

RESOLUTION ESTABLISHING RULES AND REGULATIONS
GOVERNING USE OF DISTRICT FACILITIES

WHEREAS, City of Kemah Municipal Management District No. 1 (the “District”), is a conservation and reclamation district, a governmental agency and body politic of the State of Texas created pursuant to Article XVI, Section 59 of the Texas Constitution, Chapter 3976 of the Texas Special District Local Laws Code, Chapter 375 of the Texas Local Government Code, and Chapters 49 and 54 of the Texas Water Code, as amended; and

WHEREAS, was created and organized for the purpose, among others, of providing water, wastewater, and drainage facilities to serve the areas within its boundaries; and

WHEREAS, in order to carry out these purposes, the District has or will acquire drainage and detention facilities, including detention ponds, and land associated with said facilities (collectively, the “Drainage and Detention Facilities”); and

WHEREAS, the Board of Directors of the District finds it necessary to adopt rules and regulations relating to the use of the Drainage and Detention Facilities to ensure that the Drainage and Detention Facilities continue to serve detention and drainage purposes and to establish penalties for the violation thereof; and

WHEREAS, the Board of Directors of the District, under the authority of Section 54.205 of the Texas Water Code, may adopt and enforce reasonable rules to regulate privileges on land owned or controlled by the District; and

WHEREAS, Section 49.004 of the Texas Water Code provides that the Board of Directors may set reasonable civil penalties for the breach of any rule of the District in an amount not to exceed \$20,000; NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CITY OF KEMAH MUNICIPAL MANAGEMENT DISTRICT NO. 1 THAT:

Section 1: The facts recited above are hereby declared to be true and correct.

Section 2: Pursuant to its authority under Section 54.205 of the Texas Water Code, the District hereby adopts, and considers appropriate and reasonable, the rules and regulations relating to the Drainage and Detention Facilities attached hereto as **Exhibit A** (the “Rules and Regulations”).

Section 3: Any person, corporation or other entity violating the Rules and Regulations of this Resolution may be subject to a fine of up to \$20,000 per violation, as provided for in Section 49.004 of the Texas Water Code.

Section 4: The District is hereby authorized to publish a substantive statement of these rules, regulations and penalties as required by Section 54.207 of the Texas Water Code, and such penalties described herein shall be effective and enforceable five days after publication.

[EXECUTION PAGE FOLLOWS]

PASSED, APPROVED AND EFFECTIVE this ___ day of _____, 2026.

President, Board of Directors

Secretary, Board of Directors

(SEAL)

Exhibit A

**RULES AND REGULATIONS GOVERNING THE USE OF CITY OF KEMAH
MUNICIPAL MANAGEMENT DISTRICT NO. 1 (THE “DISTRICT”)
DRAINAGE AND DETENTION FACILITIES**

Unless specifically authorized by the District’s Board of Directors, the following rules and regulations apply to all District drainage and detention facilities, including detention ponds, and land associated with said facilities (collectively the “Drainage and Detention Facilities”).

1. No unauthorized motorized boats or other types of boats shall be allowed in or on the Drainage and Detention Facilities.
2. Use of motorized vehicles, other than upon roads, streets, parking lots, or other areas designated for such purpose, is prohibited.
3. No swimming or wading shall be allowed in the Drainage and Detention Facilities.
4. No person shall use the Drainage and Detention Facilities for any purpose other than for the purpose for which it was designed or designated.
5. No one (even property owners owning land adjacent to the Drainage and Detention Facilities) may construct improvements or structures of any kind that extend or encroach into the Drainage and Detention Facilities without District approval. Any such improvements or encroachments may be removed by the District at the expense of the installing party.
6. There shall be no dumping of any trash or other substances into the Drainage and Detention Facilities.
7. Bringing in and/or disposing of outside garbage is prohibited.
8. Leaving garbage, cans, bottles, papers, or other refuse within the Drainage and Detention Facilities is prohibited.
9. There shall be no activities that are dangerous, create a danger to the public, or are considered a public nuisance on the Drainage and Detention Facilities.
10. There shall be no use of the Drainage and Detention Facilities between the hours of 10:00 p.m. and 6:00 a.m.

11. Fishing in the Drainage and Detention Facilities is prohibited.
12. The harassment, killing, or catching of wildlife is prohibited.
13. No unauthorized construction, excavation, filling or dredging shall be allowed.
14. Carrying or discharging of any firecrackers, rockets, torpedoes, or any other fireworks, air-guns or slingshots, or discharging of any firearm, is prohibited.
15. Possession or consumption of alcoholic beverages or illegal drugs is prohibited.
16. Glass bottles of any type shall not be brought into the Drainage and Detention Facilities.
17. There shall be no burning of materials of any kind in the Drainage and Detention Facilities.
18. No person shall damage, cut, break, injure, deface or disturb any tree, shrub, plant, rock, building, cage, monument, deck, fence, bench or other structure, apparatus or property; or to pull up, cut, take or remove any shrub, bush, plant or flower; or to mark or write upon, paint or deface in any manner, any building, monument, deck, fence, bench or other structure.

These Rules and Regulations are in addition to, and not in lieu of all Federal, State and municipal laws, rules and regulations applicable to the Facilities.

The provisions of these Rules and Regulations are severable. If any word, phrase, clause, sentence, section, provision or part of these Rules and Regulations should be held invalid or unconstitutional, it shall not affect the validity of the remaining provisions, and it is hereby declared to be the intent of the Board of Directors that these Rules and Regulations would have been adopted as to the remaining portions, regardless of the invalidity of any part.

These Rules and Regulations may be amended at any time at the discretion of the Board of Directors.

A copy of the Rules and Regulations are on file in the principal office of the District, Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas 77027, where they may be read by any interested person.

Any violation of these rules shall subject the violator to a penalty not to exceed Twenty Thousand Dollars (\$20,000) for each violation. Each day that a violation of any of these rules hereof continues shall be considered a separate violation.

Use of Facilities shall be at the sole risk of each individual. The District accepts no responsibility or liability for any injuries sustained by a user as result of such use.

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

I, the undersigned officer of the Board of Directors of City of Kemah Municipal Management District No. 1 of Galveston County hereby certify as follows:

1. The Board of Directors of City of Kemah Municipal Management District No. 1 convened in regular session on _____, 2026, outside the boundaries of the District, and the roll was called of the members of the Board:

Keeley Chapman	President
Grisel Wallace	Vice President
Deborah Bennett	Secretary
Randy Stiefel	Assistant Secretary
Ryan Hvitlok	Assistant Vice President

and all of said persons were present except Director(s) _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting: a written

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was introduced for the consideration of the Board. It was then duly moved and seconded that the resolution be adopted, and, after due discussion, the motion, carrying with it the adoption of the resolution, prevailed and carried.

2. A true, full, and correct copy of the aforesaid resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; the action approving the resolution has been duly recorded in the Board’s minutes of the meeting; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid meeting, and that the resolution would be introduced and considered for adoption at the meeting, and each of the officers and members consented, in advance, to the holding of the meeting for such purpose; the meeting was open to the public as required by law; and public notice of the time, place, and subject of the meeting was given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code.

SIGNED AND SEALED on _____, 2026.

Secretary, Board of Directors

(SEAL)