RESOLUTION AND BOARD ORDER NO. 2026-R-11-13

A RESOLUTION AND BOARD ORDER OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 ADOPTINGBUILDING CODE GUIDELINES; ESTABLISHING PERMITTING BOUNDARIES AND ADMINISTRATIVE FEE STRUCTURES; PROVIDING FOR FLEXIBLE CONSTRUCTION SEQUENCING AND CONTRACTOR REGISTRATION CHECKS; ESTABLISHING DANGEROUS STRUCTURE ABATEMENT AND REMEDIAL REMEDIES; REPEALING CONFLICTING INTERNAL FEES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the Lubbock County Water Control and Improvement District No. 1 (the "District") is a validly existing water control and improvement district operating under Article XVI, Section 59 of the Texas Constitution, initially formed on October 10, 1955; and

WHEREAS, the Texas Legislature enacted Senate Bill No. 1715 during the Regular Session of the 71st Legislature, validating the District and explicitly confirming its status under Section 2.5 as a governmental agency and a body politic and corporate; and

WHEREAS, Texas Senate Bill No. 1715, Section 6.12, expressly authorizes the District Board of Directors to adopt any order to regulate the use of the District's facilities and land, and to establish penalties for the violation of District rules; and

WHEREAS, Texas Water Code Section 51.127 authorizes the District to adopt and enforce rules and regulations to secure a safe and sanitary plumbing installation, and Texas Water Code Section 51.241 authorizes the District to prescribe reasonable penalties for the breach of any regular rule; and

WHEREAS, the Board of Directors finds it necessary to update and modernize its construction standards to preserve the lake ecosystem, control canyon wall erosion, safeguard public utilities, and protect the value of the District’s property

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF DIRECTORS OF THE LUBBOCK COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 THAT:

SECTION 1: LEGAL AUTHORITY AND LEGISLATIVE AUTONOMY

The District asserts its administrative and regulatory autonomy pursuant to Texas Water Code Sections 51.127 and 51.241, as well as Texas Senate Bill No. 1715. In accordance with Sections 2.5 and 6.12 of said legislative Act, the Board of Directors possesses full authority to govern land leases, enforce structural building requirements, protect lake boundaries, and impose administrative, civil, and operational penalties on any person or contractor violating District orders.

SECTION 2: ADOPTION OF MODEL CODES BY REFERENCE

The District hereby adopts the following model building and safety codes by reference, subject to the localized deletions and amendments set forth herein:

1. **2021 International Building Code (IBC) –** Governing commercial and multi-family structures.
2. **2021 International Residential Code (IRC) –** Governing one- and two-family dwellings.
3. **2021 International Plumbing Code (IPC) –** Governing potable water and plumbing systems.
4. **2021 International Mechanical Code (IMC) –** Governing HVAC and mechanical systems.
5. **2020 National Electrical Code (NEC) –** Governing electrical installations.
6. **2021 International Existing Building Code (IEBC) –** Governing remodels, alterations, repairs, and additions to existing structures.

Model Code Exclusions: To maintain regional consistency with local trade practices, the District mirrors the City of Lubbock's exclusions by deleting and striking the following appendices of the 2021 International Building Code: Appendix A (Employee Qualifications), Appendix B (Board of Appeals), Appendix D (Fire Districts), Appendix E (Supplementary Accessibility Requirements), Appendix F (Rodentproofing), Appendix G (Flood-Resistant Construction), Appendix J (Grading), Appendix K (Administrative Provisions), Appendix L (Earthquake Recording Instrumentation), Appendix M (Tsunami-Generated Flood Hazards), Appendix N (Replicable Buildings), and Appendix O (Performance-Based Application).

District Regulations Control: The model codes adopted herein are adopted as minimum technical construction and safety standards. In the event of a conflict between an adopted model code and any building, development, permitting, inspection, or construction regulation adopted by the Board of Directors, **the District regulation shall control.** This provision applies to regulations contained in this Resolution and to any

such regulations subsequently adopted or amended by the Board. In the event any of the adopted model building codes conflict, the most stringent requirement shall control unless otherwise approved in writing by the District.

Except as expressly excluded, amended, or superseded by District regulation, the technical requirements of the adopted model codes shall remain in effect.

In the event any model building code or adopted ordinance conflicts with any lot lease agreement, the most stringent requirement shall control. The District does not intend and is not waiving any rights contained in the lot lease agreement by these premises.

SECTION 3: DISCRETIONARY CONSTRUCTION SEQUENCING

The District retains the absolute, discretionary right to impose mandatory construction sequencing on any permitted project within its jurisdiction. When the District Manager, Building Official, or designated inspector determines that slope stability, topography, soil conditions, or environmental runoff risks to the District require specialized staging, the District may dictate the exact order of construction operations.

This includes, but is not limited to, the right to require that retaining walls, drainage swales, or shoreline stabilization systems be completely built and backfilled prior to the pouring of the primary building foundation or any vertical framing construction. No foundation inspection, plumbing rough-in inspection, or subsequent structural milestone shall be approved by the District until the mandated sequencing phase is verified as complete in the field.

SECTION 4: INTAKE SCHEDULE (WHEN A PERMIT IS REQUIRED)

To prevent administrative delays while maintaining infrastructure oversight, the District establishes the following permitting triggers:

1. **Permit REQUIRED (Footprint or Material Changes):** A District Work Permit is strictly required for any exterior project that expands, alters, or relocates the physical footprint of an existing feature, OR involves a substantive change in materials. This includes:
    - Any home expansions, vertical additions, or new primary structures.
    - All new or replacement fences.
    - All new or replacement landscape sprinkler/irrigation systems.
    - All concrete flatwork, including new or widened driveways, patios, and sidewalks.

    - Any changes to the building envelope, including replacing windows/doors in altered frames, or switching exterior siding/facade materials (e.g., changing wood to stone veneer).
2. **Permit REQUIRED (Interior Utilities):** Interior work triggers a permit requirement ONLY if new electrical circuits/wiring are added, or if existing plumbing lines are physically moved, extended, or re-routed.
3. **NO Permit Required (Exempt Maintenance):** No permit is required for true "like-for-like" repairs or cosmetic upkeep in the exact same footprint using matching materials. This includes interior/exterior painting, caulking, weather-stripping, patching drywall, and direct fixture swaps (e.g., replacing an old toilet or sink in its exact current location without moving utility loops).

SECTION 5: REQUIRED INSPECTION SCHEDULE

All work performed under a District permit shall be subject to the following inspections when applicable to the project. The District Inspector or Building Official shall determine the inspections required based upon the approved plans, type of structure, scope of work, site conditions, and construction sequencing. Residential structures, additions, remodels, shops, garages, accessory buildings, retaining walls, seawalls, docks, boathouses, boat lifts, and other permitted improvements shall receive the inspections applicable to their construction.

● **Retaining Wall Inspection:** Required at the appropriate stages of construction, including inspection of reinforcement, anchoring, drainage, and other components that will become concealed, and before backfill when applicable.

● **Footing Inspection:** Required after excavation, forms, reinforcement, and required preparations are complete and before concrete placement.

● **Plumbing Rough Inspection:** Required after under-slab or below-floor plumbing is installed and before concealment, backfill, or slab placement.

● **Slab / Floor Framing Inspection:** Required after forms, reinforcement, vapor barrier, penetrations, structural floor framing, and other applicable components are installed and before concrete placement or concealment. This inspection applies to residences, shops, garages, accessory buildings, additions, and other structures having a slab or structural floor system.

● **Partial Framing Inspection:** May be required when construction sequencing, structural complexity, waterfront construction, retaining conditions, or other circumstances require inspection of structural components before completion of the full framing system.

● **Mechanical Rough Inspection:** Required after applicable rough mechanical systems, ductwork, equipment connections, and related components are installed and before concealment.

● **Electrical Rough Inspection:** Required after rough wiring, boxes, panels, grounding components, and other applicable electrical components are installed and before insulation, drywall, or concealment.

● **Gas Inspection:** Required after installation of applicable gas piping and related components and before concealment or placing the system into service. Required testing shall be completed as directed by the District Inspector.

● **Plumbing Top-Out Inspection:** Required after applicable above-ground plumbing, vents, drains, water lines, and related components are installed and before concealment.

● **Framing Inspection:** Required after structural framing, connections, bracing, fire blocking, and applicable rough-in work are sufficiently complete for inspection and before insulation, drywall, or other concealment. This inspection applies to residences, shops, garages, accessory buildings, additions, boathouses, docks, and other framed structures, as applicable.

● **Insulation Inspection:** Required where insulation is applicable and before drywall or other interior wall or ceiling coverings are installed.

● **Remodel / Alteration Inspection:** Remodels, additions, repairs, and alterations shall be subject to the inspections applicable to the scope of work. Where existing walls, ceilings, floors, or other assemblies are opened or altered, the District may require inspection of structural framing, electrical, plumbing, mechanical, insulation, or other affected components before concealment. A final inspection shall be required for all permitted remodels, additions, and alterations.

● **Drainage & Grading Inspection:** Required at appropriate stages of earthwork to verify compliance with approved plans and District drainage and grading requirements.

● **Dock / Boathouse Structural Inspection:** Required for new, reconstructed, substantially altered, or replacement docks and boathouses. Structural framing, connections, anchoring, flotation, supports, and other applicable components shall be inspected at appropriate stages before concealment and before final approval. All docks and boathouses shall additionally comply with the waterfront requirements of Section 10.

● **Dock / Boathouse Electrical Inspection:** Required when electrical service, lighting, receptacles, boat-lift wiring, or other electrical equipment is installed or altered on a dock or boathouse. Applicable rough and final electrical inspections shall be completed before the electrical system is placed into service.

● **Boat Lift Inspection:** Required for a new or substantially altered boat lift when applicable under Section 10, including inspection of structural attachment, placement, and electrical components, when applicable.

● **Seawall Inspections:** Seawalls shall receive the staged inspections required by Section 10, including applicable pre-construction/stakeout, structural/panel, backfill/compaction/form, and final inspections. No component requiring inspection may be concealed or backfilled before the applicable inspection.

● **Mechanical Final Inspection:** Required upon completion of applicable mechanical work and before final project approval.

● **Electrical Final Inspection:** Required upon completion of applicable electrical work and before final project approval.

● **Plumbing Final Inspection:** Required upon completion of applicable plumbing work and before final project approval.

● **Building / Structure Final Inspection:** A final inspection shall be required upon completion of any permitted residence, addition, remodel, alteration, shop, garage, accessory building, dock, boathouse, boat lift, seawall, retaining wall, or other structure or improvement, as applicable. All required corrections and applicable trade inspections shall be completed before the project receives final approval from the District.

● **Final Approval:** A permitted project shall not receive final approval until all required inspections have been successfully completed, all required corrections have been made, and all outstanding permits, inspections, or reinspection fees have been paid.

● **Lease Transfer / Issuance of New Lot Lease:** Prior to the District's issuance of a new lot lease in connection with the sale, transfer, or other change in leasehold ownership of an improved lot, all permitted improvements for which a final inspection is required shall have successfully passed final inspection and received final approval from the District.

If the District determines that an improvement was constructed, remodeled, altered, or substantially modified without a required permit, without required inspections, or without final approval, the District may require an after-the-fact permit, inspection of the existing work, exposure of concealed work when reasonably necessary to verify compliance, correction of deficiencies, payment of applicable fees, and successful final inspection before issuance of the new lot lease.

Issuance of a new lot lease shall not constitute District approval or acceptance of any unpermitted, uninspected, unsafe, or noncompliant improvement.

Inspection Notice and Scheduling: Required inspections shall be requested at least one (1) business day in advance. Requests received after 12:00 noon shall be considered

received on the following business day for scheduling purposes.

No Concealment: Work requiring inspection shall not be covered, concealed, backfilled, enclosed, energized, placed into service, or otherwise made inaccessible before the required inspection and approval. If work is concealed before inspection, the District may require the work to be exposed or otherwise made accessible for inspection at the permit holder's or leaseholder's expense.

Additional Inspections: The District Inspector or Building Official may require additional inspections reasonably necessary based upon the approved plans, applicable code, construction method, project scope, site conditions, construction sequencing, or conditions observed during construction.

SECTION 6: TIERED FEE STRUCTURE AND ADMINISTRATIVE MARKUP

All legacy residential permit fee schedules, square footage construction charges, and building valuation fee calculations enacted prior to this date are hereby repealed and replaced by the following schedule:

1. **Plan Review Fee:** A flat fee of $100.00 shall be collected by the front office at the time of application submission. This fee is non-refundable and covers administrative intake.
2. **Standard Inspection Fee:** The applicant shall be charged the direct contract cost charged by the District's designated inspector plus a mandatory twenty percent (20%) District administrative fee. The per-inspection fee shall automatically adjust based on the active contracted rate of the inspector. (At the time of this adoption, the inspector base rate is $60.00, resulting in an active initial charge of $72.00 per inspection milestone).
3. **Flat-Rate Fees (Zero Inspections):**
    - **Demolition Permit:** A flat fee of $30.00 is required to monitor capping of utilities and debris management.
    - **Standard Work Permit (No Inspections):** A flat fee of $60.00 applies to low-risk exterior material changes (e.g., matching siding or window swaps) requiring zero physical field inspections.
4. **Account Settlement Rule:** Any required re-inspections or partial inspections shall incur the standard inspection base rate plus the 20% markup. All outstanding partial or re-inspection fees shall be tallied by District staff and must be paid in full prior to scheduling or receiving a final sign-off on the Final Building Inspection or Final Site Inspection.

SECTION 7: FENCE PERMIT STANDARDS

All construction, replacement, relocation, extension, or substantial alteration of a fence shall require a District building permit **before work begins**. No fence shall be constructed or relocated without an approved permit.

● **Permit and Site Plan:** A fence permit application shall include a survey, site plan, or other drawing acceptable to the District showing the residence, lease boundary lines, proposed fence location, gates, roadways, driveways, and any known easements or utility areas. The proposed fence line shall be clearly identified so that the District may determine whether the location complies with these Regulations and the applicable lot lease.

No fence shall be constructed in a location materially different from the location shown on the approved permit without prior District approval.

● **Materials:** All fences shall be constructed using new materials suitable for their intended exterior use. Used, salvaged, deteriorated, or mismatched materials are prohibited unless specifically approved by the District as part of the permit.

● **Height:** Fences shall not exceed six feet eleven inches (6'11") in height. If a continuous concrete curb or mow-strip base is installed, not exceeding six inches (6") above surrounding grade, fence height may be measured from the top of the approved curb or mow strip.

● **Front Building Line:** No fence shall extend forward beyond the front of the principal residence. For purposes of this requirement, the front of the residence shall mean the front-most exterior wall or front building line facing the roadway. The District may require the proposed fence location to be clearly identified on the permit plan before approval.

● **Roadway Setback:** Any fence adjacent to a roadway shall be located a minimum of three feet (3') from the right-of-way or pavement edge and shall comply with any greater setback or access requirement applicable to the particular location.

● **Shared Lease Boundary Lines:** Except where restricted by a roadway setback, utility requirement, drainage requirement, or other provision of these Regulations, a fence may be approved for placement directly on a shared property or lease boundary line.

● **District Six-Foot Utility Reservation:** The District reserves a strip six feet (6') wide lying adjacent to and inside the boundary lines of each lease lot as provided in the

applicable lot lease for the installation, operation, inspection, repair, replacement, maintenance, and access to utility lines and related District facilities.

A fence **may be approved within or across this six-foot (6') reserved area**, provided its location is specifically shown on the approved fence permit plan. Approval of a fence within the reserved area does not constitute a waiver, abandonment, modification, or limitation of any right reserved to the District under the applicable lot lease.

Any fence located within the reserved area shall remain subject to the District's right of access. If the District determines that removal, relocation, opening, or temporary removal of any portion of the fence is reasonably necessary for the installation, operation, inspection, repair, replacement, or maintenance of a utility line or related facility, or to provide necessary District access, the leaseholder shall promptly remove or relocate the affected portion of the fence upon notice from the District.

If the leaseholder fails to timely remove or relocate the fence as directed, or if immediate access is reasonably necessary because of an emergency or utility condition, the District may remove, relocate, cut, dismantle, or otherwise take such action with respect to the fence as is reasonably necessary to obtain access.

All reasonable costs incurred by the District for removal or relocation of a fence within the reserved area shall be the responsibility of the leaseholder. The District shall not be responsible for replacing or restoring a fence installed within the reserved area except to the extent otherwise required by applicable law.

● **Gates and District Access:** A gate or other means of access may be required where the Building Official determines that a proposed fence would otherwise materially interfere with existing District utility facilities, meters, equipment, drainage facilities, or areas requiring routine District access.

● **Inspection and Compliance:** The District may inspect the location, height, materials, and construction of a fence for compliance with the approved permit. A fence constructed outside its approved location or otherwise in violation of the permit, these Regulations, or the applicable lot lease may be required to be corrected or relocated at the leaseholder's expense.

● **Leaseholder Responsibility:** Issuance of a fence permit does not alter the terms of the applicable lot lease or create any property right in favor of the leaseholder. The leaseholder remains responsible for ensuring that the fence and its location comply with the lot lease, these Regulations, and the approved permit.

SECTION 8: EXISTING STRUCTURES (IEBC REMODEL SAFEGUARD)

The District explicitly mandates the use of the Work Area Compliance Method under the 2021 International Existing Building Code (IEBC). Requirements for updates shall be strictly isolated to the specific new addition or altered elements of the structure. A resident undertaking a remodel or building an addition shall not be required to bring the unaffected, existing portions of the original structure up to current code, provided the existing structure remains structurally safe and the new work does not degrade the integrity of the building.

SECTION 9: CANYON GRADING AND EARTHWORK CONTROLS

To protect the lake from sediment pollution, preserve natural drainage patterns, and prevent erosion and flash-flood damage to adjacent lease lots, District roads, and infrastructure, the following controls are established:

- **District Grading Plan Defined:** A District Grading Plan is a drawing, survey, or site plan identifying the proposed excavation, filling, leveling, or alteration of existing ground elevations. The plan must identify the areas to be disturbed, approximate changes in elevation, existing and proposed stormwater drainage directions, and measures to prevent erosion or sediment runoff. The plan may be prepared by the leaseholder or contractor using an existing property survey or site drawing. The District may require a plan prepared by a Texas-licensed professional engineer when significant drainage alterations, retaining structures, slope instability, or other substantial risks are involved.
- **Permit Threshold:** No cut-and-fill work, leveling, or machine-driven dirt excavation changing the existing ground elevation by more than six inches (6") over an area exceeding 100 square feet, or disturbing more than 25% of a lease lot, may begin without an approved District Grading Plan. Ordinary landscaping, planting, utility trenches, and excavation authorized under another District permit are exempt unless they materially alter drainage patterns.
- **Runoff and Silt Fencing:** Artificial lot grading shall not redirect or concentrate stormwater runoff or cause sediment deposits onto adjacent lease lots, District roads, or into the lake. Contractors shall install commercial-grade silt fencing or other District-approved erosion controls along the downhill perimeter and lakeside boundary of disturbed areas before earthwork begins. Such controls shall be maintained until the disturbed soil is adequately stabilized.
- **Natural Drainage Protection:** No leaseholder or contractor shall obstruct, divert, fill, or materially alter an existing natural drainage channel, ravine, or established

stormwater flow path without prior written District approval.

- **Culverts:** All driveways crossing District roadside drainage ditches shall include a drainage culvert with a minimum diameter of eighteen inches (18"), unless the District determines that a larger culvert or alternative drainage design is necessary to accommodate stormwater flow. Culvert size, placement, and elevation shall be subject to District approval.
- **District Approval and Enforcement:** All required District Grading Plans must be approved before earthwork begins. The District may require corrections, additional erosion controls, or suspension of work when grading creates drainage hazards, erosion, sediment discharge, or damage to District property or neighboring lease lots. Approval of a District Grading Plan does not relieve the leaseholder or contractor of responsibility for proper construction or compliance with applicable regulations.

FRONT HAZARD PREVENTION (SEAWALLS & DOCKS)

To protect navigation, shoreline stability, neighboring leaseholds, public safety, water quality, and District property, all waterfront development shall comply with the following requirements.

10.1 Permit Required

A building permit shall be obtained before construction, placement, relocation, structural alteration, substantial repair, or replacement of any boathouse, dock, swim dock, pier, boat lift, seawall, retaining structure, or other improvement extending into or immediately adjacent to District waters.

Replacement of dock flotation shall require District approval and inspection.

Electrical installation, replacement, or repair serving a dock, boathouse, boat lift, or other waterfront structure shall be performed by a properly licensed electrical contractor when required by applicable law and shall be subject to District inspection requirements.

Ordinary maintenance that does not alter the structural system, dimensions, location, electrical system, flotation system, or intended use of the structure may be performed without a new permit unless otherwise directed by the Building Official.

10.2 Plans and Application Requirements

Plans for a new or substantially altered boathouse, dock, pier, boat lift, or other

waterfront structure shall be submitted to the District before construction begins.

Plans shall show, at minimum:

1. The location of the proposed structure in relation to the shoreline and lease lot;
2. Overall dimensions and height;
3. Walkway dimensions;
4. Construction materials;
5. Flotation system, when applicable;
6. Anchoring or attachment system;
7. Location and type of boat lifts or personal watercraft lifts;
8. Electrical service, when applicable;
9. Relationship of the proposed structure to neighboring waterfront improvements; and
10. Any additional information reasonably required by the Building Official or Board to determine compliance with District requirements.

No material deviation from approved plans shall be made without prior District approval.

10.3 Single-Level Dock and Boathouse Requirement

All newly constructed, reconstructed, replacement, or substantially altered docks and boathouses shall be SINGLE LEVEL.

Second-story decks, rooftop decks, upper observation decks, balconies, elevated recreational platforms, or any other occupiable level above the primary dock deck are prohibited.

A roof covering a permitted dock or boathouse shall not constitute a second story provided that:

1. The roof is not designed, constructed, equipped, or used as an occupiable deck or recreational area;
2. No permanent stairs, ladders, steps, or similar access are provided for recreational access to the roof; and
3. No railing, furniture, decking system, platform, or other improvement is installed that would reasonably indicate or facilitate occupancy of the roof.

Because water depths adjacent to docks and boathouses may be shallow, variable, or otherwise unsafe for elevated entry into the water, no dock, boathouse, roof, canopy, structural member, platform, railing, or other elevated portion of a waterfront structure

may be designed, constructed, maintained, or used as a diving or jumping platform.

Diving or jumping into the lake from the roof, upper structural members, canopy, or other elevated portion of a dock or boathouse is prohibited.

No permit shall be issued for construction of a two-story or multi-level dock or boathouse.

10.4 Existing Multi-Level Docks and Boathouses

A multi-level dock or boathouse lawfully existing on the effective date of these Regulations may remain as a legal nonconforming structure provided that it is maintained in a safe condition.

An existing nonconforming multi-level structure:

1. May receive ordinary repairs and maintenance necessary to preserve its safe condition;
2. Shall not be enlarged or altered in a manner that increases the existing nonconformity;
3. Shall not be reconstructed as a multi-level structure if removed or substantially destroyed; and
4. Shall comply with the current single-level requirement when replacement or substantial reconstruction is required.

The District may require documentation reasonably establishing that a claimed nonconforming structure lawfully existed before the effective date of this requirement.

10.5 Height and Dimensions

New boathouses and covered docks shall not exceed ten feet (10') at the eave or fifteen feet (15') at the roof ridge, measured vertically from the primary dock deck.

Roof overhangs shall not exceed twenty-four inches (24") unless specifically approved as part of the permitted design.

Walkways and swim docks shall not extend more than thirty feet (30') into the lake when measured from the shoreline at the District's established normal or spillway pool elevation, unless a lesser distance is required by the District for navigation or safety.

The District may impose a lesser allowable projection where the width, configuration,

water depth, navigation channel, adjoining structures, or other characteristics of a cove or shoreline make the otherwise allowable projection unsafe or unreasonable.

10.6 Navigation and Location

No dock, boathouse, swim dock, pier, boat lift, floating apparatus, or other waterfront improvement shall:

1. Unreasonably interfere with navigation;
2. Obstruct reasonable access to an adjoining waterfront lease lot;
3. Extend into an established navigation channel;
4. Create an unreasonable hazard to boats, swimmers, neighboring structures, or District operations; or
5. Be located in a manner that materially encroaches upon the projected waterfront area of an adjoining lease lot.

The District may require modification of the proposed location, dimensions, orientation, or configuration of any waterfront structure as a condition of permit approval when necessary to protect navigation and public safety.

10.7 Dock and Boathouse Construction

Structural framing for newly constructed boathouses and floating docks shall be constructed of steel, marine-grade aluminum, engineered treated lumber, or another material specifically approved by the District as appropriate for waterfront use.

All structural connections shall be designed and installed to resist expected wind, wave, flotation, and movement forces.

Wood structural connections shall use through-bolts, engineered structural connectors, or another approved connection method where appropriate.

The District may require engineered plans for unusual, oversized, structurally complex, or site-sensitive waterfront structures.

10.8 Flotation

All floating docks, boathouses, swim docks, and similar floating structures shall use commercially manufactured encapsulated foam flotation or another flotation system specifically approved by the District.

Open barrels, metal drums, unencapsulated foam, exposed foam blocks, or other improvised flotation systems are prohibited.

Flotation shall be maintained so that the structure remains reasonably level, stable, secure, and in its approved position.

Failed, deteriorated, waterlogged, detached, or exposed flotation shall be repaired or replaced when directed by the District.

10.9 Anchoring

All floating docks, boathouses, swim docks, and similar structures shall be securely anchored or attached using a system appropriate for the size, design, water depth, shoreline configuration, and anticipated environmental loads of the structure.

The anchoring system shall be shown on permit plans.

Anchoring cables, poles, sleeves, chains, underwater anchors, or similar components shall not create an unreasonable navigation, swimming, or entanglement hazard.

10.10 Prohibited Uses

No dock or boathouse may contain or be used as:

1. Living or sleeping quarters;
2. A kitchen or permanent cooking facility;
3. A toilet, sewage holding system, septic connection, or other waste disposal system;
4. A short-term rental or other separately occupied accommodation; or
5. Any use determined by the District to create an unreasonable sanitation, fire, electrical, navigation, or public safety hazard.

Nothing in this subsection prohibits ordinary outdoor furniture, recreational seating, or customary waterfront recreational use of an otherwise compliant single-level dock.

10.11 Boat Lifts and Personal Watercraft Lifts

Boat lifts, personal watercraft lifts, and similar devices shall be included on the waterfront permit application when installed as part of a new or altered dock.

A subsequently installed lift shall require District approval when it alters the dimensions, structural loading, electrical system, anchoring, or navigational footprint of the approved

structure.

No lift or associated apparatus may extend beyond the area reasonably associated with the permitted dock in a manner that interferes with navigation or neighboring waterfront use.

10.12 Portable and Floating Recreational Devices

Floating platforms, inflatable recreational devices, floating trampolines, personal watercraft platforms, and similar equipment shall be securely maintained and shall not:

1. Obstruct navigation;
2. Extend into neighboring projected waterfront areas;
3. Be permitted to drift unattended;
4. Create an unreasonable hazard to swimmers or boat traffic; or
5. Extend farther into the lake than the District determines reasonably appropriate for the location.

The District may require removal or relocation of any floating apparatus creating a navigation or safety hazard.

10.13 Seawalls and Shoreline Improvements

Construction, replacement, substantial reconstruction, relocation, or major repair of a seawall shall require a District building permit.

The District may require a sealed design prepared by a Texas-licensed professional engineer when warranted by the height, structural design, soil conditions, shoreline conditions, adjacent improvements, or scope of the project.

The leaseholder is responsible for preventing construction-related soil, fill, concrete, debris, or other materials from entering District waters.

No unauthorized fill shall be placed into the lake.

10.14 Required Seawall Inspections

Unless otherwise approved by the Building Official based upon the particular construction method, seawall construction shall be inspected at the following stages:

1. PRE-CONSTRUCTION / STAKEOUT INSPECTION — Proposed seawall location shall be staked and required erosion controls and construction protections shall

be in place before construction begins.
2. STRUCTURAL / PANEL INSPECTION — Panels, reinforcement, anchors, structural members, drainage materials, and other concealed components shall be inspected before backfilling or concealment.
3. BACKFILL / COMPACTION / FORM INSPECTION — Required backfill, drainage, compaction, reinforcement, and concrete forms shall be inspected before final concrete placement or permanent concealment.
4. FINAL INSPECTION — The completed seawall, shoreline stabilization, drainage, disturbed areas, and any dock or other structure removed and reinstalled as part of the work shall be inspected before final approval.

No required component shall be concealed before the applicable inspection has been completed and approved.

10.15 Structures Removed for Seawall Work

Any dock, boathouse, walkway, lift, or other waterfront structure removed or substantially disassembled to facilitate seawall construction shall require District approval before being reinstalled.

Reinstallation shall not be used to enlarge, relocate, materially alter, or reconstruct a nonconforming structure without compliance with the requirements applicable to new construction.

10.16 Waterfront Electrical Safety

All waterfront electrical systems shall comply with the electrical code adopted by the District and all other applicable law.

Electrical work serving docks, boathouses, boat lifts, pumps, lighting, receptacles, or other waterfront equipment shall be inspected before final approval where required by the District's inspection schedule.

Electrical installations presenting an immediate shock or electrocution hazard may be ordered disconnected from power until the hazardous condition is corrected.

10.17 Maintenance

The leaseholder shall maintain all docks, boathouses, seawalls, boat lifts, walkways, flotation systems, anchoring systems, and related waterfront improvements serving the lease lot in a structurally sound and reasonably safe condition.

Rotted structural members, failed flotation, loose electrical equipment, collapsing seawalls, detached components, or other conditions presenting a material safety, navigation, shoreline, or water-quality hazard shall be repaired or removed when directed by the District.

10.18 Movement or Relocation

No dock, boathouse, pier, swim dock, or other permanent or semi-permanent waterfront structure may be moved from its approved location or transferred to another waterfront location without prior District approval and any required permit.

10.19 Inspection and Final Approval

Waterfront structures shall be subject to inspection during construction and before being placed into regular use.

The District may require correction of work that does not conform to approved plans, these Regulations, or applicable adopted codes before issuing final approval.

SECTION 11: SITE SANITATION AND WASTE MANAGEMENT

- **Portable Toilets:** A functional portable toilet must be placed on every active construction site prior to the commencement of framing work and must remain on-site until project completion, unless an addition is being made to an occupied home with a working restroom.
- **Dumpsters:** The District reserves the absolute right to require a commercial construction materials dumpster on any permitted site.
- **Lake Dumpster Ban:** It shall be a violation of this Resolution to dispose of any construction debris, scrap lumber, concrete waste, or packaging materials inside
  standard residential or public District lake trash dumpsters. Violations trigger immediate Stop Work Orders and administrative cleanup fines.

SECTION 12: CONTRACTOR REGISTRATION AND DISCIPLINARY DEBARMENT

● **Annual Contractor Registration:** All General Contractors performing work within the District shall register annually with the District for a flat fee of $50.00. Registration shall run from January 1 through December 31 and shall not be prorated.

● **General Contractor Insurance:** Each General Contractor shall maintain **Commercial General Liability (CGL) insurance with limits of not less than $1,000,000 per occurrence and $2,000,000 general aggregate.** Lubbock County Water Control and Improvement District No. 1 shall be named as an **Additional Insured** on the required liability coverage while performing work within the District. A current Certificate of Insurance (COI) and evidence of Additional Insured status shall be provided to the District before registration or issuance of a permit. Required coverage shall remain continuously in effect while the contractor is performing work within the District.

The District may require updated evidence of insurance at any time. The contractor shall cause the District to receive notice of cancellation, nonrenewal, or material reduction in required coverage **to the extent such notice is available under the applicable policy or endorsement.** A lapse, cancellation, or reduction of coverage below the required limits shall constitute grounds for immediate suspension of work until compliant coverage is restored.

● **Leaseholder Acting as General Contractor (Owner-Builder):** A leaseholder may act as the General Contractor for construction on the leaseholder's own lease lot, subject to all District permitting, inspection, and construction requirements. A leaseholder acting as General Contractor shall maintain **Commercial General Liability or equivalent construction liability coverage with limits of not less than $1,000,000 per occurrence and $2,000,000 general aggregate** covering the construction project. Lubbock County Water Control and Improvement District No. 1 shall be named as an **Additional Insured** on the required liability coverage. A current Certificate of Insurance (COI) and evidence of Additional Insured status shall be provided to the District before issuance of the permit. Required coverage shall remain continuously in effect until the project receives final approval from the District.

The District may require updated evidence of insurance at any time. The owner-builder shall cause the District to receive notice of cancellation, nonrenewal, or material reduction in required coverage **to the extent such notice is available under the applicable policy or endorsement.** A lapse, cancellation, or reduction of coverage below the required limits shall constitute grounds for immediate suspension of work until compliant coverage is restored.

● **Trade Disclosure and Licensing:** General Contractors and owner-builders shall provide the business name and applicable state license number of each contractor or subcontractor performing electrical, plumbing, or HVAC work before the applicable trade inspection is scheduled. All work requiring a license under Texas law shall be performed by a properly licensed individual or contractor.

● **Contractor Responsibility:** A registered General Contractor or owner-builder shall be responsible for ensuring that work performed under the permit complies with the approved plans, District regulations, applicable codes, and required inspection sequence. The use of subcontractors does not relieve the General Contractor, owner-builder, permit holder, or leaseholder of responsibility for compliance with District requirements; however, this provision is not intended to alter any legal rights between any contractor or subcontractor.

● **Suspension and Debarment Authority:** The District may deny registration or suspend, revoke, or declare a contractor or subcontractor ineligible to perform work within the District for violations of District regulations, permit requirements, applicable codes, or other requirements applicable to work performed within the District. Except where immediate suspension is reasonably necessary to protect public safety, District property, utilities, or the integrity of the permitting and inspection process, disciplinary action shall be subject to notice and an opportunity for review by the Board.

● **Serious Violations:** Grounds for immediate suspension of a contractor or subcontractor pending review and further action by the District may include:

1. Beginning construction, excavation, demolition, or other regulated work without a required active District permit;
2. Intentionally circumventing District requirements, including deliberately skipping required inspections, concealing or covering work before inspection, or materially deviating from approved plans without authorization;
3. Performing work while suspended, debarred, or otherwise declared ineligible by the District;
4. Knowingly providing materially false or misleading information in connection with a permit, inspection, contractor registration, or District investigation; or
5. Offering, providing, or attempting to provide money, gifts, gratuities, favors, or other improper consideration to a District employee, official, Board member, or contract inspector for the purpose of influencing a permit, inspection, approval, enforcement action, or other official decision.

● **Use of Suspended or Debarred Contractors:** No permit holder, leaseholder, General Contractor, or owner-builder shall knowingly employ, contract with, or utilize a contractor or subcontractor who has been suspended, debarred, or otherwise declared ineligible by the District to perform the applicable work.

● **Effect on Permit:** The suspension, debarment, loss of required insurance, or other ineligibility of a General Contractor shall immediately preclude the right to perform any

additional work on the project until the District authorizes work to resume. The District may require an amended or replacement permit when necessary to document the change in responsible party.

● **District Responsibility:** Contractor registration, acceptance of insurance documentation, issuance of a permit, or performance of an inspection does not constitute a representation or warranty by the District concerning the competency, financial condition, workmanship, safety, or performance of any contractor or subcontractor. The District specifically disclaims any warranties, representations, or liability for any work performed.

SECTION 13: DANGEROUS AND SUBSTANDARD STRUCTURES

The District establishes a strict nuisance framework to govern dilapidated or substandard structures, including but not limited to retaining walls, docks, outbuildings or any other improvement that threaten public safety or lake water quality. For the purposes of this Section, the term improvement shall have the greatest possible meaning to provide inclusion of any dangerous condition or substandard structure.

- **30-Day Notice to Cure:** Upon identifying a dangerous or substandard structure, the District shall issue a written notice to the leaseholder. The leaseholder shall have thirty (30) calendar days to remedy the violation or demonstrate substantial progress.
  - **Emergency Intervention Powers:** If an immediate threat exists to life, property, shoreline stability, or public utility grids (such as an actively collapsing retaining wall or an ungrounded dock electrical circuit), the District may issue immediate emergency orders and take direct action to mitigate or remediate the danger without prior notice.
- **Lease Default and Cost Recovery:** Failure to remedy an active violation allows the District to enter the premises, perform necessary demolition or stabilization work, and charge all costs directly to the leaseholder. Furthermore, in addition to the requirements in the land lease, the continued non-compliance shall constitute a formal default under the land lease, authorizing the District to exercise any available remedies including, but not limited to, termination of the land lease.

SECTION 14: PERMIT REVIEW AND APPROVAL AUTHORITY

14.1 Board Authority.
The Board of Directors retains ultimate authority over the District's building and development permitting program. No permit shall be valid unless approved in accordance with the review and approval authority established by the Board under this Section.

14.2 Annual Designation of Permit Review Authority.
At least annually, the Board shall designate, by motion, resolution, or other official Board action, the person or body authorized to review and approve permit applications on behalf of the District. The Board may designate one or more of the following:

1. The Board of Directors;
2. A committee appointed by the Board;
3. The District's Building Official or other designated staff member;
4. A qualified third-party inspector, architect, engineer, plan reviewer, or other professional; or
5. Any combination of the above, with different levels of review or approval authority assigned to different types of permits.

The Board may modify or replace any designation at any time by official Board action.

14.3 Scope of Delegated Authority.
The Board shall determine the scope of authority granted to each designated Permit Review Authority. Such authority may include administrative review for completeness, technical plan review, determination of required inspections, approval of permits that comply with these Regulations, or other duties specifically assigned by the Board.

Any authority not expressly delegated by the Board remains with the Board of Directors.

14.4 Permit Review.
Before approval, the Permit Review Authority shall determine that the application is sufficiently complete and that the proposed work complies with these Regulations, the adopted model codes, applicable District requirements, and any conditions applicable to the lease lot or project.

As part of plan review, the Permit Review Authority shall identify the inspections required for the project and document them on the District's Plan Review and Inspection Record.

14.5 Approval, Conditional Approval, or Denial.
The Permit Review Authority may approve a permit, approve a permit subject to reasonable conditions necessary for compliance, or deny a permit that does not comply with applicable requirements.

The basis for a denial or any material conditions of approval shall be documented in the

permit or project record.

14.6 Matters Requiring Board Action.
A designated Permit Review Authority may not grant a variance from these Regulations unless the Board has expressly authorized such action by law and Board policy. Requests for variances shall be handled in accordance with the variance provisions of these Regulations.

The Board may also require that specified categories of permits, unusual or complex projects, waterfront projects, or other matters designated by the Board be submitted to the Board for approval.

14.7 Board Review and Reservation of Authority.
The Board may retain any permit application for Board consideration or require Board review of a permit application when the Board determines that the nature, location, complexity, or potential impact of the proposed work warrants Board consideration.

Delegation of permit review or approval authority does not divest the Board of its governing authority over the District's permitting program.

14.8 Permit Issuance.
Following approval and payment of all required permit and plan-review fees, the District shall issue the applicable permit. No construction or other work requiring a permit may begin until the permit has been issued by the District.

14.9 Permit Revocation.
The Board reserves the right to revoke permits at any time.

SECTION 15: VARIANCE REQUESTS AND BOARD CONSIDERATION

The Board of Directors may, in its discretion, approve a variance from a specific requirement of these Regulations when the Board determines that unique site conditions, physical constraints, existing improvements, waterfront conditions, topography, or other circumstances justify a deviation and that the variance will not materially compromise public safety, District utilities, drainage, shoreline stability, navigation, neighboring leaseholds, or the purposes of these Regulations.

Request for Variance: A General Contractor, permit applicant, or leaseholder seeking a variance shall submit a written variance request to the District identifying:

1. The specific requirement from which a variance is requested;
2. The exact variance or alternative being requested;
3. The reason the variance is necessary or appropriate;
4. Any plans, drawings, photographs, measurements, engineering information, or other supporting materials reasonably necessary to evaluate the request; and
5. The property or lease lot affected by the request.

Board Agenda Requirement: Variances may be granted only by the Board of Directors at a properly posted Board meeting. The Board shall provide an opportunity for variance requests to be considered at each regularly scheduled monthly Board meeting, provided such meeting is held.

Applicants must submit a complete variance request, including all required documentation and supporting materials, to the District office at least seven (7) calendar days prior to the scheduled Board meeting to be eligible for consideration that month. Requests received after the deadline, or requests determined to be incomplete, shall be deferred to the next regularly scheduled monthly Board meeting following receipt of a complete application.

If a regularly scheduled monthly Board meeting is canceled, postponed, or otherwise not held, pending variance requests shall be carried forward to the next regularly scheduled Board meeting.

The District shall make reasonable efforts to include all timely submitted, complete variance requests on the applicable monthly Board agenda. However, if a request cannot be included due to legally required agenda posting deadlines, insufficient documentation, or other circumstances affecting compliance with applicable law or District procedures, the request shall be deferred to the next regularly scheduled Board meeting. The District shall notify the applicant of such deferral.

Placement of a variance request on the Board agenda does not constitute approval, support, or a commitment by the Board to grant the requested variance. All varia**nces remain subject to review and approval by the Board of Directors.**

No Administrative Variance: The District Manager, Building Official, inspector, District employee, or individual Board member may not independently grant a variance from these Regulations.

Pending Variance: Submission or consideration of a variance request does not authorize work that would otherwise violate these Regulations or an approved permit. Work affected by the requested variance shall not begin or continue unless and until the Board approves the variance and the District issues or amends the applicable permit as necessary.

Board Action: The Board may approve, approve with conditions, modify, or deny a requested variance. Any variance approved by the Board shall apply only to the specific property, project, plans, and circumstances considered by the Board and shall not constitute a general amendment, waiver, or precedent applicable to other properties or projects.

Record of Variance: An approved variance and any conditions imposed by the Board shall be documented in the Board's official action and incorporated into the applicable permit or project record.

SECTION 16: ADMINISTRATIVE REMEDIES

Any complaint or challenge to any decision made under this Resolution and Board Order shall first be made to the Building Official or District Inspector. Any challenge to the decision from the Building Official or District Inspector shall be determined by a majority vote of the Board of Directors. Any decision made by the Board of Directors shall be considered final and non-appealable within the District.

SECTION 17: EFFECTIVE DATE AND SEVERABILITY

- **Immediate Effect:** This Resolution and Order shall take full effect and be administratively enforced by District immediately upon its passage and signature by the Board of Directors.
- **Severability:** If any section, clause, or provision of this Resolution is declared invalid by a court of law, such decision shall not affect the remaining portions of this text.

PASSED AND APPROVED this ____ day of _____, 2026.

APPROVED:

President, Board of Directors Lubbock County WCID No. 1

ATTEST:

Secretary, Board of Directors Lubbock County WCID No. 1