



# LYTLE LAKE WATER CONTROL & IMPROVEMENT DISTRICT

1013 Energy Dr., Abilene, TX 79602 • P.O. Box 3457, Abilene, TX 79604 • (325) 690-0835 ph • (325) 695-3299 fax

## A RESOLUTION OF THE LYTLE LAKE WATER CONTROL AND IMPROVEMENT DISTRICT ADOPTING REVISED RULES AND REGULATIONS FOR THE USE OF LYTLE LAKE AND DISTRICT PROPERTY.

**WHEREAS**, pursuant to Sections 51.122 and 51.127 of the Texas Water Code, the Lytle Lake Water Control & Improvement District (the “District”) has the authority to adopt reasonable regulations to preserve and protect the condition of Lytle Lake, and regulate privileges on and access to land owned by the District and on Lytle Lake;

**WHEREAS**, the Board of Directors of the District (the “Board of Directors”) adopted comprehensive rules regarding the use of Lytle Lake for recreational purposes, the placement of on-water facilities on the Lake, and the installation of seawalls at or near the Lake’s edge, known as the Rules and Regulations for Use of Lytle Lake and District Property (the “Rules”) on July 24, 2018 and amended those rules on May 18, 2021;

**WHEREAS**, on July 21, 2022, the Board of Directors determined that Section 3.05.3 of the Rules should be added to prohibit On-Water Facilities from being constructed on shorelines of property without residences, that Section 7.02 should be added to the Rules to allow for civil enforcement of the Rules, and that Section 3.09.2 should be amended to clarify the value of improvements which subjects an On-Water Facility to compliance with the Rules; and

**WHEREAS**, the Board of Directors also finds that Section 2.02 should be clarified to prohibit unaccompanied and authorized users of the Lake, that Section 3.10 should be amended and Section 3.11 should be added to provide an expedited enforcement process for Hazards to Navigation on the Lake, and that typos should be corrected throughout the Rules .

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LYTLE LAKE WATER CONTROL AND IMPROVEMENT DISTRICT that:**

**Section 1.** The Rules and Regulations for the Use of Lytle Lake and District Property, attached as Exhibit “A”, are hereby adopted.

**Section 2.** The Rules and Regulations pertaining to structures shall effective thirty (30) days after publication and all other Rules and Regulations shall be effective five (5) days after said publication pursuant to the Texas Water Code.

**Section 3.** All policies, rules, and regulations in conflict with the provisions of the Rules adopted by this Resolution shall be, and the same are, hereby repealed.

**Section 4.** Should any section or part of the Rules be held unconstitutional, illegal, or invalid, or the application to any person or circumstances for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, or ineffectiveness or such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof, but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of the Rules and Regulations adopted by this Resolution are declared to be severable.

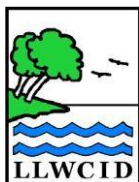
**PASSED, APPROVED AND ADOPTED** on this the 1<sup>st</sup> day of September, 2022.

Attest

Jim McCathren, President

Rusty Beard, Secretary

(SEAL)



# *LYTLE LAKE WATER CONTROL & IMPROVEMENT DISTRICT*

1013 Energy Dr. Abilene, TX 79602 - P.O. Box 3457, Abilene, TX 79604 • ph: (325) 690-0835

---

## **LLWCID Mission Statement**

It is the mission of LLWCID to create a luxurious environment surrounding Lytle Lake and safeguard the assets of LLWCID for the District taxpayers. These Regulations are adopted to promote health, safety, and welfare in the recreational use of the Lake and other property of LLWCID under the authority of the LLWCID Board of Directors. The LLWCID Board of Directors, pursuant to Sections 51.122 and 51.127 of the Texas Water Code, at a duly called and convened meeting of said Board of Directors held on September 1, 2022, at which a quorum was present, adopted the following Regulations for the use of Lytle Lake and District property.



*LYTLE LAKE WATER CONTROL &  
IMPROVEMENT DISTRICT*

1013 Energy Dr. Abilene, TX 79602 - P.O. Box 3457, Abilene, TX 79604- ph: (325) 690-0835

**TABLE OF CONTENTS**

**GENERAL PROVISIONS ..... 1**

**RECREATIONAL USE OF THE LAKE AND OTHER LLWCID PROPERTY ..... 2**

**Authorized Persons ..... 2**

**Boat Ramps..... 2**

**Boating Regulations..... 2**

**ON WATER FACILITIES ..... 4**

**Location ..... 4**

**Docks ..... 4**

**Private Moorings and Markers ..... 5**

**Permitting ..... 6**

**Annual Inspections and Violations ..... 6**

**SEAWALLS AND REVETMENTS ..... 8**

**Seawalls... 8**

**Revetments ..... 8**

**Permitting ..... 9**

**IRRIGATION FROM THE LAKE ..... 10**

**PRIVATE DREDGING ..... 11**

**Permitting ..... 11**

**GENERAL PENALTY PROVISION ..... 12**

**VARIANCES ..... 12**

**EFFECTIVE DATE ..... 12**

**DEFINITIONS ..... 13**

---

## **POLICIES, RULES, AND REGULATIONS FOR LYTLE LAKE**

### **1.00 GENERAL PROVISIONS**

- 1.01 These Regulations shall be in addition to any applicable Rules, regulations, laws or requirements of any other authority having jurisdiction. In the event these Regulations conflict with other authorities having jurisdiction, the most restrictive condition shall prevail.
- 1.02 The Lake level is not controlled and may vary from -15 feet to +4 feet from Shoreline.
- 1.03 The District reserves the right to amend these Regulations from time to time as the Board deems necessary or in the best interest of the District. The District further reserves the right to impose temporary restrictions upon the use of the Lake when necessary to:
- .1 protect water quality,
  - .2 protect the health, safety, and welfare of the residents of the District and other users of the Lake, or their property, particularly when low water levels or over spillway level make use of the Lake hazardous,
  - .3 carry out any lawful purpose or function of the District.
- 1.04 The District reserves the right to enforce these Rules at all times and especially when a situation constitutes a Hazard to Navigation or threat to health, safety, or welfare.
- 1.05 It is the intention of the District to maintain open communications with all Owners. While amendments to these Rules may be made from time to time by the Board of Directors, the District will communicate any future changes to the Owners as expeditiously as possible.
- 1.06 Except for the District's existing dam and spillways, the District has no means of controlling the flow of water into or out of the Lake or to prevent flooding of adjacent properties. The District shall not be liable or responsible in any way for damage to, or destruction of, any waterfront structure or property for any reason. Each Owner agrees to indemnify and hold the District harmless from and against all claims and suits made or filed against the District, its Directors, officers, employees and agents, arising out of the existence, location, construction, maintenance, or removal of structures, including all costs and expenses suffered or incurred by any of the indemnified persons in connection with any such claim or suit.
- 1.07 Commercial Operations are prohibited.

---

## 2.00 RECREATIONAL USE OF THE LAKE AND OTHER LLWCID PROPERTY

2.01 Access to and use of Lytle Lake shall be governed by the laws of the State of Texas, Rules of the Texas Parks and Wildlife Department including the current Texas Water Safety Act, and these Regulations.

"A Digest of the Texas Water Safety Act" and "The Texas Water Safety Act" can be downloaded at: [http://tpwd.texas.gov/publications/pwdpubs/pwd\\_br\\_l2000\\_0001/](http://tpwd.texas.gov/publications/pwdpubs/pwd_br_l2000_0001/).

2.02 The following persons shall have the right to use Lytle Lake for recreational purposes only:

- .1 Persons residing in the District or who own taxable property in the District,
- .2 Persons residing outside the District but within the Lytle Shores Addition, the Spillway Point Addition, and the Lytle Shores West Addition of the City of Abilene but only to the extent permitted or authorized by the recorded privileges and conditions applicable to such additions,
- ~~.3 Bona fide guests of persons described in .1 and .2 above, when accompanied by their host.~~
- .3 Parents, siblings and spouses of siblings, children and spouses of children, grandchildren and spouses of grandchildren or persons described in .1 and .2 above;**
- ~~.4 Other persons who may lawfully enter upon the property of the LLWCID.~~
- .4 Guests of persons described in .1 and .2 above, when personally accompanied by persons described in .1, .2, and .3 above.**

2.03 The District does not provide designated swimming areas.

2.04 In addition to registration required by 2.01, powered Vessels of any length and non-powered Vessels over 12 feet in length must be registered with the District. The District shall issue a numbered identification sticker to be displayed on the port side bow adjacent to the State sticker.

Temporary Vessels must secure a temporary registration sticker from the District which will be issued to the host and must be displayed on the guest Vessel at all times when on LLWCID property. Guests Vessels may only use the Lake when accompanied by their host.

2.05 The District provides two boat ramps:

- .1 The west ramp is accessible from Oldham Lane, is not open to the general public, and may only be used by persons identified in 2.02. The District maintains a limited number of boat parking stalls. When a stall is available, applicants may apply for a permit at the District Office and pay the annual fee established by The District.
- .2 The Tittle Park ramp is accessible from Lytle Way, is not open to the general public, and may only be used by persons identified in 2.02.1. The District maintains a limited number of boat parking stalls only for persons identified in 2.02.1. When a stall is available, applicants may apply for a permit at the District Office and pay the annual fee established by The District.
- .3 No unaccompanied guests may use either boat ramp or LLWCID lands adjacent to the boat ramps. The District makes no warranty as to fitness of the boat ramps for any use.

---

2.06 Boating Regulations:

- .1 All Vessels must be seaworthy and less than 25 feet in length.
- .2 No person may operate a motorboat powered by a motor with a manufacturer's rating of more than 15 horsepower unless the person is at least 13 years of age or is supervised by another person who:
  - .1 is at least 18 years of age,
  - .2 can lawfully operate the motor boat, and
  - .3 is on board the boat when under way.

A Texas Parks and Wildlife Department certified boater education course and photo I.D. is required for any person born on or after **August 31st**, 1993 to operate a Vessel powered by more than 15 horsepower or a windblown Vessel over 14 feet in length. Failure to comply is a Class C Misdemeanor. A person is not required to hold a certified boater education certificate if that person is supervised, on board, by a person who is at least 18 years of age and who is

---

otherwise exempt from course certification requirements or who possesses a certification card. Courses may be completed online at <http://tpwd.texas.gov/education/boater-education/boater-education-online-courses>

- .3 All Vessels must be equipped with one PFD for each person on board and each person towed. Each person riding a PWC must wear a PFD. Each person towed by a Vessel must wear a PFD.
  - .4 All powered Vessels must use a subsurface exhaust manifold.
  - .5 Amplified music must not be audible from Shore.
  - .6 No Vessel shall be operated between sunset and sunrise without lighting in compliance with the Texas Water Safety Act and must not exceed minimum planing speed. Skiing and tubing is prohibited during this time.
  - .7 Vessels must be operated at all times in a safe and prudent manner to protect the safety of their occupants, other Lake users, property owners, and property.
  - .8 Vessels may not be operated within 100 feet of any waterfront structures or Shore except for operator leaving, or returning to, dock.
  - .9 Vessels must not exceed Headway Speed (that means no wake) within 100 feet of any waterfront structures, other Vessels, swimmers, or Shore. According to the Texas Parks and Wildlife Department's Water Safety Act Sec. 31.098 "no person may operate a motorboat so as to create a hazardous wake or **crash wash**."
  - .10 No trash, litter, debris (including tree limbs and grass clippings) shall be thrown, dropped, disposed of, or otherwise deposited into, or be permitted to enter the Lake or, at times of low water levels, into or upon the exposed Lake bed.
  - .11 Vessels may only be anchored or moored within 50 feet of Shore and in front of owner's property and must maintain a clear navigational channel.
  - .12 Zebra Mussels are a growing epidemic in Texas waters and have a devastating and irreversible effect on Lake ecology. When bringing a Vessel from other waters, please follow the Texas Parks and Wildlife requirements and clean, drain, dry, and inspect Vessels, trailers, and gear. The Texas Parks and Wildlife Department imposes a \$500 fine for transporting invasive species or leaving a public body of water without draining all water ([www.texasinvasives.org](http://www.texasinvasives.org)).
- 2.07 All fishing must be conducted in compliance with current Rules and Regulations of the Texas Parks and Wildlife Department. Jug fishing and trot lines are prohibited. Fishing equipment may not be left unattended.
- 2.08 Firearms, bows and arrows, and other weapons, except fishing knives, are not allowed on the Lake or LLWCID property.
- 2.09 Tittle Park is available by reservation to persons identified in 2.02.1. Refer to <http://llwcid.org/index.html> for current information.
- 2.10 The District does not allow public access to any of its property. Off-limit areas are marked by NO TRESPASSING signs and purple paint on posts and trees which is an official marker under the Texas Penal Code 30.05. Trespassing is a criminal offense which can be prosecuted under the law.

---

### 3.00 ON WATER FACILITIES

- 3.01 Placing an On Water Facility is a privilege to Owners that carries obligations to abide by District Rules and to preserve the natural lake view for all Owners by making all On Water Facilities as inconspicuous as practical.
- 3.02 The District encourages all Owners to take personal responsibility for protecting the Lake's beautiful atmosphere and ensuring that individual On Water Facilities are in full compliance with these Rules.
- 3.03 Responsibility for the safety, structural integrity, and regulatory compliance of On Water Facilities is entirely the responsibility of the Owner. The District does not warrant the fitness of any On Water Facility for any reason.
- 3.04 All contractors working on District property must provide proof of liability insurance with coverage not less than \$100,000 per occurrence and \$1,000,000 in aggregate. Each policy must show the District as an Additional Insured and include a waiver of subrogation.
- 3.05 Location:
- .1 Side setbacks shall be a minimum of 12 feet from side lot boundaries when deeded lot boundaries are projected into the Lake.
  - .2 Structures may extend not more than 50 feet from the Shoreline or to a 20-foot wide clear channel as measured from the deepest part of the channel, whichever is less. This policy shall apply to all permitted structures except for those located in the Spillway Point Addition in which permitted structures may extend 100 feet, or to a water depth of five feet, ~~or~~ whichever is less.
  - .3 OWF's are not allowed to be constructed or installed on vacant shorelines where no single-family residence exists.
- 3.06 Docks:
- .1 Size: maximum dock area shall not exceed 400 square feet not including up to two boat slips. Walkways shall not exceed 6 feet in width. Only one dock is allowed per lakefront lot.
  - .2 Floating structures:
    - .1 Floatation shall be only encapsulated foam units designed for marine use. Floatation shall provide a minimum of 6" freeboard under dead load and live load of 20 pounds per square foot.
    - .2 Structures shall be rigidly anchored to the Lake bed by piles and hoops or to the Shore by cables or struts. Cables and struts shall not be attached to stumps, trees, or utility poles. Overhead cables are not acceptable. Lakeside cables, if any, shall not extend past 50 feet from the Shoreline.
  - .3 Non floating structures:
    - .1 Structures shall be firmly attached to the Lake bed with footings or driven piles to resist settling.
    - .2 Minimum deck elevation is 12" above Shoreline.
  - .4 Living quarters, walls, side curtains, vertical screens, toilet facilities, and fuel dispensing systems are strictly prohibited. Except when being used to temporarily fuel or lubricate a Vessel, no containers holding fuel or lubricants are allowed on On-Water Facilities.
  - .5 Docks may have a roof or a second-floor sun deck. A sun deck may not have a roof or covering. A sun deck shall have open side railing.
  - .6 The highest point of a structure shall not be more than 12 feet from the lower deck.
  - .7 Colors:



- 
- .1 Roof color shall be equal to MBCI Residential Color Chart colors "ivy green", "Koko Brown", "Buckskin", "Desert Sand", or "Saddle Tan". (<http://www.mbc.com/resource-center/documents/color-charts/>).
  - .2 Other than the roof, color shall be PPG Phantom Mist #1002-7 or PPG Night Watch #1145-7, "Dark Granite" #1005-7 or PPG "Thyme Green" 1128-7.
  - .3 Color requirement shall not apply to galvanized or aluminum components other than the roof, or floatation encasement.
  - .4 Treated wood may be unpainted. Other wood shall be painted or stained.
  - .5 When a facility is repainted in its entirety, excluding the roof, color shall be one of the acceptable listed in 3.06.7.2 above. Touch up painting may be the same as the existing color. Owners are encouraged to change to acceptable colors during the course of routine maintenance.
  - .8 Roof pitch shall not exceed 1:12.
  - .9 Roof may overhang dock not more than 18" on any side.
  - .10 Docks must be structurally sound and maintained at all times in a condition that does not threaten public health, safety, or welfare, and does not pose a Hazard to Navigation. Docks must be plumb and level, and floating docks must be floating level at design freeboard. Paint must not be chipped or peeling.
  - .11 The following dock repairs & maintenance items do not require permitting by the LLWCID: Repairs of dock boards, fasteners, floatation and bumpers; Sealing and painting. (Note that painting must comply with current approved color requirements in section 3.06.7. A description of any other maintenance & repairs must be submitted to LLWCID for verification of compliance under 3.09.

### 3.07 Private moorings and markers:

- .1 Private moorings and markers are only allowed within 50 feet of the Shoreline and at least 12' from side lot lines. Vessel swing in any direction shall not extend past a line 50 feet from Shoreline, or into the side setbacks, or reduce the clear channel less than 20 feet wide as measured from the deepest point in the channel.
  - .1 Anchors may be pyramid anchors, helical screws, or reinforced concrete blocks.
  - .2 Ground tackle shall be hot dipped galvanized or stainless steel with chain not less than 3/8" to the mooring buoy. Galvanized is susceptible to failure in Lyle Lake Water so stainless is recommended.
  - .3 Design holding power for moorings is a minimum of 1,000 pounds. The following sizes are acceptable:
    - .1 Pyramid anchors of 100 pounds or more.
    - .2 Helical screws as sized by the manufacturer. Some parts of the Lake have rock encountered below shallow soil depths and there may not be sufficient depth for helical penetration.
    - .3 Concrete blocks of 1,200 pounds or more.
  - .4 Mooring ball shall be 18" diameter, white with blue stripe.
  - .5 Mooring pennant shall be floating rope no longer than 8 feet long.

### 3.08 Tires are not acceptable for any use.

---

### 3.09 Permitting:

- .1 A permit is required prior to the construction or installation of all On Water Facilities.
- .2 A permit is required prior to modification, repainting, or maintenance to an On Water Facility when the work exceeds 20% of the total current market value of the structure, as determined by the District Manager. When the current market value of the work exceeds 20%, the OWF shall be brought into full compliance with current Rules.
- .3 Permit Application form is available from the District Manager or [www.llwcid.org](http://www.llwcid.org). and must be submitted with the following documents:
  - .1 An application fee may be required if established by the Board of Directors.
  - .2 Proof of property ownership.
  - .3 A current survey with the deeded property boundaries and Shoreline clearly marked.
  - .4 On-Water Facility plan including:
    - .1 Scale drawing showing and dimensioning side setbacks and the size and location of the proposed new or modified On-Water Facility.
    - .2 Front and side dimensioned views of the proposed new or modified On-Water Facility.
    - .3 Roof and second floor deck details if the proposed new or modified On-Water Facility includes these elements.
    - .4 Specification of floatation, materials, and other components.
    - .5 Color specification for roof panels and components other than galvanized and aluminum components.
    - .6 Contractor's proof of insurance.
- .4 Electrical and Plumbing systems require permitting by the City of Abilene Building Inspection Services Division.
- .5 The District will conduct pre and post installation or modification inspections to verify compliance with the permit documents. At post installation inspection, Owners are required to provide evidence of the City of Abilene Building Services Division inspection completion for electrical and plumbing components, if applicable.
- .6 Permits are valid for one year and shall be automatically renewed so long as the On Water Facility is in compliance with these Rules.
- .7 Permits are not transferrable without the prior written consent of the District.
- .8 The On Water Facility Owner is solely responsible for the structure's impact on navigation, public health, safety, welfare and to preserve and improve the views and beauty of the lake.
- .9 Any On Water Facility installed or modified without a permit is subject to removal at the Owner's expense within 120 days.
- .10 The District has the sole discretion regarding whether to grant or deny a permit for an On-Water Facility anywhere on Lytle Lake. An Owner whose permit application is denied by the District Manager or other designee of the District may appeal such denial to the District's Board of Directors whose decision shall be final in all respects. A written appeal request must be submitted to the District office as least one week prior to the next regularly scheduled Board meeting.
- .11 Each Owner of an On Water Facility shall indemnify and hold the District harmless from and against all claims and suits made or filed against the District, its directors, officers, employees, and agents, arising out of the existence, location, construction, maintenance, or removal of an On Water Facility including all costs and expenses suffered or incurred by any of the indemnified persons in connection with any such claim or suit.

### 3.10 Annual Inspections and violations:

- .1 Annual inspections shall be performed by the District Manager or other designee of the District to ensure ongoing compliance with these Rules. All On-Water Facilities will be inspected during this process. Owners will receive an annual inspection report which will advise Owners of any violations and deadlines for compliance. In consideration of our neighbors, Owners are encouraged to voluntarily bring their facilities into compliance.

- 
- .2 Owners of On-Water Facilities will be allowed 120 days from their receipt of their inspection report to correct the following ~~hazardous~~ conditions:
    - .1 loose or missing decking
    - .2 broken welds
    - .3 missing or defective floatation
    - .4 structural corrosion
    - .5 loose or broken components
    - .6 ~~navigation hazard~~
    - .7 safety hazard
    - .8 elements out of plumb
    - .9 out of level
    - .10 not floating at design freeboardIf the Owner fails to correct these ~~hazardous~~ conditions or remove the facility within this time, ~~the Owner shall be charged with a Class C misdemeanor and, if convicted, shall be subject to a fine of up to \$500.00 per day.~~ the District may take criminal or civil action against the Owner, as provided in Section 7.00 of these Rules.
  - .3 An Owner with violations ~~or hazardous conditions~~ must submit a permit application before undertaking any repairs of modifications required to correct the violations ~~or hazardous conditions~~ identified by the annual inspection report.

### 3.11 Hazards to Navigation

- .1 When an On-Water Facility presents or creates a Hazard to Navigation, as determined by the Board, the Owner shall be required to remove the On-Water Facility.
- .2 Upon making such a decision, the District shall send notice to the Owner, which notice shall include the nature of the hazard and the order to remove the On-Water Facility.
- .3 The Owner of an On-Water Facility that has been determined by the Board to present or create a Hazard to Navigation will be allowed 10 calendar days from the Owner's receipt of the notice described in Section 3.11.2 to remove the On-Water Facility.
- .4 If the Owner fails to remove the hazardous On-Water Facility within 10 calendar days of Owner's receipt of notice, the District may take criminal or civil action against the Owner, as provided in Section 7.00 of these Rules.
- .5 If, upon receipt of notice from the District, the Owner determines that removal of the On-Water Facility cannot reasonably be completed within 10 calendar days, the Owner may petition the Board to request an extension of time for removal of his or her hazardous On-Water Facility. Such petition must include a detailed written plan for, and timeline to, remove the On-Water Facility. The Board will determine whether to permit or deny the Owner's request for a time extension.

(Continued on next page)

---

## 4.00 SEAWALLS AND REVETMENTS

### 4.01 Seawalls:

- .1 Location: Seawalls shall be located only on the land side of the Lakeside Property Boundary. The toe berm and armor may be located on the lake side of the Lakeside Property Boundary if fully submerged at spillway elevation.
- .2 Construction:
  - .1 A professional engineer shall prepare plans and specifications for all Seawalls. Design shall be in accordance with generally accepted engineering design methodologies. An Owner may use the District's standard detail in lieu of other engineered drawings. The District shall not be liable or responsible in any way for damage or destruction related to any Seawall or adjacent land from any cause.
  - .2 Filling is not allowed on the Lake side of Seawalls except toe berms and armor.
  - .3 Upon completion of construction, restore waterway to pre-construction depths including the removal of soil due to pile jetting and other construction activities.
  - .4 Seawall construction:
    - .1 Acceptable materials for Seawalls are:
      - Precast reinforced concrete sheet pile units.
      - PVC sheet piles.
      - Fiber reinforced carbon enhanced resin composite sheet piles.
      - Cast in place concrete.
      - Modular concrete units designed for marine use.
    - .2 Unacceptable materials for Seawalls are:
      - Steel sheet pilings.
      - Wood, including walers and caps.
      - Cement bags.
      - Modular masonry units not specifically certified for marine use by their manufacturer.
      - Landscape modules not specifically designed for Seawalls.
    - .3 Seawalls and caps may be faced with stone or other decorative finish.
- .3 Owner shall place and maintain silt curtains during Seawall construction. Acceptable curtains are those meeting Type I DOT light duty specification such as Home Depot Model #3200-6-60, Internet #206604889.

### 4.02 Revetments:

- .1 Location: the portion of Revetments above spillway elevation shall be located only on the land side of the Lakeside Property Boundary.
- .2 Construction:
  - .1 A professional engineer shall prepare plans and specifications for all Revetments. Design shall be in accordance with generally accepted engineering design methodologies. An Owner may use the District's standard detail in lieu of other engineered drawings. The District shall not be liable or responsible in any way for damage or destruction related to any Revetment or adjacent land from any cause.
  - .2 Subgrade slope shall not exceed 1 unit vertical per 2 units horizontal.
  - .3 Revetment shall consist of washed gravel to establish subgrade, topped by geotextile fabric designed for Shore stabilization use, topped by granular layer, topped by armor layer. Geotextile shall be non-woven and not less than 8 ounce. Acceptable geotextile includes, but is not limited to, [www.gabionsupply.com](http://www.gabionsupply.com) GT-8-15-300" or [www.erosionpollution.com](http://www.erosionpollution.com) "GE 180".
  - .4 Secure laps with sod staples at 18" o.c.
  - .5 Crushed limestone is not acceptable for any use.

---

4.03 Permitting:

- .1 A permit is required prior to the construction of all new Seawalls and Revetments and for alterations to existing Seawalls and Revetments.
  - .2 Permit Application form is available from the District Manager or [www.llwcid.org](http://www.llwcid.org). and must be submitted with the following documents:
    - .1 An application fee may be required if established by the Board of Directors.
    - .2 Proof of property ownership.
    - .3 A current survey with the deeded property boundaries and Shoreline clearly marked.
    - .4 Dimensioned plan drawn to scale of 1"=16'-0" or greater showing the proposed Seawall or Revetment.
    - .5 Dimensioned sections drawn to a scale of 3/4"=1'-0" or greater.
    - .6 Material specifications.
    - .7 Contractor's proof of insurance.
  - .3 The District will conduct pre and post installation or modification inspections to verify compliance with the permit documents.
  - .4 Permits are not transferrable without the prior written consent of the District.
  - .5 The Seawall or Revetment Owner is solely responsible for the structure's impact on navigation, public health, safety, and welfare.
  - .6 All contractors working on District property must provide proof of liability insurance with coverage not less than \$100,000 per occurrence and \$1,000,000 in aggregate. Each policy must show the District as an Additional Insured and include a waiver of subrogation.
  - .7 Any Seawall or Revetment installed or modified without a permit is subject to removal at the Owner's expense within 120 days.
  - .8 The District has the sole discretion regarding whether to grant or deny a permit for a Seawall or Revetment anywhere on Lytle Lake. An Owner whose permit application is denied by the District Manager or other designee of the District may appeal such denial to the District's Board of Directors whose decision shall be final in all respects. A written appeal request must be submitted to the District office as least one week prior to the next regularly scheduled Board meeting.
  - .9 Each Owner of a Seawall or Revetment shall indemnify and hold the District harmless from and against all claims and suits made or filed against the District, its directors, officers, employees, and agents, arising out of the existence, location, construction, maintenance, or removal of a Seawall or Revetment including all costs and expenses suffered or incurred by any of the indemnified persons in connection with any such claim or suit.
- 4.04 District may, during construction of a Seawall or Revetment and/or upon completion of the construction, conduct inspections to determine that the Seawall or Revetment has been constructed according to permitted plans and specifications. If at any time during or after construction, the District determines that corrections or repairs must be made to the Seawall or Revetment in order for the construction to comply with permitted plans and specifications, Owner shall promptly cause such repairs or corrections to be made to the satisfaction of the District.

(Continued on next page)

---

## 5.00 IRRIGATION FROM THE LAKE

- 5.01 LLWCID taxpayers have the right to pump water from Lytle Lake to irrigate their lawns and landscapes. Residents who enjoy this privilege are encouraged to follow the City of Abilene's watering day schedules. When the water level in Lytle Lake drops between four and six feet from the spillway elevation, watering is restricted to two days per week. When the Lake level goes more than six feet below the spillway, the use of water from the Lake is prohibited. Pumps for irrigation may not be larger than two horsepower, floating inlets are not allowed and floating markers are not allowed. Submerged pipe may be schedule 40 PVC or ~~HPDE~~ HDPE. ~~HPDE~~ HDPE must be securely attached to the Lake bed at intervals not exceeding 15 feet.
- 5.02 Inlet pipes must lay on the Lake bed in back of the lot and be located between lot lines when lines are projected into the Lake. Pipes must terminate not more than 50 feet from the Shoreline. Exceptions:
- .1 When the lowest Lake bed elevation in back of a lot, within 50 feet of the Shoreline, is less than 7 feet below Shoreline, pipe may be extended, beyond 50 feet, and terminated at a point 7 feet below Shoreline.
  - .2 When there is not a Lake bed elevation 7 feet below Shoreline in back of a lot, pipe may be extended to the center of the channel, turned to follow the channel toward deeper water, and terminated at a depth of 7' below Shoreline.

(Continued on next page)

---

## 6.00 PRIVATE DREDGING

- 6.01 Private dredging is allowed only within 50' of Shoreline and a minimum of 12' from side lot boundaries when deeded side lot boundaries are projected into the lake.
- 6.02 Only mechanical dredging is allowed. Hydraulic dredging is not permitted.
- 6.03 Private dredging is limited to less than 200 cubic yards.
- 6.04 Spoils shall not be returned to the Lake.
- 6.05 Owner shall place and maintain silt curtains during dredging. Acceptable curtains are those meeting Type I DOT light duty specification such as Home Depot Model #3200-6-60, Internet #206604889. Curtains shall extend to the natural lake bed and remain in place a minimum of 7 days after completion of dredging.
- 6.06 Slopes, including side slopes, shall not exceed 4 units horizontal to 1 unit vertical unless engineered drawings and calculations are submitted with permit application.
- 6.07 Permitting
  - .1 A permit is required prior to Private Dredging.
  - .2 Permit Application form is available from the District Manager and must be submitted with the following documents:
    - .1 An application fee may be required if established by the Board of Directors.
    - .2 Proof of property ownership.
    - .3 A current survey with the deeded property boundaries and Shoreline clearly marked.
    - .4 Dimensioned plan drawn to scale of 1"=16'-0" or greater showing the proposed Private Dredging.
    - .5 Contractor's proof of insurance.
    - .6 Engineered drawings for slopes exceeding 4:1.
  - .3 The District will conduct pre and post construction inspections to verify compliance with the permit documents.
  - .4 Permits are not transferrable without the prior written consent of the District.
  - .5 The Owner is solely responsible for dredging impact on navigation, public health, safety, and welfare.
  - .6 All contractors working on District property must provide proof of liability insurance with coverage not less than \$100,000 per occurrence and \$1,000,000 in aggregate. Each policy must show the District as an Additional Insured and include a waiver of subrogation.
  - .7 The District has the sole discretion regarding whether to grant or deny a permit for Private Dredging. An Owner whose permit application is denied by the District Manager or other designee of the District may appeal such denial to the District's Board of Directors whose decision shall be final in all respects. A written appeal request must be submitted to the District office as least one week prior to the next regularly scheduled Board meeting.

---

## **7.00 GENERAL PENALTY PROVISION**

7.01 A person violating any of these Rules for which punishment is not specifically addressed in the Rules or established under state law shall be charged with a Class C misdemeanor and, if convicted, shall be subject to a fine of up to \$500 per day.

7.02 In a suit against a person violating these Rules, the District may recover a civil penalty from the person in an amount of \$1000 per day that the violation continues.

## **8.00 VARIANCES**

8.01 The Board may, at the Board's sole discretion,

- .1 hear and decide an appeal that alleges an error in a requirement or decision made by the District Manager, or other designee of the District, in the enforcement of these rules; and
- .2 authorize in special cases a variance from these rules if, in the opinion of a majority of the Board, the variance is not contrary to the Mission Statement, is due to a special condition, and is within the spirit of these rules.

8.02 To initiate such action by the Board, an aggrieved person shall submit supporting documentation to the District at least three weeks prior to the next regularly scheduled Board meeting.

## **9.00 EFFECTIVE DATE**

9.01 The portion of these Rules establishing standards for On Water Facilities, Seawalls, and Revetments shall be effective thirty (30) days after publication. The remainder of the Rules shall be effective five (5) days after publication.

(Continued on next page)



## 9.02 DEFINITIONS

**Commercial Operation** means any activity which involves buying or selling goods or services, or the exchange or attempt or offer to exchange goods or services for money, barter, or for anything of value including, but not limited to, exhibitions, shows, races, tournaments, rentals, or similar activity.

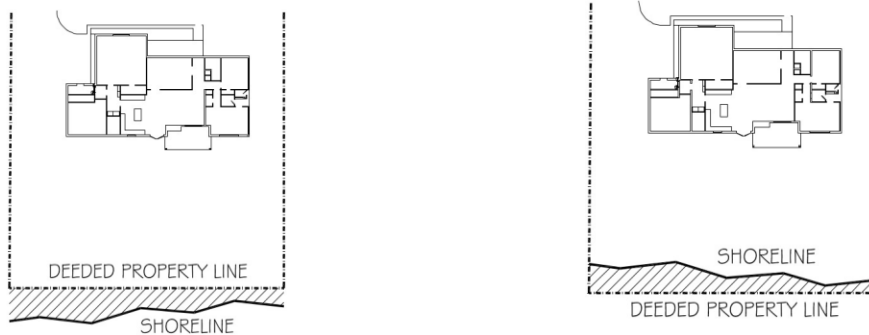
**Encroachment** means any structure, appurtenance, or fixture placed upon land or water controlled by LLWCID that infringes upon the rights of LLWCID or LLWCID Regulations.

**Erosion Easement** is an easement granted to an Owner providing for the Owner's use of area up to his deeded property line and establishing the Lakeside Property Boundary as his deeded lakeside property line. All improvements within the Erosion Easement, including, but not limited to, docks, seawalls, and revetments, are required to be permitted by the District and comply with District regulations and design requirements.

**Hazard to Navigation** means any object, floating, submerged, or suspended that may be contacted by a vessel on the lake side of a line 50' from shoreline.

**Headway Speed** means idle speed for powered vessels other than PWC and minimum speed to maintain steerage for PWC.

**Lakeside Property Boundary** is the shoreline except as modified as follows. Each lakeside lot has deeded property boundaries. The lakeside boundary was an approximation of the shoreline when originally surveyed and platted. Over time, the shoreline changes due to erosion (the gradual washing away of land by natural forces) and accretion (the gradual increase of dry land by natural forces). Texas law provides that accreted areas belong to the landowner and that eroded areas belong to the District. The District has two conditions:



### Condition 1: Accretion

The Lakeside Property Boundary is the shoreline. The lot owner automatically has title to the accreted land and measurements for OWFs are from the shoreline.

### Condition 2: Erosion

The Lakeside Property Boundary is the deeded property line. The District shall grant an Erosion Easement up to the lot's deeded lakeside line as recorded on the plat records and the measurements for OWFs are from the deeded lakeside property line.

---

**LLWCID or The District** means the Lytle Lake Water Control and Improvement District and the authority of the LLWCID Board of Directors. The LLWCID office is located at 1013 Energy Dr, Abilene, TX 79602. Phone:(325) 690-0835. Email: [llwcid@llwcid.org](mailto:llwcid@llwcid.org). Website: llwcid.org.

**On Water Facility (OWF)** means any improvement on or over the waters of Lytle Lake and includes, but is not limited to, docks, piers, moorings, and markers.

**Owner** means the individual taxpayers of LLWCID and legal property owner(s) of property sharing a boundary with Lytle Lake.

**PFD** means personal floatation device approved by the U.S. Coast Guard.

**PWC** means any personal water craft that the rider sits or stands on, rather than enclosed in a hull as in a boat.

**Revetment** means a sloping stone or masonry structure placed on the shore to minimize erosion and wave reflection.

**Rules** means these Rules and Regulations.

**Seawall** means a permanent bulkhead which separates water from land and is intended for shore protection to minimize erosion.

**Shore** means the actual edge of the water regardless of Lake elevation.

**Shoreline** means the edge of the water surface when the Lake is at spillway elevation (1714.4')

**Vessel** means any watercraft capable of being used as a means of transportation on water including, but not limited to, boats, barges, PWC, pedal boats, kayaks, and canoes.