

NOTTINGHAM COUNTRY COMMUNITY IMPROVEMENT ASSOCIATION, INC.

REGULATIONS OF STANDBY ELECTRIC GENERATORS

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Nottingham Country, Section 1 (Clerk’s File No. D649702); Nottingham Country, Section 2 (Clerk’s File No. E066394); Nottingham Country, Section 3 (Clerk’s File No. E616795); Nottingham Country, Section 4 (Clerk’s File No F253600); Nottingham Country, Section 6 (Clerk’s File No. F390729); Nottingham Country, Section 7 (Clerk’s File No. G003653); Nottingham Country, Section 8 (Clerk’s File No. G712708); Nottingham Country, Section 9 (Clerk’s File No. G075347); and Mason Creek Park, Section 1 (Clerk’s File No. G180262) are recorded in the Real Property Records of Harris County, Texas, along with any amendments or supplements thereto (the “Declaration”); and

WHEREAS, Nottingham Country Community Improvement Association, Inc. is the governing entity for Nottingham Country Community, including Nottingham Country, Sections 1, 2, 3, 4, 6, 7, 8, and 9, and Mason Creek Park, Section 1, Subdivisions, additions in Harris County, Texas, according to the maps or plats thereof recorded in the Map Records of Harris County, Texas, under Clerk’s File Nos. D641611; D856188; E233034; E712798; E949286; F480639; G139208; G139192; and F828507 along with any amendments, supplements or replats thereto (collectively referred to as the “Subdivision”); and

WHEREAS, the Nottingham Country Community Improvement Association, Inc. (the “Association”), a Texas non-profit corporation, which is governed by its Board of Directors (the “Board”), is the governing entity of the Subdivisions and authorized to exercise all powers and enforce all provisions of the Declaration; and

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

WHEREAS, the Board of Directors of Nottingham Country Community Improvement Association, Inc. 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 consists of Restrictive Covenants as defined by Texas Property Code §202.001, et. seq, and Nottingham Country Community Improvement Association, Inc. shall 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 Nottingham Country Community Improvement Association, Inc., the regulations contained herein control;

NOW, THEREFORE, pursuant to the foregoing and as evidenced by the Certification hereto, Nottingham Country Community Improvement Association, Inc. hereby adopts the following regulations:

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 Nottingham Country Community Improvement Association, Inc. 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 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, it's 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 Nottingham Country Community Improvement Association, Inc., 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 Nottingham Country Community Improvement Association, Inc. 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 Nottingham Country Community Improvement Association, Inc.
- 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 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 Nottingham Country Community Improvement Association, Inc.
- 13) The SEG shall not be located on property owned or maintained by Nottingham Country Community Improvement Association, Inc. or owned in common by Nottingham Country Community Improvement Association, Inc.

- 14) The location required by Nottingham Country Community Improvement Association, Inc. 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%

EFFECTIVE ON THE DATE OF RECORDING

CERTIFICATION

“I, the undersigned, being the President of the Nottingham Country Community Improvement Association, Inc., hereby certify that the foregoing Regulations of Standby Electric Generators was approved by a majority vote of Board of Directors at a meeting of the Board for which a quorum was present on the _____ day of _____, 2015”.

IN WITNESS WHEREOF, I have hereunto subscribed my name this the _____ day of _____ of _____, 2015.

NOTTINGHAM COUNTRY COMMUNITY IMPROVEMENT ASSOCIATION, INC.

By: _____, President

Print Name: DON MACH

ACKNOWLEDGEMENT

STATE OF TEXAS §

§

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared _____, President of the NOTTINGHAM COUNTRY COMMUNITY IMPROVEMENT ASSOCIATION, INC., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and with the authority expressed therein.

SWORN BEFORE ME on this ___ day of _____, 2015.

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

After Recording Return To:

Nottingham Country Community Improvement Association, Inc.
7170 Cherry Park Dr.
Houston, Texas 77095