

**LAKE BONHAM
RULES, REGULATIONS, AND
SUBDIVISION BUILDING RESTRICTIONS**

The following rules, regulations, and building restrictions are approved by the Bonham City Commission, and apply to the entire land area owned by or under the jurisdiction of the City of Bonham, hereinafter referred to as ‘City,’ and shall apply to all Lessees and other persons using the lake or the area within the jurisdiction of the City of Bonham (formerly, the City of Bonham Water Authority). Violations of any rule, regulation, or restriction by the Leaseholder(s), if not resolved within 90 days of written notification from the City, could result in the termination of the Lease by the City of Bonham.

**ARTICLE I
AUTHORITY**

The City of Bonham operates as a Home-Rule Municipality as provided under Texas Local Government Code, Title 2, Chapter 9.

**ARTICLE II
GENERAL RULES AND REGULATIONS**

Section 1. All City-owned land is restricted to residential use, except for areas designated, or to be designated, as public recreation, picnic areas, and campsites; the water treatment plant site; the water intake protection area; the VFW Lodge; boat storage in the Greenview area; and, any city-approved concessionaires or commercial enterprises as appropriate or necessary for the area.

Section 2. Each lot leased for any purpose is subject to unlimited easements by the City for the construction, operation, and maintenance of all utility facilities.

Section 3. All improvements erected by Lessees shall be erected at the risk of the Lessees, and the City shall not be liable for any damages to any improvements from inundation of water or other cause.

Section 4. No person shall create or maintain a public nuisance as defined in Texas State Law under the Health & Safety Code, Chapter 343.011.

Section 5. The City shall not be liable to any person on account of loss or damage to any property that may be placed in or upon Lake Bonham, nor shall it be liable for personal injuries or loss of life that may be sustained by any person or persons in or upon Lake Bonham. Any person entering in or upon Lake Bonham shall do so at his/her sole risk, and shall not be allowed to enter or remain on Lake Bonham unless he/she complies with all applicable rules and regulations.

Section 6. The throwing or disposing of trash, refuse, trees, plants, or chemicals into the waters of Lake Bonham is prohibited. Trash and refuse include cattails or other plant or weed growth, whether in the Lake or on land, which are cut or pulled from the Lake or any property and disposed of in the Lake.

**ARTICLE III
RULES FOR TRANSFER OF LEASE**

Section 1. No lease shall be sold, transferred, assigned, or sublet, without the prior written consent of the City. The transfer or assignment of any lot can only be made on the form prescribed by the City, and a fee of \$200 (or as amended) shall be paid to the City for the recording, inspection, and approval of each transfer.

Section 2. Within 30 days prior to a lease transfer, the City must perform an inspection of the property to insure compliance with all rules and regulations applicable to the lease on said property. The inspection does not involve an interior inspection of the actual residence, garages, or accessory buildings. Any items not in compliance or settled with the City must be resolved prior to approval of the lease transfer.

**ARTICLE IV
RULES FOR YEARLY LEASE PAYMENTS**

Section 1. Before a lease payment is accepted each year, all utility bills, and/or other bills owed the City must be paid; any Lease violations and/or disputes must be settled; and all City citations must be resolved.

Section 2. Any items not resolved or settled with the City within thirty (30) days after the Lease renewal date will be considered in default. Failure to resolve these issues within ninety (90) days from the Lease renewal date will result in termination of your Lease.

**ARTICLE V
RESTRICTIONS ON CONSTRUCTION AND USE OF PROPERTY***

**Approval of items in Sections 1-14 below should be initiated through the City's Development Services Department or the City's Building Inspection Department prior to start of construction.*

Section 1. No houses, garages, accessory buildings, boathouses, boat docks, fishing piers, fences, walls, dams, pumps, pools, or any other structure shall be placed on any lot without obtaining a written permit from the City. Any such structure or accessory installed without the written permission of the City must be removed no later than thirty (30) days from the receipt of written notice from the City. All improvements not removed within this thirty (30) day period shall become the property of the City and may be removed and disposed of by the City without recourse from the Lessee. (From Section 8 of the Leaseholder's Lease).

Section 2. Only boathouses, boat docks, or other structures of similar nature, fixed or floating, and used for recreation, may be located on, in, or near the waters of Lake Bonham, except those owned and operated by approved concessionaires and by the City. No living quarters or guest quarters are allowed on, or in, any boathouse, boat dock, or other structure placed on the lake.

Section 3. Accessory buildings, carports, privacy fences (more than three-feet high), or other structures cannot be placed between the residence and the public road, i.e., the front of the property. Accessory buildings and structures must be placed on the side or rear of the property and in such a manner as to not obstruct reasonable views of the Lake from adjoining properties.

Any such structure or accessory installed in violation of this rule must be removed no later than thirty (30) days from the receipt of written notice from the City, unless the Leaseholder requests and receives a variance from the City. All improvements not removed within this thirty (30) day period shall become the property of the City and may be removed and disposed of by the City without recourse from the Lessee. Any variance from this rule, including structures currently in place, must be approved by the City in writing on a case-by-case basis.

Section 4. All Lessees must adhere to residential building codes currently adopted by the City pertaining to single-family residential dwellings when constructing, rehabilitating, or remodeling residential housing, accessory buildings, or other structures, including fences.

Section 5. All houses must be constructed in accordance with minimum standards set forth in Article VIII herein applying to the specific Lake subdivision where such house or structure is to be constructed; and in no subdivision shall a residence or HUD-Code Manufactured Home be installed or placed that contains less than 800 square feet of living area, excluding porches, patios, and garages. Minimum square footages for each Subdivision on the Lake are provided under Article VIII of these rules. Single-family residences, including mobile homes and HUD-Code Manufactured Homes built or in place prior to the effective date these rules, which contain less than the minimum square feet shall be allowed to remain in place; however, any replacement housing must comply with the rules established herein.

Section 6. Lessees must construct a driveway on their leased premises and the driveway shall be constructed and maintained so as to prevent the erosion of the soil. Grass or dirt surfaces cannot be used for driveway. Any such driveway shall be constructed at Lessee's expense. Driveway surfaces on each lot, and the entrance and exit designs from the public road, must be approved by the City prior to construction.

Section 7. No house or other structure shall be constructed closer than ten (10) feet from the perimeter of any lot, with the exception of The Meadows Subdivision, which is thirty (30) feet.

Section 8. Not more than one residence, not more than one boathouse, and not more than two accessory buildings (not including a detached garage) may be built or placed on any one lot. Any variance from this rule, including structures currently in place, must be approved by the City in writing on a case-by-case basis.

Section 9. No drainage ditches, culverts, water flow obstructions, dams, or other natural drainage inhibitors or blockers shall be constructed without prior written permission of the City.

Section 10. No land-based structure shall be utilized or occupied until accepted for occupancy by the City Building Inspector, or his authorized agent, and until all approved building code requirements are met. City authorized utilities shall be withheld until all phases of the structure are in compliance with approved Codes. Building and associated permits can be obtained through the office of the City Building Inspector.

Section 11. No land-based fowl, livestock, wild animals, or poisonous reptiles shall be kept or maintained, nor shall any structure be built to house such fowl, livestock, wild animals, or poisonous reptiles.

Section 12. No animal kennels for commercial use shall be constructed, operated, or maintained on any residential property. Dogs are prohibited from being off-premises without a leash.

Section 13. No commercial farming or truck gardening shall be permitted on any lot, nor shall any practice or use of land be permitted that will cause erosion.

Section 14. Cutting trees larger than 6" in diameter and dredging the Lake is prohibited without prior written approval of the City.

ARTICLE VI PROPERTY CONDITION AND MAINTENANCE

Section 1. All Lessees must adhere to City Property Maintenance Codes for maintaining properties. This includes proper maintenance of the leased lot/land and all structures thereon.

Section 2. All lots/land shall be free from any accumulation of rubbish, garbage, trash, debris, rubble, rubbish, brush, or any other unsightly, objectionable or unsanitary matter.

Section 3. No inoperative, unregistered, or unlicensed motor vehicle shall be parked, kept, or stored on the premises unless stored in an enclosed garage; and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled unless stored in an enclosed garage.

Section 4. No operative vehicles can be parked on the grass or off the required driveways for more than 48 hours.

Section 5. No business may be operated on any residential property, except those approved by the City as traditional home-based businesses with no employees, no traffic, and no additional parking requirements. No equipment used in a business may be operated or parked on any residential property unless the equipment is being used for a specific phase of construction for that particular property. Business operations in non-residential areas of the Lake must have prior written permission of the City.

Section 6. No bus bodies or any sheet metal buildings, except accessory buildings constructed with 'R' Panels shall be erected or placed on any residential lot. No trailers or mobile homes may be used for accessory buildings or storage facilities on any residential lot, including those currently in place or being used for such purposes.

Section 7. None of the following vehicles shall be parked or stored, such that any portion of the vehicle is located on any public street, right of way, or dedicated easement/alley: any boat or boat trailer, hauling or utility trailer, travel trailer, motor home, camping trailer, semi-trailer, truck tractor, farm tractor, or farm equipment, including those currently on such locations.

Section 8. The parking of any motor homes, travel trailers, recreational vehicles, boats and boat trailers, or other types of trailers shall be in the rear or side yard of any lot, including those currently parked on such lots.

Section 9. The parking of any large trucks exceeding a gross vehicle weight rating of 22,000 pounds, or any truck tractor is prohibited on any lot.

Section 10. All residences must be marked with visible address numbers at least 4" high and placed on the street side of the house or on the mailbox.

Section 11. Trash/garbage burning is prohibited, except for trees, brush, grass, cattails, and other natural vegetation accumulated or collected from the Leaseholder's property only and then only in accordance with applicable laws and burn bans.

ARTICLE VII SANITARY REGULATIONS

Section 1. Before any lot is used for residential purposes, and before any structures are placed thereon, including temporary RVs, the Lessee shall obtain required permits for sewage disposal and any other permits that may be required by the County Health Inspector.

Section 2. No operative water wells are allowed on any leased Lake Bonham property.

Section 3. Garbage and rubbish containers shall only be placed by the public road on the night before or the day of trash collection in approved containers as described in the City's contract with the solid waste collection contractor. All other times such containers shall not be visible from the street, except for commercial containers, which are placed in locations approved by the City. **Effective August 23, 2004, garbage will be collected on Mondays in the Lake area.**

ARTICLE VIII SUBDIVISION BUILDING RESTRICTIONS

General Restrictions

Section 1. Effective September 13, 2004, no HUD-Code Manufactured Homes or Mobile Homes will be allowed to be placed or installed on any lot in the Lake Bonham area, except in the Subdivisions of Post Oak #2 (lots 1-14) and Lakeview #1 (lots 44-62).

Section 2. Any manufactured or mobile home currently in place will be allowed to remain on said lot, and the home can be replaced or upgraded, but it can only be replaced or upgraded with a HUD-Code Manufactured home, and it must be replaced within 60 days from removing any manufactured or mobile home from the lot. Any Leaseholder who moves a manufactured or mobile home from any lot and does not place a HUD-manufactured home back on the lot within 60 days, will be prohibited from installing another manufactured home on such lot, unless the lot is located in the Post Oak #2 or Lakeview #1 Subdivisions.

Section 2. All subdivisions shall allow only single-family residences. Duplexes, multi-family units, condos, townhomes, and commercial structures are prohibited, except as noted under Article II, Section 1, above.

Specific Subdivision Building Restrictions

BEAVER POINT SUBDIVISION – Minimum 1,000 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; no manufactured or mobile homes

FOREST PARK SUBDIVISION - Minimum 1,200 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; no manufactured or mobile homes

LAKEVIEW #1 SUBDIVISION - Minimum 800 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; **manufactured or mobile homes are allowed on lots 44-62.**

LAKEVIEW #2 SUBDIVISION - Minimum 1,000 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; no manufactured or mobile homes

LAKEVIEW #3 SUBDIVISION - Minimum 1,400 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; no manufactured or mobile homes

LAKEVIEW #4 SUBDIVISION - Minimum 1,000 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; no manufactured or mobile homes

NORTH PARK SUBDIVISION – Minimum 2,000 Sq. Ft. living area, excluding porches, patios, and garages; minimum two-car garage; 80% brick, brick veneer, stone, stucco, fiber-cement siding, or log cabin exteriors on the lower levels; no manufactured, modular, or mobile homes

NORTH SHORE CIRCLE - Minimum 1,400 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; 80% brick, brick veneer, or stone; no manufactured or mobile homes

OAKRIDGE #1 SUBDIVISION - Minimum 1,200 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; no manufactured or mobile homes

OAKRIDGE #2 SUBDIVISION - Minimum 1,200 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; no manufactured or mobile homes

PARKVIEW SUBDIVISION - Minimum 1,000 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; no manufactured or mobile homes

PIN OAK SUBDIVISION - Minimum 1,000 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; no manufactured or mobile homes

POST OAK #1 SUBDIVISION - Minimum 1,000 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; no manufactured or mobile homes

POST OAK #2 SUBDIVISION - Minimum 800 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; **manufactured or mobile homes are allowed on lots 1-14.**

SOUTH SHORE #1 SUBDIVISION - Minimum 1,200 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; no manufactured or mobile homes

SOUTH SHORE # SUBDIVISION - Minimum 1,400 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; no manufactured or mobile homes

THE MEADOWS SUBDIVISION- Lots 1 through 22 and lots 26-32 shall contain at least 1,800 Sq. Ft. living area, excluding porches, patios, and garages; 50% masonry exterior; minimum two-car garage; no fences; no manufactured or mobile homes; a minimum of 30 feet set backs on common boundary lines. Refer to filed Declaration of Covenants, Conditions, and Restrictions for the Meadows on Lake Bonham before start of construction. These are on file at the Fannin County Courthouse.

TIMBER CREEK SUBDIVISION- Minimum 1,400 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; no manufactured or mobile homes

VETERANS SUBDIVISION- Minimum 1,000 Sq. Ft. living area, excluding porches, patios, and garages; minimum one-car garage; no manufactured or mobile homes

ARTICLE IX SPECIAL LAKE LEASES

Section 1. All Special Lake Leases must abide by all Rules, Regulations, and Restrictions listed above, except for those sections, if any, in said Special Lease which is/are in contradiction to these Rules, Regulations, and Restrictions. In such cases, the Special Lease provisions shall prevail.

ARTICLE X PROPERTY TAXES TO BE PAID BY LEASEHOLDERS

Section 1. All property taxes assessed on the leased lots and all taxes assessed on improvements to the leased lots must be paid by the Leaseholders and not the City of Bonham.

Section 2. Evidence that the property taxes for the most recent tax year have been paid by the leaseholder must be provided to the City each year along with the annual lease payment.

Section 3. Property taxes must be current before the City will approve the assignment of your lease to a new leaseholder.