

CERTIFICATE FOR
ORDER AMENDING AND RESTATING
ORDER SETTING WATER AND SEWER SERVICE RATES,
ESTABLISHING TAP FEES, ADOPTING RULES AND
REGULATIONS CONCERNING DISTRICT'S WATERWORKS AND
SANITARY SEWER SYSTEM, AND ESTABLISHING POLICY WITH
RESPECT TO FIRE HYDRANTS, MANHOLES, METER BOXES,
AND CLEAN-OUT VALVES

THE STATE OF TEXAS
COUNTY OF HARRIS
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 153

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We, the undersigned officers of the Board of Directors (the "Board") of Harris County Municipal Utility District No. 153 (the "District") hereby certify as follows:

1. The Board convened in regular session, open to the public, on Wednesday, April 20, 2011, at Fulbright & Jaworski L.L.P., 1301 McKinney, Houston, Texas 77010, and the roll was called of the members of the Board, to-wit:

Sam Claytor, Jr., President
Rick Soliz, Vice President
William Clarey, Secretary
Alan Waters, Treasurer
David Bloedorn, Assistant Secretary

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

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

AYES: 4 NOES: 0

2. 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 was 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 such 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, Texas Government Code, as amended, and Section 49.063, Texas Water Code, as amended.

SIGNED AND SEALED this

April 29 2011

Walter A. Clayton
Secretary, Board of Directors

Samuel B. Clayton
President, Board of Directors

(DISTRICT SEAL)

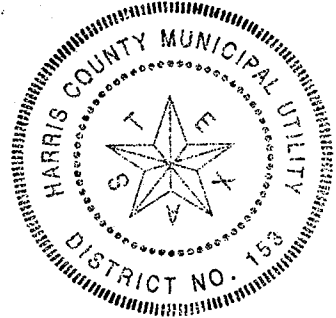


TABLE OF CONTENTS

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 153

ORDER AMENDING AND RESTATING
ORDER SETTING WATER AND SEWER SERVICE RATES,
ESTABLISHING TAP FEES, ADOPTING RULES AND
REGULATIONS CONCERNING DISTRICT'S WATERWORKS AND
SANITARY SEWER SYSTEM, AND ESTABLISHING POLICY WITH
RESPECT TO FIRE HYDRANTS, MANHOLES, METER BOXES,
AND CLEAN-OUT VALVES

TABLE OF CONTENTS

I.	Connections to District’s Waterworks, Sanitary Sewer and Storm Sewer Systems.....	1
	A. <u>Connections Made and Inspected by District Operator</u>	1
	B. <u>Payment of Fees</u>	2
	C. <u>Fees</u>	2
II.	Inspections	2
	A. <u>Review of Pool Plans</u>	2
	B. <u>Inspection of Backflow Devices</u>	3
	C. <u>Pre and Post Construction Inspections</u>	4
	D. <u>Customer Service Inspections</u>	4
	E. <u>Periodic Inspection of Grease Traps for all Commercial Connections</u>	5
III.	Customer Rates, Deposits, and Service Agreements	5
	A. <u>Water, Sewer and Fire Protection Rates</u>	5
	<u>Monthly Water Service Rates</u>	5
	<u>Monthly Sewer Service Rate</u>	6
	<u>Builder Rate (prior to occupants’ move-in)</u>	6
	B. <u>Deposits</u>	7
	C. <u>Service Agreements with Customers</u>	8
IV.	Delinquent Accounts.....	8
V.	Delinquent Ad Valorem Tax Accounts.....	8
VI.	Discontinuation of Service.....	9
	A. <u>Discontinuation</u>	9
	B. <u>Charges for Disconnection and Reconnection</u>	9
	C. <u>Charges for Removal and Reinstallation of Water Meter</u>	10
VII.	Rules and Regulations Governing Waterworks and Sanitary Sewer System	10
	A. <u>Rules and Regulations</u>	10
	B. <u>Rules and Regulations Governing Commercial and Industrial Waste</u>	10
	C. <u>Rules and Regulations Governing Grease and Lint Trap</u>	10
	D. <u>Penalties</u>	10
VIII.	General Policies	11
	A. <u>All Services Charged</u>	11
	B. <u>Other Utilities</u>	11
	C. <u>Implementation of Order</u>	11
IX.	Reimbursement of Non-Scheduled Costs	11
	A. <u>User Costs</u>	11

TABLE OF CONTENTS
(continued)

EXHIBIT A..... 12

Sample Backflow Prevention Assembly Test and Maintenance Report..... 12

EXHIBIT B..... 13

Sample Service Inspection Certification..... 13

EXHIBIT C..... 15

Sample Service Agreement..... 15

EXHIBIT D..... 17

Rules and Regulations Governing Waterworks and Sanitary Sewer System 17

EXHIBIT E..... 24

Rules and Regulations Governing Grease and Lint Traps in Food Handling
Establishments, Public Car Washes, Automotive Servicing and/or Repair
Establishments, Public Washaterias, Hair Cutting Shops and Dry Cleaning Shops 24

EXHIBIT F..... 28

Rules and Regulations Governing Commercial and Industrial Wastes and
Prohibiting the Deposit of Refuse into District’s System 28

ORDER AMENDING AND RESTATING
ORDER SETTING WATER AND SEWER SERVICE RATES,
ESTABLISHING TAP FEES, ADOPTING RULES AND
REGULATIONS CONCERNING DISTRICT'S WATERWORKS AND
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THE STATE OF TEXAS

COUNTY OF HARRIS

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 153

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WHEREAS, the Board of Directors (the "Board") of Harris County Municipal Utility District No. 153 (the "District") established water and sewer service rates, tap fees, rules and regulations concerning the District's waterworks and sanitary sewer system and Policy with respect to fire hydrants, manholes, meter boxes and clean-out valves by Order dated February 10, 1982 (the "Order");

WHEREAS, the Board of the District may amend the Order as it deems necessary;

WHEREAS, the Board deems it appropriate and necessary to amend the Order and to restate such order as so amended;

IT IS, THEREFORE, ORDERED BY THE BOARD OF DIRECTORS OF HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 153 THAT:

I. Connections to District's Waterworks, Sanitary Sewer and Storm Sewer Systems.

A. Connections Made and Inspected by District Operator. All water taps and sanitary sewer taps and inspections shall be made by the District's operator. All storm sewer connections shall be inspected by the District's operator.

Notwithstanding anything herein to the contrary, the operator shall make no connection to the District's water or sanitary sewer collection system unless either

(1) the tract, parcel, or lot of land to be served by such connection is part of an area covered by a development plat duly approved pursuant to article 974a-3, Texas Revised Civil Statutes, as amended, or pursuant to an ordinance, rule, or regulation relating to such a development plat,

(2) the operator has been presented with or otherwise holds a certificate applicable to such tract, parcel, or lot of land issued by or on behalf of the Planning Commission or City Council of the City of Houston, Texas, under section 4A, article 974a, Texas Revised Civil Statutes, as amended, stating that either a plan, plat, or replat of such tract, parcel, or lot either is not required or has been reviewed and approved by such Commission or Council, or

(3) such tract, parcel, or lot was first connected to such system prior to September 1, 1987.

B. Payment of Fees. Any Party desiring a connection to the District's waterworks, sanitary sewer and/or storm sewer systems must pay all applicable installation and inspection fees including the water tap fee, sanitary sewer tap and inspection fees, and storm sewer inspection fee prior to receiving such connection. No connection shall be made until such fees are paid.

C. Fees.

(1) The water tap fees billed until this rate order is amended shall be as follows:

3/4-inch residential tap including meter and box	\$900.00
1-inch residential tap including meter and box	\$1,100.00
Commercial: Non Profit	Three times the actual cost to the District for construction, installation or inspection of a tap or a connection to the District's water system.

(2) The sanitary sewer inspection fees or taps shall be as follows:

Residential	\$75.00
Commercial: Non Profit	Three times the actual cost to the District for construction, installation or inspection of a tap or a connection to the District's sanitary sewer system.
Installation	Cost plus 25% for residential connection

II. Inspections.

A. Review of Pool Plans. Any party desiring to build a pool in the District shall submit the building plans to the District's operator for review, at least 15 days prior to the date approval is requested. The plans shall show all District easements in relation to the proposed pool location. No approval will be given if a pool or related facility encroaches on a District easement. The plans shall also show the connection to the District's storm sewer system. Swimming pool connections shall not be made to the District's sanitary sewer system. The fee for review of pool plans is \$50.00. If there is a

direct connection to the District's water system, a backflow prevention device must be installed by the pool owner.

B. Inspection of Backflow Devices.

(1) All backflow prevention assemblies shall be tested by a recognized backflow prevention assembly tester upon installation and certified to be operating within specifications. This inspection shall be conducted prior to the time the operator makes a permanent water connection to the District's system and the District's operator shall be provided with a test report in the form of Exhibit A. At the option of the customer, the District's operator may perform the test, and the cost will be charged to the customer.

(2) Backflow prevention assemblies which are installed to provide protection against high health hazards must also be tested and certified to be operating within specifications at least annually. A high health hazard is defined as a cross-connection, potential cross-connection, or other situation involving any substance that could cause death, illness, spread of disease, or has a high probability of causing such effects if introduced into the potable drinking water supply. A customer at an establishment which presents high health hazards must provide the District with a test report annually. In the event any establishment fails to provide such a report within thirty days after written notification by the District that such a report is required, the District's operator shall inspect the backflow prevention device and the cost will automatically be charged to the customer's account.

(3) Any backflow prevention device required by these rules must be located on each potable or irrigation service between the meter and the building foundation or prior to the first branch in the service line and designed and constructed to facilitate maintenance of the installation and inspection. Before beginning construction of a backflow preventer, a commercial user shall submit plans to the District for review and approval to insure compliance with this section. The District shall bill the cost of such review to the user.

(4) To be a recognized backflow prevention assembly tester, a person shall meet the standards promulgated by the Texas Commission on Environmental Quality ("TCEQ").

(5) Gauges used in the testing of backflow prevention assemblies shall be tested for accuracy annually in accordance with the University of Southern California's Foundation of Cross Connection Control and Hydraulic Research and/or the American Water Works Association Manual of Cross Connection Control (Manual M-14). Testers shall include test gauge serial numbers on "Test and Maintenance" report forms.

(6) A test report must be completed by the recognized backflow prevention assembly tester for each assembly tested. The signed and dated original must be submitted to the District for record keeping purposes. Should the tester choose to

use a report format which differs from that attached hereto as Exhibit "A", it must minimally contain all information required by the report form.

(7) The use of a backflow prevention device at the service connection shall be considered as additional backflow protection and shall not negate the use of backflow protection on internal hazards as outlined and enforced by local plumbing codes.

(8) Grease and Lint Trap. For each grease and lint trap installed pursuant to the requirements contained in Exhibit "E" attached hereto, there shall be charged a monthly inspection fee specified in Article 3(A) hereto. Whenever the District is required to reinspect a grease and lint trap because the first inspection showed a violation of the District's rules and regulations, the District shall charge the customer the cost of such inspection, and the customer shall promptly remit the charge to the District, in addition to any other penalty or cost which may be assessed against the customer hereunder.

C. Pre and Post Construction Inspections. Pre and post construction inspections by the District operator to determine that a builder has not damaged District facilities during home or commercial building construction will be \$50 each (two or more) for pre and post inspection (or has corrected any damage caused by the builder).

D. Customer Service Inspections.

(1) A customer service inspection certification in the form attached hereto as Exhibit "B" must be completed by the District operator: (1) prior to the time the District's operator provides sanitary sewer service or permanent water service to a new connection or new customer in the District, (2) within 5 days after an existing customer receives notice from the District that it has reason to believe that cross-connections or other unacceptable plumbing practices exist at his establishment, or (3) within 30 days after any material improvement, correction or addition is made to the private plumbing facilities of any connection.

(2) It is the responsibility of the customer to obtain and to pay for the certification.

(3) The existence of private plumbing facilities in violation of the District's rules is an undesirable plumbing practice. Upon discovery of any such condition, the District may immediately terminate water service to the connection to protect the integrity of its public water system. Service will be restored only when the source of potential contamination no longer exists or when sufficient additional safeguards have been taken.

(4) The charge for a customer service inspection shall be \$150 and shall be paid by the customer prior to it receiving District services.

E. Periodic Inspection of Grease Traps for all Commercial Connections.

The charge for such inspection shall be \$50.00.

III. Customer Rates, Deposits, and Service Agreements.

A. Water, Sewer and Fire Protection Rates. The following rates and charges are for the sale of water and for the collection and disposal of sewage shall be in effect for all residential and commercial customers of the District who are located within the District's boundaries, from the effective date of this Order and include a one-half of one percent regulatory assessment to be paid to the Commission:

MONTHLY WATER SERVICE RATES

	<u>Gallons</u>	<u>Amount</u>
<u>Residential</u> (excluding multi-family and apartments), and Pines of Atascocita Section 4	Minimum 10,000	\$12.00
	10,001 to 20,000	\$1.00 per 1,000 gallons
	20,001 to 30,000	\$1.50 per 1,000 gallons
	30,001 to 40,000	\$2.00 per 1,000 gallons
	40,001 and over	\$3.00 per 1,000 gallons

	<u>Gallons</u>	<u>Amount</u>
Commercial	Minimum 10,000	\$15.00
	10,001 to 20,000	\$1.50 per 1,000 gallons
	20,001 to 30,000	\$2.00 per 1,000 gallons
	30,001 to 40,000	\$2.50 per 1,000 gallons
	40,001 and over	\$3.00 per 1,000 gallons

Minimum

Multi-family and Apartments

\$2.00 for each unoccupied unit located within the multi-family building or apartment

\$12.00 minimum for the first 5,000 gallons of water for the occupied unit located within the multi-family building or apartment and an additional charge of \$1.00 per 1,000 gallons of usage above the minimum (5,000 gallons x number of occupied units = minimum)

Groundwater Reduction Fees

In addition to such amounts, the District will charge a Groundwater Reduction Plan surcharge for each 1,000 gallons or part thereof of water used by a customer equal to $R \times P \times Q$, where "R" is the City of Houston's GRP ordinance rate for contract treated surface water per 1,000 gallons, adjusted by 10% for accountability (currently by \$2.0724) as in effect from time to time; "Q" is the quantity of groundwater used by the customer in thousands of gallons; and "P" is 30% through 2016, 70% from 2017 through 2026, and from 2027 and thereafter is 80% (except as such percentage may be increased or reduced by the City of Houston).

Delinquent Fees

\$5.00 delinquent letter
\$4.00 door hanger
\$15.00 returned check
\$10.00 transfer of account

MONTHLY SEWER SERVICE RATE

	<u>Gallons</u>	<u>Amount</u>
Each <u>(single-family)</u> <u>Residential</u> connection		\$33.32
Each <u>Pines of Atascocita</u> <u>Section 4</u> connection		\$14.00/unit
Each <u>Apartment</u> unit and each <u>multi-family</u> unit		\$12.00/unit
Each <u>Commercial</u> connection	First and minimum 10,000 gallons	\$20.00
	Each additional 1,000 gallons or portion thereof of water used	\$1.50

Each sprinkler system connection which is a second meter connection for a residential or commercial customer shall not be charged for sanitary sewer service.

BUILDER RATE (PRIOR TO OCCUPANTS' MOVE-IN)

Amount

Water \$10.00

The rates and charges for the sale of water and collection and disposal of sewage for all residential and commercial customers of the District who are located outside the District's boundaries shall be 150% of the above-described rates and charges for customers located within the District's boundaries. All customers of the District who are located outside the District's boundaries must purchase both water and sanitary sewer service from the District.

Customers within the boundaries of the City of Houston who are provided sewer service by the District pursuant to agreement by the City of Houston will be charged 150% of the in-District sewer rate.

B. Deposits.

(1) Deposits for Residential Users: Prior to any residential water connection or reconnection in the District after the date of this Order, the resident shall submit to the District a security deposit of \$70.00. At the time that a resident's water or sewer service has been discontinued, the District may transfer the deposit or any part thereof to its operating fund to pay any outstanding bill owed by the resident. The deposit or the balance of such deposit remaining after payment of delinquent bills shall be refunded to the resident when the resident moves from the District. The District shall refund accounts of \$5.00 or less upon customer request only. The District shall not be required to pay interest on any security deposit. Each time the account customer fails to pay his or her bill by the time the District's Operator closes the District's books for the month, the customer will be required to pay an additional security deposit of \$50.00, up to a maximum of \$400.00. If the District's Operator disconnects an account-user's service, then in addition to the reconnection fee, the account-user will be required to (i) replenish the initial \$70.00 deposit, if and to the extent previously offset, and (ii) pay an additional \$100.00 security deposit, for a total security deposit of \$170.00.

(2) Deposits for Commercial Users: A security deposit shall be collected on all new commercial connections or reconnections in the District. The security deposit shall be in the amount of twice the estimated average monthly usage, based on an estimate by the District's operator and engineer. All deposits collected shall be deposited in the District's operating account, but for recordkeeping purposes shall be accounted for as separate fund. The deposit shall be refundable when the account moves out of the contingent upon his providing proof of payment of all bills owed the District and, in the absence of such payment in full, shall be applied to reduce the amounts otherwise due and owed to the District.

(3) Deposits for Homebuilders:

a. Each builder of homes within the District shall establish a deposit of \$500 with the District, which deposit shall be placed in a separate account, which account shall not bear interest, and shall be refunded without interest to each builder at the completion of the builder's homebuilding program within the District.

b. The cost of any repairs to waterworks or sanitary or storm sewer lines necessitated by builder negligence with respect to taps and inspections shall be billed by the District's operator to the builder responsible therefor. At any time that a builder is delinquent in paying such bills for 60 days or more or responsible for outstanding bills in the amount of \$500 or more, the District may transfer the \$500 deposit or any part thereof to its operating fund to pay such bills and require that such deposit be replenished by such amount transferred or require that an additional \$500 or greater deposit be made by the builder before allowing the installation of additional water taps for such builder.

c. Builders of homes within the District must contact the District's operator requesting the adjustment of manholes, fire hydrants, valve boxes, or clean out valves within thirty days following the closing of the purchase of the lot on which such manhole, fire hydrant, meter box, or clean out valve is located. Following such thirty-day period, the home builder will be responsible for the cost of such adjustment.

C. Service Agreements with Customers. Prior to receiving permanent water service (upon initial completion of an improvement in the District, upon reinstatement of water service after a turn-off, or upon transfer of water service to a new customer), the customer must execute and deliver to the District's operator a service agreement in the form attached hereto as Exhibit "C".

IV. Delinquent Accounts

The District shall bill each customer monthly, and all bills shall become delinquent if not paid by the last of the month following the month during which the services were rendered. A penalty of 10% will be added to all bills outstanding by the end of the billing month. If a bill is delinquent for 30 days, water service shall be discontinued in accordance with this paragraph. The customer shall be notified in the next billing after such 30-day period of the delinquency and the date on which water service shall be terminated if the account is not paid, which date shall be not less than five days from the date such notice is sent. Such notice shall state the place and time at which the account may be paid and that any errors in the bill may be corrected by contacting the billing company, whose telephone number shall also be given in such notice. A similar notice shall be left by the District's operator on the door at the address to which the service in question was provided.

V. Delinquent Ad Valorem Tax Accounts

The District shall, in accordance with law, bill or cause the billing of all property owners and home builders within the District for ad valorem taxes due, including penalty and delinquency charges. All bills shall become delinquent if not paid by January 31 of the year following the year for which the tax bills have been rendered. If a bill remains unpaid for six months after any annual delinquency date, water service may be discontinued in accordance with this paragraph and a home builder within the District may be refused a water tap. The taxpayer shall be notified in the next billing after such six-month period (or at any time thereafter that the Board of Directors of the District determines that discontinuance of service is an appropriate method for collecting delinquent taxes from any taxpayer), of the tax bill delinquency and that water service shall be terminated if the delinquent tax account is not paid by a date certain, which date shall be not less than 20 days from the date such notice is mailed. Such notice shall be mailed to the address appearing on the tax roll and shall state the place and time at which the account may be paid and that any errors in the tax statement may be corrected by contacting the tax assessor/collector, whose telephone number shall also be given in such notice. Such notice shall also be postmarked or sent at least 10 days before the next regular Board of Directors meeting, which shall be the meeting at which the question of the termination of service for the nonpayment of taxes for any such delinquent taxpayer is to be considered. Such notice shall specify the date, time and place of such Board of Directors meeting and shall indicate that the taxpayer shall have the opportunity to appear at such Board meeting to present evidence of why the taxpayer's water service should not be disconnected. Once the Board of Directors has authorized the District's operator to terminate water service for the nonpayment of taxes, a notice of intent to terminate shall be left by the District's operator on the door at the address to which the service proposed to be disconnected was provided, which notice shall also state the time and place at which the account may be paid or that any errors in the tax bill may be corrected. The District's operator may disconnect the water service on or after the date specified in the notice sent to the taxpayer, if the delinquent tax account is not resolved to the District's satisfaction by such date. After a notice of termination of water service has been sent to a taxpayer, payment of the amount of taxes due must be in the form of cash, cashier's check, or money order. If service to a taxpayer is terminated, the reconnection fee shall be paid in cash, or by cashier's check or money order before service is again commenced to such taxpayer.

VI. Discontinuation of Service.

A. Discontinuation. The District may discontinue service at the customer's request, due to a customer's delinquency in payment of water bills or taxes, or due to an abuse of the District's system including failure to properly maintain backflow prevention devices and grease traps. The District shall provide notice of the discontinuation which the Board determines to be appropriate to the circumstances.

B. Charges for Disconnection and Reconnection. In the event of discontinuation of service at a customer's request, the District shall charge the following:

- (1) Residential customers - \$25.00 to discontinue
- \$25.00 to restore

- (2) Commercial customers - \$30.00 to discontinue
 including Multi - \$30.00 to restore
 family and Apartments

In the event of discontinuation of service because of a customer's delinquency, the District shall charge the following:

- (1) Residential customers - \$25.00 to discontinue
 - \$25.00 to restore
- (2) Commercial customers - \$40.00 to discontinue
 including Multi- - \$40.00 to restore
 family and Apartments

C. Charges for Removal and Reinstallation of Water Meter. In the event the District is required to remove a water meter in order to enforce its rules and regulations regarding District facilities herein discussed, the District shall charge \$50.00 to remove such meter and \$50.00 to reinstall such meter.

VII. Rules and Regulations Governing Waterworks and Sanitary Sewer System.

A. Rules and Regulations. The Board hereby adopts the Rules and Regulations Governing Waterworks and Sanitary Sewer System which are described in Exhibit "D" attached hereto and incorporated herein for all purposes.

B. Rules and Regulations Governing Commercial and Industrial Waste. The Board hereby adopts the Rules and Regulations Governing Commercial and Industrial Wastes, which are described in Exhibit "F" attached hereto and incorporated herein for all purposes.

C. Rules and Regulations Governing Grease and Lint Trap. The District hereby adopts the Rules and Regulations Governing Grease and Lint Traps, Public Car Washes, Automobile Servicing and/or Repair Establishments, Public Washaterias, hair cutting shops and dry cleaning shops which are described in Exhibit "E" attached hereto and incorporated herein for all purposes.

D. Penalties. Commencing January 1, 1996, the maximum fine for violation of a District rule is \$5,000 per violation. The Board hereby sets the following civil penalties for breach of any rule of the District: Unless the Board determines that there are extenuating circumstances warranting a lesser penalty, the violator shall pay the District twice the costs that the District has sustained due to the violation, up to \$5,000, but in no event will the penalty be less than \$500 for each day of the violation. A penalty under this section is in addition to any other penalty provided by the law 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 reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The

amount of the attorney's fees shall be fixed by the court. For purposes hereof, each day's violation shall be considered a separate violation.

VIII. General Policies

A. All Services Charged. At no time shall the District render water and/or sewer services without charge to any person, firm, corporation or organization.

B. Other Utilities. Prior to installing underground cables in the area of District water supply and sanitary sewer collection lines, representatives of utility companies shall contact the District's operator to file such companies' construction plan and schedule and to review the engineering plans illustrating the location of District lines.

C. Implementation of Order. This Order is effective as of the date of its adoption by the Board. The President or Vice President or Secretary or Acting Secretary are authorized to do all things necessary and proper to evidence the Board's adoption of this Order and to carry out the intent hereof.

IX. Reimbursement of Non-Scheduled Costs.

A. User Costs. Whenever the District incurs any non-scheduled out-of-pocket cost (including any such cost billed to the District by its operator, attorneys, or engineers) arising out of (1) the failure of a customer to comply with the District's rules and regulations, as stated in this rate order or as otherwise announced, or (2) the request of a customer for an inspection or other service call which is the result of the customer's improper maintenance, or (3) efforts to collect amounts due and owing to the District and not paid to the District on a timely basis, or (4) any other negligent or improper action on the part of the customer, the operator may bill the District for such cost, and the District may bill the customer and the customer shall promptly reimburse the District for such cost.

EXHIBIT A

Sample Backflow Prevention Assembly Test and Maintenance Report

The following form must be completed for each assembly tested. A signed and dated original must be submitted to the District for recordkeeping purposes:

Backflow Prevention Assembly Test and Maintenance Report

Name of PWS: _____
 PWS I.D. #: _____
 Location of Service: _____

The backflow prevention assembly detailed below has been tested and maintained as required by Commission regulations and is certified to be operating within acceptable parameters.

TYPE OF ASSEMBLY

- | | | | |
|--------------------------|----------------------------|--------------------------|---------------------------|
| <input type="checkbox"/> | Reduced Pressure Principle | <input type="checkbox"/> | Pressure Vacuum Breaker |
| <input type="checkbox"/> | Double Check Valve | <input type="checkbox"/> | Atmosphere Vacuum Breaker |

Manufacturer _____ Size _____
 Model Number _____ Located at _____
 Serial Number _____

	Reduced Pressure Principle Assembly			Pressure Vacuum Breaker	
	Double Check Valve Assembly		Relief Valve	Air Inlet	Check Valve
	1st Check	2nd Check		Opened at _____ psid	_____ psid
Initial Test	DC-Closed Tight <input type="checkbox"/> RP- _____ psid Leaked <input type="checkbox"/>	Closed Tight <input type="checkbox"/> Leaked <input type="checkbox"/>	Opened at _____ psid	Did not Open <input type="checkbox"/>	Leaked <input type="checkbox"/>
Repairs and Materials Used					
Test After Repair	DC-Closed Tight <input type="checkbox"/> RP _____ psid	Closed Tight <input type="checkbox"/>	Opened at _____ psid	Opened at _____ psid	_____ psid

The above is certified to be true.

Firm Name: _____
 Firm Address: _____
 Date: _____

Certified Tester: _____
 Cert. Tester No.: _____
 Test Gauge Serial No.: _____

EXHIBIT B

Sample 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	Certificate of Compliance on File
(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. Additionally, all pressure relief valves and thermal expansion devices are in compliance with state plumbing codes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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 device tester.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the public water supply.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) No pipe or pipe fitting which contains more than 8.0% lead exists in private plumbing facilities installed on or after July 1, 1988.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5) No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after July 1, 1988.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 plumbing facilities:

Service Lines	Lead	<input type="checkbox"/>	Copper	<input type="checkbox"/>	PVC	<input type="checkbox"/>	Other	<input type="checkbox"/>
Solder	Lead	<input type="checkbox"/>	Lead Free	<input type="checkbox"/>	Solvent Weld	<input type="checkbox"/>	Other	<input type="checkbox"/>

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

Sample Service Agreement

- I. **PURPOSE.** Harris County Municipal Utility District No. 153 is responsible for protecting the drinking water supply from contamination or 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 utility enforces these restrictions to ensure the public health and welfare. Each customer must sign this agreement before Harris County Municipal Utility District No. 153 will begin service. In addition, when service to an existing connection has been suspended or terminated, the water system will not re-establish service unless it has a signed copy of this agreement.
- II. **PLUMBING RESTRICTIONS.** The following undesirable 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.
 - B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.
 - C. No connection which allows water to be returned to the public drinking water supply is permitted.
 - D. No pipe or pipe fitting which contains more than 8.0% 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 which provides water for human use.
- III. **SERVICE AGREEMENT.** The following are the terms of the service agreement between Harris County Municipal Utility District No. 153 (the "Water System") and Name of Customer (the "Customer").
- A. The Water System will maintain a copy of this agreement as long as the Customer and/or the premises is connected to the Water System.
 - B. The Customer shall allow his property to be inspected for possible cross-connections and other undesirable plumbing practices. These inspections shall be

conducted by the Water System or its designated agent prior to initiating service and periodically thereafter. The inspections shall be conducted during the Water System's normal business hours.

- C. The Water System shall notify the Customer in writing of any cross-connection or other undesirable plumbing practice which has been identified during the initial inspection or the periodic reinspection.
- D. The Customer shall immediately correct any undesirable plumbing practice on his premises.
- E. The Customer shall, at his expense, properly install, test, and maintain any backflow prevention device required by the Water System. Copies of all testing and maintenance records shall be provided to the Water System.

IV. **ENFORCEMENT.** If the Customer fails to comply with the terms of the Service Agreement, the Water System shall, at its option, either 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 agreement shall be billed to the Customer.

Customer's Signature

Date: _____

Address: _____

RULES AND REGULATIONS
GOVERNING
WATERWORKS AND SANITARY SEWER SYSTEM

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, protection of all facilities which are part of the District’s waterworks and sanitary sewer system, and prohibited plumbing practices:

I. INSTALLATION OF CONNECTIONS TO DISTRICT’S WATERWORKS SYSTEM

A. Water Service Lines and Water Taps

1. A “Water Service Line” is defined herein as the water line from the property line of the property to be served with water to the District’s waterworks system.
2. A “Residential Water Tap” is defined herein as the connection of either of the following to a District water line: (a) a 1” Water Service Line to serve two (2) single-family residences, which is known as a “Double Tap”; or (b) a 3/4” or 1” 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.
3. A “Commercial Water Tap” is defined herein as 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.

B. Water Tap Materials - Only the following types of pipe and fitting materials shall be approved for the installation of Water Taps, including Residential Water Taps and Commercial Water Taps:

- a. Rockwell compound meters
- b. Brass curb stops, corp stops, and U-branch and related fittings manufactured by Ford, Hays or Muller
- c. Polyethylene water service pipe, 3/4” to 2”
- d. Cast iron water service pipe, 2” and larger
- e. Water main pipe of the type originally installed
- f. Plastic meter box up to 1” meter

- g. Concrete meter box, 1" to 2" meter
- h. Concrete meter vault manufactured by Brooks, 2" and larger

II. INSTALLATION OF CONNECTIONS TO DISTRICT'S SANITARY SEWER SYSTEM

A. Sewer Service Lines and Sewer Taps

1. A "Sewer Service Line" is defined herein as the sewer line from the foundation of a building, including houses and commercial structures, to the District's sanitary sewer system.
2. A "Sewer Tap" is defined herein as the physical connection of a Sewer Service Line to the District's sanitary sewer system. Without the written consent of the District's Board of Directors, only one Sewer Tap shall be permitted for each building.
3. The following types of Pipe and fitting materials shall be approved for the construction of Sewer Service Lines, and the pipe and fittings in each Sewer Service Line must consist of the following material or other material approved by the District's engineer:
 - a. Vitrified clay pipe conforming to ASTM Specification C700 with joint coupling conforming to ASTM Specifications C425 or C594 and installed according to ASTM C12.
 - b. Cast iron soil pipe, standard weight, conforming to ASTM Specification A74 with rubber gasket joint coupling conforming to ASTM Specification C564.
 - c. Poly-vinyl-chloride (PVC) pipe conforming to ASTM Specification D3034 or ASTM Specification F789 (with UL listing) and installed according to ASTM D2321.
 - d. Ductile-Iron Pipe conforming to ANSI A21.51 with rubber gasket joints conforming to ANSI A21.11, and installed according to manufacturer's recommendations.
 - e. Acrylonitrile-butadiene-styrene ("ABS") pipe, material conforming to ASTM Specification D2751.
4. The minimum sizes of Sewer Service Lines shall be as follows:
 - Residential - 4-inches in diameter
 - Commercial - 8-inches in diameter

5. The minimum grades for Sewer Service Lines shall be as follows:
 - a. 4-inch pipe – one-foot drop per hundred feet (1%)
 - b. 8-inch pipe – six-inch drop per hundred feet (0.5%)
 - c. 8-inch pipe – four-inch drop per hundred feet (0.33%)
6. The maximum grades for Sewer 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%)
7. All Sewer Service Lines shall be constructed to true alignment and grade. Warped and sagging Sewer Service Lines will not be permitted.

B. Connection of Building Sewer Outlets to Service Lines

1. On all building waste outlets, the building tie-on connections shall be made directly to the stub-out from the building plumbing at the foundation.
2. Water-tight adapters of a type compatible with the materials being joined shall be used at the point of connection of a Sewer Service Line to the building plumbing. No cement grout materials shall be permitted.
3. Unless an exception is permitted by the District's Operator, existing, "wye" and stack connections must be utilized for connection of a Sewer Service Line to the District's sanitary sewer system.

C. Fittings and Cleanouts

1. No bends or turns at any point will be greater than 45 degrees.
2. Each horizontal Sewer Service Line will be provided with a cleanout at its upper terminal, and each such run of piping which is more than 90 feet in length will be provided with a cleanout for each 90 feet, or fraction thereof, in the length of such piping.
3. Each cleanout will 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 will be installed vertically above the flow line of the pipe.
4. Cleanout will be fitted with an airtight mechanical plug.

- D. Grease and/or Lint Traps as required by Exhibit "E".

III. INSTALLATION AND REPAIR OF WATER TAPS

- A. Prior to the installation of a Water Tap, an applicant for water service must pay to the District's Operator all tap and inspection fees and deposits, as described in the Rate Order.
- B. All Water Taps to the District's waterworks system shall be installed only by the District's Operator, which for purposes of these Rules and Regulations is hereby designated as Municipal Operations & Consulting, 312 Spring Hill, Suite 100, Spring, Texas 77386 (telephone 281-367-5511).
- C. The District's Operator shall install Water Taps and set meters at a location on adjoining property lines whenever possible, and as designated by the District's Operator, with the meter box being located in the easement adjacent to the property line and with two (2) meters per box, where necessary.
- D. The District's Operator shall be responsible for all repairs to and the maintenance of all Water Taps, pursuant to the terms and provisions of the Contract between the District and the District's Operator.

IV. INSTALLATION OF SEWER TAPS AND PERMITS

- A. Application for Sanitary Sewer Service. An "Application for Sanitary Sewer Service," must be filed with the District's Operator prior to construction of a Sewer Service Line. All tap and inspection fees and deposits, as described in the Rate Order, should accompany such application. (Application forms are available from the District's Operator.) Construction of any Sewer Service pipe must not begin until authorized by the District's Operator.
- B. Sewer Service Line
 - 1. When a Sewer Service Line is complete, and prior to backfilling such Sewer Service Line trench, the applicant for sewer service shall request (a) a Sewer Tap and (b) an inspection of the installation of the Sewer Service Line. Requests for Sewer Taps and inspections shall be made to the District's Operator at least 24 hours in advance of the connections and inspections.
 - 2. The Sewer Tap shall be made only by use of an adapter of a type compatible with materials being joined. The Sewer Tap shall be water-tight. No cement grout materials shall be permitted.
 - 3. Backfilling of a Sewer Service Line trench must be accomplished within 24 hours of inspection and approval by the District's Operator. No debris shall be permitted in a Sewer Service Line trench.

4. After the Sewer Tap is made and the inspection performed, the District's Operator shall issue a Sewer Tap Permit to the applicant, confirming that all requirements of these Rules and Regulations have been met.

V. FEES AND CHARGES

The District's fees and charges shall be as established by its Order Amending and Restating Order Setting Water and Sewer Service Rates, Tap Fees, Adopting Rules and Regulations Concerning District's Waterworks and Sanitary Sewer System, and Establishing Policy with Respect to Fire Hydrants, Manholes, and Meter Boxes, and all amendments thereto.

VI. LIMITATIONS ON FLOW OF WASTE

- A. No waste material which is not biologically degradable will be permitted to be discharged into the District's sanitary sewer system, including mud and debris accumulated during Sewer Service Line installation.
- B. No downspouts, yard or street drains or gutters will be permitted to be connected into the District's sanitary sewer facilities.
- C. Swimming Pool connections will not be made to the District's sanitary sewer system unless specifically approved in writing by the Board of Directors of the District.

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

- A. It shall be unlawful for any person, unless authorized in writing by the District's Operator, to tamper or interfere with, obstruct access to, or to 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 meters of any local volunteer fire department shall have the right to use such flushing valves for fire protection purposes.
- B. 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.
- C. It shall be unlawful for any person to deposit, throw, drain, discharge, or otherwise cause to be injected into any sewer, manhole, catch basin, flush tank, or other facility that is a part of the District's waterworks and sewer system any debris or foreign substance that would interfere with the proper and routine functioning thereof.

VIII. PROHIBITION ON USE OF LEAD

- A. The use of pipes and pipe fittings that contain more than 8.0 percent lead or solders and flux that contain more than 0.2 percent lead is prohibited for installation or repair of the District's water system and for installation or repair of any plumbing in a residential or nonresidential facility providing water for human consumption and connected to the District's water system.
- B. This requirement may be waived for lead joints that are necessary for repairs to cast iron pipe.

IX. PROHIBITION ON DIRECT OR CROSS CONNECTIONS

- A. No establishment in the District shall contain an actual or potential contamination or system hazard without an air gap separation between the drinking water supply and the source of potential contamination. Where the containment air gap is impractical, reliance may be placed on individual "internal" air gaps or mechanical backflow prevention devices. Under these conditions, additional protection shall be required at the meter in the form of a backflow prevention device (in accordance with AWWA Standards C510 and C511, and AWWA Manual M14) on those establishments handling substances deleterious or hazardous to the public health.
- B. Water from a condensing, cooling or industrial process or any other system of nonpotable usage over which the District does not have sanitary control cannot be returned to the District's potable water supply.
- C. Overhead bulk water dispensing stations must be provided with an air gap between the filling outlet hose and the receiving tank to protect against back siphonage and cross-contamination.

X. ENFORCEMENT OF THE ORDER INCLUDING THE RULES AND REGULATIONS AND PENALTIES APPENDED HERETO.

A. Enforcement

- 1. 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 District's principal office is located.

B. Penalties

- 1. Water and sanitary sewer service shall not be provided by the District until the requirements with respect to Water Taps and Sewer Taps and inspections have been met and, with respect to Sewer Taps, a written permit or permits have been granted.

EXHIBIT E

**RULES AND REGULATIONS GOVERNING
GREASE AND LINT TRAPS IN FOOD HANDLING
ESTABLISHMENTS, PUBLIC CAR WASHES,
AUTOMOTIVE SERVICING AND/OR REPAIR ESTABLISHMENTS,
PUBLIC WASHATERIAS, HAIR CUTTING SHOPS AND
DRY CLEANING SHOPS**

Section 1. "Establishment" means any business within the District which shall process, prepare or serve food and which processing, preparing or serving results in a discharge of water into the sewer system of the District during any part of such operation or service, and shall also mean public car washes, automotive servicing and/or repair establishments, public washaterias, hair cutting shops and dry cleaning shops which discharge water into the sewer system of the District during any of said operations.

Section 2. Each Establishment shall be required to have a grease and/or lint trap ("Trap") which fulfill the requirements of these Rules and Regulations and which shall be in compliance with requirements as established by the City of Houston ("CofH"). Specifications and requirements for such Trap shall be as follows:

- A. Each small food Establishment with no fixed seating, including, but not limited to sandwich or coffee shops, donut shops, small bakeries and pastry shops and other small Establishments processing, preparing, or serving food, either individually, bulk or carry out, shall have a Trap constructed pursuant to specifications as set out in CofH Drawing No. 533-S, attached hereto and made a part hereof for all purposes.
- B. Each food Establishment where food is served to customers on premises and where the occupant load is less than 100 occupants, shall have a Trap constructed pursuant to specifications as set out in CofH Drawing No. 534-S, attached hereto and made a part hereof for all purposes.
- C. Each food Establishment where food is served to customers on premises and where the occupant load is more than 100 and less than 300 occupants, shall have a Trap constructed pursuant to specifications as set out in CofH Drawing No. 531-S, attached hereto and made a part hereof for all purposes.
- D. Each food Establishment where food is served to customers on premises and where the occupant load is more than 300 occupants, shall have a Trap designed by a registered professional engineer and submitted to the Engineer for the District for his approval.
- E. Each public car wash and automobile servicing and/or repair establishment of six (6) bays or less shall have a Trap constructed pursuant to specifications as set out in CofH Drawing No. 359-S-1, attached hereto and made a part hereof for all purposes.

- F. Each public car wash and automobile servicing and/or repair establishment of more than six (6) bays shall have a Trap designed by a registered professional engineer and submitted to the Engineer for the District for his approval.
- G. Each public washateria shall have a Trap constructed pursuant to the applicable drawing attached hereto. The drawing and therefore the specifications which are applicable shall be determined by the size of the washateria as follows:
 - 1. For washaterias having 10 or less machines, see CofH Drawing 533-S.
 - 2. For washaterias having 11 to 20 machines, see CofH Drawing 534-S.
 - 3. For washaterias having more than 20 machines, see CofH Drawing 531-S.
- H. Each hair cutting shop shall have a Trap constructed pursuant to specifications as set out in CofH Drawing 533-S.
- I. Any Commercial type laundry shall have a Trap designed by a registered professional engineer and submitted to the Engineer for the District for his approval.

Section 3. Each Establishment shall clean traps periodically as necessary to maintain and be in compliance with standards as set out herein and in any event shall clean such trap not less than once each week if such Trap is designated pursuant to CofH Drawing 534-S or 539-S-1, and not less than once each month if such Trap is designated pursuant to CofH Drawing 533-S or 531-S.

Section 4. Each Establishment subject to the conditions hereof shall:

- A. Maintain a sampling well with easy access for inspectors. The sampling well to be installed per applicable CofH Drawing No. 516-S or 516-S-1, see attached.
- B. Maintain records on premises of all gallonage removed from the Trap.
- C. Maintain records on premises of all trip tickets in connection with disposal from the trap.
- D. Make available the records required in Section 4B and C above, to inspectors for the District when requested and as authorized hereinbelow.

Section 5. The District, from time to time as it deems necessary, may have its designated representative inspect any Trap subject hereto, which inspection however shall be during the normal business hours of the Establishment being inspected. During such inspection, the representative shall have the right to inspect the sampling well and take samples therefrom and to inspect all records maintained in connection with the Trap as required herein. The cost of each such inspection shall be charged to the Establishment.

Section 6. No Establishment subject to these Rules and Regulations shall allow a discharge into the sewer system, when such discharge shall consist of more than two hundred (200) milliliters of grease or oil per one (1) liter of discharged water.

Section 7. Charges and Penalties for and Notice of Violation of Rules and Regulations.

A. Any Establishment found in violation of Section 6 above shall pay the following amounts:

1. For the first violation by an Establishment, a sewer surcharge of \$25.00 per day, beginning the fourth day following written notice of the violation, and continuing for a maximum of seven (7) days, shall be added to the next monthly water and sewer bill for that Establishment. If the discharge shall not be brought within the limitations set out in Section 6 within seven (7) days, then, upon giving one (1) day's written notice, the water service to such Establishment may be disconnected by the District. In the event of such disconnect, no reconnect of water shall be made by the District until the Establishment has paid all amounts set out herein plus all other reconnect fees provided for in the Rate Order and Rules and Regulations of the District. Any Establishment desiring to do so, may appeal any charge provided for herein to the Board of Directors of the District by requesting in writing within ten (10) days from date of receipt of Notice of Violation, permission to appear before said Board at its next regular monthly meeting. Such request shall be delivered or mailed to the Secretary of the Board. Failure to make such request or failure to appear after making such request shall be deemed a waiver of such appeal.
2. For a second violation by an Establishment, the District may charge the amounts set out in Section 7A(1) above, or may impose the penalties provided under Section 54.209 of the Texas Water Code. Such Section 54.209 provides for a fine of not more than \$200.00 or imprisonment for not more than thirty (30) days or both.
3. For a third or subsequent violation by an Establishment, the District shall impose the penalties as provided by the Texas Water Code as set hereinabove.
4. For purposes hereof, each day's violation after having received written notice of the violation, shall be considered a separate violation. On second and subsequent violations by an Establishment, the three (3) day grace period set out in Section 7(1) above shall not be applicable.

B. Notice of Violation of Rules and Regulations. All notices of violations shall be issued in writing by the District representative and shall be served upon the Establishment by delivering a copy of same to an employee, manager, officer, or owner of the Establishment or by mailing a copy of such notice to the business

address of the Establishment by Certified Mail, Return Receipt Requested. In each case of notice of violation, a copy of such notice shall be sent to the Secretary of the Board of Directors of the District. If personal delivery of the written notice is made, the District representative shall note on the back of two (2) copies of the notice, the time and date of delivery of such notice and if possible, the name of the particular party to whom the notice was delivered. One (1) copy of such notice with the appropriate notation thereon, shall be delivered to the Secretary of the Board of Directors of the District. The other copy shall be retained by the representative.

C. Notice of Adoption of Rules and Regulations and Time for Compliance. Upon adoption of the above-listed Rules and Regulations by the Board of Directors, as required by law, a copy of such Rules and Regulations shall be mailed by Certified Mail, Return Receipt Requested to each Establishment within the District which will be affected by or fall under the provisions of such Rules and Regulations. In the event a violating Establishment is located in a building having a Master Meter, then a copy of such Rules and Regulations shall be mailed to the person or company in which name the Master Meter is being billed. Those Establishments that already have Traps which are built pursuant to the specifications as required herein, shall have thirty (30) days from date of receipt of such notice within which to bring such Trap into compliance with the requirements hereof. After such thirty (30) day period, such Establishment shall be subject to the charges and penalties herein provided. For those Establishments not yet having such Trap or for new Establishments which may be constructed after the adoption of the above Rules and Regulations, the following shall be applicable:

1. Establishments in business on the effective date of adoption of the Rules and Regulations shall submit a set of plans and specifications for the construction of an approved Trap for that Establishment to the Engineer for the District within thirty (30) days following written notice of adoption of the Rules and Regulations and shall complete construction of such Trap not later than ninety (90) days following date of approval of such plans and specifications. Failure to submit such plans and/or construct such Trap shall be deemed a violation hereof and shall subject the Establishment to the charges and penalties as set out in Section 7A above. As with violations for improper discharge, each day of failure to submit plans and specifications and/or construct a Trap, shall be deemed a separate violation.
2. For Establishments to be newly constructed or under construction, a set of plans and specifications for a proper Trap shall be submitted to the District Engineer at or before an application for water and sewer service is made by the Establishment. The District shall have no obligation to grant water and sewer taps until there is compliance with this Order. An Establishment under construction and which already has a water and sewer tap approved, shall be governed by Section 7C(1) above.

**RULES AND REGULATIONS GOVERNING
COMMERCIAL AND INDUSTRIAL WASTES AND
PROHIBITING THE DEPOSIT OF REFUSE INTO
DISTRICT'S SYSTEM**

I. Regulation of Commercial and Industrial Wastes.

The Board of Directors of the District hereby establishes and promulgates the following policies, rules and regulations concerning domestic and industrial wastes:

A. Definitions. Unless the context requires otherwise, the terms and phrases used herein shall have meanings as follows:

1. The term "B.O.D." means the five-day, 20° Centigrade biochemical oxygen demand expressed in milligrams per liter as determined by the procedures specified in the latest edition of Standard Methods, or such other manual of operations as the District may adopt from time to time, or as determined in accordance with the latest rules of the Texas Commission on Environmental Quality ("TCEQ").
2. The term "C.O.D." means the measure of the oxygen-consuming capacity of inorganic and organic matter present in water or waste, expressed in milligrams per liter as the amount of oxygen consumed from a chemical oxidant as determined by Standard Methods, or such other manual of operations as the District may adopt from time to time, or as determined in accordance with the latest rules of the TCEQ.
3. The term "customer" means any person who is served by the Waste Disposal System.
4. The term "discharge" includes the terms deposit, conduct, drain, emit, throw, run, seep or otherwise release or dispose of, or to allow, permit, or suffer any of such acts or omissions.
5. The term "grease" means fats, waxes, oils and other similar non-volatile material and waste which are extracted by hexane from a solidified sample using the Soxhlet method.
6. The term "industrial waste" means the liquid and water-carried waste resulting from any process of industry, manufacturing, trade, business or commercial enterprise, other than normal domestic wastewater, including any mixture other than normal domestic wastewater, including any mixture of industrial waste with water or normal domestic wastewater, and such other waste as the District deems appropriate.

7. The term "industrial waste charge" means the charge made to those persons who discharge or are responsible for the discharge of industrial waste into the Waste Disposal System.
8. The term "infiltration water" means water which leaks into the District's Waste Disposal System or its customers' sanitary sewer collection system.
9. The term "normal domestic wastewater" means waste, excluding industrial waste, discharges by a person into the Waste Disposal System or into a customer's sanitary sewer collection system in which the average concentration of total suspended solids is not more than 250 mg/l and B.O.D. is not more than 250 mg/l.
10. The term "overload" means the imposition of organic or hydraulic loading on the Waste Disposal System in excess of either its designed hydraulic capacity, its installed rated capacity or its organic loading capacity.
11. The term "person" means any individual, public or private corporation, district, authority, political subdivision or other agency or entity of the State of Texas or of the United States of America; the State of Texas or the United States of America; any incorporated city, town or village, whether operating under general law or under its home rule charter; and any copartnership, association, firm, trust, estate or any other entity whatsoever.
12. The term "pH" means the common logarithm of the reciprocal of the hydrogen ion concentration expressed in grams per liter of solution.
13. The term "properly shredded garbage" means solid waste from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sanitary sewers, with no particle greater than one-half inch (1/2") in any dimension.
14. The term "sanitary sewer collection system" means the sanitary sewer system(s) now owned or operated or to be constructed or acquired by customers of the District, including sanitary sewers (but excluding storm sewers), manholes, intercepting sewers, pumping works and all other plants, works and equipment for the collection and transportation of waste to the District's Waste Disposal System.
15. The term "slug" means any discharge of waste which, in the concentration of any given constituent or in the quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flow during normal operation.

16. The term "Standard Methods" means the examination and analytical procedures set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" as prepared, approved and published jointly by the American Public Health Association, the American Waterworks Association and the Water Pollution Control Federation.
17. The term "storm sewer" means sewers which carry storm and surface waters and drainage, and into which waste is not intentionally discharged.
18. The term "suspended solids" means those solids that either float on the surface or are in suspension in waste or other liquids, expressed in terms of milligrams per liter.
19. The term "trap" means a device designed to skim, settle or otherwise remove grease, oil, sand, flammable wastes or other substances which may be harmful to either the Waste Disposal System or its treatment processes.
20. The term "waste" means normal domestic wastewater and industrial waste collected by a public sanitary sewer collection system, together with such infiltration water as may be present.
21. The term "Waste Disposal System" means all or any part of any disposal system or disposal facilities constructed or acquired by the District for receiving, transporting, treating and disposing of waste collected by the sanitary sewer collection systems of the District's customers, together with such extensions, enlargements and modifications as may be required in the future or as may be necessary to comply with any regulatory requirements.
22. The term "wastewater service charge" means the charge to all users of the District's Waste Disposal System whose wastes do not exceed the concentrations established herein as representative of normal domestic wastewater.

B. Prohibited Discharges. All waste discharged into the District's Waste Disposal System shall conform to the requirements hereof and shall consist only of waste amenable to biological treatment or other processes employed by the District from time to time. No person may discharge into the District's Waste Disposal System any waste which by itself or by interaction with other waste may:

1. Injure or interfere with the processes or physical properties or facilities of the District's Waste Disposal System;
2. Constitute a hazard to humans or animals; or
3. Create a hazard in receiving waters of the effluent of the Waste Disposal System.

Discharges prohibited by the foregoing parameters include, but are not limited to, slugs and materials which exert or cause: excessive discoloration or concentrations of suspended solids, B.O.D., or C.O.D. or chlorine demands in excess of the ability of the Waste Disposal System to adequately treat and dispose of such waste in compliance with applicable regulatory requirements. Prohibited discharges also include, but are not limited to, the following materials which, if present in sufficient quantities, may cause or result in a violation of the foregoing parameters: ashes, cinders, sand, mud, grass clippings, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood or wood products, garbage (other than properly shredded garbage), blood, entrails, hair, flesh, paper or paper products, chemical or paint residues, or bulk solids.

C. Chemical Discharges. The following chemicals shall not be admissible into the District's Waste Disposal System:

1. Cyanides or cyanogen compounds capable of liberating hydrocyanic gas upon acidification when present in concentrations in excess of 2 mg/l by weight as cyanide (CN);
2. Fluorides other than those contained in the local public water supply for the area which is the source of the discharge;
3. Gasoline, cleaning solvents, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases;
4. Substance causing C.O.D. overload customer not exceed 750 mg/l in a grab sample;
5. Acids of alkalis having pH values lower than 6.0 or higher than 10.0, iron pickling wastes or concentrated plating solutions whether neutralized or not;
6. Grease, whether emulsified or not, containing substance which may solidify or become viscous at temperatures between 32° and 150° Fahrenheit (0 and 65° Centigrade) or which exceeds on analysis an average of 100 mg/l of soluble matter;
7. Dissolved sulfides whose concentrations exceed 0.1 mg/l; or
8. Any other corrosive, explosive, malodorous or objectionable chemicals in liquid, solid or gaseous form.

D. Heavy Metals and Toxic Materials. The following metals and toxic materials shall not be admissible into the District's Waste Disposal System:

1. Objectionable or toxic substance exerting an excessive chlorine requirement to such a degree that any such material received in the

composite waste at the waste treatment works exceeds the limits established from time to time by the District for such materials;

2. Obnoxious, toxic or poisonous solids, liquids, or gases in quantities sufficient to violate the provisions of Part II hereof;
3. Any substance having corrosive properties capable of causing damage or hazard to structures, equipment or personnel operating the Waste Disposal System;
4. All waste or other substances containing phenols, hydrogen sulfide or other taste or odor producing substances exceeding the concentration limits established from time to time by the District or which, after treatment of the composite waste, exceeds applicable regulatory requirements;
5. Antimony, beryllium, bismuth, cobalt, molybdenum, tin, uranyl ion, rhenium, strontium, tellurium, and such other heavy metals as may be prohibited from time to time by the District;
6. The following heavy metals or the salts thereof in solution or suspension which upon analysis by Standard Methods exceed the concentrations listed below:

<u>Element</u>	<u>Mg/l</u>	<u>Element</u>	<u>mg/l</u>
Arsenic	0.05	Lead	0.1
Barium	5.0	Manganese	1.0
Boron	1.0	Mercury	0.005
Cadmium	0.02	Nickel	1.0
Chromium	5.0	Selenium	0.02
Copper	1.0	Silver	0.1
Zinc	5.0		

or

7. Any other heavy metals or toxic material except upon the conditions of pretreatment, concentration, volumes and other applicable standards prescribed by the District or by applicable statutes, laws, rules or regulations.
- E. Garbage. No person may discharge garbage into the Waste Disposal System unless it is properly shredded garbage. The District may review and approve the installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 H.P. metric) or greater.
- F. Drainage and Storm Water. No person may discharge into the Waste Disposal System drainage or storm waters.

- G. Temperature. No person may discharge into the Waste Disposal System liquid or vapors having a temperature higher than 150° Fahrenheit (65° Centigrade), or any substance which causes the temperature of the composite waste received in the treatment works influent to increase at the rate of 10° Fahrenheit or more per hour or to exceed an influent temperature of 110° Fahrenheit.
- H. Radioactive Waste. No person may discharge into the Waste Disposal System radioactive materials or isotopes with a transient concentration higher than 100 micro curies per liter.
- I. Supervision. If the District or its designated representative determines that a discharge or a proposed discharge into the Waste Disposal System may deleteriously affect the Waste Disposal System or receiving waters, or create a hazard to life or health, or create a public nuisance, it may require:
1. Pretreatment to an acceptable condition for discharge into the Waste Disposal System;
 2. Control over the quantities and rates of discharge; and
 3. Waste surcharge payments sufficient to compensate the District for the cost of handling and treating the waste.

If pretreatment or control is required by the District, it shall review and approve the design and installation of the equipment and processed in conformity with all applicable laws and regulatory requirements. Any person responsible for discharges requiring such pretreatment or control facilities shall provide and maintain such facilities in effective operating condition.

- J. Traps. Discharges requiring a trap include, but are not limited to, grease, oil, sand or flammable waste. Any person responsible for a discharge requiring a trap shall, as required by the District, provide equipment and facilities of a type and capacity approved by the District, locate the trap in a manner that provides ready and easy access for cleaning and inspection, and maintain the trap in effective operating condition.
- K. Industrial Waste Charges. In addition to the wastewater service charges made by the District, the District shall make to customers discharging industrial waste into their sanitary sewer collection systems or into the Waste Disposal System the industrial waste charges provided for herein. If the District determines that the volume or the character of industrial waste to be treated by the District's Waste Disposal System will not cause overloading of the Waste Disposal System, the person responsible for the discharge of industrial waste shall nevertheless pay equitable industrial waste charges sufficient to provide payment for the amortization of all capital expenses for the collection and treatment of industrial waste (including new capital expenses and a proportionate share of the value of the existing Waste Disposal System used in handling and treating the industrial waste, but taking into account amortization costs resulting from annual tax

payments) and operation and maintenance costs including salaries and wages, power cost, 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 thirty-year period. Industrial waste charges shall be calculated by the following formula:

$$C = Aa + Ab(B-250) + As(S-250)$$

Where C = charges to industrial user, \$/month

- a = unit cost of transportation and treatment chargeable to volume, \$/1000 gallons
- b = unit cost of treatment chargeable to B.O.D., \$/lb.
- c = unit cost of treatment (including sludge treatment) chargeable to suspended solids, \$/lb.
- A = volume of waste from industrial user, 1000 gal./month
- B = amount of B.O.D. from industrial user, lbs./month
- S = amount of suspended solids from industrial user, lbs./month

Until revised or amended by the District, the initial coefficients of charge for use in the foregoing formula shall be: a = \$0.00/1000 gal.; b = \$1.07/lb.; and c = \$1.21/lb. The District shall review and, if appropriate, adjust the industrial waste charges at least annually to reflect changes in the characteristics of the industrial waste based upon the results of sampling and testing. The District shall also review at least annually the basis for determining industrial waste charges 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 industrial waste charges shall be retroactive for two billing periods and shall continue for six (6) billing periods unless subsequently increased. The District shall bill its customers in a manner which will show industrial waste charges as a separate item from wastewater service charges.

The Board of Directors of the District (the "Board") may at its discretion reduce a monthly industrial waste charge in excess of \$5,000 to a minimum of \$5,000 if the following conditions are met: 1) the industrial waste charge results from a wastewater discharge which may be characterized by the Board as a first time occurrence, 2) the industrial waste charge event did not create a permit violation or any significant costs specifically associated with responding to a process upset, and 3) the discharger of the industrial waste prepares a written pretreatment plan to be submitted to the District and commits in writing to the District to implement such plan.

- L. Disconnection of Service. In the event a customer of the District's Waste Disposal System fails to make timely payment of the District's wastewater service charges or industrial waste charges, or in the event waste is discharged into the District's Waste Disposal System in violation of the provisions hereof, the District reserves the right to disconnect the customer from the Waste Disposal System and

to continue disconnection until such time as payment has been made or adequate assurances or pretreatment or control facilities have been installed to permit compliance with the provisions hereof.

- M. Each commercial establishment shall maintain a sampling well with easy access for inspectors. The sampling well is to be installed according to City of Houston requirements.
- N. Sampling; Testing; Inspection; Right of Entry. The District or its duly authorized agent or representative may enter at reasonable times and upon proper notice any lands or premises served or proposed to be served by the Waste disposal System for the purposes of carrying out and determining compliance with the provisions hereof. Sampling and testing shall be conducted in accordance with customarily accepted methods, reflecting the effects of constituent wastes upon the Waste Disposal System and the Existence of hazards to health, life, limb or property. Examination and analysis of the characteristics of water and waste shall be conducted in accordance with Standard Methods (or such other manual of operations as the District may adopt from time to time, or as determined in accordance with the latest rules of the TCEQ) and shall be determined from suitable samples taken at control points selected by the District.
- O. Effect of Regulations; Amendment. The provisions hereof are to be deemed and construed as regulatory requirements supplementary and in addition to all laws, rules, regulations, ordinances or licenses now in effect or hereafter passed, adopted or promulgated by any regulatory agency, federal, state or local, having jurisdiction over the District's Waste Disposal System including, without limitation, the Federal Clean Air Act, the Federal Clean Water Act, the Texas Water Quality Act, the rules and regulations of the Environmental Protection Agency concerning effluent limitations, and guidelines and pretreatment standards. The provisions hereof are subject to amendment, repeal or alteration from time to time by the Board of Directors of the District.

II. Prohibition of Deposit of Refuse into Drainage and/or Storm Sewer Facilities

The following rules, regulations and policies are adopted and promulgated by the District for the purpose of prohibiting the deposit or discharge of refuse into the drainage and storm sewer facilities of the District.

- A. Unless the context requires otherwise, the following terms and phrases used in this Policy shall have meanings as follows:
 - 1. The term "person" means any individual, corporation, co-partnership, association, firm, trust, estate or any other entity whatsoever.
 - 2. The term "refuse" means and includes gasoline and other motor fuels, cleaning solvents, greases, mineral oils, fats, waxes, oils and other similar non-volatile materials which are extracted from an acidified sample using the soxhlet method; ashes, cinders, sand, gravel, tar, asphalt, ceramic

wastes, plastics and other ciscous substances; grass clippings, feathers, hair, rags, metal, metal filings, glass, paper and paper products, wood, wood shavings and sawdust, garbage from the preparation, cooking or dispensing of food or from the handling, storage or sale of produce; toxic, corrosive, explosive or malodorous gases; acetylene general sludge; sulphur or sulphur compounds; cyanides or cynogen compounds; heavy metals or the salts thereof, including, but not limited to: Chromium as Cr, Copper as CU, Zinc as Zn, Nickel as Ni, and Cadmium as Cd and Cyanide as Cn; or any other refuse matter of any kind or description whatever.

3. The term "Storm Sewer System" means the storm sewer system now owned or to be constructed or acquired by the District, including all appurtenances, extensions and additions thereto, for gathering, conducting, diverting and controlling local storm water or other harmful excesses of water.
 4. The term "Drainage Ditches" means the open ditches constructed and/or owned or to be constructed or acquired by the District, including the banks or slopes thereof, for the collection and transportation of rainwater, drainage water and discharges from the District's Storm Sewer System.
- B. It shall constitute a violation of this Policy for any person to throw, discharge or deposit, or to cause, suffer or procure to be thrown, discharged or deposited into the District's Storm Sewer System or Drainage Ditches any refuse matter as that term is defined herein.
- C. Each day of violation of this Policy shall constitute a separate and distinct offense and violation hereof punishable in this Rate Order.