

CERTIFICATE OF ORDER

STATE OF TEXAS
COUNTY OF HARRIS
PARKWAY UTILITY DISTRICT

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We, the undersigned officers of the Board of Directors (the "Board") of **PARKWAY UTILITY DISTRICT** (the "District"), hereby certify as follows:

The Board convened in regular session, open to the public, on Tuesday, March 17, 2015, at 6:30 p.m., at 12843 Tidwell Road, Houston, Texas 77044, and the roll was called of the members of the Board, to-wit:

Brenda McNeil	President
Alphonso P. Rettig, Jr.	Vice President
Jennifer Balderas	Secretary
Ron Everhart	Assistant Secretary
Gloria Woods	Director

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

ORDER ADOPTING CONSOLIDATED RATE ORDER AND RULES AND REGULATIONS; ESTABLISHING POLICY REGULATING WATER USE DURING EMERGENCIES; ESTABLISHING A WASTEWATER CONTROL ORDER; ESTABLISHING CERTAIN OTHER POLICIES; AND PROVIDING PENALTIES FOR VIOLATION THEREOF

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

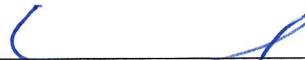
AYES: _____ **5** _____ **NOES:** _____ **0** _____

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

SIGNED this 17th day of March, 2015.



Secretary, Board of Directors



President, Board of Directors



PARKWAY UTILITY DISTRICT

CONSOLIDATING ORDER REGARDING WATER AND SEWER CONNECTIONS, RATES AND USE

Adopted:	October 27, 1998	Amended:	April 15, 2008
Amended:	November 17, 1998	Amended:	May 20, 2008
Amended:	June 15, 1999	Amended:	June 17, 2008
Amended:	July 20, 1999	Amended:	July 15, 2008
Amended:	August 17, 1999	Amended:	May 19, 2009
Amended:	May 10, 2000	Amended:	June 14, 2010
Amended:	July 18, 2000	Amended:	July 20, 2010
Amended:	June 19, 2001	Amended:	September 21, 2010
Amended:	June 18, 2002	Amended:	August 16, 2011
Amended:	October 15, 2002	Amended:	January 17, 2012
Amended:	December 16, 2003	Amended:	February 21, 2012
Amended:	August 17, 2004	Amended:	June 19, 2012
Amended:	September 21, 2004	Amended:	May 20, 2014
Amended:	September 21, 2004	Amended:	December 16, 2014
Amended:	October 18, 2005	Amended:	March 17, 2015
Amended:	August 21, 2007		
Amended:	October 16, 2007		

STATE OF TEXAS §
COUNTY OF HARRIS §
PARKWAY UTILITY DISTRICT §

WHEREAS, the Board of the District has determined that it is in the best interest of the District to amend and restate its rates, rules and regulations in this Consolidating Order Regarding Water And Sewer Connections, Rates And Use ("Rate Order"); and

WHEREAS, the Board of the District met on May 10, 2000 in special session and determined it to be in the best interest of the District to amend the District's rate structure for residential customers; and

WHEREAS, the Board of the District met on June 19, 2001 in regular session and determined it to be in the best interest of the District to amend the rate order and discount the water and sewer rates by fifty percent (50%) for all customers specifically during the months of June and July, 2001, due to the severe flooding in the area; and

WHEREAS, on October 15, 2002, the Board determined that the District's Rate Order must be amended to reduce residential water and sewer rates and to begin assessing irrigation usage fees, as defined and described herein; and

WHEREAS, on December 16, 2003, the Board determined that it is necessary to amend the District's Rate Order in order to reduce the water and sewer rates; and

WHEREAS, on August 17, 2004, the Board determined that it was necessary to amend the District's Rate Order in order to charge bulk rates to those requesting temporary water service; and

WHEREAS, on September 21, 2004, the Board determined that it is necessary to amend the District's Rate Order in order to modify the security deposit language to provide for a reduction of the deposit from \$200 to \$100 and \$50 by showing a payment history from District, or previous service provider, with no delinquencies for the last consecutive twelve (12) months and twenty-four (24) months, respectively; and

WHEREAS, on October 18, 2005, the Board determined that it is necessary to amend the District's Rate Order in order to amend the grease trap inspection fee, service agreement fee, and transfer fee to reflect the increase in rates for the District's Operator. Additionally, the Board determined that it is necessary to amend the District's Rate Order in order increase the water and sewer rates by \$1.50 for basic water charge and \$1.50 for basic sewer charge for all customers; and

WHEREAS, on August 21, 2007, the Board determined that it is necessary to amend the District's Rate Order in order to increase the water rates related to the City of Houston's increase in water rates; and

WHEREAS, on October 16, 2007, the Board determined that it is necessary to amend the District's Rate Order in order to update the billing and delinquency date; and

WHEREAS, on April 15, 2008, the Board determined that it is necessary to amend the District's Rate Order in order to update the billing and delinquency date; and

WHEREAS, on May 20, 2008, the Board determined that it is necessary to amend the District's Rate Order in order to increase the commercial sewer inspection fee; and

WHEREAS, on June 17, 2008, the Board determined that it is necessary to amend the District's Rate Order in order to adopt a policy related to illegal connections; and

WHEREAS, on July 15, 2008, the Board determined that it is necessary to amend the District's Rate Order in order to amend the policy related to enforcement language; and

WHEREAS, on May 19, 2009, the Board determined that it is necessary to amend the District's Rate Order in order to increase the water rates related to the City of Houston's increase in water rates and to amend the regulatory assessment language; and

WHEREAS, on June 15, 2010, the Board determined that an amendment was necessary to the District's Rate Order to adjust water rates in order to increase the revenues from residential customers to pay for increased costs for patrol services and increased City of Houston water rates, such new rates to take effect July 1, 2010; and to clarify the standard value of out-of-district customers for the purpose of calculating the capital fee component for their service fees; and

WHEREAS, on July 20, 2010, the Board determined that an amendment was necessary to the District's Rate Order to adjust water rates in order to increase the revenues from commercial and multi-family customers to pay for increased costs for patrol services and increased City of Houston water rates, such new rates to take effect August 1, 2010; and

WHEREAS, on September 21, 2010, the Board determined that an amendment was necessary to the District's Rate Order to clarify Paragraph (C) of Section 4.01 related to security deposits and service agreements; and

WHEREAS, on August 16, 2011, the Board determined that an amendment was necessary to the District's Rate Order to adjust water rates in order to increase the revenues from residential, commercial, and multi-family customers to pay for increased costs, such new rates to take effect September 15, 2011; and

WHEREAS, on January 17, 2012, the Board determined that it is necessary to amend the District's Rate Order in order to increase the residential water tap fees; and

WHEREAS, on February 21, 2012, the Board determined that it is necessary to amend the District's Rate Order in order to amend the Public Space User tap fee cost; and

WHEREAS, on June 19, 2012, the Board determined that an amendment was necessary to the District's Rate Order to adjust water rates in order to increase the revenues from residential, commercial, and multi-family customers to pay for increased costs, such new rates to take effect July 1, 2012; and

WHEREAS, on May 20, 2014, the Board determined that it was necessary to amend the Rate Order to revise provisions related to the maximum percentage of lead content in new or repaired facilities; and

WHEREAS, on December 16, 2014, the Board determined that it was necessary to amend the Rate Order to adjust the monthly fee for sewer services to provide additional revenues to cover the increased costs associated with the solid waste collection and recycling fees; and

WHEREAS, on March 17, 2015, the Board determined that it was necessary to amend the Rate Order to revise provisions related to late payment penalties.

NOW, THEREFORE, ORDERED BY THE BOARD OF DIRECTORS OF PARKWAY UTILITY DISTRICT THAT:

ARTICLE I DEFINITIONS

For the purpose of this Rate Order, the following terms shall have the meaning set out hereafter:

- A. **"Commercial"** - shall mean any structure designed for business purposes including office buildings, hotels, retail stores, warehouses, service stations, churches, schools, recreational centers and all other establishments not generally considered as residential structures or defined herein as a residential structure.

- B. **"Customer"** - shall mean any person, partnership, corporation, non-profit corporation, trust or other legal entity served by the District's System with water and/or sewer services to a residence or business establishment owned or occupied by such person, partnership, corporation, non-profit corporation, trust or legal entity.
- C. **"Domestic Waste"** - shall mean liquid-carried sanitary sewage discharge which is normally discharged from residential food preparation and bathroom facilities.
- D. **"Esplanade Connection"** - shall mean a water system connection serving public right-of-way or other public common areas.
- E. **"Irrigation"** - as applied to taps and connections, shall mean such taps and/or connections made for which such water is not intended to be disposed of through the District's sanitary sewer system, but is intended to supply dry land with water by means of ditches, pipelines, sprinkler systems, or similar means.
- F. **"Multi-Family Residential Connection"** - shall mean all multiplex residential connections which are served by a master meter.
- G. **"Multi-Family Units"** - shall mean the individual dwelling units served through the Multi-Family Residential Connection's master meter and shall include condominiums and all individual dwelling units served by a master meter.
- H. **"Non-Taxable Entities"** - shall mean any entity not subject to property taxation pursuant to the provisions of the Texas Property Tax Code.
- I. **"Operator"** - shall mean the person, company or corporation which is employed by or under contract with the District to operate the District's water and sewer system, collect amounts owed to the District for such services, report monthly to the District on the operations of the District's System and perform any additional services set out in its contract with the District.
- J. **"Public Space User"** – shall mean a homeowners association within the District using water for esplanades, recreational areas or green spaces.
- K. **"Rules and Regulations"** - shall mean the Amended and Restated Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections, attached to this Rate Order as Appendix "A," and incorporated herein for all purposes.
- L. **"Separate Connection"** - shall mean each residential unit designed for occupancy by a separate family, including each separate unit located within a single multi-unit building, and each commercial unit designed for use by a separate business, including separate establishments within a single building.
- M. **"Single-Family Residential"** - shall mean any single-family structure within the District designed for occupation as a residence whether by the owner or by a renter or lessee, including any single-family residence, townhouse, multiplex,

apartment building, or other structure generally considered to be and used solely for residential purposes and which is separately metered.

- N. **"System"** - shall mean the water and/or sanitary sewer facilities of the District and all extensions and additions thereto, whether now in place or hereafter constructed.

(END OF ARTICLE I)

ARTICLE II TAP FEES AND CONNECTION POLICY

Section 2.01 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 Rate Order. 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.

Section 2.02 Policies Governing Initial Connections.

- A. **Certification of System.** Connections shall not be made to the District's System or portions of the System until the District's Engineer has certified that the System or applicable portion thereof is operable.
- B. **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 property, including the interior and exterior of the Customer's premises, for the purpose of performing the inspections and completing the Customer Service Inspection Certifications required by the District's Rules and Regulations. Taps and connections will not be made when, in the opinion of the District's Engineer or Operator, the work area is obstructed by building materials or other debris or the work area is not completed or finished to grade. When sidewalks, driveways or other improvements have been constructed prior to application for service, such application shall be construed and accepted as the Customer's waiver of a claim for any damages to such improvements resulting from the reasonable actions of the District's Operator in installation of the connection.

Section 2.03 Connections by District Operator. All connections to the District's sewer system shall be made in accordance with the District's Rules and Regulations. No person except the District's Operator or his authorized agent shall be permitted to tap or make any connection to the mains or distribution piping of the District's water system, except for emergency fire-fighting purposes, or make any repairs or additions to or alterations in any meter, box, tap, pipe, cock or other fixture connected with the water service or any manhole, main, trunk or appurtenance of the District's sanitary sewer system, unless otherwise specified by the Board of the District.

Section 2.04 Inspections and Fees.

- A. **Sewer Inspection and Fees.** Sewer connections and house service lines shall be inspected by the District's Operator for compliance with the Rules and Regulations. An inspection fee of \$50.00 shall be charged for all residential connections and \$85 for commercial connections. Installations which fail to conform at any time to the Rules and Regulations shall be disconnected. Any

Customer whose connection is disconnected for such failure shall be notified as to the basis for such disconnection. After noted deficiencies have been corrected, a re-inspection shall be made upon payment to the District of a re-inspection fee of \$50.00 for residential connections and \$85 for commercial connections. If subsequent reinsertions are required before the sewer connection and service lines are in compliance with the Rules and Regulations, additional re-inspection fees shall be charged for each such re-inspection.

- B. **Customer Service Inspection Fees.** If the District's Operator performs the inspection and completes the Customer Service Inspection Certification required by Article III of the Rules and Regulations, the District shall charge the Customer a fee of \$85.00 to cover the costs of such inspection and certification.
- C. **Pre-Builder Inspection.** Prior to construction of District facilities on the property, the builder shall be charged a fee of \$85.00 by the District to cover the cost of an inspection of the property.
- D. **Final Builder Inspection and Fees.** Upon receipt of instruction from a builder to transfer an account to an initial Customer, the District's Operator shall make a final inspection of the property and make note of the condition of all District facilities. The District's Operator will repair any damaged District facilities, and the builder will be held responsible for all costs incurred. A fee of \$85.00 shall be charged by the District to cover the cost of such inspection and will be collected at the time the tap fee is paid.
- E. **Grease and Lint Trap Inspections.**
 - 1. **Grease and Lint Trap Inspections.**
 - (a) The Operator or other duly authorized representative of the District shall be authorized, after providing reasonable notice to the landowner in advance, to enter upon any tract within the District to determine the necessity for a grease and/or lint trap.
 - (b) Any person who is responsible for a discharge into the District's sanitary sewer system for which, in the sole opinion of the District and its Operator, a grease trap is required and who does not have an approved grease and/or lint trap in place shall have sixty (60) days from the date of notice by the District within which to construct and install the required grease or lint trap and secure necessary approvals thereof.
 - (c) The Operator or other duly authorized representative of the District shall be authorized to conduct monthly inspections of all grease and lint traps within the District that are subject to this Rate Order to ensure that grease and lint traps are being maintained in effective operating condition, and that all necessary manholes, inspection chambers and related facilities are being maintained and are fully operational. The District shall charge the respective

Customer a fee of \$85.00 for each grease trap inspection performed by the District's Operator on the Customer's facility.

- (d) In the event a grease or lint trap or any related facilities are found in an unserviceable condition or in need of cleaning or maintenance, the Operator or other duly authorized representative of the District shall give written notice to the person responsible for the discharge for which the grease or lint trap is required advising such person of the deficiencies and requesting prompt attention to the matter. The Operator shall conduct such follow-up inspections as may be necessary until the grease or lint trap is in effective operating condition.
- (e) The District may invoke the procedure described in this Rate Order to discontinue water service to a tract or establishment in the event the owner or proprietor of said tract or establishment either (a) refuses to permit an inspection pursuant to this Section, or (b) fails, within seven (7) days after receiving written notice issued by the operator, the Board or other duly authorized representative of the District, to correct any condition found to be in violation of the District's requirements for installation, maintenance and operation of the grease and lint traps. In addition, the District may assess a fine of \$5,000.00 per day to any party that fails, within seven (7) days after receiving written notice of violation, to correct the condition prompting the notice, in accordance with the provisions of this Rate Order, and the Board may, at its discretion, take such action as necessary to correct the condition and maintain the grease or lint trap and bill the Customer one and a half (1 ½) times the District's cost of such corrective action.

- 2. **Grease and Lint Trap Inspection Fee.** A monthly charge will be made against each person responsible for maintenance of a grease and lint trap pursuant to this Rate Order. The charge (grease and lint trap inspection fee) shall defray the District's expenses of monthly inspections of grease and lint traps as provided in this Rate Order. Such grease and lint trap inspection fees are \$70 per month per trap.

Section 2.05 Builder's Deposit. Each builder of a residence, at the time a request for a water tap is made, shall pay a deposit of \$1,000. Each builder of a commercial building or other structure shall, at the time a request for a water tap is made, pay a deposit of \$2,500. The deposit shall be refunded within ninety (90) days after the builder certifies the sale of its last residence, commercial building or other structure within the District, less any amounts forfeited as provided herein. The District shall deduct from the deposit the cost to repair any damage caused to the District's property by the builder or the builder's employees, contractors, subcontractors or agents and shall deduct any delinquent water and sewer service bills of the builder. In the event any amounts are so deducted from the builder's deposit, it will be incumbent on the builder to reinstate the original amount of the deposit, and failure to do so will result in the suspension of any additional water taps for the builder.

Section 2.06 Temporary Water Service.

- A. **Temporary Connections.** The District's Operator shall be authorized to make a temporary connection to any fire hydrant or flushing valve upon request for temporary water service. All temporary service shall be metered and billed to the temporary Customer as provided herein. All unauthorized withdrawal of water from flushing valves, fire hydrants, or other appurtenances of the District's System without prior approval of the District, except for emergency fire-fighting purposes, is prohibited.
- B. **Application and Deposit.** Each temporary Customer desiring temporary water service shall be required to execute an application for such temporary service and shall provide a minimum security deposit of \$750.00, with the determination to be made by the District's Operator depending on the length of time temporary service is required and estimated amount of water to be used. The deposit shall be made by cashier's check or money order payable to the District. The deposit shall be used by the District to secure the payment for temporary water supplied by the District, the installation fee, and the cost of repair of any damages caused by the temporary Customer. The balance of the security deposit, if any, shall be refunded after disconnection from the District's System.
- C. **Fees and Rates.** A fee of \$100.00 for costs of installation, plus the cost of the metered water, shall be charged for temporary water service. The rates for the sale of water for each temporary water service connection shall be equal to the bulk rates.

Section 2.07 Service to Out-of-District Customers. All requests for water and sewer service from parties located outside the boundaries of the District shall be considered on a case by case basis and governed by separate agreement.

Section 2.08 Water Taps. The following charges for the tap of water lines shall be in effect within the District from and after the effective date hereof until amended by the Board of the District:

- A. Residential: \$855.00, for each 5/8" x 3/4" meter, material and up to 40 feet of road boring per connection.
- B. Commercial: by separate order or agreement, not to exceed three times the actual cost.
- C. Non-taxable: the actual cost to the District, including the costs of all facilities necessary to provide District services to such non-taxable entity where such facilities are financed or to be financed by tax-supported bonds of the District.
- D. Irrigation: by separate order or agreement, not to exceed three times the actual cost, except Public Space Users shall only be charged the actual cost to the District.

Section 2.09 Title to Facilities. Title to all water meters and water taps, and all other appurtenances, including meter boxes, shall lie with the District.

ARTICLE III SERVICE RATES

Section 3.01 Water Service Rates. The following monthly rates for the sale of water shall be in effect for each Separate Connection within the District from the effective date hereof until such time as the Board amends said rates:

<i>TYPE OF CONNECTION</i>	<i>GALLONS USED</i>	<i>RATE</i>
A. Single-family Residential	0 - 2,000 gallons	\$12.10 (minimum)
	2,001 - 3,000 gallons	\$ 1.00 per 1,000 gallons
	3,001 - 5,000 gallons	\$ 1.85 per 1,000 gallons
	5,001 - 6,000 gallons	\$ 2.35 per 1,000 gallons
	6,001 - 9,000 gallons	\$ 2.60 per 1,000 gallons
	9,001 - 12,000 gallons	\$ 5.00 per 1,000 gallons
	12,001 - 14,000 gallons	\$ 5.50 per 1,000 gallons
	14,001 - 20,000 gallons	\$ 6.00 per 1,000 gallons
	Over 20,001 gallons	\$ 7.40 per 1,000 gallons
B. Builder	0 - 5,000 gallons	\$ 22.10 (minimum)
	5,001-9,000 gallons	\$ 4.10 per 1,000 gallons
	9,001-11,000 gallons	\$ 4.50 per 1,000 gallons
	11,001-20,000	\$ 6.50 per 1,000 gallons
	Over 20,000 gallons	\$ 6.90 per 1,000 gallons
C. Multi-family (usage and rate based per unit)	0 - 4,000 gallons	\$ 33.65 (minimum)
	4,001- 9,000 gallons	\$ 3.05 per 1,000 gallons
	9,001-10,000 gallons	\$ 3.45 per 1,000 gallons
	10,001-20,000 gallons	\$ 6.40 per 1,000 gallons
	Over 20,001 gallons	\$ 6.80 per 1,000 gallons
D. Commercial	0 - 4,000 gallons	\$ 33.90 (minimum)
	4,001-9,000 gallons	\$ 3.05 per 1,000 gallons
	9,001-10,000 gallons	\$ 3.45 per 1,000 gallons
	10,001 and thereafter	\$ 7.60 per 1,000 gallons
E. Bulk Usage	0 - 799,000 gallons	\$ 7.64 per 1,000 gallons
	800,000 and thereafter	\$ 8.30 per 1,000 gallons
F. Irrigation	0 - 5,000 gallons	\$ 21.75 (minimum)
	5,001-9,000 gallons	\$ 3.10 per 1,000 gallons
	9,001-20,000 gallons	\$ 3.50 per 1,000 gallons
	Over 20,000 gallons	\$ 3.90 per 1,000 gallons

Section 3.02 Sewer Service Rates. The following monthly rates for the collection and disposal of sewage shall be in effect for each Separate Connection within the District from the effective date hereof until such time as the Board amends said rates:

	<i>TYPE OF CONNECTION</i>	<i>GALLONS USED</i>	<i>RATE</i>
A.	Single-family Residential	0 - 6,000 gallons Over 6,000 gallons	\$29.40 (minimum) \$ 1.50 per 1,000 gallons
B.	Builder	0 - 5,000 gallons Over 5,000 gallons	\$16.25 (minimum) \$ 1.50 per 1,000 gallons
C.	Multi-family (usage and rate based per unit)	0 - 4,000 gallons 4,001 and thereafter	\$35.29 per unit(minimum) \$ 4.37 per 1,000 gallons
D.	Commercial	0 - 4,000 gallons 4,001 and thereafter	\$35.29 (minimum) \$ 4.37 per 1,000 gallons

Section 3.03 Rates for Out-of-District Customers. Each Out-of-District Customer of the District, shall pay to the District the following:

- A. **Service Fee.** A monthly payment in the amount per Separate Connection equal to the amount paid by a Commercial Customer within the District pursuant to subsections 3.01B and 3.02B, above. In the event each connection is not separately metered, the total monthly usage, as determined by the District's Operator, shall be divided by the number of connections and the monthly rate figures on the resulting average usage per connection shall be the usage per separate connection; and
- B. **Capital Contribution Fee.** A monthly payment in an amount equal to one twelfth (1/12) of the ad valorem tax (including maintenance taxes, if any) which would be due to the District if the Customer's land improvements and personal property were taxable within the boundaries of the District during the previous calendar year (without regard to any exemption from taxation otherwise available to the customer) for each month or part of a month after the effective date hereof. In the event the tract served is sufficiently identified and valued separately in the records of the Harris County Appraisal District (the "Appraisal District"), together with any personal property at the service location and not separately taxed, then the value of the property set by the Appraisal District as of the effective date hereof or the date of connection to the District's System, shall be used for purposes of this subsection; however, if in the opinion of District, the Appraisal District Records are not sufficiently identified and valued separately, or if improvements have been made to the customers property which, in the opinion of the District, is not reflected in the valuation of the property, then the District's Tax Assessor/Collector shall make or cause to be made a determination of value, which determination shall be final upon adoption by the District. A change in value of the property for subsequent years may be set or caused to be set by the

District's Tax Assessor/Collector on an annual basis based on full appraised value of the property as of the date of valuation which shall include the value of all improvements to the customer's property, and, which may, or may not, be the value set by the Appraisal District. The determination of value by the District based on the determination of the Tax Assessor/Collector shall be final. One twelfth (1/12) of any cost associated with a determination of value shall be included as a component of each monthly payment.

The maximum Capital Contribution Fee that will be charged to Out-of-District Customers shall be \$5,250 per month.

Section 3.04 Regulatory Assessment. Pursuant to Section 5.235, Texas Water Code, as amended, the District shall pay a regulatory assessment to the Texas Commission on Environmental Quality (the "TCEQ") quarterly in the amount required by law on the total charges for retail water and sewer service billed to its Customers quarterly. At the end of each quarter, the Bookkeeper shall prepare a written statement indicating (i) the total charges for retail water and sewer service for the quarter and (ii) the regulatory assessment due and payable to the TCEQ. The District shall collect such regulatory assessment from its Customers through the revenues generated by the water rates adopted in this Rate Order.

Section 3.05 No Reduced Rates or Free Service. All Customers receiving water and/or sewer service from the District shall be subject to the provisions of this Rate Order and shall be charged the rates established in this Rate Order, and no reduced rate or free service shall be furnished to any Customer. This provision shall not prohibit the District from establishing reasonable classifications of customers for which rates differing from the rates stated herein may be adopted. Notwithstanding, the District's Board has discretion to reduce rates for a temporary period to provide relief to the District's Customers after a natural disaster. Notwithstanding anything to the contrary in this Rate Order, Customers may petition to have an excessive water bill modified if the size of the bill was due to a water leak, which was promptly repaired by the Customer. The Operator shall use his discretion to determine if both the Customer's water and sewer usage were affected by the leak or only the water.

Section 3.06 Groundwater Reduction Costs. In order to obtain the necessary revenues that are required to pay the cost of obtaining water from the City of Houston (the "COH") to allow the District to comply with the Harris-Galveston Subsidence District groundwater reduction requirements, the District will assess a specific charge to its customers equal to one hundred ten percent (110%) of the COH water rates per 1,000 gallons of water used, rounded to the nearest cent. The additional ten percent (10%) charge represents an administrative charge for any District costs associated with the COH rates and to provide for water purchased from the COH, but not accounted for in billings to District Customers.

(END OF ARTICLE III)

ARTICLE IV SERVICE POLICY

Section 4.01 Security Deposits. Security deposits shall be required as follows:

- A. **Residential Deposits.** Each Customer establishing a new account for Single-Family Residential service and each Customer reestablishing an account for Single-Family Residential service that has been terminated for non-payment shall be required to pay, prior to the District providing service or restoring service, a security deposit of \$200.00. All Customers, whether new or current, shall benefit from a reduction in the deposit from \$200 to:
1. \$100 by substantiating a payment history from the District, or the Customer's previous service provider, that evidences no delinquencies for at least twelve (12) consecutive months; or
 2. \$50 by substantiating a payment history from the District, or the Customer's previous service provider, that evidences no delinquencies for at least twenty-four (24) consecutive months.

Upon service termination, such Customer's deposit requirements will be \$200 until another consecutive period can be obtained without delinquencies.

- B. **Commercial Deposits.** Each Customer establishing a Commercial account or Multi-Family Residential account, and each Customer re-establishing a commercial account or Multi-Family Residential account that has been terminated for non-payment, shall be required to make a security deposit equal to two and one-half (2½) times the estimated average monthly bill for such connection, as determined by the District based on typical requirements for similar uses.
- C. **Service Agreement.** In addition to the security deposits required above, the Operator shall obtain a signed service agreement, a copy of which is attached hereto as Appendix "D," and collect a non-refundable service agreement fee in the amount of \$25.00 from each Customer, establishing a new account for Single-Family Residential, Multi-Family Residential or Commercial service. Such signed service agreement and service agreement fee shall be received by the Operator before service is initiated.
- D. **Full Payment Required.** Service shall be initiated upon payment of the security deposit and all other fees and charges.
- E. **Refund of Deposit.** Following payment of the final bill and payment of all fees and charges, the balance of the security deposit, if any, shall be refunded by check mailed to the Customer. No interest shall be payable to the Customer on any security deposit.

Section 4.02 Billing Procedures. All accounts shall be billed in accordance with the following procedures:

- A. **Billing Date and Delinquency.** Charges for water and sewer service shall be billed monthly. All bills shall be payable on the 15th day of each month following the date of the billing of said charges. Unless payment is received by 6:00 p.m. on or before the 15th day of each month, such account shall be considered delinquent and a penalty of 10% of the unpaid balance shall be assessed on the account on the 20th day of the month. The billing cycle starts on the 15th day of each month when the water meters are read, the bills are calculated, and mailed to the Customers at the end of the month, and the bills are due by 6:00 p.m. on the 15th of the following month. The District may, at its discretion, disconnect service for failure to pay all charges by the 15th day of the following month, unless that day falls on Friday, or a weekend or a holiday, the services will be disconnected the first following workday.
- B. **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 unless payment in full is received. An administrative fee of \$10.00 shall be added to the Customer's bill upon delivery of the notice. 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 of 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 his 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 disconnected. If service is disconnected, it shall be reinstated only upon payment in full of all amounts due, including any late charges, the security deposit set out in Section 4.01, and a reinstatement charge of \$75.00. At the discretion of the Board, late charges may be waived due to inclement weather, holidays or upon the request of a Customer in good standing for the past twelve (12) months.
- C. **Returned Checks.** A \$25.00 charge will be charged to the Customer's account for any check returned by the bank. Any amounts due on an account which have been paid with a check that has been returned by the bank must be paid in full by cashier's check or money order, including all late charges and returned check charges, within five (5) days from the day the Operator hangs a notice on the Customer's door or otherwise notifies the Customer that the check has been returned by the bank.

Section 4.03 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.

Section 4.04 Unauthorized and Extraordinary Waste. The rates established herein are applicable for Domestic Waste as defined herein. Customers proposing to generate other types of waste will be assessed additional charges as established by the District.

Section 4.05 Damage to District Facilities.

- A. **Damage to Meter and Appurtenances.** No person other than a duly authorized agent of the District shall open a meter box, 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 fees as set forth in Section 4.02(B). There will be a \$100 charge per illegal connection occurrence; and the Customer will be notified immediately thereafter of the violation and fine and that the District will seek assistance from the Constable in delivering such letter/notice, which will request that the Customer appear before the Board, prior to reinstating service to the Customer.
- B. **Right to Repair.** The District reserves the right to repair any damage to the District's System and appurtenances without prior notice and to assess against any Customer such penalties as are provided by law and such penalties provided for in this Rate Order in addition to those charges necessary to repair the portion of the System so damaged.

Section 4.06 Termination of Service Pursuant to Texas Water Code §49.212(c). The District may terminate service to enforce payment of any unpaid charge, fee, or rental due the District, including taxes that have been delinquent for at least six (6) months. If service is terminated for delinquent taxes, then the District will not approve a new account to be established for the same property location until such taxes, penalties and interest due to the District is paid in full.

Section 4.07 Trash and Recycling Collection.

- A. **Trash Collection.** The District will provide trash collection service to each active single-family residential connection as follows:
 - 1. Household trash (i.e. waste generated inside the house) will be collected two (2) days per week, said days being Monday and Thursday.
 - 2. Heavy trash collection, including bulky waste items, such as furniture and appliances (i.e., stoves, refrigerators, washers and dryers), will be picked up each week on Thursday. Collection items under this paragraph do not include any hazardous waste, carpet, and construction debris resulting from remodeling or demolition operations. Also, pursuant to Federal law, the Contractor will not pick up refrigerators and freezers or any other items that would have contained Freon, unless such items have been drained of all

Freon and a bill validating the Freon has been drained is provided to the Contractor.

3. Tree, shrub and brush trimmings must be bundled in lengths no greater than four (4) feet and weighing less than forty (40) pounds and branches with a maximum diameter of three (3) inches, and placed at the curb as part of normal collections. The bundling is required to allow quick pick up and size limitations are required to avoid damaging the equipment in the crushing process.

- B. **Recyclable Collection.** The District will provide recyclable collection service as follows: The District's collection contractor will provide one (1) 18-gallon bin for curbside recycling from each active single-family residential customer for the District one (1) time per week on each Thursday, by collecting recyclable items as identified by the District's contractor from time to time. Currently, such items are all paper products, aluminum and tin cans, all plastics and all colors of glass. In the event that the market price for any one (1) or all of the commodities designated to be collected drops to the point that such materials can no longer be sold or processed, the District's contractor will remove such item(s) from the list of those items to be recycled and notify the residents of such changes. Lost or stolen bins will be replaced for \$15.00 each. Single-family residential customers may use their own containers as long as they are clearly marked as "recycling."

(END OF ARTICLE IV)

ARTICLE V
ADOPTION OF RULES AND REGULATIONS CONCERNING
WATERWORKS AND SANITARY SEWER SYSTEM

To preserve the sanitary condition of all water controlled by the District, to prevent waste or the unauthorized use of water controlled by the District, and to secure and maintain safe, sanitary and adequate plumbing installation, connections and appurtenances, the Board of the District hereby adopts the Amended and Restated Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections, attached hereto as Appendix "A," and incorporated herein for all purposes.

ARTICLE VI
POLICY REGULATING USE DURING A SERIOUS
AND/OR EMERGENCY WATER PERIOD/WATER CONSERVATION

The Board of the District hereby adopts the Policy Regulating Use During a Serious and/or Emergency Water Period/Water Conservation, attached hereto as Appendix "B," and incorporated herein for all purposes.

ARTICLE VII
WASTEWATER CONTROL ORDER

The Board of the District hereby adopts the Amended and Restated Wastewater Control Order, attached hereto as Appendix "C," and incorporated herein for all purposes.

(END OF ARTICLE VII)

**ARTICLE VIII
ENFORCEMENT/CIVIL PENALTIES**

Section 8.01 Enforcement.

- A. **Civil Penalties.** The Board hereby imposes the following civil penalties for breach of any rule of the District: The violator shall pay the District twice the costs the District has sustained due to the violation up to the jurisdictional limits of the justice court. A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorneys' fees shall be fixed by the court.
- B. **Liability for Costs.** Any person violating any of the provisions of this Rate Order and/or the Rules and Regulations shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation, and enforcement thereof shall be in accordance with Section 8.01(A) of this Rate Order and Article X of the Rules and Regulations.

Section 8.02 Non-waiver. The failure on the part of the District to enforce any section, clause, sentence, or provision of this Rate Order shall not constitute a waiver of the right of the District later to enforce any section, clause, sentence, or provision of this Rate Order.

Section 8.03 Appeal. Any determination by the District's Operator or the District's Engineer or any authorized agent of the District of any dispute regarding the terms and provisions of this Rate Order may be appealed to the Board of the District, which shall conduct a hearing on the matter. The District's Operator and/or Attorney shall provide the Customer with information regarding appeals and hearing procedures upon the Customer's request.

(END OF ARTICLE VIII)

ARTICLE IX MISCELLANEOUS

Section 9.01 Amendments. The Board of the District has and specifically reserves the right to change, alter or amend any rate or provision of this Rate Order at any time.

Section 9.02 Severability. The provisions of this Rate Order are severable, and if any provision or part of this Rate Order or the application thereof to any person or circumstance shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Rate Order and application of such provision or part of this Rate Order shall not be affected thereby.

Section 9.03 Headings. The section and paragraph headings used herein are for reference only and are not to be construed as part of the text of the section or paragraph.

ARTICLE X REPEAL OF PREVIOUS ORDERS

All previous Rate Orders adopted by the Board of the District pertaining to the subject matter hereof are each hereby repealed in their entirety as of the effective date hereof.

ARTICLE XI EFFECTIVE DATE

This Rate Order shall be effective on the 16th day of December, 2014.

(END OF ARTICLE XI AND RATE ORDER)

LIST OF APPENDICES

APPENDIX "A"	Amended and Restated Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections
Exhibit 1	Plumber's Certificate
Exhibit 2	Service Inspection Certification
Exhibit 3	Backflow Prevention Assembly Test and Maintenance Report
Exhibit 4	Application for Service
Exhibit 5	Sanitary Sewer Inspection Form
APPENDIX "B"	Policy Regulating Use of Water During a Serious and/or Emergency Water Period/Water Conservation
Exhibit 1	Notice to Customers regarding Serious Water Period
Exhibit 2	Notice to Customers regarding Emergency Water Period
Exhibit 3	Notice to Customers regarding End of Water Use Restrictions
Exhibit 4	Notice to Customer regarding Violation of Water Use Restrictions
Exhibit 5	Notice to Customer regarding Violation of Water Use Restrictions (weekly watering)
Exhibit 6	Second Notice to Customer regarding Violation and Termination of Services
APPENDIX "C"	Amended and Restated Wastewater Control Order

APPENDIX "A"

AMENDED AND RESTATED RULES AND REGULATIONS GOVERNING WATER AND SANITARY SEWER FACILITIES, SERVICE LINES, AND CONNECTIONS

ARTICLE I PURPOSE

The following Amended and Restated Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections (the "Rules and Regulations") shall govern the design, installation and inspection of all connections and taps made to the District's water distribution system and sanitary sewer collection system, the limitations of the flow of waste into the sanitary sewer system, protection of all facilities which are part of the District's waterworks and sanitary sewer system, and the enforcement of these Rules and Regulations.

ARTICLE II GENERAL

Section 2.01 Definitions.

1. **"Customer"** is any person, partnership, corporation, non-profit corporation, trust or other legal entity served by the District with water and/or sewer services to a residence or business establishment.
2. **"District"** is Parkway Utility District of Harris County, Texas, a political subdivision of the State of Texas.
3. **"Engineer"** is the person, company or corporation which is under contract with the District to design the District's Water Supply System and Sanitary Sewer Collection System and performs any additional services as set forth in the contract with the District.
4. **"High Health Hazard"** is a cross-connection, potential cross-connection, or any other situation involving any substance that can cause death, illness, spread of disease, or that has a high possibility of causing such effects if introduced into the District's Water Supply System.
5. **"Operator"** is the person, company or corporation which is under contract with the District to operate the District's Water Supply System and Sanitary Sewer Collection System, collect amounts owed to the District for such services, report monthly to the District on the operations of the District's Water Supply System and Sanitary Sewer Collection System and perform any additional services as set forth in the contract with the District.
6. **"Rate Order"** shall mean the District's Order Adopting Consolidated Rate Order and Rules and Regulations; Establishing Policy Regulating

Water Use During Emergencies; Establishing a Wastewater Control Order; and Providing Penalties for Violation Thereof which may be amended from time to time.

7. **"Sanitary Sewer Collection System"** constitutes the underground sanitary sewer lines owned or leased and operated by the District. This system is composed of all interconnecting laterals, mains, and trunk lines with manholes, clean-outs, stacks, tees, and wyes located within the publicly dedicated utility easements owned or leased and operated by the District. This system is maintained by the District.
8. **"Sanitary Sewer Service Line"** is any line from a residential dwelling or commercial building which connects with the District's Sanitary Sewer Collection System, including any grease traps or other facilities constructed to prevent non-domestic waste from being introduced into the District's Sanitary Sewer Collection System. This service line is owned and maintained by the property owner of the residential dwelling or commercial building.
9. **"Sewer Tap"** is the physical connection between the Sanitary Sewer Service Line and the District's Sanitary Sewer Collection System.
10. **"Sewer Tap Inspection"** is the inspection performed by the District's Operator to assure that the proper materials and connections to the Sanitary Sewer Collection System have been accomplished in accordance with these Rules and Regulations.
11. **"State Approved Plumbing Code"** is a set of rules governing plumbing practices which are at least as stringent and comprehensive as one of the following nationally recognized codes:
 - (a) Southern Standard Plumbing Code.
 - (b) Uniform Plumbing Code.
 - (c) National Standard Plumbing Code.
12. **"Tap Fee"** is the fee paid to the District to obtain a water meter and sewer inspection for any dwelling. The amount of the Tap Fee shall be established in the District's Rate Order and may be modified or changed at any time.
13. **"Utility Easement"** is an interest in land, granted by dedication, to public utility entities, including the District, to install and maintain utilities across, over, or under private land together with the right to enter thereon with machinery, other vehicles and personnel necessary for the maintenance, repair or construction of said utilities.

14. **"Water Supply System"** is composed of all water lines, valves, valve boxes, flushing valves, blowoff valves, water meters, water meter service lines, and meter boxes located within public rights-of-way or easements owned or leased and operated by the District. This system is maintained by the District.
15. **"Water Meter"** is the recording device that registers the amounts of water consumed by each Customer of the District. This meter is owned and maintained by the District.
16. **"Water Service Line"** is any line from a residential dwelling or commercial building, which connects to the District's Water Supply System. This service line is owned and maintained by the property owner of the residential dwelling or commercial structure.
17. **"Water Tap"** is the physical connection of any Water Service Line to the District's Water Supply System. Such connection will be made only by the District's Operator.

Section 2.02 Platting Requirement.

No connection shall be made to the District's Water Supply System or Sanitary Sewer Collection System unless the tract, parcel, or lot of land to be served by such connection:

1. was first connected to the District's Water Supply System or Sanitary Sewer Collection System prior to September 1, 1987; or
2. is part of an area covered by a development plat duly approved and recorded pursuant to Sections 212.0115 and 212.012 of the Local Government Code, as amended; or
3. is not required to be platted and written certification to that effect, in accordance with Section 212.0115(e) of the Local Government Code, has been presented to the District's Operator.

Section 2.03 Approval of Plans and Specifications.

Prior to any non-residential connection to the District's Water Supply System or the Sanitary Sewer Collection System, the plans and specifications for the Sanitary Sewer Service Line and the Water Service Line must be submitted the District's Engineer for review and approval. Upon the Engineer's review and approval, the plans and specifications shall then be submitted to the District's Operator for review and approval. The cost of the review and approval of the plans and specification by the District's Engineer and Operator shall be paid by the Customer.

ARTICLE III WATER CONNECTIONS

Section 3.01 Water Tap Materials. Only the following types of pipe and fitting materials shall be approved for the installation of Water Taps, including residential Water Taps and commercial Water Taps:

1. Any meter, pipe materials or fittings approved by the City of Houston;
2. Brass curb stops, corp stops, and related fittings manufactured by Ford, Hays or Mueller;
3. Polyethylene water service pipe, 3/4" to 2";
4. PVC (C-900) water service pipe, larger than 2";
5. Plastic meter box up to 2" meter;
6. Concrete meter box, where traffic use is specified; and
7. Concrete meter vault per City of Houston specifications for 3" and larger meter.

Section 3.02 Plumbing Material Prohibitions.

A. **Prohibited Materials.** The use of the following materials are prohibited for the installation and repair of the District's Water Supply System and for the installation and repair of any private plumbing facilities:

1. any pipe or pipe fitting which contains lead; and
2. any solder or flux which contains lead

B. **Certificate of Compliance.** No new connections to the District's Water Supply System shall be made unless a state licensed plumber first submits in writing to the District a Certificate of Compliance, as set forth in Exhibit "1" attached hereto, specifying that the new connection complies with the plumbing material prohibition contained in Section 3.02(A) hereof. The Certificate of Compliance shall be signed by the licensed plumber and must be submitted to the District's Operator prior to continuous service being supplied. The District shall not accept any Tap Fee that is not accompanied by a Certificate of Compliance.

Section 3.03 Installation.

1. An Application for Service, a copy of which is attached hereto as Exhibit "4," must be filed with the District's Operator. The Customer must pay to the District's Operator all Tap Fees, inspection fees and deposits, as described in the District's Rate Order.

2. All Water Taps to the District's Water Supply System shall be installed only by the District's Operator.
3. The District's Operator shall install Water Taps and set meters at a location on adjoining property lines, whenever possible, with the meter box being located in the easement adjacent to the property line and with two (2) meters per box, where appropriate.
4. The District's Operator shall be responsible for all repairs to the Water Taps.
5. After installation of the Water Tap, connection of the Water Service Line shall be made at the expense of the Customer. (Note: This line shall be tested for leaks since all water recorded through the meter will be charged to the Customer).
6. After connection to the District's Water Supply System, the Water Service Line should be thoroughly flushed as to prevent foreign matter from entering the household system.

Section 3.04 Customer Service Inspection Certifications.

A. 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 Examiners (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 alternations or additions to existing plumbing. Notwithstanding any other provision of the Rate Order, a Customer Service Inspection Certification, substantially in the form as set out in Exhibit "2" to Appendix "A" hereto, shall be completed and filed with the District's Operator prior to providing continuous water service to new construction, on any existing service when the District has reason to believe that cross-connections or other potential contaminant hazards or illegal lead material exist, or after any material improvement, correction, or addition to the private water distribution facilities. Such Customer Service Inspection Certifications shall be conducted by the District's Operator. Should the District's Operator be asked to perform the customer service inspection, an inspection fee as follows shall be paid, in addition to any other fees required herein, prior to the initiation of service. Prior to the District initiating continuous service, a Customer shall provide a Customer Service Inspection Certification to the District. A plumbing inspection may only be performed by those individuals described below:

1. Plumbing Inspectors and Water Supply Protection Specialists licensed by the Texas State Board of Plumbing Examiners; and
2. Customer service inspectors who have completed a Texas Commission on Environmental Quality ("TCEQ") approved course, passed an examination

administered by the TCEQ or its designated agent and hold current professional certification or endorsement as a customer service inspector.

Customer Service Inspection Certifications performed by the District's Operator, the Customer must pay the District the Customer Service Inspection Fee prior to the Operator performing the inspection and certification. For single family residential service, the fee for this inspection will be \$85.00. The cost of such customer service inspection will be the sole responsibility of the User. All customer service inspections shall be performed by the District's Operator and all fees relating to the customer service inspection shall be paid by the User prior to the inspection, and if the inspection is made in connection with new construction, the fee will be collected with the tap fee. For all other types of service, i.e., commercial inspections, the fee for this inspection will be per quote.

Copies of properly completed Customer Service Inspection Certifications shall be kept on file by the District's Operator and made available, upon request, for TCEQ review. Inspection certifications shall be retained for a minimum of ten (10) years. Failure to provide a Customer Service Inspection Certification in accordance with this Section 19 shall constitute a violation of these Rules and Regulations and such violation shall be subject to the enforcement provisions set forth in Section 24 of this Rate Order and TAC §290.46(j).

No cross-connection between the District's potable water distribution system and a private water system is permitted. 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 must be properly installed and such assembly must be annually inspected and tested by the District's Operator. By accepting service from the District, all Users agree to allow such annual inspection and testing of backflow prevention assemblies to take place during normal business hours. If any User refuses to allow such annual inspection and testing, service to such User will be discontinued until such inspection and testing is completed.

No connection which allows water to be returned to the District's potable water distribution system is permitted. This includes, but is not limited to, any device pursuant to which water is removed from the District's potable water distribution system, circulated through a User's system for condensing, cooling and heating of fluids or industrial processes, including, but not limited to, a heat exchange system, and routed back to the District's potable water distribution system.

The Customer Service Inspection Certification shall certify that:

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 TCEQ regulations.
2. No cross-connection between the public drinking water supply and a private water system exists. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved

reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention assembly tester.

3. No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the public water supply.
4. No pipe or pipe fitting which contains more than 0.25% lead exists in private water distribution facilities installed on or after January 31, 2014.
5. No solder or flux which contains more than 0.2% lead exists in private water distribution facilities installed on or after July 1, 1988.

Section 3.05 Prohibited Connections.

- A. No water connection from the District's Water Supply System shall be made to any establishment where an actual or potential contamination or system hazard exists without an air gap separation between the drinking water supply and the source of potential contamination. Where a containment air gap is impractical, individual "internal" air gaps or mechanical backflow prevention devices shall be required at the meter in the form of a backflow prevention device (in accordance with AWWA Standards C510 and C511 and AWWA Manual M14) on those establishments handling substances deleterious or hazardous to the public health.
- B. No water connection from the District's Water Supply System shall be made to any condensing, cooling, or industrial process or any other system of non-potable usage over which the District does not have sanitary control, unless the said connection is made in accordance with the requirements of paragraph (A) of this Section. Water from such systems cannot be returned to the District's Water Supply System.
- 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.

Section 3.06 Backflow Prevention Assemblies.

- A. Backflow prevention assemblies shall be installed on any connection which poses a High Health Hazard and any other connection which the District or the District's Operator reasonably believes poses a threat to the District's Water Supply System. Water service provided for lawn sprinklers, swimming pool supply, reflection pool supply or other such applications must incorporate a back flow prevention assembly in accordance with a State Approved Plumbing Code for the particular designated use. No permanent water service will be provided or continued to any new connection in the District which requires a backflow prevention assembly, unless the Customer provides the District with a Backflow Prevention Assembly Test and Maintenance Report (the "Test Report"), as described in Exhibit "3"

attached hereto. At the request of the Customer, the District's Operator may, on behalf of the District, install the backflow prevention assembly and complete the Test Report at the Customer's cost.

- B. All backflow prevention assemblies shall be tested upon installation by a Recognized Backflow Prevention Assembly Tester and certified to be operating within specifications. The Test Report, as described in Exhibit "3" attached hereto, shall be retained for a minimum of three (3) years. The District shall provide these records to the TCEQ for inspection upon request. 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 by a Recognized Backflow Prevention Device Tester.
- C. Recognized Backflow Prevention Device Testers shall have completed a TCEQ approved course on cross-connection control and backflow prevention and passed an examination administered by the TCEQ or its designated agent. The accredited tester classification shall be broken down into two (2) categories:
 - 1. The "General Tester" is qualified to test and repair backflow prevention assemblies on any domestic, commercial, industrial or irrigation service.
 - 2. The "Fireline Tester" is qualified to test and repair backflow prevention assemblies on firelines only. The State Fire Marshall's office requires that a person performing maintenance on firelines must be employed by an Approved Fireline Contractor.
- D. Individuals who can show proof of completion of a course and passage of an exam based on the ABPA or ASSE National Exam, prior to the effective date of these regulations, may be recognized as accredited for the term of their current certification (not to exceed three (3) years).
- E. 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). Test gauge serial numbers must be included on the Test Report and Recognized Backflow Prevention Device Testers shall have gauges tested for accuracy.
- F. 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's Operator for record keeping purposes.
- G. Repairs to backflow prevention assemblies shall be performed by authorized individuals as recognized by the Texas State Board of Plumbing Examiners, the TCEQ, Texas Irrigators Advisory Council, or the Texas Commission on Fire Protection-State Fire Marshall's Office, depending upon application and use.

- H. 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 a State Approved Plumbing Code.

ARTICLE IV SANITARY SEWER CONNECTIONS

Section 4.01 Sanitary Sewer Service Line Installation.

- A. Only one (1) Sanitary Sewer Service Line connection to the District's Sanitary Sewer Collection System is permitted for each residence or commercial building. The Sanitary Sewer Service Line shall remain fully within the boundaries of the lot until the line reaches a utility easement or street right-of-way.
- B. No opening in the District's Sanitary Sewer Collection System will be allowed to remain overnight or during rain.
- C. All Sanitary Sewer Service Lines must be constructed to true alignment and grade. Warped and/or sagging lines will not be permitted. Sanitary Sewer Service Lines must have continuous contact with firm trench bottom throughout their entire run. Lines placed in such manner as to increase the likelihood of being displaced during backfill will be rejected.
- D. All Sanitary Sewer Service Lines should be run from wyes or stacks directly to the houses without meanders or bends.

Section 4.02 Sanitary Sewer Service Line Materials. Only the following types of pipe and fitting materials are approved for constructing Sanitary Sewer Service Lines. Pipe and fittings in each Sanitary Sewer Service Line must consist of the following material or other material approved by the District's Engineer:

- 1. Vitrified clay pipe conforming to ASTM Specification 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 PSM (PVC) pipe conforming to ASTM Specification D3034 or ASTM specification F789 (with UL listing) and installed according to ASTM D2321.
- 4. Ductile Iron Pipe conforming to ANSI A21.51 with rubber gasket joints ANSI A21.11 and installed according to manufacturer's recommendations.

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

Section 4.03 Size and Grade of Sanitary Sewer Service Lines.

- A. Minimum Sizes for Sanitary Sewer Service Lines shall be as follows:
 1. Residential- - - 4 inches in diameter; and
 2. Commercial - - - 6 inches in diameter.
- B. The minimum grades for Sanitary Sewer Service Lines shall be as follows:
 1. 4 inch pipe - - - 14 inch drop per hundred feet (1.2%);
 2. 6 inch pipe - - - 8 inch drop per hundred feet (0.7%); and
 3. 8 inch pipe - - - 5 inch drop per hundred feet (0.4%).
- C. The maximum grades for Sewer 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%); and
 3. 8 inch pipe - - - one foot drop per hundred feet (1%).

Section 4.04 Connection of Building Sewer Outlet.

- A. On all building waste outlets, the building tie-on connections shall be made directly to the stub-out from the building plumbing at the foundation.
- B. Water-tight adapters of a type compatible with the materials being joined shall be used at the point of connection of a Sanitary Sewer Service Line to the building plumbing. No cement grout materials shall be permitted.
- C. Unless an exception is permitted by the District's Operator, existing wye and stack connections must be utilized for connection of a Sanitary Sewer Service Line to the District's Sanitary Sewer Collection System.
- D. Commercial users shall install a sampling well constructed to City of Houston (the "COH") standards and a grease trap with sampling port constructed to COH standards when required by the District's Engineer and Operator.

Section 4.05 Fittings and Cleanouts.

- A. No bends or turns at any point will be greater than forty-five degrees (45°).

- B. Each horizontal Sanitary Sewer Service Line will be provided with a cleanout at its upper terminal; and each such run of piping which is more than ninety (90) feet in length will be provided with a cleanout for each ninety (90) feet or fraction thereof in the length of such piping.
- C. Each cleanout will be installed so that it opens in a direction opposite to the flow of the waste and, except in the case of wye branch and end-of-the-line cleanouts, cleanouts will be installed vertically above the flow line of the pipe.
- D. Cleanouts will be made with air-tight mechanical plug.

Section 4.06 Installation of Sewer Taps and Issuance of Permits.

- A. Sanitary Sewer Service Lines must be at least 24 inches below (vertically) and at least 9 feet from (horizontally) any Water Service Line (far side or near side connection). If this is not possible, a cast iron casing over the Water Service Line must be installed by the Customer, which casing will be inspected by the Operator.
- B. Excavation for Sewer Taps shall be water tamped in all areas within 5 feet (vertically or horizontally) of any existing sewer lines, sidewalks or driveways. Soil not suitable for water tamping (clay modules, organic material or silty soils) shall be removed and replaced with suitable backfill materials.
- C. All stacks shall be installed in locations shown on the plans. Stacks shall be capped and the cap lightly cemented in place. Wyes will not be installed by the line contractor. Wye saddles will be paid for in the line contract, but will be delivered to the District's Operator. The District's Operator will furnish the Customer a saddle at the time of inspection.
- D. An Application for Service, a copy of which is attached as Exhibit "4" must be filed with the District's Operator prior to construction of any Sanitary Sewer Service Line, and the Tap Fee and/or Sewer Tap Inspection Fee as established in the District's most current Rate Order should accompany the application. (Application forms are available from the District's Operator.) Construction of any Sanitary Sewer Service Line must not begin until the design of the Sanitary Sewer Service Line is approved by the District's Engineer and construction is authorized by the District's Operator.
- E. When the Sanitary Sewer Service Line is complete, and prior to backfilling the pipe trench, the Customer shall request an inspection of the Sanitary Sewer Service Line. Requests for inspections (or re-inspections) shall be made to the District's Operator at least twenty-four (24) hours in advance of the inspection.
- F. The Sewer Tap shall be made only under the supervision of the District's Operator by use of an adapter of a type compatible with materials being joined. The Sewer Tap shall be watertight. No cement grout materials are permitted.

- G. Any damage to the District's facility shall be repaired promptly by the Customer under the direction of the District's Operator. Major damage will be repaired by the District's Operator at the Customer's expense.
- H. Backfilling of a Sanitary Sewer Service Line trench must be accomplished within twenty four (24) hours of inspection and approval. Backfill material shall be sand or loam free of large lumps or clods. No debris will be permitted in the trench or backfill.
- I. During inspection of the Sanitary Sewer Service Line, the District's Operator will examine all District facilities, such as manholes, valves, flush valves, and inlets on and adjacent to the lot. The connection permit will not be granted until any damage to these facilities has been repaired.
- J. The District's Operator will complete the Inspection Form, a copy of which is attached as Exhibit "5," and file it for record with the Application.
- K. A connection permit will be issued after the Sewer Tap Inspection is performed and the District's Operator confirms that all requirements of these Rules and Regulations have been met.
- L. Connection permits which are rejected for any deficiency shall be promptly corrected and a re-inspection requested. A re-inspection fee as set forth in the District's Rate Order shall be paid at the time the re-inspection is requested.

ARTICLE V FEES AND CHARGES

The District's fees and charges shall be as established by its Rate Order.

ARTICLE VI EXCLUDED FLOW AND WASTE

- A. No waste material which is not biologically degradable will be permitted to discharge into the District's Sanitary Sewer Collection System, including mud and debris accumulated during service line installation. The Customer should refer to the District's Rate Order and Wastewater Control Order for specific information concerning acceptable discharges into the District's Sanitary Sewer Collection System. The Customer is to be fully responsible for cleaning and jetting lines of any dirt or debris permitted to enter during service construction.
- B. No surface runoff water will be permitted to be discharged into the District's Sanitary Sewer Collection System, including but not limited to, downspouts and yard or area drains.
- C. Swimming pool and/or spa connections will not be made to the District's Sanitary Sewer Collection System unless specifically approved by the District in writing.

ARTICLE VII PRIVATE WELLS/TANKS

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

ARTICLE VIII AVAILABILITY OF ACCESS/OBSTRUCTIONS

By application for connection to the District's Sanitary Sewer Collection System and/or Water Supply System, the Customer shall be deemed to be granting to the District and its representatives a right of ingress and egress to and from the meter or point of service for such installation, maintenance and repair as the District, in its judgment, may deem reasonably necessary. The Customer shall also be deemed to be granting to the District and its representatives a right of ingress and egress to the Customer's property, including the interior and exterior of the Customer's premises, for the purpose of performing the inspections and completing the Customer Service Inspection Certifications required by these Rules and Regulations. Taps and connections will not be made when, in the opinion of the District's Engineer or Operator, the work area is obstructed by building materials or other debris or the work area is not completed or finished to grade. When sidewalks, driveways or other improvements have been constructed prior to application for service, such application shall be construed and accepted as the Customer's waiver of a claim for any damages to such improvements resulting from the reasonable actions of the District's Operator in installation of the connection.

ARTICLE IX PROTECTION OF DISTRICT'S WATER SUPPLY SYSTEM AND SANITARY SEWER COLLECTION SYSTEM

- A. Damage to the District's Water Supply System or the Sanitary Sewer Collection System by the District's Customers, including developers and builders' plumbers, will be repaired by the District at the Customer's expense.
- B. After a water meter has been set or a fire hydrant installed, the Customer shall at all times keep the area in, around and upon such facilities and District easements and property under Customer's control free from rubbish or obstructions of any kind, including shrubbery. Failure to keep such facilities and District easements and property under Customer's control free from rubbish or obstructions of other kind, including shrubbery, shall result in disconnection of water service and/or the assessment of charges necessary to remove said obstructions. Customers are prohibited from introducing material into the District's Sanitary Sewer Collection System which could cause obstruction of said system. In the event that an inspection by the District's Engineer or Operator reveals foreseeable damage to the District's Sanitary Sewer Collection System resulting from a Customer's failure to prevent obstructions from entering said system, the District reserves the

right to remove the obstruction immediately and without notice. Any costs incurred by the District for removal of an obstruction to the District's system, plus a District administration fee of 20% of said costs, shall be assessed to the Customer.

- C. It shall be unlawful for any person, unless authorized in writing by the District's Operator, to tamper or interfere with, obstruct access to, or as a result of willful action injure, deface, or destroy any facilities that are a part of the District's Water Supply System or Sanitary Sewer Collection System, including, with respect to the waterworks system, water plants, flushing valves, valve boxes, and water lines up to the meter box and including meters; provided, however, that duly authorized members of the local fire department shall have the right to use such flushing valves for fire protection purposes.
- D. It shall be unlawful for any person to connect any building to the District's Water Supply System without a meter or to have a straight line connection to a building without being metered. It shall also be unlawful for any person, other than the District's Operator or Engineer, to draw water from the District's Water Supply System (except for the use of water for firefighting purposes) without being metered, including the unauthorized use of a flushing valve or unmetered water taps.
- E. It shall be unlawful for any person to deposit, throw, drain, discharge, or otherwise cause to be injected into any sewer, manhole, catch basin, flush tank, or other facility that is a part of the District's Water Supply System or Sanitary Sewer Collection System any debris or foreign substance that would interfere with the proper and routine functioning thereof.

ARTICLE X ENFORCEMENT OF RULES AND REGULATIONS

Any and all of the following remedies may be employed by the District to abate and prevent any violation of the provisions of these Rules and Regulations:

- 1. Discontinuance of water service.
- 2. Disconnection and sealing of sanitary sewer connection.
- 3. 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 has sustained due to the violation up to the jurisdictional limits of the justice court. A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover any reasonable fees for attorneys, expert witnesses, and

other costs incurred by the District before the court. The amount of the attorneys' fees shall be fixed by the court.

4. 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.
5. 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.

ARTICLE XI EFFECTIVE DATE

These Rules and Regulations shall become effective immediately.

EXHIBIT "1"
TO APPENDIX "A"

**CERTIFICATE OF COMPLIANCE WITH PROHIBITION ON USE OF SPECIFIED
MATERIALS IN CONNECTIONS TO UTILITY DISTRICT WATER SYSTEM**

I, _____, a duly licensed plumber in the State of Texas, hereby certify that the connection at _____ (the "Connection") complies in full with the "Prohibition of Use of Specified Materials" provision contained in the Amended and Restated Rules and Regulations for Parkway Utility District (the "District"). I further certify that:

1. No direct connection between the District's Water Supply System and a potential source of contamination exists. Potential sources of contamination are isolated from the District Water Supply 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 District's Water Supply System and a private water system exists. Where an actual air gap is not maintained between the District's Water Supply System and a private water supply system, 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 District's Water Supply System.
4. No pipe or pipe fitting which contains more than 0.25% lead exists in private plumbing facilities installed on or after January 31, 2014.
5. No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after July 1, 1988.
6. No plumbing fixture is installed which is not in compliance with a State Approved Plumbing Code.

These determinations have been made under my direction and supervision. I am aware that there are significant penalties for false certification, including the possibility of fine.

Signature: _____
Printed Name: _____
Company Name: _____
Texas License No.: _____
Date: _____

EXHIBIT "2"
TO APPENDIX "A"

SERVICE INSPECTION CERTIFICATION

Name of District: PARKWAY UTILITY DISTRICT

PWS I.D. # _____

Location of Service _____

Reason for Inspection:	New Construction	9
	Existing service where contaminant hazards are suspected	9
	Major renovation or expansion of distribution facilities	9

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

	Compliance	Non-Compliance
(1) No direct connection between the public drinking water supply and a potential source of contamination exists. Potential sources of contamination are isolated from the public water system by an air gap or an appropriate backflow prevention assembly in accordance with Texas Commission on Environmental Quality regulations.	9	9
(2) No cross-connection between the public drinking water supply and a private water system exists. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention assembly tester.	9	9
(3) No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the public water supply.	9	9
(4) No pipe or pipe fitting which contains more than 0.25% lead exists in private water distribution facilities installed on or after January 31, 2014.	9	9
(5) No solder or flux which contains more than 0.2% lead exists in private water distribution facilities installed on or after July 1, 1988.	9	9

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

Service lines	Lead	9	Copper	9	PVC	9	Other	9
Solder	Lead	9	Lead Free	9	Solvent Weld	9	Other	9

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

Signature of Inspector

Registration Number

Title

Type of Registration

Date

EXHIBIT "3"
TO APPENDIX "A"

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 record keeping purposes:

BACKFLOW PREVENTION ASSEMBLY TEST AND MAINTENANCE REPORT

NAME OF DISTRICT: Parkway Utility District

PWS I.D. #: _____

LOCATION OF SERVICE: _____

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

TYPE OF ASSEMBLY

G Reduced Pressure Principle	G Pressure Vacuum Breaker
G Double Check Valve	G Atmosphere Vacuum Breaker
G Not Needed at this Address	

Manufacturer: _____

Size: _____

Model Number: _____

Located At: _____

Serial Number: _____

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

The above is certified to be true.

Firm Name: _____

Certified Tester: _____

Firm Address: _____

Cert. Tester No.: _____

Date: _____

EXHIBIT "4"
TO APPENDIX "A"

APPLICATION FOR SERVICE

(Please print or type)

Duplicate to
(address)

(Subdivision and Section)

(Name of Applicant)

(Lot)

(Block)

(Street Address)

(Street Address)

(Phone)

(City)

(State)

(Zip)

Installation to be performed by: _____
(Plumber or Sub-contractor) (Phone)

Type of pipe materials to be used: PVC _____, ABS _____, VC _____, CI _____

Date: _____ Requested by: _____
(Signature)

Applicant to draw sketch of house layout and proposed location of water and sewer service line:

For District Use Only

Date Application Received: _____

Date Construction Authorized: _____

Connection Information: _____

WYE Location _____

Stack Location _____

Manhole Location _____

Date of Inspection: 1st _____ 2nd _____ 3rd _____

Date permit Granted: _____

Approved by: _____, District Representative

EXHIBIT "5"
TO APPENDIX "A"

INSPECTION FORM SANITARY SEWER SERVICE

Lot _____ Block _____ Section _____

Street Address: _____

Inspection Requested By: _____ Date: _____

Date Tap To Be Made: _____

Results of Inspection Made on _____ at _____ a.m./p.m.

Pipe Materials: Size _____ PVC (D3034) _____ ABS (D2751) _____

Tap to: Wye _____ Stack _____

Cleanout: House _____ and _____

INSTALLATION

	<u>Satisfactory</u>	<u>Unsatisfactory</u>
Directness to Wye	_____	_____
Slope	_____	_____
Full Contact w/Bedding	_____	_____
Connection w/Main	_____	_____
Condition of Other District Facilities on Lot	_____	_____
Connection Permit is Approved (not approved)		
Water Service to Lot is approved (not approved)		
This Service Re-inspected on _____. (See attached new report.)		
Comments: _____		

Copy to:

Applicant: _____

By: _____
District Inspector

Manager: _____

By: _____
Authorized Representative of
Applicant

APPENDIX "B"

POLICY REGULATING USE DURING A SERIOUS AND/OR EMERGENCY WATER PERIOD/WATER CONSERVATION

SECTION 1. DEFINITIONS.

A. A "Serious Water Period" shall mean a failure of the District's Water Supply System to deliver treated water at adequate levels or pressures attributable to:

- (i) A period of hot and/or dry weather;
- (ii) Failure of any one or more components of the Water Supply System;
- (iii) A lowering of the groundwater table of the District's wells; or
- (iv) Other causes as determined by the Board of the District.

B. An "Emergency Water Period" shall mean the failure of the District's Water Supply System to deliver treated water so as to pose a serious threat to the public health, safety or welfare which may be caused by any of the items enumerated above.

C. Definitions from Article I of the Order Adopting Consolidated Rate Order and Rules and Regulations; Establishing Policy Regulating Water Use During Emergencies; Establishing a Wastewater Control Order; Establishing Certain Other Policies; and Providing Penalties for Violation Thereof shall apply in this Appendix "B".

SECTION 2. NOTICE.

A. Upon the occurrence of a "Serious Water Period" or an "Emergency Water Period," the Operator shall notify each District water Customer (one notification per connection). Such notice shall inform the Customer (i) of the occurrence of the Serious Water Period and/or the Emergency Water Period; (ii) that water usage restrictions are now in effect; and (iii) of the penalties for failure to comply with the imposed restrictions. Notification shall be given by delivering written notice to the front door or the main entrance of every District water Customer in the forms attached hereto as Exhibit "1" and "2." Additional means of notification may be employed at the discretion of the Board of the District.

B. At such time as the Water Supply System has been restored to acceptable levels, the Serious Water Period or Emergency Water Period shall be canceled and Customers may resume normal water usage. The District's Operator shall provide written notice to each Customer in the same manner as provided in Section 8.02(A) hereof and in the form attached hereto as Exhibit "3."

SECTION 3. WATER USE RESTRICTIONS.

A. During a Serious Water Period, Customers are prohibited from allowing, permitting, or causing water received from the District's Water Supply System to be released through a sprinkler, faucet, hose or similar pressurized source for use outside of a residence, building or enclosed structure except between the hours of 10:00 p.m. and 6:00 a.m. as outlined below:

- (i) Customers whose street address ends with an even number digit (0, 2, 4, 6, or 8) may discharge water for use outside of a residence, building or enclosed structure, on even numbered days commencing at 10:00 p.m. and ending at 6:00 a.m. the following calendar day.
- (ii) Customers whose street address ends with an odd number digit (1, 3, 5, 7, or 9) may discharge water for use outside of a residence, building or enclosed structure on odd numbered days commencing at 10:00 p.m. and ending at 6:00 a.m. the following day.

B. During an Emergency Water Period, Customers are prohibited from allowing, permitting, or causing water received from the District's Water Supply System to be released through a sprinkler, faucet, hose or similar pressurized source for use outside of a residence, building or enclosed structure except between the hours of 10:00 p.m. and 6:00 a.m. ONCE A WEEK as outlined below:

- (i) Customers whose street address ends with an even number digit (0, 2, 4, 6, or 8) may use water for use outside a residence, building or enclosed structure commencing at 10:00 p.m. on Friday and ending at 6:00 a.m. the following Saturday morning.
- (ii) Customers whose street address ends with an odd number digit (1, 3, 5, 7, or 9) may use water for use outside a residence, building or enclosed structure commencing at 10:00 p.m. on Saturday and ending at 6:00 a.m. the following Sunday morning.

SECTION 4. WATER USE GUIDELINES. During a Serious Water Period or Emergency Water Period, Customers are encouraged to:

- 1. Take showers instead of baths;
- 2. Wash only full loads of clothing or dishes when using automatic appliances;
- 3. Avoid unnecessary flushing of toilets;
- 4. Minimize the length of time water faucets are allowed to run (i.e., when washing hands or face, washing dishes, or when preparing for shower, etc.).

SECTION 5. PERMITTED WATER USE DURING A SERIOUS PERIOD OR EMERGENCY WATER PERIOD. Customers are allowed to use water during a Serious Water Period or Emergency Water Period for the following:

- 1. Grass or plants which have been planted or transplanted on the same calendar day on which such usage occurs; or
- 2. Trees or plants (excluding grass) between the hours of 10:00 a.m. and 12:00 noon if such use is accomplished through a hose held at all times in a person's hand; or

3. for sanitary purposes; or
4. for the purpose of flushing waterlines to prevent or eliminate stagnation, contamination or discoloration of water in any District water facility; or
5. for the suppression of fire; or
6. for the wetting of any surface for the purpose of complying with the air pollution laws of the State of Texas or the United States of America.

SECTION 6. PENALTIES FOR VIOLATING WATER USE RESTRICTIONS DURING A SERIOUS WATER PERIOD OR EMERGENCY WATER PERIOD. The following penalties shall be enforced for violating the water use restrictions during a Serious Water Period and/or an Emergency Water Period:

1. The Operator for the District shall notify the Customer in writing of a violation by hand delivery of a citation in the form attached hereto as Exhibits "4" and "5," and by affixing the citation to the front door or main entrance of the place of violation.
2. In the event that a District Customer violates the prohibited use on two (2) occasions during any single Serious Water Period or Emergency Water Period, service shall be discontinued after written notice in the form attached hereto as Exhibit "6," and shall not be initiated or restored until non-compliance is discontinued and payment of a \$100 reconnect fee is paid.
3. Violators shall reimburse the District for any and all expenses incurred by the District, including reasonable attorneys' fees, in enforcing the terms of this Policy. The penalties provided for in this Policy shall in no way limit liability for violations of these regulations and are in addition to any and all other remedies available, both legal and equitable.

SECTION 7. WATER CONSERVATION. In addition to the water use guidelines and restrictions specified herein, conservation of water is encouraged by the District. To this end, the Board of the District may, from time to time, distribute additional water use and/or conservation guidelines. The issuance of such information does not modify or invalidate the restrictions and guidelines stated herein.

EXHIBIT "1"
TO APPENDIX "B"

PARKWAY UTILITY DISTRICT
OF
HARRIS COUNTY, TEXAS

(Date)

Dear Customer:

Due to the hot and dry weather conditions, the water supply system of Parkway Utility District (the "District") cannot continue to provide water at the customary levels or pressures. In accordance with the Policy Regulating Water Use During a Serious Water Period, you are hereby notified that Water Use Restrictions are now in effect. You are prohibited from allowing, permitting, or causing water received from the District's Water Supply System to be released through a sprinkler, faucet, hose or similar pressurized source for use outside of a residence, building or enclosed structure except between the hours of 10:00 p.m. and 6:00 a.m. as outlined below:

- (1) Customers whose street address ends with an even number digit (0, 2, 4, 6, or 8) may discharge water for use outside a residence, building or enclosed structure, on even numbered days commencing at 10:00 p.m. and ending at 6:00 a.m. the following calendar day.
- (2) Customers whose street address ends with an odd number digit (1, 3, 5, 7, or 9) may discharge water for use outside a residence, building or enclosed structure on odd numbered days commencing at 10:00 p.m. and ending at 6:00 a.m. the following day.

Failure to comply with the Water Use Restrictions is deemed a violation of the Policy Regulating Water Use During a Serious Water Period and will result in the termination of water and sewer service to your property. Water and sewer service will not be restored until non-compliance is discontinued and a reconnect fee of \$100 is paid.

The Board of Directors appreciates your cooperation and perseverance during this Serious Water Period. Once the Serious Water Period ends, we will notify you and you may then return to normal usage.

Very truly yours,

President, Board of Directors

EXHIBIT "2"
TO APPENDIX "B"

PARKWAY UTILITY DISTRICT
OF
HARRIS COUNTY, TEXAS

(Date)

Dear Customer:

As a result of _____, Parkway Utility District (the "District") is unable to provide water at the customary levels or pressure.

In accordance with the Policy Regulating Water Use During an Emergency Water Period, you are hereby notified that Water Use Restrictions are now in effect. You are prohibited from allowing, permitting, or causing water received from the District's Water Supply System to be released through a sprinkler, faucet, hose or similar pressurized source for use outside of a residence, building or enclosed structure except between the hours of 10:00 p.m. and 6:00 a.m. ONCE A WEEK as outlined below:

- (1) Customers whose street address ends with an even number digit (0, 2, 4, 6, or 8) may use water outside a residence, building or enclosed structure commencing at 10:00 p.m. on Friday and ending at 6:00 a.m. the following Saturday morning.
- (2) Customers whose street address ends with an odd number digit (1, 3, 5, 7, or 9) may use water outside a residence, building or enclosed structure commencing at 10:00 p.m. on Saturday and ending at 6:00 a.m. the following Sunday morning.

Failure to comply with the Water Use Restrictions is deemed a violation of the Policy Regulating Water Use During an Emergency Water Period and will result in the termination of water and sewer service to your property. Water and sewer service will not be restored until non-compliance is discontinued and a reconnect fee of \$100 is paid.

The Board of Directors appreciates your cooperation and perseverance during this Emergency Water Period. Once the Emergency Water Period ends, we will notify you and you may then return to normal usage.

Very truly yours,

President, Board of Directors

EXHIBIT "3"
TO APPENDIX "B"

PARKWAY UTILITY DISTRICT
OF
HARRIS COUNTY, TEXAS

(Date)

Dear Customer:

The Serious Water Use Period or Emergency Water Period has ended. You may return to normal water usage. The Board of Directors of Parkway Utility District appreciates your cooperation and perseverance during this period.

Very truly yours,

President, Board of Directors

EXHIBIT "4"
TO APPENDIX "B"

PARKWAY UTILITY DISTRICT
OF
HARRIS COUNTY, TEXAS

CITATION

(Date)

Dear Customer:

You are hereby notified that you are violating the Water Use Restrictions of Parkway Utility District (the "District"). The Water Use Restrictions prohibit you from allowing, permitting, or causing water received from the District's Water Supply System to be released through a sprinkler, faucet, hose or similar pressurized source for use outside of a residence, building or enclosed structure except between the hours of 10:00 p.m. and 6:00 a.m. as outlined below:

- (1) Customers whose street address ends with an even number digit (0, 2, 4, 6, or 8) may discharge water for use outside a residence, building or enclosed structure, on even numbered days commencing at 10:00 p.m. and ending at 6:00 a.m. the following calendar day.
- (2) Customers whose street address ends with an odd number digit (1, 3, 5, 7, or 9) may discharge water for use outside a residence, building or enclosed structure on odd numbered days commencing at 10:00 p.m. and ending at 6:00 a.m. the following day.

You have been observed using water in a manner which is prohibited under the above described Water Use Restrictions. Unless the use of water in a prohibited manner is ceased immediately, water and sewer service to your property will be terminated, and service will be only restored upon payment of a \$100 reconnect fee.

Sincerely,

President, Board of Directors

EXHIBIT "5"
TO APPENDIX "B"

PARKWAY UTILITY DISTRICT
OF
HARRIS COUNTY, TEXAS

CITATION

(Date)

Dear Customer:

You are hereby notified that you are violating the Water Use Restrictions of Parkway Utility District (the "District"). The Water Use Restrictions prohibit you from allowing, permitting, or causing water received from the District's Water Supply System to be released through a sprinkler, faucet, hose or similar pressurized source for use outside of a residence, building or enclosed structure except between the hours of 10:00 p.m. and 6:00 a.m. ONCE A WEEK as outlined below:

- (1) Customers whose street address ends with an even number digit (0, 2, 4, 6, or 8) may discharge water for use outside of a residence, building or enclosed structure, on even numbered days commencing at 10:00 p.m. on Friday and ending at 6:00 a.m. the following Saturday morning.
- (2) Customers whose street address ends with an odd number digit (1, 3, 5, 7, or 9) may discharge water for use outside of a residence, building or enclosed structure on odd numbered days commencing at 10:00 p.m. on Saturday and ending at 6:00 a.m. the following Sunday morning.

You have been observed using water in a manner which is prohibited under the above described Water Use Restrictions. Unless the use of water in a prohibited manner is ceased immediately, water and sewer service to your property will be terminated, and service will be only restored upon payment of a \$100 reconnect fee.

Sincerely,

President, Board of Directors

EXHIBIT "6"
TO APPENDIX "B"

PARKWAY UTILITY DISTRICT
OF
HARRIS COUNTY, TEXAS

CITATION

(Date)

Dear Customer:

On _____, you were notified that you are violating the Water Use Restrictions of Parkway Utility District. This second violation has resulted in the termination of water and sewer service to your property. Service will be restored upon discontinuation of the prohibited use and upon payment of \$100 reconnect fee. To have service restored you should contact the Operator of Parkway Utility District at _____.

Sincerely,

President, Board of Directors

APPENDIX "C"

AMENDED AND RESTATED WASTEWATER CONTROL ORDER

I. PURPOSE

This Amended and Restated Wastewater Control Order set forth below is to govern all connections made to the Sanitary Sewer Collection System within the District.

II. DEFINITIONS

Definitions from the District's Order Adopting Consolidated Rate Order and Rules and Regulations; Establishing Policy Regulating Water Use During Emergencies; Establishing a Wastewater Control Order; and Providing Penalties for Violation Thereof are incorporated herein by reference. Unless the context requires otherwise, the terms and phrases used herein shall have meanings as follows:

1. The term "amenable to treatment" shall mean susceptible to reduction in concentration by Treatment routinely provided in the District's wastewater treatment plant, to a level which is in compliance with federal and state effluent limitations for discharges into the waters of the State of Texas.

2. The term "B.O.D." (Biochemical Oxygen Demand) means the quantity of oxygen by weight expressed in milligrams per liter ("mg/l") utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of twenty (20) degrees centigrade as determined by the procedures specified in the latest edition of Standard Methods, or such other manual of operations as the District may adopt from time to time in accordance with the latest rules of the Texas Commission on Environmental Quality (the "TCEQ").

3. The term "Control Manhole" or "Control Point" means a manhole, sample well or other facility which provides access to a Customer's Sanitary Sewer Collection System and is located at a point before the waste discharges in the Waste Disposal System.

4. The term "C.O.D." (Chemical Oxygen Demand) means the measure of the oxygen-consuming capacity of inorganic and organic matter present in water or waste, expressed in milligrams per liter as the amount of oxygen consumed from a chemical oxidant as determined by Standard Methods, or such other manual of operations as the District may adopt from time to time in accordance with the latest rules of the TCEQ.

5. The term "Commercial Waste" means the liquid and water carried waste resulting from any process of industry, manufacturing, trade, business, or commercial enterprise, or any other process resulting in the discharge of waste other than normal domestic wastewater, including any mixture of industrial waste with water or normal domestic wastewater, and such other waste as the District deems appropriate.

6. The term "Commercial Waste Charge" means the charge made to persons who discharge or are responsible for the discharge of non-residential waste into the Waste Disposal System which discharge is amenable to treatment but which exceeds the concentration levels of normal domestic wastewater.

7. The term "Customer" means any person who is served by the wastewater collection and treatment system of the District (the "Waste Disposal System").

8. The term "Customer's Sanitary Sewer Collection System" means the sanitary sewer system(s) now owned or operated or to be constructed or acquired by Customers of the District, including sanitary sewers (but excluding storm sewers), manholes, intercepting sewers, pumping works, and all other plants, works, and equipment for the collection and transportation of waste to the District's Waste Disposal System.

9. The term "daily composite" means the composite of all samples of a Customer's wastewater that may be taken in any 24-hour period selected by the District. A daily composite shall be prepared from not less than three (3) grab samples collected no closer together than one (1) hour per sample.

10. The term "discharge" includes the terms deposit, conduct, drain, emit, throw, run, seep, or otherwise release or dispose of, or to allow, permit, or suffer any of such acts or omissions.

11. The term "grab sample" means an individual sample collected in less than fifteen (15) minutes.

12. The term "grease" means fats, waxes, oils, and other similar volatile material and waste which are extracted by procedures specified in the latest edition of Standard Methods, or such other manuals as the District may adopt from time to time in accordance with the latest rules of the TCEQ.

13. The term "infiltration water" means water which leaks into the District's Waste Disposal System or its Customer's Sanitary Sewer Collection Systems.

14. The term "interference" means the inhibition or disruption of the Waste Disposal System treatment process or operations which causes or contributes to causing a violation of the District's NPDES Permit or its permit issued by the TCEQ.

15. The term "mg/l" means milligrams per liter.

16. The term "monthly average" means, at the option of the District, either (i) the arithmetic average of all grab samples taken during a calendar month or (ii) the arithmetic average of all daily composite samples taken during a calendar month.

17. The term "normal domestic wastewater" means waste, excluding industrial waste, discharged by a person into the Waste Disposal System or into a Customer's Sanitary Sewer Collection System in which the average concentration of total suspended solids is not more than 200 mg/l, B.O.D. is not more than 200 mg/l, and NH₃-N is not more than 35 mg/l.

18. The term "overload" means the imposition of organic or hydraulic loading on the Waste Disposal System in excess of either its designated hydraulic capacity, its installed rated capacity, or its organic loading capacity.

19. The term "person" means any individual, public or private corporation, district, authority, political subdivision, or other agency or entity of the State of Texas or of the United States of America; any incorporated city, town, or village, whether operating under general law or under its home rule charter; and any copartnership, association, firm, trust, estate, or any other entity whatsoever.

20. The term "pH" means the common logarithm of the reciprocal of the hydrogen ion concentration expressed in molecules per liter of solution.

21. The term "Pollutant" means any dredged spoil, solid waste, incinerator residue, waste, garbage, sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.

22. The term "pretreatment" means the reduction of the amount of Pollutants, the elimination of Pollutants, or the alteration of the nature of the Pollutant properties in the wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such Pollutants into the Waste Disposal System.

23. The term "properly shredded garbage" means solid waste from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sanitary sewers, with no particle greater than one-half ($\frac{1}{2}$) inch in any dimension.

24. The term "slug" means any discharge of water which in the concentration of any given constituent or in the quantity of the flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flow during normal operation.

25. The term "Standard Methods" means the examination and analytical procedures set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" as prepared, approved, and published jointly by the American Public Health Association, the America Water Works Association, and the Water Pollution Control Federation.

26. The term "storm sewer" means sewers which carry storm and surface waters and drainage and into which waste is not intentionally discharged.

27. The term "suspended solids" means those solids that either float on the surface or are in suspension in waste or other liquids, expressed in terms of milligrams per liter.

28. The term "trap" means a device designed to skim, settle, or otherwise remove grease, oil, sand, flammable wastes, or other substances which may be harmful to either the Waste Disposal System or its treatment processes.

29. The term "waste" means normal domestic wastewater and commercial waste collected by a public sanitary sewer collection system, together with such infiltration water as may be present.

30. The term "Waste Disposal System" means all or any part of any disposal system or disposal facilities constructed or acquired by the District for receiving, transporting, treating, and disposing of waste collected by the sanitary sewer collection systems of the District's Customers, together with such extensions, enlargements, and modifications as may be required in the future or as may be necessary to comply with any regulatory requirements.

31. The term "wastewater service charge" means the charge to all users of the District's Waste Disposal System whose wastes do not exceed the concentrations established herein as representative of normal domestic wastewater.

III.

PROHIBITED DISCHARGE

A. DISCHARGES INJURING OR INTERFERING WITH WASTE DISPOSAL SYSTEM

All waste discharged into the Waste Disposal System shall conform to the requirements hereof and shall consist only of waste amenable to biological treatment or other processes employed by the District from time to time. No person may discharge into the Waste Disposal System any waste which by itself or by interaction with any other waste may (i) injure or interfere with the process or physical properties or facilities of the Waste Disposal System, (ii) constitute a hazard to humans or animals, and (iii) create a hazard in the receiving waters of the effluent of the Waste Disposal System. No person shall discharge any of the following substances into the Waste Disposal System:

1. Any inflows or infiltration, including but not limited to, storm water, groundwater, roof runoff, sub-surface drainage, non-contact cooling water, or from sources such as downspouts, yard drains, pool drains, yard fountains or ponds, or lawn sprinklers.

2. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the Waste Disposal System or to the operation of the Waste Disposal System. At no time shall two (2) successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naptha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances in concentrations which the District, the State or EPA has identified or hereafter identifies as a fire hazard or a hazard to the system.

3. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the Waste Disposal System including, but not limited to, garbage (other than properly shredded garbage) containing particles greater than one-half inch

(½") in any dimension, animal guts or tissues, paunch manure, bones, hair hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, lettuce, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, glass grindings or polishing wastes.

4. Any wastewater having a pH less than 6.0 or higher than 9.0, as determined from the average of at least four (4) grab samples taken at least one (1) hour apart and measured instantaneously, or having a pH lower than 5.0 or higher than 10.0 for any single grab sample, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the Waste Disposal System.

5. Any wastewater containing toxic Pollutants in sufficient quantity, either singly or by interaction with other Pollutants, to injure or interfere with any wastewater treatment process, which constitute a hazard to humans or animals, which create a toxic effect in the receiving waters of the wastewater facilities, or which exceed the limitation set forth in a National Categorical Pretreatment Standard.

6. Any wastewater having a temperature which will inhibit biological activity in the wastewater treatment plant or result in the interference with the operations of such facility, but in no case wastewater with a temperature at the designated control point or sample well which exceeds 65°C (150°F) or which causes the temperature of waste at the entrance to the wastewater treatment plant to exceed 40°C (104°F). In addition, no wastewater with such a temperature that will cause the temperature of wastewater at the entrance to the wastewater treatment plant to rise more than 10°F per hour.

7. Any Pollutants, including oxygen demanding Pollutants released at a flow rate and/or Pollutant concentration which will cause interference to the Waste Disposal System. No slug discharges are allowed.

8. A volume of flow which will cause the influent flow to the Waste Disposal System to exceed 1.5 times the average dry weather flow rate for a period longer than one (1) hour. The design and installation of surge basins shall be subject to the review and approval of the District and to the requirements of all applicable laws.

9. Waste containing B.O.D. or suspended solids in excess of 200 mg/l, or ammonia in excess of 35 mg/l, based on a grab sample, unless a variance is first obtained from the District. B.O.D. or suspended solids in monthly average concentrations above 200 mg/l, and ammonia in a monthly concentration above 35 mg/l, shall be subject to payment of Commercial Waste Charges pursuant to Section VIII herein.

Discharges prohibited by the foregoing parameters include, but are not limited to, slugs and materials which exert or cause: excessive discoloration or concentrations of suspended solids, B.O.D., C.O.D., or chlorine demands in excess of the ability of the Waste Disposal System to treat adequately and dispose of such waste in compliance with applicable regulatory requirements.

B. CHEMICAL DISCHARGES

The following chemicals shall not be admissible into the Waste Disposal System:

1. Cyanide or cyanogen compounds capable of liberating hydrocyanic gas upon acidification when present in concentrations in excess of 0.5 mg/1 by weight as cyanide (CN);
2. Fluorides other than those contained in the local public water supply for the area which is the source of the discharge;
3. Gasoline, cleaning solvents, benzene, naphtha, fuel oil, or other flammable or explosive liquids, solids, or gases;
4. Substances causing C.O.D. in excess of 500 mg/1 for any daily composite sample or 1,000 mg/1 for any grab sample;
5. Acids or alkalis having pH values lower than 6.0 or higher than 9.0, iron pickling wastes, or concentrated plating solutions whether neutralized or not;
6. Grease, whether emulsified or not, containing substances which may solidify or become viscous at temperatures between 32 degrees and 150 degrees Fahrenheit (0 degrees and 65 degrees Centigrade) or which exceeds on analysis an average of 100 mg/1 of soluble matter;
7. Dissolved sulfides whose concentrations exceed 30 mg/1;
8. Radioactive materials or isotopes of such half-life or concentrations which will permit a transient concentration higher than the maximum allowable as specified by the governing standards of all local, State and federal regulatory authorities;
9. Any other corrosive, explosive, malodorous, or objectionable chemicals in liquid, solid, or gaseous form.

C. HEAVY METALS AND TOXIC MATERIALS

The following metals and toxic materials shall not be admissible into the District's Waste Disposal System:

1. Objectionable or toxic substances exerting an excessive chlorine requirement to such a degree that any such material received in the composite waste at the wastewater treatment plant exceeds the limits established from time to time by the District for such materials.
2. Obnoxious, toxic, or poisonous solids, liquids, or gases in quantities sufficient to violate the provisions of this Section III hereof.
3. Any substance having corrosive properties capable of causing damage or hazard to structures, equipment, or personnel operating the Waste Disposal System.
4. All waste or other substances containing phenols, hydrogen sulfide, or other taste or odor producing substances exceeding the concentration limits established from time to time by

the District or which, after treatment of the composite waste, exceeds applicable regulatory requirements.

5. Antimony, beryllium, bismuth, boron, cobalt, molybdenum, tin, uranyl ion, uranium, rhenium, strontium, tellurium, and such other heavy metals as may be prohibited by the District.

6. The following heavy metals or the salts thereof in solution or suspension which upon analysis by Standard Methods exceed the concentrations listed below:

Not to Exceed (mg/l)			
<u>Metal</u>	<u>Monthly Average</u>	<u>Daily Composite</u>	<u>Grab Sample</u>
Arsenic	1.000	1.500	3.000
Barium	5.000	7.500	15.000
Cadmium	0.083	0.125	0.250
Chromium	5.000	7.500	15.000
Copper	0.600	0.900	1.800
Lead	0.400	0.600	1.200
Manganese	2.000	3.000	6.000
Mercury	0.0005	0.0010	0.002
Nickel	5.000	7.500	15.000
Selenium	0.467	0.700	1.400
Silver	0.050	0.050	0.100
Zinc	2.000	3.000	6.000

7. Any other heavy metals or toxic materials except upon the conditions of pretreatment, concentration, volumes, and other applicable standards prescribed by the District or by applicable statutes, laws, rules, or regulations.

D. SOLID WASTE

No person may discharge solid waste into the Waste Disposal System unless it is properly shredded garbage. The District may review and approve the installation and operation of any garbage grinder equipped with a motor of three-fourth (3/4) horsepower (0.76 H.P. metric) or greater.

IV. MINIMUM PRELIMINARY TREATMENT CRITERIA FOR COMMERCIAL WASTE

It is not the intent of this Wastewater Control Order to cover all the possibilities for types of businesses that could potentially discharge wastes that can be adverse to the Waste Disposal System. However, the common commercial enterprises found in the vicinity of residential neighborhoods have been considered.

1. Gasoline Sales/Car Repair. All floor drains in shop areas shall include a combination mud and grease trap similar to City of Houston Dwg. 359-S-1. All flows into these drains should subsequently be treated in a specially designed oil separator with positive means for oil and grease removal. A 48-hour detention grease trap (minimum 1,500 gallons) or a corrugated plate pack separator will provide such treatment. No drainage shall be pumped with a centrifugal pump prior to oil and grease separation. The traps shall be cleaned at least once a month. Safeguards shall be taken against contamination of groundwater due to leakage from fuel tanks. All piping and tankage for both oil and grease pretreatment facilities and product storage shall be of double wall construction and shall include integral leak detection monitors to preclude contamination of groundwater.

2. Car Wash Facilities. All car wash facilities shall recycle the maximum amount of wash water through the best commercially available systems and install a mud/grease trap for each drain followed by 96-hour detention gravity grease separation (minimum 1,500 gallons) or a corrugated plate pack separator. Mud, sludge, and grease removal shall be required at least once a month. If the car wash facility has gasoline pump(s), then the car wash facility must also have floor drains to include a mud and grease trap similar to City of Houston Dwg. 359-S-1. All flows into these drains should subsequently be treated in a specifically designed oil separator with positive means for oil and grease removal. Traps shall be cleaned at least once a month. Safeguards shall be taken against contamination of groundwater due to leakage from fuel tanks. All piping and tankage for both oil and grease pretreatment facilities and product storage shall be double wall construction and shall include integral leak detection monitors to preclude contamination of groundwater. A groundwater monitoring well must also be installed.

3. Food Service/Grocery Stores. Restaurants, meat markets, grocery stores, and other establishments dealing with the sale of unprocessed or cooked foods shall be prohibited from using garbage grinders, shall require grease traps (minimum 1,500 gallons), shall install an inspection manhole for sampling, and shall insure that scrap food and grease are collected in sealed containers and hauled away for reprocessing. Grease traps shall be cleaned a minimum of once a month.

4. Printing and Photo processing. Printing and Photo processing facilities shall install a ground water monitoring well and shall discharge only domestic waste from sinks and restrooms. All printing and Photo processing chemicals shall be collected in sealed containers and hauled away for reprocessing.

5. Laundry/Dry Cleaning. Laundry and dry cleaning facilities shall install a ground water monitoring well and shall incorporate a lint trap system equivalent to two (2) City of Houston Dwg. 533-S units in series, providing a minimum of 3,000 gallons of capacity. Cleaning of the lint trap is required at least once a month.

6. Landscaping/Nurseries. Landscaping and nurseries that use herbicides and pesticides shall install a ground water monitoring device and shall only discharge domestic waste from sinks and restrooms.

7. Discharge of Waters or Wastes Containing Toxic or Poisonous Substances; Submission of Written Statement. Where the operation of a person, firm, or corporation entails

the discharge of water or wastes containing toxic or poisonous substances, a written statement setting forth the nature of the operation contemplated or presently carried on shall be filed with the District. The statement shall specify the amount of water that will be used and its source, the proposed point of discharge of wastes into the Waste Disposal System of the District, and the estimated amount to be discharged; the statement shall include a laboratory statement setting forth the expected bacterial, physical, chemical, and other known characteristics of said wastes. Within thirty (30) days from receipt of such statement, the District shall issue an order stating minimum restrictions necessary in the judgement of the District's Engineer to protect the District's systems.

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

V. **TRAPS; INTERCEPTORS**

Grease, oil, and sand interceptors shall be provided for the proper handling of liquid wastes containing grease in amounts that will impair the proper functioning of any sanitary sewer line and for preventing any flammable wastes, sand, and other harmful ingredients from entering into the sanitary sewers. Interceptors shall not be required for premises used exclusively as private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the District and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gas-tight and watertight. Where installed, all grease, oil, and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. Any facility with a mud and grease trap or grease trap or pretreatment system shall be required to remove grease, grit, sludge, or other residue at least once a month and shall maintain records at the site of the date, time, name of hauler, volume removed, destination, waste hauling permit number, and a copy of a hauler's manifest. Records shall be available for inspection by District's representatives during normal working hours. A facility not complying shall be subject to having water service terminated until the facility is brought into compliance.

VI. **SAMPLING; TESTING; INSPECTION; RIGHT OF ENTRY**

A. Control Manholes: Installation, Location, and Maintenance. The owner of any property served by a sewer carrying Commercial Waste shall install a suitable control manhole in the sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole shall be accessible and safely located and shall be constructed in accordance with plans approved by the District Engineer. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

Owners of property served by a sewer carrying Commercial Waste and required to install a suitable manhole pursuant to this Article VI hereof and receiving water and sanitary sewer service from the District on the initial effective date of this Wastewater Control Order shall have one hundred eighty (180) days from the initial effective date to install a suitable control manhole. Failure to install the manhole within one hundred eighty (180) days as described herein shall result in the termination of water and sewer service to the property. All new connections served by a sewer carrying Commercial Waste shall have a suitable control manhole installed prior to receiving water and sewer service from the District.

B. Sampling/Testing. The District or its duly authorized agent or representative may enter at all reasonable times any lands or premises served or proposed to be served by the Waste Disposal System for the purposes of carrying out and determining compliance with the provisions hereof.

After the effective date hereof and upon completion of the installation of a suitable control manhole pursuant to Section VI(A) hereof, the Operator for the District shall conduct an initial test which shall consist of a minimum of one (1) grab sample and a maximum of three (3) grab samples, as determined by the District's Operator, from the control manhole of all sewers carrying Commercial Waste. If the results of the grab samples indicate that the waste being discharged into the Waste Disposal System is in accordance with this Wastewater Control Order, testing shall then be conducted on a periodic basis.

In the event the grab samples indicate that the waste being discharged into the Waste Disposal System is in violation of this Wastewater Control Order, then the owner of the property shall be notified and shall be required to submit a plan for the satisfactory correction of the violation in accordance with Subsection C of this Section, unless the violation presents an imminent danger to the health or welfare of the public, then service shall be terminated in accordance with Article IX hereof. The cost for all additional testing conducted as a result of the violation shall be billed to the commercial Customer, and failure to pay such cost will result in the termination of water and sewer service.

Sampling and testing shall be conducted on connections carrying Commercial Waste in accordance with customarily accepted methods, reflecting the effects of constituent wastes upon the Waste Disposal System and the existence of hazards to health, life, limb, or property. Examination and analysis of the characteristics of water and waste shall be conducted in accordance with Standard Methods or such other manual of operation as the District may adopt from time to time in accordance with the latest rules of the TCEQ and shall be determined from suitable samples taken at control points selected by the District. The cost to take and analyze such samples shall be added to the Customer's water and sewer service bill, and failure to pay for such sample will result in the termination of the Customer's water and sewer service.

C. Notification of Violation/Submission of Plan. Whenever the District finds that any Customer has violated or is violating this Wastewater Control Order, except when such violation presents an imminent danger to the health or welfare of persons, as provided in Article IX, the District shall serve upon such person a written notice stating the nature of the violation. Within a period of not more than thirty (30) days from the date of the notice, as specified therein, a plan for satisfactory correction thereof shall be submitted in writing to the District. If such a

plan is not timely submitted, or if such violation is not corrected, the District shall proceed with enforcement under Article XII. No prior notice shall be required for the imposition of the fine described in Article XI if such fine is assessed for a violation of this Wastewater Control Order.

VII. **SUPERVISION**

If the District or its designated representative determines that a discharge or a proposed discharge into the Waste Disposal System may deleteriously affect the Waste Disposal System or receiving waters, or create a hazard to life or health, or create a public nuisance, it may require:

- A. Discontinuation of the discharge into the District's sewer system in its entirety.
- B. Pretreatment to an acceptable condition for discharge into the Waste Disposal System.
- C. Control over the quantities and rates of discharge.
- D. Waste surcharge payments sufficient to compensate the District for the cost of handling and treating the waste.

VIII. **COMMERCIAL WASTE CHARGES**

In addition to the wastewater service charges made by the District, the District may charge Customers discharging commercial waste into the Waste Disposal System the Commercial Waste Charges provided for herein where the waste discharge exceeds the parameters of normal domestic wastewater.

1. The Commercial Waste Charge shall be calculated by the following formula:

$$UC = Q[X + Y(\text{BOD} - 200) + Z(\text{SS} - 200) + n(N - 35)]$$

Formula values are:

$$UC = \text{Commercial Waste Charge (in dollars)}$$

$$Q = \text{Billable quantity (based on water billed or actual measurement of Wastewater discharged) of wastewater in thousands of gallons.}$$

$$X = \$0.50$$

$$Y = \$0.0018$$

$$Z = \$0.0022$$

$$n = \$0.0125$$

BOD	=	Five-day, twenty (20) degrees celsius, biochemical oxygen demand content of the waste delivered, in mg/1 based on monthly average concentration.
SS	=	Suspended solids content of the waste delivered, in mg/1 based on monthly average concentration.
N	=	Ammonia content of the Waste delivered, in mg/1 based on monthly average concentration.

The District shall review and, if appropriate, adjust the Commercial Waste Charges to reflect changes in the characteristics of the commercial waste of each user based upon the results of sampling and testing. The District also shall review the basis for determining Commercial Waste Charges and shall adjust the unit treatment costs in the above formula to reflect increases or decreases in the wastewater treatment costs based upon the prior experience. Increases in Commercial Waste Charges shall continue for six (6) billing periods unless subsequent tests determine that the charges should be further increased. If another method of billing is determined by the District's Board to be a more effective method of allocating such costs to the Customer, based upon the particular facts of each case, the District may use such method in lieu of the above. The Commercial Waste Charges will be billed as a separate item from wastewater service charges. Failure to pay the Commercial Waste Charge shall result in termination of water and sewer service pursuant to provisions of the District's Order Adopting Consolidated Rate Order and Rules and Regulations; Establishing Policy Regulating Water Use During Emergencies; Establishing a Wastewater Control Order; Establishing Certain Other Policies; and Providing Penalties for Violation Thereof.

IX. EMERGENCY RELIEF

The District may immediately suspend the wastewater treatment service of a user when such suspension is necessary, in the opinion of the Board of the District, in order to stop or prevent an actual or threatened discharge that presents an imminent or substantial endangerment to the health or welfare of persons, to the environment, or to the Waste Disposal System of the District, or which would cause the effluent from the plant to exceed discharge parameters. The District may immediately suspend the wastewater treatment service of a user when such suspension is necessary, in the opinion of the Board of the District, to prevent contamination of sludge from the plant. The District shall reinstate the wastewater service upon proof of the elimination of the noncomplying discharge. Such disconnection and reconnection shall be at the expense of the user. The District may permanently disconnect any user showing a history of flagrant or habitual violation of this Wastewater Control Order.

X. REVIEW

Any user objecting to a decision or order of the District under authority of this Wastewater Control Order shall have the right to a hearing before the Board of the District, at which time the contentions of both the District and user shall be reviewed. The Board President,

or in his absence the Vice President, shall be the presiding officer and may, at his discretion, request other professional opinions prior to rendering his decision on the matter of review.

XI.
PENALTY FOR VIOLATION OF ARTICLE

All violations of this Wastewater Control Order, including any failure to observe any discharge parameter set forth herein or permit issued pursuant to this Wastewater Control Order, shall be punishable with the Civil Penalties set forth in and under the Enforcement Provisions of the District's Rate Order and as set forth in Article XII of this Wastewater Control Order. Each day of a violation of any parameter or requirement constitutes a distinct and separate offense.

XII.
ENFORCEMENT

Any or all of the following remedies may be employed by the District to abate and prevent any violation of the provisions of this Wastewater Control Order:

1. Discontinuance of water service.
2. Disconnection and sealing of sanitary sewer connection.
3. The District's Attorney may and is hereby authorized to:
 - (a) File suit in a court of competent jurisdiction to secure appropriate judicial relief, including, but not limited to, injunctive relief and the penalty provided in the District's Rate Order for the violation by such user of the provisions of this Wastewater Control Order.
 - (b) Seek a resolution of the Board authorizing the filing of a lawsuit under the provision of Texas Water Code §26.124.
4. A user found in violation of this Wastewater Control Order 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.
5. A user found in violation of this Wastewater Control Order that causes or contributes to a violation by the District's Waste Disposal 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 system.
6. Where a user discharges wastewater to the District's Waste Disposal System in violation of this Wastewater Control Order and such discharge causes or contributes to contamination of sludge from the wastewater treatment plant, the

user 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.

XIII. SEVERABILITY

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

XIV. SUPERSEDING REGULATION OR STATUTE

Whenever any applicable statute, regulation, or permit of any state, federal, or other agency having jurisdiction over the subject matter of this Wastewater Control Order is in conflict with this Wastewater Control Order, the stricter requirement shall apply, unless mandated otherwise.

XV. REIMBURSEMENT TO DISTRICT

In the event that any person, as defined in Section II herein, discharges industrial wastes as defined in this Wastewater Control Order, either with or without authorization by the District, such person shall be responsible for any extraordinary costs of operation of the wastewater treatment plant that might result from unauthorized wastes or improper handling of authorized wastes and shall also be responsible for any administrative fines, penalties or fees that may be assessed to the District for such discharge.

Such charges may include, but not be limited to, the costs of determining the nature of the contaminant into the plant (a Toxicity Identification Evaluation), the costs of locating the source of the contaminant, and the costs of preventing the contaminant from entering the plant or eliminating the contaminant from the treatment units. Failure to pay such costs when billed may subject the entity to disconnection of services as set forth in Section XII above and to any other remedies available to the District.

XVI. EFFECT OF REGULATION; AMENDMENT

The provisions hereof are to be deemed and construed as regulatory requirements supplementary and in addition to all laws, rules, regulations, ordinances, or licenses now in effect or hereafter passed, adopted, or promulgated by any regulatory agency, federal, state, or local, having jurisdiction over the District's Waste Disposal System. The provisions hereof are subject to amendment, repeal, or alteration from time to time by the Board of Directors of the District.

APPENDIX "D"

SERVICE AGREEMENT

I. PURPOSE

PARKWAY UTILITY DISTRICT (the "District") 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 ("Agreement") is to notify each Customer of the plumbing restrictions which are in place to provide this protection. The District enforces these restrictions to ensure the public health and welfare. Each Customer must sign this agreement with the District to 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 unacceptable plumbing practices are prohibited by state regulations.

A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.

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 0.25 percent lead may be used for the installation or repair of plumbing at any connection which provides water for human use.

E. No solder or flux which contains more than 0.2 percent 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 the PARKWAY UTILITY DISTRICT and _____ (the Customer).

A. The District will maintain a copy of this Agreement as long as the Customer and/or the premises are connected to the Water Supply of the District.

B. The Customer shall allow his property to be inspected for possible cross-connections and other unacceptable plumbing practices. These inspections shall be conducted by the District or its designated agent, prior to initiating new water service; when there is reason to

believe that cross-connections or other unacceptable plumbing practices exists; or after any major changes to private plumbing facilities. The inspections shall be conducted during the District's normal business hours.

C. The District shall notify the Customer in writing of any cross-connection to other unacceptable plumbing practice which had been identified during the initial inspection or the periodic re-inspection.

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 back flow prevention device required by the District. Copies of all testing and maintenance records shall be provided to the District.

IV. ENFORCEMENT

If the Customer fails to comply with the terms of the Service Agreement, the District 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

SIGNATURE:_____

ADDRESS:_____

DATE:_____

ACCOUNT:_____