

**RESOLUTION REGARDING  
ADOPTION OF STATUTORY POLICIES and GUIDELINES  
BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION  
A TEXAS NON-PROFIT CORPORATION**

WHEREAS, the By-Laws governing Brookglen Community Improvement Association (“the Association”), as well as the pertinent provisions of the Texas Property Code, and the Texas Business Organizations Code, authorize the Association, acting through its Board of Directors, to exercise all powers reasonable and necessary for the governance and operation of the Association;

WHEREAS, the Board of Directors desires to adopt those policies and guidelines as specified below, and which shall be attached hereto and recorded in the office of the County Clerk, in accordance with Texas Law, which shall in all respects encumber the properties within the Brookglen subdivision.

NOW, THEREFORE, BE IT RESOLVED that the following policies / guidelines are hereby adopted in accordance with the requirements of the Texas Property Code:

Amended Deed Restriction Enforcement Policy  
Amended Guidelines for Roofing Materials  
Amended Guidelines for Display of Flags  
Nuisance and Annoyance Policy  
Leasing Policy  
Architectural Guidelines  
Animals/Pets and Livestock Guidelines  
Storage, Parking and Repair of Vehicles Guidelines  
Disposal of Trash Guidelines  
Portable/Temporary Storage Units and Dumpsters Guidelines  
Golf Cart Guidelines  
Drone Usage Guidelines  
Guidelines for Standby Electric Generators

This Resolution Regarding Adoption of Policies is hereby adopted on behalf of the Association, and in accordance with the mandate of Chapter 209 of the Texas Property Code.

Adopted on this 8th day of July 2021.

BOARD OF DIRECTORS  
BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION, INC.

**BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION**  
**AMENDED DEED RESTRICTION ENFORCEMENT POLICY**

**PURPOSE**

To adopt a policy which addresses the uniform enforcement of deed restrictions by Brookglen Community Improvement Association.

**SCOPE**

This policy applies to all members of the Brookglen Community Improvement Association, and all Lots which are subject to the respective Declaration of Covenants, Conditions & Restrictions encumbering all properties governed by Brookglen Community Improvement Association (collectively referred to as “the Declaration”)

**DEFINITIONS**

**Courtesy Letter:** A letter sent to the owner and tenant (if applicable) to create an awareness of an alleged violation of the Deed Restrictions.

**Deed Restriction:** As used herein, the term “deed restriction” is intended to include the architectural control provisions and the use restrictions as set forth within the Declarations

**Inspector:** A person charged with making inspections, who and reports to the Board of Directors. This definition includes the property manager or her designee and any member of the Association’s Board of Directors.

**Maintenance:** To repair or replace to an operable, functional and aesthetically pleasing condition.

**Violation:** Any act or condition, or lack of maintenance, willful or not, by property owner or tenant that causes a property or its improvements to be in noncompliance with the Deed Restrictions.

**POLICY**

The policy for the enforcement of deed restrictions by the Association as is follows:

- I. **Owner’s Address:** Each owner shall notify the Association in writing, at all times, of his/her current mailing address. Any costs incurred by the Association in determining or attempting to determine ownership of the property or locating or attempting to locate the owner, and caused by failure of the owner to advise the Association of his/her mailing address, shall become charges owed by the owner. Deed restriction violation enforcement shall not cease solely because notices are returned by the post office. The failure of an owner or tenant (if applicable) to receive notice(s) shall not waive or negate any requirement to comply with the restrictions or any charges due.

**II. Notification: Following a deed restriction inspection and observation of a violation, a resident in violation of the deed restrictions may receive notification of the violation as follows:**

**A. First Letter/Courtesy/Friendly Reminder**

Upon inspection and observation of the violation, a letter may be sent via regular mail, email, or hand delivery to notify owner and tenant (if applicable) of the violation of the deed restrictions and to request correction of the violation.

Owner and tenant (if applicable) shall be advised to notify the Board or its agent(s) if extenuating circumstances exists, if additional time to correct the violation is necessary, or if further information is needed. Owner and tenant (if applicable) will be given an opportunity to be heard at the next regular meeting of the Board of Directors.

Under circumstances where the association may seek a temporary restraining order or temporary injunction to prohibit a violation of the Declarations by an owner or tenant (if applicable) and the association needs immediate relief, the association may file suit for a temporary injunction, temporary restraining order, and/or permanent injunction without any further notice to the owner or tenant (if applicable).

**B. Additional Courtesy/Reminder**

Upon subsequent inspection and continued observation of the violation, an additional letter may be sent via regular mail, email, or hand delivery to notify owner and tenant (if applicable) of the continued presence of the violation of the deed restrictions.

Owner and tenant (if applicable) shall be advised to notify the Board or its agent(s) if extenuating circumstances exists, if additional time to correct the violation is necessary, or if further information is needed. Owner and tenant (if applicable) will be given an opportunity to be heard at the next regular meeting of the Board of Directors.

Under circumstances where the association may seek a temporary restraining order or temporary injunction to prohibit a violation of the Declarations by an owner or tenant (if applicable) and the association needs immediate relief, the association may file suit for a temporary injunction, temporary restraining order, and/or permanent injunction without any further notice to the owner or tenant (if applicable).

**C. Third Letter**

Upon subsequent inspection and observation of the violation, a letter shall be sent, certified mail, return receipt requested and regular mail, to notify owner and tenant (if applicable) of the failure to correct the violation and to request correction of violation. Said letter shall comply with the requirements of Chapter 209 of the Texas Property Code. An administrative charge of \$50 may be charged to offset costs incurred with sending the letter.

The second letter shall inform the owner and tenant (if applicable) that, if the violation is not cured within thirty (30) days, a fine in the amount of \$50.00 per month will be assessed against the property for each month that the violation is not cured. Notwithstanding the foregoing, no fines will cumulatively exceed \$1,000 for any one violation.

Owner and tenant (if applicable) will be advised to notify the Board or its agent(s) if extenuating circumstances exist, if additional time to correct is necessary, or if further information is needed.

**D. Fourth Letter**

Upon subsequent inspection and observation of the violation, and after the expiration of the thirty (30) day period contained within the third letter, a fourth letter may be sent. The fourth letter will inform the owner that the monthly fine has been assessed and will continue to be assessed monthly until the violation is cured. The fourth letter may also notify the owner the Association intends to refer to the matter to an attorney for enforcement if it is not corrected.

**E. Referral to Attorney**

The matter may be referred to the Association's legal counsel before or after the fourth letter has been sent.

The owner shall be responsible for all attorney's fees incurred as a result of actions necessitated by the owner's noncompliance, including but not limited to the costs of additional letters, court costs, litigation fees, and enforcement fees.

The imposition of the fine mentioned above is in addition to all other legal and/or equitable remedies the Association may pursue, and in no way limits or estops the Association from pursuing such other remedies.

Notwithstanding any of the foregoing, nothing herein shall be considered a condition precedent to filing suit against any owner or occupant, and the Board shall remain within its right and discretion to forego any or all of the aforementioned actions or other procedures, and to proceed with litigation against any owner, should the Board deem such action necessary and appropriate. The Association is receptive to Alternative Dispute Resolution ("ADR"), should any owner specifically request referral to ADR prior to the commencement and/or filing of a lawsuit, and provided that the expense of such ADR shall be paid by the respective owner. Such request for ADR must be in writing, and forwarded to the Board.

This Amended Deed Restriction Enforcement Policy is effective upon being recorded in the Official Public Records of Real Property of Harris County, and supersedes any prior Deed Restriction Enforcement Policy which may have previously been in effect.

**BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION  
AMENDED GUIDELINES FOR ROOFING MATERIALS**

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

WHEREAS, the Brookglen Community Improvement Association (“the Association”) is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the Association’s By-Laws, the respective restrictive covenants encumbering all properties governed by Brookglen Community Improvement Association (collectively referred to as “the Declarations”), as well as applicable State and Federal laws; and

WHEREAS, Chapter 202 of the Texas Property Code was amended to add Section 202.011, addressing the regulation of roofing materials; and

WHEREAS, the Board of Directors of the Association (“the Board”) has determined that in keeping with the law, and in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding roofing materials permitted within the community, it is necessary and proper for the Association to adopt guidelines regarding roofing materials within the community.

NOW, THEREFORE, the Board has duly adopted the following Amended Guidelines for Roofing Materials within the community.

1. Wood shingles are specifically prohibited for safety reasons.
2. An application to install a metal roof may be approved by the Architectural Control Committee (the “Committee”), provided that it complies with the following:
  - a. Standing-seam sheet metal panels must be used.
  - b. The space between seams must be between twelve inches (12”) and eighteen inches (18”).
  - c. All panels must be between twenty-four (24) and twenty-six (26) gauge.
  - d. The metal panels must not be comprised of corrugated steel or aluminum.
  - e. The entire roof must be comprised of metal roofing. The Committee will not approve an application that would result in the roof being comprised of both metal roofing and composition shingles.
  - f. Paint colors within the Earth tone / neutral color family (i.e. black, brown, tan, beige, green, muted red or grey) do not require approval.
  - g. Extremely bold or obnoxious colors (i.e. purple or pink) are prohibited, must be painted one color, contact ACC for review.
  - h. Color should complement the main structure.
3. An application to install a roof comprised of composition shingles may be approved by the Architectural Control Committee, provided that it complies with the following:
  - a. Composition shingles must weigh at least 230 pounds per square and have a stated warranty of at least 25 years.
  - b. Shingles must have a laminated design.

- c. Three-tab shingles are specifically prohibited except for use as a starter and cap rows.
  - d. The entire roof must be comprised of composition shingles. The Committee will not approve an application that would result in the roof being comprised of both metal roofing and composition shingles.
  - e. Roof shingles may be brown, tan, or gray tones / colors without prior approval. The color of the roofing product should be compatible and complement the exterior color of the residence. Contact the ACC for other color approval.
  - f. If roofing is being replaced with the same color and material, you do not need approval.
4. Roof overlays are allowed, up to two (2) layers only. Any damaged or deteriorated decking must be replaced.
5. Ridge vent are encouraged, to improve ventilation, reduce attic temperature and reduce cooling costs, but are not required.
6. All roof protrusions, such as vents, vent pipes, and roof jacks, must be painted to match the roof as close as possible.
7. Subject to Section 8 below and with advance written approval from the Committee, an owner may install shingles ("Alternative Shingles") which are designed primarily to:
- a. be wind and hail resistant; or
  - b. provide heating or cooling efficiencies greater than traditional composition shingles; or
  - c. provide solar energy capture capabilities.
8. Once installed, any such Alternative Shingles must:
- a. resemble the shingles used or authorized to be used on other structures within the Association; and
  - b. be more durable than and of equal or superior quality to the shingles used or authorized to be used on other structures within the Association; and
  - c. match the aesthetics of properties surrounding the owner's property.

These guidelines are effective upon being recorded in the Official Public Records of Real Property of Harris County, and supersede any guidelines for roofing materials which may have previously been in effect. Except as affected by Section 202.011 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.

**BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION  
AMENDED GUIDELINES FOR DISPLAY OF FLAGS**

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

WHEREAS, the Brookglen Community Improvement Association (“the Association”) is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the Association’s By-Laws, the respective restrictive covenants encumbering all properties governed by Brookglen Community Improvement Association (collectively referred to as “the Declarations”), as well as applicable State and Federal laws; and

WHEREAS, Chapter 202 of the Texas Property Code was amended to add Section 202.012 addressing the display of flags; and

WHEREAS, the Board of Directors of the Association (“the Board”) has determined that in keeping with the law, and in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding the display of flags within the community, it is necessary and appropriate for the Association to adopt guidelines regarding the display of flags.

NOW, THEREFORE, the Board has duly adopted the following Amended Guidelines for Display of Flags within the community:

1. These Guidelines apply to the display of (“Permitted Flags”):
  - a. the flag of the United States;
  - b. the flag of the State of Texas;
  - c. the official flag of any branch of the United States armed forces; and
  - d. seasonal and decorative flags.
  - e. No flag which displays a theme that may be considered offensive (i.e., nudity and/or obscene gestures/wording) shall be permitted. The Board, at its sole discretion, may determine that a flag’s theme is offensive, and request its removal.
2. These Guidelines do not apply to any flags other than the Permitted Flags listed in Section 1 above including, but not limited to:
  - a. flags for businesses or foreign countries; or
  - b. flags with marketing, historical, commemorative, nautical, political or religious themes; or
  - c. historical versions of flags permitted in section 1 above.
3. Permitted Flags may be displayed subject to these guidelines. Advance written approval of the Association’s Architectural Committee is required for any free-standing flagpole and any additional illumination associated with the display of Permitted Flags.
4. Permitted Flags must be displayed in a respectful manner in accordance with pertinent federal, state and/or military codes.

5. Permitted Flags must be displayed from a pole attached to a structure or to a free-standing pole. Permitted Flags may not be draped over or directly attached to structures. For example, a Permitted Flag may not be laid across a fence or stapled to a structure.
6. Permitted Flags shall be no larger than four feet (4') by six feet (6') in size.
7. Only one Permitted Flag may be displayed on a flagpole attached to a structure. Up to two Permitted Flags may be displayed on an approved free-standing flagpole that is at least fourteen feet (14') tall.
8. Flagpoles must be constructed of permanent, long-lasting materials with an appropriate finish that is harmonious with the dwelling.
9. A flagpole attached to a structure may be up to six feet (6') long and must be securely attached with a bracket with an angle of 30 to 45 degrees down from vertical. The flagpole must be attached in such a manner as not to damage the structure. Two (2) attached flagpoles allowed on any portion of a structure facing a street and no more than five (5) attached flagpoles allowed on the rear or backyard portion of a structure.

Free-standing flagpoles may be up to twenty feet (20') tall, including any ornamental caps. Free-standing flagpoles must be permanently installed in the ground according to manufacturer's instructions. One free-standing flagpole is allowed in the portion of the owner's property between the main residential dwelling and any street and one free-standing flagpole is allowed in the rear or backyard portion of a property.
10. Free-standing flagpoles may not be installed in any location described below:
  - a. in any location other than the Owner's property; or
  - b. within a ground utility easement or encroaching into an aerial easement; or
  - c. beyond the side or rear setback lines (for example, on a lot with a 10' side setback line, a flagpole may not be installed closer than 10' from the side property line); or
  - d. beyond half the distance of the front setback line (for example, on a lot with a 30' front setback line, a flagpole may not be installed closer than 15' from the front property line); or
  - e. closer to a dwelling on an adjacent lot than the height of the flagpole (for example, a 20' flagpole cannot be installed closer than 20' from an adjacent house).
11. Lighting may be installed to illuminate Permitted Flags if they will be displayed at night and if existing ambient lighting does not provide proper illumination. Flag lighting must:
  - a. be ground mounted in the vicinity of the flag; and
  - b. utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover; and
  - c. point towards the flag and face the main structure on the property or to the center of the property if there is no structure; and
  - d. provide illumination not to exceed the equivalent of a 60-watt incandescent bulb.
12. Flagpoles must not generate unreasonable noise levels which would disturb the quiet enjoyment of other residents. Each flagpole owner should take steps to reduce noise levels by using vinyl or plastic snap hooks, installing snap hook covers or securing a loose halyard (rope) around the flagpole with a flagpole clasp.



13. Flagpoles are allowed solely for the purpose of displaying Permitted Flags. If a flagpole is no longer used on a daily basis, it must be removed.
14. All flags and flagpoles must be maintained in good condition. Deteriorated flags must be removed and promptly replaced. Deteriorated or structurally unsafe flagpoles must be promptly repaired, replaced, or removed.

These guidelines are effective upon being recorded in the Official Public Records of Real Property of Harris County, and supersede any guidelines for display of flags which may have previously been in effect.

## **BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION NUISANCE AND ANNOYANCE POLICY**

WHEREAS, the By-Laws governing Brookglen Community Improvement Association, (“the Association”), pertinent sections of Chapter 204 of the Texas Property Code, and the Texas Business Organizations Code, authorize the Association, acting through its Board of Directors, to exercise all powers reasonable and necessary for the governance and operation of the Association;

WHEREAS, the Texas Property Code further authorizes the Association to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision;

WHEREAS, the Declaration provides that no noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may become an annoyance to the neighborhood;

WHEREAS, the Association’s Board of Directors has determined that it is in the Association’s best interest to adopt certain policies and/or clarifications with regard to various conditions which are deemed to constitute a nuisance or annoyance within the community.

NOW, THEREFORE, BE IT RESOLVED that the following Nuisance and Annoyance Policy is hereby adopted on behalf of the Association, to become effective upon being recorded in the office of the County Clerk. This policy replaces the previously adopted Exterior Maintenance Guidelines of the Association.

### **NUISANCE AND ANNOYANCE POLICY**

The following described items / conditions are deemed to constitute an annoyance and a nuisance by the Association’s Board of Directors. The following list is not meant to be exhaustive or all-inclusive; rather, the list describes annoyances and nuisances which are, from time to time, observed within the community. Such items / conditions are described herein, in order that Association members and residents are more fully aware that the Board deems such conditions to be objectionable, and subject to correction and/or removal by the respective owner and/or resident. Questions concerning items or conditions which are not listed below should be directed to the Board of Directors, or the Association’s managing agent.

#### **A. Yard Maintenance**

The upkeep of grass and landscaping around residences impacts the overall appearance and property values of the entire community. It is considered to be a nuisance and annoyance for any of the following conditions to exist on a lot:

1. Grass and/or weeds allowed to grow to a height greater than twelve (12) inches;
2. Failing to remove lawn clippings after mowing;
3. Blowing/sweeping lawn clippings into the street or street drains;
4. Any plantings, including grass, allowed to grow beyond the designed edge of the grass onto an adjacent sidewalk, driveway, or curb;
5. Failure to maintain and weed flower beds; failure to remove dead shrubs, trees, or tree limbs; failure to trim and maintain bushes, vines and/or other plants;
6. Any hedge, shrub or other plant which obstructs the line of sight of streets or roadways and/or which interferes with the line of sight of any vehicular traffic.

7. Any landscaping installed, planted or located in such a manner that the drainage from the lot is altered or directed onto adjacent lots or property, unless a specific recorded easement exists for such purpose.
8. Playground equipment, including but not limited to playhouses and swing sets, stored or situated in public view.

## **B. Exterior Maintenance**

The upkeep of the exterior of improvements on the lots impacts the overall appearance and the property values of the entire community. It is considered to be a nuisance and annoyance for any of the following conditions to exist on a lot:

1. Sagging or falling rain gutters, downspouts, shutters, fascia boards, window screens, window trim, garage doors, patio covers, fences and decks;
2. Broken, cracked and/or uneven concrete driveways.
3. Oil, grease, rust, or similar stains on driveways or sidewalks.
4. Broken windows, privacy fences, and/or exterior lights;
5. Windows and window coverings not maintained in a neat and attractive manner;
6. Roofs with missing, curled, deteriorated and/or discolored shingles/metal panels.
7. Roofs with rusted metal panels.
8. The accumulation of excessive mildew / mold / algae / lichen on any structure in public view.
9. The accumulation of excessive leaves and/or other tree debris on lawns and/or roofs.
10. Failure to restore weathered, faded, or peeling exterior paint.
  - a. All painted surfaces must be clean and smooth with no bare areas or peeling paint, and all surfaces must be free of mildew/mold/algae/lichen.
11. Storage of personal items, materials and/or debris in public view, in front of the residence, in front of the garage, within the entryway and/or on the driveway.
12. Allowing outside lighting fixtures to be placed in such a manner as to excessively illuminate adjacent properties.
13. Placement or installation of a window or wall-type air conditioner in any location which is visible from any street.
14. Mailboxes must be maintained in good repair.
15. Poles and/or posts for backboards, hoops, or gas lights must be maintained and upright.
16. Portable basketball goals left on curb/street when not in use.
17. No folding/camping style chairs on front porch.

## **C. Vehicle Parking**

Using any portion of a residential lot, other than a driveway or garage, for the parking of any vehicle negatively impacts the overall appearance and the property values of the entire community. It is considered to be a nuisance and an annoyance for any vehicle to be parked at any time on a residential lot in any area other than on a paved driveway or within a garage. Vehicles parked on the street for a longer continuous period of time than 72 continuous hours during any consecutive 7 days. Vehicles shall not be moved from place to place within the subdivision to avoid the intent of this prohibition.

It is considered to be a nuisance and an annoyance for any inoperable vehicle(s) to be parked/stored anywhere within the lot or on the street that is within public view. The term “inoperable vehicle” includes vehicles which are not capable of being driven safely on a public street; wrecked, dismantled or partially dismantled; has one or more flat tires; discarded and/or displays an expired registration; missing license plates; or cannot be legally driven on public roadways.

It is considered to be a nuisance and an annoyance for any recreational vehicles and/or trailers, trucks larger than a one (1) ton pickup, bus or unused or inoperable automobiles stored / parked within public view. Recreational vehicles and/or trailers left, standing or parked, either attached or unattached to a motor vehicle, in the main traveled portion of roadway, or any portion of a residential street, for any period of time.

Vehicles not parked parallel to the curb or edge of roadway.

Vehicles parked within thirty feet (30') of a stop sign or within twenty feet (20') of a street corner shall be considered to be nuisance and annoyance.

Repairing automobiles or other vehicles for a period of longer than forty-eight (48) hours, while in public view on a lot, shall be considered to be a nuisance and annoyance.

#### **D. Firearms and Fireworks**

The discharge of any type of firearm within the subdivision(s) is considered to be a nuisance and annoyance and is strictly prohibited. The use of fireworks is considered to be a nuisance and annoyance and is strictly prohibited.

#### **E. Pets**

It shall be considered a nuisance and annoyance for an owner to permit a pet to roam free (not on a leash or in a pen or similar structure) or to leash a pet in the front yard of a lot while unattended. Further, it shall be considered a nuisance and annoyance to fail to pick up pet waste when walking a pet. Damage to property by pets will be at the expense of the owner. Control should be exercised over the noise made by pets, including but not limited to dogs and cats.

#### **F. Noise**

Excessive noise is deemed detrimental to the enjoyment of a residence in the community. Excessive noise is considered a nuisance and annoyance. Owners and occupants shall exercise reasonable care to avoid making or permitting to be made loud, disturbing or objectionable noises and in using, playing or permitting to be used or played musical instruments, radios, phonographs, televisions, amplifiers, operating extremely loud vehicles and any other instruments or devices in such manners as may unreasonably disturb owners, tenants or occupants of other homes. Homeowners are urged to exercise restraint in making noise – using tools and appliances during late night hours (10 PM) or before 7:00 AM on weekdays and 8:00 A.M. on weekends. Owners are urged to register noise complaints with local law enforcement.

#### **G. Trash Cans and Trash Bags in Public View**

The storage of trash bags in public view negatively impacts the overall appearance and the property values of the community. It shall be considered a nuisance and annoyance for trash bags to be stored in public view or placed at curbside on any lot, on days other than designated trash collection days or before 3:00 PM on days immediately preceding designated trash collection days. Notwithstanding the foregoing, heavy trash should be placed no earlier than five (5) days prior to the scheduled collection date. The Association has a zero tolerance for heavy trash violations.

It shall be considered to be a nuisance and annoyance for trash receptacles or recycle bins to be left on the curb or street on the day following designated trash pick up. It shall be considered to be

a nuisance and annoyance for any person to throw or deposit on any street or commonly owned property garbage or trash.

Disposable refuse bags of garbage, trash, rubbish, debris and tree limbs must be placed at the curbside of the street, in front of the property, within three feet of the curb, so as to be readily accessible to the city solid waste vehicles. Trash shall not be placed next to: fences, mailboxes or structures; in streets or alleys; in drainage structures or ditches; or under power lines or low hanging trees.

# **BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION**

## **LEASING POLICY**

It is the desire of Brookglen Community Improvement Association (the “Association”) to maintain accurate records regarding all owners’ contact information and to ensure that each lot and the improvements located thereon within Brookglen is maintained in compliance with the respective restrictive covenants, even if the respective owner(s) has leased his/her lot. Accordingly, the following Leasing Policy shall apply to all lots:

1. An owner that chooses to lease his/her property shall inform the Association, in writing, of the owner’s contact information, physical mailing address, email address, and phone number.
2. Owners shall remain responsible for the maintenance and repair of their lot and improvements in the event that the property is leased.
3. Owners shall remain responsible for ensuring that their lot and improvements comply with the restrictive covenants, all guidelines, and all Rules and Regulations, which encumber the lot.
4. Any fines which accrue on the lot shall be the responsibility of the Owner.
5. In the event that a tenant causes damage to any property owned by the Association, the respective lot owner shall be notified of any damages.
6. Owners shall provide their tenant(s) with copies of the restrictive covenants, all guidelines, and all Rules and Regulations.
7. Owners shall require their tenant(s) to acknowledge, in writing, and agree to comply with the restrictive covenants, all guidelines, and all Rules and Regulations.

# **BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION ARCHITECTURAL GUIDELINES**

## **Scope and Responsibilities**

The purpose of the Architectural Control Committee (“ACC”) is to centralize architectural control of the neighborhood to enhance, ensure, and protect the attractiveness, beauty, and desirability of the area as a whole while at the same time allowing compatible distinctiveness of individual developments in the area. The ACC shall ensure that all applications for changes, alternations, additions, or deletions to property in the community are in compliance with both the restrictions, which govern the neighborhood and these Architectural Guidelines (“Guidelines”) established for the neighborhood.

## **Procedures**

An application to modify, construct, or remove improvements or landscaping must be submitted to the ACC **prior** to commencing any construction activities. The ACC may require that applications be submitted using a form created by the ACC and may require that the applicant submit a lot plan which depicts all applicable setback lines and easements. The ACC will review submitted plans. Plans shall be approved or rejected subject to the governing documents and Guidelines. When a set of plans is rejected by the ACC, the applicant will be informed of the reason(s), any changes that could be made to facilitate approval of the plan, and their right to appeal the ACC’s decision to the Board. When an appeal is made, the Board may uphold the rejection of the plans or approve the plans.

Any ACC Application that is not expressly approved in writing within thirty (30) days of submission is considered to be automatically denied. The application may be re-submitted to the ACC for consideration after an automatic denial. If an application is approved, an owner must complete all work within three (3) months of the date the approval is given.

Neither the ACC nor the Board warrant that approved plans are feasible, safe, or comply with local zoning laws or building codes. Applications are reviewed for aesthetics, and not structural integrity or safety. The ACC and Board assume no responsibility for any action relating to or arising from its approval of an application.

## **Temporary Structures and Outbuildings**

Structures such as garden sheds, tool sheds, and children’s play structures may be placed on the property with the approval of the ACC. All such structures shall aesthetically match the main residence on the lot, and must be located in the rear of the lot, or behind fence. No such structure shall exceed a size greater than two-hundred and twenty-five square feet (225 sq. ft.). The total square footage of any such structure may not exceed fifteen percent (15%) of the total square footage of the back yard of the lot.

No more than two outbuildings/sheds may be approved for any one lot. If a request is submitted for the approval of two outbuildings, the application will be denied if the aggregate square footage of both outbuildings/sheds exceeds two-hundred and twenty-five square feet (225 sq. ft.). The ACC reserves the right to set height limitations on a case-by-case basis, taking into consideration the height of the main residence.

Prefabricated structures should have earth tone colors. Structures that are built/constructed on site should be painted to match the color of the main residence as much as possible.

The ACC will not approve any application for a structure to be placed in an easement or beyond a setback line. The ACC will not approve any structure that may adversely affect drainage across the Owner's lot or neighboring lot.

The ACC will not approve the installation of mobile homes.

A playhouse/fort must not have a roof higher than twelve feet (12'). The playhouse/fort must be located within the rear yard of the property and must be located no less than five feet (5') behind a fence.

The following provisions relate to Gazebos and are in addition to the provisions contained above. For the purpose of these Guidelines, a gazebo shall be defined as a freestanding, open-framed structure with or without lattice-type walls, whose purpose shall not be for any type of storage. These typically are circular or octagonal shaped structures.

- a. All gazebos must have a permanent roof. The quality and color of the roofing shall match that of the main residence. Louvered or trellis-style gazebo roofs may be allowed as long as the quality of materials is approved.
- b. Pressure treated wood must be stained or painted to match the residence. No exterior portion of a gazebo shall be made of metal.
- c. A gazebo shall be located in the rear portion of the lot.

#### **Fences, Fence Extensions, Walls.**

The ACC will not approve any fence or wall to be erected on any lot nearer to the street than the building setback lines (front of home) as shown on the Subdivision plat.

- a. The ACC will not approve an application to install chain link fencing.
- b. Fencing that only replaces the current fence and uses the same design, layout and location will not require approval from the ACC. Notwithstanding the foregoing, when an existing chain link fence is removed, it must be replaced with wood fencing.
- c. All wood fencing which is visible from public view must be constructed such that the side containing structural supports is not visible from public view.
- d. Fencing may not restrict ingress or egress to neighboring properties.
- e. For homes with detached garages where a covered breezeway connects the house to the garage, a fence structure may be installed that meets any of the following criteria:
  - i. A standard wood fence and gate combination may be constructed of no greater than eight feet (8') in height.
  - ii. A wooden lattice fence and gate combination may be constructed from ground level to a height not to exceed eight feet (8').
  - iii. A wrought-iron gate may be installed from ground level to a height not to exceed eight feet (8').
  - iv. Any of the above improvements should follow a direct path from the house to the garage, must be as close as practical to the sidewalk that connects the two structures, and must be anchored to both the house and the garage or to posts that are in close proximity to the house and garage.
- f. Fences may not be painted. Only a coat of clear water sealant or stain may be applied.
- g. Brick or stone pillars may be constructed and used as fence posts. These pillars must be of a material to match the exterior of the home as close as possible and may not exceed eight feet (8') in height.
- h. Wrought-iron gates are permitted subject to approval by the ACC.



- i. As a general rule, wrought-iron gates across driveways may be approved. Any such gate must be black in color and contain no decorative emblems or ornamental work. The gate must be set no further forward than the corner of the house or front building line, whichever is further from the adjoining street.
- j. Front-on fences between houses must be normal wood picket fences.

### **Patios and Decks**

The ACC may approve applications to install a back-yard patio and/or deck. All such structures must be comprised of high-quality materials. The ACC will not approve an application to install a patio/deck that is to be located in an easement or beyond a setback line.

A patio cover/deck cover may be approved by the ACC. Covers must be painted a color that matches the color of the main residence as much as possible. If attached to the house, it must be integrated into the existing roof line and shingles must match the roof. Arbors, sunshades, patio coverings and similar structures must be approved by the ACC and must be either less than eight (8') feet in height or permanently attached to and supported by the main structure. The standard type, quality and color of materials used in construction must be harmonious with the main residence.

No structures in excess of 25% of the main residence "footprint" square footage will be approved.

Prefabricated covers made of aluminum may be approved provided they are of a color that substantially matches the house trim color as close as possible. Unfinished aluminum will not receive ACC approval. All Metal must be painted. Certain structures using wood framing may be unpainted provided they are treated, or insect resistant wood is used.

At no time, shall a shingled roof be allowed with an unpainted frame. The frame must be painted to match the trim of the house as close as possible whether treated or untreated wood is used.

Approvable patio cover construction materials are as follows:

- a. Painted metal (to match trim of house as close as possible)
- b. Painted wood (to match trim of house as close as possible)

Treated wood or naturally rot and insect resistant woods (such as cedar and redwood) may be approved. Staining or painting is not required. All other woods must be painted or stained to match trim of house.

All patio cover material, i.e., corrugated aluminum, metal, wood, lattice, must be completely framed in so that no raw edges of material are visible.

If canvas is used as roofing material on a patio cover, the structure must be located where it is not visible from the street. Also, the canvas must be kept in quality condition or its removal will be requested by the ACC. There is no color restriction.

Patio covers may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.

Patio covers must not alter, restrict, or impede the drainage of water across neighboring lots. If a proposed patio cover location is less than five feet (5') away from a side lot line, the ACC will require that it be guttered with down spouts if it is to include a solid cover.

The maximum approvable height of covers (at the peak of the roof) is twelve feet (12').

### **Garage Conversions**

The ACC may approve garage conversions. However, the outward appearance of the garage conversion must still resemble that of a traditional garage with garage doors. The ACC will not approve an application for a garage conversion where the garage doors will be removed, bricked in, or replaced with regular doors. Houses may be grandfathered on a case-by-case basis.

### **Carports/ Porte Cochere**

#### **Carport**

- a. The ACC may approve an application for the installation of a carport on a case by case basis. However, no carport shall extend beyond the front portion of the house/home.
- b. A carport shall not have enclosing walls.
- c. A structure shall not be considered to be a carport unless it is located directly over a driveway.

#### **Porte Cochere**

- a. The ACC may approve an application for the installation of a Porte Cochere on a case by case basis. A Porte Cochere may be approved to be constructed in place of a carport for homes where the carport would extend past the front of the home if constructed.
- b. A Porte Cochere must be built with same or similar materials as the main structure and be aesthetically pleasing.

Carports/porte cochere located on corner lots shall not be located closer than twenty-five feet (25') to the intersection. This distance shall be measured from the intersection of property lines common with street right-of-way lines.

The maximum width of a carport/porte cochere shall not exceed the width of the garage if placed over driveway.

Carport/porte cochere must not alter, restrict, or impede the drainage of water across neighboring lots. If a proposed carport/porte cochere location is less than five feet (5') away from a side lot line, the ACC will require that it be guttered with down spouts.

The ACC will not approve the construction of a carport/porte cochere that is to be placed within any setbacks or easements.

Detailed plans **MUST** be submitted to the ACC as part of the application. Please include a copy of your survey showing all setbacks and easements with the footprint plotted.

### **Room Additions**

The ACC may approve an application to add a new room. Any room addition must be constructed such that the addition's outward appearance matches the original residence as close as possible.

### **Exterior Lighting.**

Additional exterior lighting should be of a wattage or lumen count which will not affect neighboring homes.

### **Awnings/Window Shades**

Awnings visible from a front or side street may be approved on a case by case basis. Awnings on the rear portion of a lot do not require approval.

### **Wind Turbines**

Must maintained and good working condition. Must not generate unreasonable noise levels which would disturb the quiet enjoyment of other residents. Homeowner should take steps to reduce noise levels.

### **Weathervanes**

Will be permitted if they are black metal, stationary, and are mounted on the garage roof. Although most weathervanes have a standard staff, unusual height may be cause for rejection.

### **Birdhouses**

Certain types of bird houses are generally maintained on a tall pole of otherwise unacceptable height. This item will be considered acceptable if the total height (pole plus bird house) does not exceed twelve feet (12') above the ground, is painted and maintained in good condition. Such an item must be within the fenced area of the property and no more than four (4) per property is allowed.

### **Burglar Bars and Gates**

The use and/or installation of burglar bars on the exterior of any window or door will not be approved.

### **Windows and Storm/Screen Doors**

The ACC may approve the installation of windows and storm/screen doors, provided that the following criteria are met:

- a. All glass surfaces and all screens must be whole (No broken windows or damaged screens).
- b. All windows on an elevation must be screened to be considered for approval.
- c. No aluminum foil, reflective film, paper, newspaper, or similar treatment shall be placed on windows or glass doors at any time.
- d. Shades, shutters, curtains, blinds, and all other window coverings visible from the street or a neighboring property shall be maintained in good condition at all times.
- e. The frames of windows and storm doors must be of a color compatible with the exterior house colors and/or general use and appearance of the house.
- f. Solar screens are permitted on windows. A homeowner must keep the solar screens compatible with the existing aesthetics of the home. The frame finish must be bronze, white, or aluminum to match the existing window frame. Screens may be either black, dark gray or dark brown.
- g. Solar film (window tinting) must be a non-reflective type.
- h. All storm/screen doors must be maintained in usable condition and kept in acceptable appearance. No damaged/missing screens, no broken/missing glass.

### **Yard Ornaments and Fixtures**

All yard/lawn ornaments installed outside of the fenced portion of the property, whether temporary or permanent, may not exceed six-feet (6') in height.

- a. **Items on Porches:** In general, items kept on porches such as furniture and planters will not require written permission unless a specific complaint is received. For purposes of Architectural Control, an Owner may keep for prolonged periods, items of furniture, ornaments, or planters on the front porch of their home without the written permission or consent of the ACC.
- b. **Items in Enclosed Yards:** The intent of the ACC is to permit the greatest possible flexibility for use of improvements in enclosed yards. In general, items of 6 feet or less in height, of a temporary or mobile nature and kept within the confines of the fenced yard area will not require written approval. It will not matter whether the item(s) is visible from the street or an adjoining property as in the case of items behind wrought-iron fences. Such items may be composed of any material and be of any color.
- c. **Front Yard Items:** Those items kept permanently, or for prolonged periods, outside of the fenced area of the property and receives the greatest visibility, may require written approval.
- d. **Appearance:** In order for an improvement to qualify for acceptance it must blend with the composition and tone of the surrounding area. The Architectural Review ACC and the Board will exercise their judgment to determine this compatibility. Planters made of any combination of natural wood, wrought-iron, brick, stone, clay, pottery, or concrete. The test for permissibility for this class of item will be the extent to which it blends into the overall landscape of the surrounding properties. This will require a subjective judgment on the part of the ACC. However, the ACC should not judge the item on artistic taste, but on the extent to which the item blends or stands out.

Such items shall be kept in the same quality of repair as is required of the home and land as specified in the CCR's. The Committee or Board will only make a judgment if a specific complaint is received.

Nothing offensive in nature, to be reviewed by two (2) or more board members.

### **Holiday Decorations**

- a. Holiday decorations are both permitted and encouraged and will not require approval by the ACC.
- b. Decorations may be installed no sooner than forty-five (45) days prior to said holiday and must be removed within fifteen (15) days after said holiday for which they are intended.
- c. The ACC reserves the right to require the removal of decorations that either generate complaints or are deemed offensive.
- d. All decorations must be in good condition.

### **Rain Gutters**

- a. Rain gutters shall be properly maintained. Sagging or falling gutters are not allowed. Down spouts must be firmly attached to the home.
- b. All gutter trim and accent colors are to be in harmony with the primary color of the house. The color of the gutters must blend into the trim of the house.
- c. The ACC reserves the right and discretion to determine whether any gutter or related item is properly maintained.

## **Exterior Painting**

- a. Approval is not needed if repainting or touch-up with existing color.
- b. Paint colors within the Earth tone / neutral color family (i.e. black, brown, tan, beige, green, muted red or grey) or light pastel colors do not require approval.
- c. Extremely bold or obnoxious colors (i.e. purple or pink) are prohibited, contact ACC for review.
- d. Main color and trim color schemes should complement one another.
- e. Front doors must be maintained. They may be stained or painted.
- f. Any questions or concerns regarding exterior painting, please contact the Board or ACC.

## **BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION ANIMALS/PETS AND LIVESTOCK GUIDELINES**

Common household pets such as cats, dogs, caged rodents, caged reptiles, birds, rabbits are permitted. The phrase “household pets” shall not include pigs, swine, horses, farm animals, fowl, or exotic animals. Consistent with its use as a residence, household pets may be kept on a lot, provided that following conditions are fully complied with:

- a. The animal(s) are not kept, bred, or maintained for any business purposes.
  - i. The sale or offer for sale, barter or giving away of baby chicks, ducklings or other fowl or rabbits as pets or novelties, whether or not dyed, colored or otherwise artificially treated, is prohibited.
- b. No more than three (3) such pets shall be kept on a lot.
- c. The perimeter boundary of the lot upon which such pets are being kept is fenced with a fence adequate to retain such pets.
- d. The animal must be domesticated and not wild.
- e. The animal must not cause a nuisance to residents within the vicinity. Barking dogs may be considered to be a nuisance.
- f. No dog allowed by this Policy shall be allowed outside the lot upon which it is being kept unless restrained by an appropriate leash. All animals must have up to date vaccinations and a collar with a tag containing current information.
- g. Domestic livestock shall not be permitted. Domestic livestock include, but not limited to, cattle, horses, swine, sheep, goats, and geese.
  - i. Notwithstanding the foregoing prohibition on livestock, up to three (3) chickens are allowed provided that they remain within a chicken coop. Chickens shall not be allowed to roam free at any time. Roosters shall not be permitted.
- h. Vicious or dangerous animals shall not be permitted. A vicious or dangerous animal includes:
  - i. Any animal which has behaved in such a manner that the owner knows or should reasonably know that the animal is possessed of tendencies to attack or to bite human beings or other animals.
  - ii. Any animal certified by a Doctor of Veterinary Medicine, after observation thereof, as posing a danger to human life, animal life, or property upon the basis of a reasonable medical probability.
  - iii. Any animal that commits an unprovoked attack on a person or animal on public or private property.
  - iv. Any animal that attacks or threatens to attack a person or animal; or
  - v. Any dog that meets the definition of a “dangerous dog” pursuant to Section 822.041 of the Texas Health and Safety Code.
- i. Wild Animals

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Wild/Exotic animal* means any wild mammal, amphibian, reptile, or fowl which is not naturally tame or gentle but is of a wild nature or has other characteristics which would constitute a danger to human life or property if it is not kept or maintained in a humane, safe manner or in secure quarters. Such animals shall include but not be limited to wolves/coyotes, wallaby/kangaroo, primates, raccoons, skunks, and bats.

- i. *Caging.* It shall be unlawful for anyone to keep or harbor any wild animal within the city limits unless the wild animal is kept in a cage in a humane, safe manner and in secure quarters or cage sufficient to contain such animal at all times. No such animal shall be housed within 100 feet of any property line if the cage is outside.
- ii. *Running at large.* It shall be unlawful for anyone who owns, raises, or keeps any wild animal to allow the wild animal to be at large outside of its secure quarters or cage. If such animal is discovered outside of the secure quarters or cage, it shall be presumed that the person who owns, raises, or keeps the wild animal, willfully allowed it to roam at large outside the secure quarters or cage.
- iii. *Registration.* Any person keeping a wild animal within the city limits shall register the wild animal with the animal control division of the police department and the BCIA by submitting a registration application prior to bringing such wild animal in the city limits.

Any person who observes a dangerous animal should immediately report such animal to the City of La Porte Animal Control @ 281-471-3810.

## **BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION STORAGE, PARKING AND REPAIR OF VEHICLES GUIDELINES**

- a. **Parking** - Any vehicle parked at any time on a residential lot in any area other than on a paved driveway or within a garage. Vehicles may NOT be on the street for a longer continuous period of time than 72 continuous hours during any consecutive 7 days. Vehicles shall not be moved from place to place in the subdivision to avoid the intent of this prohibition. Vehicles must be parked parallel to and within 18" of the curb or edge of roadway. Vehicles may NOT be parked within 30 feet on the approach to a stop sign located at the side of a roadway; or within 20 feet of street corner.
- b. **Recreational Vehicles and/or Trailers** - Recreational vehicles and/or trailers must be screened from public view. If not screened from public view, then MUST be removed from public view. May be within/behind a fenced area on said property; not to exceed front of residence. Must be maintained and in good working condition. No person shall leave, stand or park a recreational vehicle/trailer, either attached or unattached to a motor vehicle, in the main traveled portion of roadway, or any portion of a residential street, for any period of time.

*Recreational Vehicles, as used in this provision, shall mean and refer to include, without limitation: all motor homes and camper trailers (self-contained motor coaches, 5th wheel, hitch mounted, truck mounted, pop-up camper, camper vans), boats/watercrafts, jet skis, off-road/dirt bikes (motorcycles), mini-bikes, scooters, go-carts, buses, passenger vans (11 passengers or greater) and/or trucks used solely for recreational purposes, so called "gasoline powered all-terrain vehicles" (including but not limited to motorized dirt bikes, side-by-sides, 3-wheelers, "gators," and 4-wheelers), and all trailers, open or enclosed used to transport or store such recreational vehicles*

*Exceptions: Recreational vehicles may be parked on a Lot for seasonal preparation or servicing for up to 48 continuous hours within a consecutive 5day period, after which they must be removed from public view.*

- c. No owner of any lot in the subdivision or any visitor or guest of any owner shall be permitted to perform work on automobiles or other vehicles in driveways other than work of a temporary nature. For the purposes of the foregoing term, "temporary" shall mean that the vehicle shall not be worked on in driveways in excess of forty-eight (48) hours.
- d. No truck larger than a two (2) ton pickup, bus or unused or inoperable automobiles shall be parked or kept in the street in front of, or side of any lot or on any lot.

### **BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION DISPOSAL OF TRASH GUIDELINES**

The storage of trash bags in public view may negatively impact the overall appearance and the property values of the community.

- a. No trash, rubbish, garbage, manure, debris or offensive material of any kind shall be kept or allowed to remain on any lot, nor shall any lot be used or maintained as a dumping ground for such materials.
- b. All such matters shall be placed in containers constructed of metal, plastic or masonry materials with tightfitting sanitary covers or lids.
- c. Equipment used for the temporary storage and/or disposal of such material prior to removal shall be kept in a clean condition and shall comply with all current laws and regulations and those which may be promulgated in the future by any federal, state, county, municipal or other governmental body with regard to environmental quality and waste disposal.
- d. In a manner consistent with good housekeeping, the owner of each lot shall remove such prohibited matter from their lot at regular intervals at their expense.
- e. Placement for collection; location.
  - i. trash cans, trash receptacles, recycle bins and/or trash bags to be placed at curbside, on days designated for trash collection or after 3:00 PM on days prior designated trash collection days.
  - ii. Disposable refuse bags of garbage, trash, rubbish, debris and tree limbs shall be placed at the curbside of the street, in front of the property, within three feet of the curb, so as to be readily accessible to the city solid waste vehicles.
  - iii. Trash shall not be placed next to fences, mailboxes or structures; in streets or alleys; in drainage structures or ditches; or under power lines or low hanging trees.
  - iv. It shall be unlawful for any person to throw/deposit upon any street, right-of-way, easement or other public/private property, garbage, trash or any other substance.
  - v. Heavy trash should be placed no earlier than 5 days prior to scheduled date. The Association has a zero tolerance for heavy trash violations.

### **BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION PORTABLE/TEMPORARY STORAGE UNITS AND DUMPSTERS GUIDELINES**

Portable temporary storage units (such as containers provided by but not limited to; PODS, Smart Boxes, or other similar moving and storage companies for the storage of personal property) or temporary construction dumpsters will be permitted under the following conditions:

- a. The temporary storage unit and/or dumpster will be allowed within the community for no more than seven (7) days.
- b. Temporary storage units and temporary dumpsters may only be placed in a Lot's driveway. They are not allowed on the street or in the yard/grass/sidewalk.

- c. Only one (1) storage unit and/or one (1) dumpster per home will be permitted.
- d. The homeowner shall be responsible for the cost and repair of any damage caused by the placement, storage and/or removal of such a unit to any common property/areas, which includes parking lots.
- e. The homeowner shall provide the Board of Directors with written notice of their intent to use a storage unit/dumpster prior to having the unit delivered to their Lot. Such notice shall include the dates the storage unit or dumpster are anticipated to be located on the Lot.
- f. The length of time needed for the portable storage unit and/or dumpster may be extended through communication with the Association. Additional time may be granted for extenuating circumstances. The Board of Directors reserves the right to grant additional time as determined on a case-by-case basis.

### **BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION GOLF CART GUIDELINES**

Golf carts are permitted within the community provided they meet the following requirements:

- a. The owner/operator must maintain liability insurance;
- b. The operator must be licensed to operate motor vehicles by the Texas Department of Transportation.
- c. Golf carts must be equipped with headlights, tail lamps, reflectors, parking brakes, rearview mirrors, and a slow-moving vehicle emblem (warning triangle).
- d. Golf carts must follow all local, state and federal regulations.

### **BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION DRONE USAGE GUIDELINES**

Drones must be operated in accordance with all applicable federal, state and local regulations. The operation of drones must comply with the following conditions:

- a. No drone may be operated over property belonging to another without the owner's consent.
- b. Drones may only be operated during the daytime.
- c. Drones must be kept within the operator's visual line of sight during operation.
- d. Drones shall not be flown below roof line of neighboring properties at any time.
- e. Video and photography of others within the community taken from drones without such individual's prior written consent is not permitted.
- f. Drones may not be operated in such a manner as to cause a nuisance or disturbance to others within the community.
- g. Drone operators assume all risks and liabilities involving the operation of the drone.
- h. Operators must be at least 13 years of age.

### **HOME OCCUPATION / BUSINESS USE GUIDELINES**

No business, professional, commercial or manufacturing use shall be made of any Lot or Property within Brookglen, which use may create or cause excessive noise as to disturb the surrounding neighbors. All properties are restricted to single-family residential use. Online or in-home ancillary business uses, which cause no impact to the community, and which have no outward appearance of any form of business use are permissible, provided that such uses create no increased vehicular and/or pedestrian traffic, create no additional on-street parking, and no outward appearance of any business activity. The selling of firearms, drugs and/or hazardous products is prohibited throughout the Brookglen neighborhood.



**BROOKGLEN COMMUNITY IMPROVEMENT ASSOCIATION  
GUIDELINES FOR STANDBY ELECTRIC GENERATORS**

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

WHEREAS, the By-Laws governing Brookglen Community Improvement Association (“the Association”), as well as the pertinent provisions of the Texas Property Code, and the Texas Business Organizations Code, authorize the Association, acting through its Board of Directors, to exercise all powers reasonable and necessary for the governance and operation of the Association;

WHEREAS, Chapter 202 of the Texas Property Code, at Section 202.019, addresses the use and regulation of Standby Electric Generators; and

WHEREAS, the Board of Directors of the Association (“the Board”) has determined that in keeping with current laws, and in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding electric generators located therein, it is appropriate for the Association to adopt guidelines regarding the use and placement of standby electric generators within the community.

NOW, THEREFORE, the Board has duly adopted the following Guidelines for Standby Electric Generators within the community.

1. These guidelines apply to “standby electric generators” (hereinafter “Generators”) which convert mechanical energy to electrical energy, and which are powered by natural gas, liquefied petroleum gas, diesel fuel, biodiesel fuel, or hydrogen, and which are fully enclosed in an integral manufacturer-supplied sound attenuating enclosure, and which are connected to the main electrical panel of a residence by a manual or automatic transfer switch, and which are rated for a generating capacity of not less than seven kilowatts. All other generator devices are not governed by the statute, and are not acceptable for permanent installation within the community.
2. Generators shall be installed and maintained in compliance with the respective manufacturer’s specifications.
3. Generators shall be installed and maintained in compliance with all applicable governmental health, safety, electrical, and building codes.
4. Generators shall be installed in such a manner that all electrical, plumbing, and fuel line connections are installed only by licensed contractors.
5. Generators shall be installed in such a manner that all electrical connections are installed in accordance with all applicable governmental health, safety, electrical, and building codes.
6. Generators shall be installed in such a manner that all-natural gas, diesel fuel, biodiesel fuel and/or hydrogen fuel line connections shall be installed in accordance with applicable governmental health, safety, electrical, and building codes.
7. All liquefied petroleum gas fuel line connections shall be installed in accordance with rules and standards promulgated and adopted by the Railroad Commission of Texas, as well as all other applicable governmental health, safety, electrical, and building codes.

8. All fuel tanks shall be installed and maintained to comply with applicable municipal zoning ordinances and governmental health, safety, electrical, and building codes.
9. Generators, as well as all electrical lines, fuel lines, connections, tanks, switches and other components shall be maintained in good condition. Any such item which has become deteriorated or unsafe shall be promptly repaired, replaced or removed.
10. Generators shall be installed in locations which are screened from view to the greatest extent possible, preferably in the back yard of the respective property, and behind a wood fence. Generators which are visible from the street faced by the respective dwelling, or located in an unfenced side or rear yard and visible either from an adjoining residence or from adjoining property owned by the Association, or located in a side or rear yard which is fenced by a wrought iron or aluminum fence shall be screened from view by additional plantings, bushes, shrubs and/or additional fencing, which fencing must be pre-approved by the Association;
11. Generators which require periodic testing may be so tested only between the hours of 7:30 a.m. and 6:30 p.m.
12. Generators shall not be used to generate all or substantially all of the electric power to a residence, except when utility-generated electrical power is not available or is intermittent due to causes other than nonpayment for utility service to the residence;
13. Generators must be installed on land or structures owned by the property owner. No portion of any Generator, nor any component thereof, may encroach on adjacent properties or common areas.
14. Generators must be installed in compliance with manufacturer's instructions and specifications, and in a manner, which does not void material warranties. Licensed craftsmen must be used where required by law. Permits must be obtained where required by law.
15. Installation of a Generator must be pre-approved by the Association and/or its Architectural Committee.

These guidelines are effective upon being recorded in the Official Public Records of Real Property of Harris County, and supersede any guidelines for Generators which may have previously been in effect. Except as affected by Section 202.019 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.

CERTIFICATION

"The undersigned, being a Director of Brookglen Community Improvement Association, Inc., hereby certify that the foregoing Resolution Regarding Adoption of Statutory Policies and Guidelines was adopted by the Board of Directors of Brookglen Community Improvement Association, Inc., at a meeting of such Directors at which a quorum was present, or as otherwise authorized by law."

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

Director, Brookglen Community Improvement  
Association, Inc.

Print Name: \_\_\_\_\_

Richard Warren

STATE OF TEXAS

§

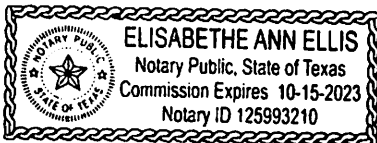
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COUNTY OF HARRIS

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Before me, the undersigned authority, on this day personally appeared Richard Warren, President (position) of Brookglen Community Improvement Association, Inc., a Texas non-profit corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said entity for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 5 day of August, 2021.



Elisabette Ellis  
Notary Public, State of Texas