

ENCHANTED OAKS HOMEOWNERS ASSOCIATION, INC.
REGULATION OF STANDBY ELECTRIC GENERATORS

THE STATE OF TEXAS	X
	X
COUNTY OF HARRIS	X

WHEREAS, Enchanted Oaks Homeowners Association, Inc. (the "Association") is the governing entity for all sections of Enchanted Oaks, an addition in Harris County, Texas, according to the maps or plats thereof recorded in the Map Records of Harris County, Texas, along with any amendments, supplements or replats thereto (collectively referred to as the "Subdivision"); and,

WHEREAS, Chapter 202 of the Texas Property Code was recently amended to add Section 202.019, which requires the Association to allow standby electric generators and authorizes the Association to regulate such items; and

WHEREAS, the Board of Directors of the Association desires to regulate standby electric generators by establishing regulations and guidelines relating to such items in compliance with Chapter 202 of the Texas Property Code and pursuant to the authority granted to the Board of Directors by the provisions of the Declaration; and

WHEREAS, this Dedicatory Instrument represents Restrictive Covenants as those terms are defined by Texas Property Code §202.001, et. seq, and the Association shall have and may exercise discretionary authority with respect to these Restrictive Covenants;

WHEREAS, to the extent the regulations contained herein conflict with any previously existing Rules, Regulations or Architectural Guidelines of Enchanted Oaks Homeowners Association, Inc., the regulations contained herein control;

NOW THEREFORE, pursuant to the foregoing and as evidenced by the Certification hereto, the Association hereby adopts the following:

Standby Electric Generators (SEG) are permitted to the extent required by §202.019 of the Texas Property Code, subject to the following regulations, which shall be reasonably applied and enforced:

- 1) The owner shall first apply to and receive written approval from the Association prior to installation of any SEG permitted by 202.019 that will be located outside of the main residential structure on the Property, in the same manner as all other submissions for approval or improvements to property.
- 2) The SEG must be installed and maintained in compliance with manufacture's specifications and applicable governmental health, safety, electrical and building codes.
- 3) All electrical, plumbing, and fuel line connections for the SEG shall be installed only by licensed contractors and all electrical connections must be installed in accordance with applicable governmental health, safety, electrical and building codes.

- 4) All natural gas, diesel fuel, biodiesel fuel, or hydrogen fuel line connections for the SEG shall be installed in accordance with applicable governmental health, safety, electrical and building codes.
- 5) All liquid petroleum gas fuel line connections shall be installed in accordance with rules and standards promulgated and adopted by the Railroad Commission of Texas and other applicable governmental health, safety, electrical and building codes.
- 6) All non-integral standby electric generator fuel tanks for the SEG shall be installed and maintained so that they comply with applicable all governmental health, safety, electrical, and building codes.
- 7) The SEG, its electrical and fuel lines shall all be maintained in excellent condition.
- 8) If a component of an SEG, including electrical or fuel lines, is deteriorated or unsafe than that component shall be repaired, replaced or removed immediately.
- 9) The SEG shall be screened in accordance with plans submitted to and approved by the Association, if it is:
 - a. visible from the street faced by the dwelling,
 - b. located in an unfenced side or rear yard of a residence and is visible either from an adjoining street or from adjoining property owned by the property owners' association, or
 - c. 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 street or property owned by the property owners association.
- 10) The SEG shall be periodically tested in accordance with the manufacturer recommendations.
- 11) The SEG shall not be used to generate all or substantially all of the electrical power to the residence, except when 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.
- 12) The SEG shall be located in a location submitted to and approved by the Association.
- 13) The SEG shall not be located on property owned or maintained by the property owners association or owned in common by the property owners association.

- 14) The location required by the Association for a SEG may not increase the cost of installing the SEG by more than 10% or increase the cost of installing and connecting the electrical and fuel lines for the SEG by more than 20%.

CERTIFICATION

“I, the undersigned, being the President of Enchanted Oaks Homeowners Association, Inc., hereby certify that the foregoing Resolution was adopted by at least a majority of the Enchanted Oaks Homeowners Association, Inc.’s Board of Directors.”

SIGNED this the ____ day of _____, 2016.

By: _____
Ed Masson, President

ACKNOWLEDGMENT

THE STATE OF TEXAS	X
	X
COUNTY OF HARRIS	X

BEFORE ME, the undersigned authority, on this day personally appeared Ed Masson, President of ENCHANTED OAKS HOMEOWNERS ASSOCIATION, INC., and known by me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under by hand and seal of office this the _____ day of _____, 2016.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

After Recording Return to:
Michael O’Neal
O’Neal Law Firm
12337 Jones Road, Suite 300
Houston, Texas 77070