

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. 136 §

We, the undersigned officers of the Board of Directors (the "Board") of Harris County Municipal Utility District No. 136 (the "District"), hereby certify as follows:

1. The Board convened in regular session, open to the public, on January 14, 2021, at 6:00 p.m., via teleconference, in compliance with the guidelines approved by the Office of the Governor of the State of Texas upon request of the Office of the Attorney General, temporarily suspending a limited number of open meeting laws to allow telephonic meetings and to avoid congregate settings in physical locations in response to the coronavirus disaster. The roll was called of the members of the Board, to-wit:

Neil Polansky, President
Barry Greer, Vice President
Brent Phelps, Assistant Vice President
Adam Rodriguez, Secretary
Eric Worthington, Assistant Secretary

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

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as 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: _____ NOES: _____

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 such Meeting was open to the public, and public notice of the time, teleconference number, and purpose of such Meeting was given, all as required by the guidelines approved by the Office of the Governor of the State of Texas upon request of the Office of the Attorney General, temporarily suspending a limited number of open meeting laws to allow telephonic meetings and to avoid congregate settings in physical locations in response to the Corona virus disaster.

SIGNED AND SEALED this _____.

Secretary, Board of Directors

President, Board of Directors

(DISTRICT SEAL)

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THE STATE OF TEXAS §
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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	\$750.00
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.

The sanitary sewer tap and inspection fees shall be as follows:

Residential	\$50.00
Commercial	Three times the cost of the tap to the District.
Public School tap	Cost of the tap to the District plus 0.5¢ per square foot, but in no event more than three times the cost to the District.

“Park and Recreational”, as used herein, refers to any organization using or owning property within the District and maintaining such property and landscaping thereon as areas open to the public for recreational and park purpose.

The fee for inspection of sanitary sewer service line from a building foundation to the District’s sewer line shall be \$30.00.

The storm sewer connection inspection fee shall be \$85.00.

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 \$75.00. If there is a direct connection to the District’s water system, a backflow prevention device must be installed by the pool owner.

B. Installation and Inspection of Backflow Devices.

(1) All commercial users are required to provide, at users sole cost and expense, backflow prevention assembly in an accessible location on the premises from which service is taken from the water distribution system of the District. The backflow prevention assembly must be:

- (a) designed to operate on the reduced pressure principle; and
- (b) include a double check valve assembly.

(2) 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.

(3) 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.

(4) 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.

(5) To be a recognized backflow prevention assembly tester, a person shall meet the standards promulgated by the Commission.

(6) 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.

(7) 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.

(8) 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.

C. Customer Service Inspections.

(1) A customer service inspection certification in the form attached hereto as Exhibit "B" must be completed and delivered to the District: (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) Individuals with the following credentials (including the operator for the District) shall be recognized as capable of conducting a customer service inspection certification.

- (a) a. Plumbing Inspectors and Water Supply Protection Specialists holding license endorsement issued by the Texas State Board of Plumbing Examiners.
- (b) b. Certified Waterworks Operators and members of other water related professional groups who have completed a training course, passed an examination administered by the Commission or its designated agent, and hold an endorsement granted by the Commission or its designated agent.

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

(4) 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.

III. Requirements of Homebuilders.

Adjustments of Manholes, Fire Hydrants, Meter Boxes, and Clean Out Valves. A builder within the District must request that the District operator adjust manholes, fire hydrants, valve boxes, or clean-out valves within 30 days after the purchase of the lot where the manhole, fire hydrant, meter box, or clean-out valve is located. After such 30-day period, the builder will be responsible for the cost of any adjustment to District facilities.

IV. Customer Rates, Deposits, and Service Agreements.

A. Deposit. The District operator shall collect a security deposit of \$75.00 on each new residential connection or reconnection on each owner-occupied residential connection in the District and a security deposit of \$150.00 on each rented residential connection in the District and a security deposit of \$100.00 on each new commercial connection or reconnection in the District. The balance of any deposit remaining after payment of delinquent bills shall be refunded, without interest, when the resident or commercial establishment discontinues District service. If a resident or commercial establishment is delinquent in payment of amounts owed the District for 60 days or more, then the District may apply all or part of the deposit to its operating fund against the amount owed the District. If the District's Operator disconnects an account-user's service, then in addition to the reconnection fee, the account-user will be required at a minimum to (i) replenish the initial deposit of \$100.00 for owner occupied and \$150.00 for rented, if and to the extent previously offset, and (ii) pay an additional \$25.00 security deposit for owner-occupied and \$50 security deposit for rented, each time service is terminated for non-payment, for a total security deposit up to a maximum of \$400.00 for owner-occupied and \$500 for rented.

B. The following charges for water and sewage collection and disposal are hereinafter in effect and include a one-half of one percent regulatory assessment to be paid to the Texas Commission on Environmental Quality.

C. A fee per 1,000 gallons shall be assessed on each customer's water bill in an amount equal to 100% of the surface water per 1,000 gallons assessed by the West Harris County Regional Water Authority, as such pumpage fee may be revised from time to time. Such fee shall be listed separately on the customer's water bill.

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.

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. Notice of adoption of such rules and regulations has been published as required by law. The 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, attached hereto as Exhibit "E" are hereby adopted by the Board and shall be effective and enforceable immediately.

B. 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. The District shall not provide free water or sewer service to any person, firm, corporation, or organization.

B. Returned Check Fee. Customers who tender checks for payment of any fees listed in this Order and whose checks are returned unpaid to the District, or customers who participate in the automatic bank draft program and who do not have sufficient funds available on the payment date, shall be charged a \$15 fee, in addition to any and all other fees and charges due. Such returned checks shall not be considered as payment and the failure of such payment shall be considered to have existed from the time such check was originally tendered.

C. 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.

D. 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 of the Board 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.

* * *

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 Manufacturer _____ Model Number _____ Serial Number _____	~ ~ ~	Pressure Vacuum Breaker Atmosphere Vacuum Breaker Size _____ Located at _____
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	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 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.	~	~	~
(5) 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.	~	~	~

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	Registration Number
Title	Type of Registration
Date	

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 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”).

- 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 new water service; when there is reason to believe that cross-connections or other unacceptable plumbing practices exist; or after any major changes to the private plumbing facilities. 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
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.

II. SERVICE LINES

A. The “service line” is defined as the sewer line from the foundation of the house or commercial building to the sewer line owned by the District.

B. Only one service line may be connected to the District’s sanitary sewage collection system for each residence or commercial building.

C. The following types of pipe and fitting materials are approved for constructing service lines. Pipe and fittings in each individual service line must consist of the following material or other material approved by the District’s engineer.

(1) Vitrified clay pipe conforming to ASTM Specifications C700 with joint coupling conforming to ASTM Specifications C425 or C594 and installed according to ASTM C12.

(2) Cast iron soil pipe, standard weight, conforming to ASTM Specification A74 with rubber gasket joint coupling conforming to ASTM Specification C564.

(3) Poly-vinyl-chloride (PVC) pipe conforming to ASTM Specification D3034 or ASTM Specification F758 (with UL Listing) and installed according to ASTM D2321.

(4) Ductile-iron Pipe conforming to ANSI A21.51 with rubber gasket joints conforming to ANSI A21.11, and installed according to manufacturer’s recommendations.

(5) Acrylonitrile-butadiene-styrene (ABS) pipe, material conforming to ASTM Specification D2751.

D. Minimum sizes of service lines shall be as follows:

(1) Residential --- 4-inches in diameter

(2) Commercial --- 6-inches in diameter

E. Minimum grades for service lines shall be as follows:

(1) 4-inch pipe --- one foot drop per hundred feet (1%)

(2) 6-inch pipe --- six inches drop per hundred feet (0.5%)

(3) 8-inch pipe --- four inches drop per hundred feet (0.33%)

F. Maximum grades for service lines shall be as follows:

- (1) 4-inch pipe --- two and one-half feet drop per hundred feet (2.5%)
- (2) 6-inch pipe --- one and one-half feet drop per hundred feet (1.5%)
- (3) 8-inch pipe --- one foot drop per hundred feet (1%)

G. All service lines must be constructed to true alignment and grade. Warped and sagging service lines will not be permitted.

III. CONNECTION OF BUILDING SEWER OUTLET TO SERVICE LINES

A. Building tie-on connection must be made directly to the stub-out from the building plumbing at the foundation on all waste outlets.

B. Water-tight adapters of a type compatible with the materials being joined must be used at the point of connection of the service line to the building plumbing. No cement grout materials are permitted.

C. The District has provided wyes or stacks on all sanitary sewer lines and these existing wyes or stack connections must be utilized for connection of the service line to the sewer main unless an exception is permitted by the District's operator.

D. In all cases where the District's sanitary sewer line is on the opposite side of the street from the connection, the District has provided cross street runs generally at alternate lot corners. Connections shall be made to these cross street runs and not at any other location.

IV. FITTINGS AND CLEANOUTS

A. No bends or turns at any point will be greater than 45 degrees.

B. Each horizontal service line must be provided with a cleanout at its upper terminal; and each such run of piping which is more than 90 feet in length must be provided with a cleanout for each 90 feet, or fraction thereof, in the length of such piping.

C. Each cleanout must be installed so that it opens in a direction opposite to the flow of the waste and, except in the case of wye branch and end-of-the-line cleanouts, cleanouts must be installed vertically above the flow line of the pipe.

D. Cleanout must be made with air-tight mechanical plug.

V. CONNECTION PERMIT

A. An Application for Sanitary Sewer Service must be filed prior to construction of the service line. The water tap fee, sewer inspection fee, and any other applicable fees must all be paid at the same time. Application forms are available from the District's operator. Construction of the service line must not begin until authorized by the District operator. During construction of the service line, the line shall be plugged at the end of

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 .25 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. This requirement may be waived for lead joints that are necessary for repairs to cast iron pipe.

VIII. 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 correctly operating 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. Such backflow prevention devices must be tested and repaired as necessary, as specified in the Order.

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.

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.

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 City Drawing 533-S.
- (2) For washaterias having 11 to 20 machines, see City Drawing 534-S.
- (3) For washaterias having more than 20 machines, see City Drawing 531-S.

H. Each hair cutting shop shall have a Trap constructed pursuant to specifications as set out in modified City Drawing No. 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 modified City Drawing 534-S or 539-S-1, and not less than twice each month if such Trap is designated pursuant to modified City 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 City Drawing No. 516-S or 516-S-1 (see attached).

B. Maintain records on premises of all trip tickets in connection with disposal from the trap, such records to include the following information:

- (a) Volume of grease disposed,
- (b) Date of disposal,
- (c) Location of disposal site

C. Make available the records required in Section 4.B. above to the District and its operator and mail a copy of the same monthly to the office of the District operator.

Section 5. The District, from time to time as it deems necessary, may have its designated representative inspect any Trap subject hereof, 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 charge to the Establishment for inspection of any Trap shall be \$50.00.

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