

COMMODORE COVE IMPROVEMENT DISTRICT

103 ANCHOR DRIVE
FREEPORT, TX. 77541
(409) 233-8782

Regulation No. 5 adopted August 16, 1990 is rescinded in its entirety upon the adoption of this revised Regulation No. 5.

1. Definitions:

As used in this regulation the following words and phrases shall have the following meanings:

a. "Persons" means any person, association, corporation, partnership and includes, but is not limited to, the owner of the legal and equitable title of real property as well as any lessee, tenant, or occupant of real property.

b. "Solid Waste" means any garbage, refuse, sludge, or any other discarded material, including solid, semi-solid, or gaseous material resulting from residential, industrial, municipal, commercial, mining, and agricultural operations, and from community and institutional activities.

c. "Garbage" means the by-product of animal or vegetable foodstuffs resulting from the handling, preparation, cooking, and consumption of food, or other matter which is subject to decomposition, decay, putrefaction, or the generation of noxious or offensive gases or odors, or which during or after decay may serve as breeding or feeding material for flies, insects, or animals.

d. "Trash" means waste accumulations of dirt, rocks, branches, and any bulky or non-combustible material. It also includes all worn out, worthless, or discarded material in general which is not considered to be household garbage.

e. "District" means Commodore Cove Improvement District, including the geographical area over which the District's regulations apply.

2. No person shall place any solid waste in any street, alley, or other public place upon any private property, whether such property is owned by that person or not, within the jurisdiction of the District, except in properly packaged form, including, but not limited to, trash bags, cardboard boxes, or garbage cans. No person shall throw or deposit or allow to be deposited any solid waste in any stream or in any body of water.

3. Any unauthorized accumulation of solid waste, garbage, or trash on any premises is hereby declared to be a nuisance and is prohibited.

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4. No person shall cast, place, sweep, or deposit any solid waste within the District, including waste dumpsters, in such a manner that it may be carried away or deposited by the elements upon any street, sidewalk, alley, sewer, parkway, or other public place or into any occupied premises within the District. The owner or occupant of the premises shall be charged with the responsibility to use due care and diligence to protect the contents of all receptacles for solid waste, including waste dumpsters, or receptacles for solid waste used in connection with such premises, from being opened, blown or scattered by the wind upon, over, or across public or private property, and a failure to so exercise such diligence shall be punishable as provided for in this regulation.

5. No person shall be authorized or allowed to place, cast, scatter, deposit, or otherwise locate any waste material of any nature on any property owned by or under the care and control of the district, except as may be permitted in this regulation or the rules and regulations promulgated by the District in administration of this regulation.

6. No person shall place or dispose any solid waste upon any property without the effective consent of the owner, lessee, or landlord of such property.

7. The burning of solid waste of any kind, with the exception of tree limbs, leaves, wood in its natural state, or other types of untreated wood, is expressly prohibited in any place within the District.

8. No person shall meddle or tamper with any solid waste container or with any solid waste or in a manner pilfer from such waste container without the effective consent of the owner, caretaker, or lessee of such container.

9. No hazardous, toxic, poisonous, or noxious materials, including, but not limited to, tires, batteries, oil, filters, antifreeze, fluorescent light bulbs, or construction materials may be placed in the waste dumpsters.

10. Persons using the waste dumpster must place all discarded material into the dumpster. Discarded waste material and construction material shall not be placed on the ground near or in the vicinity of the waste dumpster.

11. Only owners of real property in the District shall have the right to dispose of solid waste material in the dumpster.

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12. The storing, keeping, or placing of any solid waste so as to produce an unsightly or ugly appearance, or which may harbor reptiles or rodents, create a fire hazard, or result in unsanitary conditions, is declared to be a nuisance and is prohibited.

13. No discarded appliances, including but not limited to refrigerators, washing machines, clothes dryers, air conditioners, cooking ranges or stoves, and freezers, shall be placed in the waste dumpster.

14. All discarded appliances, as referenced in paragraph 13, (with the exception of freon filled appliances, such as refrigerators, freezers, and air conditioners, which are not allowed to be discarded under any circumstances), shall be placed alongside or next to the waste dumpster.

15. The failure to do any act required under this regulation or any violation of this regulation, is hereby declared to be a misdemeanor, and upon conviction shall be punishable by a fine of not more than Two Hundred and No/100 Dollars (\$200.00). Each day any such violation or failure occurs or continues shall constitute a separate offense.

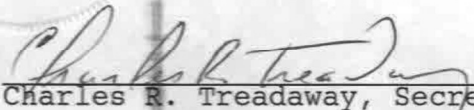
16. In the event any section or provision of this regulation is found to be unconstitutional, void, or inoperative by the final judgement of a court of competent jurisdiction, such defective provision, if any, is hereby declared severable from the remaining sections and provisions of this regulation, and such remaining sections and provisions shall remain in full force and effect. In this regulation, or nueter gender, shall each be deemed to include the others.

17. This regulation is adopted in accordance with Chapter 51, Sections 51.127 through 51.132, inclusive, of the Texas Water Code (V. T. C. A., Water Code).

Commodore Cove Improvement District


Mack A. Keeter, President

ATTEST:


Charles R. Treadaway, Secretary/Treasurer

