

EXHIBIT A

SWIMMING POOL AND SPA PERMIT POLICY

Bastrop County Water Control and Improvement District #2 (the “District”) owns and operates a water treatment and distribution system and a wastewater collection system to provide water and wastewater service to customers within its boundaries. Pursuant to Texas Water Code Chapters 49 and 51, the District may establish and enforce regulations in order to ensure the protection of public health and the conservation of its water resources by prescribing minimum standards for the construction, installation, repair, or alteration of swimming pools and spas, public or private, and equipment related thereto; requiring a permit and inspection therefor; and providing the administration and enforcement of the standards set forth herein.

Administration

Except as otherwise provided herein, the District’s Operations Manager shall administer, implement, and enforce the provisions of this Policy. Any powers granted to or duties imposed upon the District may be delegated by the District’s Operations Manager to other District personnel. Specifically, the Operations Manager may delegate the authority to administer, implement, and enforce the provisions of this Policy to the District’s Crew Chief Leader.

Permit Required

No swimming pool or spa construction, installation, alteration, or repair shall be commenced until a permit has been applied for, approved and issued by the District. The following items must be included in the permit application:

1. Permit Application – One (1) copy of the completed permit application indicating the name of the pool contractor. The application must also include the names of the plumbing and electrical contractors. An incomplete permit application will not be processed or approved and will be returned to the applicant.
2. Site Plan – Two (2) copies of a site plan drawn to scale, showing (1) all structures existing or proposed, (2) the location of the pool in relation to property lines with the distance indicated from the pool to any structures and to the property boundaries, (3) the location of all easements, (4) the boundaries of any floodplain, (5) the location of any water wells, water lines, wastewater lines, and on-site sewage facilities (OSSF), (6) the location of any auto fill devise, (7) the location of the backflow devise, and (8) anticipated overall drainage of the pool or spa site. Pools, spas, pool decks, and pool equipment shall not be located within any utility, drainage, roadway, or access easement.
3. Mechanical Plan – Two (2) copies of a mechanical plan showing at least the following: (1) volume, system flow rate in gallons per minute, and turnover in hours, (2) type and size of filtration systems and means of waste disposal, (3) type and size of pool heater, if included, including the method of venting and provisions for combustion air, (4) pool piping layout with all sizes shown and types of material

to be used, and showing the location of the main outlet, surface skimmers, and inlets, (5) rated capacity of the pool pump in gpm at the design head with the size and type of motor indicated and identified as self-priming or straight centrifugal, (6) means of adding makeup water, and (7) size, length from source to heater and routing of the gas line.

4. Copy of Survey or Plat
4. Proof of Ownership
5. Copies of Other Required Permits
6. Permit Application Fee

NOTE: Approval from the Property Owners' Association is required prior to the construction, installation, repair, or alteration of a swimming pool or spa. The property owner should contact the appropriate Property Owners' Association for any additional requirements.

Inspections

All swimming pool and spa installations, repairs, or alterations (including equipment, piping and appliances) shall be subject to inspection by the District to insure compliance with all the requirements set forth herein. It shall be the duty of the permit holder to notify the District that said work is ready for inspection. The District is authorized to conduct such inspections as it deems necessary to insure compliance with all provisions set forth in the District's Service Rules and Policies and shall have the right of entry, at any reasonable hour, to the swimming pool or spa for this purpose.

The inspector will check the installed system to ensure it conforms to the approved plan. Swimming pools and spas not installed, altered or repaired in accordance with approved plans may be subject to removal by the owner/permit holder, who may be subject to fines as provided herein and detailed in the District's Service Rules and Policies. District rules regarding the enforcement and collection of fines are provided in the District's Service Rules and Policies. In addition, the offending party shall be liable to the District for any costs incurred by the District in connection with any repairs or corrections necessitated by any such violation.

Standards for Constructing, Installing, Altering or Repairing Swimming Pools and Spas

Generally

The Bastrop County Water Control and Improvement District #2 adopts, as part of the District's Rules and Policies, the Standard Swimming Pool Code, 1999 edition, as published by the Southern Building Code Congress International, Inc., as it now exists and as it may be revised from time to time, save and except such portions as are deleted, modified, or amended herein. Any additions or revisions to the Standard Swimming Pool Code, Southern Building Code Congress International, Inc., 1999 Edition, shall be incorporated into the District's Rules and Policies. Unless otherwise specified herein, all piping, equipment, and materials used in the plumbing system of swimming

pools and spas shall conform to this Standard Swimming Pool Code, as well as the Plumbing Code duly adopted by the District.

Additional Provisions

The following be, and hereby are, adopted as Sections 105.1.3, 105.6, 107, 307, 308.2, 308.2.1, 308.2.2, and 309 to be used in conjunction with the Standard Swimming Pool Code, Southern Building Code Congress International, Inc., 1999 Edition, as adopted hereinabove, as it applies within the District:

105.1.3 A permit issued pursuant to this policy shall become null and void if the swimming pool and/or spa are not constructed within twelve (12) months from the issuance of a permit. The District reserves the right to revoke any swimming pool and/or spa permit.

105.6 Schedule of Fees.

For each swimming pool or spa, the permit fee shall be Fifty and No/100 Dollars (\$50.00).

107 Violations and Penalties

The penalty for each and any violation of this Order or the District's Plumbing Code, including but not limited to any unauthorized water or sewer connection to the District's system, shall be a fine not to exceed \$5,000 for each violation. Each day a violation continues shall be deemed a separate offense. Publication of the legal notice of this Order shall constitute constructive notice to all persons.

307 Water Supply

Backflow Prevention

1. Any swimming pool or spa that is connected to a public or private potable water supply must be connected through a commission-approved backflow prevention method. The backflow prevention device must be approved by the American Society of Sanitary Engineers; or the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California; or the Uniform Plumbing Code; or any other laboratory that has equivalent capabilities for both the laboratory and field evaluation of backflow prevention assemblies. The backflow prevention device must be installed in accordance with the laboratory approval standards or if the approval does not include specific installation information, the manufacturer's current published recommendations.
2. If conditions that present a health hazard exist, one of the following methods must be used to prevent backflow;
 - a. An air gap may be used if:
 - (1) there is an unobstructed physical separation; and

- (2) the distance from the lowest point of the water supply outlet to the flood rim of the fixture or assembly into which the outlet discharges is at least one inch or twice the diameter of the water supply outlet, whichever is greater.
- b. Reduced pressure principle backflow prevention assemblies may be used if:
- (1) the device is installed at a minimum of 12 inches above ground in a location that will ensure that the assembly will not be submerged; and
 - (2) drainage is provided for any water that may be discharged through the assembly relief valve.
- c. Pressure vacuum breakers may be used if:
- (1) no back-pressure condition will occur; and
 - (2) the device is installed at a minimum of 12 inches above any downstream piping and the highest downstream opening. Pop-up sprinklers are measured from the retracted position from the top of the sprinkler.
- d. Atmospheric vacuum breakers may be used if:
- (1) no back-pressure will be present;
 - (2) there are no shutoff valves downstream from the atmospheric vacuum breaker;
 - (3) the device is installed at a minimum of six inches above any downstream piping and the highest downstream opening. Pop-up sprinklers are measured from the retracted position from the top of the sprinkler;
 - (4) there is no continuous pressure on the supply side of the atmospheric vacuum breaker for more than 12 hours in any 24-hour period; and
 - (5) a separate atmospheric vacuum breaker is installed on the discharge side of each irrigation control valve, between the valve and all the emission devices that the valve controls.
- e. Backflow prevention devices used in applications designated as health hazards must be tested upon installation and annually thereafter.
- f. Double check valve backflow prevention assemblies are prohibited on irrigation systems.

Specific Conditions and Cross-Connection Control

1. Before any chemical is added to swimming pool or spa connected to any potable water supply, the swimming pool or spa must be connected through a reduced pressure principle backflow prevention assembly or air gap.
2. Connection of more than one water source to a swimming pool or spa presents the potential for contamination of the potable water supply if backflow occurs. Therefore, connection of any additional water source to a swimming pool or spa that is connected to the potable water supply can only be done if the swimming pool or spa is connected to the potable water supply through a reduced-pressure principle backflow prevention assembly or an air gap.
3. Swimming pool or spa components with chemical additives induced by aspiration, injection, or emission system connected to any potable water supply must be connected through a reduced pressure principle backflow device.
4. If a swimming pool or spa is designed or installed on a property that is served by an on-site sewage facility.
 - a. all irrigation piping and valves must meet the separation distances from the On-Site Sewage Facilities system as required for a private water line.
 - b. any connections using a private or public potable water source must be connected to the water source through a reduced pressure principle backflow prevention assembly as defined in this ordinance.
 - c. any water from swimming pool or spa that is applied to the surface of the area utilized by the On-Site Sewage Facility system must not be excess water that would prevent the On-Site Sewage Facilities system from operating effectively.

Installation of Backflow Prevention Device

1. If a swimming pool or spa is connected to a potable water supply and requires major maintenance or alteration, the system must be connected to the potable water supply through an approved, properly installed backflow prevention method as defined in this Policy before any major maintenance or alteration is performed.
2. If a swimming pool or spa is connected to a potable water supply through a double check valve, pressure vacuum breaker, or reduced pressure principle backflow assembly and includes an automatic master valve on the system, the automatic master valve must be installed on the discharge side of the backflow prevention assembly.
3. The permit holder shall ensure the backflow prevention device is tested prior to being placed in service and the test results provided to the District representative within 10 business days of testing of the backflow prevention device. The test results should be left wired to the RPZ for the inspector.

308.2 Disposal

308.2.1 Swimming pool water may be disposed of through either the public sanitary sewer or the storm drain system, provided a storm drain is located within five hundred (500) feet of the pool and no point of water collection is located at any point along the five hundred (500) feet. Prior to disposal of swimming pool water, the water must have no detectable level of chlorine and a neutral pH. Swimming pool water may be discharged onto the owner's property if the water does not run off onto any adjoining properties or cause stagnant water or flooding. Swimming pool and spa water shall never be drained directly into street drains or drainage ditches.

308.2.2 Wastewater (backwash) from a swimming pool must be disposed of through a public sanitary sewer. A deep seal trap shall be installed on the lower terminus of the building drain and the tall piece from the trap shall extend a minimum of three (3) inches above finished grade and below finished floor grade. This trap need not be vented if within ten (10) feet of the building drain. The connection between the filter waste discharge piping and the trap shall be made by means of an indirect connection.

309 Separation Tank. A separation tank of an approved type may be used in lieu of the aforementioned means of wastewater disposal when connected as a reclamation system only when swimming pool water is disposed of through the storm drain system.

Variances

The District may, from time to time, authorize such variance from the terms of any provision outlined herein as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this policy would result in unnecessary hardship and in order that the intent of these Rules shall be observed and substantial justice done.

The District shall only grant a variance to alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a deviation from the standards established by these Rules, when such deviation would not materially, adversely affect the surrounding property. Without limiting the foregoing, the following shall specifically not be grounds for issuance of a variance:

- Financial hardship
- Property owner convenience
- The fact that any other property or improvements thereon do not comply with these Rules.

A written application for variance shall be submitted to the District by the requesting property owner, accompanied by an accurate legal description, maps, site plans, drawings and any other written documentation adequately demonstrating the following:

- Certain special conditions and circumstances exist which are peculiar to the land or improvement involved and which are not generally applicable to other lands or improvements;

- The special conditions and circumstances do not result, directly or indirectly, from the acts or omissions of the property owner;
- A strict enforcement of the relevant provision of these Rules would deprive the property owner of rights commonly enjoyed by other property owners' properties under these Rules;
- Granting the variance requested will not confer on the requesting property owner any special privilege that is denied by these Rules to other lands or improvements;
- The governing homeowner's association does not object to the variance; and
- Input from affected adjoining Lessees