

**ORDER NO. 25-0710-05**  
**AN ORDER APPROVING BRUSHY CREEK DISTRICT RENTAL POLICY**

WHEREAS, Brushy Creek Municipal Utility District (the “District”) is a conservation and reclamation district, a body corporate and politic and governmental agency of the State of Texas, created under Article XVI, Sec. 59 of the Texas Constitution by order of the Texas Water Commission, now the Texas Commission on Environmental Quality (“TCEQ”), and the District operates under Chapters 49 and 54 of the Texas Water Code, as amended;

WHEREAS, Section 49.463 of the Texas Water Code authorizes districts to own, develop, construct, improve, manage, maintain, and operate park and recreational facilities;

WHEREAS, pursuant to the foregoing authority, the District has financed, constructed and operates numerous park and recreational facilities to serve the residents of the District, including a community center, parks, swimming pools and park pavilions;

WHEREAS, Section 54.205 of the Texas Water Code authorizes a municipal utility district to regulate privileges on any land owned or controlled by the district;

WHEREAS, pursuant to such authority, the Board of Directors desires to adopt the Brushy Creek District Rentals Policy in the form attached hereto as **Exhibit “A”** to set forth the policies of the District regarding rental and use of the facilities referenced therein; Now, Therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS OF BRUSHY CREEK MUNICIPAL UTILITY DISTRICT THAT:

Section 1. The matters and facts recited in the preamble to this Order are found to be true and correct and the same are incorporated herein as a part of this Order.

Section 2. The Board of Directors hereby approves the Brushy Creek District Rentals Policy in the form attached hereto as **Exhibit “A”**, which policy shall be effective immediately upon adoption of this Order.

Section 3. The President and Secretary of the Board are hereby authorized and directed to execute this Order. After this Order is executed, an original Order shall be filed in the permanent records of the District.

PASSED AND APPROVED this 10th day of July, 2025.

  
\_\_\_\_\_  
President, Board of Directors

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors

**Exhibit “A”**  
**Brushy Creek District Rental Policy**

**Purpose**

The Brushy Creek Community Center, Community Center Garden, Park Pavilions, and Pools serve as community resources dedicated to serving the needs and interests of the residents of Brushy Creek, as a place for family and community events.

**Reservation Priorities for District Facilities**

To best meet the needs of the community it serves, the following priorities have been assigned for the scheduling and use of the District Facilities:

1. Brushy Creek MUD business takes precedence over other use. A specific schedule of dates and times will be reserved for this purpose. To maximize the availability of District properties these meetings, programs, and events will be scheduled with as much advance notice as reasonably practicable.
2. Reservations and use for all other purposes will be on a first-come, first-serve basis up to 12 months in advance.
3. To ensure that the needs of the entire community are being served, the District reserves the right to limit the number of reservations by any user or group.

**Reservation Procedures**

1. General
  - a. Reservations shall be made by submitting an application, in the approved District format, and paying the applicable deposits and user fees, which will be retained by the District as noted below.
  - b. District Facilities may be rented by residents of the District as well as non-residents. In order to receive the resident discount, renters are required to show proof of Brushy Creek residency at the time of rental and be present during the rental.
  - c. District properties are made available to rent during normal operating hours. The number of rental hours include set up and clean up
  - d. All bookings must be made a minimum of 7 days in advance.
  - e. There is no additional charge for the use of tables and chairs, overhead projector screens, Internet access, and general sports equipment. Items are subject to availability.
  - f. Community-Based Groups are defined as legally organized groups that

substantially benefit BCMUD community residents. A mission statement for these groups is to be provided upon the District's request.

- g. Community-based and Non-profit Groups may receive discounted pricing for the use of the District Pavilions, Gym and Craft Room, during approved hours. These groups may also use the meeting rooms when available for a discounted price. This policy applies only to single events. The Board of Directors must approve all requests for exceptions to this policy.
- h. The Board Room is made available at no charge to HOA & NA groups within the District when not being used for District business. The Board Room is to be used for meeting purposes only. No activities or crafts are allowed in the Board Room. The meeting size is limited to 20 people maximum. Use of the Board dais and the electronic equipment in the Board Room is prohibited with the exception for the use of one monitor with prior request, with HDMI and/or Roku.
- i. Non-profit 501(c)(3) entities may receive the resident rate for an approved number of hours. This policy applies only to single events. The Board of Directors must approve all requests for exceptions to this policy.
- j. Community-based or non-profit groups who establish a long-term rental contract (three or more rentals within a 12-month period) will receive a special rate, see District Fees, Rates, Penalties, and Charges Policy.
- k. The Resident, or Member, completing the application and paying the discounted use fee must live in the Brushy Creek Municipal Utility District or be a current annual member of the Community Center and be present for the duration of the event.
- l. All fees are established by the BCMUD Board of Directors and are subject to change only by the board.
- m. Only persons that are 21 years of age or older may reserve a District Facility.

NOTE: Failure to follow any of the above policies may result in forfeiture of all or part of the cleaning and damage deposits, fees, termination of rentals rights, and cancellation.' All current district policies apply when using District properties.

## 2. Community Center and Community Center Garden Pavilion

- a. After-hour reservations are available for an additional fee. See the Additional Fee Rates Schedule
- b. Additional services available: Contract Security is available if needed or required, as per the Alcohol Policy. See the Additional Fees Rate Schedule for a list of services available.
- c. The person completing the rental application must sign in with a photo ID to gain access to the rented space. The Renter must remain on the premises for the entirety

of the rental and sign out at the end of the reservation. Failure to adhere to this rule can result in additional fees or denial of future rentals. The District does not allow third party reservations.

d. Payment Schedule

- i. 120 days before the event, one-half of rental payment is due,
- ii. 60 days before the event, the remaining portion of the rental amount is due,
- iii. At least 14 days before the event, the deposit is due. An additional required Alcohol Deposit is due if alcohol is to be served. If the reservation is not completely paid for at this point, all fees previously paid will be forfeited.
- iv. A refund may take up to 30 days for processing,
- v. Up to 100% of the deposit will be returned, depending on the condition of rooms and on patrons following all rules as sated in the “Facility and meeting Room Use Policies” (last page of this document).

3. Park Pavilion

- a. A pavilion may be reserved at least 7 days in advance, with exceptions to be made on a case by case basis.
- b. A pavilion may be reserved up to twelve (12) months in advance.
- c. Reservations require payment in full at the time of the reservation request

4. Pool Party

- a. Pool parties are limited to 2 hours.
- b. No booking will be accepted for Memorial Day, the 4<sup>th</sup> of July, and Labor Day weekends,
- c. Reservations require payment in full at the time of the reservation confirmation

**Facility Use Policies\***

1. General

- a. The following items are strictly prohibited both inside and outside the building: confetti (both plastic and paper), silly string, color packs, fireworks, and rice. The use of birdseed or similar materials must be approved in advance by the Recreation Manager and may require an additional \$50 deposit.
- b. Except for a person that is a license holder or who is otherwise permitted under

Texas law to carry a handgun or other firearm or weapon on District property, no firearms or other weapons are permitted on the premises of any District property. Any authorized firearms located on District property are subject to all requirements and restrictions of state law.

- c. Any form of gambling or game of chance, unless expressly permitted by law and subject to approval, is prohibited.
  - d. No individual or entity may publish the name or address of the District or Community Center as its mailing address for business or other professional purposes. Any promotional advertising, except that incidental to programming and District business, is subject to review and approval by the General Manager, and Recreation Manager.
  - e. Any exceptions to the above policies must be approved by the General Manager and Recreation Manager and may require a higher deposit.
2. Community Center and Community Center Garden Pavilion
- a. Smoking is not permitted inside the building, or in the Community Center Garden. Smoking is permitted outside, not within 50 feet of any door to the Community Center.
  - b. The exterior doors in meeting rooms Oak, Elm, and Maple may not be propped open or blocked.
  - c. **Room use is limited to reserved space and restrooms. Charges will incur for the use of non-rented space.**
  - d. **d. Set-up time and clean-up time is part of the total rental time. Example:** If an event is scheduled for 2 hours, from 2-4 PM, and it will take 30 minutes to set up and 30 minutes to clean up, then the total rental time needs to be 3 hours. This is due to the possibility of back-to-back bookings for the same area. Any amount of time beyond the scheduled time, will be subject to the Hourly Rate listed under the Additional Fees Section. Rentals time may be extended if space permits, as determined by the on-duty supervisor, but must conclude by midnight per letter n. The hourly rate will not be pro-rated or based on actual minutes of overuse. The full hourly rate will be charged to the deposit if deemed to be appropriate by the Facility Staff. Common sense will prevail. No open flames allowed, except for supervised catering use. All candles must be enclosed in lantern-type holders.
  - e. **Adult supervision of children is required at all times**, including the kitchen, with a ratio of no more than 6 children under age of 12 to one adult over 18 years of age. No children should be unattended in the hallways, entering other rooms, playing in the parking lot or garden area.
  - f. No animals, with the except of service animals, for persons with developmental or physical disabilities are allowed in the building.

- g. **All facilities must be left clean** and ready for the next user. If staff time or other expenses are incurred to clean the facilities, the District will deduct a corresponding amount from the deposit.
- h. All trash must be disposed of in the dumpster located in the west parking lot in the dumpster enclosure.
- i. No amplified sound (inside or outside the building) is allowed without prior approval. The volume within the rented space must be controlled so as not to disturb other users of the facility and the surrounding perimeter.
- j. Mounting putty is the only approved method to be used to affix decorations. Tacks, nails, staples, cellophane tape, duct tape or other fastening methods are NOT permitted.
- k. Attendance in any meeting room may not exceed room capacity. Please see our website at [www.bcmud.org/rentals](http://www.bcmud.org/rentals) for specific room details.
- l. Garden area will be closed to public access for the duration of the pavilion rental.
- m. **All events must terminate and users must vacate the Community Center premises by midnight .**

### 3. Pool

- a. Clean up is the responsibility of party organizer. 1 large trash can will be provided by the District.
- b. Brushy Creek Lifeguards will enforce all of the pool rules and maintain a safe and clean environment at the pools.
- c. Can serve food and drink - No alcohol, no glass. Must be cleaned up at end of rental.
- d. BBQ pits and grills are prohibited.
- e. Wristbands or a current pool pass must be shown to enter pool area.
- f. Every guest is counted (including non-swimmers).
- g. Party organizer is required to sign in and out with the Lifeguards before and after the party.
- h. Party Supervision, The party organizer must ensure adult supervision with a minimum ratio of 1 adult (21+) per 3 children (ages 6 and under), 1:5 for ages 7–12, and 1:10 for ages 13–19.

### 4. Park Pavillion

- a. Petting zoos are prohibited.

- b. Persons who reserve a pavilion are subject to the following rules, in addition to all other rules and policies applicable to the District's parks:
  - i. No glass containers are permitted in pavilion areas;
  - ii. All trash, decorations and property must be removed by the end of the period of use;
  - iii. All balloons, streamers and similar decorations may be attached to the pavilion structures by tape only (tacks, nails, staples, etc. are prohibited);
  - iv. Confetti (both plastic and paper), silly string, color packs and fireworks are prohibited;
  - v. Persons who reserve pavilions shall be responsible for all damage to the pavilion.

NOTE: See Parks, Trails, Greenspaces, and Swimming Pool Policies and Rules for additional details.

## **Cancellation**

### **1. General**

- a. In the event of acts of mother nature or other force majeure events, as determined by the District, reasonable efforts will be made to reschedule.'. Use of the facilities can only be guaranteed to the extent that circumstances remain under the control of the staff. Reasonable efforts will be made to deal with any extreme circumstances by the District in the best interest of all parties.

### **2. Community Center and Community Center Garden**

- a. Once the event is less than 60 days away, and a cancellation is requested, this will result in the loss of the full Rental Fee; however, the alcohol deposit will be refunded if it has been paid.
- b. Event dates will be allowed to change one time providing the change is made at least 60 days prior to the originally scheduled event date. Changing the event date will result in a fee of \$50 per room, excluding the kitchen, or 25% of the entire rental fee, whichever is higher. Canceling the event after the event has been rescheduled will result in forfeiting 100% of the entire rental fee.
- c. Refund based on the numbers of days prior to event



<b>Days prior to event</b>	<b>Refund Due</b>
At least 120 days prior	100% rental fee refunded less \$50 room reservation deposit
119 to 61 days prior	25% of total rental fee retained by BCMUD Example: Paid \$250 Total Rental \$500 Refund \$125 Example: Paid \$500 Total Rental \$500 Refund \$375
60 to 0 days prior	0% refund of rental fee

### 3. Park Pavilions & Pool Parties

- a. Once the event is less than 7 days away, and a cancellation is requested, this will result in the loss of the full Rental Fee.
- b. Event dates will be allowed to change one time providing the change is made at least 7 days prior to the originally scheduled event date. Canceling the event after the event has been rescheduled will result in forfeiting 100% of the entire rental fee.
- c. Refund based on the numbers of days prior to event.
- d. Refund will be issued as a credit on recreation household account.

<b>Days prior to event</b>	<b>Refund Due</b>
At least 30 days prior	100% rental fee refunded as credit on recreation account
30 to 7 days prior	50% rental fee refunded as credit on recreation account
7 to 0 days prior	0% refund of rental fee