



[EXTERNAL & INTERNAL] LMSOA Parks & Greenbelt Policy

LMSOA PARKS & GREENBELT POLICY

Last Updated: May 11, 2024

Background:

Lake Medina Shores Owners Association (“LMSOA”) wants to maintain a welcoming and family-friendly atmosphere at our amenities, parks and facilities. To maintain these areas for the enjoyment of our members, the Board is implementing this policy.

Authority:

LMSOA’s Bylaws, Deed Restrictions, and Articles of Incorporation give LMSOA’s Board the authority to implement policies governing LMSOA’s amenities.¹²³

Highlights:

- ✓ Members, tenants, and members accompanying authorized guests
- ✓ Year-round access between dawn and dusk
- ✓ Responsible, legal use of alcohol
- ✓ Monitored by LMSOA
- ✗ Non-members, and unauthorized guests
- ✗ Zero Tolerance for trespass, drugs, vandalism
- ✗ Unpaid members⁴
- ✗ Fires or fireworks
- ✗ Interfering with drainage, rocks, trees, plants
- ✗ No camping or overnight activity

¹ [Section K Deed Restrictions, Paragraph 12](#)

² [Bylaws, Article 1 §3-6](#)

³ [Articles of Incorporation, Article 4](#)

⁴ [Sec. 209.006](#) - notice required



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Authority: LMSOA's Bylaws, Deed Restrictions, and Articles of Incorporation give LMSOA's Board the authority to implement policies governing the use of LMSOA's amenities.⁵⁶⁷

Overview: LMSOA has several facilities and amenities that provide value to our members. The parks and greenbelt are some of these amenities. Additionally, LMSOA wants to maintain a welcoming and family-friendly atmosphere at all of our amenities, parks and facilities. To maintain these areas for the enjoyment of all members, the Board is implementing this "parks and greenbelt Policy" effective Feb 25, 2024.

Assumption of Risk: By using any of LMSOA's facilities, members are responsible for their own actions and for the actions of any or their guests and tenants.

Access: LMSOA amenities are expressly dedicated to LMSOA property owners ("Members"), their tenants, authorized guests, and family members. Property Owners ("Members") whose dues are current may use the LMSOA parks and greenbelt. The Member's authorized guests are entitled to use of the parks and greenbelt as long as they are accompanied by the Property Owner at all times. Friends of Members may also be authorized guests as long as they are accompanied by the LMSOA member at all times. Residents, guests or property owners of property outside LMSOA are not Members. They may be an authorized guest of a LMSOA Member as long as they are accompanied by the LMSOA property owner at all times. Members are responsible for their authorized guests and family at all times.

LMSOA may prohibit members from using amenities for delinquent dues if LMSOA meets the notice requirements of Sec. 209.006.⁸

Trespass: Non-members, unauthorized guests, and those guests unaccompanied by the LMSOA Property Owner at all times are expressly prohibited from using or accessing LMSOA parks and greenbelt or amenities. They will be asked to leave immediately. Members are responsible for their guests and tenants at all times including trespassing actions. LMSOA reserves the right to report trespassers to law enforcement.

Personal Items: Members, tenants, and guests are responsible for their own items, and the items of their guests.

⁵ [Section K Deed Restrictions, Paragraph 12](#)

⁶ [Bylaws, Article 1 §3-6](#)

⁷ [Articles of Incorporation, Article 4](#)

⁸ [Sec. 209.006. NOTICE REQUIRED BEFORE ENFORCEMENT ACTION.](#)



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Trash: Members, tenants, and guests are responsible for their trash. Littering will not be tolerated. Waste containers are provided. Please notify the Staff if an area needs attention. Fines may be imposed for littering.

Prohibited Items: No breakable containers, glass, firearms, and weapons allowed in the parks and greenbelt area.

Hours: Dawn to Dusk, no overnight or after dark activity.

Overnight Stays or Camping: At no time shall common or public areas, roads, or parks be used for camping, soliciting, or living or sleeping accommodations of any kind.⁹ Squatting on any LMSOA property is prohibited under the deed restrictions and Texas Penal Code.¹⁰ LMSOA will report trespassers or anyone violating this provision to law enforcement.

Vehicles: None with the exception of UTVs, dirt bikes, or similar. Must be used safely at all times, speed limit, respect for others, and not damage property.

Drainage and Rocks: No one shall interfere with, move, or steal rocks, dirt or materials from any LMSOA property. Moving or taking naturally occurring items from the river or lakebed will be reported to the Game Warden.

Trees and Plants: No one shall ever interfere with, trim, cut down, dig up or move trees or plants from any LMSOA property. Moving or taking naturally occurring items from the river or lakebed will be reported to the Game Warden.

Fire or Campfire: Fires or campfires are never permitted in LMSOA's Greenbelts or Parks unless in the BBQ pits provided by LMSOA.

Fireworks: Fireworks are strictly prohibited.

Smoking: Greenbelts - Smoking is not allowed anywhere in *the greenbelt*. Parks - Smoking is allowed at LMSOA Parks but littering of butts is prohibited. Smokers must be aware and responsible for fire safety and their second-hand smoke at all times. Smoking is expressly prohibited in the breezeway of the main office/pool area and smokers must use designated smoking area.

⁹ <https://www.austintexas.gov/propb-homeless#:~:text=On%20May%201%2C%202021%2C%20Austin.at%20specific%20hours%20and%20locations>.

¹⁰ <https://statutes.capitol.texas.gov/Docs/PE/htm/PE.30.htm>



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Drugs: The use or possession of drugs on ALL LMSOA property is strictly prohibited. Anyone using illegal drugs on the property will be prohibited from entering the facility and immediately lose parks and greenbelt access.

Alcohol: Responsible use of alcohol by members and authorized guests over 21 years of age is permitted at LMSOA Parks. Littering is prohibited. Overconsumption of alcohol on LMSOA property will result in the drinker being escorted off the property and given a warning. Any subsequent overconsumption at LMSOA Parks may result in the drinker being immediately banned from LMSOA parks for up to 1 year.

Zero Tolerance Policy for Drugs on LMSOA Property or Alcohol at Greenbelt: Anyone using illegal drugs on any LMSOA property, or consuming alcohol on LMSOA's greenbelts will be immediately escorted off the property and immediately banned from the greenbelt and/or parks for up to 2 years. Use of other LMSOA amenities may also be revoked at the discretion of the Staff for obvious use of drugs or overconsumption of alcohol on LMSOA property. Illegal drug use will be reported to law enforcement.

Zero Tolerance for Vandalism or Litter: Anyone committing any act of vandalism in or around the parks and greenbelt will be reported to the police and permanently banned from using the parks and greenbelt. Acts of vandalism include but are not limited to: 1) intentional destruction of property, stairs, or natural landscape; 2) graffiti or writing anywhere; 3) intentional or grossly negligent behavior that could cause harm to property or persons. Anyone littering in or around the parks and greenbelt will be banned from the parks and greenbelt for up to one year.

Violation(s) and Termination of Access: For vandalism or use of drugs or alcohol, the offending individual will be immediately banned from use of the bathroom. Use of other LMSOA amenities may also be revoked at the discretion of the Staff for obvious use of drugs or alcohol on LMSOA property.

Liability Waived: Members, guests and visitors release LMSOA, its board members, and its employees (collectively, "LMSOA") from any liability for personal injury or property loss arising out of their use of the parks and greenbelt or other LMSOA amenities. They will indemnify, defend, and hold LMSOA harmless from and against any claim, demand, or damages (including attorneys' fees) alleged or asserted against LMSOA by any individual listed on the Sign-In Sheet and/or any guests for any reason. Members and guests intend this release and indemnity to be as broad and inclusive as permitted by the laws of the State of Texas; if any portion of it is held invalid, the balance will continue in full legal force and effect. In case of



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accident or illness, LMSOA may request an ambulance or other emergency treatment for them at their expense.

The publication of this notice means that you have been fully informed of your consent, waiver of liability, and release before entering the parks and greenbelt(s) premises.

*****END*****