

CERTIFICATE OF ORDER

THE STATE OF TEXAS
COUNTY OF HARRIS
SUNBELT FRESH WATER SUPPLY DISTRICT

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We, the undersigned officers of the Board of Directors (the "Board") of Sunbelt Fresh Water Supply District (the "District"), hereby certify as follows:

The Board convened in regular session, open to the public, on Thursday, February 20, 2025, at 5:00 p.m., at 410 W. Gulf Bank Road, Houston, Texas 77037; and the roll was called of the members of the Board, to-wit:

Nathan Wade	President
Sandra Jaramillo	Vice President
Elizabeth Santiago	Secretary
Lynda Powell	Assistant Secretary
Ruben Salazar	Director

All members of the Board were present, thus constituting a quorum. Whereupon other business, the following was transacted at such meeting: A written

ORDER AMENDING CONSOLIDATING ORDER REGARDING WATER AND SEWER CONNECTIONS, RATES AND USE

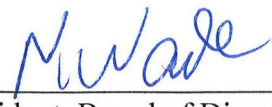
was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be adopted; and after full discussion, such motion, carrying with it the adoption of such Order prevailed, carried, and became effective by the following vote:

AYES: 5 **NOES:** 0 **ABSTENSIONS:** 0

A true, full and correct copy of the aforesaid Order adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in the Board's minutes of such Meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such Meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board are duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of such Meeting, and that such Order would be introduced and considered for adoption at such meeting, and each of the officers and members consented, in advance, to the holding of such meeting for such purpose; and such Meeting was open to the public and public notice of the time, place, and purpose of such Meeting was given, all as required by Chapter 551 of the Texas Government Code, and Section 49.063 of the Texas Water Code, as amended.

APPROVED this 20th day of February, 2025.


Secretary, Board of Directors


President, Board of Directors

(DISTRICT SEAL)



SUNBELT FRESH WATER SUPPLY DISTRICT

CONSOLIDATING ORDER

REGARDING WATER AND SEWER CONNECTIONS,

RATES AND USE

Adopted:	June 18, 1996	Amended:	September 4, 2008	Effective:	September 6, 2012
Amended:	March 5, 1998	Effective:	October 1, 2008	Amended:	June 25, 2013
Amended:	October 15, 1998	Amended:	May 7, 2009	Effective:	July 1, 2013
Amended:	Sept. 16, 1999	Effective:	July 1, 2009	Amended:	August 15, 2013
Amended:	Nov. 18, 1999	Amended:	June 16, 2009	Effective:	September 1, 2013
Amended:	April 20, 2000	Effective:	October 1, 2009	Amended:	March 6, 2014
Amended:	June 1, 2000	Amended:	July 16, 2009	Amended:	June 19, 2014
Amended:	October 26, 2000	Effective:	July 16, 2009	Effective:	July 1, 2014
Amended:	December 7, 2000	Amended:	September 17, 2009	Amended:	November 20, 2014
Amended:	April 26, 2001	Effective:	September 17, 2009	Effective:	November 20, 2014
Amended:	October 18, 2001	Amended:	October 15, 2009	Amended:	June 4, 2015
Amended:	November 1, 2001	Effective:	October 15, 2009	Effective:	July 1, 2015
Amended:	Dec. 20, 2001	Amended:	December 3, 2009	Amended:	June 16, 2016
Amended:	February 21, 2002	Effective:	December 3, 2009	Effective:	July 1, 2016
Amended:	May 15, 2003	Amended:	June 15, 2010	Amended:	July 7, 2016
Amended:	Dec. 18, 2003	Amended:	September 2, 2010	Amended:	February 27, 2018
Effective:	January 1, 2004	Effective:	October 1, 2010	Amended:	June 3, 2021
Amended:	June 3, 2004	Amended:	May 19, 2011	Effective:	June 3, 2021
Amended:	November 4, 2004	Effective:	May 19, 2011	Amended:	July 7, 2022
Amended:	April 7, 2005	Amended:	June 16, 2011	Effective:	July 7, 2022
Amended:	July 6, 2006	Effective:	June 16, 2011	Amended:	January 19, 2023
Amended:	August 24, 2006	Amended:	July 7, 2011	Effective:	January 19, 2023
Effective:	September 1, 2006	Effective:	July 7, 2011	Amended:	June 6, 2023
Amended:	June 7, 2007	Amended:	August 22, 2011	Effective:	July 1, 2023
Effective:	July 1, 2007	Effective:	August 22, 2011	Amended:	July 20, 2023
Amended:	August 2, 2007	Amended:	September 15, 2011	Effective:	July 20, 2023
Amended:	June 5, 2008	Effective:	September 15, 2011	Amended:	January 18, 2024
Effective:	July 1, 2008	Amended:	August 16, 2012	Effective:	January 18, 2024
Amended:	June 19, 2008	Effective:	August 16, 2012	Amended:	February 20, 2025
Effective:	July 1, 2008	Amended:	September 6, 2012	Effective:	March 1, 2025

**SUNBELT FRESH WATER SUPPLY DISTRICT
CONSOLIDATING ORDER REGARDING WATER
AND SEWER CONNECTIONS, RATES AND USE**

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**ORDER ADOPTING AMENDED CONSOLIDATED
RATE ORDER AND RULES AND REGULATIONS**

**THE STATE OF TEXAS
COUNTY OF HARRIS
SUNBELT FRESH WATER SUPPLY DISTRICT**

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WHEREAS, the Board of Directors (the "Board") of Sunbelt Fresh Water Supply District (the "District") has from time to time adopted certain orders ("Rate Order") and Rules and Regulations establishing the rates and conditions under which water and sanitary sewer service would be provided;

WHEREAS, the Board of the District most recently met on May 15, 2003, and determined that it is in the best interest of the District to amend and restate its rates, rules and regulations in this Consolidating Order Regarding Water And Sewer Connections, Rates And Use to include provisions for assessing a basic service fee and providing for solid waste collection services for residential customers;

WHEREAS, the Board of the District met on December 18, 2003, and determined that it is in the best interest of the District to amend and restate its rates, rules and regulations in this Consolidating Order Regarding Water and Sewer Connections, Rates and Use;

WHEREAS, the Board met on June 3, 2004, and determined that it is in the best interest of the District to amend and restate its rates, rules and regulations in this Consolidating Order Regarding Water and Sewer Connections, Rates and Use to include a \$10.00 fee for initial door hangers for delinquent accounts;

WHEREAS, the Board met on November 4, 2004, and determined that it is in the best interest of the District to amend and restate its rates, rules and regulations in this Consolidating Order Regarding Water and Sewer Connections, Rates and Use in order to change the commercial deposits and multi-family deposits to a two-month average on delinquent or new accounts;

WHEREAS, the Board met on April 7, 2005, and determined that it is in the best interest of the District to amend and restate its rates, rules and regulations in this Consolidating Order Regarding Water and Sewer Connections, Rates and Use in order to charge the customers within the Oakwood Forest subdivision the same basic service fee as other residential customers within the District;

WHEREAS, on July 6, 2006, the Board determined that it was necessary to amend the District's Rate Order to provide for an additional charge of \$0.25 per thousand gallons to cover the costs associated with the District's water supply and Groundwater Reduction Plan contracts with the City of Houston; such fee to take effect on the first cycle of bills for August 1, 2006;

WHEREAS, on August 24, 2006, the Board determined that it was necessary to amend the District's Rate Order to address various fees and charges related to billing and collections and operational issues in the District; to amend the District's rates as to the commercial customers, which will be effective October 1, 2006; and to amend the District's rates as to the apartment customers, which will be effective March 1, 2007;

WHEREAS, on June 7, 2007, the Board determined that it was necessary to amend the District's Rate Order to provide for an additional charge of \$0.50 per thousand gallons to cover the costs associated with the District's water supply and Groundwater Reduction Plan contracts with the City of Houston; such fee to take effect on the first cycle of bills for July 1, 2007;

WHEREAS, on August 2, 2007, the Board determined that it was necessary to amend the District's Rate Order to provide for a policy governing theft of water and the prohibition of and penalties associated with same;

WHEREAS, on June 5, 2008, the Board determined that it was necessary to amend the District's Rate Order to increase water and sewer rates as to apartment customers, to increase water rates as to the commercial customers to increase the basic services fee, and to increase the Groundwater Reduction Plan fee, such fees to become effective July 1, 2008;

WHEREAS, on June 19, 2008, the Board determined that it was necessary to amend the District's Rate Order to decrease the Groundwater Reduction Plan fee, such fee to become effective July 1, 2008;

WHEREAS, on September 4, 2008, the Board determined it was necessary to amend the enforcement of rules and regulations and increase the civil penalties for breach of any rule of the District;

WHEREAS, on May 7, 2009, the Board determined it was necessary to amend the Groundwater Reduction Plan rates from \$1.25 to \$1.37, which will be effective July 1, 2009;

WHEREAS, on June 16, 2009, the Board determined it was necessary to amend the basic sewer rates for apartment units from \$17.00 per unit to \$21.00 per unit, which will be effective October 1, 2009;

WHEREAS, on July 16, 2009, the Board determined it was necessary to amend the District's connection policies related to those customers in the North Houston Heights area to address the abandonment of their private sewer system and capping their private water wells, as well as addressing the costs for such connection, which will be effective immediately;

WHEREAS, on September 17, 2009, the Board determined it was necessary to amend the District's rates to provide for a bulk water rate for those customers outside the District's boundaries requesting service to multiple connections;

WHEREAS, on October 15, 2009, the Board determined it was necessary to amend the connection fees for the customers requesting service in the North Houston Heights Service Area;

WHEREAS, on December 3, 2009, the Board determined it was necessary to amend the District's Backflow Prevention Assembly/Testing requirements for the protection of the public water supply and to improve the enforcement of backflow practices, which will be effective immediately; and to adopt a policy to regulate the discharge of industrial wastes into the District's wastewater System;

WHEREAS, on June 15, 2010, the Board determined it was necessary to amend the base water rates as to residential customers, apartment customers, and commercial customers, to become effective July 1, 2010; to increase the Groundwater Reduction Plan fees by \$0.30 per 1,000 gallons used, such fee to become effective January 1, 2011; and to amend the late payment provision to provide clarity related to insufficient funded checks, money orders, certified checks, cashier's checks or similar documents;

WHEREAS, on September 2, 2010, the Board determined it was necessary to increase sewer rates as to multi-family connections effective October 1, 2010;

WHEREAS, on May 19, 2011, the Board determined it was necessary to increase utility commitment application deposits to become effective immediately; to increase commercial deposits; to increase security deposits after service termination for renters; to increase residential and commercial plumbing inspection fees; to increase commercial sewer tap inspection fees; to increase locating and staking fees; and to increase residential and customer service application fees;

WHEREAS, on June 16, 2011, the Board determined it was necessary to amend the Drought Contingency Plan to reflect a change in the time period in which it is permissible to water outdoors during mild, moderate and severe drought conditions;

WHEREAS, on July 7, 2011, the Board determined it was necessary to amend the Drought Contingency Plan to reflect a change in the time period in which it is permissible to water outdoors during mild, moderate and severe drought conditions;

WHEREAS, on August 22, 2011, the Board determined it was necessary to amend the Rate Order to reflect the District's policy regarding the processing of payments;

WHEREAS, on September 15, 2011, the Board determined it was necessary to amend the Rate Order to reflect the District's policy regarding the processing of partial and delinquent payment procedures;

WHEREAS, on August 16, 2012 and September 6, 2012, the Board determined that it was necessary to amend the Rate Order to reflect increases in fees associated with deposits, returned checks, disconnection and reconnection fees, fees associated with sewer-only customers residing in the Mary Eleanor and Mary Francis subdivision;

WHEREAS, on June 25, 2013, the Board determined it was necessary to increase the Groundwater Reduction Plan fees by \$0.10 per 1,000 gallons used, such fee to become effective July 1, 2013;

WHEREAS, on August 15, 2013, the Board determined it was necessary to increase basic service rates and inspection fees, such fees to become effective September 1, 2013;

WHEREAS, on March 6, 2014, the Board deemed it was necessary to amend the Rate Order to address new requirements for lead content in plumbing fixtures;

WHEREAS, on June 19, 2014, the Board deemed it was necessary to amend the Rate Order to increase the Groundwater Reduction Plan fee to \$1.80 per 1,000 gallons used, such fee to become effective July 1, 2014;

WHEREAS, on November 20, 2014, the Board deemed it was necessary to amend the Rate Order to include the City of Houston Water Impact Fee to be assessed on any service request that relates to new development, which may be amended from time to time;

WHEREAS, on June 4, 2015, the Board deemed it necessary to amend the Rate Order to increase the Groundwater Reduction Plan fee to \$2.00 per 1,000 gallons used, such to become effective July 1, 2015;

WHEREAS, on June 16, 2016, the Board deemed it necessary to amend the Rate Order to increase the Groundwater Reduction Plan fee to \$2.40 per 1,000 gallons used, and for an increase in the basic service fee on accounts to \$16.00, such to become effective July 1, 2016;

WHEREAS, on July 7, 2016, the Board deemed it necessary to amend the Rate Order to amend tap fees to include costs associated with electronic meters;

WHEREAS, on February 27, 2018, the Board deemed it necessary to amend the Rate Order to address meter obstructions;

WHEREAS, on June 3, 2021, the Board deemed it necessary to amend the Rate Order to address on-site sanitation facilities;

WHEREAS, on July 7, 2022, the Board determined it was necessary to increase water and sewer rates as to residential, commercial and multi-family connections and to increase the amount of the basic services fee;

WHEREAS, on January 19, 2023, the Board deemed it necessary to amend the Rate Order to comply with Title 16, Chapter 24, Texas Administrative Code, Section 24.173(d);

WHEREAS, on June 6, 2023, the Board determined it was necessary to increase water and sewer rates as to residential, commercial and multi-family connections and to increase the amount of the basic services fee;

WHEREAS, on July 20, 2023, the Board deemed it necessary to amend the Rate Order to amend tap fees to include the costs associated with the tap and installation of the water meters;

WHEREAS, on January 18, 2024, the Board determined it was necessary to increase the amount of the basic service fee; and

WHEREAS, on February 20, 2025, the Board determined it was necessary to increase the amount of the basic service fee.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF SUNBELT FRESH WATER SUPPLY DISTRICT THAT:

ARTICLE I

DEFINITIONS OF TERMS

FOR PURPOSES OF THIS ORDER, THE FOLLOWING WORDS AND TERMS SHALL HAVE THE FOLLOWING MEANINGS:

A. DEFINITIONS OF TERMS CONCERNED WITH WATER AND SEWER RATES AND CHANGES

1. "Acceptable Credit" shall mean a new customer making application for service with the District. The customer shall have no more than two (2) delinquent bills and a maximum of \$500.00 outstanding debt owed on their credit report.
2. "Apartment Connections" shall mean all multi-family residential connections, which are served by a master meter, including assisted living centers, retirement facilities, long-term care facilities and similar facilities.
3. "Apartment Units" shall mean the individual dwelling units served through the Apartment Connection's master meter and shall include condominiums and all individual dwelling units served by a master meter.
4. "Basic Service Fee" shall mean the monthly charge on all residential users of water and/or sanitary sewer service to assess various administrative charges and other service fees that are not readily assessed to either the water or sewer components of a residential customer's bill, such as charges for garbage collection.
5. "Bulk Water Customer" shall mean an out-of-District customer who has contracted with the District for the purchase of water, unless otherwise agreed to by the District.
6. "Commercial Connection" shall mean and include any office, building, hotel, motel, retail store, industrial complex, school or other establishments which are not residential or apartment.
7. "Consumer" shall mean the occupant of a residential, commercial or industrial structure or other property within or outside the area of the District, whether the owner, renter or lessee thereof who is or receiving or proposes to receive water and/or sanitary sewer service from the District.

8. "Delinquent Bill" and/or "Security Deposit" shall mean a bill for water and/or sanitary sewer service which has not been paid within 20 days after the bulk mailing date of the bill for the preceding month's service and associated security deposit.
9. "Office Manager" shall mean the person or entity with which the District has employed or contracted to provide general office management.
10. "Operator" shall mean the person or entity with which the District has contracted for operation and maintenance of the plants and lines of the District's System.
11. "Residential Connection" shall mean and include any single-family residence, townhouse or multiplex when such is separately metered.
12. "Residential Connection with Commercial Applications" shall mean those Residential Connections which are operating within the same structure, or within a garage, shed, or other structure, on the same property as the Residential Connection, a commercial establishment which provides goods and/or services for sale to the public and which by the nature of such establishment will likely use the water and/or sanitary sewer services that are provided by the Residential Connection. All rules applicable to other commercial establishments with regards to grease traps, backflow prevention devices, cross-connections, and similar rules applicable to commercial connections, shall be applicable to the Residential Connection with Commercial Applications. Each Residential Connection with Commercial Applications shall be subject to the Basic Service Charge.
13. "Single-Family Residential" shall mean a user of the District's System that consists of one residence designed for use and occupancy by a single-family unit including but not limited to an individual house, trailer home, mobile home and similar dwellings.
14. "Separate Connection" shall mean each residential unit occupied by a separate family or person, including separate apartments within a single building and each business unit occupied by a separate business, including separate establishments within a single building.
15. "Sewage Service Charge" shall mean the monthly charge made on all users of the Public Sewer System.
16. "Single-Family Residential Equivalency" shall mean the equivalent number of Residential Connection assigned to a Commercial Connection such that the Commercial Connection bears an equitable burden of the District's fixed operation costs.

17. "System" as used herein shall mean the water and/or sanitary sewer facilities of the District and all extensions and additions thereto, whether now in place or hereafter constructed.
18. "Water Service Charge" shall mean the monthly charge made on all users of the public water System.

B. DEFINITIONS OF TERMS CONCERNED WITH WATER AND SEWER RULES AND REGULATIONS

1. "District" shall mean the District's Board, the District's Engineer, the District's Operator, or any person authorized by the District's Board to act for the District in carrying out the provisions of this Rate Order, or their duly authorized deputies, agents or representatives.
2. "B.O.D." shall mean the quantity of oxygen expressed in parts per million by weight, utilized in the bio-chemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of 20 degrees Centigrade (20°C). The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods."
3. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys to the building sewer, beginning three feet (3') outside the inner face of the building wall.
4. "Commercial Water Tap" shall mean the connection of a 3/4" or larger Water Service Line to a District water line to serve one (1) or more structures other than a single-family residence.
5. "Board" shall mean the captioned Board or any authorized person acting in its behalf.
6. "Domestic Sewage" shall mean water-borne wastes normally discharging into the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories and institutions, free of storm surface water and Industrial Wastes.
7. "Garbage" shall mean solid wastes and residue from the preparation, cooking and dispensing of food, and from the handling, storage and sale of food products and produce.
8. "Industrial Waste" shall mean water-borne solids, liquids or gaseous wastes resulting from and discharged, permitted to flow or escaping from any industrial, manufacturing or food processing operation or process from the development of any natural resource, or any mixture of these with water or domestic sewage, as distinct from normal domestic sewage.

9. "Milligrams-per-Million" shall mean a weight-to-weight ratio; the milligram-per-million value multiplied by the factor 8.34 shall be equivalent to pounds per gallon of water.
10. "Natural Outlet" shall mean any outlet into a Watercourse, pond, ditch, lake or other body of surface or ground water.
11. "Normal Domestic Sewage" shall mean normal sewage for the District in which the average concentration of suspended materials and five (5) day B.O.D. is established at 200 parts per million each, by weight, on the basis of the normal contribution of seventeen-hundredths (0.17) pounds per 100 gallons, per capita.
12. "Person," "Establishment," or "Owner," shall mean any and all persons, including any individual, firm, company, industry, municipal, or private corporation, association, governmental agency, or their agents, servants or employees.
13. "pH" shall mean the logarithm (base 10) of the reciprocal of the hydrogen ion concentration expressed in milligrams per liter. It shall be determined by one (1) of the procedures outlined in "Standard Methods."
14. "Plumbing Code" shall refer to the Southern Standard Plumbing Code or International Plumbing Code. All installations regarding plumbing to residential and commercial structures must be conducted by a licensed plumber (Holding A Valid Master's Plumbing Licenses in the State of Texas).
15. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that particles shall be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1/2") in any dimension.
16. "Public Sewer" shall mean a sewer in which all Owners of abutting properties shall have equal rights and interest and controlled by public authority.
17. "Residential Water Tap" is defined herein as the connection of either of the following to a District water line:
 - (a) A one inch (1") Water Service Line to serve two (2) single-family residences, which is known as a "Double Tap";
 - (b) A 3/4" Water Service Line to serve one (1) single-family residence, which is known as a "Single Tap." All Residential Water Taps will be installed by the standard City of Houston "Long" or "Short" Residential Water Service Line connection, including a 5/8" x 3/4" meter and box, complete in place.

18. "Sanitary Sewer" shall mean a sewer that conveys sewage or Industrial Wastes or a combination of both, and into which storm, surface and ground waters or unpolluted Industrial Wastes are not intentionally passed.
19. "Sewage" shall mean a combination of the water-carried waste from residences, business buildings, institutions, and industrial Establishments, together with such ground surface and storm water as may be present.
20. "Sewage Treatment Plant" shall mean any District-owned facility, device or structures used for receiving and treating sewage from the District's Sanitary Sewer System.
21. "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage and Industrial Wastes and would include sewage, as well as the sewage treatment facilities.
22. "Sewer" shall mean a pipe or conduit for carrying sanitary sewage.
23. "Sewerage" shall mean the system of sewers and appurtenances for the collection, transportation and pumping of sewage and Industrial Wastes.
24. "Sewer Service Line" shall mean the sewer line from the foundation of a building, including houses and commercial structures, to the District's Sanitary Sewer System.
25. "Sewer Tap" shall mean the physical connection of a Sewer Service Line to the District's Sanitary Sewer System. Without the written consent of the District's Board, only one (1) Sewer Tap shall be permitted for each building.
26. "Standard Methods" shall mean the examination and analytical procedures set forth in the latest Edition, at the time of analysis, of "Standard Methods for the Examination of Water and Sewage," as prepared, approved and published jointly by the American Water Works Association and the Federation of Sewage and Industrial Wastes Association.
27. "Storm Sewer or Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted Industrial Wastes.
28. "Storm Water Runoff" shall mean that portion of the rainfall that is drained into the sewers.
29. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in "Standard Methods."

30. "Unpolluted," in use with water, waste or drainage, shall mean water or waste containing none of the following:
- (a) Emulsified grease or oil;
 - (b) Acids or alkalis;
 - (c) Phenols or other substances imparting taste and odor in receiving water;
 - (d) Toxic or poisonous substances in suspension; and
 - (e) Colloidal state or solution and noxious or otherwise obnoxious odorous gases.
- It shall contain not more than ten (10) parts per million each of suspended solids and B.O.D. The color shall not exceed fifty (50) parts per million.
31. "Utility Commitment" shall mean a formal written commitment, either permanent or temporary, given by the District, stating that wastewater capacity of a specified volume is available for a defined tract of land.
32. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
33. "Water Mains" shall mean water distribution pipes located in public right-of-ways or easements and maintained by public authorities.
34. "Water Service Line" shall mean the water line from the property line of the property to be served with water, to the District's waterworks System.

ARTICLE II

COMMITMENTS AND CONNECTIONS

A. POLICY ON ISSUANCE OF WATER AND WASTEWATER UTILITY RESERVATION COMMITMENT

This Policy and Procedures for Issuance of Water and Wastewater Utility Commitments (the "Policy") shall apply to any property within the District which has not been platted or which currently has service approved by the District available to it and all property outside the District for which service is requested. For example, no Owner of a single-family lot in a platted subdivision to which District service is available shall be required to comply with this Policy and may apply directly for a utility connection under Section C. The Board has adopted the following Policy for the purpose of providing water and sewer service for the growth and development within the District in a uniform and nondiscriminatory manner. These policies and procedures shall apply uniformly throughout the District for any new or additional development.

1. **Application and Deposit.** If requesting service to property currently located within the District or if requesting service to property located outside the District, the application as described in Exhibit "B" should be completed and submitted to

the District's Office Manager along with a deposit check made payable to the District in the amount as described in Exhibit "E."

2. **Processing Application.** Upon receipt of the attached, fully completed application and deposit, the Office Manager shall present the request to the Board of the District and obtain authorization for the District's consultants to begin the evaluation of the request. The deposit will be used to cover the expenses incurred by the District for the preliminary evaluation by the consultants as to whether the District's facilities can accommodate your proposed project.
3. **Additional Deposit.** The Board reserves the right to request additional deposit monies from the applicant if the initial deposit is not sufficient to cover anticipated consultant costs during the review. If additional monies are not produced when requested, then all review work will be stopped and this application will become null and void upon ten (10) days' written notice to the applicant. Upon completion of the review by the District, the remaining position of the deposit, if necessary, will be returned to the applicant.
4. **Miscellaneous Conditions.**
 - (a) **Application Required.** Any party requesting service from the District shall be required to submit an application to the Board for consideration.
 - (b) **Term of Commitment.** Reservation commitments shall be effective for one (1) year from the date of issuance which shall be the date the district issues a written statement to the applicant that their request has been approved by the District.
 - (c) **Transfer.** Reservation commitments are parcel and land use specific, and are non-transferable; provided, however, prospective buyers may jointly apply for service with the Owner of the property.
 - (d) **Taxes and Standby Fees.** Application shall not be considered for property with delinquent taxes or standby fees.
 - (e) **Construction.** No construction may begin on any improvements until all fees required by the District have been paid and the construction plans approved by the District Engineer.
 - (f) **Construction Deadline.** Construction must begin prior to the expiration date contained in the commitment and diligently pursued thereafter. In the event construction has not commenced on any tract for which a commitment has been issued prior to the expiration of the commitment, the reservation shall lapse without notice and the application procedures must be reinstituted as described herein.

- (g) **Progress Reports.** Applicant is required to provide the District with periodic written progress reports (at 30 day intervals) advising the Board as to the status of progress up to commencement of construction.
- (h) **Plats and Approvals.** All tracts of land receiving service must be platted as required by law and the plat and plans must be approved by the City of Houston, Harris County and other appropriate agencies prior to utility service being provided by the District.
- (i) **Extension of Facilities.** Applicant must make arrangements to expand plant facilities or extend the necessary trunk water and sanitary sewer and facilities to serve its property in areas where such facilities do not exist. All temporary and permanent arrangements for sewer and water service must be worked out in advance of construction with the District's Office Manager.
- (j) **Easements.** Applicant, at their sole cost, must convey all necessary easements and rights-of-way to the District with all lienholder subordinations.
- (k) **Maintenance Responsibility.** All utility lines constructed that are not in permanent acceptable easements, or which lie within private developments (apartments, condominiums, etc.) shall remain the permanent property of the landowner and shall remain such Owner's permanent maintenance responsibility.
- (l) **Change in Use.** Any change of use from the previously approved use of the property covered by this application as described in Paragraphs 1-3 above must be approved by the Board. Any request for change in use must be submitted in writing, describing in detail any change in any information submitted in connection with the original application, together with monies to re-establish a full deposit (as described in Exhibit "E") which has been used to pay for the work performed under the original application.
- (m) **Rate Order Governs.** Service shall be extended to a tract in accordance with the then current Order Setting Water and Sewer Tap Fees and Setting Service Rates and Rules and Regulations Governing Waterworks and Sanitary Sewer System.
- (n) **Annexation.** In addition to the other referenced prerequisites, including Section B below, the following requirements are applicable to requests for annexation:
 - (i) A feasibility study shall be prepared by the District's Engineer.

- (ii) Applicant shall provide to the District a copy of the deed showing current ownership of the property referenced in the application.
- (iii) Applicant shall submit to the District a current title commitment.
- (iv) The petition to the City of Houston for its consent to the annexation and the annexation petition to the Board shall be prepared by the District's Attorney.
- (v) All costs of annexation, including attorney's fees, engineering fees, election fees and any and all other fees relating to said annexation, shall be paid by the applicant.
- (vi) Applicant shall provide to the District a copy of the current survey of the property, including a metes and bounds description.

B. ANNEXATION POLICY

The Board would consider annexation of real property into the District subject to the following conditions:

1. All legal, engineering and other costs associated with the annexation shall be paid by the applicant.
2. All costs of constructing the water, sanitary sewer and drainage facilities to serve the property shall be paid by the applicant.
3. The District's existing sewage treatment plants may currently be sufficient to serve only the projected development of the land currently located within the District. Applicant shall be required to finance all costs related to whatever expansion to the District's sewage treatment plant(s) as necessary to serve the annexed property. Such costs shall be secured by an irrevocable letter of credit, in form satisfactory to the Board, drawn on a bank located in Harris County, Texas. Such letter of credit shall be deposited with the District at the time applicant begins construction of any utilities to serve its property.
4. The same restrictions and procedures as described in Paragraph 3 above shall apply to the District's water production facilities, if it is determined that the District does not have sufficient surplus water supply to serve applicant's proposed development.
5. All utility facilities proposed to be owned and operated by the District shall be designed by the District's Engineer, who will also perform a general review of the construction of same.

6. All contracts let for the construction of utilities shall be let in the name of the District and shall be supervised by the Board. All payments, however, shall be solely the responsibility of the applicant.
7. In the event the District determines that the plant facilities or certain utility lines should be oversized in order to accommodate anticipated development within the District, the applicant shall fund the over sizing of such lines. The District, however, shall endeavor to recoup such additional costs from the benefiting landowners when they request service from the District.
8. All construction costs shall be reimbursed by the District in accordance with the rules of the Texas Commission on Environmental Quality ("TCEQ") including TAC 293.47 (related to 30% contribution by the Developer) to the extent agreed between the Developer and the District.
9. The terms and conditions of the annexations agreement shall be recorded at the time of annexation and shall be binding upon any future purchaser and any lender.
10. Whether the applicant has known use for the annexed tract will impact the District's decision on whether to annex the tract.

The Board recognizes that the providing of utility service to a tract may include consideration not specifically addressed herein or that special circumstance may arise that make these conditions inapplicable. The Board stands ready to address with an applicant any issues relevant to the Policy on issuance of Utility Commitment and to an annexation. This Policy, however, is written to provide a potential applicant with the general policy of the District regarding issuance of Utility Commitment and annexation.

C. APPLICATION FOR UTILITY CONNECTION

Any Person desiring connection to the District's System, after following the requirements of Section A above, if applicable, shall follow the following steps:

1. The applying Person should initiate his request for utility connection at the office of the District.

The applicant will fill out the forms as shown in Exhibit "B" and will submit all the requirements as set forth in these forms.

The applicants tap fee will be assessed, based on the proposed land use and the provisions set forth in Article II, Section E, hereof. Paying a tap fee on an improved portion of a larger tract of land does not constitute a Utility Commitment on the remaining unimproved portion. A metes and bounds description and a recorded plat of the tract receiving service should accompany the submitted site plans.

2. The Office Manager will then make preliminary determination that Utility Commitments and availability exists and is committed by the District for the subject tract. On that basis, the Office Manager will assess the connection fee according to this Rate Order. The Office Manager will request an "Assignment of Commitment" when the applicant is not the original recipient of the District's commitment. In absence of such an Assignment, the commitment will be allocated on a prorated acreage basis.
3. The Office Manager will then forward two (2) copies of the site plan to the District Engineer for further and final evaluation of Utility Commitment and availability and evaluation of any encroachments to District utility easements. The District Engineer will then, in writing, confirm any additional requirements to the applicant regarding such encroachments and/or confirm the Utility Connection Agreement. The District Engineer will also make record of the description of the tract for which the tap fee is dedicated. A copy of that documentation shall go to the District's Attorney, Operator, Bookkeeper, and the District Secretary.

D. CONNECTION AND DISCONNECTION; POLICIES, FEES AND DEPOSITS

1. Connection to District's System.
 - (a) In-District Consumers: Upon approval of an application for service by the District Office Manager and payment of all applicable fees, each structure within the District may be connected to the District's System as soon as the District has made available to such structure, plant and line capacity to serve same. If both water and sewer services do not become available at the same time, the Consumer may connect to the water System at the time water service becomes available and shall connect to the sewer System at the time sewer service becomes available. No service shall be given from the District's System unless such user agrees to take both water and sewer service, except to public space users and where the Consumer has another Single-Family Residential Connection or in those instances where the District determines that both services are not necessary.
 - (b) Out-of-District Consumers: Upon approval of an application for service by the District Office Manager, and payment of all deposits, tap, inspection and account institution fees, connections may be made to the District's facilities at no cost to the District. No permanent single service shall be available to any Consumer; provided, however, that this requirement shall not apply to any Consumers receiving a single service as of the adoption date of this Rate Order.

Also, for purposes of this Section, out-of-District Consumers may not share a common connection on the same property. Violation of this provision will result in the immediate termination of all service as provided in Article V, Section B, hereof.

- (c) North Houston Heights Customers. Upon approval of an application for service by the District Office Manager, and payment of all deposits, tap, inspection and account institution fees, connections may be made to the District's facilities, subject to the requirement that any septic tank at the service address shall be adequately abandoned to the District's satisfaction, any private water well shall be plugged and capped by a licensed professional, registered with the TCEQ to perform such work, who shall certify such work in writing, documentation of which shall be provided to the District Office Manager, and all required inspections being made and passed satisfactorily, as solely determined by the District. Connection costs for all such connections shall be equal to the usual tap and connection fees for similar District customers, plus 110% of the actual costs for any road work, repairs and inspections necessary to provide the connections.
- (d) Mary Eleanor/Mary Francis Customers. Upon approval of an application for service by the District Office Manager, and payment of all applicable deposits, eligible Mary Eleanor/ Mary Francis ("ME/MF") customers shall be connected to the District's wastewater System, subject to the requirement that any septic tank at the service address shall be adequately abandoned to the District's satisfaction, any private water well shall be plugged and capped by a licensed professional, registered with the TCEQ to perform such work, who shall certify such work in writing, documentation of which shall be provided to the District Office Manager, and all required inspections being made and passed satisfactorily, as solely determined by the District. Connection costs shall be waived for customers in ME/MF, as such costs have been paid for by Harris County under separate agreement with the District. District wastewater service fees shall apply to ME/MF customers. Additional charges for disconnection and reconnection shall apply as described in Exhibit "E."

ME/MF customers declared ineligible for participation in Phase I and Phase II of the Harris County ME/MF Sanitary Sewer Line Project by Harris County shall be required to pay all deposits, connection costs and inspection fees in accordance with the District's Rate Order. Additionally, connection costs for all such connections shall be equal to the usual tap and connection fees for similar District customers, plus 110% of the actual costs for any road work, repairs and inspections necessary to provide the connections.

- 2. Deposit To Secure Payment and Service Charge. A security deposit as described in Exhibit "E" shall be collected on all new connections and reconnections after termination for delinquency. A customer's credit will be determined by one of two means. Any previous unused deposit with the District will be credited to the amount of the deposit due by any Consumer. All deposits shall be prepaid and water and sewer service shall not be provided until such time as payment of the

deposit has been received. The deposit shall be refundable when ownership is transferred, contingent on providing proof of payment of all bills owed to the District. No interest shall be paid by the District on any deposit. A Consumers request for refund of the security deposit will be on a case by case review of payment history and will only be refunded after the Board's approval.

3. Discontinuing and/or Connecting Service.

(a) At Request of Customer.

(1) New Service: At any time a customer wishes to establish an account with the District (which shall be done at any time responsibility for payment is changed), such new customer shall pay a non-refundable account transfer fee as described in Exhibit "E." The account transfer fee, however, shall not apply to a new account being established as a result of payment of a tap fee pursuant to Article II, Section E, hereof.

(2) Existing Service: At any time a customer temporarily or permanently, abandons the structure being served and no longer wishes to be furnished with water, such customer shall notify the District Office Manager in writing at least two (2) days prior to the time the customer desires such service discontinued. A charge for restoring water service where such service is restored at the request of the customer, provided the customer is not delinquent in the payment of any bills at the time of either request shall be required as described in Exhibit "E."

(b) Discontinuing Service and Removing Meter For Failure to Pay Bills When Due.

(1) According to the terms of this Rate Order, the District shall have the right to discontinue water, wastewater, and/or basic service to a customer after his bill becomes delinquent. Service shall not be restored until receipt of the following charges:

- (i) a deposit fee, in accordance with subparagraph (2) above;
- (ii) a reconnection charge as described in Exhibit "E"; and
- (iii) payment of any bills that are currently owed to the District, plus any penalties required by this Rate Order.

A bill shall include charges for any work done by or on behalf of the District, which is attributable to a problem in the customer's system or a problem in the District's System, which in the opinion of the District is caused by the customer or such customer's system. All payments of such amounts shall be by personal check, cashier's check, certified check or money order.

- (2) In the event the delinquent bill is not paid and service is terminated, the District shall have the right to remove the meter from the meter box. Service shall not be restored until receipt of the following charges:

- (i) All amounts required by subparagraph 3(b)(1) above, plus
- (ii) a meter replacement fee as follows described in Exhibit "E"

- (3) **INSUFFICIENT FUNDED PAYMENTS** - Customers presenting a check, money order, certified check, cashier's check or similar document for payment that is dishonored by the customer's bank will be given 48 hours to present a cashier's check, certified check or money order to pay their balance, along with all fees and penalties. Such insufficient funded check, money order, certified check, cashier's check or similar document will be treated as no payment by the customer and the customer will be assessed penalties, fees and/or charges under this Rate Order related to such insufficient funded payment as if no payment was received by the due date. If such payment in full is not received within the 48 hour period, then the customer's service is subject to immediate termination. Subsequent bills to a customer presenting checks that have been dishonored shall be paid by cashier's check, certified check or money order, unless written approval is received from the District Office Manager that check writing privileges are restored. Customers shall also be required to establish a deposit of at least \$100 to secure future payments.

- (4) **PARTIAL PAYMENTS**

- (a) On a Monthly Bill – A customers making a partial payment of a monthly bill and not paying the full balance by the due date will receive a notice indicating the customer has 48 hours to pay the balance of the bill or make arrangements for a payment plan, otherwise the customer will be subject to termination.

- (b) On a Payment Plan - A customer making a partial payment under a payment plan, thus not meeting the terms of their payment arrangement, will receive a notice indicating their payment arrangement is terminated and the customer has 48 hours to pay the full balance owed on their account, otherwise the customer will be subject to termination.
 - (c) Charge for Notice – A customers will be charged \$15 for each such notice provided by the District pursuant to (a) & (b) above.
 - (5) Upon determination by the District that a customer has vacated the premises where service to the customer was established and the customer has failed to pay the balance due on the customer's account, the District may assign the delinquent account to a company that handles collection of delinquent accounts. If assigned to a collector, the customer's account will be charged an additional \$30 to offset the District's costs of collection.
 - (6) The procedures outlined in Article II Section D.3(b) are subject to the requirements of Title 16, Chapter 24, Texas Administrative Code, Section 24.173(d) with regard to certain prohibitions and procedures relating to late fees and disconnection of water service during Extreme Weather Emergencies (as such term is defined in the statute), as amended from time to time.
4. Service Agreements. Prior to receiving service from the District to new construction or to buildings containing new plumbing fixtures, or prior to having service reconnected to any building after termination of water service, a user must execute a Service Agreement attached to this Rate Order as Exhibit "B," "C," "D" and "E."

E. WATER TAPS, SEWER INSPECTIONS AND STAKING

- 1. Residential. Residential connection charges shall be made for every residential connection up to and including a 3/4-inch meter, to the District's water distribution and wastewater collection System as described in Exhibit "E." Charges shall include the meter and meter box and installation thereof. For connections of 1-inch (1") or more, the District will establish tapping charges by separate order or agreement; however, the connection charge shall not exceed three (3) times the actual and reasonable costs to the District for such work.
- 2. Commercial. Commercial Connection charges for every Commercial Connection to the District's water distribution and wastewater collection System shall be as described in Exhibit "E." However, the connection charge shall not exceed three (3) times the actual and reasonable costs to the District for such work. The District shall make a determination whether such Commercial Connection

requires a grease trap by inspecting such facility. The customer shall pay a Grease Trap Determination Fee as set out in Exhibit "E."

3. Wastewater Connection Inspection. All connections to the District's sewer System shall be made in accordance with the District's Rules and Regulations Governing Water and Wastewater Service. All connections to the District's wastewater System shall be inspected by a representative of the district prior to being covered in the ground. In the event a wastewater connection is made and covered without an inspection by a representative of the District, water service at such location shall be terminated until such time as an inspection has been performed and the connection passes inspection. If a wastewater connection fails the inspection, an additional inspection will be required at the same rate. The fees for this inspection are as described in Exhibit "E." All connections must comply with the plumbing code. For a wastewater connection, the District's Operator must be notified prior to the connection being made. After the connection, the District's Operator shall again be notified and shall inspect the work prior to commencement of wastewater service.
4. Locating and Staking Fee. Should the District's Operator be asked to locate and stake District's water distribution or sewer collection System lines, for any reason, then in addition to the charges listed above, a locating and staking fee, as described in Exhibit "E," must be paid before service will be rendered.
5. Payment Agreements. Any payment arrangements agreed to by the District Office Manager shall be no longer than 90 days, unless special circumstances exist for other arrangements that are agreeable to the District Office Manager. Upon making payment arrangements for the tap, the customer shall make arrangements for a licensed plumber to complete the required connection to the District's System within 14 calendar days. The District will commence billing the customer upon connection or upon the expiration of the 14 day period, whichever is earlier.
6. Taps to Remedy Illegal Connection. Any customer who is required to obtain a separate tap due to illegal service being provided to another structure, shall be subject to termination, if a tap fee or payment arrangements for the tap fee are not made within seven (7) days of notice of such requirement. Also, any default by any customer having a payment arrangement approved by the District Office Manager, shall subject the customer to termination of service.

F. CUSTOMER SERVICE INSPECTION CERTIFICATION

No new connections to the District's water System shall be made unless a state licensed plumber or a water supply protection specialist licensed by the Texas State Board of Plumbing first submits in writing to the District a Certificate of Compliance specifying that the new connection complies with the plumbing material prohibition contained in Article IV, Section C. The Certificate of Compliance shall be signed by the licensed plumber and submitted to the

District at the same time that the tap fee is paid. The District shall not accept any tap fee that is not accompanied by a Certificate of compliance as shown in Exhibit "C."

G. CUSTOMER SERVICE INSPECTIONS

A customer service inspection, as shown in Exhibit "C," is required prior to the time the District:

1. Provides continuous water service to new construction;
2. Provides water service to private plumbing facilities that have been added to existing construction or materially improved or corrected; or
3. Continues service to a Consumer when the District has reason to believe that cross-connections or other unacceptable plumbing practices exist.

The cost of such customer service inspection will be the sole responsibility of the Consumer, as described in Exhibit "E". For all types of service either a state licensed inspector, or water supply specialist licensed by the TCEQ must perform the inspection. In connection with new construction, should the District Operator be requested to perform the inspection, the fee will be collected along with the tap fee. Thereafter, the District may at their discretion, periodically inspect a Consumer's plumbing system during normal business hours for the purpose of identifying possible cross-connections and other unacceptable plumbing practices which violate this Rate Order. The District's Office Manager will retain such inspection certifications for a minimum of ten (10) years. The cost for such inspections will be as described in Exhibit "E."

H. PRE-FACILITY INSPECTION

All builders or contractors for property Owners within the District must contact the Office Manager, prior to starting any work on property within the District, to perform an inspection to verify District facilities. If any District facility is either damaged or cannot be located, the District will make necessary repairs or locate and make the facilities visible at the expense of the District. A copy of the inspection report will be given to the builder's or contractor's representative, if requested. The following costs for each inspection are described in Exhibit "E" and shall be payable along with the tap fee.

I. FACILITY INSPECTION

After construction has been completed on the property, but before service is transferred to a user, the District will conduct a final site survey to reinspect the water tap, meter and all other District facilities on the property. The property Owner, builder or contractor will be held responsible for any damages or adjustments to District facilities and the cost of repairing, adjusting or relocating the facilities (the "Backcharges"). If any reinspection of the facilities is required to ensure that the District's facilities are repaired, relocated or adjusted, a fee in the amount shall be charged for each such reinspection before service will be transferred to a subsequent user. Payment of the Backcharges, or any inspection or reinspection fees, shall be

made on or before the 30th day after the date of the invoice of said charges. The District may withhold the provision of service to the property or to other property owned by any user, property Owner, builder or contractor who has failed to timely pay for the Backcharges or any inspection or reinspection fee, including specifically the provision of additional taps; provided, however, the District shall follow the notification procedures set forth in this Rate Order prior to withholding the provision of service. The following costs for each inspection are described in Exhibit "E" and shall be payable along with the tap fee.

J. BACKFLOW PREVENTION ASSEMBLIES / TESTING

No direct connection between the District's water supply and a potential source of contamination shall be permitted. Any potential sources of contamination shall be isolated from the District's water supply by an air gap or an appropriate backflow prevention assembly in accordance with the state plumbing regulations. Appropriate backflow prevention assemblies must be approved by the American Society of Sanitary Engineers; or the Foundation for Cross-Connection Control and Hydraulic Research; 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 assembly 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.

All pressure relief valves and thermal expansion devices shall be in compliance with state plumbing codes. An approved backflow prevention assembly must be installed on all post-mix carbonators and no piping containing copper shall be installed downstream of the assembly supplying the carbonator. All commercial and multi-family connections shall be connected to the water System with a "Reduced Pressure Principal Backflow Prevention assembly". All irrigation systems shall be connected to the water System with a properly installed testable backflow prevention assembly. Any irrigation system using chemical additives shall be connected to the water System with a "Reduced Pressure Principal Backflow Prevention assembly".

One of the following methods must be used to prevent backflow through cross-connection:

- (A) An air gap (AG) may be used if:
 - (a) there is an unobstructed physical separation; and
 - (b) 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 (RP) may be used if:
 - (a) 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
 - (b) drainage is provided for any water that may be discharged through the assembly relief valve.

- (C) Pressure vacuum breakers (PVB) may be used if:
 - (a) no back-pressure condition will occur; and
 - (b) 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) Double check valve assemblies (DCV) may be used if:
 - (a) non-health hazard exists
- (E) Atmospheric vacuum breakers (AVB) may be used only on swimming pool supply lines if:
 - (a) there are no shutoff valves downstream from the atmospheric vacuum breaker;
 - (b) the device is installed at a minimum of 12 inches above the swimming pool flood rim and the highest downstream opening.
 - (c) 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
 - (d) no potential health hazard exists.
- (F) Hose bibb vacuum breakers must be used:
 - (a) on all threaded hose bibs not used under continuous pressure.

All backflow prevention assemblies will be tested by the District or other duly authorized representative of the District upon the installation, repair, or relocation of the assembly. Backflow prevention assemblies used in applications designated as health hazards must be tested at least annually. Backflow prevention assemblies used in applications designated as non-health hazards must be tested at least every three (3) years, or more frequent if deemed necessary by the District's Operator. A Certified Test Report must be issued evidencing the customer's backflow prevention assembly has passed all testing criteria, a copy of the Certified Test Report is attached as Exhibit "D." The District shall charge the Consumer a fee per backflow prevention assembly tested as described in "Exhibit "E."

All assemblies shall be maintained in good working condition by the Person or Persons having control of such assemblies. The District or other duly authorized representative of the District may inspect such assemblies and if found to be defective or inoperative shall require the repair or replacement thereof. The District requires an inspection fee for residential and non-residential prevention assemblies described in Exhibit "E."

Any Person who connects an irrigation system must hold a valid license, as defined by Title 30, Texas Administrative Code, Chapter 30 and required by Chapter 1903 of the Texas Occupations Code, or as defined by Chapter 365, Title 22 of the Texas Administrative Code and required by Chapter 1301 of the Texas Occupations Code.

The use of a backflow prevention assembly at the service connection shall be considered additional backflow protection and shall not negate the use of backflow prevention on the

internal hazards of any Customer connection as outlined and enforced by applicable TCEQ regulations and/or local plumbing codes.

If a customer fails to comply with the requirements, the District may terminate service to the customer in accordance with the provisions of this Rate Order, or the District may properly install, test and maintain the necessary backflow prevention assembly and bill the customer for all expenses incurred in connection relating thereof.

K. WATER AND SEWER SERVICE LINES OR LEADS

In the case of commercial, unrestricted or unrecorded property which has been subdivided and for which no water or sewer service line or lead exists to or across such subdivided parcel, the applicant for service shall provide to the District any easement deemed necessary by the District and shall pay all costs associated with either the extension of a District's service line to the property and/or any street boring for a cross lead. The size and location of any new line or cross lead shall be determined by the District's Office Manager with final approval required by the District's Board. No new line extension or cross lead shall be constructed until: 1) all necessary easements have been provided by the applicant to the District; and 2) all costs of design and construction have been paid in advance by the applicant.

L. MISCELLANEOUS

1. No Reduced Rates or Free Service. All Consumers receiving either water or sewer service, or both, from the District shall be subject to the provisions of this Rate Order and shall be charged the rates established in this Rate Order; and no reduced rate or free service shall be furnished to any such Consumer.
2. No Sales of Unmetered Water. No water will be delivered to any Person or Consumer except on a metered basis, without the express written approval of the District.
3. No Sales for Purposes of Resale. No Consumer shall sell or resale water or sewer services to any other Person or entity.
4. Consumers Not Entitled to Specific Quantity or Pressure of Water. Water consumers are not guaranteed a specific quantity or pressure of water for any purpose whatever, and it is understood that the District is only to furnish a connection to its water System, and is in no case liable for failure or refusal to furnish water of any particular amount or pressure of water.
5. Water Connections Generally. No Person, other than the properly authorized agents of the District, shall be permitted to tap or make any connection with the mains or distributing pipes of the District's water System, or make any repairs and/or additions to or alterations in any District tap, pipe, cock or other fixture connected with the water service line.

6. Title to Facilities. Title to all water meters and appurtenances, including the meter boxes enclosing same, shall vest in the District.
7. Penalty For Failure to Pay Bill Before Delinquent. A bill for water and/or sewer service shall be payable upon receipt and shall be delinquent after 20 days following the bulk mailing date. Payments made after 4:30 p.m. shall be processed the next business day. A charge of ten percent (10%) of the total amount of the Consumer's bill or \$3.00, whichever is greater, shall be added thereto, when such bill becomes delinquent.
8. Proper Tender Required/Returned Check Fee.
 - (a) Temporary checks or checks without a pre-printed name and address will not be accepted by the District.
 - (b) Customers shall pay their bills with the exact amount by personal check, cashier's check, certified check, or money order.
 - (c) If a customer cannot pay the exact amount, then the District may accept a payment of an overage and credit the customer's account accordingly.
 - (d) Any account paid with a check returned unpaid shall be charged a returned check fee (as described in Exhibit "E") in addition to any other charges and penalties.
9. Penalty For Exceeding Allocated Capacity. In the event any Consumer utilizes water and sewer capacity in excess of its allocated capacity for any day, month or year, it shall be deemed a violation of this Rate Order for each day such excess usage continues. Upon written notice to the Consumer of such a violation of its allocated capacity, the District reserves the right to terminate water and sewer service to such Consumer until such time as the District is assured that such excess usage will be discontinued. In addition, any violation for exceeding allocated capacity shall be subject to the fines and/or penalties expressed in Article IV, Section B of this Rate Order.
10. Miscellaneous Services.
 - (a) The District, acting through its Office Manager, may perform other services for Persons requesting those services such as contacting general contractors, road contractors and utility service contractors for the purpose of location of water and/or sewer lines for such Persons, however, any costs incurred by the District will be billed to such Persons at an amount equal to the District's cost plus ten percent (10%). If the District does not have a contract with such Person, payment arrangements satisfactory to the Office Manager should be made in advance; provided, however, this

charge shall not apply in the case of a homebuilder attempting to locate the District's facilities for the purpose of installing a tap.

- (b) Any Person, working on sewer taps, working in the District's easements shall be required to contact the District's Office Manager and shall be prohibited from working in or around the District's facilities unless and until such person has provided sufficient security to the District to satisfy any potential damages to the District's water or sewer System in an amount determined by the District.

11. Review. It shall be the policy of the District to review this Rate Order at least annually and revise same as may be required by the District's financial situation, including taking into consideration projected maintenance and capital projects.

ARTICLE III

WATER AND SEWER RATES; BASIC RESIDENTIAL SERVICE FEE

A. MONTHLY RATES FOR WATER AND SEWER SERVICE FOR SINGLE-FAMILY RESIDENTIAL CONSUMERS

WATER

Minimum \$17.50*
(includes first 3,000 Gallons)

3,001-8,000 Gallons
\$2.25 per Thousand Gallons

8,001-13,000 Gallons
\$2.85 per Thousand Gallons

13,001-18,000 Gallons
\$3.25 per Thousand Gallons
Over 18,001 Gallons
\$3.85 per Thousand Gallons

SEWER

Minimum \$20.50
(includes first 3,000 Gallons)

Over 3,000 Gallons
\$2.50 per Thousand Gallons

*Monthly Minimums are as follows:

Size	Monthly Minimum Charge
5/8" or 3/4"	\$17.50
1"	\$24.93
1½"	\$42.07
2"	\$63.54
3"	\$113.89
4"	\$183.55
6"	\$709.77
8"	\$1251.39
10"	\$1816.22

B. MONTHLY RATES FOR WATER AND SEWER SERVICE FOR APARTMENTS

	WATER	SEWER
For the basic usage of 3,000 gallons per apartment unit	\$17.50 per unit	\$24.70 per unit
over the basic usage of 3,000 gallons per apartment unit	\$3.00 per 1,000 gallons	\$3.25 per 1,000 gallons

C. MONTHLY RATE FOR WATER AND SEWER SERVICE FOR COMMERCIAL CONSUMERS

WATER

Minimum \$25.00*
(includes first 3,000 Gallons)

3,001-8,000 Gallons
\$3.25 per Thousand Gallons

8,001-13,000 Gallons
\$3.85 per Thousand Gallons

13,001-18,000 Gallons
\$4.25 per Thousand Gallons

Over 18,001 Gallons
\$4.85 per Thousand Gallons

SEWER

Minimum \$31.50
(includes first 3,000 Gallons)

Over 3,000 Gallons
\$4.50 per Thousand Gallons

***Monthly Minimums are as follows:**

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>
5/8" or 3/4"	\$25.00
1"	\$32.43
1 ½"	\$49.57
2"	\$71.04
3"	\$121.39
4"	\$191.05
6"	\$717.27
8"	\$1258.89
10"	\$1823.72

D. BASIC SERVICE FEE

A basic residential service fee shall be charged to Single-Family Residential customers receiving water and/or wastewater service from the District. The charge covers various other services, including administrative services that are not readily assessed to either the water or wastewater components of the customers' bills. A Basic Service Fee shall be separately assessed on the residential customer's bills in the amount of \$22.15.

E. GROUNDWATER REDUCTION PLAN FEE

A Groundwater Reduction Plan ("GRP") fee shall be charged to all customers receiving water service from the District. Due to the District's obligation to reduce the amount of water pumped from the District's water wells, in compliance with the rules and regulations of the Harris-Galveston Subsidence District, the District has entered into water supply agreements and a groundwater reduction plan agreement with the City of Houston. To provide funds for the additional costs associated with these agreements with the City of Houston, the District shall assess a charge to its customers equal to one hundred percent (100%) of the GRP fee per 1,000 gallons of water used.

F. CITY OF HOUSTON WATER IMPACT FEE

The City of Houston Impact Fee shall be assessed on any service request that relates to new development, as identified by the City of Houston Code of Ordinances, Section 47-384. The cost of the Impact Fee shall be assessed according to service units requested and according to the City of Houston's Impact Fee Service Unit Equivalent Table, and may be amended from time to time.

G. IRRIGATION METER

Customers may request a water tap and meter to accommodate service for such customer's sprinkler system, which irrigates the customer's property only. Customers shall pay the water tap charges and inspection fees and will be assessed fees for usage according to the same rates as are charged to District customers in Section A, above, for water usage. No wastewater or basic service fees shall be charged on irrigation meter accounts. Additionally, all irrigation connections shall include a testable backflow prevention assembly and comply with Article II, Section J, of this Rate Order.

H. PRORATION OF CHARGES

Each Customer's bill upon initiation of service shall be prorated for the billing period in which service commences. Such proration shall apply to the base water and wastewater charges, but not the Basic Service Fee and GRP fee, which shall be paid in full for the billing period. Likewise, each Customer's final bill shall be prorated for the billing period in which service is terminated.

I. WINTER AVERAGING FOR SINGLE-FAMILY RESIDENTIAL

The District will implement "winter averaging" for the Single-Family Residential customers by averaging the usage figures for December, January, and February and using such average for determining the wastewater charges for the residential customers for the following March through February twelve-month period. To provide for winter averaging of new residential customers, the District will use 9,450 gallons as the average usage figure to determine the wastewater charge.

J. BULK WATER RATE

Bulk Water Customers shall be billed a rate of \$7.27 per 1,000 gallons used, which is comprised of the cost for operations and maintenance of the water facilities, plus the current City of Houston contract water rate (rounded to the nearest cent).

K. PRIVATE WATER WELLS

The construction of water wells and/or the installation of septic tanks is prohibited without prior written approval by the Board. Said approval, if granted by the Board, will state the purpose for the construction of a water well and the intended use of the water.

ARTICLE IV

RULES AND REGULATIONS GOVERNING DISTRICT SERVICES

The following Rules and Regulations (the "Rules and Regulations") shall govern the installation of connections or taps to the District's Waterworks and Sanitary Sewer System, the limitations on flow of waste into the Sanitary Sewer System, the protection of all facilities which are part of the District's Waterworks and Sanitary Sewer System, and set performance standards for water fixtures in new construction.

A. WATER SERVICE LINES AND WATER TAPS

1. All connections to the District's Water Mains shall be made by the District's Operator or a contractor designated by the Operator. The connection shall include the furnishing and installing of the service tap line, water meter, and water meter box or vault.
2. The connections to the District's Water Mains and Sanitary Sewers may be made at different times.
3. The following materials are allowable for users extension from building to the District's Water Service Line: (All installations must comply with the plumbing code)*
 - (a) Brass curb stops, corp stops, and U-branch and related fittings manufactured by Ford, Hays or Muller
 - (b) Polyethylene water service pipe, 3/4" to 3", per AWWA C901
 - (c) Type K, Class 1 copper water service pipe
 - (d) Water main pipe, 4" and larger, of PVC, AWWA C-900, 150 (DR-18)
 - (e) Plastic meter box up to 1" meter
 - (f) Concrete meter box or vaults, 2" meters and larger

B. SANITARY SEWER SERVICE LINE

1. Only one (1) service line may be connected to the District's sanitary sewage collection System for each residence or commercial building. (All installation must comply with the plumbing code.)*
2. Only the following types of pipe and fitting materials are approved for constructing service lines. Pipe and fittings on each individual service line must consist of the same material.

- (a) Poly-vinyl-chloride type PS 46 conforming to ASTM F-789 or PSM (PVC) pipe conforming to ASTM Specification D3034 and installed according to ASTM D2321 or Schedule 40 or SDR 26.
 - (b) Ductile-Iron Pipe conforming to ANSI A21.51 with rubber gasket joints, ANSI A21.11, and installed according to manufacturer's recommendations.
- 3. Minimum sizes of service lines shall be as follows:
 - (a) Residential – four inches in diameter
 - (b) Commercial – six inches in diameter
- 4. Minimum grades for service lines shall be as follows:
 - (a) 4-inch pipe – one foot drop per hundred feet (1%)
 - (b) 6-inch pipe – six inches drop per hundred feet (0.5%)
 - (c) 8-inch pipe – four inches drop per hundred feet (0.40%)
- 5. Maximum grades for service lines shall be as follows:
 - (a) 4-inch pipe – two and one-half feet drop per hundred feet (2.5%)
 - (b) 6-inch pipe – one and one-half feet drop per hundred feet (1.5%)
 - (c) 8-inch pipe – one foot drop per hundred feet (1%)
- 6. All service lines must be constructed to true alignment and grade. Warped and sagging service lines will not be permitted.
- 7. Building tie-on connection must be made directly to the stub-out from the building plumbing at the foundation on all waste outlets.
- 8. Water-tight adapters of a type compatible with the materials being joined must be used at the point of connection of the service line to the building plumbing. No cement grout materials are permitted.
- 9. Where the District has provided wyes or stacks on sanitary sewer lines, these existing wyes or stack connections must be utilized for connection of the service line to the sewer main unless an exception is permitted by the District's Operator.
- 10. In all cases where the District's Sanitary Sewer line is on the opposite side of the street from the connection, the District has provided cross street runs, generally at alternate lot corners. Connections shall be made to these cross street runs and not at any other location.
- 11. Fittings and Cleanouts

- (a) No bends or turns at any point will be greater than forty-five degrees (45').
 - (b) Each horizontal service line must be provided with a cleanout at its upper terminal; and each such run of piping which is more than ninety feet (90') in length must be provided with a cleanout for each ninety feet (90'), or fraction thereof, in the length of such piping.
 - (c) Each cleanout must be installed so that it opens in a direction opposite to the flow of the waste and, except in the case of wye branch and end-of-the-line cleanouts, cleanouts must be installed vertically above the flow line of the pipe.
 - (d) Cleanout risers shall be extended to grade and sealed with air-tight mechanical plug.
12. All sanitary sewer connections shall be made by a qualified licensed master plumbing approved by the District. However, the District will make the inspection and the licensed plumber must certify on the application form, Exhibit "B," hereto attached, that the sewer connection was made in accordance with these Rules and Regulations and the Plumbing Code.
13. When the service line is complete, and prior to backfilling the pipe trench, the applicant for sewer service shall request an inspection of the installation. Request for inspections shall be made to the District's Office Manager at least 24 hours in advance of the time such inspection is desired.
14. The physical connection to the District's sewer main must be made by use of an adapter of a type compatible with materials being joined. The connection shall be water-tight. No cement grout materials are permitted.
15. Backfilling of the service line trench must be accomplished within 24 hours of inspection and approval. No debris will be permitted in the trench.

C. AVAILABILITY OF ACCESS/OBSTRUCTIONS

1. Access to Point of Service. By application for connection to the District's Sanitary Sewer Collection System and/or Water Supply System, the Customer shall be deemed to be granting to the District and its representatives a right of ingress and egress to and from the meter or point of service for such installation, maintenance and repair as the District, in its judgment, may deem reasonably necessary. The Customer shall also be deemed to be granting to the District and its representatives a right of ingress and egress to the Customer's property, including the interior and exterior of the Customer's premises, for the purpose of performing the inspections and completing the Customer Service Inspection Certifications required by these Rules and Regulations. Taps and connections will not be made when, in the opinion of the District's Engineer or Operator, the work area is obstructed by building materials or other debris or the work area is

not completed or finished to grade. When sidewalks, driveways or other improvements have been constructed prior to application for service, such application shall be construed and accepted as the Customer's waiver of a claim for any damages to such improvements resulting from the reasonable actions of the District's Operator in installation of the connection.

2. Obstruction of Access Penalty. All such penalties below may be in addition to the penalty amount assessed pursuant to Section VII.
3. Obstruction of Access to Meter. Should access to any meter or meter box be obstructed so as to prevent the District from reading the meter, in the sole discretion of the District, the customer will be assessed a monthly penalty of (i) \$100.00, plus (ii) an amount equal to the highest monthly amount billed to the customer during the preceding year. This billing method shall be in effect until the meter can be accessed and read. Once the obstruction is removed and the meter is read, the District shall bill the customer, for all actual usage from the date of the last meter reading, in accordance with the rates established by this Order.
4. Obstruction of Access to Facilities. Should access to any water or wastewater line, manhole or other facility be obstructed so as to prevent the District, in the sole discretion of the District, from maintaining, repairing or replacing such facilities, a \$250.00 penalty will automatically be assessed against the customer. The District shall have the right to immediately remove the item obstructing access to the facilities and shall back-charge the customer for the actual cost of removal. The District will not replace or relocate the removed item and shall not be responsible for the cost of replacing or relocating the removed item.
5. Responsibility of Owner for Obstruction of Access Penalties. The property owner will be jointly and severally liable for all penalties assessed under this Section, even if the property is leased. If penalties remain unpaid after a tenant moves out, water service may be terminated at any time and will not be reconnected to the property until all penalties and delinquent charges are paid in full.
6. Non-waiver. The failure on the part of the District to enforce any section, clause, sentence, or provision of this Order shall not constitute a waiver of the right of the District later to enforce any section, clause, sentence, or provision of this Order.
7. Appeal. Any determination by the District or any authorized agent of the District of any dispute regarding the terms and provisions of this Order may be appealed to the Board of the District, which shall conduct a hearing on the matter. The District shall provide the Customer with information regarding appeals and hearing procedures upon the Customer's request.

D. PROTECTION OF DISTRICT'S WATERWORKS AND SANITARY SEWER SYSTEM

1. It shall be unlawful for any Person, unless authorized in writing by the District's Office Manager, to tamper or interfere with, obstruct access to, or as a result of willful action injure, deface, or destroy any facilities that are a part of the District's waterworks and sanitary sewer System, including, with respect to the waterworks System, water plants, flushing valves, valve boxes, and water lines up to the meter box and including meters; provided, however, that duly authorized members of the any fire department shall have access to such flushing valves for fire protection purposes.
2. It shall be unlawful for any Person to connect any building to the waterworks System without a meter or to have a straight line connection to a building without being metered. It shall also be unlawful to draw water from the waterworks System without being metered, including the unauthorized use of a flushing valve or unmetered water taps. Meter installations shall include testable back flow prevention devices on all new commercial and multi-family connections as described in Article II, Section J, of this Rate Order. Additionally, the District reserves the right to require any present or future connections, whether commercial or residential, to install a backflow prevention device. The cost of such devices shall be borne entirely by the customer.
3. Any residential, commercial, apartment or non-profit connection which shall have interior fire control or prevention systems, which depend on water from the District shall submit plans and calculations to the District for approval prior to connection of such systems or at any other time as required by the District. Any such private fire protection system shall be metered.
4. No downspouts, yard or street drains, or gutters will be permitted to be connected into the District's sanitary sewage facilities. All clean outs must be capped. No surface storm water shall be discharged into the District's sanitary sewer System.
5. Swimming pool connections will not be made to the District's sewer System unless approved by the Board.
6. Review and acceptance of the District shall be obtained prior to the discharge into the Public Sewers of any wastes and waters having:
 - (a) A 5-day, 20 degrees Centigrade (20°C) biochemical-oxygen-demand (B.O.D.) greater than 200 mg/L (milligrams per liter).
 - (b) Suspended solids containing greater than 200 mg/L (milligrams per liter).
7. Pre-treatment: Where required, in the opinion of the District, to modify or eliminate wastes that are harmful to the structures, processes or operation of the sewage disposal works, the Person shall provide, at his expense, such preliminary

treatment or processing facilities as may be determined necessary to render his wastes acceptable for admission to the Public Sewers.

8. Grease, Oil and Sand Interceptors: Grease, oil and sand interceptors shall be provided for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private quarters or dwellings. All interceptors shall be of a type and capacity approved by the District and shall be located as to be readily and easily accessible for easy cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, water-tight and equipped with easily removable covers which, when bolted in place, shall be gas-tight and water-tight. Where installed, all grease, oil and sand interceptors shall be maintained by the Owner, at his expense, in continuously efficient operation at all times.
9. Design calculations, plans, specifications and any other pertinent information relating to proposed preliminary treatment or processing facilities shall be submitted for approval of the District prior to the start of their construction, if the effluent from such facilities is to be discharged into the Public Sewer.
10. Sampling Wells: Sampling wells shall be provided for all new sewer connections serving commercial, unrestricted or unrecorded property. In addition, the District reserves the right to require the addition of a sampling well to any current connection at any time that such connection has a change of use or at any time that such sampling well is determined to be necessary by the District's Engineer. Where required, such sampling wells shall be installed and maintained by the Owner at his sole expense.
11. No pipe or pipe fitting which contains more than 0.25% lead may be used for the installation or repair of plumbing at any connection which provides water for human use. No solder or flux which contains more than 0.2% lead may be used for the installation or repair of plumbing at any connection which provides water for human use. This requirement may only be waived for lead joints that are necessary for repairs to cast iron pipe.
12. Potable water supply piping, water discharge outlets, backflow prevention devices or similar equipment shall not be located so as to make possible their submergence in any contaminated or polluted liquid or substance.
13. No direct connection between the District's water supply and a potential source of contamination shall be permitted to exist. Potential sources of contamination shall be isolated from the District's water System by an air gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices shall be in compliance with state plumbing codes, and the District may require inspections of

any such valve or backflow prevention device on such schedule as deemed appropriate by the Board.

14. No cross-connection between the District's water supply and a private water system shall be permitted to exist. Where an actual air gap is not maintained between the District's water supply and a private water supply, an approved reduced pressure-zone backflow prevention assembly shall be properly installed and a service agreement shall exist for annual inspection and testing by a certified backflow prevention device tester.
15. No connection to the District's water supply shall be permitted which would allow the return of water used for condensing, cooling or industrial processes back to the District's water supply.
16. No plumbing fixture shall be installed within the District, which is not in compliance with a state approved plumbing code.
17. All plumbing installations on residential and commercial properties must be in compliance with the plumbing code. A licensed master plumber must perform all installations in the District.

E. PROHIBITED DISCHARGES TO SEWAGE WORKS

1. No Person shall discharge or cause to be discharged any storm water, ground water, roof run-off, sub-surface drainage, down spouts, yard drains, yard fountain and ponds or lawn sprays into any sanitary sewer. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the District. Unpolluted processed water may be discharged upon prior written approval of the District to a storm sewer or natural outlet or into the sanitary sewer system by an indirect connection whereby such discharge is cooled, if required, and flows into the sanitary sewer at a rate not in excess of three (3) gallons per minute, provided the waste does not contain materials or substances in suspension or solution in violation of the limits prescribed herein.
2. In cases where, and in the opinion of the District, the character of the sewage from any manufacturer or industrial plant building or other premises is such that it will damage the System or cannot be treated satisfactorily in the System, the District shall have the right to require such user to dispose of such waste otherwise and prevent it from entering the System.
3. No Person shall discharge or cause to be discharged, either directly or indirectly, any substances, materials, waters or waste not in compliance with the District's Wastewater Discharge Regulations, attached as Exhibit "F."

F. POWERS AND AUTHORITY OF ENFORCING AGENTS

The District shall be permitted to gain access to such properties as may be necessary for the purpose of inspection, observation, measurement, sampling and testing, in accordance with provisions of these regulations. Any Person found to be violating any provision of this Rate Order shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Any Person who shall continue any violation beyond the time limit shall be guilty of violation of this Rate Order and shall be summarily disconnected from the sanitary sewer and/or water service. Such disconnection and reconnection shall be at the total expense of the Consumer.

G. WATER CONSERVATION PROVISIONS

1. All new construction, whether residential or otherwise, shall use plumbing fixtures which are compatible with the plans of the Texas Water Development Board and/or the TCEQ.
2. The District shall be supplied with a schedule of fixtures to be incorporated in all new construction and manufacturers or laboratory certification that the fixtures meet the conservation criteria set forth herein.

All water and sewer utility service to new connections, subsequent to the adoption of this Rate Order, are subject and condition upon compliance with these provisions.

H. GREASE TRAPS

1. Grease Trap Inspections.
 - (a) The Office Manager or other duly authorized representative of the District shall be authorized, after providing reasonable notice to the landowner in advance, to enter upon any tract within the District to determine the necessity for a grease trap.
 - (b) Any Person who is responsible for a discharge into the District's sanitary sewer System for which, in the sole opinion of the District and its Office Manager, a grease trap is required and who does not have an approved grease trap in place shall have 60 days from the date of notice by the District within which to construct and install the required grease trap and secure necessary approvals thereof.
 - (c) The Office Manager or other duly authorized representative of the District shall be authorized to conduct monthly inspections of all grease traps within the District that are subject to this Rate Order to ensure that grease traps are being maintained in effective operating condition, and that all necessary manholes, inspection chambers and related facilities are being maintained and are fully operational.

- (d) In the event a grease trap or any related facilities are found in an unserviceable condition or in need of cleaning or maintenance, the Office Manager or other duly authorized representative of the District shall give written notice to the Person responsible for the discharge for which the grease trap is required advising such Person of the deficiencies and requesting prompt attention to the matter. The Office Manager or other duly authorized representative of the District shall conduct such follow-up inspections as may be necessary until the grease trap is in effective operating condition.
 - (e) The District may invoke the procedure described in Article V of this Rate Order to discontinue water service to a tract or Establishment in the event the Owner or proprietor of said tract or Establishment either (a) refuses to permit an inspection pursuant to this Section, or (b) fails, within seven (7) days after receiving written notice issued by the operator, the Board of Directors or other duly authorized representative of the District, to correct any condition found to be in violation of the District's requirements for installation, maintenance and operation of the grease traps. In addition, the District may assess a fine of \$5,000.00 per day to any party that fails, within seven (7) days after receiving written notice of violation, to correct the condition prompting the notice, in accordance with the provisions of Article V of this Rate Order, and the Board may, at its discretion, take such action as necessary to correct the condition and maintain the grease trap and bill the customer one and a half times the District's cost of such corrective action.
2. Grease Trap Inspection Fee. A monthly charge will be made against each person responsible for maintenance of a grease trap pursuant to this Rate Order. The charge (grease trap inspection fee) shall defray the District's expenses of monthly inspections of grease traps as provided in this Rate Order. Such grease trap inspection fees are described in Exhibit "E."

I. WATER EMERGENCY PROVISIONS

1. Drought Contingency Plan (the "Plan").
- (a) Trigger Conditions - For the purpose of this Plan, the District hereby adopts the trigger conditions (The "Trigger Conditions") set forth below:
 - (i) Mild Drought - This condition (herein, "Mild Drought Conditions") exists when demand on the District's water supply facilities reaches or exceeds 80% of the production capacity of such facilities for three (3) consecutive days, as determine by the District's Operator.
 - (ii) Moderate Drought - This condition (herein, "Moderate Drought Conditions") exists when demand on the District's water supply

facilities reaches or exceeds 90% of the production capacity of such facilities for three (3) consecutive days, as determined by the District's Operator.

- (iii) Severe Drought - This condition (herein, "Severe Drought Conditions") exists when demand on the District's water supply facilities reach or exceed 100% of the production capacity of such facilities for 24 hours, as determined by the District's Operator.
- (b) Notice - Once one of the above Trigger Conditions has occurred, users will be notified that such Trigger condition has occurred and of the Drought Response Measures (as defined below) to be taken. The process for notifying users may include any of the following:
 - (i) Mailing at least 48 hours prior to the commencement of the required Drought Response Measures, a written notice to each user;
 - (ii) Posting of signs at the entrances to the District;
 - (iii) Posting of notices at public places in the district; and
 - (iv) Dissemination of press releases to the local news media.

Any notice issued shall contain: (i) the date the Drought Response Measures will begin; (ii) the date the drought Response Measures will terminate, if known; (iii) a list of Drought Response Measures to be implemented; and (iv) an explanation of penalties for violations of such Drought Response Measures.

- (c) Emergency Management Program - The District hereby establishes and adopts the following measures ("Drought Response Measures") for the respective Trigger conditions. The Drought Response Measures related to each Trigger Condition shall automatically become effective and shall be implemented by the District when such Trigger Condition occurs.
 - (i) Mild Drought - In the event of Mild Drought Conditions, the following Drought Response Measures shall be taken:
 - Users will be asked to voluntarily reduce water use, and will be informed of specific steps that can be taken to reduce water use.
 - All outdoor water usage, including, but not limited to, lawn and garden watering, car washing, and window washing, shall be limited as follows:

- Only users with even-numbered addresses may use water outdoors on even-numbered days and only users with odd-numbered addresses may use water outdoors on odd numbered days. In the event no street address exists, only users living on the north and west side of a street may use water outdoors on even-numbered days and only users on the south and east side of a street may use water outdoors on odd-numbered days.
 - Outdoor water use shall be prohibited between the hours of 6:00 a.m. and 8:00 p.m.
- (ii) Moderate Drought - In the event of Moderate Drought Conditions, the following Drought Response Measures shall be taken:
- The Drought Response Measures established for Mild Drought Conditions shall continue to be implemented.
 - All outdoor water use, including, but not limited to, lawn and garden watering, car washing and window washing, must be conducted with a hand-held hose with a manual on-off nozzle.
 - The District shall recommend that the following public water uses not essential for public health and safety be curtailed:
 - Street Washing
 - Fire hydrant flushing; and
 - Filling of swimming pools
- (iii) Severe Drought - In the event of Severe Drought Conditions, the following Drought Response Measures shall be taken:
- The Drought Response Measures established for Mild Drought Conditions and Moderate Drought Conditions shall continue to be implemented.
 - All outdoor use of water, including but not limited to lawn and garden watering, car washing, and window washing shall be prohibited.
 - A surcharge equal to 200% of the applicable rate for all water used in excess of 10,000 gallons/month, shall be imposed on all users.

- The Board of the District may prohibit water use by certain industrial or commercial users which uses are not essential to the health and safety of the community so that remaining water is available for essential health and safety related uses.
 - (d) Termination of Trigger Conditions/Notification. When a Trigger Condition occurs, the District shall enforce the Drought Response measures applicable to such Trigger Condition for a minimum of five (5) days after the last day the demand on the District's water supply facilities reach or exceed the limits of such Trigger Condition. After such five (5) day period, the Drought Response Measures prescribed may, in the discretion of the Board, be continued for an additional five (5) day period. After the expiration of ten (10) days, and assuming no other Trigger Conditions have occurred, the Drought Response Measures prescribed shall terminate and the District shall cease implementation and enforcement of such measures. The District will notify users of the termination of the particular Drought Response Measures and may utilize the same manner of notification used to inform users of the occurrence of the Trigger Condition and implementation of the Drought Response Measures.
2. Emergency Contingency Plan. In the event of a fire, flood, hurricane, lightning stricken, tornado, windstorm, or any other act of God, riot, terrorist act, or any other act of civil disobedience, or any other similar occurrence which results in the inability of the District to provide potable water to users (or the likelihood thereof), the Board, in its discretion, may, without prior notice, invoke all or any of the Drought Response Measures set forth in this Plan as "Emergency Response Measures." The Board may establish any of the penalties set forth in Paragraph 4 for violations of the emergency Response Measures.
 3. Implementation. Without limitation to specific actions stated in the Plan to be taken by the District's Office Manager, the Office Manager will administer and enforce this Plan, and will oversee and be responsible for the execution and implementation of all elements of this Plan (or, if the District employs its own peace officers pursuant to Texas Water Code §49.216, such peace officers will be responsible for enforcement of the Plan. The Office Manager shall keep adequate records for plan verification. The Office Manager shall report to the Board of the District, at meetings of the Board, regarding action taken and which need to be take under this Plan. Without limiting the foregoing, the District's Office Manager shall advise the President of the Board (or if the President is unavailable to receive notification, another member of the Board) as soon as reasonably practical when particular Trigger Condition has been reached under this Plan and when a particular drought condition no longer exists.

4. Penalties. The following penalties shall apply to anyone violating the terms of this Plan or the Drought Response Measures or Emergency Response Measures adopted pursuant hereto:
- (a) First Violation - Any person or entity who violates this Plan shall receive written notification of such violation, which notice shall set forth:
 - (i) The date of the violation;
 - (ii) The nature of the violation;
 - (iii) The Drought Response Measures then in effect; and
 - (iv) The penalties applicable for any further violations of this Plan; provided, however, that if such person or entity has ever previously violated this Plan, the penalties set forth in Section (B) below, may, in the discretion of the Board, be imposed.
 - (b) Subsequent Violations:
 - (i) Disconnection for Noncompliance - If any person or entity violates any provision of this Plan more than one (1) time (which violation shall constitute any unauthorized use of the district services and/or facilities), then in addition to any other remedies, penalties, sanctions and enforcement procedures provided for herein, the District shall have the right to terminate water service to such person or entity after notice and any other procedural requirements in the District's Rate Order are satisfied.
 - (ii) Monetary Penalties for Noncompliance - If any person or entity violates any provision of this Plan more than one (1) time (which violation shall constitute an unauthorized use of District services and/or facilities), then, in addition to disconnection as provided in subsection (A) of this Section, the Board of the District, after providing required notice, may impose a penalty of up to \$5,000.00 for each violation of this Plan. Each day that a breach of any provision of this Plan continues shall be considered a separate violation. This penalty shall be in addition to any other legal rights and remedies of the district as may be allowed by law.
5. Remedies Cumulative. All rights, remedies, sanctions, penalties and enforcement procedures provided for in this Rate Order are cumulative. In addition, the District shall have and may exercise and enforce any and all rights and remedies provided by law or in equity.

J. REIMBURSEMENT OF NON-SCHEDULED COSTS

If a customer requests an inspection of water, wastewater lines and/or the water meter for failure and it is determined that the customer's water and/or wastewater lines have failed or that the water meter has not failed, the District shall assess a fee of \$50.00 for the inspection.

ARTICLE V

SOLID WASTE

The District may contract with an independent contractor to provide for solid waste and trash collection within the District. If the Board of the District determines that it is in the best interest of the District to contract for solid waste and trash collection, the fee for such service, as established by contract, shall be paid by the District with revenues received from the customer's payment of their water, sewer, and basic services fees.

ARTICLE VI

WATER THEFT

The following schedule of penalties for the theft or unauthorized use of water by a commercial or temporary water user as defined in this Rate Order shall be assessed:

First Offense:	\$1,500 plus the cost of the water taken including any GRP fees as described in Section 3(E) of this Rate Order and attorneys' fees.
Second Offense:	\$2,500 plus the cost of the water taken including any GRP fees as described in Section 3(E) of this Rate Order and attorneys' fees.
Third Offense:	\$5,000 plus the cost of the water taken including any GRP fees as described in Section 3(E) of this Rate Order and attorneys' fees.

Any damages to the District's facilities will be charged to the person responsible based on the cost of the necessary repairs, plus a damage fee of \$50.00.

Any residential theft of water matter shall be referred to the Board and handled on a case-by-case basis.

ARTICLE VII

ENFORCEMENT OF THIS ORDER ESTABLISHING WATER AND SEWER RATES, RULES AND REGULATIONS, AND WATER EMERGENCY PROVISIONS

A. ENFORCEMENT

1. Rules and Regulations shall be recognized by the Courts of the State of Texas as if they were penal ordinances.
2. Pursuant to Section 49.004, Texas Water Code, enforcement of the Rules and Regulations shall be by complaints filed in the appropriate court of jurisdiction in the county in which the principal's office is located.

B. PENALTIES

1. Civil Penalties. In accordance with Texas Water Code Section 49.004, as amended, the Board hereby imposes the following civil penalties for breach of any rule of the District: The violator shall pay the District twice the costs that the District has sustained due to the violation up to the jurisdictional limits of the justice court. A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorneys' fees shall be fixed by the court.
2. Any person violating any of the provisions of this Rate Order shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation.
3. Termination of Service.

C. NOTICE OF VIOLATION

1. Delinquent Accounts. In the event a Consumer shall fail to pay any water and/or sewer bill prior to delinquency, the District's Office Manager shall deliver notice of such delinquency to the Consumer by door hanger on the premises where service is received. An initial \$15.00 fee shall also be assessed against the delinquent customer. The notice shall contain the following:
 - (a) fact, date and amount of delinquency, including all penalties;
 - (b) the telephone number and address of the District's representative to contact in the event questions arise with respect to the delinquency, or to

object to a delinquent bill on account of clerical error or other billing irregularity;

- (c) a statement that the District's Office Manager has the authority to resolve clerical mistakes or other billing irregularity in the water and/or sewer bill; and
 - (d) a statement that failure to pay the delinquent amount will result in termination of service on the date stated, which shall be at least 48 hours after posting said notice.
2. The District's Office Manager is not required to make an adjustment in any particular case. Any Consumer objection received and not adjusted by the District's Office Manager to the satisfaction of the Consumer, upon the Consumer's request, will be referred for a hearing before the District's Board. If a hearing is request, then the service termination will be held in abeyance until further order from the District's Board.
3. Other Violations. In the event any person shall violate any of the provisions of this Rate Order, the Board shall notify such person in writing at the address on the District's billing records, if any, by certified mail, return receipt requested, and by regular mail of such violation and the notice shall contain the following:
- (a) notice of the nature of the violation;
 - (b) notice of the potential penalty for the violation; and
 - (c) date, time and location of the District's next Board meeting at which meeting such Person will be entitled to present all evidence in his possession with respect to the violation.

The notice shall be mailed not later than ten (10) days prior to the meeting.

4. Any decision of the District's Board shall be final.

D. NON-WAIVER

The failure, on the part of the District, to enforce any section, clause, sentence or provision of this Rate Order shall not constitute a waiver of the right of the District to later enforce any section, clause, sentence or provision of this Rate Order.

E. VALIDITY

1. All provisions of District's orders or regulations in conflict herewith are hereby repealed. The validity of any section, clause, sentence or provision of this Rate Order shall not affect the validity of any other part of this Rate Order, which can be given effect without the invalidated part or parts.

2. The District's President is authorized to execute and the District's Secretary to attest this Rate Order on behalf of the District.

EXHIBITS

- A - Wastewater Discharge Criteria
- B - Service Application / Agreement
- C - Service Inspection Certificate
- D - Backflow Prevention Assembly Certified Test Report
- E - Rate Order Fees, Deposits and Penalties
- F - Wastewater Discharge Regulations

EXHIBIT "A"

WASTEWATER DISCHARGE CRITERIA

TYPE OF DEVELOPMENT	CALCULATED VALUE
Bakery	0.225 GPD per sq. ft.
Barber Shop, General.....	150 GPD per bowl
Barber Shop, Supercuts.....	77 GPD per bowl
Beauty Shop	150 GPD per bowl
Bowling Alley	200 GPD per lane
Car Repair	0.05 GPD per sq. ft.
Carwash, Tunnel, Self-Serve	2,000 GPD per carwash
Carwash, Tunnel, with Attendants.....	9,920 GPD per carwash
Carwash, Hand Type, Self-Serve.....	385 GPD per carwash bay
Church.....	1 GPD per seat
Club, Tavern, or Lounge	10 GPD per occupant
Convenience Store	0.07 GPD per sq. ft.
Country Club.....	100 GPD x members, 25 GPD x guests
Day Care Center.....	10 GPD per occupant
Dormitory.....	90 GPD per bed
Fire Station.....	90 GPD per capita
Funeral Home.....	675 GPD per service
Gas Station, Diamond Shamrock ***	495 GPD per station
Gas Station, Gulf ***	478 GPD per station
Gas Station, Gulf, with Carwash **.....	2,685 GPD per station
Gas Station, Mobil ***	610 GPD per station
Gas Station, Other, Full Service ***	553 GPD per station
Gas Station, Other, Self Service ***	510 GPD per station
Gas Station, Texaco, Not within 2 Blocks of Freeway ***	440 GPD per station
Gas Station, Texaco, within 2 Blocks of Freeway ***	700 GPD per station
Gas Station, Texaco, with Carwash **	3,210 GPD per station
Grocery Store, 5,000 - 28,999 sq. ft.....	0.00 GPD per sq. ft.
Grocery Store, 29,000+ sq. ft.....	0.21 GPD per sq. ft. minus 3,773 GPD
Health Club	0.38 GPD per sq. ft.
Homeless Shelter	33 GPD per bed
Hospital	200 GPD per bed
Hotel, Motel *****	78 GPD per room
Hotel, Motel w/Kitchenettes *****	135 GPD per room
Manufacturing.....	0.05 GPD per sq. ft.

- * = Does not include Carwash
- ** = Includes Convenience Store
- *** = Rooms without Kitchen Facilities
- ***** = Does not include Restaurant or Laundry

NOTE: This information is subject to change without notice.

TYPE OF DEVELOPMENT

CALCULATED VALUE

Modeling Studio.....	989 GPD per studio
Nursing Home ***	90 GPD per bed
Office	0.10526 GPD per sq. ft.
Photo Store, One Hour Processing.....	1,000 GPD per store
Post Office, Excluding Dock	0.85 GPD per sq. ft.
Prison	90 GPD per capita
Racquetball Club.....	160.25 GPD per court
Recreational Vehicle Park.....	75 GPD per vehicle
Residence, Apartment with Washer/Dryer	225 GPD per unit
Residence, Apartment without Washer/Dryer	200 GPD per unit
Residence, Condominium	225 GPD per unit
Residence, Duplex	315 GPD per unit
Residence, Single-Family	315 GPD per unit
Residence, Townhouse	315 GPD per unit
Restaurant, Burger King, Air Cooled Machines	0.73 GPD per sq. ft.
Restaurant, Burger King, Water Cooled Machines.....	0.98 GPD per sq. ft.
Restaurant, Full Service, General	35 GPD per seat
Restaurant, Jack in the Box.....	0.90 GPD per sq. ft.
Restaurant, Luther's.....	5,180 GPD per restaurant
Restaurant, Mary Lee's.....	23 GPD per seat
Restaurant, McDonald's	0.58 GPD per sq. ft.
Restaurant, Monterey House.....	13 GPD per seat
Restaurant, Paper Plate, General.....	10 GPD per seat
Restaurant, Paper Plate, No Seating.....	0.07 GPD per sq. ft.
Restaurant, Pizza Inn	12 GPD per seat
Restaurant, Popeye's, Lease Space.....	(0.25 GPD x sq. ft.) + (12 GPD x seating)
Retail.....	0.07 GPD per sq. ft.
School, High	15 GPD per seat
School, Others Non-Residential.....	10 GPD per seat
School, Residential	100 GPD per capita
Service Center	0.05 GPD per sq. ft.
Skating Rink.....	5 GPD per capita
Stadium	3 GPD per seat
Swimming Pool.....	5 GPD per swimmer
Theater, Drive-In.....	5 GPD per space
Theater, Indoor.....	5 GPD per seat
Toilet.....	80 GPD per toilet
Transportation Terminal	5 GPD per passenger
Warehouse.....	0.83 GPD per sq. ft.
Washateria.....	288 GPD per machine

*	=	Does not include Carwash
**	=	Includes Convenience Store
***	=	Rooms without Kitchen Facilities
****	=	Does not include Restaurant or Laundry

NOTE: This information is subject to change without notice.

EXHIBIT "B"



Sunbelt Fresh Water Supply District of Harris County

A political subdivision of the State of Texas

410 W. Gulf Bank * Houston, Texas 77037 * Phone (281) 272-9577 * Fax (281) 272-9588

Service Agreement

ALL FIELDS REQUIRED: LOT _____ BLOCK _____ HCAD ACCOUNT NO. _____

The Sunbelt Fresh Water Supply District of Harris County, Texas (the "District"), by and through its employee _____ received the sum of \$ _____ as initial payment for water and/or sewer service to be provided by the District, in accordance with the following terms and conditions: (Over)

Service Address: _____

Name: _____ SS No.: _____

Spouse: _____ SS No.: _____

Home Phone No.: _____ Cell Phone No.: _____

Place of employment: _____ Work Phone No.: _____

DL No.: _____ Email: _____

Emergency Contact Name: _____ Phone No.: _____

Mailing address if different from service address: _____

Previous Address: _____

LANDLORDS NAME AND TELEPHONE NO.: _____

***Any special circumstances for emergency care check if applies ☐ & initial _____ and explain on another piece of paper.

☐ Residential ☐ Commercial** ☐ Construction Only ☐ Multi-Unit - No. of Units _____

**Commercial accounts only: DBA _____ Business Type: _____

**Commercial accounts Federal ID No. or Tax ID No.: _____

Customer's Signature: x _____ Agent: x _____

EXHIBIT "B"



Sunbelt Fresh Water Supply District of Harris County

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Service Agreement

Sunbelt Fresh Water Supply District (hereinafter referred to as the "District") is responsible for protecting the drinking water supply from contamination and pollution, which could result from improper plumbing practices. The purpose of this Service Agreement is to notify each customer of the plumbing restrictions, which are in place to provide this protection. The District enforces these restrictions to ensure the public health and welfare. Each customer must sign this agreement before the District will begin service. In addition, when service to an existing connection has been suspended or terminated, the District will not re-establish service unless it has a signed copy of this Service Agreement.

I. TERMS OF SERVICE: The following are the terms of the service agreement between the District and _____ (the "Customer"):

- a. The District will maintain a copy of this agreement as long as the Customer and/or the premises are connected to the District's water system.
- b. The Customer shall allow his property to be inspected for possible cross-connections and other unacceptable plumbing practices. These inspections shall be conducted during the District's normal business hours.
- c. The District shall notify the Customer in writing of any cross-connection or other unacceptable plumbing practice which has been identified during the initial inspection or the periodic re-inspection.
- d. The customer shall immediately correct any unacceptable plumbing practice on his/her premises.
- e. The customer shall, at his/her expense, properly install, test, and maintain any backflow prevention device required by the District. Copies of all testing and maintenance records shall be provided to the District.
- f. District authorized employees shall have access to property or premises for which service is provided at all reasonable times for the purpose of inspecting, repairing, removing or exchanging all appliances belonging to District and used in connection with Waterworks and Sewer Systems and Consumer hereby agrees to grant such access and to not interfere with District employees in the discharge of their duties.

II. UNACCEPTABLE PLUMBING PRACTICES: The following unacceptable plumbing practices are prohibited by State Regulations:

- a. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap, or an appropriate backflow prevention device in accordance with state plumbing regulations. Additionally, all pressure release valves and thermal expansion devices shall be in compliance with state plumbing codes.
- b. No cross-connection between the public drinking water supply and a private water system is permitted. Cross-connections are potential threats to the public drinking water supply and are not permitted.
- c. No connection, which allows water to be returned to the public drinking water supply, is permitted.
- d. No pipe or pipe fitting installed on or after January 4, 2014, which contains more than 0.25% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
- e. No solder or flux, which contains more than 0.2% lead, can be used for the installation or repair of plumbing at any connection on or after July 1, 1988, which provides water for human use.
- f. No plumbing fixture shall be installed which is not in compliance with a state approved plumbing code.

III. ENFORCEMENT: If the customer fails to comply with the terms of this Service Agreement, the District shall, at its option, terminate service or properly install, test, and maintain an appropriate backflow prevention device at the service connection. Any expenses associated with the enforcement of this Service Agreement shall be billed to the Customer.

Sunbelt Fresh Water Supply District

Customer: _____ **Date:** _____

Non-transferable

EXHIBIT "B"



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CUSTOMER RESPONSIBILITIES

(PLEASE INITIAL EACH NUMBER)

1. The customer is responsible for the water line from the meter to the residence. The line must be buried at least six (6) inches in depth, and must be 3/4 inch schedule 40 PVC or copper.

2. The customer must call the District for an inspection after installing the water line and before burial of the water line.

3. The customer is responsible for installing a cut-off valve on his/her side of the meter and outside of the meterbox.

4. It is the responsibility of the customer to keep the meter and meter box clean of debris and trash.

5. If the customer has any questions about service or the District, the District's staff will be happy to answer questions. Office hours are 8:00 A.M. to 4:30 P.M. Monday through Friday. An answering machine is available after hours with the telephone number to call in the event there is an emergency.

6. If the District is unable to read the customer's meter due to a locked gate, a parked vehicle, an animal (dog, etc.), or any item barring our ability to get to and read the meter the District, at the District's discretion, do one of the following:

Option (1): charge a minimum charge and leave a door tag notification or unable to read the meter, requesting the item or obstruction be moved. Which will result in excessive charges on the next current and previous month; or

Option (2): leave a door tag stating the District will return within 24 hours to attempt to read the meter. If said notifications are ignored the District has the right to pull the meter.

7. If the District receives notification from the City of Houston or the Harris County Health Department in reference to a public hazard, the District will issue a 48 hours' notice to correct the problem. If within 48 hours the problem has not been corrected the District reserves the right to pull the customer's meter. PLEASE BE ADVISED THAT IN CERTAIN SITUATIONS, WHERE THE HEALTH AND/OR SAFETY OF PERSONS IS AT RISK, THE DISTRICT WILL TERMINATE SERVICE IMMEDIATELY OR TAKE OTHER ACTION TO IMMEDIATELY STOP THE PROBLEM.

8. If standing sewage or wastewater is visible on the customer's property, the District will issue a door tag stating the customer has 48 hours to correct the problem. If within 48 hours the problem has not been corrected the District will then pull the customer's meter. In addition, the District may take appropriate action, at the customer's expenses, to prevent any such sewage or wastewater from going onto adjacent property.

EXHIBIT "B"



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9. Work is performed in and around the District on a daily basis. If after work has been performed in or near your residence and you experience any problems, you are directed to call the District's office. If you call after hours the service will direct you to call Municipal Operations at 281-367-5511. Rarely, do problems occur, but you may be without water temporarily, or have dirt or dirt build up in your system that will need to be flushed out before water can run freely. If you choose to stay in a hotel, the District is not responsible for reimbursement of any of your expenses.

10. Multiple homes and/or single-family residents connected to one meter are considered an illegal connection. When the District becomes aware of such an illegal connection, all parties involved will receive a door tag directing each to call or come into the District's office to request and pay for a water tap. If said parties do not set up an account with the District the customer's meter will be pulled until all parties are set up with separate meters.

11. If the District becomes aware that a curb stop, meter and/or meter box has been tampered with by a customer the customer will be charged a minimum of \$150.00 to repair. In addition, up to \$1,000.00 fine can be assessed to the customer's account for tampering with said equipment. Also, if the customer has any work performed by a (licensed) plumber and the result is damage to the District's property (which to include water lines, meter, meter box and curb stop), the customer is responsible for cost of repair.

12. If a customer wishes to transfer service from one service address to another within the District and the customer's account is in good standing, a transfer fee of \$20.00 in District, or \$30.00 out-of-District, will be assessed to the account.

13. The District stipulates to terminate service; we must receive such request in writing. The request must include your name, address, driver's license number or social security number and your signature. Once the request has been received in our office, the termination will occur within 48 business hours. You will receive a final bill for water and wastewater after the final read has been considered. Your wastewater may be prorated based on the number of days the account was open in that billing cycle, however the basic service fee of \$22.15 will not be prorated. Also note that if two (2) individuals are both listed on the account and one (1) requests to have his/her name removed we must receive in writing from both individuals agreeing to proceed to take one's name off of the account.

14. We accept payments through our lobby and drive thru windows. Personal checks, cashier's checks, and money orders are our only payments options. Any other form of payment will not be accepted. Payments may be mailed in, brought in, or dropped in our night depository located in our drive thru. Please know that any payments left in our night depository will be considered next business days' payments. No temporary checks accepted.

15. If your bill is not paid two (2) days after your due date, your account will reflect an additional \$15.00 fee and a door tag will be issued to you. There will be an additional fee for disconnection/reconnection if your service is terminated for non-payment.

EXHIBIT "B"



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16. Customers presenting a check for payment that is dishonored by the Customer's bank will be given, 48 hours to present a cashier's check, certified check or money order to pay their balance, along with all fees and penalties. If such payment in full is not received within the 48-hour period, then the Customer's service is subject to immediate termination. Subsequent bills to a Customer presenting checks that have been dishonored shall be paid by cashier's check, certified check or money order, unless written approval is received from the District Manager that check writing privileges are restored. Customers shall also be required to establish a deposit of at least \$100.00 to secure future payments.

17. The deposit amount herein stated is payable to the above-named District upon application for service. Consistent with Texas law, the deposit shall bear no interest and is redeemable on discontinuance of service, less any outstanding charges owed to the District on that date. The refunded balance of deposit will be mailed to the address the customer requests within 45-60 days of the termination date.

18. In Addition to the Usage Charges for Water and Sewer Service, Residential Customers are assessed a Basic Services Charge of \$22.15 per month to cover Administrative and other expenses not necessarily related to Water and Sewer Services. Customers presenting a check for deposit that is dishonored by the Customer's bank will be immediately terminated. The deposit amount, along with fees, shall be paid before services can be restored. Subsequent bills to a Customer presenting checks that have been dishonored shall be paid by cashier's check, certified check or money order, unless written approval is received from the District Manager that check writing privileges are restored. Customers shall also be required to establish a deposit of at least \$100.00 to secure future payments.

19. Additional Security Deposit:

An additional security deposit shall be collected on all reconnections after termination of service due to delinquency. The deposit, bill and reconnection fee is required prior to restoring service.

20. On-Site Sewage Facility ("OSSF") (If this section is not applicable put N/A below):

Within 30 days of signing this Agreement, Customers that have an OSSF shall provide proof that such facilities are functioning pursuant to State and County requirements. Such proof shall be in the form of an Inspection Report from either a Sanitarian registered in the State of Texas or from the Harris County Engineering Department (for those property owners that are installing or expanding an OSSF). If you require additional time to provide such report, you must submit a written request explaining the circumstances or reasons for needing an extension of time to provide such report. Failure to provide the requisite Inspection Report shall result in termination of water service and removal of the District's water meter for your account until such report is provided.

I have read the above application and the conditions stated thereon and my signature states my acceptance of all rules and regulations put forth by the District.

(DATE)

(PRINT NAME)

(SIGNATURE)

EXHIBIT "B"



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410 W. Gulf Bank * Houston, Texas 77037 * Phone (281) 272-9577 * Fax (281) 272-9588

RIGHT OF CONFIDENTIALITY OF PERSONAL INFORMATION

Pursuant to House Bill 872, effective June 18, 2021, a government-operated utility may not disclose personal information in a customer's account record, or any information relating to the volume of units of utility usage or the amounts billed to or collected from the individual for utility usage, unless the customer requests that the government-operated utility disclose the information. A customer may request disclosure of information described above by delivering to the government-operated utility a written request for disclosure. A customer may rescind a request for disclosure under this section by providing the government-operated utility a written request to withhold the customer's personal information beginning on the date the utility receives the request.

EXHIBIT "B"



Sunbelt Fresh Water Supply District *of Harris County*

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PERMISSION TO TURN ON WATER

By my signature below, Sunbelt Fresh Water Supply District (the "District") does hereby have my unconditional permission to turn the water on at the address below with someone present at such address. I understand that the District will not be held responsible for any damage to broken pipes, leaking pipes, and damage or loss due to open faucets.

The address that service will be turned on is _____ Houston, Texas _____.

(Signature)

(Print Name)

(Date)

EXHIBIT "B"



Sunbelt Fresh Water Supply District of Harris County

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Current rates, charges, fees, and assessments are specified below:

A. Deposits

(1) Service Deposit:

A non-transferable service deposit is required for water service for owners in the amount of \$200.00 or \$100.00 with required reference letter. The deposit will not bear interest and will be returned, less any charges due the district upon discontinuing service with the district.

(2) Service Deposit:

A non-transferable service deposit is required for water service for tenants in the amount of \$250.00. The deposit will not bear interest and will be returned, less any charges due the district upon discontinuing service with the district.

(3) Application Deposit for Service Commitment:

The initial application deposit for a service commitment request made under Article 111, Section A, is set in the amount of \$1,000.00.

(4) Additional Security Deposit:

An additional security deposit shall be collected on all reconnections after termination of service due to delinquency. The deposit, bill and reconnection fee are required prior to restoring service.

B. Residential Water/Sewer Rates:

The minimum water rate includes the first 3,000 gallons and is set at \$17.50 per month. The rate over the first 3,000 gallons is as follows:

(1) 3,001-8,000	\$2.25 per thousand gallons
(2) 8,001-13,000	\$2.85 per thousand gallons
(3) 13,001-18,000	\$3.25 per thousand gallons
(4) Over 18,001 gallons	\$3.85 per thousand gallons

The minimum sewer rate includes the first 3,000 gallons and is set at \$20.50 per month. The rate over the first 3,000 gallons is \$2.50 per thousand gallons.

All new service customers will have a fixed sewer rate of \$33.63 until they have had service long enough to establish a winter average. The months used to average for a fixed rate is December, January, and February.

C. Commercial Water/Sewer Rates:

The minimum water rate includes the first 3,000 gallons and is set at \$25.00 per month. The rate over the first 3,000 gallons is as follows:

(1) 3,001-8,000	\$3.25 per thousand gallons
(2) 8,001-13,000	\$3.85 per thousand gallons
(3) 13,001-18,000	\$4.25 per thousand gallons
(4) Over 18,001 gallons	\$4.85 per thousand gallons

The minimum sewer rate includes the first 3,000 gallons and is set at \$31.50 per month. The rate over the first 3,000 gallons is \$4.50 per thousand gallons.

If your water bill is unpaid after the date stated on your bill, a late fee is added in the amount of 10% from your total bill.

EXHIBIT "B"



Sunbelt Fresh Water Supply District of Harris County

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D. Miscellaneous Fees:

- (1) Tap Fee: \$1,350.00 plus any other applicable charges.
- (2) Disconnect and Reconnect for non-payment fee \$50.00
- (3) Customer request for disconnect \$20.00
- (4) Customer request for reconnect \$20.00
- (5) Past Due Door-tag fee \$15.00

Blockage Prevention

To keep sewage from spilling in and around your home or apartment, the following steps are recommended:

- 1) Throw all grease, food, and other kitchen waste into the trash, and not down the sink.
- 2) Do not flush sanitary napkins, tampons, and plastic goods down a toilet.
- 3) Report problems with plumbing e.g. slow flushing to management as soon as possible.
- 4) Report all sewage spills to the manager.

Hot grease, when poured down a kitchen sink will cool and become hard in a short distance. This will cause clogging or blocking our sewer lines, and result in an unhealthy, unsanitary, and unsightly condition.

EXHIBIT "B"



***Sunbelt Fresh Water Supply District** of Harris County*

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410 W. Gulf Bank * Houston, Texas 77037 * Phone (281) 272-9577 * Fax (281) 272-9588

Schedule of Fees

TCEQ REGULATORY ASSESSMENT FEE	0.5% OF MONTHLY WATER & SEWER BILL	
LATE CHARGE FEE	10% OF OUTSTANDING BALANCE / OR \$3.00	
RETURNED CHECK FEE	\$40.00	
RECONNECT FEE (METER LOCKED DUE TO NON-PAYMENT)	\$50.00	
DISCONNECT FEE	\$50.00	
DISCONNECT FEE (MARY ELEANOR/MARY FRANCIS CUSTOMERS (ME/MF))	\$60.00	
METER REMOVAL FEE (FOR NON-PAYMENT)	\$50.00 PLUS ACTUAL OUT-OF-POCKET COSTS	
OBSTRUCTED METER FEE	\$50.00 PLUS DOOR TAG FEE	
BROKEN METER LOCK FEE (TAMPERING)	\$100.00 PLUS OTHER APPLICABLE FEES	
METER REPLACEMENT FEE (DUE TO DAMAGE BY CUSTOMER)	\$100.00 PLUS OTHER APPLICABLE FEES	
FEE FOR UNAUTHORIZED USAGE OF WATER/THEFT OF WATER (COMMERCIAL/TEMPORARY)	<u>FIRST OFFENSE:</u> \$1,500.00 <u>SECOND OFFENSE:</u> \$2,500.00 <u>THIRD OFFENSE:</u> \$5,000.00	
FEE FOR UNAUTHORIZED USAGE OF SEWER SYSTEM	\$2,000.00 PLUS COST OF SEWER AT 10 TIMES THE NORMAL RATE	
VIOLATION OF ANY SECTION OF THIS ORDER SHALL BE SUBJECT TO A PENALTY FOR EACH BREACH UP TO	\$5,000 PLUS OTHER APPLICABLE FEES	
LEGAL FEES FOR VIOLATIONS INCLUDING, BUT NOT LIMITED TO: PAYMENT, DAMAGE OR UNAUTHORIED USAGE	ACTUAL COST PLUS 10%, IN ADDITION TO ANY OTHER APPLICABLE FEES	
	IN-DISTRICT OUT-OF-DISTRICT	
APPLICATION FEE (ACCOUNT SET-UP) (RESIDENTIAL)	\$50.00	\$50.00
APPLICATION FEE (ACCOUNT SET-UP) (ME/MF CUSTOMERS)	\$25.00	
APPLICATION FEE (ACCOUNT SET-UP) (COMMERCIAL)	\$100.00	\$100.00
ACCOUNT TRANSFER FEE (RESIDENTIAL)	\$20.00	\$30.00

EXHIBIT "B"
Sunbelt Fresh Water Supply District *of Harris County*
A political subdivision of the State of Texas

410 W. Gulf Bank * Houston, Texas 77037 * Phone (281) 272-9577 * Fax (281) 272-9588

	IN-DISTRICT	OUT-OF-DISTRICT
ACCOUNT TRANSFER FEE (COMMERCIAL)	\$30.00	\$40.00
CUSTOMER REQUEST FOR DISCONNECT	\$20.00	\$20.00
CUSTOMER REQUEST FOR RE-CONNECT	\$20.00	\$20.00
DOOR TAG	\$15.00	N/A
BACKFLOW PREVENTION ASSEMBLIES TESTING (ABOVE GROUND & 2-INCHES OF LESS)	\$150.00	\$200.00
BACKFLOW PREVENTION ASSEMBLIES TESTING (GREATER THAN 2-INCH)	COST, PLUS 10%	
ANNUAL REGISTRATION BACKFLOW ASSEMBLY TESTER	\$50.00	\$50.00
BACKFLOW PROTECTION INSPECTION FEE (RESIDENTIAL)	\$50.00	\$50.00
BACKFLOW PROTECTION INSPECTION FEE (NON-RESIDENTIAL)	\$50.00	\$50.00
PRE-FACILITY INSPECTION (PRE-BUILDER'S)	\$60.00	\$85.00
FACILITY INSPECTION (POST-BUILDER'S)	\$60.00	\$60.00
RESIDENTIAL PLUMBING INSPECTION FEE (CUSTOMER SERVICE INSPECTION)	\$150.00	\$250.00
COMMERCIAL PLUMBING INSPECTION FEE (CUSTOMER SERVICE INSPECTION)	\$150.00	\$200.00
RE-INSPECTION PLUMBING	\$50.00	\$50.00
WATER TAP FEE (ALL TAPS UP TO & INCLUDING ¾" METER, NOT INCLUDING ACTUAL COSTS OF ELECTRONIC METER, IF APPLICABLE)	\$1,350.00	\$1,350.00
WATER TAP FEE (COMMERCIAL WATER TAPS LARGER THAN ¾" METER)	BY SEPARATE ORDER OR AGREEMENT/NOT TO EXCEED THREE (3) TIMES ACTUAL COST	
NORTH HOUSTON HEIGHTS (NHH) WATER AND SEWER CONNECTION FEE	PER THE RATE ORDER FOR NHH	
ME/MF WATER AND SEWER CONNECTION FEE	PER THE RATE ORDER FOR ME/MF	
SEWER TAP INSPECTION FEE (RESIDENTIAL)	\$115.00	\$115.00

EXHIBIT "B"

Sunbelt Fresh Water Supply District of Harris County

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	IN-DISTRICT	OUT-OF-DISTRICT
SEWER TAP INSPECTION FEE (COMMERCIAL)	BY SEPARATE ORDER OR AGREEMENT / NOT TO EXCEED THREE (3) TIMES ACTUAL COST	
GREASE TAP INSPECTION FEE (BEGINNING 01/01/2000)	\$110.00	\$135.00
GREASE TRAP RE-INSPECTION FEE (BEGINNING 10/15/2009)	\$50.00	\$75.00
SWIMMING POOL INSPECTION FEE	\$125.00	\$150.00
LOCATING & STAKING FEE	ACTUAL COST PLUS 20%	
UTILITY COMMITMENT APPLICATION DEPOSIT	\$3,000.00	\$6,000.00
CHANGE IN USE DEPOSIT (UTILITY COMMITMENT)	\$1,000.00	\$2,000.00
RE-ESTABLISH ORIGINAL APPLICATION DEPOSIT UP TO:	\$1,000.00	\$2,000.00
REIMBURSEMENT OF NON-SCHEDULED COSTS	\$50.00	\$50.00
SECURITY DEPOSIT (ALL RENTERS)	\$250.00	\$250.00
SECURITY DEPOSIT (ALL RENTERS – ME/MF CUSTOMERS)	\$125.00	
SECURITY DEPOSIT (RESIDENT HOMEOWNERS) (UTILITY LETTER OF CREDIT)	\$100.00	\$100.00
SECURITY DEPOSIT (RESIDENT HOMEOWNERS ME/MF RESIDENTS) (UTILITY LETTER OF CREDIT)	\$50.00	
SECURITY DEPOSIT (RESIDENT HOMEOWNERS) (NO UTILITY LETTER OF CREDIT)	\$200.00	\$200.00
SECURITY DEPOSIT (RESIDENT HOMEOWNERS ME/MF RESIDENTS) (NO UTILITY LETTER OF CREDIT)	\$100.00	
SECURITY DEPOSIT (COMMERCIAL/MULTI-FAMILY)	TWO (2) TIMES ESTIMATED MONTHLY USAGE	
SECURITY DEPOSIT (FIRE HYDRANT METER)	\$1,700.00	\$1,700.00
UTILITY LETTER OF CREDIT REVIEW	\$20.00	\$20.00

EXHIBIT "B"



Sunbelt Fresh Water Supply District of Harris County

A political subdivision of the State of Texas

410 W. Gulf Bank * Houston, Texas 77037 * Phone (281) 272-9577 * Fax (281) 272-9588

IN-DISTRICT OUT-OF-DISTRICT

AFTER CUT-OFF DEPOSIT AMOUNTS ARE AN ADDITIONAL ONE TIME DEPOSIT:

SECURITY DEPOSIT (RESIDENT HOMEOWNERS, AFTER CUT-OFF)	\$160.00	\$160.00
SECURITY DEPOSIT (RESIDENT HOMEOWNERS, AFTER CUT-OFF, ME/MF RESIDENTS)	\$80.00	
SECURITY DEPOSIT (OLD RESIDENTS, AFTER CUT-OFF)	\$100.00	\$100.00
SECURITY DEPOSIT (RENTERS, AFTER CUT-OFF)	\$50.00	\$50.00
SECURITY DEPOSIT (RENTERS, AFTER CUT-OFF, ME/MF RESIDENTS)	\$50.00	

RATE ORDER FEES, DEPOSITS AND PENALTIES

If usage study data is not provided, then the below scale will be used until an average is established.

	<u>Deposit</u>	<u>Meter Size</u>
Commercial	\$ 150	½"
Commercial	\$ 200	¾ - 5/8"
Commercial	\$ 300	1"
Commercial	\$ 450	1½"
Commercial	\$ 600	2"
Commercial	\$ 900	3"
Commercial	\$10,000	4"
Commercial	\$13,000	6"
Commercial	\$15,500	8"
Commercial	\$17,000	10"

Commercial deposits, as stated in the order, are two (2) times the estimated monthly usage. Usage will be reviewed after the first 90 days of service in order to determine whether your deposit requires adjustment to reflect the appropriate amount of usage.

Commercial TAP Fee is by separate agreement, not to exceed three (3) times actual cost.

EXHIBIT "B"



Sunbelt Fresh Water Supply District of Harris County

A political subdivision of the State of Texas

410 W. Gulf Bank * Houston, Texas 77037 * Phone (281) 272-9577 * Fax (281) 272-9588

CHARGES FOR ESTABLISHING SERVICE (AS APPLICABLE):

(OFFICE USE ONLY)

DEPOSIT: \$ _____

SEWER/BACK FLOW: \$ _____

TRANSFER FEE: \$ _____

WATER TAP FEE: \$ _____

SETUP FEE: \$ _____

PLUMBING: \$ _____

PRE-INSPECTION FEE: \$ _____

POST INSPECTION FEE: \$ _____

TOTAL AMOUNT DUE: \$ _____

PAYMENT METHOD: _____

DATE RECEIVED: ____/____/____

NEW ACCOUNT #: _____

RECEIVED BY: _____ (DISTRICT REPRESENTATIVE)

(DATE SERVICE ON)

(METER READING)

(METER READER)

(CSR SET UP ACCOUNT)

EXHIBIT "C"

SERVICE INSPECTION CERTIFICATION

Name of PWS _____

PWS I.D. # _____

Location of Service _____

I, _____, upon inspection of the private plumbing facilities connected to the
aforementioned public water supply do hereby certify that, to the best of my knowledge:

	Compliance	Non-Compliance
(1) No direct connection between the public drinking water supply and a potential source of contamination exists. Potential sources of contamination are isolated from the public water system by an air gap or an appropriate backflow prevention assembly in accordance with State plumbing regulations.	☐	☐
(2) No cross-connection between the public drinking water supply and a private water system exists. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention assembly tester.	☐	☐
(3) No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the public water supply.	☐	☐
(4) No pipe or pipe fitting which contains more than 0.25% lead exists in private water distribution facilities installed on or after January 4, 2014	☐	☐
(5) No solder or flux which contains more than 0.2% lead exists in private water distribution facilities installed on or after July 1, 1988.	☐	☐
(6) No plumbing fixture is installed which is not in compliance with a State approved plumbing code.	☐	☐

Water service shall not be provided or restored to the private plumbing facilities until the above conditions are determined to be in compliance.

I further certify that the following materials were used in the installation of the private water distribution facilities:

Service lines	Lead	☐	Copper	☐	PVC	☐	Other	☐
Solder	Lead	☐	Lead Free	☐	Solvent Weld	☐	Other	☐

I recognize that this document shall become a permanent record of the aforementioned Public Water System and that I am legally responsible for the validity of the information I have provided.

Signature of Inspector

Registration Number

Title

Type of Registration

Date

EXHIBIT "D"

BACKFLOW PREVENTION ASSEMBLY CERTIFIED TEST REPORT*

NAME OF PROPERTY: _____

PROPERTY ADDRESS: _____

CITY: _____, STATE: _____, ZIP: _____, KEY MAP # _____, PHONE NO.: _____

MAILING ADDRESS: _____ CONTACT PERSON: _____

ATTN: _____

THE BACKFLOW PREVENTION ASSEMBLY DETAILED HEREON HAS BEEN TESTED AND MAINTAINED AS REQUIRED BY TNRCC-Chapter 290, RULES AND REGULATIONS FOR PUBLIC WATER SYSTEMS, CITY'S UNIFORM PLUMBING CODE, AND IS CERTIFIED TO COMPLY WITH THE REQUIREMENTS.

TYPE OF ASSEMBLY

- ☐ REDUCED PRESSURE PRINCIPLE (RP) ☐ REDUCED PRESSURE PRINCIPLE-DETECTOR (RPD) ☐ PRESSURE VACUUM BREAKER (PVB)
☐ DOUBLE CHECK VALVE (DCV) ☐ DOUBLE CHECK VALVE-DETECTOR (DCD) ☐ SPILL-RESISTANT PRESSURE VACUUM BREAKER (SVB)

MANUFACTURER _____ MODEL # _____ SIZE _____ SERIAL NUMBER _____

LOCATED AT: _____ DATE INSTALLED: _____

Is the assembly installed in accordance with manufacturer recommendations and/or Plumbing Code? _____

This backflow assembly is used to protect from cross connection of backflow with _____

	REDUCED PRESSURE PRINCIPLE ASSEMBLY				PRESSURE VACUUM BREAKER & SVB	
	DOUBLE CHECK VALVE ASSEMBLY		RELIEF VALVE	AIR INLET	CHECK VALVE	
	CHECK VALVE #1	CHECK VALVE #2				
☐ Pass INITIAL TEST	D.C. CLOSED TIGHT ☐	CLOSED TIGHT ☐	OPENED AT _____ PSID	OPENED AT _____ PSID	HELD AT _____ PSID	
☐ Fail	LEAKED ☐	LEAKED ☐	DID NOT OPEN ☐	DID NOT OPEN ☐	LEAKED ☐	
R** E P A I R S						
☐ Pass INITIAL TEST	D.C. CLOSED TIGHT ☐	CLOSED TIGHT ☐	OPENED AT _____ PSID	OPENED AT _____ PSID	HELD AT _____ PSID	
☐ Fail	LEAKED ☐	LEAKED ☐	DID NOT OPEN ☐	DID NOT OPEN ☐	LEAKED ☐	

TEST GAUGE USED: MAKE/MODEL: _____ S/N: _____ CALIBRATION DATE: ____/____/____ (Tested annually)

REMARKS: _____

THE ABOVE IS CERTIFIED TO BE TRUE, (The test results reflect the soundness of the assembly at testing time only).

CT's FIRM NAME: MUNICIPAL OPERATIONS & CONSULTING

CERTIFIED TESTER: _____

FIRM ADDRESS: 312 Spring Hill Drive #100

CERTIFIED TESTER NO.: _____

Spring, TX 77386

WQC - ENGR.: _____

FIRM PHONE #: (281) 367-5511

TEST DATE: _____

* TEST REPORTS MUST BE KEPT FOR AT LEAST THREE YEARS.

TESTING IS REQUIRED UPON INSTALLATION, REPAIR, OR RELOCATION AND ANNUALLY THEREAFTER.

** USE ONLY MANUFACTURERS' REPLACEMENT PARTS.

EXHIBIT "E"

RATE ORDER FEES, DEPOSITS AND PENALTIES

TCEQ Regulatory Assessment Fee	0.5% of monthly Water & Sewer Bill
Late Charge Fee	10% of outstanding balance/or \$ 3.00
Returned Check Fee	\$40.00
Reconnect Fee (Meter locked due to non-payment)	\$50.00
Disconnect Fee (for non-payment)	\$50.00
Disconnect & Reconnect Fee (Mary Eleanor/Mary Francis Customers (ME/MF)	\$60.00
Meter Removal Fee (for non-payment)	\$50.00 plus actual out-of-pocket costs
Obstructed Meter Fee	\$50 plus door-tag fee
Broken Meter Lock Fee (tampering)	\$100.00 plus other applicable fees
Meter Replacement Fee (due to damage by customer)	\$100.00 plus other applicable fees
Fee for Unauthorized Usage of Water/Theft of Water (Commercial/Temporary)	<u>First Offense:</u> \$1,500 <u>Second Offense:</u> \$2,500 <u>Third Offense:</u> \$5,000 plus applicable GRP and attorneys fees
Fee for Unauthorized Usage of Sewer System	\$2,000.00 plus cost of sewer at 10 times the normal rate
Violation of any Section of this Order Shall be Subject to a Penalty for Each Breach of up to	\$5,000.00 plus other applicable fees
Legal Fees for Violations Including, But Not Limited to: Payment, Damage or Unauthorized Usage	Actual cost plus 10%, in addition to any other applicable fees
	In-District Out-of-District
Application Fee (Account Set-up) (Residential)	\$50.00 \$50.00
Application Fee (Account Set-up) (ME/MF Customers)	\$25.00
Application Fee (Account Set-up) (Commercial)	\$100.00 \$100.00
Account Transfer Fee (Residential)	\$20.00 \$30.00
Account Transfer Fee (Commercial)	\$30.00 \$40.00
Customer Request For Disconnect	\$20.00 \$20.00
Customer Request For Re-connect	\$20.00 \$20.00
Door Tag	\$15.00 N/A
Backflow Prevention Assemblies Testing (above ground & 2-inch or less)	\$150.00 \$200.00
Backflow Prevention Assemblies Testing (greater than 2-inch)	Cost, plus 10%
Annual Registration Backflow Assembly Tester	\$50.00 \$50.00
Backflow Protection Inspection Fee (residential)	\$50.00 \$50.00
Backflow Protection Inspection Fee (non-residential)	\$50.00 \$50.00
Pre-facility Inspection (Pre-Builder's)	\$60.00 \$85.00
Facility Inspection (Post-Builder's)	\$60.00 \$60.00
Residential Plumbing Inspection Fee (Customer Service Inspection)	\$150.00 \$250.00
Commercial Plumbing Inspection Fee (Customer Service Inspection)	\$150.00 \$200.00
Re-Inspection Plumbing	\$50.00 \$50.00
Water Tap Fee (All Taps up to and including 3/4" meter, not including actual costs of electronic meter, if applicable)	\$1,350.00 \$1,350.00
Water Tap Fee (Commercial Water Taps larger than 3/4" meter)	By separate order or agreement/not to exceed three (3) times actual cost
North Houston Heights (NHH) Water and Sewer Connection Fee	Per the Rate Order for NHH
ME/MF Water and Sewer Connection Fee	Per the Rate Order for ME/MF
Sewer Tap Inspection Fee (Residential)	\$115.00 \$115.00
Sewer Tap Inspection Fee (Commercial)	By separate order or agreement/not to exceed three (3) times actual cost
Grease Trap Inspection Fee (Beginning 1/1/2000)	\$110.00 \$135.00

Grease Trap Re-Inspection Fee (Beginning 10/15/2009)	\$50.00	\$75.00
Swimming Pool Inspection Fee	\$125.00	\$150.00
Locating and Staking Fee	Actual cost plus 20%	

	In-District	Out-of-District
Utility Commitment Application Deposit	\$3,000.00	\$6,000.00
Change in Use Deposit (Utility Commitment)	\$1,000.00	\$2,000.00
Re-establish Original Application Deposit Up to:	\$1,000.00	\$2,000.00
Reimbursement of Non-Scheduled Costs	\$50.00	\$50.00
Security Deposit (All Renters)	\$250.00	\$250.00
Security Deposit (All Renters -ME/MF Customers)	\$125.00	
Security Deposit (Resident Homeowners) (Utility Letter of Credit)	\$100.00	\$100.00
Security Deposit (Resident Homeowners ME/MF Residents) (Utility Letter of Credit)	\$50.00	
Security Deposit (Resident Homeowners) (No Utility Letter of Credit)	\$200.00	\$200.00
Security Deposit (Resident Homeowners ME/MF Residents) (No Utility Letter of Credit)	\$100.00	
Security Deposit (Commercial/Multi-Family)	Two (2) times estimated monthly usage	
Security Deposit (Fire Hydrant Meter)	\$1,700.00	\$1,700.00
Utility Letter of Credit Review	\$20.00	\$20.00
After cut-off deposit amounts are an additional one time deposit:		
Security Deposit (Resident Homeowners, after cut-off)	\$160.00	\$160.00
Security Deposit (Resident Homeowners, after cut-off, ME/MF Residents)	\$80.00	
Security Deposit (Old Residents, after cut-off)	\$100.00	\$100.00
Security Deposit (Renters, after cut-off)	\$50.00	\$50.00
Security Deposit (Renters, after cut-off, ME/MF Residents)	\$50.00	

RATE ORDER FEES, DEPOSITS AND PENALTIES

If usage study data is not provided, then the below scale will be used until an average is established.

	<u>Deposit</u>	<u>Meter Size</u>
Commercial	\$ 150	½"
Commercial	\$ 200	¾ - 5/8"
Commercial	\$ 300	1"
Commercial	\$ 450	1½"
Commercial	\$ 600	2"
Commercial	\$ 900	3"
Commercial	\$10,000	4"
Commercial	\$13,000	6"
Commercial	\$15,500	8"
Commercial	\$17,000	10"

Commercial deposits, as stated in the order, are two (2) times the estimated monthly usage. Usage will be reviewed after the first 90 days of service in order to determine whether you deposit requires adjustment to reflect the appropriate amount of usage.

Commercial TAP Fee is by separate agreement, not to exceed three (3) times actual cost.

EXHIBIT "F"
WASTEWATER DISCHARGE REGULATIONS

SECTION A. PURPOSE

(1) This Order sets forth uniform requirements for Indirect Contributors into the Wastewater Facilities of the District and enables the District to comply with all applicable State and federal laws required by the Clean Water Act of 1977 as amended, and the General Pretreatment Regulations (40 CFR, §403).

(2) The objectives of this Order are:

- (a) To prevent the introduction of Pollutants into the District's Wastewater Facilities which will interfere with the operation of the facilities or contaminate the resulting sludge;
- (b) To prevent the introduction of Pollutants into the District's Wastewater Facilities which will pass through the facilities, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the facilities;
- (c) To provide for equitable distribution of the cost of the District's Wastewater Facilities; and
- (d) To protect both Wastewater Facilities personnel who may be affected by wastewater and sludge in the course of their employment and the general public.

(3) This Order provides for the regulation of Indirect Contributors to the District's Wastewater Facilities through the issuance of permits to certain non-domestic Users and the enforcement of general requirements, authorizes monitoring and enforcement activities, requires User reporting, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

(4) This Order shall apply to all Users of the District's Wastewater Facilities, whether such Users are located within or outside the boundaries of the District. Except as otherwise provided herein, the Board shall administer, implement and enforce the provisions of this Order.

SECTION B. DEFINITIONS

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Order, shall have the meanings hereinafter designated:

- (1) Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended by the Clean Water Act, 33 U.S.C. 1251, et. seq.
- (2) Amenable to Treatment. Susceptible to reduction in concentration by Treatment routinely provided in the District's Wastewater Treatment Plant, to a level which

is in compliance with federal and State effluent limitations for discharge into Waters of the State.

- (3) Biochemical Oxygen Demand (BOD5). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at twenty degrees Centigrade (20°C) expressed in terms of weight and concentration (milligrams per liter (mg/l)).
- (4) Board. The Board of Supervisors of SUNBELT FRESH WATER SUPPLY DISTRICT.
- (5) Building Sewer. A privately owned sanitary sewer line conveying Wastewater from the premises of a User to the Wastewater Facilities.
- (6) Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- (7) CFR. The Code of Federal Regulations, containing a codification of documents of general applicability and future effect, published by the office of the Federal Register, National Archives and Records Administration, as a Special Edition of the Federal Register.
- (8) Chemical Oxygen Demand (COD). A measure of the oxygen consuming capacity of inorganic and organic matter present in water or Wastewater as determined by oxygen consumed from a chemical oxidant in a specific test, but not differentiating between stable and unstable organic matter and thus not necessarily correlating with Biochemical Oxygen Demand.
- (9) Control Manhole or Sample Well. A manhole or sample well which provides access to a Building Sewer for purposes of inspection and sample collection and is located at some point before the Building Sewer discharge mixes with other discharges in the public sewer.
- (10) Cooling Water. The water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only Pollutant added is heat.
- (11) Daily Composite. Daily composite shall mean the composite of all samples of a user's wastewater that may be taken in any 24-hour period selected by the District. A daily composite shall be determined from not less than three (3) grab samples or such higher number of samples as may be required by the District taken over equal time intervals, and may or may not be flow weighted at the option of the District.
- (12) Discharge Permit. The Texas Pollutant Discharge Elimination System permit issued by the Texas Commission on Environmental Quality to the District.

- (13) District. SUNBELT FRESH WATER SUPPLY DISTRICT.
- (14) District Operator. Municipal Operations & Consulting, Inc., 312 Spring Hill Drive, Suite #100, Spring, Texas 77386 (281) 367 5511 or such other company or Person as may from time to time be duly appointed by the District.
- (15) Environmental Protection Agency (EPA). The U.S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency or be used to refer to the Texas Commission on Environmental Quality in those instances where the duties and/or authority of the EPA have been transferred to the Texas Commission on Environmental Quality.
- (16) Floatable Grease. Grease, oil or fat in a physical state such that it will separate or stratify by gravity in water.
- (17) Garbage. Animal and vegetable wastes and residue from the preparation, cooking, and dispensing of food; and from the handling, processing, storage, and sale of food products and produce.
- (18) Grab Sample. An individual sample collected in less than 15 minutes.
- (19) Grease. Fatty acids, soaps, fats, waxes, petroleum products, oil, and any material which is extractable by hexane or freon solvent from an acidified sample and which is not volatilized during evaporation of the solvent.
- (20) Holding Tank Waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.
- (21) Indirect Contributor. A Person who discharges or introduces non-domestic Pollutants from any source regulated under Section 307 (b) or (c) of the Act (33 U.S.C. 1317) into the District's Wastewater Facilities.
- (22) Non-Domestic User. A Person who discharges Non-Domestic Waste, provided that schools, churches and day care centers shall not be considered to be Non-Domestic Users for purposes of this Order.
- (23) Non-Domestic Waste. The water-borne solids, liquids, and/or gaseous wastes (including Cooling Water), excluding Normal Domestic Sewage, resulting from any industrial, manufacturing, trade, business, commercial, or food processing operation or process, or from the development of any natural resource, or any mixture of such solids, liquids or wastes with water or domestic sewage, or any other wastes defined as Industrial Waste under the Act.

- (24) Non-Domestic Waste Charge. The additional charge made on those Non-Domestic Users that discharge into the Sanitary Sewer Non-Domestic Wastes which are Amenable to Treatment but which exceed the concentration levels of Normal Domestic Sewage.
- (25) Interference. The inhibition or disruption of the Wastewater Facilities Treatment processes or operations which causes, or contributes to causing, a violation of any requirement of the Discharge Permit.
- (26) May. The term "may", when used herein, is permissible.
- (27) MGD. Million gallons per day.
- (28) Milligrams Per Liter (mg/l). A weight-to-volume ratio; the milligram-per-liter value multiplied by the factor 8.34 (pounds per gallon water) is equivalent to pounds of constituent per million gallons of water. It is the same as parts per million (ppm) for normal Wastewater.
- (29) Monthly Average. Monthly average with respect to any discharge limitation shall mean at the option of the District either: (i) the arithmetic average of all grab samples of a user's wastewater taken during a calendar month, or (ii) the arithmetic average of all daily composite samples of a user's wastewater calculated during a calendar month.
- (30) National Categorical Pretreatment Standard or Pretreatment Standard or Federal Categorical Pretreatment Standard. Any regulation containing Pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of Non-Domestic Users.
- (31) Noncontact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
- (32) Normal Domestic Sewage. A combination of the water-carried wastes, exclusive of ground, surface and Storm Waters and Non-Domestic Wastes, normally discharging from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories, and institutions in which the average concentration of five-day BOD and Total Suspended Solids does not exceed 200 mg/l nor does the average concentration of Ammonia-Nitrogen exceed 25 mg/l.
- (33) Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns.
- (34) pH. The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

- (35) Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, Garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.
- (36) Pretreatment or Treatment. The reduction of the amount of Pollutants, the elimination of Pollutants, or the alteration of the nature of Pollutant properties in Wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such Pollutants into the Wastewater Facilities.
- (37) Sanitary Sewer. A public sewer which carries domestic Wastewater and/or Non-Domestic Wastes, and to which storm, surface, and groundwater are not intentionally admitted.
- (38) Shall. The term "shall", when used herein, is mandatory.
- (39) Significant Non-Domestic User. Any industry which discharges to the District's Wastewater Facilities that:
- (a) Is subject to categorical standards; or
 - (b) Discharges a nondomestic wastestream of 25,000 gallons per day (0.025 MGD) or more; or
 - (c) Contributes a nondomestic wastestream which makes up five percent (5%) or more of the current average dry weather hydraulic or organic loading of the Wastewater Facilities; or
 - (d) Has a reasonable potential, in the opinion of the Board, to adversely affect the District's Wastewater Facilities whether by inhibition, pass-through of Pollutants, sludge contamination, or endangerment of personnel of the Wastewater Facilities or any other means.
- (40) Six (6) Hour Composite Sample. A sample prepared from six (6) Grab Samples collected no closer together than one (1) hour per sample during hours in which a process wastewater is discharged.
- (41) Sludge Discharge. Any discharge of a non-routine, episodic nature including, but not limited to, an accidental spill, a non-customary batch discharge, a discharge at a flow rate or concentration greater than four times the normal monthly average flow rate or concentration for the facility, or a discharge which could otherwise cause a violation of the prohibited discharge standards in Section C of this Order.
- (42) Standard Methods. The laboratory procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater", as prepared, approved, and published jointly by the American

Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

- (43) State. State of Texas.
- (44) Storm Sewer. A public sewer that carries Storm Water, but excludes sewage and polluted Non-Domestic Waste.
- (45) Storm Water. Runoff from rainfall or any other form of precipitation.
- (46) Texas Commission on Environmental Quality. The Texas Commission on Environmental Quality or any successor agency to its powers and duties.
- (47) Texas Open Records Act. The Texas Open Records Act, also known as the Texas Public Information Act is set forth in Chapter 552 of the Texas Government Code.
- (48) Total Suspended Solids (TSS). The total solid matter that floats on the surface of, is suspended in, or settles in water, Wastewater or other liquids, and which is removable by laboratory filtering.
- (49) Trap. A device designed to skim, settle, or otherwise remove Grease, oil, sand, flammable wastes or other harmful substances.
- (50) User. Any Person who, whether as of the date hereof or hereafter, has a Building Sewer connected to the District's sewer, or contributes, causes or permits the contribution of Wastewater into the District's Wastewater Facilities, including those who discharge Holding Tank Waste into the facilities.
- (51) Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and Storm Water that may be present, whether treated or untreated, which is contributed or discharged into or permitted to enter the Wastewater Facilities.
- (52) Wastewater Facilities. All facilities of the District for collecting, pumping, treating, and disposing of sewage, sludges and residues.
- (53) Wastewater Treatment Plant. Any District-owned facilities, devices, and structures used for receiving, processing, and treating Wastewater, Non-Domestic Waste, and sludges from the Sanitary Sewers.
- (54) Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

SECTION C. PROHIBITED DISCHARGES

No User shall contribute or cause to be contributed, directly or indirectly, any Pollutant or Wastewater which will interfere with the operation or performance of the District's Wastewater Facilities. No User shall contribute any of the following substances to any Sanitary Sewer:

- (1) Any inflows or infiltration, including but not limited to, Storm Water, groundwater, roof runoff, sub-surface drainage, Noncontact Cooling Water, or from sources such as downspouts, yard drains, yard fountains or ponds, or lawn sprinklers.
- (2) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances, likely to cause fire or explosion or be injurious in any other way to the Wastewater Facilities or to the operation of the Wastewater Facilities. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naptha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances in concentrations which the District, the State or EPA has notified, or hereafter notifies, the User is a fire hazard or a hazard to the system.
- (3) Solid or viscous substances which may cause obstruction to the flow in a sewer or other Interference with the operation of the Wastewater Treatment Plant including, but not limited to, Garbage containing particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, glass grindings or polishing wastes. The District is entitled to review and approve the installation and operation of any Garbage grinder equipped with a three-fourth (3/4) horsepower or larger motor.
- (4) Any Wastewater having a pH less than 5.0 or higher than 10.0, as determined from a grab sample taken in less than 15 minutes and measured instantaneously, or Wastewater having any other corrosive property capable of causing damage or hazard to pipes, structures, equipment, and/or personnel of the Wastewater Facilities.
- (5) Any Wastewater containing toxic Pollutants in sufficient quantity, either singly or by interaction with other Pollutants, to injure or interfere with any Wastewater treatment process, which constitute a hazard to humans or animals, which create a toxic effect in the receiving waters of the Wastewater Facilities, or which exceed the limitation set forth in a National Categorical Pretreatment Standard. A toxic

Pollutant shall include, but not be limited to, any Pollutant defined or identified pursuant to Section 307(a) of the Act.

- (6) Any Wastewater having a temperature which will inhibit biological activity in the Wastewater Treatment Plant or result in the Interference with the operations of such facility, but in no case Wastewater with a temperature at the designated Control Manhole which exceeds 65°C (150°F) or which causes the temperature of waste at the entrance to the Wastewater Treatment Plant to exceed 40°C (104°F). In addition, no Wastewater with such a temperature that will cause the temperature of Wastewater at the entrance to the Wastewater Treatment Plant to rise more than 10°F per hour.
- (7) Any Pollutants, including oxygen demanding Pollutants (BOD5, etc.) released at a flow rate and/or Pollutant concentration which will cause Interference to the Wastewater Facilities. No sludge discharges.
- (8) A volume of flow which will cause Interference or which exits the Wastewater Treatment Plant into Waters of the State in quantities or concentrations which causes or contributes to causing a violation of any requirement of the Discharge Permit. The design and installation of surge basins shall be subject to the review and approval of the District and to the requirements of all applicable laws.
- (9) Radioactive materials or isotopes of such half-life or concentrations which will permit a transient concentration higher than the maximum allowable as specified by the governing standards of all local, State and federal regulatory agencies.
- (10) Any of the following hazardous metals in concentrations (in terms of milligrams per liter) greater than those listed below:

Pollutant	NOT TO EXCEED (mg/l)	
	<u>Monthly Average</u>	<u>Daily Maximum</u>
Arsenic	0.15	0.30
Cadmium	0.12	0.24
Chromium	5.00	10.00
Copper	3.00	6.00
Cyanide	0.80	1.60
Lead	1.40	2.80
Mercury	0.016	0.032
Molybdenum	0.17	0.34
Nickel	0.60	1.20
Selenium	0.17	0.34
Silver	0.75	1.50
Zinc	1.70	3.40

- (11) Chlorides greater than 250 mg/l.

- (12) Dissolved sulfides greater than 10 mg/l.
- (13) Sulfates in concentrations which are not Amenable to Treatment.
- (14) BOD5 or Total Suspended Solids in excess of 1000 mg/l or ammonia in excess of 125 mg/l unless a variance is first obtained from the District. BOD5 or Total Suspended Solids in concentrations between 200 mg/l and 1000 mg/l and ammonia in a concentration between 25 mg/l and 125 mg/l shall be subject to payment of Non-Domestic Waste Charges pursuant to Section E herein.
- (15) Total dissolved solids greater than 850 mg/l including, but not limited to:
 - (a) sodium chloride
 - (b) sodium sulfate
- (16) Inert (nonvolatile) suspended solids greater than 250 mg/l including, but not limited to:
 - (a) Fuller's earth
 - (b) lime slurries
 - (c) lime residues
- (17) Any Wastewater containing any fats, wax, Grease, or oils, whether emulsified or not, in excess of 200 mg/l or containing substances which may solidify or become viscous between 32°F and 150°F. These prohibitions include, but are not limited to:
 - (a) Floatable Grease of any origin;
 - (b) free or emulsified Grease of petroleum or mineral origin, or both, including, but not limited to:
 - (1) cooling or quenching oil;
 - (2) lubrication oil;
 - (3) cutting oil; or
 - (4) non-saponifiable oil.
- (18) Substances having a chlorine demand in excess of ten (10) mg/l.
- (19) Substances having a COD demand in excess of 1000 mg/l.
- (20) Fluoride other than that contained in the public water supply, if any.
- (21) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance, hazard to life or the environment, or are sufficient to prevent entry into the sewers for maintenance and repair.

- (22) Any Wastewater with objectionable color not removed in the Treatment process and which may interfere with laboratory analysis including, but not limited to, dye wastes, vegetable tanning solutions, and coffee processing wastes.
- (23) Any substance which might cause the Wastewater Facilities' effluent or any other product of the Wastewater Facilities such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or which might interfere with the reclamation process.
- (24) In no case shall a substance discharged to the Wastewater Facilities cause the Wastewater Facilities to be non-compliant with federal or State sludge use or disposal criteria, guidelines or regulations.
- (25) Any substance which will cause the Wastewater Facilities to violate its Discharge Permit or the receiving water quality standards.
- (26) Any Wastewater which is a hazard to human life or the environment or which creates a public nuisance.
- (27) Trucked or hauled pollutants, except for septic tank waste, recreational vehicle waste, and commercial bus waste at discharge points designated by the District.
- (28) Medical waste, except as specifically authorized by the District in a wastewater discharge permit.
- (29) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test.
- (30) Detergents, surface-active agents, or other substances which may cause excessive foaming in the Wastewater Facilities.
- (31) Hazardous wastes or any substances that, if otherwise disposed, would be hazardous waste under 40 CFR Part 261.

When the District determines that a User is contributing any prohibited discharge into the District's Wastewater Facilities in such amounts as to interfere with the operation of the Wastewater Facilities, the District shall: 1) advise the User of the impact of the contribution on the Wastewater Facilities; and 2) develop effluent limitation(s) for such User to correct the Interference with the Wastewater Facilities.

SECTION D. FEDERAL CATEGORICAL PRETREATMENT STANDARDS; INDUSTRIAL USER WASTEWATER DISCHARGE PERMIT

Upon the promulgation of Federal Categorical Pretreatment Standards for a particular industrial subcategory, such Federal Standards, if more stringent than limitations imposed under this Order for sources in that subcategory, shall immediately supersede the limitations imposed under this Order. The District shall notify all affected Users of the applicable reporting requirements under 40 CFR §403.12 and a revised Wastewater discharge permit shall be required

of each affected User by the District. The District shall have the authority to amend such permit whenever required by federal, State or local regulatory agencies. A permit issued pursuant to this Order shall be issued by the District's Engineer and will be valid for a period of five (5) years. A permit fee of one thousand dollars (\$1,000.00) shall be paid to the District in equal installments of two hundred dollars (\$200.00) each, with the first of such payments being due and payable on the date of issuance of such permit and continuing thereafter on the same date in each successive year until paid in full.

After the period of time has lapsed for affected Users to obtain a Non-Domestic User Wastewater discharge permit as set forth in this section, it shall thereafter be unlawful for such affected Users to discharge without such permit into any of the District's Wastewater Facilities. All existing affected Non-Domestic Users connected to or contributing to the District's Wastewater Facilities shall obtain a Non-Domestic User Wastewater discharge permit within 60 days after the effective date of this Order.

Non-Domestic Users required to obtain a Non-Domestic User Wastewater discharge permit shall complete and file with the District an application in the form prescribed by the District. Existing affected Users shall apply for such permit within 30 days after the effective date of this Order. Proposed new Non-Domestic Users shall apply at least 90 days prior to connecting to or contributing to the District's Wastewater Facilities. In support of the application, the affected User shall submit, in units and terms appropriate for evaluation, the following information:

1. Name, address, and location of User's facility (if different from the address);
2. SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
3. Wastewater constituents and characteristics including, but not limited to, those mentioned in Section C of this Order as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended;
4. Time and duration of contribution;
5. Average daily and thirty (30) minute peak Wastewater flow rates, including daily, monthly and seasonal variations, if any;
6. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation;
7. Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged;
8. Where known, the nature and concentration of any Pollutants in the discharge which are limited by any District, City, State, or Federal Pretreatment Standards, and a statement regarding whether or not the Pretreatment standards are being met

on a consistent basis and if not, whether additional Operation and Maintenance (O&M) and/or additional Pretreatment is required for the User to meet applicable Pretreatment Standards;

9. If additional Pretreatment and/or O&M will be required to meet the Pretreatment Standards; the shortest schedule by which the User will provide such additional Pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard:

The following conditions shall apply to this schedule:

- (a) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional Pretreatment required for the User to meet the applicable Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
 - (b) No increment referred to in subparagraph (a) shall exceed nine (9) months.
 - (c) Not later than 14 days following each date in the schedule and the final date for compliance, the User shall submit a progress report to the District including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the User to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the District.
10. Each product produced by type, amount, process or processes and rate of production;
 11. Type and amount of raw materials processed (average and maximum per day);
 12. Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of Pretreatment system;
 13. Any other information as may be deemed by the District to be necessary to evaluate the permit application.

The District will evaluate the data furnished by the User and may require additional information. After evaluation and acceptance of the data furnished, the District may issue a Non-Domestic User Wastewater discharge permit subject to such terms and conditions as the District deems reasonable and necessary. A permit issued to any person identified as a significant industrial user shall contain at minimum the following: a statement of duration (in no case more than five (5) years); a statement of non-transferability without prior notification to the District and provision of a copy of the existing permit to the new owner or operator; effluent limits based on applicable general pretreatment standards, categorical pretreatment standards, local limits, and state and local law; self-monitoring, sampling, reporting, notification and record

keeping requirements; and a statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements as well as any applicable compliance schedule.

SECTION E. INDUSTRIAL WASTE CHARGE

In addition to the permit fee set forth above and the Wastewater service charges made by the District, all customers of the District that discharge Non-Domestic Waste into the Sanitary Sewer collection systems or into the District's Wastewater Facilities shall pay the Non-Domestic Waste Charges provided for herein. If the District determines that the volume or the character of Non-Domestic Waste to be treated by the District's Wastewater Facilities will not cause overloading of the Wastewater Facilities, the Person responsible for the discharge of Non-Domestic Waste shall nevertheless pay equitable Industrial Waste Charge sufficient to provide payment for the amortization of all capital expenses for the collection and treatment of Non-Domestic Waste (excluding new capital expenses and a proportionate share of the value of the existing Wastewater Facilities used in handling and treating the Non-Domestic Waste, but taking into account amortization costs resulting from annual tax payments) and operation and maintenance costs including salaries and wages, power costs, cost of chemicals and supplies, allowances for maintenance, depreciation, overhead and administrative and general expense. For such purposes, amortization shall be considered to be completed in a 15-year period.

(1) The Non-Domestic Waste Charge shall be calculated by the following formula:

$$C = \frac{Q/1,000,000 * (b * (B.O.D. - 200) + n * (N-25) + s * (S - 200) + g * (G - 100))}{8.34}$$

Formula values are:

C = Non-Domestic Waste Charge (in dollars)

Q = Billable quantity (based on water billed or actual measurement of Wastewater discharged) of Wastewater in thousands of gallons.

b = unit cost of treatment chargeable to B.O.D., \$/lb.

n = unit cost of treatment chargeable to ammonia, \$/lb.

s = unit cost of treatment (including sludge treatment) chargeable to suspended solids, \$/lb.

g = unit cost of disposal chargeable to grease, \$/lb.

B.O.D. = concentration of B.O.D. in discharge from industrial user in mg/l, but not less than 200 mg/l.

N = concentration of NH₃-N in discharge from industrial user in mg/l, but not less than 25 mg/l.

S = concentration of TSS in discharge from industrial user in mg/l, but not less than 200 mg/l.

G = concentration of Oil & Grease in discharge from industrial user in mg/l, but not less than 100 mg/l.

Until revised or amended by the District, the initial coefficients of charge for use in the foregoing formula shall be: b = \$0.45/lb.; n = \$2.34/lb.; s = \$0.48/lb.; and g = \$0.11/lb.

(2) Those industries defined herein as dry industries, or industries producing waste containing B.O.D. of less than 200 mg/l and suspended solids of less than 200 mg/l will pay a sewer service charge at the uniform rate as set forth in the District's Rate Order as same may be amended from time to time.

(3) When either BOD is equal to or exceeds 200 mg/l, ammonia is equal to or exceeds 25 mg/l, or suspended solids is equal to or exceeds 200 mg/l or both in a delivered waste, the formula provided in subsection (1) above shall be used to determine the Non-Domestic Waste Charges. The amount of BOD to be used in the formula shall equal to the actual amount or 200 mg/l, whichever is greater. The amount of ammonia to be used in the formula shall equal the actual amount of ammonia or 25 mg/l, whichever is greater. The amount of suspended solids to be used in the formula shall equal the actual amount or 200 mg/l, whichever is greater.

(4) When an industry produces both domestic and processed waste with one connection to the sewer system, the waste so delivered shall be considered as Non-Domestic Waste with the rate being the uniform rate as set forth in the District's Rate Order as same may be amended from time to time, or calculated by the Non-Domestic Waste Charge computations, in compliance with the above, based on the combined volume, BOD, and suspended solids content, all as determined by the District.

(5) A permittee may reduce its Non-Domestic Waste Charge rate by greater removal in Pretreatment or plant operation procedure. Once the Pretreatment or plant procedure is established, the permittee must obtain a lower rate consent from the District to reduce the permittee's Non-Domestic Waste Charge rate. However, charges for a higher Non-Domestic Waste Charge rate based on tests by the District may be made without other notice to the permittee.

(6) The District shall review and, if appropriate, adjust the Non-Domestic Waste Charge at least annually to reflect changes in the characteristics of the Non-Domestic Waste based upon the results of sampling and testing. The District shall also review at least annually the basis for determining Non-Domestic Waste Charge and shall adjust the unit Treatment costs in the above formula to reflect increases or decreases in the waste treatment costs based upon the previous year's experience. Increases in Non-Domestic Waste Charge shall be retroactive for two (2) billing periods and shall continue for two (2) billing periods unless subsequent tests determine that the charge should be further increased. The District shall bill its customers in a manner which will show Non-Domestic Waste Charge as a separate item from Wastewater service charges.

SECTION F. SPILL PREVENTION PLANS

(1) Each Non-Domestic User shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Order. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or User's sole cost and expense. Detailed plans showing facilities and operation procedures to provide such protection shall be submitted by the User to the District for review, and such User must obtain District approval before construction of the facility. No Non-Domestic User who commences contribution to the District's Wastewater Facilities after the effective date of this Order shall be permitted to introduce Pollutants into the system until accidental discharge procedures have been approved by the District. Review and approval of such plans and operating procedures shall not relieve the User from the responsibility to modify the User's facility as necessary to meet the requirements of this Order and any amendments hereto. In the case of an accidental discharge, it is the responsibility of the User to telephone and notify the District Operator of the incident within one hour of becoming aware of the incident and provide the following information: location of discharge, type of waste, concentration and volume, and corrective actions.

(2) Within five (5) days following an accidental discharge, the User shall submit to the District a detailed written report describing the cause of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the District's Wastewater Facilities, fish kills, or any other damage to Persons or property; nor shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this Order or other applicable law.

(3) A notice shall be permanently posted by the User on the User's bulletin board or other prominent place advising employees to telephone and notify the District Operator in the event of a dangerous discharge. It shall be the responsibility of such User to notify all its employees who may cause or suffer such a discharge to occur of such emergency notification procedure.

(4) Any related costs, including fines, fees or court costs, involved in the cleaning up of accidental spills shall be paid by the Non-Domestic User causing such spill. This shall include the costs of cleaning up the District's Wastewater Facilities, and the costs shall include any labor, equipment or materials involved. The cleaning up of the District's Wastewater Facilities shall be completed by the District's operator or other contractor approved by the District.

SECTION G. SUPERVISION

If the District or its designated representative determines that a discharge or a proposed discharge into the Wastewater Facilities may deleteriously affect the Wastewater Facilities or receiving waters, or create a hazard to life or health, or create a public nuisance, it may require any one or more of the following:

- (1) Pretreatment to an acceptable condition for discharge into the Wastewater Facilities;

- (2) Control over the quantities and rates of discharge; and
- (3) Non-Domestic waste charge payments sufficient to compensate the District for the cost of handling and treating the waste.

SECTION H. PRETREATMENT

(1) The owner of premises from which Non-Domestic Waste is discharged shall provide Grease and sand Traps for the proper handling of liquid wastes containing Grease or sand. The Traps must be of a type and capacity approved by the District to adequately handle the waste and must be located so that they are easily accessible for cleaning, inspection and monitoring.

(2) When Pretreatment of waste is required by the District as a condition for acceptance of the waste into the District's Sanitary Sewer, the owner of the premises from which the waste is discharged shall plan, construct, operate and maintain waste treatment facilities in an efficient manner at his sole cost and expense. Plans for such facilities must be submitted for, and receive, District approval prior to beginning installation or construction. In the event that the installation of Pretreatment facilities is necessary for a User to meet applicable federal Pretreatment standards, the District shall establish and enforce deadlines for the installation of such facilities.

(3) No owner or operator of premises from which Non-Domestic Waste is discharged shall allow the use of extraneous water intermixed for the purposes of diluting the concentration of waste.

(4) Chemicals that emulsify or treat oil in grease in the grease trap shall not be added to the grease trap.

SECTION I. INSPECTION SAMPLE WELLS

(1) A Non-Domestic User that discharges waste into the District's Sanitary Sewer or Wastewater Facilities shall provide, at his sole cost and expense, an inspection manhole or sample well in an accessible location on the premises from which such waste is discharged.

- (2) An inspection manhole or sample well must be:
 - (a) located reasonably near the outlet of each sewer, drain, pipe, or channel that connects with the Sanitary Sewer or Wastewater facility; and
 - (b) designed and constructed to prevent infiltration by ground and surface water; and
 - (c) maintained so that a Person may easily and safely measure volume and obtain flow samples.

(3) Before beginning construction of an inspection manhole or sample well, a Non-Domestic User shall submit plans to the District for review and approval to insure compliance with this section. Plans must include the sewage metering device if one is to be installed.

SECTION J. SAMPLING OF WASTE

(1) The District is authorized to require samples of waste discharges from Users at intervals specified in the permit to adequately monitor and control the discharges. In the event the District requires such samples at intervals as specified in the permit, a User shall retain the services of a reputable commercial laboratory acceptable to the District and pay all costs of sample collection and laboratory services and to determine and report the Wastewater characteristics. If the District requests additional samples over the number specified in the permit, results of the sample analysis shall be at the User's expense if the sample is not in compliance with the allowable pollutant concentrations in this Order or the User's permit; otherwise, the District shall bear the expense of the analysis. Users shall retain records of sampling results at their premises for three (3) years from the date such samples were taken.

(2) Each User subject to federal categorical Pretreatment standards shall submit self-monitoring reports as required by 40 CFR § 403.12.

(3) The District may take samples of waste discharges from Users as often as is necessary to adequately monitor and control the discharges. The cost of such sampling and laboratory analysis shall be paid by the Users.

(4) Samples may be taken manually or by use of mechanical equipment. The District may require a User to install, use and maintain monitoring equipment. Standard methods laboratory procedures shall be used for determining concentrations of Non-Domestic Waste.

SECTION K. RIGHT OF ENTRY

The District and other authorized representatives or employees of the District, bearing proper credentials and identification, shall be permitted to enter immediately upon any premises in which a Wastewater source is located, or in which any records required to be maintained pursuant to this Order are located, and may at reasonable times have access to and copy any records, and conduct any inspection, observation, measurement, sampling, or testing necessary to enforce this Order. Reasonable times shall mean any time when waste is being discharged or any time during normal operating hours.

SECTION L. TRADE SECRETS

All information and data relating to a User which is obtained from reports, questionnaires, monitoring programs or inspections shall be available to the public without restriction to the extent required by the Texas Open Records Act. Any user desiring to restrict the availability of the information submitted to the District shall identify the provision of the Texas Open Records Act pursuant to which the User believes such information may be withheld from the public.

SECTION M. FEES

(1) It is the purpose of this section to provide for the recovery of costs from Users of the District's Wastewater Facilities related to the implementation of the program(s) established herein. The applicable charges or fees shall be set forth by the District and may be revised from time to time.

(2) The District may adopt any one or more of the following charges and fees:

- (a) fees for reimbursement of costs of setting up and operating the District's Pretreatment Program;
- (b) fees for monitoring, inspections, surveillance procedures, sample collection and analysis costs;
- (c) fees for reviewing accidental discharge procedures and construction;
- (d) fees for removal (by the District) of Pollutants otherwise subject to National Categorical Pretreatment Standards;
- (e) Non-Domestic Waste Charges;
- (f) other fees as the District may deem necessary to carry out the requirements contained herein.

SECTION N. NOTIFICATION OF VIOLATION

Whenever the District finds that any User has violated or is violating this Order, the District shall serve notice, either personally or by certified mail, return receipt requested, upon such Person stating the nature of the violation. Within 30 days of service of such notice, a plan for satisfactory correction thereof shall be submitted to the District by such User. If such a plan is not submitted, or if such violation is not corrected within such 30-day period, unless User has perfected his right to review pursuant to Section O below, the District shall proceed with enforcement pursuant to Section S; provided, however, nothing contained in this section or any other section of this Order shall prevent the District or the Board from taking action in an emergency situation pursuant to Section P below.

SECTION O. REVIEW

Any User objecting to a finding by the Board of a violation of this Order shall have the right as set forth herein to a hearing before the Board. In the event such User disagrees with the District's finding of such violation(s), the User shall, within 30 days of service of such notice by the District, serve notice by certified mail, return receipt requested, on the District, that such User disagrees with the District's finding and, further, that such User requests a hearing before the Board. Such hearing shall be conducted at the next regular or special meeting of the Board which is held not less than ten (10) days following the date of User's service of notice on the District. At such hearing, both sides will be allowed to present such testimony as is reasonably necessary to present a clear understanding of the contested issues. The Board President shall be

the presiding officer and may at his discretion request other professional opinions prior to the Board's rendering a decision on the matter of review.

SECTION P. EMERGENCY RELIEF

Notwithstanding anything contained herein to the contrary, the District may immediately suspend Wastewater treatment service to a User when such suspension is necessary, in the opinion of the Board, in order to stop or prevent an actual or threatened discharge that presents an imminent and/or substantial danger to the health or welfare of Persons, the environment, or the District's Wastewater Facilities or that causes, or would cause, the District to violate any of the terms of its Discharge Permit. The District shall reinstate the Wastewater service upon proof by the User of the elimination of the non-complying discharge.

SECTION Q. NOTICE

Notice to the District required hereunder shall be served at the following address:

Sunbelt Fresh Water Supply District
c/o Radcliffe Bobbitt Adams Polley PLLC
1001 McKinney, Suite 1000
Houston, Texas 77002-6424

SECTION R. PENALTIES AND CHARGES FOR VIOLATION

Each violation of this Order shall be punishable by a civil penalty as set forth in the District's Rate Order as same may be amended from time to time. Each day's violation shall be and constitute a separate offense. In addition, the violator may be required to pay such other charges, attorney's fees and court costs as set forth in said Rate Order.

SECTION S. ENFORCEMENT

In addition to any remedies set forth in the District's Rate Order, any one or more of the following remedies may be utilized by the District to abate or prevent any violation of this Order:

- (1) Discontinuance of water service.
- (2) Disconnection and sealing of Sanitary Sewer connection.
- (3) The District may and is hereby authorized to:
 - (a) File suit in a court of competent jurisdiction to secure appropriate judicial relief, including, but not limited to, injunctive relief and/or the penalty provided in Section R for the violation by such User of the provisions of this Order.
 - (b) Seek a resolution of the Board authorizing the filing of a lawsuit under the provisions of Sections 7.351 and 7.352 of the Texas Water Code, as amended.

SECTION T. SEVERABILITY

All Orders or parts of Orders in conflict herewith are hereby repealed to the extent of such conflict. The invalidity of any section, clause, sentence, provision or provisions of this Order shall not affect the validity of any other part or parts of this Order, which other part or parts shall be given effect as though such invalid section, clause, sentence or provision were omitted.

SECTION U. EFFECTIVE DATE

This Order shall be effective upon adoption.

ADOPTED this 3rd day of December, 2009.

ATTEST:

SUNBELT FRESH WATER
SUPPLY DISTRICT

By:/s/ Elizabeth Santiago
Secretary, Board of Supervisors

By:/s/ Marcia A. Mattern
President, Board of Supervisors

(SEAL)