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# Guidelines on Improvements on District Property

## APPLICATION ONLY, THIS IS NOT A PERMIT

The Brown County Water Improvement District owns and operates Lake Brownwood.

The District has standards for improvements on the Districts properties, including the waters of Lake Brownwood. These standards/regulations are available in a packet from the District at its main Office located at 501 East Baker, Brownwood, Texas. Or the Lake Patrol Office at 550 Spillway Road, Brownwood, Texas. Visit our District web page at, www.bcwid.org. Use our email link to submit any question you might have, or call Lake Brownwood Lake Patrol at (325) 643-2609.

1. When you obtain the permit package the first two pages contain information regarding the issuance of the permit.

2. The items listed on the first two pages must be met prior to a permit being issued. You will note that there is a section that says it may take as long as ten (10) working days for the permit to be issued. This is to allow time for the Lake Patrol to check all required information and visit the site of the improvement.

3. The site will be checked to ensure the survey markers are in place and that the five-foot inset, for docks, is established.

4. The property owner and the contractor shall both sign the permit application.

5. When the improvement work is completed and prior to painting the contractor will notify Lake Patrol for inspection.

6. When the improvement work is completed the Lake Patrol will again inspect the site and photograph the improvement and measure it if applicable, after contractor notification.

7. In the event that the improvement is an addition or reconstruction of an existing dock the improvement and its method will be discussed with Lake Patrol to ensure that it meets the District's standards prior to the permit being issued.

8. If the improvement work is done by a contractor and not the property owner, the contractor must be an approved contractor and hold a current work permit issued by Brown County Water Improvement District #1 **before work begins**. For a list of permitted contractors please contact Lake Patrol, the District's main office or the District's web page at www.bcwid.org.

9. Prior to launching the Improvement on Lake Brownwood, the contractor will notify Lake Patrol of the launch site 24 hours prior.

10. The District’s standards will be upheld in all cases.

# Notice

Before an existing dock can be transferred to another for use on Lake Brownwood, the dock must be inspected by the Lake Patrol.
If the dock is in disrepair or substandard it must be brought up to standards before it can be transferred.

**BCWID No.1 Rules and Regulations, ARTICAL XXI: VIOLATIONS OF THESE RULES AND REGULATIONS,**
The violation of any rules or regulations of the District is a Class C Misdemeanor and shall be punishable by a fine not to exceed five hundred dollars ($500.00). These penalties shall be in addition to any other penalty provided by the laws of the State of Texas and may be enforced by complaints filed in the appropriate court or jurisdiction in the County of Brown, State of Texas, and county in which the District’s main office is located. Each twenty-four (24) hour period of any violation constitutes a separate offense.

# THIS IS NOT A PERMIT

## 90 DAY APPLICATION FOR NEW / IMPROVEMENT DOCK PERMIT

**BCWID #1**

_____/_____/_____/_____
**DATE** **OWNER NAME** **MAILING ADDRESS** **PHONE #**

_____/_____/_____
**IMPROVEMENT ADDRESS** **CAD#** **DOCK #**

_____/_____/_____/_____
**LOT** **BLOCK** **ADDITION** **DESCRIPTION OF IMPROVEMENT**

_____ _____ _____
**CONTRACTOR NAME** **ADDRESS** **PHONE #**

**THE FOLLOWING MUST BE SUBMITED WITH THIS PERMIT APPLICATION:**

**1.** A plat of the property showing the shore front dimensions, any existing improvements and location of the improvement;
**2.** Proof of ownership of the property by applicant (Copy of Deed or current property tax statement);
**3.** Plans, specifications, construction details and a list of materials to be used; a simple drawing should include a view from above, (a floor plan) for each usable floor with square footage measurements, detail of any other appurtenances, (jet ski lifts, boat launches) which are not otherwise shown.
**4.** Outside corners of the lot at Elevation 1425' msl **MUST** be clearly marked at the time of inspection for a permit to be issued; and
**5.** A $50.00 non-refundable application fee for shoreline improvements.
**6.** Failure to provide and/or submit any of the requested information including all required signatures will cause the application to be rejected. **A rejected application will have to be re-submitted with an additional $50.00 application fee.**
**7.** this is an application ONLY and does not ensure approval of a permit.

*Owner and Contractor agree to accomplish the construction in strict compliance with the plans and specifications and construction must be completed prior to the expiration of the permit. Owner or Contractor must notify the District on the date construction commences and arrange for a general inspection upon completion.

Owner represents that he/she owns and/or controls the above referenced property and that he will comply with all applicable laws and all applicable rules and regulations of governmental agencies concerning this construction, specifically including but not limited to the Rules and Regulations of the District, and the rules and regulations of the United States Environmental Protection Agency, and the Texas Commission on Environmental Quality. The Owner further represents that he will not be in violation of any regulations or restrictions imposed by Brown County or by any deed restrictions which may be attached to the property and that any required variance has been secured. The District assumes no responsibility for, and the Owner will hold the District harmless from, disputes of title, rights, or liability for damages to persons or property arising from the construction, maintenance or existence of such improvements. At any time, the condition or presence of this improvement interferes with the operation of the reservoir or the safety of the persons or property using the surface thereof, the Owner agrees to immediately make any and all changes or corrections necessary to make the improvement compliant with the Rules and Regulations of the District or remove the improvement from District property at Owner's expense.

Agreed to by the undersigned this _____day of _____, _____.

_____ _____

PROPERTY OWNER Initials / Print/sign CONTRACTOR Print/sign

EXPIRATION DATE: _____EXTENTION DATE: _____

DISCRIPTION OF NEW DOCK AND/OR TYPE OF IMPROVEMENTS:
**MUST INCLUDE SIZE AND SQUARE FOOTAGE:**

_____
_____
_____
_____

SPECIAL CONDITIONS IF ANY: _____

**FOR OFFICAL USE ONLY:**

**RECIEVED BY**: _____

**APPROVED BY:** _____

**PERMIT NUMBER:** _____ **DATE ISSUED:** _____

**PERMIT ISSUED BY:** _____

**SIZE AND SQUARE FOOTAGE:** _____

**DOCK ELECTRICIAL INSTALLER CERTIFICATION**

The electrical work done on dock #_____ was done in accordance with the National Electrical Code.

All of the electrical wiring installation on the dock was installed by:

Electrician: _____

Signature: _____

Electrician License Held: _____Number: _____

Expiration Date of License: _____

Electrical Contractors License Number: _____

Expiration Date of License: _____

**The submersible pump installed at:**

Address: _____

Dock Number if Applicable: _____

Owner's Name: _____

Is installed in accordance with the National Electric Code.

This installation was performed by: _____

_____

Electrician: _____

Signature: _____

Electrician License Held: _____Number: _____

Electrical Contractors License Number: _____

Expiration Date of License_____

## ARTICLE VIII: IMPROVEMENTS ON DISTRICT PROPERTY

A. It is unlawful to construct, place or operate any improvement or facility of any type on land or water below spillway elevation 1425 feet mean sea level on Lake Brownwood, or any land regulated or controlled by the District, unless an application has been submitted to the District and a written permit has been granted by the District. Permits are required for any additions and/or modifications. The following items must be submitted with any permit request:

1. A plat of the property showing the shorefront dimensions, any existing improvements and location of same.

2. Proof of ownership of the property. (Copy of Deed or Property Tax Statement)

3. Plans, specifications, construction details, and a detailed list of materials to be used, together with a drawing of the improvement to be constructed showing a frontal view, a side view and elevations.

4. Outside corners of the owner's property at elevation 1425 feet mean sea level must be clearly marked at the time of inspection.

5. The completion and signing of an application for the improvement permit together with a $50.00 non-refundable application fee.

B. A construction permit is valid for a period to be determined by the District, with a minimum of 30 days and a maximum of 90 days. A construction extension permit may be granted at the sole discretion of the District. The extension permit fee is $25.00 and is valid for a period to be determined by the District, with a maximum of 90 days. No more than one extension permit will be granted. Permits are required for alterations on existing structures. For an additional permit, the $50.00 fee may be waived at the discretion of the District. Other than for general maintenance, construction is not permitted without an approved written permit. Placement of any construction without a permit is a violation of these Rules and Regulations. For a complete list of guidelines, the District's Improvement Permit Guidelines are incorporated herein, and made a part hereof, as the Guidelines now exist or are hereafter amended.

**C. The following regulations shall govern the construction, placement and operation of piers, docks and boat houses:**

1. The District has the sole discretion whether to permit or deny any structure of any type or character to be located on land or water owned or controlled by the District. If approved, the structure will be permitted within guidelines established by the District's Improvement Permit Guidelines.

2. Any structure which extends 100 feet or more from the shoreline (measured perpendicular to the shoreline at any point) shall provide continuous and adequate lighting from one hour after sunset to one hour before sunrise each calendar day. This regulation will apply to all floating structures or piers. The applicant or current owner must supply certification from a State Licensed Electrician that their structure wiring meets National Electric Code requirements and each external electrical circuit shall have a ground fault interrupter properly installed. Metal or PVC conduit will be used on all circuits.

3. No new structure shall extend into the lake more than 150 feet without special exception noted on the permit.

4. No structure may occupy more than one-third (1/3rd) of any channel width and in no case will any part of the structure come within ten (10) feet of the center line of the channel, the end of the channel being an exception.

5. Steel pilings shall be at least 2 3/8 inch diameter pipe or 3 inch square tubing with 3/16 inch thickness. No

reclaimed oilfield pipe allowed.

6. A three story structure, deck or enclosed space will not be allowed or approved for permit.

7. A permit issued by the District in no way releases the improvement owner from the responsibility of meeting all requirements of Federal, State, County or other regulations including Deed or Subdivision Restrictions. Responsibility for the safety, structural soundness and regulatory compliance of the improvement shall reside entirely with the improvement owner. The District does not warrant the function, structural integrity, safety, workmanship, materials or water worthiness of any improvement.

8. Permits are required for alterations on all existing structures. Any re-floatation of a dock requires a permit. Any dock receiving a permit for reconstruction shall be brought up to the District's minimum standards of construction. Other than general maintenance, construction is not permitted without an approved written permit. Any construction covered by these Rules without a permit is a violation of same and subject to fine. Alterations to a dock that requires obtaining a permit will require the entire dock to be brought up to the District's minimum standards of construction.

9. **Minimum required material standards:**

(a). Frame structure: 2 inch square metal tubing 11 gauge or greater or at least 2 3/8 inch steel pipe primed and painted. Metal above deck may be 14 gauge or greater. New manufactured docks with sub structural material of standards less than District's minimum standard may be approved by District if they are designed by certified structural engineer and installed with proper anchoring system. No reclaimed oilfield pipe allowed.

(b). Floatation: District approved encapsulated foam floatation installed to manufacturer's specifications which shall support all of the structure at least eight (8) inches above the water surface. Other types of floatation are not acceptable without District permission. Owners of existing docks with styrofoam or plastic floatation must remove same within ten (10) years from the effective date of these Rules. All Floatation replaced after effective date of these Rules must be District approved encapsulated floatation.

(c). Decking: 2 x 6 inches or greater, pressure treated decking or comparable materials.

(d). Stringers: 2 x 4 inches or greater, pressure treated decking, bolted or screwed into metal structure.

(e). Sideboards: 2 x 6 inches or greater, pressure treated decking or comparable materials, bolted or screwed into metal structure.

(f). Walkways: 3 feet or more in width, 2-inch squared metal tubing (11 gauge or greater) or 2 3/8-inch steel pipe or greater, 2 x 6 inches or greater, pressure treated decking, bolted or screwed into metal structure or walkway (Pivotal ends may be welded or bolted). All walkways shall have handrails installed.

(g). Roof Supports: 4 inch "C" Purlin or greater.

(h). Roof: 26 gauge "R" panel or greater, steel sheets; sheet metal screws or 1/2-inch plywood decking, wood to metal screws, composition shingles or their equal.

10. No improvement upon the waters of Lake Brownwood may have within or upon it any sink or table constructed for fish cleaning. No waste or sewage from toilet facilities, sinks or other devices may be discharged into Lake Brownwood. All waste water must be discharged into a holding tank as specified herein.

11. No structures or improvements shall be leased or sublet to others, nor shall they be used for public storage or

public recreation. Such prohibited uses will cause the structure to be considered a commercial operation. Any structure used for commercial purposes is governed by the provisions of Article IX of these Rules and Regulations.

12. Community boat docks or similar structures may not dispense gasoline and may not be operated for profit under any condition.

13. All boat houses, boat docks or other floating improvements on Lake Brownwood shall be secured to the mooring or shoreline with not less than 3/8 inch steel cable in such a manner as will assist in holding the dock in its intended mooring space. The cables will be in a crisscross configuration if possible but if impossible due to lot distance limitations, the cables shall be installed in the best manner to secure the structure from lateral movement. All floating structures shall comply with this requirement within one (1) year from the effective date of this Rule.

14. All floating structures shall be secured to shoreline or mooring with no less than 2 arms which can be either stiff-arm, walkway or both.

D. Any floating improvement or any pier existing on the effective date of these Rules and Regulations or any amendment hereto, that is designed and/or operating in a manner not permitted by these Rules and Regulations shall not be allowed to remain on District property.

E. Any pier, dock, boat house or other such structure which is deemed dilapidated or abandoned by any District Officer or any other authorized District personnel shall be repaired by the owner so as to meet District standards or such structure will be demolished or removed at the owner's expense.

F. Installation of a raw water intake to supply irrigation systems for single family residences located on waterfront lots only are permitted by the District. No other usage of same is permitted.

1. Submersible water pumps shall not be placed in Lake Brownwood unless certified safe for use in swimming areas. They must be permitted by the District. The permit fee will be $25.00. The owner of any submersible pump located on Lake Brownwood must supply the District with a certification from a State Licensed Electrician that the pump installation meets all requirements of the National Electric Code as amended and revised and is certified safe for use in swimming areas.

2. The intake for above ground water pumps will be located and anchored in a manner so as not to be a hazard to navigation or recreation.

G. Any raw water intake for a purpose other than the irrigation of a single-family residence requires a water use contract with the District.

H. Fuel pumping facilities are not allowed on any noncommercial facility, or any watercraft.

I. District Officers have the right to inspect any improvement on District property at any reasonable time.

J. All permits for the placing of structures on land or water owned or controlled by the District shall be revocable by the District whenever the structure has become a hindrance to the operation of the District's lake, or a nuisance or hazard to navigation.

K. Failure of a permittee to proceed with the construction or repair of the improvements in accordance with the permit issued by the District or failure of the permittee to comply with any of the other terms and conditions of

the permit constitutes Breach of License and may result in the revocation of the permit. If the District determines that the construction of the improvements is not proceeding in accordance with the permit issued by the District, the District will give the permittee written notice of such determination and permittee will have at least five (5) days in which to comply with the permit before the permit is revoked. The District may charge the permittee with fees to compensate the District for time expended by the District personnel in visiting the site to inspect the construction of the improvements if the District determines that construction is not in accordance with the permit.

L. 1. The District, through its manager or other agent or representative, including its peace officers, shall have authority to remove or cause to be removed, any boat dock, or any other floating structure mentioned in these regulations for which the owner or operator does not have a current valid license affixed thereon; such removal to be at the cost and expense of the owner or operator thereof and for which costs and expenses the District shall have a security interest in, to, and upon said property. The District may, at its election, give the owner or operators of such dock, structure or craft, thirty (30) days written or posted notice of action to be taken hereunder.

2. Any dock or floating structure removed hereunder, shall after reasonable notice first being given, be sold by the District by bid or otherwise, and the District shall, from the proceeds thereof, first deduct all delinquent dock fees and then deduct all costs and expenses incurred by the District and remit the balance thereof, if any, to the owner or operator if known. In the event the monies received from the sale of such structure are insufficient to repay the District for any delinquent dock fees or the cost and expenses incurred, the owner or operator shall nevertheless be responsible for the payment of the same to the District and the District may take appropriate legal action against the owner or operator to recover same. In the event the owner or operator is not known to the District, any excess monies over and above the cost and expenses incurred by the District shall be deposited in an escrow account maintained by the District for a period of five (5) years, said excess monies shall thereafter become the property of the District.

3. "Reasonable notice" as that term is used herein, means the posting of a written notice at the courthouse bulletin board in Brown County, Texas, at least ten (10) days prior to the sale thereof, or, if the address or reputed address of the owner or operator is known to the District, it shall mean the mailing of a notice of such sale to the last known address of the owner or operator at least ten (10) days before thereof. "Security interest" as used in Paragraph K-1 shall mean an interest in personal property which secures payment of the cost and expenses of the District in removing said dock or other floating structure and the expense of the sale of same.

M. It shall be unlawful to place in, on or under the waters of Lake Brownwood any item, thing, substance or obstruction which causes danger to the operation of boats or other craft upon Lake Brownwood, or the enjoyment or use of Lake Brownwood by persons skiing, fishing, swimming or otherwise occupied.

N. The excavation or placement of any material below 1425 elevation of Lake Brownwood is prohibited.

O. No waste or sewage from toilet facilities may be emptied into Lake Brownwood. In addition, any toilet located on or within any dock maintained upon the waters of the District shall have a valid permit issued by the State of Texas and be a marine toilet having securely affixed to the discharge outlet a holding tank located on the dock, provided so as to meet the following specifications:

1. The holding tank shall be constructed so as to allow the removal of the sewage only by pumping to onshore facilities approved by the District.

2. The holding tank shall be constructed of material which will withstand the corrosive effects of the sewage and the disinfecting chemical used. It shall be so located as to minimize the possibility of rupture.

3. The holding tank shall be properly vented to the outside of the dock in such a manner as not to defile the interior of the dock structure.

4. Said marine toilets shall be certified in accordance with applicable Rules & Regulations of the Texas Water Code.

P. All structures, of whatsoever kind and whatsoever character, floating or otherwise upon Lake Brownwood shall have attached thereto, on the water side of the structure, a license plate with assigned dock number issued by the District, and it shall be grounds for termination of the license of any holder or owner thereof if such license plate is not so affixed.

Q. The District will assess a dock or pier fee each year for all private piers or docks on Lake Brownwood. The fee will be based on the size of the pier or dock. The District's Board of Directors will set each year's fee at a meeting held in November of the previous year. The fee will be billed January 1st each year. When payment is received, the pier or dock owner will be issued a dated decal which must be displayed on the pier or dock license plate. All other fees specified herein are subject to change at the discretion of the District's Board of Directors.

**R. Retaining Walls and Boat Ramps:**

1. Anyone desiring to build a retaining wall on their property, adjacent to Lake Brownwood or within the floodplain surrounding the lake shall comply with the District's requirements as well as the permitting and construction standards set forth by Brown County. The construction standards and County permit are obtained from the Brown County Floodplain Administrator located in the Brown County Courthouse.

2. No footing or any part of the retaining wall shall be placed below 1425 feet mean sea level.

3. The following information is required prior to any retaining wall being constructed:

    1. Shoreline corners must be staked before a permit is issued.

    2. The proposed wall location must be clearly staked.

    3. The origin of any/all backfill material must be stated on the permit application and must be permitted by Brown County if the wall is located in the floodplain.

    4. Retaining wall design/specifications.

        a. List of all materials and description of how they will be utilized.

        b. State total length of wall.

        c. State height of wall above 1425 feet mean sea level.

        d. State distance between deadmen.

        e. If a cap is used, state width.

4. Anyone desiring to build a **private boat ramp** on their property and have that ramp extend into the lake shall comply with the District's requirements as well as the permitting and construction standards set forth by Brown County and administrated by the Brown County Floodplain Administrator.

    1. Shoreline corners must be staked before a permit is issued.

    2. The proposed ramp location must be clearly staked.

    3. The origin of any/all backfill material must be stated on the permit application and must be permitted by Brown County.

    4. **Ramp design/specifications.**

        a. List of all materials and description of how they will be utilized.

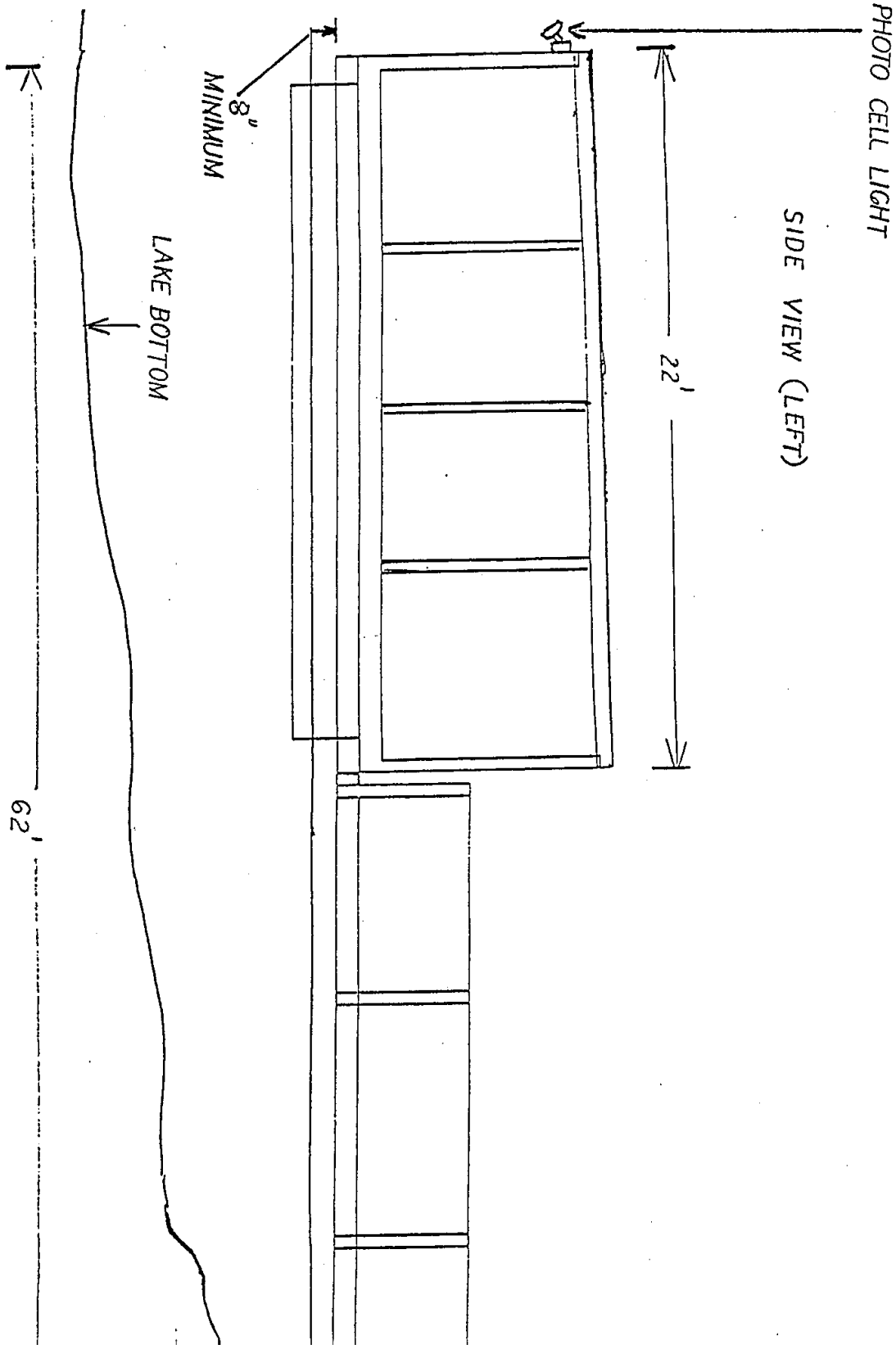
        b. State total length and width of ramp.

        c. State how the ramp will be secured.

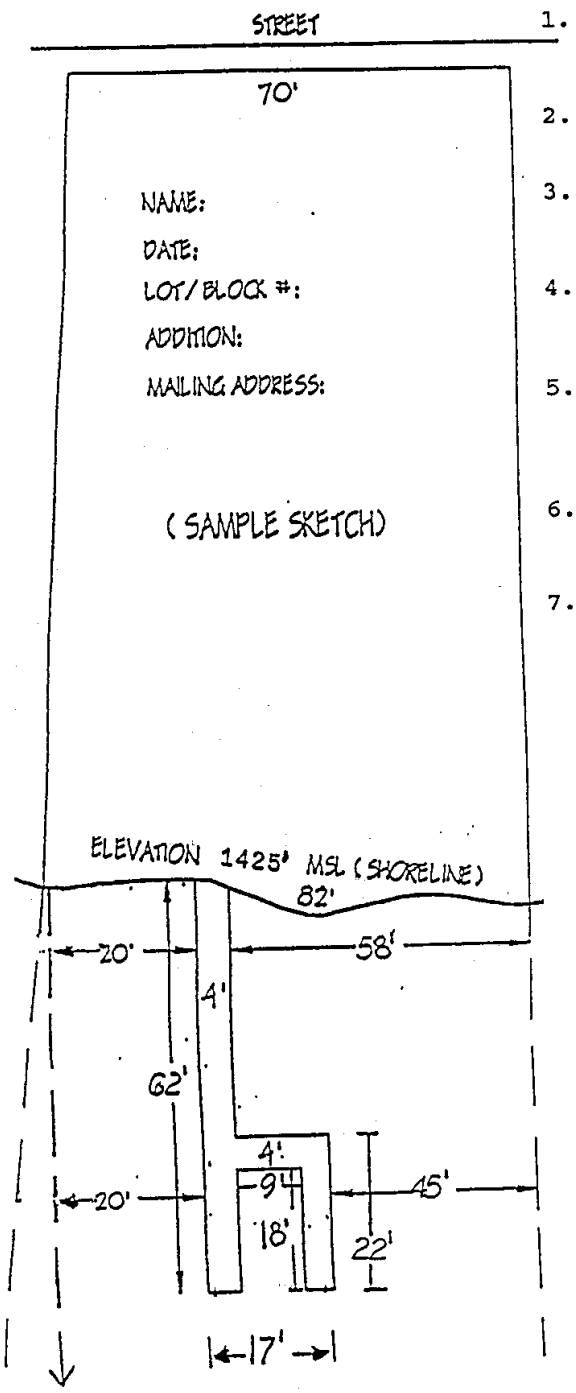
Any violation of any Rule or Regulation of this District is a Class C Misdemeanor and shall be punishable by a fine not to exceed Five Hundred Dollars ($500.00). These penalties shall be in addition to any other penalty provided by the laws of the State of Texas and may be enforced by complaints filed in the appropriate court of jurisdiction in the County of Brown, State of Texas, and county in which the District's principal office is located. Each twenty-four (24) hour period of any violation constitutes a separate offense.

EXAMPLE OF DOCK BUILT TO DISTRICT STANDARDS
THE CABIN IS OPTIONAL

ATTACHMENT 1-A



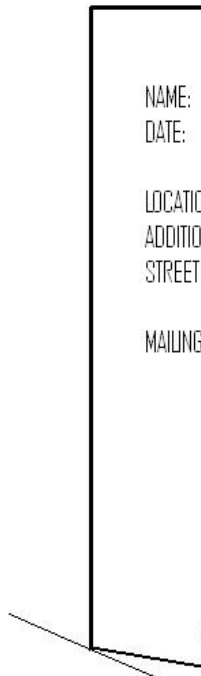
ATTACHMENT 1-B




LINES FROM PROPERTY CORNERS, OUT INTO THE LAKE, WILL BE STRAIGHT, NOT ANGLED.

INFORMATION REQUIRED:

1. Recorded plat of the property showing the shorefront dimensions.
2. Proof of ownership of the property.
3. Shoreline corners must be staked at 1425 msl (spillway) before a permit can be issued.
4. No part of the improvement can be closer than five (5) feet to the property line extension.
5. No structure shall extend into the lake more than 150 feet without special exception noted on the permit.
6. Plans, specifications, construction details and a list of materials to be used.
7. Drawing to scale, top, front and side.




No shoreline re