

ORDER NO. 019-09  
(As Amended)

**AN ORDER OF THE BOARD OF DIRECTORS OF THE WOODLANDS TOWNSHIP ADOPTING RULES AND REGULATIONS GOVERNING THE USE OF THE PARK, RECREATION AND OPEN SPACE AREAS OF THE TOWNSHIP; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$500.00 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.**

WHEREAS, pursuant to Chapter 289, Acts of the 73<sup>rd</sup> Legislature, Regular Session, 1993, as amended (the "Act") the Board of Directors (the "Board") of The Woodlands Township (the "Township") is authorized to regulate the private or public use of the Township's facilities, including parks, to provide for the safe and orderly use thereof; and

WHEREAS, the Township owns and operates Town Green Park and Waterway Square and will in the foreseeable future assume the ownership and operation of a number of community parks, pools, pathways and open space reserves; and

WHEREAS, in accordance with the authority granted by the Act, and having found and determined that the adoption of rules and regulations governing the use of Town Green Park and Waterway Square was necessary and appropriate and would promote the safe and orderly use of such parks, the Board did, by Order No. 001-007 and Order No. 006-008, pass and approve the 24<sup>th</sup> day of January, 2007 and the 26<sup>th</sup> day of March, 2008, respectively (the "Prior Orders"), adopt such rules and regulations governing the use of Town Green Park and Waterway Square; and

WHEREAS, the Board now deems it necessary and appropriate to repeal the Prior Orders and to adopt similar rules and regulations to apply to Town Green Park, Waterway Square and to all other parks, pools, pathways and open space reserves owned, or to be owned, by the Township, or in which the Township has or may hereafter have a real property interest in order to promote the safe and orderly use of all the parks, pools, pathways and open space reserves.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WOODLANDS TOWNSHIP THAT:

**SECTION 1.** The facts and matters set forth in the preamble of this Order are hereby found to be true and correct.

**SECTION 2.** The Board of Directors of The Woodlands Township hereby adopts and promulgates the following rules and regulations:

- A. DEFINITIONS.** For the purposes of this Order, or the rules and regulations adopted hereby, the following words, terms and phrases shall have the meanings ascribed thereto, unless the context clearly indicates otherwise:

- i. **Alcoholic Beverage** means any substance containing more than one-half of one percent (.5%) of alcohol by volume, which is suitable or intended for use as a beverage, either alone or diluted.
- ii. **All Weather Field** means a field made of synthetic materials used for soccer, football, baseball, softball, lacrosse, rugby or similar sports.
- iii. **Amplified Sound** means music, sound wave, vibration or speech projected or transmitted by electronic equipment, including amplifiers or other devices.
- iv. **Athletic Fields** and **Athletic and Recreation Facilities** mean soccer, football, baseball, softball, lacrosse and rugby fields, tennis, basketball and volleyball courts, swimming pools, activity rooms, the Recreation Centers, Boat Houses, Adventure Course, park pavilions and all similar sport or athletic facilities of the Township.
- v. **Area Park** means a recreational area, usually between 2 and 4 acres in area, and developed centrally within several neighborhoods to encompass an approximate ½ mile service radius, which contains tennis and basketball courts.
- vi. **Busking** means the act of performing in a public space for voluntary donations, including but not limited to, musical performances, dance, magic acts, living statues or other artistic expressions. Busking does not include organized events, commercial vendors or performances requiring infrastructure.\_
- vii. **Commercial Event** means a large event, more than 300 people, held by for-profit organizations which are open to public participation (fee or free) and may include, but are not limited to, a fair, festival, exhibition, carnival centered around music, art, culture, food, car/truck/vehicle, etc. A donation to a nonprofit does not constitute the event being a noncommercial event.
- viii. **Daily Use** means one-day use, not to exceed one 24-hour period.
- ix. **Department** means the Parks and Recreation Department of the Township.
- x. **Explosives** mean any chemical compound, mixture or device that is commonly used or intended for the purpose of producing an explosion.
- xi. **Motor Vehicle** means every device in, upon or by which any person or property is or may be transported or drawn upon a roadway, except devices moved by human power.
- xii. **Neighborhood Park** means a small recreational area, usually between 0.5 and 2 acres in area, and developed centrally within the neighborhoods to encompass an approximate ¼ mile service radius, serving as a recreational and social focus of the neighborhoods.
- xiii. **Non- Resident** means a person who does not meet the definition of a Resident.
- xiv. **Non-Profit Organization** means an organization which is organized and operated exclusively for exempt purposes set forth in IRS Section 501.
- xv. **Nude** means being entirely unclothed or clothed in a manner that leaves

- uncovered or visible through less than fully opaque clothing any portion of the breasts below the top of the areola of the breasts, if the person is female, or any portion of the genitals or buttocks.
- xvi. **Park or Parks** includes, but is not limited to, parks, swimming pools, playgrounds, sports fields, courts, ponds, lakes, open space reserves and similar facilities of the Township.
- xvii. **Pathway or Pathways** means the paved and unpaved area that comprises the Township Pathway System.
- xviii. **Park and Ride** means properties owned and/or operated by the Township for use in providing Public transportation services such as bus, carpool and trolley services.
- xix. **Pet** means a domesticated animal kept for pleasure, rather than utility.
- xx. **Procedures** are guidelines set forth by the President/CEO of the Township, or his/her designee, to provide specific directions and instructions and to assign or identify responsibilities towards achieving intended results.
- xxi. **Public** means both Residents of the Township and non-residents.
- xxii. **Qualified Organization** means any non-profit organization which promotes or sponsors athletic, recreational or social activities and primarily serves residents of the Township, and which meets the criteria set forth herein.
- xxiii. **Resident** means a person who owns property within The Woodlands Township boundaries and/or whose primary residence, either as an owner or a renter, is in The Woodlands Township.
- xxiv. **Road** means any public or private road intended for use for the passage of Motor Vehicles within a Park.
- xxv. **ROSR** means a restricted open space reserve.
- xxvi. **Season or Seasonal Use** means a period of at least eight (8) weeks with consistent weekly and weekend use.
- xxvii. **Sexual Conduct** means the exhibition or representation, actual or simulated, of sexual acts, including vaginal sex, anal sex and masturbation; the exhibition or representation, actual or simulated, of male or female genitals in a lewd state, including a state of sexual stimulation or arousal; the exhibition of a device designed and marketed as useful primarily for the sexual stimulation of male or female genitals; actual contact or simulated contact occurring between one person and the buttocks, breast or any part of the genitals of another person; or the exhibition of sexual gesticulations using accessories or prosthetics that exaggerate male or female sexual characteristics.
- xxviii. **Sexual Oriented Performance** means a visual performance that features a performer who is nude or any other performer who engages in sexual conduct and appeals to the prurient interest in sex.
- xxix. **Sign** means a sign, placard, commercial or personal advertisement, flag, banner or other similar advertising or promotional device, but does not include directional, instructional, wayfinding or monument signs.
- xxx. **Special Event** means a pre-planned temporary major activity involving

use of Township property (owned, operated and/or managed) or roads. Such activities are customarily held for purposes of entertainment, celebration, amusement, cultural recognition, fundraising, arts and crafts displays and/or sales and sports demonstrations or competitions aimed at drawing crowds that may impact surrounding neighborhoods, traffic flow or the community as a whole.

- xxxi. **Town Center** means the area bordered by Grogan’s Mill Road on the west, Woodlands Parkway on the south, Research Forest Drive on the north and Interstate 45 on the east; and the area known as Hughes Landing, which is bordered by Lake Woodlands Drive to the south, Lake Woodlands to the west, Lake Front Drive to the east and Research Forest Drive to the north.
- xxxii. **Township** means The Woodlands Township.
- xxxiii. **Township Facility** or **Township Facilities** means any Park, Pathway, Athletic Fields, Athletic and Recreation Facilities, Area Park, Neighborhood Park, Townwide Park, Urban Plaza, Village Park, Waterway Square, Open space, ROSR, Specific Use Facility, Road, Recreation Centers, Park and Ride (along with related Township owned or operated amenities for the proving public transit services such as trolleys, buses, other vehicles and facilities for such use) or any similar or related or appurtenant property or improvement owned or controlled by the Township, or in which the Township holds an interest in real property.
- xxxiv. **Townwide Park** means a large recreational area developed to accommodate large gatherings and events.
- xxxv. **Urban Plaza** means a public area developed typically in the Town Center to attract residents and visitors and which serves as a recreational or social focus of the Township.
- xxxvi. **Village Park** means a large recreational area, usually between 6 and 10 acres in area, and developed centrally within a Village to encompass an approximate one mile service radius, which includes a swimming pool.
- xxxvii. **Waterway Square** means that portion of Unrestricted Reserve “D” of The Woodlands Waterway Square tract as recorded in Cabinet “Z” Sheet 392 of the Montgomery County Map Records containing 0.883 acres.
- xxxviii. **Woodlands Waterway** means 1.8-mile water amenity that begins at The Woodlands Mall, continues through The Waterway Square District, and culminates with a connection to Lake Woodlands.
- xxxix. **Weapon** means any device manifestly designed, made or adapted for the purpose of inflicting death or serious bodily injury.
- xl. **Wildlife** means living animals that are not domesticated as a Pet.

**B. GENERAL POLICIES:**

- i. Park hours are from dawn to dusk unless specifically posted otherwise or designated herein. Lighted play courts and sports fields (e.g., tennis, basketball, soccer) close at 11:00 p.m. Northshore Park designated fishing area shall close at 11:00 p.m. Park use hours may be reduced

or extended by the President/CEO or their designee for permitted Special Events, or when deemed appropriate because of Special Events or activities, including maintenance activities. It shall be unlawful for any person other than authorized personnel and contractors to be within any park during hours that the park is closed; provided, however, that the use of Roads or Pathways shall be permitted at any time as a course of transportation. It shall be the responsibility of the President/CEO to submit to the Board of Directors, from time to time as appropriate, revisions to the park hours, as well as the hours of operation for swimming pools, Boat Houses, Texas TreeVentures (adventure course) and the Recreation Centers.

- ii. All parks of the Township shall be open for public use under such reasonable rules, regulations and policies as prescribed by the Township.
- iii. All parks of the Township shall be open to entry and use by all persons regardless of race, color, religion, sex or national origin.

#### **C. MOTOR VEHICLES:**

- i. It shall be unlawful for any person to operate a Motor Vehicle larger than one ton within any park, except for trucks making deliveries of materials, supplies and equipment for the use of the Township.
- ii. It shall be unlawful for any person to operate a Motor Vehicle in a Park except on Roads and in parking lots, in an unsafe manner, or at a speed in excess of 10 mph.
- iii. It shall be unlawful for any person to cause a Motor Vehicle to be parked within a Township Facility, except in designated parking areas and times.
- iv. It shall be unlawful for any person to operate a Motor Vehicle on a Pathway, except for approved maintenance vehicles and wheelchairs or scooters necessary for the physically disabled.

#### **D. DUMPING, LITTERING, VANDALISM:**

- i. It shall be unlawful for any person to willfully mark, deface, disfigure, injure, tamper with, displace or remove any of the Township's property or any other property within or appurtenant to any Park, swimming pool, open space, Pathway, Athletic Field or Athletic and Recreation Facility. It shall likewise be unlawful for any person to:
  - a. remove, destroy, damage, mark, cut, break or disfigure any tree, shrub, flower, grass or any other plant; or
  - b. plant any tree, shrub, vine, wildflower, grass or other types of plant material on or within any such facility without Township approval.
- ii. It shall be unlawful for any person to throw, release, discharge or otherwise place or cause to be placed in the air, waters or lands of any Township Facility, including any fountain, stream, pond, lake, open space reserve, storm sewer or drain, any substance or matter, liquid, solid or gaseous, which will or may result in the pollution of such air, water or

- land.
- iii. It shall be unlawful for any person to dump, deposit, discard or leave within any Township facility, any bottles, glass, ashes, boxes, cans, dirt, rubbish, waste, green waste, garbage or other forms of refuse or trash, other than in a Township designated receptacle suitable for such purposes.

**E. SAFETY OF USERS:**

- i. It shall be unlawful for any person to possess or use glass containers on or within a Township Facility.
- ii. It shall be unlawful for any person to build, or attempt to build, a fire anywhere within a Township Facility except in barbecue pits or fire rings provided at a Park or in portable barbecue grills or cooking stoves permitted in designated areas. It shall further be unlawful for any person to drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, hot embers or coals or any other similar material that could ignite a fire when placed in contact with a flammable material, except as authorized herein.
- iii. Except as otherwise specifically authorized by law, it shall be unlawful for any person to carry, or possess or discharge any firearm of any description, or any air rifle, spring gun, bow and arrow, slingshot, or any other form of weapon potentially harmful to Wildlife or humans, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device, in, along or within any Township Facility. It shall further be unlawful to discharge any firearm or weapon into any Township Facility from areas beyond its boundaries, except by duly authorized peace officers in the lawful exercise of their duties or appropriate use of approved bow and arrows at the Township Archery Range in accordance with posted range rules..
- iv. It shall be unlawful for any person to bring or possess, or set off, or otherwise explode, discharge or burn any fireworks or other form of explosives in, along or within any Township facility, unless specifically authorized to do so by the Township.
- v. It shall be unlawful for any person to swim, bathe or wade in any pond, open waters or waterways of any Township Facility, except in areas specifically designated for such purpose or by special permit issued by the President/CEO or their designee.
- vi. It shall be unlawful for any person to camp within any Township facility, except in areas specifically designated for such purpose or by special permit issued by the President/CEO or their designee.
- vii. It shall be unlawful for any person to cause or permit any wild or dangerous animal, or breed of animal that traditionally displays vicious tendencies, to be within Township facilities, or to cause or permit any domestic Pet to be within any Township facility unless such domestic Pet is under the direct control by the owner or possessor and securely leashed on a leash not to exceed ten (10') feet

- in length, except for domestic dogs within a designated off-leash dog friendly area or dog park.
- viii. It shall be unlawful for any person to fail to immediately remove any feces deposited in, along or within any Township Facility, including any Pathways, by a domestic Pet that is under the control or possession of such person.
  - ix. Horseback riding through, on and within any Township facility is prohibited unless duly authorized by action of the Township Board of Directors.
  - x. It shall be unlawful for any person who is metal detecting to interfere with other park users and park activities. Persons metal detecting shall restore ground to its previous condition.
  - xi. It shall be unlawful for any person operating a drone to interfere with other park users and park activities.
  - xii. It shall be unlawful for any person to consume any Alcoholic Beverage at, in or within any swimming pool, on the Texas TreeVentures Campus or area of Town Center designated by the Township as a “Children’s Use” area.

**F. PROTECTION OF ENJOYMENT:**

- i. It shall be unlawful for any person to practice or play at any game of basketball, tennis, pickleball, football, golf, cricket, lacrosse, soccer, polo, hockey or other game of like character in any Park, except at the places or the facility designed, set apart or designated as grounds for such purposes.
- ii. It shall be unlawful for any person to paste, glue, tack or otherwise post any sign in, along or within any Township facility, except for identification signs of duly licensed concessionaires or contractors, and then only pursuant to and under the authority and regulation of the Township.
- iii. Except in the case of Special Events produced by or permitted by the Township, it shall be unlawful for any person to use, operate or allow to be used or operated any device for the production of Amplified Sound in such a manner as to disturb the peace, quiet, comfort or enjoyment of persons within any Park. No person shall conduct, permit or allow any amplified sound source to produce a sound discernible at any location beyond the property lines of the property on which the sound is being generated that when measured exceeds 85db during the permitted amplified sound time period. This prohibition may be waived pursuant to a Special Event permit issued by the President/CEO or their designee if the event normally includes sound production, such as concerts, fireworks displays or similar events.
- iv. Except pursuant to Special Events permits and facility reservations permits approved and issued by the President/CEO or their designee, no area of a Township Facility shall be reserved or used for organized

events, such as sports league games or practices, concerts, weddings, family reunions or group meetings, or any other similar function that would substantially impede access to or use of such Township Facility by members of the general public.

- v. It shall be unlawful for any person to solicit funds or donations or to sell or offer to sell any article, services or goods, or to station or place any stand, cart, kiosk or vehicle for the transportation, sale or display of any such article, good or service, or to announce, advertise or call the public's attention to any article, good or service for sale or hire, including the distribution of circulars within any Township Facility, unless such person is operating as a duly licensed concessionaire, or contractor pursuant to and under the authority and regulation of the Township, or unless such person has received approval under a Special Event permit or is approved by State Statute
- vi. It shall be unlawful for any person to smoke cigarettes, cigars, pipes, vapes or other similar devices or products within or within 25 feet of a primary entrance/exit of any swimming pool, splashpad, playground, Recreation Centers, Boat House, Texas TreeVentures or related facility.
- vii. Commercial events are limited to Town Green Park, Waterway Square, The Woodlands Waterway, Hughes Landing Bandshell, Gosling Sportfields, Bear Branch Sportsfields and Alden Bridge Sports Park, upon review and approval of a Special Event Permit Application.
- viii. It shall be unlawful for any person to engage in, conduct or permit a sexually oriented performance within any Township facility. The rules and prohibitions set forth in this subsection shall be enforceable as currently written and as may be amended, modified or supplemented by the Board of Directors of The Woodlands Township.
- ix. Busking is permitted within designated areas; however, any performance utilizing amplified sound shall require issuance of a Special Event Permit. All activities must be conducted in a manner that does not obstruct pedestrian or emergency access, compromise public safety, or interfere with the reasonable use and enjoyment of park facilities, including permitted special events.

#### **G. SPECIFIC USE FACILITIES:**

- i. Specific Use Facilities (Dog Friendly Areas, Wheel Friendly Areas / Skate Parks, Disc Golf Courses, Swimming Pools, Community Gardens, All Weather Fields, Boat Houses, Archery Range, Texas TreeVentures (adventure course), George Mitchell Nature Preserve, Park and Ride Facilities, Village Green, etc.) may have additional rules and regulations that are posted inside or in the vicinity of each facility. The President/CEO or their designee shall have the authority to prescribe such rules and regulations for Specific Use Facilities as

deemed necessary, provided that said rules are consistent with industry standards and are in compliance with health and safety regulations. It shall be unlawful for any person to violate any posted rules for Specific Use Facilities.

- ii. All Weather Fields – to preserve the quality of the turf and provide a clean and healthy environment, the following are not allowed on all-weather fields:
  - a. Tobacco products (smoke and smokeless);
  - b. Dogs or animals, service animals excluded;
  - c. Food or beverages (water excluded) including gum, seeds, nuts or sports drinks;
  - d. Stakes, spikes, or other pointed materials or objects;
  - e. Model airplanes, helicopters or similar devices and their use thereof;
  - f. Metal cleats;
  - g. Bicycles, bikes, roller blades, skateboards, strollers, or other similar devices with wheels;
  - h. Fields are not permitted to be used when ice is present;
  - i. Only players, coaches, trainers, officials, maintenance personnel and those authorized by the President/CEO or their designee are permitted on the surface of the all-weather turf fields.
- iii. Lakes and Ponds - to preserve the lakes and ponds for the enjoyment by users and adjacent residents and businesses the following rules apply:
  - a. Internal combustion power motor boats are not permitted for general use, unless for maintenance, safety, security, rescue or any other purpose, as determined by The Woodlands Township, or unless such person has received approval under a Township issued permit.
  - b. Permitted watercrafts include rigid frame craft including sail boats (mast height not to exceed 25 feet from water line), rowing boats, sculls, paddle boats, canoes, kayaks, windsurfing boards, stand up paddle boards and U.S. Coast Guard approved inflatables.
  - c. Acceptable methods of operating a watercraft shall be by manual means, wind power or by electric motor, not to exceed 3 HP or equivalent rating.
  - d. It shall be unlawful for any person to remove or keep fish or any other aquatic animal from the lakes and ponds owned by the Township. Lake Woodlands and Lake Paloma are “Catch & Keep”. All other lakes and ponds are “Catch & Release” fishing areas. Fish caught at these lakes and ponds must be immediately released back into the lake and pond. All applicable Texas Parks and Wildlife fishing rules and regulations must be followed.
- iv. Park and Ride Facilities- To facilitate the safe and efficient use of the Township’s Park and Ride and Trolley system, the following rules

apply:

- a. Drinking alcoholic beverages on the vehicles or at the Park and Ride Facilities is prohibited
- b. Loitering in and around the Park and Ride Facilities is prohibited
- c. Smoking any material, or any other combustible substance, including vapor, in any form is prohibited
- d. No parking for longer than 48 hours without prior approval
- e. Unapproved parking is subject to tow at owners expense
- f. Incidental Use- The Woodlands Township shall permit Incidental Use of the three Park and Ride facilities the Township operates during the transit system's non-revenue service hours with the following intended purposes: the temporary use of the parking spaces that encourages non-transit use of the facilities that can raise additional revenue for the transit system or, at a reasonable cost, enhance system ridership; the temporary use of parking spaces by adjacent businesses and restaurants, which provides an overall benefit for the community and/or provides revenue for the transit system; temporary use of parking spaces for staging areas for construction projects; temporary use of parking spaces and terminals for special events created for the enjoyment of the community. Any Incidental Use of the facilities shall not interfere with the intended use of the facilities or the Township's ability to maintain satisfactory continuing control or reduce the facilities' transit capacities. Fees for permits or licenses to use the facilities shall be established by Order 020-09
- g. The President/CEO of The Woodlands Township shall have the authority to prescribe written Procedures for the administration of and use of the Park and Ride facilities, provided such Procedures do not conflict with this Order or any valid and applicable law, ordinance or U.S. Department of Transportation or Federal Transit Administration regulation.

#### **H. TOWN CENTER FACILITIES:**

- i. The Township Facilities known as Town Green Park, Waterway Square, Riva Row Park, Millennium Park, Koi Pond, The Woodlands Waterway, Lakes Edge Boat House, Water Garden Park, Bandshell, Botanical Garden, and other Hughes Landing public properties may have additional rules and regulations that are posted inside or in the vicinity of each facility. The President/CEO shall have the authority to establish Procedures and guidelines for the administration of all Township Facilities within Town Center, including the granting of Special Event permits and facility reservation permits pursuant to the Procedures established herein for such permits. It shall be unlawful for any person to violate any posted rules for Township Facilities within Town Center.

- ii. Town Center Facilities shall be closed from 12:00 midnight until 6:00 am daily; provided, however, that Park use hours may be reduced or extended by the President/CEO or their designee for permitted Special Events or when deemed appropriate because of Special Events or activities in other area venues. It shall be unlawful for any person, other than authorized personnel and contractors, to be within the Town Center Facilities during hours that the Park is closed; provided, however, that the use of paved Pathways or tramways shall be permitted at any time as a course of transportation or for recreational purposes.
- iii. It shall be unlawful for any person to ride or use a bicycle, scooter, roller-skate or skateboard within any Town Center facility, other than on a vehicular road or path designated for that purpose. Bicyclists, skaters and skateboarders shall at all times operate same with reasonable regard for the safety of others.
- iv. It shall be unlawful for any person to moor a boat, small watercraft or other vessel at the Riva Row Boat House and the Boardwalk section of Hughes Landing.
- v. It shall be unlawful for any person to fish in upper Woodlands Waterway and on the Boardwalk section of Hughes Landing
- vi. It shall be unlawful for any person to swim, bathe or wade in any fountain within the Town Center area, with the exception of the Grandma's Purse area at Waterway Square

**I. PENALTIES:**

- i. Any person found guilty of an offense hereunder shall be subject to a fine in an amount not to exceed \$500.00. Each day of violation shall constitute a separate offense.
- ii. The President/CEO, all other employees of the Parks and Recreation Department of the Township and Montgomery and Harris County Sheriff or Constable Deputies providing law enforcement services to the Township are hereby individually and severally authorized and directed for and on behalf of the Township to notify any person who fails or refuses to comply with any applicable provision of this Order, or of any additional posted rules and regulations, to depart from any Township property. Any such person who upon such notice fails to depart from any such property shall be subject to prosecution for criminal trespass in addition to prosecution for any other offense or violation of this Order that such person may have committed.  
  
The President/CEO or their designee is authorized to file charges against any and all persons for any offense or violation of this Order, and to execute any necessary documents related to such charges.
- iii. Within the limits of governmental discretion in enforcement of this Order, priority shall be given to maintaining and enhancing public safety, ensuring efficient and safe circulation of motorized and non-

motorized vehicular and pedestrian traffic, and the elimination of public nuisances within Township Facilities.

**J. RESERVATIONS OF TOWNSHIP FACILITIES:**

- i. The following amenities may be reserved in accordance with these rules:
  - a. Athletic Fields (Grass and All Weather Turf);
  - b. Outdoor Courts (Tennis, Pickleball, Basketball or Volleyball);
  - c. Indoor and Outdoor Basketball Courts at the Recreation Center at Bear Branch Park;
  - d. Park Pavilions;
  - e. Swimming Pools;
  - f. The Recreation Center at Bear Branch Park and The Recreation Center at Rob Fleming Park, or portions thereof; and
  - g. Town Green Park or portions thereof.
- ii. When an individual facility or portion within a park is reserved, members of the public shall have access to all other areas of such park, other than the reserved individual facility.
- iii. No person or organization may schedule regular use of Athletic Fields, courts, pavilions or any other area of a park on a continuing basis without a facility reservation.
- iv. Only Township approved Qualified Organizations or Independent Program Contractors may reserve Athletic Fields, courts, pavilions or any other areas of a Park for a Season (eight consecutive weeks) and are subject to The Woodlands Township Court and Field Use Allocation Guidelines.
- v. Permits will be issued subject to the applicant's compliance with the permit requirements, and only if the proposed activity or use of a Township facility will not:
  - a. unreasonably interfere with or detract from the general public's enjoyment of the area;
  - b. unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
  - c. unreasonably conflict with any other scheduled or reserved activity at that day and hour;
  - d. substantially interrupt the safe and orderly movement of traffic;
  - e. likely cause injury to persons or property, or invite violence, crime or disorderly conduct; or
  - f. be used for the purpose of advertising any product, goods or services, except by special permit.
- vi. No person or entity shall use any area or facility of a Park for which a reservation or permit was received for any purpose other than the stated purpose on the application for such reservation or permit.
- vii. Each person or entity using a Park under a reservation or permit is subject to all other rules and regulations in force at the time of use.

**K. QUALIFIED ORGANIZATIONS:**

- i. Upon application to the Department, an organization shall be designated as a Qualified Organization provided the following requirements are satisfied:
  - a. Submission of a current financial statement for the organization;
  - b. Provision of a list of the governing bodies, including officers' or other authorized representatives' contact information prior to using facilities;
  - c. At least 60% of the members of the Qualified Organization and the participants in the programs or activities to be conducted by the Qualified Organization at the Township Facility must be residents of the Township;
  - d. At least 60% of Board of Directors of the nonprofit organization shall be residents of The Woodlands Township;
  - e. Provision of a minimum of \$1,000,000 General Liability insurance policy covering each participant and naming the Township as an additional insured; and
  - f. Execution of the Court and Field Use Allocation Guideline Acknowledgment Form by an Authorized Representative of the respective organization.

**L. PARK USER FEES:**

- i. Fees and charges for Park concessions, rentals, reservations, equipment, vending licenses and permits, admissions, ceremonies, Special Events, commercial filming or movie production shall be established by the Board of Directors of the Township.
- ii. A different fee schedule may be adopted for residents of the Township and those who are not residents of the Township, but at no time shall a non- resident fee be more than three times the fee for residents.
- iii. User fees shall be waived one time per year upon the request of a duly constituted Village Association to allow free use of a Park. Additionally, fees will be waived, one day per year for a swimming pool event, located within the village for the purposes of a one-day event produced by the Village Association designed for the residents of that village. For the purposes of the Village Association event, pool use must be scheduled during regular operating hours for that pool.
- iv. It shall be the responsibility of the President/CEO to submit to the Board of Directors, from time to time as appropriate, revisions to the schedule of park user fees.
- v. The President/CEO or their designee shall establish uniform Procedures relating to permits, reservations, deposits, and the manner for paying park user fees.
- vi. The President/CEO may waive park user fees for any Township

sponsored or co- sponsored function or event. For purposes of this subsection, the President/CEO is authorized to declare Township sponsorship.

- vii. The President/CEO is authorized to approve special promotions, rates and fees, including waiving, all or in part any established rate or fee, for Parks and recreation facilities that are designed to market and maximize utilization of such facilities.
- viii. Rates and/or admission policies for special civic, educational, non-profit and guided tour groups may be established or waived, in whole or in part, by the President/CEO or their designee.
- ix. Additional park user fees and/or admission policies may be established by other agreements or contracts approved by The Township.
- x. The President/CEO may establish Procedures relating to refunds of park user fees.

**M. AUTHORITY OF THE PRESIDENT:**

- i. The President/CEO shall have the authority to prescribe written Procedures for the administration of and use of Parks, provided that such Procedures do not conflict with this Order, or any valid and applicable law or ordinance. A copy of such Procedures shall be maintained for public inspection in the offices of the Township.
- ii. The President/CEO or their designee shall be authorized to contract for instructors for athletic, recreation and aquatic classes, programs or events, coaches, referees, entertainers, performers and others for the purposes of carrying out the programs and services provided by the Township. Fee schedules establishing payments to or revenue sharing with such instructors, coaches, referees, entertainers, performers and others shall be submitted from time to time as appropriate to the Township Board of Directors for review.
- iii. The President/CEO or their designee shall be authorized to contract for concessionaires, licensees and others for the production of Special Events that occur at a Township facility. Fees or cost-sharing/revenue-sharing agreements for such Special Events shall be approved by the President/CEO and shall be submitted from time to time as appropriate to the Township Board of Directors for review.
- iv. The President/CEO or their designee shall be authorized to solicit sponsorships, donations and in-kind services that contribute to the quality and financial performance of Township Parks, facilities, programs and Special Events. Reports on these sponsorships, donations and in-kind services shall be submitted from time to time as appropriate to the Township Board of Directors for review.

**N. RESTRICTED OPEN SPACE RESERVES:**

- i. It shall be unlawful for any person to willfully remove, damage, mark, deface, disfigure, injure, tamper with, displace or remove any of the

Township's property, including trees, shrubs, vines, plants, groundcover and grass in an ROSR, or to place, construct or cause to construct any improvement, change, alteration or utility within an ROSR, except as provided by written agreement approved by the Township. For such purposes, the President/CEO or their designee is authorized to approve temporary access agreements for the purposes of residential and commercial construction occurring on property adjacent to an ROSR if there is no other reasonable access to the adjacent property's improvement location. Access fees may be established by the President/CEO for such purposes.

**O. EMERGENCY CONDITIONS:**

- i. The President/CEO shall be authorized to temporarily suspend, modify or restrict all or portions of the rights or privileges of the park users, including holders of Special Event Permits, provided by this Order as necessary to address conditions of public emergencies. The President/CEO shall advise the members of the Board of Directors of any such action within 24 hours.
- ii. Public emergencies are those declared by local, state or federal officials including but not limited to floods, hurricanes, windstorms, droughts, burn bans, water restrictions, loss of utilities, hazardous traffic conditions or civil disturbances.

**SECTION 3.** The Board of Directors hereby finds, determines and declares that the foregoing rules and regulations have been adopted after a public hearing duly called and held within the Township.

**SECTION 4.** The Prior Orders are hereby repealed, revoked and rescinded and shall be of no further force and effect.

**SECTION 5.** In the event any clause, phrase, provision, sentence or part of this Order, or of the rules and regulations adopted hereby, or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Order, or the rules and regulations adopted hereby, as a whole or as to any part or provision hereof other than the part declared to be invalid or unconstitutional.

**SECTION 6.** It is further found, determined and declared that notices of a public hearing concerning the adoption of the foregoing rules and regulations and of the meeting of the Board of Directors have been published, given and posted as required by law, and that this meeting has been open to the public, as required by law.

PASSED, APPROVED AND ADOPTED this 16th day of November, 2009.

  
Chairman, Board of Directors

ATTEST:

  
Secretary, Board of Directors



AMENDED: September 21, 2011  
November 14, 2012  
January 24, 2013  
May 15, 2014  
February 25, 2015  
March 25, 2015  
August 24, 2016  
June 22, 2017  
October 25, 2023  
May 21, 2026