

ORDER ADOPTING SCHEDULE OF CIVIL PENALTIES  
July 20, 2023

*Amending and Superseding the August 20, 2020 Order Adopting Amended Rules and Regulations*

THE STATE OF TEXAS §  
COUNTY OF HAYS §  
HAYS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2 §

We the undersigned officers of the Board of Directors (the "Board") of Hays County Water Control and Improvement District No. 2 (the "District"), hereby certify as follows:

The Board convened in regular session, open to the public, on July 20, 2023 within the boundaries of the District, open to the public, and the roll was called of the members of the Board, to-wit:

Samantha E. Bethke	President
Lynn Lee	Vice President
Sean McGillicuddy	Secretary
William Carroll Kelly IV	Treasurer/Asst. Secretary
Chris Kopperud	Assistant Secretary

All members of the Board were present.

Whereupon, among other business conducted by the Board, Director Kopperud introduced the order set out below (the "Order") and moved its adoption, which motion was seconded by Director Bethke and after full discussion and the question being put to the Board of Directors, said motion was carried by the following vote:

"Aye" 4; "No" 0.

The Order thus adopted is as follows:

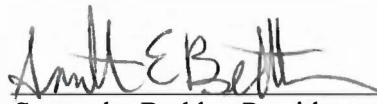
WHEREAS, pursuant to Texas Water Code §§ 11.037, 49.004, 49.057, 51.127, 51.303 and 54.205, and 30 Texas Administrative Code § 293, Subchapter J, the District is authorized to adopt and enforce reasonable rules and regulations; and

WHEREAS, pursuant to Texas Water Code § 49.004, the Board is authorized to establish reasonable civil penalties for breach of its rules and regulations.

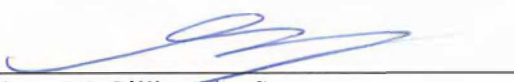
NOW THEREFORE, THE BOARD OF DIRECTORS OF HAYS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 ORDERS THAT:

1. The schedule of civil penalties attached hereto as **Exhibit "A"** (the **"Penalty Schedule"**) is hereby adopted;
2. All capitalized terms and phrases defined in the District's rules and regulations and used in this Resolution and the Penalty Schedule shall have the meaning ascribed to them under the District's rules and regulations;
3. The Penalty Schedule shall become effective immediately upon execution of this Order (the **"Effective Date"**);
4. Civil penalties for Violations of District rules and regulations that are not set forth in the Penalty Schedule shall be determined by the Board.
5. The previous schedule of civil penalties adopted by the District on August 20, 2020, shall be of no force and effect with respect to any event occurring on or after the Effective Date, and are hereby rescinded as of the Effective Date;
6. If any provision, section, sentence, clause, or phrase of this Order, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portions of this Order or the application to such other persons or sets of circumstances shall not be affected thereby, it being the intent of the Board in adopting this Order, that no portion hereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion or provision; and
7. The Secretary of the Board is hereby directed to file a copy of this Order in the principle office of the District. This Order shall be and remain in full force and affect from and after the date of filing.

PASSED, APPROVED, ORDERED AND ADOPTED AND EXECUTED THIS 20th  
day of July, 2023.

  
Samantha Bethke, President  
Board of Directors

Attest:

  
Sean McGillicuddy, Secretary  
Board of Directors

## EXHIBIT "A"

### Schedule of Civil Penalties

Category	District Rule(s)	Amount of Civil Penalty Authorized		
		1st Violation	2nd Violation	Other Violations
Unauthorized Entry <sup>1,2</sup>	2.01	5,000.00	\$1,000.00 Per Day for Continuing Violations	
Park and Trail Rules <sup>1,2</sup>	2.03, 2.04	\$150.00	\$300.00	\$500.00
Prohibited Activities on District Property <sup>1,2</sup>	2.05, 2.06	\$500.00	\$1,000.00	\$1,500.00
Unauthorized Connections <sup>1</sup>	3.02	\$5,000.00	\$7,500.00	\$10,000.00
Damage to Systems <sup>1,2</sup>	3.03, 3.04	\$500.00	\$1,000.00	\$1,500.00
Backflow, CSI, Swimming Pool <sup>1</sup>	4.04, 4.08, 4.10	\$250.00	\$500.00	\$750.00
WCDCP	4.11	As Authorized by WCDCP	As Authorized by WCDCP	As Authorized by WCDCP
WW Application, Tap Install, Grinder Pumps <sup>1</sup>	5.02	\$250.00	\$500.00	\$750.00
Erosion Control <sup>1</sup>	7.06	\$500.00	\$750.00	\$750.00

<sup>1</sup> In addition to any civil penalty issued by the District, the District Manager is authorized without action of the Board to issue invoices for all Costs and Damages associated with Violations of Rules in this category without further authorization of the Board.

<sup>2</sup> In addition to any other remedies available to the District, the District Manager is authorized without action of the Board to report the activity associated with Violations of Rules of this Category to local law enforcement authorities pursuant to Texas Penal Code § 30.05 (Criminal Trespass) or Texas Water Code 49.217 (Operation of Certain Motor Vehicles on or Near Public Facilities), as applicable.