

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. 136 §

WHEREAS, the Board of Directors (the "Board") of Harris County Municipal Utility District No. 136 (the "District") has previously adopted Orders which (1) set water and sewer rates sufficient to pay for operation and maintenance of the District's water supply and sanitary sewer system; (2) provide for connections into its water and sanitary sewer collection systems; and (3) adopt rules to maintain a safe and adequate sanitary sewer system, protect the sanitary condition of the District's water supply, and prevent waste or unauthorized use of its water supply; and

WHEREAS, the Board deems it appropriate and necessary to amend the rate order to establish tap fees for commercial taps, and to restate such Orders as so amended.

IT IS, THEREFORE, ORDERED BY THE BOARD OF DIRECTORS OF HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 136 THAT:

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

A. Connections Made and Inspected by District Operator, Plans Reviewed by District's Engineers. All water taps shall be installed by the District's operator. All sanitary sewer taps shall be installed by a licensed plumber, and inspections shall be made by the District's operator. All storm sewer connections shall be inspected by the District's operator.

Anyone who constructs a swimming pool within the District must submit plans and specifications to the District operator prior to commencing construction. After completion of the construction, the operator shall inspect the swimming pool connection to the District's storm sewer system.

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 the water tap fee, sanitary sewer tap and inspection fees, and/or storm sewer inspection fee, as applicable, prior to receiving the connection. The operator shall make no connection into the District's system until the applicable fees are paid.

C. Fees. The water tap fees shall be as follows:

3/4-inch residential tap including meter and box	<del>\$400.00</del> <u>750.00</u>
Oversized residential tap, including meter and box	Cost thereof to the District plus 25%.
Commercial tap, including meter and box	Three times the cost of the tap to the District.
Public School tap, including meter and box	Cost thereof to the District, plus meter and box 0.5¢ per square foot, but in no event more than three times the cost to the District.
Community Improvement Association tap, including meter and box	Cost thereof to the District.
Re-Installation of meter	\$40.00
Park and Recreational tap, including meter and box	Cost thereof to the District, plus 0.5¢ per square foot, but in no event more than three times the cost to the District.

MONTHLY WATER SERVICE RATES\*

	<u>Gallons</u>	<u>Amount</u>
All Residential and Commercial Customers	Minimum 1,000	\$5.00
	1,001-20,000	\$1.00 per 1,000 gallons
	20,001-30,000	\$2.00 per 1,000 gallons
	30,001 and above	\$3.00 per 1,000 gallons
All Customers located outside the boundaries of the District*	Minimum 4,000	\$12.00
	4,001-20,000	\$1.40 per 1,000 gallons
	20,001-30,000	\$2.00 per 1,000 gallons
	30,001 and above	\$3.00 per 1,000 gallons

MONTHLY SEWER SERVICE RATE

Each Single Family Residential Connection		\$28.05
Each Commercial Connection*	First 20,000 gallons	\$13.00
	Each 1000 gallons thereafter	\$0.75

\*— District has contracts for Clays Restaurant and Deerfield park developments, which specify rates for those customers.

D. 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”.

E. Leak Adjustment. The District permits customers who have experienced an extremely high water bill, due to an excusable defect, to receive an adjustment to their bills. Credit will take the appearance of a rebate to the bill, not a refund. To meet the criteria as excusable, a defect must be out of sight, such as in a wall or subversive, under the foundation, or in a toilet tank. Faucets are not considered hidden. Adjustments shall only be made when the water bill equals at least 300% of the customer's previous three month average bill, prior to the leak.

A written claim must be submitted to the District's Operator, and must include a receipt for an effective repair bill, within six months of the repair. Repairs which do not reduce water consumption shall not be considered effective. An adjustment to the customer's bill shall be made to equal the customers' three-month average bill prior to the leak, plus 10% of the difference between the original bill and the previous three month average, and shall include a waiver of late fees and penalties associated with the leak but will not include an adjustment to the fees imposed by the West Harris County Regional Water Authority, which shall be charged for the full amount of the usage. Only two consecutive month's bills will be subject to adjustment; customers will be responsible for leaks which continue for more than two billing cycles unless otherwise approved by the Board. Customers may apply for no more than one such adjustment in any 12-month period for any one account.

V. ~~-~~Delinquent Accounts.

The District shall bill each customer monthly. All bills shall become delinquent if not paid within 20 days of the date of the bill. A penalty of 10% will be added to all bills outstanding after the 20th day after the date of the bill. If a bill is delinquent for 30 days, the following procedures shall apply:

After the 30-day delinquency period, and at least seven days before a regularly scheduled meeting of the Board, a delinquent customer shall be notified of the delinquency by United States Post Office First Class Mail (with a Certificate of Mailing). Such notice shall also state the date on which water service shall be terminated if the account is not paid, which date shall be not less than 72 hours after the date of such meeting of the Board. The 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 (referred to as a “door tag”) shall be left by the District operator on the door at the address where service was provided. An additional \$25 fee will be assessed to the customer’s account for the “door tag” notice. If all delinquent amounts, including charges for service which have become delinquent since the date on which the letter was sent, penalty and any fees incurred as a result of the delinquency (including the “door tag” notice fee) have not been paid in full by the proposed termination date, service shall then be discontinued unless otherwise agreed by the Board.

Notwithstanding anything else in this section, the District operator shall not provide service to a customer whose service has been discontinued until the security deposit in the amount of \$50 for residential and commercial customers is re-established in the full amount of \$50 or such greater amount as required by the Board.

VI. Discontinuation of Service.

A. Charges for Disconnection and Reconnection. If service is discontinued, whether because of a customer’s delinquency or at a customer’s request, the District shall charge the following:

- |                            |  |
|----------------------------|--|
| 1. Residential customers - | \$25.00 to discontinue and/or to restore |
| 2. Commercial customers -  | \$25.00 to discontinue and/or to restore |

B. Charges for Removal and Reinstallation of Water Meter. If the District is required to remove a water meter to enforce its rules regarding District facilities, the District shall charge \$40.00 to remove the meter and \$40.00 to reinstall the meter.

**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**

~ ~ ~	Reduced Pressure Principle Double Check Valve	~ ~ ~	Pressure Vacuum Breaker Atmosphere Vacuum Breaker
Manufacturer	_____	Size	_____
Model Number	_____	Located at	_____
Serial Number	_____		_____

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

The above is certified to be true.

Firm Name: _____	Certified Tester: _____
Firm Address: _____	Cert. Tester No.: _____
	Date: _____
	Test Gauge Serial No.: _____

**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.	~ 	~ 	~ 
(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.	~ 	~ 	~ 
(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 8.0% lead exists in private <u>plumbing water distribution</u> facilities installed on or after July 1, <del>1988</del> , <u>1988 and prior to January 4, 2014. Plumbing installed after January 4, 2014 bears the expected labeling indication &lt;.25% lead content.</u>	~ 	~ 	~ 
(5) No solder or flux which contains more than 0.2% lead <del>exists in private</del> <u>can be used for the installation or repair of plumbing facilities installed on or after July 1, 1988, at any connection which provides water for human use.</u>	~ 	~ 	~ 

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	~ 	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  
 Title  
 Date

Registration Number  
 Type of Registration

Sample Service Agreement

- I. **Purpose.** Harris County Municipal Utility District No. 136 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. 136 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~~ exists in private water distribution facilities installed on or after July 1, 1988 and prior to January 4, 2014. Plumbing installed after January 4, 2014 bears the expected labeling indication <.25% lead content.
- 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. 136 (the “Water System”) and Name of Customer (the “Customer”).



**RULES AND REGULATIONS GOVERNING  
SANITARY SEWER SERVICE LINES AND CONNECTIONS  
AND WATER MAIN CONNECTIONS**

The following regulations (the “Regulations”) govern the installation of water main taps, sanitary sewer connections, and discharges to the sanitary sewer system within Harris County Municipal Utility District No. 136 (the “District”), and prohibited plumbing practices:

**I. GENERAL**

A. The fee for making a connection to the District’s water mains and for inspection of connection to its sanitary sewers shall be as set out in the District’s Order Consolidating Orders Setting Water and Sewer Service Rates, Establishing Tap Fees, Adopting Rules and Regulations Concerning District Waterworks and Sanitary Sewer System, and Establishing Policy with Respect to Fire Hydrants, Manholes, Meter Boxes, and Clean-Out Valves. No taps shall be made or service rendered until such fees and a sanitary sewer connection security deposit is paid. Tap and inspection fees for other than the above described connections shall be fixed by the Board of Directors of the District (the “Board”) at the time the connection is proposed. The sanitary sewer connection security deposit shall be returned after the operator has inspected and approved the sewer line connection as provided below.

B. All connections to the District’s water mains and sanitary sewers shall be made by the District’s operator or a contractor designated by the operator. The water line connection shall include the furnishing and installing of the service saddle, water service line, water meter, and water meter vault. Sanitary sewer connections shall be made as hereafter provided.

C. The connections to the District’s water mains and sanitary sewers may be made at different times.

D. An Application for Water Main Tap must be filed prior to such tap being made. Application forms are available from the District’s operator.

each construction day until the line has been completed and tied to both the house or commercial building and the District's system.

B. The operator will inspect all service lines to establish that they were installed in accordance with these Regulations. Any cost to the District for additional inspections or other work shall be paid by the customer.

C. 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 operator at least 24 hours in advance of the time such inspection is desired.

D. 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.

E. Backfilling of the service line trench must be accomplished within 24 hours of inspection and approval. No debris will be permitted in the trench.

F. A connection permit will be granted after inspection confirms that all requirements of these Regulations have been met.

## VI. EXCLUDED FLOW AND WASTE

A. No waste material which is not biologically degradable will be permitted to be discharged into the District's sewage facilities, including mud and debris accumulated during 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 sewer system unless approved by the Board.

D. During or after construction of any part of the District's sewer collection system and prior to such part actually being placed in service, such part of the system shall be plugged so that no foreign material in such part will enter the rest of the system or the District's treatment facilities.

## VII. PROHIBITION ON USE OF LEAD

A. The use of pipes and pipe fittings that contain more than ~~8.0~~<sup>2.5</sup> 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.

## EXHIBIT E

### RULES AND REGULATIONS GOVERNING GREASE TRAPS IN FOOD HANDLING ESTABLISHMENTS, PUBLIC CAR WASHES, AUTOMOTIVE SERVICING AND/OR REPAIR ESTABLISHMENTS, PUBLIC WASHATERIAS, AND HAIR CUTTING 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 and hair cutting 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 (1) a grease trap or (2) other comparable device approved by the District’s Board of the Director’s (“Trap”), which fulfills the requirements of these Rules and Regulations and which shall be in compliance with requirements as established by the City of Houston (“City”). Specifications and requirements for such Trap shall be as follows and shall be submitted to and approved by the engineers for the District prior to installation:

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 modified City 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 modified City 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 modified City 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 modified City Drawing No. 359-S-1, attached hereto and made a part hereof for all purposes.