

ORDER NO. 2020-06

**ORDER SUSPENDING PORTIONS OF DISTRICT RULES & REGULATIONS FOR
DEVELOPMENT ACTIVITIES WITHIN DISTRICT JURISDICTION
(SUSPENSION ORDER EXPIRES AUGUST 31, 2020)**

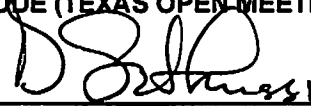
WHEREAS in REGULAR session of the DeWitt County Drainage District No. 1 on June 17, 2019, the District enacted Order No. 2019-02 "Adopting Master Drainage Plan, Rules & Regulations and Drainage Criteria Manual" as authorized by Texas Water Code §49.211, with said Plan, Regulations and Criteria Manual having been updated periodically since that time; and

WHEREAS in SPECIAL session of the DeWitt County Drainage District No. 1 on May 7, 2020, the District found it appropriate to suspend some Regulations due to the following:

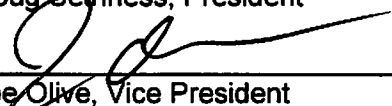
- The District has been unable to secure interlocal agreements with the City of Cuero and the County of De Witt, and this lack of intergovernmental cooperation has caused confusion to numerous developers; and
- The current COVID-19 pandemic has greatly depleted District personnel resources, and the District finds at this time that it cannot in a timely manner carry out the following: process development regulations, answer questions from prospective developers or participate in lengthy pre-development meetings, work on items which would clarify and simplify the process for the general public, check many building sites for conformity with District regulations, send out legal notices when necessary, and keep the District website continually updated with the latest developer information.

NOW THEREFORE, in the interest of public health and welfare, this limited-duration amendment to the District's Rules & Regulations is effective today, May 7, 2020 and will expire at midnight on August 31, 2020. Said amendment is attached hereto as Exhibit A and will replace pages 2 & 3 of the District's Rules & Regulations for the duration of this suspension.

THIS ORDER IS ENACTED AND APPROVED AT A PUBLIC MEETING OF THE DEWITT COUNTY DRAINAGE DISTRICT NO. 1, HELD IN COMPLIANCE WITH CHAPTER 551 OF TEXAS GOVERNMENT CODE (TEXAS OPEN MEETINGS ACT), ON THIS THE 7TH DAY OF MAY 2020.



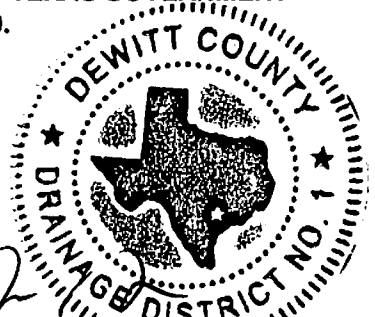

Doug Sethness, President



Joe Olive, Vice President

ABSENT

Mary Alice Perales, Secretary

Ryan Parker
Records Management Officer

Rules & Regulations

DeWitt County Drainage District No. 1

(4) APPROVALS REQUIRED, COMPLIANCE, AND EXEMPTIONS

The approvals required, compliance and exemptions are as follows:

1. **District Approvals Required.** Except as exempted in this Section, no person, property owner, property developer, or subdivider shall undertake any development or subdivide any land within the District's jurisdictional boundary without obtaining the District's approval, if such development or subdivision:
 - a. requires plat approval by the governing body of DeWitt County or the City of Cuero, (short-form administratively approved plats approved by the City of Cuero are exempted through the dates shown hereon)
 - b. includes a crossing of District facilities, or a connection to District facilities
 - c. is located adjacent to or within a District easement or facility
 - d. is development for a commercial purpose, including multi-family residential projects (utility projects are exempt unless construction activities will take place within 100' of District facilities)
 - e. is located adjacent to a District easement or facility (includes fencing-only projects)
 - f. includes a drainage connection to District facilities
 - g. constitutes a crossing of District facilities

2. **Approvals previously required and now suspended by this order are:**
 - a. Plats which can be administratively approved by the City of Cuero's City Manager, according to the City's regulations on plats
 - b. Development of single-family residential homes on individually owned lots
 - c. Development by government entities or by non-profit organizations
 - d. Development within the District floodplain
 - e. Development which imports fill, changes topography, and changes volume or velocity of drainage flow on or off the site
 - f. Demolition Only Projects

3. **Development previously subject to District approval, for which such approval requirement is now suspended by this Order through the date shown hereon, must still meet the following requirements:**
 - a. complete a notification document which informs the District of the particulars of the project, accompanied by a submittal fee of \$25.
 - b. submit a plan for trash control and a plan for sedimentation control to cover the life of the project (these plans must be approved by the District's General Manager or a permit will not be issued)
 - c. strictly follow the approved trash and sedimentation control plans
 - d. inform the District in writing prior to beginning construction
 - e. notify the District in writing when the project is complete

4. **District Approvals Encouraged.** Persons, property owners, property developers, utilities, and subdividers proposing activities that are not required to obtain approvals are encouraged to contact the District Engineer for information on drainage conditions, flood hazard areas, and recommendations to minimize or avoid drainage problems and exposure to flooding.
5. **Local Jurisdiction Approvals.** The Applicant/Owner is responsible for submission to and satisfaction of the requirements of all other applicable local jurisdictions.
6. **Compliance.** Persons, property owners, property developers, subdividers, utilities, and any and all entities performing work on behalf of those entities, whether or not for compensation, shall carry out the proposed development work in accordance with the Approval issued by the District and the plans attached thereto. Compliance activities include following approved trash and sedimentation control plans. Failure to comply with any District requirement may incur fees or penalties for each day of non-compliance.
7. **Fencing.** Approval for fencing is subject to the District's approval process; however, fees are not required.
 - a. To allow for proper flow of water and to minimize damage to the District's facilities, the District requires the following:
 - b. Proposed fencing changes along the boundaries of the District's easement must be discussed with the District before work begins. The District does not require permit applications for this review but does require that fencing installed does not pose any hazards to the proper operation of the District's facilities. To allow for maintenance of District facilities, fencing is not allowed within 20 feet of top of bank without the express written consent of the District.
 - c. No fencing is permitted inside the District's easement (other than authorized water gates – see below). Any unauthorized fencing placed inside the District's easement will be removed by the District.
 - d. Water gates installed across District channels may only be done by permit (no fee) and must conform with the District's water gate design criteria. Water gates may also be removed by the District as needed for the protection of life and property, at the District's sole discretion.
8. **Administrative Approvals.**
 - a. Items as listed in 3 above are under the authority of the District's General Manager.
 - b. For all other types of development, the General Manager is authorized to issue temporary development permits for time periods not longer than 21 days at his/her sole discretion, prior to board approval of a development project.