

Kenswick Homeowners' Association

REGULATION OF COMPOSTING DEVICES, RAIN BARRELS, RAINWATER HARVESTING DEVICES, AND IRRIGATION SYSTEMS

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, the Board of Directors desires to amend its dedicatory instruments with the intent of regulating composting devices, rain barrels, rainwater harvesting devices, and irrigation systems;

NOW, THEREFORE, BE IT RESOLVED THAT the following policy is hereby adopted by the Board of Directors.

I. POLICY

1. General Provisions

- a. Subject to written approval from the Association, an 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, the Association must approve such turf in writing in order to encourage or require water-conserving turf.

2. Composting Devices

- a. The Association 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 Association 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 Association 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 Association to permit a rain barrel or rainwater harvesting system 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

