

RESOLUTION
STANDBY ELECTRIC GENERATOR POLICY
FOR
Whitewater Springs Property Owners Association, Inc.
(the "Association")

Effective June 19, 2015, the Texas Property Code was amended adding Section 202.019 which allows property owners in property owner associations the right to install and operate standby electric generators and prohibits property owner associations from adopting or enforcing a dedicatory instrument provision that prohibits, restricts, or has the effect of prohibiting or restricting an owner from owning, operating, installing, or maintaining a permanently installed standby electric generator except as provided in Section 202.019.

In conformance with Section 202.019, the Association hereby adopts this resolution setting forth the parameters pursuant to which a property owner may install and operate a standby electric generator.

BE IT RESOLVED, effective June 19, 2015, property owners are bound by the following rules with respect to standby electric generators:

Install and operate standby electrical generators in accordance with the manufacturer's specifications and meet all applicable health, safety, electrical, and building codes.

Use a licensed contractor(s) to install all electrical, plumbing, and fuel line connections and meet all applicable health, safety, electrical, and building codes.

Install all natural gas, diesel fuel, biodiesel fuel, and/or hydrogen fuel line connections in accordance with applicable governmental health, safety, electrical, and building codes.

Install all liquefied petroleum gas fuel line connections in accordance with the rules and standards promulgated and adopted by the Railroad Commission of Texas and other applicable governmental health, safety, electrical, and building codes.

Install and maintain all non-integral standby electrical generator fuel tanks in compliance with applicable municipal zoning ordinances and governmental health, safety, electrical, and building codes.

Maintain in good condition the standby electrical generator and its electrical lines and fuel lines.
Repair, replace, or remove any deteriorated or unsafe component of a standby electrical generator, including electrical and fuel lines.

Screen a standby electrical generator if it is visible from the street faced by the dwelling, located in an unfenced side or rear yard of a residence and is visible either from an adjoining residence or from adjoining property owned by the Association, and/or is located in a side or rear yard fenced by a wrought iron or residential aluminum fence and is visible through the fence either from an adjoining residence or from adjoining property owned by the Association.

Perform periodic testing of the standby generator consistent with the manufacturer's recommendations at reasonable times, such reasonable times being from 9 a.m. to 5 p.m., Monday through Saturday.

Not use the standby electric generator to generate all or substantially all of the electric power to a residence except when the utility-generated electrical power to the residence is not available or is intermittent due to causes other than nonpayment for utility service to the residence.

Not install or operate a standby electric generator without the approval of the Association which approval process is set forth in the Association's dedicatory instruments and has been established by the customary policies, procedures, and practices of the Association.

Not locate the standby electric generator in the front yard of a residence or in the side yard of a residence facing a street.

Not locate the standby electric generator in proximity to a neighbor's residence such that when in operation it would constitute a nuisance by a reasonable person.

Not locate a standby electric generator on property owned by the Association.

Not locate a standby electrical generators on property owned in common by the Association's members.

No standby electric generator may be installed or operated prior to approval by the Association pursuant to the Association's usual and customary policies and procedures set forth in its dedicatory instruments.

In the event the requirements set forth in this resolution conflict or contradict the dedicatory instruments of the Association or prior operating practices of the Association, the requirements of set forth in this resolution shall control. These requirements are considered to be supplemental to any other provisions of the dedicatory instruments.

This resolution was passed by a unanimous vote of the Board of Directors of the Association on the date set below to be effective as of June 19, 2015,

Executed the _____ day of _____, 2015.

Signature: _____

Printed Name: _____

Title: _____

STATE OF TEXAS

COUNTY OF BURNET

This instrument was acknowledged before me on this the _____ day of _____, 2015, by

_____, _____ of and for the

Association, for the purposes therein expressed.

Notary Public, State of Texas

AFTER RECORDING PLEASE RETURN TO:

Slater Pugh Ltd, LLP
c/o Goodwin Management, Inc.
PO Box 203310
Austin, TX 78720-3310