



**BARRINGTON PLACE HOMEOWNERS' ASSOCIATION
REGULATION OF STANDBY ELECTRIC GENERATORS**

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

WHEREAS, the Barrington Place Homeowners' Association ("Association") is the governing entity for the Barrington Place Subdivision, Sections, 1, 2, 3, 4, 5B, and Gateway Community according to the maps or plats thereof recorded in the Official Property Records of Fort Bend County, Texas, and

WHEREAS, the Association is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as "Declarations") 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 ("Board") currently does not have a written policy concerning standby electric generators within the Association and the Association wishes to provide clear and definitive guidance to property owners by establishing regulations and guidelines relating to such standby electric generators 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 Declarations; and

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

WHEREAS, to the extent the regulations contained herein conflict with any previously existing Rules, Regulations, or architectural Guidelines of BPHOA, the regulations herein will control;

NOW, THEREFORE, the Board has duly adopted the following:

- 1) **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:**
- 2) **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.

- 3) The SEG must be installed and maintained in compliance with manufacturer's specifications and applicable governmental health, safety, electrical and building codes.
- 4) 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.
- 5) 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.
- 6) 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.
- 7) All nonintegral standby electric generator fuel tanks for the SEG shall be installed and maintained to comply with applicable municipal zoning ordinances and governmental health, safety, electrical, and building codes.
- 7) The SEG, its electrical and fuel lines shall all be maintained in good condition.
- 8) If a component of an SEG, including electrical or fuel lines, is deteriorated or unsafe then that component shall be repaired, replaced or removed as appropriate.
- 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 residence 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 residence or from adjoining 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.

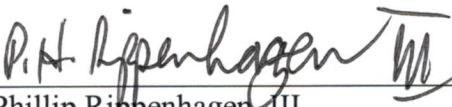
- 12) The SEG shall be located in a location submitted to and approved by the Association.
- 13) The SEG shall not be located on property owned or maintained by the property owners association or owned in common by the property owners association.
- 14) The location required by the Association for a 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

Approved and adopted by the Board on this November 18, 2015.

"I the undersigned, being the President of the Barrington Place Homeowners' Association, hereby certify that the foregoing resolution was adopted by at least a majority of the BPHOA's Board of Directors."

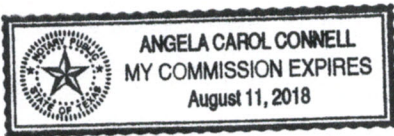
By:

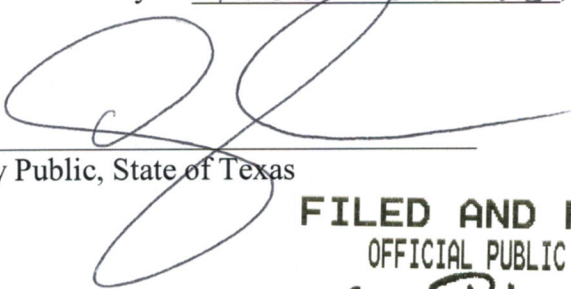

 Phillip Rippenhagen, III
 President
 Barrington Place Homeowners' Association

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

Before me, the undersigned authority, on this day personally appeared Phillip Rippenhagen, III of Barrington Place Homeowners' Association, a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this day of November 18, 2015.




 Notary Public, State of Texas

Printed Name

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard

Laura Richard, County Clerk
 Fort Bend County, Texas
 December 09, 2015 02:04:04 PM

RETURNED AT COUNTER TO:

LORI E. ANDERSON
1523 Avenue A
Katy, TX 77493



FEE: \$19.00 LH
 MISC

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