

**ORDINANCE REGULATING PLASTIC FOAM OR POLYSTYRENE
ON THE PUBLIC WATERS IN THE
COMAL COUNTY WATER ORIENTED RECREATION DISTRICT**

WHEREAS, THE COMAL COUNTY WATER ORIENTED RECREATION DISTRICT (W.O.R.D.) desires: (1) to reduce the amount of litter caused by the use of plastic foam and polystyrene; (2) to protect the natural resources of the Guadalupe River and Canyon Lake; and (3) to encourage the use and availability of environmentally acceptable packaging of consumer products in the district; and

WHEREAS, the Texas Local Government Code §324.001 et seq. authorizes W.O.R.D. to enter rules and ordinances for the purposes of litter abatement and conservation of the natural resources in the district as well as for improving the public health, safety, and welfare in the district:

NOW, THEREFORE, BE IT ORDERED BY THE WATER ORIENTED RECREATION DISTRICT, that the following ordinance be adopted and become effective on the below specified date.

PROHIBITION

(a) The use of any unapproved foam/polystyrene is prohibited on or in the public waters of the Water Oriented Recreation District.

(b) The types of foam/polystyrene articles prohibited by this ordinance include but are not limited to the following illustrative examples: coolers, ice chests, containers, cups, plates, toys, floats, kick boards, rings, or other swimming gear.

(c) Approval of foam/polystyrene suitable to be used on or in the public waters of the Water Oriented Recreation District is to be governed by its appointed Board of Directors. The required evidence of approval of suitable foam/polystyrene to be used on or in the public waters of the Water Oriented Recreation District shall also be designated by its appointed Board of Directors.

(d) A person commits an offense if he or she intentionally, knowingly, or recklessly uses any unapproved foam/polystyrene on or in the public waters of the Water Oriented Recreation District.

(e) An offense under this section is a Class C Misdemeanor.

EXEMPTION

Exempted from this ordinance are:

(a) "Plastic Foam" billets or "buns" designed to serve as boat flotation devices when such billets and "buns" are fully enclosed within the structural framework of the

boat.

- (b) "Plastic Foam" billets or "buns" designed to serve as boat floatation devices when such billets and "buns" are fully encapsulated by a water-based acrylic coating. (As used in this ordinance, "Fully encapsulated" means permanently encased in such a manner that the water and the "plastic foam" do not come into contact.)

TEMPORARY EXEMPTION


A Foam/Polystyrene ice chest of two pound density, with a top fully encapsulated with a water based vinyl elastomer of at least two mils. and with lock hatch or devised, capable of containing up to 30 pounds of contents when the ice chest is inverted.


This temporary exemption shall be for a period not to exceed five years, subject to review and modification at the end of the season in the year 2000.


THIS ORDINANCE BECOMES EFFECTIVE ON AUGUST 15, 1999.

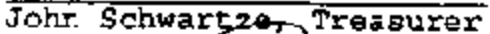
WATER ORIENTED RECREATION DISTRICT, BOARD OF DIRECTORS

Signed:


William H. Mayo, President

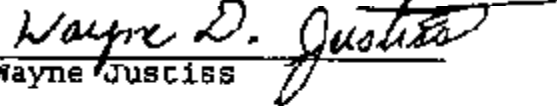

Scott Watson, Secretary


Paul Rich, Vice-President


John Schwartz, Treasurer


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Zerc Rivers


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