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Opening Statement

The ordinance committee is pleased to present the following proposed code of ordinances to the LCWCID#1 board of directors, residents of Buffalo Springs Lake, and the communities of Lubbock County for consideration. In reviewing the existing ordinances, many of which were adopted in the 1960's and 1970's, we have tried to simplify and better address the concerns for the citizens of Lubbock County and the residents of LCWCD#1. We believe the goals of safety and enjoyment can be met by implementing common sense ordinances that protect individuals' rights and freedoms while maintaining law and order and protecting the Lake's precious resources for generations to come. With the goals of enjoyment, safety, and maintaining a family-friendly atmosphere, we adapted these ordinances from our original code in order to maintain the philosophies and the spirit of Buffalo Springs Lake.

We modernized the code by simplifying the language of the ordinances so that it is clear and understandable to the general public. We sorted the code into four main sections and separated ordinances into like categories, making them easier to search and easier to be understood by the public.

We crafted this set of ordinances in the hope that Buffalo Springs Lake continues to be a safe, family-friendly environment that can be enjoyed by guests and residents for many future generations. The ordinances are located at <https://www.buffalospringslake.net/wp-content/uploads/2022/02/Complete-Ordinances.pdf>.

BUFFALO SPRINGS LAKE 2022 CODE OF ORDINANCES

1. The ordinances adopted in November 2022 shall hereby be known as the Buffalo Springs Lake 2022 Code of Ordinances.
2. All references to Lubbock County Water Control and Improvement District #1 or LCWCID#1 shall be made by The District.
3. To the extent that these ordinances conflict with prior ordinances, the Buffalo Springs Lake 2022 Code of Ordinances will control.

CHAPTER 1

OFFENSES AND NUISANCES

2022-1 NUISANCES

- (a) Any unreasonably loud, disturbing, disruptive, unnecessary noise which causes material distress, discomfort, or injury to persons of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance and is prohibited as defined in 2022-1.1.
- (b) Any noise of such character, intensity, and continued duration as to substantially interfere with the comfortable enjoyment of private homes by persons of ordinary sensibilities is declared to be a nuisance and is prohibited.
- (c) Silent Time: Operating or using, within the boundaries of The District, any device which produces noise such as radio, television, or musical instruments, exhausts, or engines between 10 PM and 7 AM in such a manner that unreasonably disturbs any person, excluding necessary medical devices is prohibited.
- (d) A non-exclusive list of items declared to be a nuisance can be found in 2022-1.1.

2022-1.1 Enumeration

The following acts, among others, are declared to be nuisances in violation of this article, but such enumeration shall not be deemed to be exclusive:

1. Radios, loudspeakers, stereos, etc. The playing of any radio, stereo, or other musical instrument in such a manner or with such a volume to annoy or disturb the quiet, comfort, rest, sleep, or repose of persons of ordinary sensibilities in any dwelling, hotel, campground, residential areas, beaches, and docks.)
2. Dogs, other animals, and birds. The owner of any dog, animal, bird, or fowl which by causing frequent or long-continued noise shall disturb the comfort or repose of persons of ordinary sensibilities in the immediate vicinity.
3. Horns, signal devices on automobiles, mufflers, and modification to any exhaust system. The continued or frequent sounding of any horn or signal device of any automobile, motorcycle, bus, or other vehicle, except as a danger or warning signal, or the creation by means of any such signal device of any unreasonably loud or harsh noise for any unnecessary or unreasonable period of time, so as to disturb persons of ordinary sensibilities in the immediate vicinity.

2022-1.2 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (b) Each violation of the provisions of this article shall constitute a separate offense.

2022-2 FIREARMS AND WEAPONS

2022-2.1 Firearms and other weapons

It is prohibited for any person to shoot or discharge any firearm or weapon of any description within the boundaries of The District, except in designated areas.

2022-2.2 Penalty

- (c) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (d) Each violation of the provisions of this article shall constitute a separate offense.

2022-3 FIREWORKS AND FIRES

2022-3.1 Definition

Firework: Combustible or explosive compositions, or combustible or explosive devices, designed to produce visible or audible effects that are ignited by the user.

2022-3.2 Possession or Use

It is prohibited for any person to possess or ignite fireworks for use within the boundaries of The District.

2022-3.3 Exemptions

Nothing in this article shall be construed to prevent any public or private demonstration or display of fireworks approved by The District.

2022-3.4 Fires

- (a) It is prohibited for any person to ignite and burn, or to knowingly cause to be ignited and burned, a fire on any of the designated beach areas within the boundaries of The District.
- (b) Fires shall be permitted only in approved public areas and a fire's fuel source must be contained in an area of 32 inches in circumference by 12 inches deep or an area of 24 inches square by 12 inches deep. This excludes residential lots with a device designed for such purposes.
- (c) It is prohibited for any person to leave a fire unattended which is not fully extinguished. Unattended shall mean a failure of a person to safeguard a fire.
- (d) It is prohibited to ignite and burn a fire, or to knowingly cause to be ignited and burned, a fire when wind speeds are twenty (20) miles per hour or higher, or during a burn ban.

2022-3.5 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (b) Each violation of the provisions of this article shall constitute a separate offense.

2022-4 GLASS CONTAINERS

2022-4.1 Glass Containers

It is prohibited for any person to be in possession or to use any glass bottle or glass container of any kind within any public areas within the boundaries of The District.

2022-4.2 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (b) Each violation of the provisions of this article shall constitute a separate offense.

2022-5 ADVERTISING

2022-5.1 Putting up placards, etc., in public places

- (a) It is prohibited for any person to fasten, tack, nail, tie, glue, paste, or maintain any placard, poster, banner, or any other signage anywhere within The District without prior approval from The District. Prior approval shall not be required by The District for political signage or signage for the sole purpose of marketing the sale of a residential property subject to provision of sections (b) and (c) below.
- (b) The District shall allow political signage up to 24" x 18" in size which is placed on residential lot so long as the placement does not create view obstructions for pedestrians or drivers. Signage must be removed within 7 days after any election.
- (c) Signage for the marketing of residential property shall be permitted until 7 days after the closing of the sale.

2022-5.2 Distributing, etc., handbills, etc.

It is prohibited for any person to circulate or distribute upon any public or private grounds within the boundaries of The District, any written material unless permitted and approved by The District.

2022.5.3 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.

(b) Each violation of the provisions of this article shall constitute a separate offense.

2022-6 UNREGISTERED VEHICLES, BOATS, AND TRAILERS

2022-6.1 Vehicle registration

Any motor vehicle, boat, and/or trailer, subject to state registration shall be registered or shall be removed 72 hours after notification by The District.

2022-6.1.1 Exceptions

This article shall not apply to a vehicle, boat, and/or trailer, or portion thereof that is:

- (a) Lawfully situated within a building;
- (b) Situated on a residential lot that is free of vegetation without an accumulation of trash in, around, or underneath, or in proximity to the vehicle, boat, and/or trailer if the weeds and vegetation are trimmed in the ten (10) feet area surrounding the vehicle, boat, and/or trailer to a height not exceeding eight (8) inches, and which is screened from ordinary public view;
- (c) Six (6) feet off the property line and not obstructing any utility services.

2022-6.2 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (b) Each violation of the provisions of this article shall constitute a separate offense.

CHAPTER 2

2022-7 TRAFFIC AND VEHICLES

2022-7.1 UNIFORM ACT AND STATE MOTOR VEHICLE LAWS ADOPTED

For the purpose of regulating traffic on the streets, alleys and thoroughfares of The District, there is hereby adopted the State Uniform Act Regulating Traffic on Highways, codified as Article 6701d, Vernon's Annotated Civil Statutes, and all other state motor vehicle laws, which act and laws, together with the provisions contained in this chapter, shall be controlling in the regulation of traffic within the boundaries of The District. A violation of said act or any state motor vehicle law for which The District has jurisdiction shall constitute and be punishable as a violation of this code of ordinances.

2022-7.2 Operation of Motor Vehicles

This ordinance shall apply to any motor vehicle, motor home, motorcycle, motor-driven cycle, motor assisted bicycle, moped, or unique vehicle defined by Texas Department of Motor Vehicles operated within the boundaries of The District:

- (a) It is prohibited for any person who does not possess a valid driver's license to operate any motor vehicle listed in 2022-9.1 within The District.
- (b) It is prohibited for any person under 6 years of age to be transported in a unique vehicle unless restrained properly.

2022-7.3 Permitting Operation of Unique Vehicles on Roadways

Unique vehicles, as defined by the Texas Department of Motor Vehicles (TXDMV), include off-highway vehicles, Golf Carts, and Neighborhood Electric Vehicles (NEVs). Off-highway vehicles include All-Terrain Vehicles (ATVs), Recreational Off-Highway Vehicles (ROVs), Utility Vehicles (UTVs), and Sand Rails.

No unique vehicles as defined by the Texas Department of Motor Vehicles (TXDMV) can be:

- (a) operated any time before 30 minutes before sunrise or after 30 minutes after sunset;
- (b) over a speed of 15 miles per hour;
- (c) without yielding to the right of way to vehicles and pedestrians;
- (d) without displaying a slow-moving vehicle sign; or

(e) or without illuminated lighting.

2022.7.4 Penalty

(a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.

(b) Each violation of the provisions of this article shall constitute a separate offense.

2022-8 PARKING

2022-8.1 Parking of Vehicles in Residential Areas

It is prohibited for any person to leave, park, or stand any commercial motor vehicle used in the transportation of hazardous material in a quantity requiring placards under regulation promulgated pursuant to the Hazardous Material Transportation Act 49 U.S.C. App. 1801 - 1813, upon any property owned by The District, any public street within the boundaries of The District or any residential lot within 500 feet of any private residence. In constructing the phrase "commercial motor vehicle" reference is made to the regulations and rulings under the Federal Motor Carrier Safety Act.

2022-8.2 Parking of Vehicles

- (a) It is prohibited for any person to park or leave parked any motor vehicle on any public street or place within the boundaries of The District for longer than 48 hours except in areas designated by The District as areas for such parking.
- (b) It is prohibited for any person to park or leave parked any vehicle with an auxiliary motor that is running on any street within the boundaries of The District for longer than one (1) hour between the hours of 12:00 a.m. and 6:00 a.m. except in areas designated by The District as areas for such parking.

2022-8.3 Loading or Unloading of Trailers, Motor Homes, Buses, Semi-trucks, and Recreational Vehicles

It is prohibited for any person owning or having control of any trailer, motor home, bus, semi-truck, or recreational vehicle or other similar vehicle, to park the same upon any street or public use area outside of available marked public parking, or upon any street in a residential area within the boundaries of The District for a period in excess of four (4) hours. However, the provisions hereof shall not be deemed to prohibit the parking of any such trailer, motor home,

bus, semi-truck, recreational vehicle or other similar vehicle on any district street or any residential area for the purpose of the actual loading and unloading of goods, wares and merchandise when such vehicle is accompanied by a driver, provided further that loading and unloading shall be limited to the actual time necessary consumed in such operation.

2022-8.4 No Parking with Intrusion onto Roadway

It is prohibited for any person to park on any roadway within the boundaries of The District.

Exceptions. A person with an authorized building permit may be permitted to parallel park on a roadway for no more than one (1) hour for loading and unloading purposes only.

2022-8.5 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (b) Each violation of the provisions of this article shall constitute a separate offense.

2022-9 DESIGNATION OF PEDESTRIAN CROSSWALKS

2022-9.1 In General

- (a) Any person operating a motor vehicle which is self-propelled shall yield to the right-of-way by stopping to a pedestrian crossing the roadway within a crosswalk when a pedestrian is upon or within any portion of such crosswalk.
- (b) Whenever a motor vehicle is stopped at a marked crosswalk to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

2022-9.2 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (b) Each violation of the provisions of this article shall constitute a separate offense.

CHAPTER 3

2022-10 ANIMAL CONTROL

2022-10.1 DOGS

2022-10.1.1 Vaccination Tag Required

It is prohibited for any person to maintain or keep a dog more than six (6) months of age on any premises within boundaries of The District unless such dog wears a collar or harness securely attached to its body, to which shall be securely attached a tag or microchip issued for said dog by a licensed veterinarian licensed to practice veterinary medicine in the State of Texas, showing that the dog is currently vaccinated against rabies.

2022-10.1.2 Prohibited to Run Loose

It is prohibited for any person to allow a dog to run loose within the boundaries of The District except within the designated dog park enclosure.

2022-10.1.3 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (b) Each violation of the provisions of this article shall constitute a separate offense.

2022-11 LIVESTOCK AND FOWL

2022-11.1 Livestock

It is prohibited for any person to keep, raise, maintain, or otherwise cause to be present livestock within the boundaries of The District. It is prohibited for any person to bring into The District any livestock for the purpose of raising, keeping, or maintaining such livestock on premises located within the boundaries of The District. Nothing in this section, however, shall make it unlawful for any person to transport such livestock through The District for the purpose of immediate slaughter, consumption, or sale as opposed to keeping, maintaining, or raising such livestock within the boundaries of The District on a continuous or continuing basis, other than in a designated area provided by The District.

2022-11.2 Fowl

- (a) It is prohibited for residents to keep, raise, or maintain more than six (6) fowl on their residential lot at any time within the boundaries of The District.
- (b) It is prohibited for residents to keep, raise, or maintain roosters on their residential lot at any time within the boundaries of The District.

2022-11.3 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (b) Each violation of the provisions of this article shall constitute a separate offense.

2022-12 ANIMAL NUISANCES

2022-12.1 Generally

It is prohibited for the owner, custodian, keeper, or caretaker of any animal to permit or allow such animal to be or remain a nuisance within the boundaries of The District.

2022-12.2 Number of Dogs and Cats Allowed

It is prohibited for any person to keep more than a combined total of six (6) cats or dogs within the boundaries of The District. This restriction does not apply to new litters up to twelve (12) weeks old.

2022-12.3 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (b) Each violation of the provisions of this article shall constitute a separate offense.

CHAPTER 4

PARKS AND RECREATION CODE

There are hereby established the following rules and regulations pertaining to fishing, boating, swimming, and trail use within the boundaries of The District:

2022-13 FISHING

2022-13.1 Fishing Activities

- (a) Any person participating in fishing activities on the lake shall require a current and valid Texas Parks and Wildlife fishing license. All fish and game laws regarding fish possession limits and size of catch restrictions are hereby adopted.
- (b) It is prohibited for any person to fish at designated beach areas within the boundaries of The District.

2022-13.2 Bow and Spear Fishing

It is prohibited for any person to fish with a bow or a spear.

2022-13.3 Fishing Lines

- (a) It is prohibited for any person to leave fishing lines unattended.
- (b) It is prohibited for any person to fish with trotlines or other multiple hook lines.

2022-13.4 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (b) Each violation of the provisions of this article shall constitute a separate offense.

2022-14 SWIM AREAS

2022-14.1 Swimming-Only Areas

Swimming-only areas within the boundaries of The District are marked with ropes.

2022-14.2 Beach Hours

Beaches within the boundaries of The District are open from sunrise to sunset daily. It is prohibited for any person to use or remain upon the beaches between sunset and sunrise daily unless approved by The District.

2022-14.3 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (b) Each violation of the provisions of this article shall constitute a separate offense.

2022-15 BOATING

2022-15.1 Rowed/Oared Watercraft

Canoes, punts, rowboats, rowing sculls, kayaks, and other paddle crafts when paddled, poled, or oared are not authorized on the East side of the lake (known as the *fast side*) from 1:00 PM to sunset on Friday, Saturday, and Sunday, or any recognized holiday.

2022-15.2 No Wake Zones

- (a) Certain designated areas of the lake, including the west side of the lake, also known as the “Upper Lake”, are designated as no-wake zones. The Upper Lake is defined as being from the bridge that lies east of the Marina and extending west down the inlet. A no-wake zone is an area where vessels are expected to travel at idle speed to minimize their wake. Idle speed is the slowest speed a vessel can travel while still maintaining steerage.
- (b) It is prohibited for any person to drive a motorized vessel at greater than idle speed within boundaries of The District in areas designated as No Wake Zones.
- (c) It is prohibited for any person to drive a motorized vessel at greater than idle speed within fifty (50) feet of the shoreline.

2022-15.3 Direction of Travel

Motorized vessels on the East side of the lake must travel in a counterclockwise direction.

2022-15.4 Boat Parking

- (a) It is prohibited for any person to park, moor, tether, or dock their boat in any area of the lake for more than 48 hours. Any vessel left moored for more than 48 hours will be towed at the owner's expense.

2022-15.5 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (b) Each violation of the provisions of this article shall constitute a separate offense.

2022-16 OFF-HIGHWAY VEHICLE TRAILS

2022-16.1 Trail Hours

Off highway vehicle trails within the boundaries of The District are open from sunrise to sunset daily. It is prohibited for any person to use or remain upon the trails between sunset and sunrise daily unless approved by The District.

2022-16.2 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (b) Each violation of the provisions of this article shall constitute a separate offense.

2022-17 CAMPING

2022-17.1 Tent Camping

It is prohibited for any person to tent camp unless in designated tent camping areas established by The District.

2022-17.2 Occupancy

- (a) It is prohibited for any person to permanently occupy a motor home, camper, vehicle, or other temporary structure outside of designated camping areas.
- (b) It is prohibited for any person to temporarily occupy a motor home, camper, or anything classified as a recreational use sleeper, when parked on a residential lot except when approved by The District and when occupancy occurs for no more than 72 hours.

2022-17.3 Waste Disposal

It is prohibited for any person to open any disposal outlet or discharge any effluent, "gray water", or other liquid waste on The District property except at designated dump stations.

2022-17.4 Penalty

- (a) Any person, firm or corporation violating the provisions of this section shall, upon conviction, be fined up to \$500.00.
- (b) Each violation of the provisions of this article shall constitute a separate offense.

PUBLICATION AND EFFECT OF ORDINANCES

The provisions of these Ordinances shall be in full force and effect five ____ 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 ____ day of ____, 20___. Witness the signing hereof by _____, 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 Number One, Lubbock County, Texas

ATTEST:

Secretary, Board of Directors Lubbock County Water Control and Improvement District Number One, Lubbock County, Texas