

ORDER OF ELM RIDGE WATER CONTROL AND IMPROVEMENT DISTRICT OF DENTON COUNTY ESTABLISHING POLICIES REGARDING PAINTING OF HOME ADDRESS NUMBERS ON DISTRICT CURBS; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDER; PROVIDING FOR SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, Elm Ridge Water Control and Improvement District of Denton County (the “District”) is a conservation and reclamation district and political subdivision of the State of Texas existing and operating pursuant to the provisions of Article III, Section 52, and Article XVI, Section 59, of the Texas Constitution and Chapters 49, 51 and, for certain purposes, 53, of the Texas Water Code; and

WHEREAS, the District assumed the rights, authority, privileges, and functions of a road district operating under Article III, Section 52(b)(3), of the Texas Constitution, Chapter 257, Transportation Code, and other general laws of this state relating to road districts pursuant to and in accordance with an election held within the District on November 7, 2000; and

WHEREAS, pursuant to Section 257.003, Texas Transportation Code, the District acquired, purchased, owns, operates, and maintains certain public roadways within the District (the “District Roads”), and the District Roads are not located within the corporate limits of any municipality; and

WHEREAS, pursuant to the provisions of Chapter 51.122, Water Code, the District is authorized to adopt and enforce reasonable rules and regulations for the purpose, among others, of regulating privileges on any land or any easement owned or controlled by the District in order to protect the health, safety and welfare of its citizens; and

WHEREAS, real property owners located within the District have requested permission to paint house numbers on the District-owned curb adjacent to their property; and

WHEREAS, the Board of Directors of the District (the “Board”) has determined that allowing real property owners within the District to paint house numbers on the District-owned curb serves to protect the health, safety and welfare of the public, as such action should assist responding Fire and Emergency Services to correctly identify the location of an emergency; and

WHEREAS, the Board recognizes the quality and aesthetics of the community and therefore desires to regulate the manner in which the real property owners are allowed to paint house numbers on the curb; and

WHEREAS, pursuant to Section 49.004, Water Code, the District’s governing board may set reasonable civil penalties for the breach of any rule of the District.

NOW, THEREFORE, BE IT ORDERED by the Board of Directors of ELM RIDGE WATER CONTROL AND IMPROVEMENT DISTRICT OF DENTON COUNTY that the following policy and rules be adopted with respect to the painting of District-owned curbs:

1. The findings set forth above are incorporated into the body of this Order as if fully set forth herein.

2. In consideration of the protection of District facilities, the health, safety, and welfare of the public, and the aesthetics of the community, the Board shall allow real property owners within the District (the "Owners"), at the Owner's sole expense, to paint house numbers on the District-owned curbs according to the following requirements:

- a) Only Black and white paint can be used. The Owner has the option of white numbers on black background or black numbers on white background. Colors other than black and white are not allowed.
- b) Only the house number and background can be painted on the curb. No other words, designs, logos, or other artwork is allowed.
- c) Stenciling or other templates must be used to ensure that the numbers appear neat and orderly. The numbers shall be approximately 3.5 inches tall and 2.5 inches wide. The background shall extend no more than two inches on either side of the numbers and no more than one inch above and below the numbers
- d) The painted number and background must be on the curb and within 5 feet of the end of Owner's driveway on the side of the driveway closest to the front door of the residence.
- e) The painted numbers and background must be maintained to ensure continued quality. Should the painted number and background become worn or faded to the point it is unreadable, the Owner shall, at the Owner's sole expense, take action to repaint or remove it entirely

3. Should an Owner violate any provision of this Order, the District shall send written notice to the Owner notifying the Owner of the violation and providing thirty (30) days for the Owner to resolve the violation in a manner acceptable to the District. Should the Owner not completely resolve the violation within thirty (30) days of receipt of the written notice, the Owner shall be subject to a fine of \$200.00, representing the costs to the District to resolve the violation. The penal provisions imposed under this Order shall not preclude the District from filing suit to enjoin a violation of this Order. The District retains all legal rights and remedies available to it pursuant to local, state and federal law.

4. An Owner that believes that fines imposed are invalid may have the fine imposition reviewed, upon the delivery of written notice of appeal to the Board within five (5) business days of receipt of notice of the fine. Upon receipt of the written notice of appeal, the Board shall notify the Owner in writing of the Owner's right to attend and present the Owner's appeal to the Board at the Board's next scheduled public meeting. The Board shall provide a written decision on the

appeal within thirty (30) business days following the first public meeting held subsequent to receipt of the written notice of appeal. Failure to render a decision within thirty (30) business days following the first public meeting held subsequent to receipt of the written notice of appeal shall constitute a denial. Any notice of appeal should be sent to the Board at:

Board of Directors
Elm Ridge WCID of Denton County
c/o Allen Boone Humphries Robinson LLP
4514 Cole Avenue, Suite 1450
Dallas, Texas 75205

5. This Order shall become effective immediately upon passage and approval by the Board.

6. The Secretary of the Board of Directors of the District shall give notice of the adoption of this Order by publishing a descriptive caption of the Order in a newspaper of circulation within the District.

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THIS ORDER ESTABLISHING POLICIES REGARDING PAINTING OF HOME ADDRESSES ON DISTRICT CURBS IS PASSED AND APPROVED this 21st day of November, 2024.

**ELM RIDGE WATER CONTROL AND
IMPROVEMENT DISTRICT OF
DENTON COUNTY**

By: /s/ Mike Perry
President, Board of Directors

ATTEST:

/s/ Brandon Story
Secretary, Board of Directors

(DISTRICT SEAL)