shoreline of the lake as designated by the Board of Directors and/or the Architectural Review Committee of the District.

All construction must have a workable set of plans submitted and approved by the Architectural Review Committee and/or the Board of Directors for the District prior to starting construction. Such construction shall not begin until the plans have been reviewed and conform with all applicable building codes or requirements set by the District. Lessees seeking to construct such structures must notify all lot leaseholders within 500' of the proposed boat house, boat dock, boat slip, platform or other similar structures by registered mail.

**Section 2**

**EXISTING BOAT DOCKS**

Boat docks, boat houses, boat slips, platforms or other similar structures in existence before April 1, 2013, shall not be affected by this Ordinance.

Boat docks, boat houses, boat slips, platforms or other similar structures on property controlled exclusively by the District are exempt from the requirements of this Ordinance.

**Section 3**

**EXCEPTIONS**

The Architectural Review Committee and the Board of Directors shall have the ability to reject any proposed construction in their sole discretion and nothing contained in this Ordinance shall provide an additional property right to any Lessee.

**Section 4**

**PENALTIES**

The doing of any act forbidden by this Ordinance or the failure to act required by the provisions of this Ordinance shall be deemed a misdemeanor, which, in case of lawful conviction thereof, shall be punishable by a fine, the amount of which, combined with cost of court shall not exceed \$200.00. Each day during which any such violation shall continue shall constitute a separate offense.

**Section 5**  
**REPEAL OF INCONSISTENT ORDINANCES**

All ordinances or part of ordinances inconsistent or in conflict of the provisions of this Ordinance are hereby repealed.

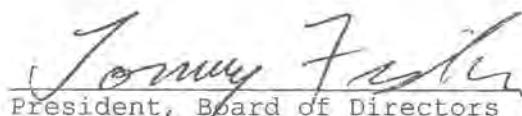
**Section 6**

In the event any particular provisions of this Ordinance, or any portion of any clause or paragraph thereof, is judicially declared to be invalid, those parts of this Ordinance and its several paragraphs and subdivisions that shall remain after such declaration shall have full force and effect.

**Section 7**  
**PUBLICATION AND EFFECT OF ORDINANCE**

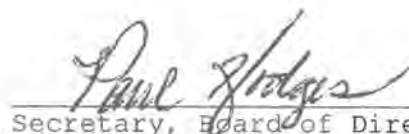
The provisions of this Ordinance shall be in full force and effect five (5) days after the second publication of the notice of the Ordinance as required by law, and ignorance of any provisions of this Ordinance after such publication shall not constitute a defense to the prosecution for the enforcement of a penalty for this Ordinance, and the provisions hereof, after such publication, shall judicially be known to the courts and shall be considered of a nature like unto that of valid penal ordinances of a political subdivision of State of Texas.

As evidence of this enactment hereof on this the 1ST day of APRIL, 2013. Witness the signing hereof by Tommy Fisher, President of the Board of Directors of the Lubbock County Water Control and Improvement District Number One, of Lubbock County, Texas, and the attesting hereof by Paul Hodges as Secretary of such Board, with the imprinting of the Seal of the District.



President, Board of Directors  
Lubbock County Water Control and Improvement District Number One,  
Lubbock County, Texas

ATTEST:



Secretary, Board of Directors  
Lubbock County Water Control and Improvement District Number One,  
Lubbock County, Texas