

BRUSHY CREEK MUNICIPAL UTILITY DISTRICT

ORDER 26-0423-

ORDER ADOPTING DISTRICT FACILITIES RENTAL POLICY

AN ORDER APPROVING BRUSHY CREEK DISTRICT FACILITIES RENTAL POLICY

WHEREAS, Brushy Creek Municipal Utility District (the "District") is a conservation and reclamation district, a body corporate and politic and governmental agency of the State of Texas, created under Article XVI, Sec. 59 of the Texas Constitution by order of the Texas Water Commission, now the Texas Commission on Environmental Quality ("TCEQ"), and the District operates under Chapters 49 and 54 of the Texas Water Code, as amended;

WHEREAS, Section 49.463 of the Texas Water Code authorizes districts to own, develop, construct, improve, manage, maintain, and operate park and recreational facilities;

WHEREAS, pursuant to the foregoing authority, the District has financed, constructed and operates numerous park and recreational facilities to serve the residents of the District, including a community center, parks, swimming pools and park pavilions;

WHEREAS, Section 54.205 of the Texas Water Code authorizes a municipal utility district to regulate privileges on any land owned or controlled by the district;

WHEREAS, pursuant to such authority, the Board of Directors desires to adopt the Brushy Creek District Rentals Policy in the form attached hereto as **Exhibit "A"** to set forth the policies of the District regarding rental and use of the facilities referenced therein; Now, Therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS OF BRUSHY CREEK MUNICIPAL UTILITY DISTRICT THAT:

Section 1. The matters and facts recited in the preamble to this Order are found to be true and correct and the same are incorporated herein as a part of this Order.

Section 2. The Board of Directors hereby approves the Brushy Creek District Rentals Policy in the form attached hereto as **Exhibit "A"**, which policy shall be effective immediately upon adoption of this Order.

Section 3. The President and Secretary of the Board are hereby authorized and directed to execute this Order. After this Order is executed, an original Order shall be filed in the permanent records of the District.

PASSED AND APPROVED this day of .

President, Board of Directors

ATTEST:

Secretary, Board of Directors

Exhibit "A"
Brushy Creek District Facilities Rental Policy

Section 1. Purpose

The Brushy Creek Community Center, Community Center Garden, Park Pavilions, and Pools serve as community resources dedicated to serving the needs and interests of the residents of Brushy Creek, as a place for family and community events.

Section 2 Definitions

- **District** - Brushy Creek Municipal Utility District (BCMUD).
- **District Facilities** - All properties available for reservation and use under this Policy, including but not limited to the Brushy Creek Community Center, Community Center Garden, Park Pavilions, and Pools.
- **Community Center** - The Brushy Creek Community Center building, including meeting rooms, kitchen, and associated indoor spaces.
- **Community Center Garden** - The outdoor garden area associated with the Community Center.
- **Park Pavilions** - Covered outdoor structures located within District parks that are available for reservation.
- **Pools** - District-owned swimming pool facilities available for recreational use and private rental.
- **Renter** - The individual who submits the reservation application, pays applicable fees, and is responsible for compliance with this Policy. The Renter must be present for the duration of the reservation.
- **Reservation** - The approved booking of a District Facility for a specified date and time, subject to compliance with this Policy.
- **Resident** - An individual who resides within the boundaries of the District and can provide proof of residency.
- **Non-Resident** - An individual who does not reside within the District.
- **Member** - A current annual member of the Brushy Creek Community Center.
- **Community-Based Group** - A legally organized group that substantially benefits District residents. The District may require submission of a mission statement to verify eligibility.
- **Non-Profit Organization** - An organization recognized as tax-exempt under Section 501(c)(3) of the Internal Revenue Code.

- **Board of Directors** - The governing body of the District with authority to approve policies, fees, and exceptions.
- **General Manager** - The individual designated by the District to oversee operations and enforce this Policy.
- **Recreation Manager** - The individual responsible for administration and oversight of facility reservations, programs, and compliance with this Policy.
- **Rental Fees** - Charges assessed for the use of District Facilities, as established by the Board of Directors.
- **Deposit** - A refundable fee collected to cover potential damages, cleaning, or policy violations.
- **After-Hours Reservation** - Use of a District Facility outside normal operating hours, subject to additional fees.
- **Facility Use Policies** - Rules governing conduct, permitted activities, and responsibilities during use of District Facilities.
- **Force Majeure Event** - Events beyond the District's control, including but not limited to severe weather, natural disasters, or other emergencies, that may impact facility availability.

Section 3 Policy

3.1 Reservation Priorities for District Facilities

To best meet the needs of the community it serves, the following priorities have been assigned for the scheduling and use of the District Facilities:

- A. Brushy Creek MUD business takes precedence over other use. A specific schedule of dates and times will be reserved for this purpose. To maximize the availability of District properties these meetings, programs, and events will be scheduled with as much advance notice as reasonably practicable.
- B. Reservations and use for all other purposes will be on a first-come, first-serve basis up to 12 months in advance.
- C. To ensure that the needs of the entire community are being served, the District reserves the right to limit the number of reservations by any user or group.

3.2 Reservation Procedures

- A. General
 - i. Reservations shall be made by submitting an application, in the approved District

format, and paying the applicable deposits and user fees, which will be retained by the District as noted below.

- ii. District Facilities may be rented by residents of the District as well as non-residents. In order to receive the resident discount, renters are required to show proof of Brushy Creek residency at the time of rental and be present during the rental.
- iii. District properties are made available to rent during normal operating hours. The number of rental hours include set up and clean up
- iv. All bookings must be made a minimum of 7 days in advance.
- v. There is no additional charge for the use of tables and chairs, overhead projector screens, Internet access, and general sports equipment. Items are subject to availability.
- vi. Community-Based Groups are defined as legally organized groups that substantially benefit BCMUD community residents. A mission statement for these groups is to be provided upon the District's request.
- vii. Community-based and Non-profit Groups may receive the Resident Rate for the use of District Pavilions and Gym, during approved hours. These groups may also use the meeting rooms when available for a the discounted price. This policy applies only to single events. The Board of Directors must approve all requests for exceptions to this policy.
- viii. The Board Room is made available at no charge to HOA & NA groups within the District when not being used for District business. The Board Room is to be used for meeting purposes only. No activities or crafts are allowed in the Board Room. The meeting size is limited to 20 people maximum. Use of the Board dais and the electronic equipment in the Board Room is prohibited with the exception for the use of one monitor with prior request, with HDMI and/or Roku.
- ix. Non-profit 501(c)(3) entities may receive the resident rate for an approved number of hours. This policy applies only to single events. The Board of Directors must approve all requests for exceptions to this policy.
- x. Community-based or non-profit groups who establish a long-term rental contract (three or more rentals within a 12-month period) will receive a special rate, see District Fees, Rates, Penalties, and Charges Policy.
- xi. The Resident, or Member, completing the application and paying the discounted use fee must live in the Brushy Creek Municipal Utility District or be a current annual member of the Community Center and be present for the duration of the event.

- xii. All fees are established by the BCMUD Board of Directors and are subject to change only by the board.
- xiii. Only persons that are 21 years of age or older may reserve a District Facility.

NOTE: All clients renting District facilities shall comply with established rental procedures, facility use guidelines, and all applicable District policies, rules, and regulations.

Failure to follow rental procedures, including but not limited to required clean-up, proper use of facilities, or responsibility for damages, shall constitute a violation of this policy and may result in denial of future rental privileges.

In addition, failure to comply with any provision of the facility rental policies may result in one or more of the following actions, as determined by the Recreation Manager or designee:

- Forfeiture of all or part of cleaning and/or damage deposits
- Assessment of additional fees for damages, repairs, or custodial services
- Termination of current rental rights
- Cancellation of scheduled or future reservations

All determinations regarding policy violations, damages, fees, and continued eligibility for facility use shall be made in accordance with current District policies and administrative procedures governing use of District properties.

B. Community Center and Community Center Garden Pavilion

- i. After-hour reservations are available for an additional fee. See the Additional Fee Rates Schedule
- ii. Additional services available: Contract Security is available if needed or required, as per the Alcohol Policy. See the Additional Fees Rate Schedule for a list of services available.
- iii. The person completing the rental application must sign in with a photo ID to gain access to the rented space. The Renter must remain on the premises for the entirety of the rental and sign out at the end of the reservation. Failure to adhere to this rule can result in additional fees or denial of future rentals. The District does not allow third party reservations.
- iv. Payment Schedule
 - a. All rental fees and deposits are due at the time of booking.
 - b. A refund may take up to 30 days for processing,
 - c. Up to 100% of the deposit will be returned, depending on the condition of

rooms and on patrons following all rules as sated in the “Facility and meeting Room Use Policies” (last page of this document).

C. Park Pavilion

- i. A pavilion may be reserved at least 7 days in advance, with exceptions to be made on a case by case basis.
- ii. A pavilion may be reserved up to twelve (12) months in advance.
- iii. Reservations require payment in full at the time of the reservation request

D. Pool Party

- i. Pool parties are limited to 2 hours.
- ii. No booking will be accepted for Memorial Day, the 4th of July, and Labor Day weekends,
- iii. Reservations require payment in full at the time of the reservation confirmation

3.3 Facility Use Policies*

A. General

- i. The following items are strictly prohibited both inside and outside the building: confetti (both plastic and paper), silly string, color packs, fireworks, and rice. The use of birdseed or similar materials must be approved in advance by the Recreation Manager and may require an additional \$50 deposit.
- ii. Except for a person that is a license holder or who is otherwise permitted under Texas law to carry a handgun or other firearm or weapon on District property, no firearms or other weapons are permitted on the premises of any District property Any authorized firearms located on District property are subject to all requirements and restrictions of state law.
- iii. Any form of gambling or game of chance, unless expressly permitted by law and subject to approval, is prohibited.
- iv. Mobile food vendors are permitted. Mobile food vendors must provide a copy of Certificate of Insurance showing proof of liability coverage (coverage must include a minimum of \$1,000,000 general liability & products completed and Brushy Creek Municipal Utility District must be listed as ‘additional insured’ and certificate holder through reservation date) and Williamson County & Cities Health Department Mobile Food Establishment Permit.

- v. No individual or entity may publish the name or address of the District or Community Center as its mailing address for business or other professional purposes. Any promotional advertising, except that incidental to programming and District business, is subject to review and approval by the General Manager, and Recreation Manager.
- vi. Any exceptions to the above policies must be approved by the General Manager and Recreation Manager and may require a higher deposit.

B. Community Center and Community Center Garden Pavilion

- i. Smoking is not permitted inside the building, or in the Community Center Garden. Smoking is permitted outside, not within 50 feet of any door to the Community Center.
- ii. The exterior doors in meeting rooms Oak, Elm, and Maple may not be propped open or blocked.
- iii. **Room use is limited to reserved space and restrooms. Charges will incur for the use of non-rented space.**
- iv. **Set-up time and clean-up time is part of the total rental time. Example:** If an event is scheduled for 2 hours, from 2-4 PM, and it will take 30 minutes to set up and 30 minutes to clean up, then the total rental time needs to be 3 hours. This is due to the possibility of back-to-back bookings for the same area. Any amount of time beyond the scheduled time, will be subject to the Hourly Rate listed under the Additional Fees Section. Rentals time may be extended if space permits, as determined by the on-duty supervisor, but must conclude by midnight per letter n. The hourly rate will not be pro-rated or based on actual minutes of overuse. The full hourly rate will be charged to the deposit if deemed to be appropriate by the Facility Staff. Common sense will prevail.
- v. No open flames allowed, except for supervised catering use. All candles must be enclosed in lantern-type holders.
- vi. **Adult supervision of children is required at all times**, including the kitchen, with a ratio of no more than 6 children under age of 12 to one adult over 18 years of age. No children should be unattended in the hallways, entering other rooms, playing in the parking lot or garden area.
- vii. No animals, with the except of service animals, for persons with developmental or physical disabilities are allowed in the building.
- viii. **All facilities must be left clean** and ready for the next user. If staff time or other expenses are incurred to clean the facilities, the District will deduct a corresponding amount from the deposit.

- ix. All trash must be contained and placed in the area determined by the team member at time of check in.
- x. No amplified sound (inside or outside the building) is allowed without prior approval. The volume within the rented space must be controlled so as not to disturb other users of the facility and the surrounding perimeter.
- xi. Mounting putty is the only approved method to be used to affix decorations. Tacks, nails, staples, cellophane tape, duct tape or other fastening methods are NOT permitted.
- xii. Attendance in any meeting room may not exceed room capacity. Please see our website at www.bcmud.org/rentals for specific room details.
- xiii. Garden area will be closed to public access for the duration of the pavilion rental.
- xiv. **All events must terminate and users must vacate the Community Center premises by midnight .**

C. Pool

- i. Clean up is the responsibility of party organizer. 1 large trash can will be provided by the District.
- ii. Brushy Creek Lifeguards will enforce all of the pool rules and maintain a safe and clean environment at the pools.
- iii. Can serve food and drink - No alcohol, no glass. Must be cleaned up at end of rental.
- iv. BBQ pits and grills are prohibited.
- v. Wristbands or a current pool pass must be shown to enter pool area.
- vi. Every guest is counted (including non-swimmers).
- vii. Party organizer is required to sign in and out with the Lifeguards before and after the party.
- viii. Party Supervision, The party organizer must ensure adult supervision with a minimum ratio of 1 adult (21+) per 3 children (ages 6 and under), 1:5 for ages 7–12, and 1:10 for ages 13–19.

D. Park Pavillion

- i. Petting zoos are prohibited.
- ii. Persons who reserve a pavilion are subject to the following rules, in addition to all other rules and policies applicable to the District's parks:

- a. No glass containers are permitted in pavilion areas;
- b. All trash, decorations and property must be removed by the end of the period of use;
- c. All balloons, streamers and similar decorations may be attached to the pavilion structures by tape only (tacks, nails, staples, etc. are prohibited);
- d. Confetti (both plastic and paper), silly string, color packs and fireworks are prohibited;
- e. Persons who reserve pavilions shall be responsible for all damage to the pavilion.

NOTE: See Parks, Trails, Greenspaces, and Swimming Pool Policies and Rules for additional details.

3.4 Cancellation

A. General

- i. Use of District facilities can only be guaranteed to the extent that circumstances remain within the reasonable control of District staff. In the event of acts of God, severe weather, natural disasters, or other force majeure events, as determined by the District, the District shall make reasonable efforts to reschedule the use of the facilities. The District reserves the right to modify, postpone, or cancel facility use when circumstances beyond its control occur. In such instances, the District will make reasonable efforts to provide notice of cancellation no less than twenty-four (24) hours prior to the day of the scheduled reservation. If the District is unable to reschedule the reservation, any fees paid for the facility use will be refunded within thirty (30) days. The District will make reasonable efforts to address such circumstances in a manner that serves the best interests of all parties involved.

B. Community Center and Community Center Garden

- i. Once the event is less than 60 days away, and a cancellation is requested, this will result in the loss of the full Rental Fee; however, the alcohol deposit will be refunded if it has been paid.
- ii. Event dates will be allowed to change one time providing the change is made at least 60 days prior to the originally scheduled event date. Changing the event date will result in a fee of \$50 per room, excluding the kitchen, or 25% of the entire rental fee, whichever is higher. Canceling the event after the event has been rescheduled will result in forfeiting 100% of the entire rental fee.

- iii. Refund based on the numbers of days prior to event

Days prior to event	Refund Due
At least 120 days prior	100% rental fee refunded less \$50 room reservation deposit
119 to 61 days prior	25% of total rental fee retained by BCMUD Example: Paid \$250 Total Rental \$500 Refund \$125 Example: Paid \$500 Total Rental \$500 Refund \$375
60 to 0 days prior	0% refund of rental fee

C. Park Pavilions & Pool Parties

- i. Once the event is less than 7 days away, and a cancellation is requested, this will result in the loss of the full Rental Fee.
- ii. Event dates will be allowed to change one time providing the change is made at least 7 days prior to the originally scheduled event date. Canceling the event after the event has been rescheduled will result in forfeiting 100% of the entire rental fee.
- iii. Refund based on the numbers of days prior to event.
- iv. Refund will be issued as a credit on recreation household account.

Days prior to event	Refund Due
At least 30 days prior	100% rental fee refunded as credit on recreation account
30 to 7 days prior	50% rental fee refunded as credit on recreation account
7 to 0 days prior	0% refund of rental fee

Section 4 Implementation and Administration

The General Manager and their delegates are responsible for implementing, enforcing and updating the facilities rental policy. The policy takes effect on April 23, 2026.

Section 5 Reference and Related Documents

- A. District Fees, Rates, Penalties, and Charges Policy
- B. Parks, Trails, Greenspace, and Swimming Pool Policies and Rules
- C. Parks and Recreation Special Use Policy

Section 6 Approval and Revision History

Written/ Redline Edits Date	Description	Approved By Date

	Revised policy and Implement policy exhibit format	Board of Directors:
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