



BOCA RATON HOMEOWNERS' ASSOCIATION, INC.

RESOLUTION AND GUIDELINES REGARDING REGULATION OF COMPOSTING DEVICES, RAIN BARRELS, HARVESTING DEVICES, AND IRRIGATION SYSTEMS

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
 COUNTY OF GALVESTON §

WHEREAS, THE BOCA RATON HOMEOWNERS' ASSOCIATION, INC. (the "Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (collectively referred to as the "Declarations");

WHEREAS, Section 202.007 of the Texas Property Code provides for the regulation of composting devices, rain barrels, rainwater harvesting devices, and irrigation systems by a Property Owners' Association;

WHEREAS, Chapter 204, Section 204.010(a)(6) of the Texas Property Code empowers the Association acting through its Board of Directors, to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision and to implement written architectural control guidelines; and,

WHEREAS, the Board of Directors (the "Board") has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding the installation and maintenance of rain barrels, rainwater harvesting devices, composting devices, and irrigation systems therein, it is appropriate for the Association to adopt guidelines regarding these systems.

NOW, THEREFORE, BE IT RESOLVED THAT the following Guidelines are adopted by the Board of Directors.

GUIDELINES

1. General Provisions
 - a. Subject to written approval from the Architectural Control Committee, owner or resident may:
 - i. implement measures promoting solid-waste composting of vegetation, including grass clippings, leaves, or brush, or leaving grass clippings uncollected on grass;
 - ii. install rain barrels or a rain water harvesting system; or
 - iii. implement efficient irrigation systems, including underground drip or other drip systems.
 - b. If an owner or resident is planting new turf other than Saint Augustine grass, the Architectural Control Committee must approve such turf in writing in order to encourage or require water-conserving turf.

2. Composting Devices

- a. The Architectural Control Committee shall regulate the size, type, shielding, and materials, for or the location of a composting device so long as it does not prohibit the economic installation of the device on the owner's lot where there is reasonably sufficient area to install the device.
- b. This policy does not require the Architectural Control Committee to permit a device as described in this policy to be installed in or on property:
 - i. owned by the Association;
 - ii. owned in common by the members of the Association; or
 - iii. in an area other than the fenced yard or patio of a property owner.

3. Irrigation Systems

The Architectural Control Committee shall regulate:

- i. the installation of efficient irrigation systems, including establishing visibility limitations for aesthetic purposes.
- ii. the installation or use of gravel, rocks, or cacti.

4. Rain Barrels and Rainwater Harvesting

- a. This policy does not require the Architectural Control Committee to permit a rain barrel or rainwater harvesting system ("rainwater recovery systems") to be installed in or on property if:
 - i. the property is:
 1. owned by the Association;
 2. owned in common by the members of the Association
 3. located between the front of the property owner's home and an adjoining or adjacent street; or
 - ii. the barrel or system:
 1. is of a color other than a color consistent with the color scheme of the property owner's home; or
 2. displays any language or other content that is not typically displayed by such a barrel or system as it is manufactured;
- b. Other than gutters and downspouts conventionally attached to a dwelling or appurtenant structure, all components of the rainwater recovery system, such as tanks, barrels, filters, pumps, motors, pressure tanks, pipes and hoses, must be substantially screened from public view from any street or common area. Screening may be accomplished by:
 - i. Placement behind a solid fence, a structure or vegetation; or
 - ii. By burying the tanks or barrels; or
 - iii. By placing equipment in an outbuilding otherwise approved by the Architectural Control Committee.
- c. A rain barrel may be placed in a location visible from public view from any street or common area only if the configuration of the guttering system on the structure precludes screening as described above with the following restrictions:
 - i. The barrel must not exceed 55 gallons;
 - ii. The barrel must be installed in close proximity to the structure on a level base with the guttering downspout leading directly to the barrel inlet at a substantially vertical angle;
 - iii. The barrel must be fully painted in a single color to blend with the adjacent home or vegetation; and


- iv. Any hose attached to the barrel discharge must be neatly coiled and stored behind or beside the rain barrel in the least visible position when not in use.
- d. Overflow lines from the rainwater recovery systems must not be directed onto or adversely affect adjacent properties or common areas.
- e. Inlets, ports, vents and other openings must be sealed or protected with mesh to prevent children, animals and debris from entering the barrels, tanks or other storage devices. Open top storage containers are not allowed; however, where space allows and where appropriate, the Architectural Control Committee-approved ponds may be used for water storage.
- f. Harvested water must be used and not allowed to become stagnant or a threat to health.
- g. All rainwater recovery systems must be maintained in good repair. Unused systems should be drained and disconnected from the gutters. Any unused systems in public view must be removed from public view from any street or common area.
- h. The Architectural Control Committee shall regulate the size, type, and shielding of, and the materials used in the construction of a rain barrel, rainwater harvesting device, or other appurtenance that is located on the side of a house or an any other location that is visible from a street, another lot, or a common area so long as:
 - i. it does not prohibit the economic installation of the device or appurtenance on the property owner's property; and
 - ii. there is a reasonably sufficient area on the property owner's property in which to install the device or appurtenance.

These guidelines are effective upon recordation in the Public Records of Galveston County, and supersede any related guidelines which may have previously been in effect. Except as affected by Section 202.007 of the Texas Property Code and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

Duly approved and adopted at a meeting held by the Board of Directors of BOCA RATON HOMEOWNERS' ASSOCIATION, INC., this 3rd day of October, 2013.

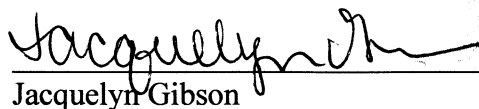
Effective Date: 10 October, 2013.

Signed:

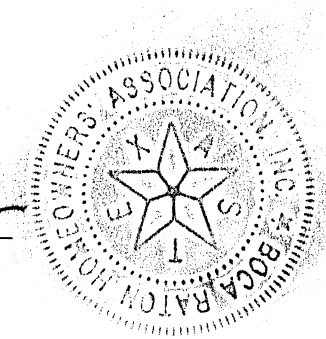


Curt Roberts
President, Board of Directors

Attest:



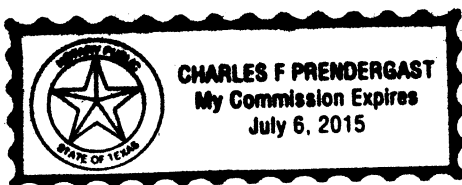
Jacquelyn Gibson



Secretary, Board of Directors

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COUNTY OF GALVESTON §

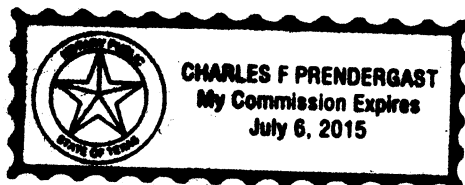
THIS INSTRUMENT was **acknowledged** before me on this the 5th day of October, 2013, by Curt Roberts, President of BOCA RATON HOMEOWNERS' ASSOCIATION, INC., a Texas non-profit corporation, on behalf of said corporation.



Charles F. Prendergast
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

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 §
COUNTY GALVESTON §

THIS INSTRUMENT was **acknowledged** before me on this the 3rd day of October, 2013, by Jacquelyn Gibson, Secretary of BOCA RATON HOMEOWNERS' ASSOCIATION, INC., a Texas non-profit corporation, on behalf of said corporation.



Charles F. Prendergast
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

Dwight D. Sullivan 2013064241

October 10, 2013 10:16:22 AM

FEE: \$33.00

Dwight D. Sullivan, County Clerk
Galveston County, TEXAS