

THE STATE OF TEXAS §

COUNTY OF HARRIS §

I, the undersigned officer of the Board of Directors of Harris County Water Control and Improvement District No. 1, Harris County, Texas, do hereby certify as follows:

1. The Board of Directors of Harris County Water Control and Improvement District No. 1 convened in regular session on the 14th day of February, 2023 at the regular meeting place within the boundaries of the District, and roll was called of the duly constituted officers and members of the Board, to-wit:

Leon R. Mullins	President
John H. Wright, III	Vice-President
Harvey Little	Secretary
Kenneth Boudreaux	Director
Michael A. Angelle, Sr.	Director

and all of said persons were present, except Director(s) _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting: a written

ORDINANCE ADOPTING AMENDED RATES AND FEES FOR SERVICES; RULES AND REGULATIONS; ESTABLISHING CERTAIN OTHER POLICIES AND PROVIDING PENALTIES AND VIOLATIONS THEREOF

was introduced for the consideration of the Board. It was then duly moved and seconded that the Ordinance be adopted; and, after due discussion, the motion, carrying with it the adoption of the Ordinance, prevailed and carried unanimously.

2. That a true, full and correct copy of the aforesaid Ordinance adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that the Ordinance has been duly recorded in the Board's minutes of the meeting; that 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; that 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 the aforesaid meeting, and that the Ordinance would be introduced and considered for adoption at the meeting, and each of the officers and members consented, in advance, to the holding of the meeting for such purpose; that the meeting was open to the public as required by law; and that public notice of the time, place and subject of the meeting given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code.

SIGNED AND SEALED on the 14th day of February, 2023.

Harvey Little
Secretary, Board of Directors

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HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

**ORDINANCE ADOPTING AMENDED RATES AND FEES FOR SERVICES; RULES
AND REGULATIONS; ESTABLISHING CERTAIN OTHER POLICIES AND
PROVIDING PENALTIES AND VIOLATIONS THEREOF**

Adopted: February 14, 2023

**ORDINANCE ADOPTING AMENDED RATES AND FEES FOR SERVICES; RULES
AND REGULATIONS; ESTABLISHING CERTAIN OTHER POLICIES AND
PROVIDING PENALTIES AND VIOLATIONS THEREOF**

INDEX

Section 1-1: Definitions.....	1
(a) "Customer".....	1
(b) "Out-of-District Customer".....	1
(c) "One Meter per Service Connection".....	1
(d) "Connection".....	1
Section 1-2: Rates.....	2
(a) Water In-District Fees:.....	2
(b) Water Out-of-District Fees:.....	2
(c) Bulk Water Sales for Construction:	2
(d) Fire Lines:	2
(e) Wastewater (Sanitary Sewer) In-District Fees:.....	2
(i) Residential:	2
(ii) Commercial:	2
(f) Wastewater (Sanitary Sewer) Out-of-District Fees:.....	2
(g) Multi-Units:.....	3
(h) Non-taxable organizations:	4
(i) No Free Service:.....	4
(j) Voluntary Fire Department Donation:	5
(k) Regulatory Assessment:	5
(l) Payment Options:	5
Section 1-3: Deposits.....	5
Section 1-4: Connection, Tap, Capacity, and Inspection Fees	6
(a) Initiation of Water and Sanitary Sewer Connections:.....	6
(b) Policies Governing Connections:.....	6
(c) Water Taps.	7
(d) Sewer Taps	7
(e) Application and Proof of Residency:	10
(f) Grease Traps:.....	10
(g) Plumbing Regulations:	11
(h) Backflow Prevention:.....	12
(i) Testing of Backflow Prevention Assemblies:	13
(j) Wastewater (Sanitary Sewer) Out-of-District Connection Fee:.....	13
(k) In-District and Out-of-District Tap Fees - Residential:	13
(l) In-District and Out-of-District Tap Fees – Commercial/Residential:.....	13

(m)	In-District and Out-of-District Inspection Fee:.....	14
(n)	Installation of 3/4" Water Meter for an account no longer in the billing system:.....	14
(o)	Installation of 1" or larger Water Meter:.....	14
(p)	Customer's request to move Water Meter or Sewer Tap:	14
(q)	Customer Service Inspection:.....	14
Section 1-5:	Mandatory Connections	15
Section 1-6:	Miscellaneous Fees	15
(a)	Insufficient Check Charge.....	15
(b)	Delinquent Letter Fee.....	15
(c)	Service Charge for Delinquent Collections	15
(d)	Service Charge for Meter Lock off or Meter Removal	15
(e)	Re-connect Fee	15
(f)	Pull Meter Fee	15
(g)	Broken Lock/Cutoff	15
(h)	Broken Meter Actual cost of meter and labor	15
(i)	As per the District's Regulation of Discharge of Industrial Waste into the Sanitary Sewer System of the District.....	16
(j)	Grease Trap Inspection Fee	16
(k)	Deposit for Consultant(s) Fees for Processing Request for Water and Sewer Service:..	16
(l)	Damage to District Facilities or Equipment:.....	16
(m)	Late Penalties.	16
(n)	Request for Confidentially	16
Section 1-7.	Service Policy	16
(a)	Billing Procedures:.....	16
Section 1-8:	Enforcement of Rules and Regulations.....	17
(a)	Any and all of the following remedies may be employed by the District to abate and prevent any violation of the provisions of the Rules and Regulations or this Ordinance:.....	17
(b)	Illegal Connection Penalties and Remedies.	18
(c)	Non-Waiver.	19
(d)	Appeal.	19
Section 1-9:	Rules and Regulations Governing Mobile Food Establishments.....	19
Section 2:	Effective Date	20

**ORDINANCE ADOPTING AMENDED RATES AND FEES FOR SERVICES; RULES
AND REGULATIONS; ESTABLISHING CERTAIN OTHER POLICIES AND
PROVIDING PENALTIES AND VIOLATIONS THEREOF**

STATE OF TEXAS	§
COUNTY OF HARRIS	§
HARRIS COUNTY WATER CONTROL	§
AND IMPROVEMENT DISTRICT NO. 1	§

WHEREAS, the Board of Directors (the "Board") of Harris County Water Control and Improvement District Number One (the "District") has from time to time amended its Ordinance Adopting Rates and Fees for Services; Rules and Regulation; Establishing Certain Other Policies and Providing Penalties and Violations Thereof (the "Rate Ordinance"); and

WHEREAS, the Board has determined that it is in the best interest of the District to amend its Rate Ordinance; Now, Therefore,

**BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE HARRIS
COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 THAT:**

Section 1-1: Definitions

The following words or phrases shall have the meanings indicated below:

- (a) "Customer" – means any customer that uses the District's water and/or sewer system including but not limited to, residential (including mobile home and recreational vehicles,) commercial (including motels and/or hotels), industrial, or retail establishments, apartments and multi-family dwelling units, churches, schools, recreational facilities, and clubs.
- (b) "Out-of-District Customer" – means a customer outside the boundaries of the District who has received prior approval for such service from the Board of Directors of the District.
- (c) "One Meter per Service Connection" – in accordance with Texas Commission on Environmental Quality (TCEQ) one meter is required for each residential, commercial, or industrial service connection. An apartment building or mobile home park may be considered by the utility to be a single commercial facility.
- (d) "Connection" – a single family residential unit or commercial or industrial establishment to which drinking water is supplied from the system.

Section 1-2: Rates

On or after the effective date of this ordinance, the following rates apply to all customers:

(a) Water In-District Fees:

Minimum of \$15.50 per unit for the First 2,000 gallons per unit, then \$7.40 per 1,000 gallons thereafter.

(b) Water Out-of-District Fees:

Each out-of-district customer shall be charged a monthly surcharge of 1-1/2 times the water rates established in this Section 1-2(a).

(c) Bulk Water Sales for Construction:

Minimum of \$40.00 for the First 2,000 gallons, then \$15.00 per 1,000 gallons thereafter.

(d) Fire Lines:

Fire lines installed to serve Customers shall be subject to the same fees, charges, and rules as commercial connections, except for water usage fees. The District shall charge a monthly service fee of \$30.00 per month for each fire line and water usage fees of \$5.00 per 1,000 gallons.

(e) Wastewater (Sanitary Sewer) In-District Fees:

(i) Residential:

Minimum of \$15.50 per unit for the FIRST 2,000 gallons per unit, then \$5.00 per 1,000 gallons for the next 18,000 gallons per unit, with a cap at 18,000 gallons over minimum. Any unit not connected to the District's water system shall be charged the maximum residential sewer rate.

(ii) Commercial:

Minimum of \$15.50 per unit for the FIRST 2,000 gallons per unit, then \$5.00 per 1,000 gallons thereafter.

(f) Wastewater (Sanitary Sewer) Out-of-District Fees:

Each out-of-district customer shall be charged a monthly surcharge of 1-1/2 times the wastewater (sanitary sewer) rates established in this Section 1-2(d) with a cap at 18,000 gallons over minimum.

(g) Multi-Units:

RV parks, hotels and motels, apartment houses, manufactured home rental communities, and multiple businesses or residences on one meter shall pay minimum water and sanitary sewer charge per unit as stated below.

(i) Transient Residential uses are defined as those commercial master metered, RV parks, hotels and motels with four (4) or more spaces or rooms available for rent.

1. A RV park is a commercial property on which service connections are made for recreational vehicle transient guest use and for which fees are paid at intervals of one day or longer.
2. A hotel or motel is a commercial property with four (4) or more rooms available for transient guest use and for which fees are paid at intervals of one day or longer.

(ii) Multi-Family Residential uses are defined as those master metered, multi-family residential uses, such as apartment houses and manufactured home rental communities.

1. An apartment house is a building or buildings containing five (5) or more dwelling units that are occupied primarily for non-transient use, including a residential condominium whether rented or owner occupied, and if a dwelling unit is rented, having rental paid at intervals of one month or longer.
2. A manufactured home rental community is a property on which spaces are rented for the occupancy of manufactured homes for non-transient residential use and for which rental is paid at intervals of one month or longer. These uses do not include such occupancies that provide rooms or manufactured home accommodations on a per night basis.

(iii) Multi-Family Residential and Transient Residential uses shall pay a monthly minimum water and sanitary sewer bill charge per unit based upon ninety (90%) percent of the total number of apartment units, RV hookups, manufactured homes, or hotel/motel rooms, whichever is applicable. The surcharge for water and wastewater shall be in addition to the monthly minimum bill charge per unit.

(iv) Multiple Business uses are defined as master metered, commercial facilities with multiple tenant spaces that are not residential. Typically, these uses rent or lease individual tenant spaces for business occupancies. These Multiple Business uses shall pay a monthly minimum bill charge based upon the number of units in the facility served by that master meter whether or not occupied.

- (v) A vacant apartment building may be removed from the District's billing provided the water line to the building is physically disconnected and plugged on the exterior of the building in a manner acceptable to the District Plumbing Inspector and said disconnection shall be visible at all times to the District Plumbing Inspector. Individual family units do not qualify for this exemption.
- (vi) To be removed from the District's billing all RV and manufactured home spaces must be vacant and the water service line must have all faucets removed and the line capped. The sewer service riser must be capped with at least a 4-inch thick concrete block or glued PVC cap.
- (vii) Multiple houses on same water meter must be vacant to be removed from the District's billing. Additionally, the water service line must be physically disconnected and plugged on the exterior of the building in a manner acceptable by the District Plumbing Inspector and said disconnection shall be visible at all times to the District Plumbing Inspector.
- (viii) Any application for reduction in number of units being billed must be made in person at the District's office, along with payment of Inspection Fees based on the monthly minimum bill for water and sewer at the time, per unit/space being reduced. Applications are limited to two (2) times per year. After a reduction, an application to increase the number of units up to the original counts as a second application and will require the payment of Inspection Fees in the same amount as well as costs for a new commercial utility commitment letter. The District cannot guarantee that it has the same available capacity as prior to the reduction.

(h) Non-taxable organizations:

In accordance with the limitations set by Section 49.212 of the Texas Water Code, water and sewer connections to non-taxable entities are made at the District's actual cost.

(i) No Free Service:

No free service shall be granted to any customer for services furnished by the District's water and sewer system including any customer that is a charitable or eleemosynary institution, a political subdivision, or municipal corporation. All charges for water and sewer service shall be made as required herein.

Property owned by Churches used for religious purposes only and Civic Organizations shall be charged \$3.50 per 1,000 gallons for water service and \$1.00 for sanitary sewer service per month, this applies only to those who were given this discounted rate prior to September 13, 2016.

(j) Voluntary Fire Department Donation:

Pursuant to Section 49.351, Texas Water Code, the District may, as part of its billing process, collect voluntary monthly donations of \$2.50 per account on behalf of the volunteer fire department providing fire-fighting services in the District. Water and sewer service may not be terminated as a result of failure to pay the voluntary donation.

(k) Regulatory Assessment:

Pursuant to Section 5.235, Texas Water Code and 30 TAC 291.76, the District shall pay a regulatory assessment to the Texas Commission on Environmental Quality (the "TCEQ") annually in the amount required by law on the total charges for retail water and wastewater (sanitary sewer) service billed to its customers annually.

(l) Payment Options:

Customers may pay their fees and charges to the District by cash, check or credit card. Credit Card payments may result in a convenience fee. Such convenience fee is the sole responsibility of the Customer and is separate from any amount owed by the Customer to the District. Non-payment of any such convenience fee shall subject the Customer to termination of service in accordance with this Ordinance. If any Customer payment is refused or returned by the processing financial institution, the District will charge the Customer a return item fee of \$25.00.

Section 1-3: Deposits

All customer accounts are required to have a service deposit. The only exceptions are governmental agencies, public education facilities, public utilities, and current customers as of the date of this ordinance not previously required to have a service deposit. All deposits shall be held by the District until all water and/or wastewater (sanitary sewer) have been terminated. Upon termination of service, the deposit shall be refunded in full providing the current balance owed the District for water and/or wastewater (sanitary sewer) is paid in full. In the event any outstanding balance exists as the time of termination of service on any account the District, the customer's deposit shall be applied to the outstanding balance.

Water and Wastewater (Sanitary Sewer) In-District and Out-of-District Deposits:

Single-family residence Deposit Fee\$250.00

Commercial Deposit Fee (Average of 10,000 gallons or less per month).....\$250.00

Multi-Unit Commercial (RV and mobile home parks).... \$ 50.00 per RV/mobile home site

Multi-Unit Commercial (apartments, duplexes, multiple businesses)..... \$ 125.00 per unit

High Volume User (Average over 10,000 gallons per month)... Two Months Average Bill
(car wash, laundry, food service, service stations, etc.)

Section 1-4: Connection, Tap, Capacity, and Inspection Fees

(a) Initiation of Water and Sanitary Sewer Connections:

Each person desiring a water and sanitary sewer service connection to the District's System shall be required to pay such fees as set forth in this Ordinance. No service shall be established or re-established until such fees are paid. All service connections are subject to the provisions of the District's Rules and Regulations and all other rules, regulations and policies of the District.

(b) Policies Governing Connections:

(i) Certification of Private System:

Before any new tap connection or initiation of service to a property that the District requires a new meter be installed, the property owner shall present the District with a permit from Harris County approving the construction or reconstruction of the structures on the property, or other similar documentation from the County as required by the District. The purpose of this section is to ensure that the property complies with the property is designed to meet the requirements of the applicable plumbing codes and the District's plumbing regulations.

(ii) Certification of District System Capacity:

Before any non-single family residential connection or connection of more than two residential units on any tract, platted property or development plan is made to the District's water and sewer system, the person requesting such connection shall submit an application for service stating the amount of water and sewer requested and payment of \$5,000 to the District, a \$3,000 administrative fee for review of the application and a \$2,000 deposit for engineering consulting fees to review the application. The unused portion of the \$2,000 engineering deposit shall be returned to the applicant following either rejection of the application or completion of construction and set up of a water account. After Engineering and Board approval, the District's engineer will issue a letter of capacity. The letter will outline the steps needed to receive water and sewer service. Such letter will include, but not limited to: a 180 day expiration date for said letter. Fourteen (14) days prior to the appropriate board meeting the applicant shall submit a set of plans to the District's engineer for review and approval. The plans shall include the water sanitary sewer specifications for the property for which the connection is sought. Such plans shall clearly show the estimated volumes of water or effluent and the proposed points of connection to the District's system. A copy of such approved plans, with the engineer's approval indicated thereon, shall be submitted to the District on or before the Board meeting. If approved and the applicant has the permit from Harris County they shall be permitted to pay the tap fees and the account deposit. Any modification of such plans shall require

reapproval by the District's engineer. If no progress is made in the 180-day period the used portion of the engineering consulting deposit is forfeited and the letter is void. Upon the payment an administrative fee of \$1,000, the applicant may request the Board to extend the capacity letter an additional 90-days. The District reserves the right to require removal of any connection made in violation of this section. For properties, tracts or developments with multiple units, the District may require separate connections to the District's systems for each unit or for all units to be served by a master meter/connection to the District's systems.

(iii) Availability of Access/Obstructions:

By application for connection to the District's System, the Customer shall be deemed to be granting to the District and its representatives a right of ingress and egress to and from the meter or point of service for such installation, maintenance and repair as the District, in its judgment, may deem reasonably necessary. The Customer shall also be deemed to be granting to the District and its representatives a right of ingress and egress to the Customer's premises, for the purpose of performing the inspections and completing the Customer Service Inspection Certificates required by the District's Rules and Regulations.

(c) Water Taps: This term includes service lines from main line to property line, connections, meter box and water meter. Water taps must be paid in advance. Service lines must be a minimum of ¾" Pipe Poly-vinyl-chloride (PVC) SCH 40 pipe and conform to the District's Plumbing Regulations as stated in Section 1-4(g).

All connections to the waterworks of the District shall be made by the District's operator or approved contractor and shall be metered. When a commercial water tap is completed and prior to back-filling the tap, the applicant for water service must request an inspection of the installation. Request for inspections must be made to the District twenty-four (24) hours in advance of the inspection. The charge for inspection of all taps of water taps within the District is described in In-District and Out-of-District Tap Fees.

(d) Sewer Taps: In addition to the District's Plumbing Regulations stated in Section 1-4(g), the following regulations are to govern the installation of all sanitary connections made to the District's sanitary sewer system, wither within or outside the boundaries of the District:

(i) Service Lines:

1. Service line is defined as a sewer line from the foundation of the house or commercial building to the sanitary sewer line owned by the District.
2. Only one service line connection to the District's sanitary sewer collection system is permitted for each residence or commercial building.
3. Only the following types of pipe and fitting materials must be approved for constructing service lines. Pipe and fittings in each individual service line must be of identical material.

4" Pipe Poly-vinyl-chloride (PVC) Sch 40 pipe conforming to ASTM Specification D1785 and installed according to ASTM D2321.

6" & 8" Pipe Poly-vinyl-chloride (PVC) SDR 35 pipe conforming to ASTM Specification D3034 or Sch 40 ASTM Specification D1785 and installed according to ASTM D2321.

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

Residential	4" in diameter
Commercial	4" in diameter

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

4" pipe	12" drop per 100' (1.00%)
6" pipe	6" drop per 100' (0.50%)
8" pipe	4" drop per 100' (0.33%)

6. Maximum grades for service line shall be as follows:

4" pipe	30" drop per 100' (2.50%)
6" pipe	12" drop per 100' (1.50%)
8" pipe	12" drop per 100' (1.00%)

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

8. The service line must be placed on cement stabilized sand bedding. There must be a minimum of 4 inches of cement stabilized sand from the bottom of the service line to undisturbed natural soil, a minimum of 4 inches of cement stabilized sand on each side of the service line and a minimum of 4 inches of stabilized sand above the top of the service line, this shall be placed in the excavation from the main line to the clean-out. All excavations under the roadway shall be back filled with cement stabilized sand to the bottom of the roadway subgrade. All cement stabilized sand shall be placed in loose 8 inch thick layers and compacted before the next layer is placed, the District inspector must be present during this back filling. No debris will be permitted in the trench.

(ii) Connection of Building Sewer Outlet to Sanitary Sewer Service Lines:

1. Building tie-on connections for all waste outlets must be made directly to the stub-out from the building plumbing at the foundation.
2. Watertight 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 will be permitted.

3. Existing "Y" and stack connections must be utilized for connection of the service line to the District's sanitary sewer main unless an exception is permitted by the District's engineer.

(iii) Fittings and Clean-outs:

1. Any bends or turns at any point within the service line must be not greater than 45 degrees.
2. Each horizontal service line must be provided with a clean-out at its upper terminal; and each such run of piping which is more than ninety (90) feet in length must be provided with a clean-out for each ninety (90) feet or fraction thereof, in the length of such piping.
3. All service lines must have a clean-out installed at the property line in the utility easement at ground level or above. The District will maintain and repair the service line from this clean-out to the District's main line. Clean-outs must be made with airtight mechanical plugs.

(iv) Connection Permit:

1. Application for sanitary sewer service must be filed prior to construction of the service line and the connection fee must accompany this application. (Application forms are available at the District's office at 125 San Jacinto.)
2. Upon obtaining authorization from the District, the person requesting service shall have a licensed, bonded plumber construct the service line and make the tap to the District's sewer line in accordance with the instructions of the District and its rules regarding such taps.
3. When the service line is completed, and prior to back-filling the pipe trench, the applicant for sanitary sewer service must request an inspection of the installation. Request for inspections must be made to the District twenty-four (24) hours in advance of the inspection. The charge for inspection of all taps of sewer lines within or outside the District is described in In-District and Out-of District Tap Fees.
4. The physical connection to the District's sanitary sewer main must be made by use of an adapter of a type compatible with materials being joined. The connection must be watertight. No cement grout material is permitted.

(v) Excluded Flow and Waste:

1. No waste material, which is not biologically degradable, will be permitted to be discharged into the District's sanitary sewer facilities, including, but not limited to mud and debris accumulated during service line installation.
2. No downspout, yard or street drains or gutters will be permitted to be connected to the District's sanitary sewer system.
3. Swimming pool connections shall not be made to the District's sanitary sewer system.
4. 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 part of the District's waterworks and sewer system any debris or foreign substance that would interfere with the proper and routine functioning thereof. Each such discharge shall constitute a separate violation and in the event discharge is continuous, each day such discharge continues shall constitute a separate violation.
5. Failure to adhere to the preceding construction regulations will result in a fine as detailed in Section 1-8 Enforcement of Rules and Regulations, to be paid by customer of the District.

(e) Application and Proof of Residency:

Each person desiring water or sewer services shall be required to sign and complete an application requesting such service and to pay such fees as established by this Ordinance prior to the commencement of service. Such application shall be in the form approved by the Board of Directors. Evidence of the Customer's residency within the District, in the form of a paper copy of a rental agreement or paper copy of the deed, must be provided to the District as part of the application for water or sewer service.

(f) Grease Traps:

Rules and regulations governing grease and lint traps in food handling establishments, public car washes, automotive servicing and/or repair establishments, public washaterias and hair cutting shops shall be as follows:

- (i) "Establishment" means any business receiving service from 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 of 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.

- (ii) Each Establishment shall be required to have a grease and/or lint trap (the "Trap") approved by the District's engineer and operator which shall be in compliance with requirements as established by the District and regulatory agencies.
- (iii) Each Establishment shall clean traps periodically as necessary to maintain and be in compliance with standards as set out herein.
- (iv) Each Establishment subject to the condition hereof shall:
 - 1. Maintain a sampling well with easy access for inspectors.
 - 2. Maintain records on premises of all gallonage removed from the Trap.
 - 3. Maintain records on premises of all trip tickets in connection with disposal from the Trap and furnish copies to the District
 - 4. Make available the records required in items 2 and 3 above to inspectors for the District when requested and as authorized herein below.
- (v) The District from time to time as it deems necessary, may have its designated representative inspect any Trap subject hereto, such 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 from same and to inspect all records maintained in connection with the Trap as required herein. The cost of each inspection shall be charged to the Establishment. For cost see Section 1-6, Miscellaneous Fees.
- (vi) 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 per one (1) liter of discharged water.
- (g) Plumbing Regulations:

Pursuant to State regulations, the District prohibits the following plumbing practices.

Water service shall not be provided or restored to any plumbing facility or connection which provides water for human use until it is determined by the District that such facility of connection is in compliance with the following provisions. Compliance with the provisions of this section may be demonstrated by the completion of a customer service inspection and service inspection certification as described in Section 1 of this Ordinance.

- (i) 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.

- (ii) 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.
 - (iii) No connection which allows water to be returned to the public drinking water supply is permitted
 - (iv) No pipe or pipe fitting which contains more than 0.25% lead may be used for the installation or repair of plumbing at any connection, which provides water for human use.
 - (v) 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.
 - (vi) All commercial taps must have an approved and tested backflow preventer installed by a licensed plumber.
 - (vii) All irrigation systems must have an approved backflow prevention device.
- (h) Backflow Prevention:
- (i) 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 American Water Works Association "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 this Ordinance.
 - (ii) The Customer shall, at its own expense, properly install, test and maintain in accordance with State regulations such backflow prevention device, and shall provide all testing and maintenance records to the District. If the Customer fails to comply with the requirements of this section, the District may, at its option, terminate service to the Customer until such requirements have been satisfied. The District shall consider the existence of a serious threat to the integrity of the District's water system or the possibility of contamination of the District's water supply to be sufficient grounds for immediate termination of water service to any Customer. In the event water service to a Customer is terminated pursuant to this section, the District shall restore water service only after it determines that the source of potential contamination no longer exists or when sufficient additional safeguards have been taken.

(i) Testing of Backflow Prevention Assemblies:

- (i) All backflow prevention assemblies shall be tested after installation by an approved backflow prevention assembly tester (as defined in 30 Texas Administrative Code Section 290.44 (h) (4)) and shall be certified to be operating within specifications. Backflow prevention assemblies installed must be tested and certified annually by an approved backflow prevention device tester.
- (ii) For each backflow prevention assembly tested, a signed and dated original Backflow Prevention Test and Maintenance Report must be completed by the backflow prevention assembly tester and submitted to the District. The District shall maintain the Backflow Prevention Test and Maintenance Reports for a minimum of three (3) years.

(j) Wastewater (Sanitary Sewer) Out-of-District Connection Fee:

Each out-of-district customer shall be charged a connection fee of \$2,000.00. This connection fee shall be in addition to the tap fee, which the District charges all of its customers.

(k) In-District and Out-of-District Tap Fees - Residential:

If the District is unable to perform the service to make the tap because the District does not have the requiring equipment or capabilities to perform the services, the District: (1) shall charge 1.5 time the actual construction costs; or (2) at the discretion of the general manager, the District may allow the customer to perform the work using a contractor approved by the District and shall charge 1-1/2 times actual cost for the meter and meter box, or clean out box, as applicable, plus an inspection fee at 1-1/2 times cost to the District. Otherwise, the District shall charge the following for tap fees:

3/4" Water Tap Residential.....\$1,935.00
plus any asphalt, concrete and/or landscaping work incurred by the District while making the tap.

4" Residential Sewer Tap.....\$1,890.00
plus any asphalt, concrete and/or landscaping work incurred by the District while making the tap.

(l) In-District and Out-of-District Tap Fees – Commercial/Non-Residential:

3/4", 1", 2", 3" and any other size Water Tap Commercial..... 1-1/2 times actual cost for the meter and meter box. All labor will be provided by the customer using an approved contractor. Plus an inspection fee at 1-1/2 times cost to the District.

4", 6", 8" and any other size Commercial Sewer Tap..... 1-1/2 times actual cost for a clean out box. All labor will be provided by the customer using an approved contractor. Plus an inspection fee at 1-1/2 times cost to the District.

(m) In-District and Out-of-District Inspection Fee:

Service Line Inspection Fee.....\$ 30.00

(n) Installation of 3/4" Water Meter for an account no longer in the billing system:

\$500.00

(o) Installation of 1" or larger Water Meter:

1-1/2 times actual cost for materials and labor

(p) Customer's request to move Water Meter or Sewer Tap:

1-1/2 times actual cost for materials and labor

(q) Customer Service Inspection:

(i) A customer service inspection is an examination of the private water distribution facilities for the purpose of providing or denying water service and is not a plumbing inspection as defined and regulated by the Texas State Board of Plumbing Examiner (TSBPE). A customer service inspector is not permitted to perform plumbing inspections. Only TSBPE licensed plumbing inspectors are permitted to perform plumbing inspections of all new plumbing and alterations or additions to existing plumbing.

(ii) Pursuant to TCEQ Water System Regulations, a customer service inspection for the identification and prevention of cross-connections, potential contaminant hazards, and illegal lead materials shall be completed by the District's customer service inspector prior to providing continuous water service in each of the following circumstances:

1. Water service to a newly constructed facility or previously non-existing premises.
2. After any material improvements to buildings(s) or premises.
3. Any correction or addition to the plumbing of any facility or premises.

(iii) Permanent water service shall not be supplied until after the customer service inspection is completed, if required, and the District has a copy of the customer service inspection certificate on file.

- (iv) A Customer Service Inspection Fee of \$50.00 shall be charged to all residential customers.
- (v) A Customer Service Inspection Fee of \$100.00 shall be charged to all commercial and/or industrial customers.
- (vi) Copies of properly completed customer service inspection certificates shall be kept on file by the District and made available, upon request, for TCEQ review. Inspection certificates shall be retained for a minimum of ten (10) years. Failure to provide a customer service inspection certificate in accordance with this Section shall constitute a violation of these Rules and Regulations and such violation shall be subject to enforcement provisions set forth in this Rate Order and TAC § 290.46(j).

Section 1-5: Mandatory Connections

All property within the District shall connect onto the District's water system and sanitary sewer system and shall use the District's water and sewer treatment system. The Board of Directors of the District may, but is not required to, authorize the use of private or non-District water production facilities and/or wastewater holding or treatment facilities for a specific property if the Board determines it is in the best interest of the District.

Section 1-6: Miscellaneous Fees

- (a) Insufficient Check Charge: In the event the District received a returned check from the bank due to insufficient funds, the District Office or its authorized representative will notify the customer immediately by telephone or by mail. An insufficient check charge of \$25.00, together with the face value of the check, must be made in either monetary or money order or service shall be terminated.
- (b) Delinquent Letter Fee: For each delinquent letter mailed to an account the District will charge a fee of \$5.00.
- (c) Service Charge for Delinquent Collections\$25.00
- (d) Service Charge for Meter Lock off or Meter Removal due to Turn Off of Water Service for Delinquency that has been turned back on by customer\$100.00
- (e) Re-connect Fee.....\$25.00
- (f) Pull Meter Fee.....\$100.00
- (g) Broken Lock/Cutoff.....\$100.00
- (h) Broken Meter Actual cost of meter and labor

(i) As per the District's Regulation of Discharge of Industrial Waste into the Sanitary Sewer System of the District, which was enacted by Ordinance 89-1 and may be amended from time to time, there shall be an annual fee of \$500.00 for an Industrial Waste Permit. If such Industrial Waste Permit is not renewed by February 28, the Customer shall be charged a late fee of \$500.00 in addition to the annual fee.

(j) Grease Trap Inspection Fee\$30.00

(k) Deposit for Consultant(s) Fees for Processing Request for Water and Sewer Service:

Single family connection, existing or new, not to exceed 2 connections No Deposit

All others..... See Section 1-4(b)(ii)

(l) Damage to District Facilities or Equipment:

(i) Damage to Meter and Appurtenances: No person other than a duly authorized agent of the District shall tamper with or in any way interfere with a meter, meter box, service line or other water and/or sewer system appurtenance. The District reserves the right, immediately and without notice, to remove the meter or disconnect water service to any Customer whose meter has been tampered with and to assess repair charges to the Customer, plus a damage fee of \$50.00.

(ii) Right to Repair: The District reserves the right to repair any damage to the District's system and appurtenances without prior notice to assess against any Customer such penalties as are provided by law and such penalties provided for in this Rate Ordinance in addition to those charges necessary to the portion of the system so damaged.

(m) Late Penalties: All customers except those who have notified the District that they are age 60 or older, in accordance with the Texas Utility Code § 182.002, shall be charged a late penalty of 10% of the unpaid balance of any amount owing the District after the due date. Customers age 60 or older have 25 days to pay without incurring a penalty or late charge.

(n) Request for Disclosure of Confidential Information: Customers may request disclosure of their utility account information, including usage amounts and amounts billed, or personal information, including address, telephone and social security number, to a person other than the customer or the customer's representative by providing the District office with a completed District form authorizing such disclosure. Otherwise, such information shall be confidential, and the District will not provide such information to a person who is not the customer or the customer's authorized representative. . (Texas Utility Code §182.052)

Section 1-7. Service Policy

(a) Billing Procedures:

- (i) Due Date and Delinquency: Payment shall be due on the 16th day of the current month. After such date, a late charge of ten percent (10%) will be assessed on the unpaid balance on the water and sewer bill. All accounts not paid by the due date shall be deemed delinquent and failure to make payment thereafter may result in the termination of water and sewer service.
- (ii) Notice and Appeal: Prior to termination of service, a Customer who is delinquent in payment shall be sent a notice that service will be discontinued on the 10th day after the date of such notice unless payment in full is received by such day. Notice shall be sent by first class United States mail and will provide the Customer with an opportunity to appear in person or by written correspondence at a scheduled meeting of the Board of the district to contest, explain, or correct the charges, services, or disconnection. The notice shall inform the customer of the amount of the delinquent bill, the date service will be disconnected if payment is not made, and the right to contest, explain, or correct the charges, services, or disconnection. Service shall not be disconnected where a Customer has informed the District or the District's Operator of his or her desire to contest or explain the bill. If the Customer appears before the board, in person or by written correspondence, the Board shall hear and consider the matter and inform the Customer of the Board's determination by sending written notice to the Customer by first class United States mail stating whether service will be continued or discontinued. If service is discontinued, it shall be reinstated only upon payment in full of all amounts due.
- (iii) Entitlement: Customers are not guaranteed a specific quantity or pressure of water or specific capacity in sewer facilities for any purpose whatsoever; furthermore, in no instance shall the district be liable for failure or refusal to furnish water or any particular amount or pressure of water or to provide capacity in sewer facilities.
- (iv) Non-Payment of Taxes: The District may discontinue any or all facilities or services to prevent an abuse or to enforce payment of an unpaid charge, fee, or rental due the District (including taxes that have been delinquent for not less than six (6) months) upon observance of the procedure appropriate to the circumstances

Section 1-8: Enforcement of Rules and Regulations

- (a) Any and all of the following remedies may be employed by the District to abate and prevent any violation of the provisions of the Rules and Regulations or this Ordinance:
 - (i) Discontinuance of water service.
 - (ii) Disconnection and sealing of wastewater (sanitary sewer) connection.
 - (iii) The Board hereby imposes the following civil penalties for breach of any rule or regulation of the District: the violator shall pay the District twice the costs the

District sustained due to violation up to \$10,000. For continuing violations, each day that the violation continues shall be considered an additional occurrence. A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorney's fees shall be fixed by the court.

- (iv) A Customer found in violation of these Rules and Regulations shall be liable to the District for all expenses borne by the District including laboratory fees, legal fees, engineering fees and other costs incurred by the District in establishing the violation and resolving the cause of the violation.
- (v) A Customer found in violation of these Rules and Regulations who causes or contributes to a violation by the District's Sanitary Sewer Collection System of effluent parameters shall be liable to the District for all expenses borne by the District, including legal and engineering fees related to any lawsuit filed by federal, state, or local authorities regarding violations by the District of effluent parameters applicable to the District's Sanitary Sewer Collection System.
- (vi) Where a Customer discharges wastewater to the District's waste disposal system in violation of these Rules and Regulations and such discharge causes or contributes to contamination of sludge from the wastewater treatment plant, the Customer shall be liable for all costs borne by the District in disposing of the contaminated sludge over and above costs regularly incurred in sludge disposal.

(b) **Illegal Connection Penalties and Remedies:** Notwithstanding any provision of the District's rules and regulations, the following policy and procedure shall apply to illegal connections.

- (i) First Notice of Failure to Disconnect Illegal Connection. Should any illegal connection to the District's water and/or sewer system not be disconnected within 72 hours of written notice to disconnect from the District, a penalty of \$50.00 will be automatically assessed against the owner and tenant who shall each be held jointly and separately liable for payment of such penalty. In addition, a continuing penalty of \$25.00 per day shall be assessed for each day following the assessment of the \$50.00 penalty that such property remains illegally connected to the District's water and/or sewer system.
- (ii) Reconnection of Illegal Connection After Notice. Should any illegal connection to the District's water and/or sewer system for which a written notice has been issued by Section 1-8(b)(i) be reconnected without complying with the District's rules and regulations and not be disconnected within 24 hours of written notice to disconnect from the District, a penalty of \$200.00 will be automatically assessed

against the owner and tenant who shall each be held jointly and separately liable for payment of such penalty. In addition, a continuing penalty of \$25.00 per day shall be automatically assessed for each day following the assessment of the \$200.00 penalty that such property remains illegally connected to the District's water and/or sewer system.

- (iii) Subsequent Reconnection of Illegal Connection After Notice. Should any illegal connection to the District's water and/or sewer system for which a written notice has been issued by Section 1-8(b)(i) and Section 1-8(b)(ii) be reconnected without complying with the District's rules and regulations, a penalty of \$300.00 will be automatically assessed against the owner and tenant who shall each be held jointly and separately liable for payment of such penalty. In addition, a continuing penalty of \$25.00 per day shall be automatically assessed for each day following the assessment of the \$300.00 penalty that such property remains illegally connected to the District's water and/or sewer system.
 - (iv) Disconnection of Illegal Connection. At any time, the District shall have the right to disconnect any illegal connection to the District's water and/or sewer system without notice. The actual cost of such disconnection shall be assessed against the property owner and/or tenant as a penalty for such connection. Such penalty amount shall be in addition to automatic penalty amounts assessed pursuant to Section 1-8(b)(i)-(iii) above, and said property owner and/or tenant shall both be jointly and separately liable to the District for payment of such costs.
 - (v) Discontinuance of Service for Illegal Connection. In addition to any other rights to terminate service, the District, either through its General Manager or the Board of Directors, may order the immediate termination of service to the property owner and/or tenant if an illegal connection continues after 72 hours of written notice under Section 1-8(b)(i), continues after 24 hours of written notice under Section 1-8(b)(ii), or is reconnected after a written notice under Section 1-8(b)(ii).
- (c) Non-Waiver. The failure on the part of the District to enforce any section, clause, sentence, or provisions of this Ordinance or of the District's Rules and Regulations shall not constitute a waiver of the right of the District later to enforce and section, clause, sentence, or provision of this Order or of the District's Rules and Regulations.
- (d) Appeal. Any dispute regarding the terms and provisions of this Order may be appealed to the District's General Manager, who may take the appeal before the Board of Directors if the District's General Manager believes such action is necessary.

Section 1-9: Rules and Regulations Governing Mobile Food Establishments

To preserve the sanitary condition of all water controlled by the District, the Board of the District hereby adopts these Rules and Regulations Governing Mobile Food Establishments.

All mobile food establishments must display a current Harris County Public Health and Environmental Services ("HCPHES") permit and medallion.

HCPHES regulations require that food must be prepared in the mobile unit or in an approved permitted fixed food establishment; food may not be prepared in a home. Outside storage units for food or equipment are not allowed. All food establishments must have restroom facilities within 300 feet and written notarized permission for use of the restroom facilities and property for parking the mobile unit. The property owner must have a letter of permission on file with the District stating that the property owner is familiar with and understands the rules of the District and the HCPHES, and that the property owner will require the mobile unit to comply with such rules. The mobile unit may not operate when the restroom facilities are closed per HCPHES regulations. Portable restroom facilities (Portacans) are not allowed. Property owners will assume responsibility for monitoring the proper disposal of wastewater and the purchase of fresh water. Property owners shall at no time provide water and sewer service to a mobile food establishment. Loss of water service, fees and fines could and will be assessed to the property owner if found to be in non-compliance.

The mobile units must have fresh water storage tanks kept within the mobile unit and set up according to current drinking water rules and regulations. Fresh potable water must come from a source approved by HCPHES and proof of purchase is required to be delivered by fax or email by the 10th day of every month to the District. Potable water may not be provided from an active connection in the District by any means. Wastewater must be disposed of daily at an approved servicing area or commissary and reports must also be supplied on a basis to the District. Wastewater tanks must be installed permanently in the mobile food unit and have a retention size of at least fifteen percent (15%) larger than the fresh water holding tank. No wash water, grey water or grease will be allowed on the ground or in the ditch and must be disposed of in an approved manner per current HCPHES and District rules and regulations. Wastewater or grease may not, for any reason, be disposed of in the District sewer system. No bucket filling or water hoses are allowed inside mobile units.

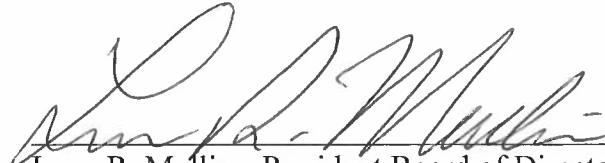
Section 2: Effective Date

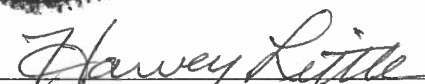
This Ordinance shall be in full force and effect from and after its passage and publication, if required by law, in particular, Texas Water Code § 51.129 which provides for publication once a week for two consecutive weeks in one or more newspapers in the area in which the property of the District is located for changes to District rules and regulations.

PASSED AND APPROVED the 14TH day of FEBRUARY, 2023.

HARRIS COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NO. 1




Leon R. Mullins, President Board of Directors


Harvey Little, Secretary Board of Directors