

AN ORDER OF CANYON FALLS MUNICIPAL UTILITY DISTRICT NO. 1 OF DENTON COUNTY ESTABLISHING POLICY REGARDING WATER DISTRICT PROPERTY, VEGETATION, AND TREES; PROVIDING FOR A PENALTY FOR THE VIOLATION FOR THIS ORDER; PROVIDING FOR SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, Canyon Falls Municipal Utility District No. 1 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, Chapters 49 and 54, Texas Water Code, and Chapter 7908, Special District Local Laws Code (the “District Act”);

WHEREAS, pursuant to the provisions of Article III, Section 52(b)(3), of the Texas Constitution and the District Act, the District is authorized to construct, acquire, improve, maintain, and operate macadamized, graveled or paved roads and turnpikes, or improvements in aid thereof;

WHEREAS, the District has acquired or constructed road and related drainage improvements (the “Road Infrastructure”) that serve areas within the District, with such road and drainage improvements being located within a dedicated residential District Right-of-Way (the “ROW”) and under the ownership and control of the District;

WHEREAS, pursuant to the provisions of Chapter 54.205, 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;

WHEREAS, the Board of Directors of the District (the “Board”) has investigated and determined that any construction and/or landscaping (“Landscaping”) within the ROW that blocks, interferes with, or impairs the view of a traffic road control device creates a substantial risk to the health, safety, and welfare of residents within the District and the public in general. For the purposes of this order, “Landscaping” shall include, but not be limited to, grass, trees, bushes, shrubbery, flora, fauna, and any improvement installed or constructed within the ROW;

WHEREAS, the Board has investigated and determined that any such Landscaping in or near the ROW that blocks, interferes with, or impairs the view of a traffic road control device (the “Traffic Device”) shall be removed, trimmed, cut, or otherwise altered to create a clear view of the Traffic Device;

WHEREAS, on or about June 20 2025, the District adopted an order titled “Order Adopting Policies Regarding Maintenance, Repair and Improvement of Sidewalks and Landscaping in Road Right-Of-Way” (the “Maintenance Order”) under which the District adopted

a policy that the owner of the property abutting a District road right-of-way is responsible for the maintenance, repair or improvement of any sidewalk or landscaping in the ROW;

WHEREAS, under the Maintenance Order, the owner of property abutting the ROW is responsible for removing, trimming, cutting, or otherwise altering any Landscaping that blocks, interferes with, or impairs the view of a Traffic Device in order to create a clear view of the Traffic Device;

WHEREAS, the Board has further investigated and determined that it is desirable to adopt regulations that require residents within the District to maintain the Landscaping in the ROW as to not block, interfere with, or impair the view of a traffic road control device;

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; and

WHEREAS, the Board of Directors finds that all legal notices, hearings, procedures and publishing requirements have been performed and completed in the manner and form set forth by law.

NOW THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF CANYON FALLS MUNICIPAL UTILITY DISTRICT NO. 1 OF DENTON COUNTY:

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 health, safety and welfare of the District's residents and public in general and to reduce disruption of and interference with public use of the ROW, the Board formally prohibits any Landscaping within or near the ROW from blocking, interfering with, or impairing the view of a Traffic Device and preventing the Traffic Device from serving the purpose it was designed for.
3. Should Landscaping exist in or near the ROW that blocks, interferes with, or impairs the view of a traffic road control device, the abutting property owner ("Owner") shall be responsible for removing, trimming, cutting, or otherwise altering such offending Landscaping to create a clear view of the Traffic Device so that the Traffic Device may serve the purpose it was created for.
4. No wall, screen, hedge, tree, bush, shrub, billboard, or structure shall be erected, planted, or maintained in such position or placed so as to be dangerous or detrimental those owners on adjoining premises or in any way obstruct the view of those persons using public streets and alleys within the District. On any corner lot or parkway adjacent thereto, no fence, wall, structure, hedge, tree or growth of any nature shall be erected, planted or maintained and which shall constitute an obstruction to the vision of traffic on the public streets so as to interfere with sight lines at elevations between 2½ feet and eight feet above the top of the adjacent roadway curb, or if there is no curb, then from the average street grade within ten feet of the curb or driving surface and within a triangular area formed by the intersection of the adjacent curb lines, or if none exists, the normal curb lines and a point on each such curb line 45 feet from the intersection.

5. Trees shall be trimmed so as to avoid causing a hazard to public places. The minimum overhang shall be seven feet above sidewalks, nine feet at top of the street curb, 11 feet above the gutter line, and 14 feet above the street or alley surface at the outside edge of the parking lane.

4. Should the Owner fail to maintain the Landscaping or conditions in a fashion acceptable under this Order, the District shall send written notice to the Owner notifying the Owner of the failure and providing thirty (30) days for the Owner to resolve the failure in a manner acceptable to the District. Should the Owner not completely resolve the failure 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 failure. 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.

5. 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. The Board shall provide a written decision within thirty (30) business days of receipt of an appeal in accordance with this section. Failure to render a decision within thirty (30) business days shall constitute a denial. Any notice of appeal should be sent to the Board at:

Board of Directors
Canyon Falls Municipal Utility District No. 1 of Denton County
c/o ABHR
3200 Southwest Freeway, Suite 2600
Houston, Texas 77027

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

7. 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.

THIS ORDER ESTABLISHING POLICY REGARDING WATER DISTRICT
PROPERTY, VEGETATION, AND TREES PASSED AND APPROVED this 15th day
of August, 2025.

**CANYON FALLS MUNICIPAL
UTILITY DISTRICT NO. 1 OF
DENTON COUNTY**

Attest: [Signature]
Secretary

By: [Signature]
President



(DISTRICT SEAL)

