

ORDER ESTABLISHING RULES AND REGULATIONS REGARDING  
USE OF VIRIDIAN OPEN SPACE, PARKS, SIDEWALKS, AND TRAILS

WHEREAS, Viridian Municipal Management District (the "District"), is a conservation and reclamation district, a governmental agency and body politic of the State of Texas created pursuant to Article XVI, Section 59 of the Texas Constitution, and Chapter 3861, Special District Local Laws Code, as amended (the "District Act"); and

WHEREAS, the District operates pursuant to the District Act and has the powers and duties, among others, provided by Chapters 49 and 54 of the Texas Water Code; and

WHEREAS, to protect District property and to provide for the operation and maintenance of Viridian open space, parks, sidewalks, and trails, and appurtenant recreational facilities (collectively, "Parks"), the District's Board of Directors wishes to establish certain rules and regulations regarding the use of District Parks (the "Rules and Regulations"), in addition to those addressed under applicable ordinances of the City of Arlington and State law, and to establish penalties for the violation thereof; Now, Therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS OF VIRIDIAN MUNICIPAL MANAGEMENT DISTRICT THAT:

Section 1. The facts recited above are hereby declared to be true and correct.

Section 2. Pursuant to its authority under Section 3861.106 of the District Act, the conduct and activities described in the Rules and Regulations attached as Exhibit A are hereby declared to be unlawful within District Parks:

Section 3. Any person, corporation, or other entity violating Section 2 of this Order may be subject to a fine of up to \$500.00 per violation.

Section 4. The District is hereby authorized to publish a substantive statement of these rules, regulations, and penalties as required by the District Act and Section 54.207 of the Texas Water Code, and such penalties described herein shall be effective and enforceable five (5) days after publication.

[Execution page follows]

PASSED, APPROVED, AND EFFECTIVE this 9<sup>th</sup> day of January, 2024.

Mitchell Dwell

Chairman, Board of Directors

ATTEST:

Angela P. ...  
Secretary, Board of Directors



## EXHIBIT A

### Rules and Regulations for Viridian Parks

January 9, 2024

#### **Section 1: Authority**

The Board of Directors of Viridian Municipal Management District (“District”) adopted these Rules and Regulations as of January 9, 2024.

#### **Section 2: Administration**

The Board of Directors hereby designates the Park Manager, along with the Tarrant County Sheriff, the Tarrant County Constables, City of Arlington Police Department, and any District Representative or Consultant and their respective deputies, to enforce these Rules and Regulations.

#### **Section 3: Definitions**

As used in these Rules and Regulations:

- a. Alcoholic Beverage means any beverage containing more than one-half of one percent (.5%) of alcohol by volume, which is suitable for use as a beverage, either alone or diluted.
- b. Board of Directors means the Board of Directors of Viridian Municipal Management District.
- c. City means City of Arlington, Texas.
- d. District means the legal boundaries of Viridian Municipal Management District and the operations therein.
- e. Group Event means a non-routine organized activity intended for more than fifteen (15) individuals to share a common purpose as a group.
- f. Park means a property owned, operated, or maintained by the District for recreation and enjoyment by the general public, including without limitation The Beach at Viridian Park, Collins West Park, Collins East Park, Western Lake Trail Park, Off Grid Park, Oak Grove Park featuring a Butterfly Garden, Kite Hill Park, Artist Garden Park, Sailing Center Park, Overlook Park, Esplanade Walk Park, Esplanade Park, Trinity Park, Vista at the Waterfront Park, Vista Park, Tribute Park, Arrowhead Dog Park, Inspiration Park, Fossil Park, Armentrout Park, Historic Bird’s Fort Park, Bird’s Fort Playground Park, Veterans Park, Lone Eagle Playground Park, Savanna Plaza Park, Clouded Point Park, Skipper Court Park, Dogwood Pines Park, The Sculpture Garden at Elements Park, Timberview Park, Fawn Hill Park, Trinity Express Trail Park, Woodland Park, Lake Slope Park North, Storm Park, Raspberry Court Park, Cypress Green Park, Lake Slope Park South, and Highland Court Park, all other District open spaces, and the District trails.

- g. Park Manager means the company and/or individual named or designated as a Park Manager by the Board of Directors of the District by Resolution.
- h. Peace Officer means a peace officer as defined in Article 2.12 of the Texas Code of Criminal Procedure, as amended.
- i. Individual means a human being.
- j. Person means any individual, group of individuals, organization, corporation, or other legal entity, but does not include the District.
- k. Pet means a domesticated animal kept for pleasure rather than utility.
- l. Vehicle means every device in, upon, or by which any individual or property may be transported or drawn upon a road, except a device moved by human power.
- m. Weapon means a rifle, bow and arrow, club, handgun, firearm, illegal knife, shotgun, short-barrel firearm, gas gun or gas pistol, air gun or BB gun or BB pistol, pellet gun or pellet pistol, zip gun, sling, or sling shot, and includes those objects defined as weapons or prohibited weapons in Chapter 46 of the Texas Penal Code, as amended.

#### **Section 4: Park Use**

No Person or group of Persons shall participate in any activity on any District Park area when such activity will create a danger to the public, damage public property, or may be considered a public nuisance.

#### **Section 5: Park Hours of Operation**

No person shall enter into or remain within a Park at any time other than during such time as the Park is open to the public as designated on the sign posted at or near the entrance of the Park, unless given prior written approval by the Board of Directors or its agent. Hours are from 5:00 a.m. to 8:30 p.m. unless otherwise specifically posted. Additionally, the Board of Directors of the District and/or the Park Manager has the authority to close the Park at any time and for any reason, at the sole discretion of the Board of Directors and/or the Park Manager. A PARK IS CLOSED TO ALL PERSONS AND ACTIVITIES WHEN THE PARK AREA IS FLOODED - NO EXCEPTIONS.

#### **Section 6: Vehicles**

- a. No person shall operate a vehicle within a Park except on the parking lots therein. This provision does not apply to District Park maintenance or patrol vehicles.
- b. No person shall operate a truck within a Park. This provision does not apply to light trucks or trucks making deliveries of materials, supplies, and equipment purchased or rented by the District.
- c. No person shall cause a vehicle to be parked within a Park, except in a designated parking area or with a special permit and permission granted by the Board of Directors or Park Manager.

- d. No person shall cause a vehicle to remain within a Park after-hours or in excess of twenty-four (24) hours at any given time unless one of the entities named in Section 2 is notified and approval is granted. Vehicles parked in violation of this Section may be towed and placed in storage at the owner's expense as allowed by law.

#### **Section 7: Alcoholic Beverages**

No person shall possess or consume alcoholic beverages in a Park at any time.

#### **Section 8: Fires/Smoking**

No person may light, build, or maintain a fire, including a camp stove or barbecue pit/grill, within a Park. Use of tobacco products is prohibited in a Park.

#### **Section 9: Weapons**

No person, other than a Peace Officer, may carry or possess a weapon within a Park except as permitted by law.

#### **Section 10: Animals**

No person may bring into or possess in a Park any animal other than a dog or domestic cat. The District is not responsible for animals engaging other animals in a Park at any time. Waste containers are located around a Park.

#### **Section 11: Glass Beverage Containers**

No person shall use or possess any glass containers in a Park.

#### **Section 12: Reservations**

Use of any pavilions or facilities at a Park will be on a first-come, first-served basis; however, at no time are groups of over 15 persons allowed. If the area is not cleaned, or the facility or its furnishings are damaged, the Park Manager shall determine the amount necessary to compensate the District for the expense of remedying this default.

#### **Section 13: Solicitations, Advertisements and Sale of Goods and Services and Other**

The solicitation or sale of goods and services, or the seeking of donations for a cause, is prohibited unless the person receives the prior written approval of the Board of Directors. The distribution, posting placement or erection of any advertisement, handbill, circular, bill, notice, paper or other advertising device is prohibited.

#### **Section 14: Fishing**

No person shall engage in fishing in a Park except at specific posted areas designated for such purposes.

**Section 15: Swimming**

No person shall engage in swimming in a Park except at specific posted areas designated for such purpose.

**Section 16: Group Events**

No Person shall solicit for, hold, or sponsor a Group Event in a Park without the prior written permission of the Board of Directors, who shall require the provision of liability insurance in amounts as determined in a rental or license agreement with the Board, with the District named as insured. In addition, the Person is required to furnish one or more Peace Officers, depending on the size of the Group Event, for security purposes. The limit on Group Events shall be 15 people, unless written permission is received from the District.

**Section 17: Effect on Existing Law**

These Rules and Regulations are in addition to, and not in lieu of, all federal, state, and municipal laws, rules, and regulations applicable within a Park. To the extent of any of these Rules and Regulations conflict with a rule, order, or regulation of the City, the rule, order, or regulation of the City controls.

**Section 18: Enforcement**

The Park Manager, the District Representative or Consultant, or their designee, and any Peace Officer shall be authorized to remove any person who violates any of these Rules and Regulations from a Park. In addition to removal from a Park, charges may be filed against a violator.

**Section 19: Severability**

The provisions of these Rules and Regulations are severable. If any word, phrase, clause, sentence, section, provision, or part of these Rules and Regulations should be held invalid or unconstitutional, it shall not affect the validity of the remaining provisions, and is hereby declared to be intent of the Board of Directors that these Rules and Regulations would have been adopted as to the remaining portions, regardless of the invalidity of any part.

**Section 20: Amendments**

These Rules and Regulations may be amended at any time at the discretion of the Board of Directors.

**Section 21: Posting**

These Rules and Regulations shall be posted at the District Office, at locations within District Parks and the District's Website [www.viridianmmd.com](http://www.viridianmmd.com).

**Section 22: Offenses**

In addition to any penalty provided by the laws of the State of Texas, a violation of these Rules and Regulations is an offense punishable as a Class C misdemeanor and offenders shall be subject to a penalty of up to \$500.00 each day for each violation. Each day that a breach of any provision hereof continues shall be considered a separate breach.

The District shall seek full restitution for any damage to District property caused by any person(s) that violates these rules and regulations.

**Section 23: Effective Date**

These Rules and Regulations shall become effective on January 9, 2024. All previously adopted rules and regulations are superseded and repealed effective the same date. The District is not responsible for any accidents or injuries.

USE OF DISTRICT PARKS SHALL BE AT THE SOLE RISK OF EACH INDIVIDUAL.