



# **Harris County Water Control and Improvement District 110 District Rate Order**



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**ORDER ADOPTING CONSOLIDATED RATE ORDER AND RULES AND REGULATIONS;  
ADOPTING A DROUGHT CONTINGENCY PLAN; ESTABLISHING A WASTEWATER CONTROL  
ORDER; ESTABLISHING CERTAIN OTHER POLICIES; AND PROVIDING CHARGES FOR  
VIOLATION THEREOF**

**THE STATE OF TEXAS** §  
**COUNTY OF HARRIS** §  
**HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110** §

WHEREAS, the Board of Directors (the "Board") of Harris County Water Control and Improvement District No. 110 (the "District") has from time to time adopted certain orders ("Rate Order") and Rules and Regulations establishing the rates and conditions under which water and sanitary sewer service would be provided; and

WHEREAS, the Board of the District has determined that it is in the best interest of the District to amend and restate its Rate Order at this time.

IT IS, THEREFORE, ORDERED BY THE BOARD OF DIRECTORS OF HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110 THAT:

**ARTICLE I: DEFINITIONS**

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

- A. "Commercial Connection" shall mean any structure, including structures on a lot platted for residential use, used for business purposes, including, but not limited to, office buildings, hotels, retail stores, car washes, warehouses, service stations, churches, schools, recreational centers, hospices, professional care business; professional senior health care, foster care business, and any and all other businesses conducting services with customers, cliental or patients regardless of whether the business is being conducted on a lot platted for residential use.
- 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 commercial establishment owned and/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. "Domestic and Commercial Waste Ordinance" shall mean the Domestic and Commercial Waste Ordinance attached hereto as Appendix "B."
- E. "Engineer" shall mean the person, company, or corporation which is employed by or under contract with the District to provide engineering services to the District. Where this Rate Order requires notice to be given to the Engineer it shall be given to:

Langford Engineering, Inc.  
1080 West Sam Houston Parkway North, Suite 200  
Houston, Texas 77043  
Main Phone: 713-461-3530  
Website: <https://www.langfordeng.com/>

- F. "Esplanade Connection" shall mean a water system connection serving public right-of-way or other public common areas.
- G. "Multi-family Residential Connection" shall mean all multiplex, residential connections which are served by a master meter, including apartments, motels, hotels, and condominiums.
- H. "Multi-family Units" shall mean the individual dwelling units served through the Multi-family Residential Connection's master meter and all individual dwelling units served by a master meter.
- I. "Non-taxable" shall mean any entity not subject to property taxation pursuant to the provisions of the Texas Property Tax Code.
- J. "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. Where this Rate Order requires notice to be given to the Operator it shall be given to:  
Municipal Operations & Consulting, L.L.C.  
20141 Schiel Road  
Cypress, TX 77433  
Main Phone: 281-367-5511  
Website: <https://municipalops.com/>
- K. "Residential Connection" shall mean the water and sanitary sewer connections to serve a home on a lot platted as a residential connection where such home is not used as a business defined under Commercial Connection.
- L. "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 Order as Appendix "A" and incorporated herein for all purposes.
- M. "Separate Connection" shall mean each residential unit for occupancy by a separate family, including each separate unit located within a single multi-unit building, and each commercial unit used by a separate business, including separate establishments within a single building.
- N. "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. Single-family residential does not include a residential connection where such home is used as a business defined under Commercial Connection.
- O. "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.

# **ARTICLE II: APPLICATION FOR SERVICE / 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 complete an application for service and pay such fees as set forth in this Order. No service shall be established or re-established until such fees are paid. All service connections are subject to the provisions of this Rate Order, including the District's Rules and Regulations and all other rules, regulations, and policies of the District.

By application for service, 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 inspections required by this Rate Order, including the Rules and Regulations.

## **Section 2.02. Single Family Residential Application.**

Each customer establishing a new account for single family residential service and each Customer re-establishing an account for single family residential service that has been terminated shall be required to complete a Single-Family Residential Application as set forth in Attachment 1 to this Rate Order, and pay the required fees and deposits, if any set forth therein, to the District Operator, Municipal Operations and Consulting, Inc. The Single-Family Residential Application is in addition to any application for service and residential service deposit required by the Operator.

## **Section 2.03. Application for New Development**

Persons or entities inquiring as to availability of capacity or a Letter of Commitment for (1) property on which there are no vertical improvements, or (2) property on which there are existing vertical improvements and new vertical improvements are to be constructed shall be required to complete the Application for New Development as set forth in Attachment 2 to this Rate Order. The Application for New Development set forth in Attachment 2 is in addition to an application for service and either residential or commercial service deposit fees required by the Operator.

## **Section 2.04. Application for Changes to Existing Office Buildings/Commercial Development or Multi-Family Development/Application for Approval of Demolition of a Residence or Business Facility**

### **A. Commercial/Multi Family.**

For any changes to an existing Commercial Customer business or multi-family Customer, including change in account name, or management companies, or ownership, the Commercial Customer or Multi-Family Customer shall complete and file with the WCID110 District Manager (19023 Joanleigh Dr., Spring, Texas 77388, Tele. 281-353-0998) the Application for Change to Existing Commercial Development or Multi-Family Development set forth in Attachment 3(A) to this Rate Order, and pay the appropriate District application fee(s). Accepted forms of payment for the District application fees are personal or business or cashier's check only made payable to WCID110. Cash and credit/debit cards are not authorized for payments.

It is the duty of the Commercial Customer and the multi-family Customer to notify the District through the WCID110 District Manager of any change in name of the Commercial Customer or the Multi-family Customer, change in management companies, or new ownership. Notice is accomplished by completing the application set forth in Attachment 3(A) and paying the requisite District application fee.

It is the duty of all Commercial Customers to provide to the WCID110 District Manager a copy of the business or tenant's Texas Sales Tax and Use Certificate prior to the new business opening (if applicable to the business).

It is the duty of all Commercial Customers to notify the District through the WCID110 District Manager of any change in business in a commercial development. For any changes of a business in a commercial development, the Commercial Customer shall provide the WCID110 District Manager a copy of the plans and specifications/blueprints of the new business prior to the new business opening.

The application fee for changes in names, management companies, or ownership is **\$500.00** if the application is provided within fifteen (15) days of the change; provided, however, if the change is not provided to the District within fifteen (15) days, the application fee is **\$1,000.00** or the actual cost to the District whichever is greater.

For changes of a business in a commercial development the application fee is **\$500.00** if there are no plumbing changes to the commercial space if the application is provided within fifteen (15) days of the change; provided, however, if the change is not provided to the District within fifteen (15) days, the application fee is **\$1,000.00** or the actual cost to the District whichever is greater.

For changes of a business in a commercial development, the application fee is **\$1,500.00** if there are plumbing (including water or wastewater) changes to the commercial space.

Each Commercial Customer shall be required to install a sampling well at the point of discharge into the Commercial Customers sanitary sewer system pursuant to Section 2.05 of this Rate Order.

Each Commercial Customer and its Tenant and Multi-Family Customer is deemed to grant the District the right of ingress and egress for purposes of inspections and compliance with this Rate Order, including all Appendices. Failure by the Commercial Customer or its Tenant or a Multi-Family Customer to provide the information required in this Section 2.04 shall result in termination of water service to the Commercial Customer or Multi-Family account in accordance with Sections 4.02 and 4.03 of this Rate Order.

Grease trap requirements and sampling well requirements are set forth in Section 2.05 of this Rate Order and Articles IV and V of the Rules and Regulations Concerning Domestic and Commercial Wastes, Appendix B to this Rate Order.

Failure to comply with this Section 2.04 will result in the following charges or actions:

1. the imposition of a charge of \$1,000 for the first offense,
2. \$1,500 for the second offense,
3. \$2,500 for the third offense and any offenses thereafter, and
4. the termination of service to the development.

The Application for Existing Commercial Customers set forth in Attachment 3(A) to this Rate Order shall be in addition to an application and commercial service deposit required by the Operator.

## B. Office Buildings.

For any changes in existing office buildings which (1) involve changes to the existing plumbing facilities (including water or wastewater), and/or (2) include a new tenant who is required by law to have a Texas Sales Tax and Use Certificate, the Office Building Customer shall complete and file with the WCID110 District Manager (19023 Joanleigh Dr., Spring, Texas 77388, Tele. 281-353-0998) the Application for Change to Existing Office Building set forth in Attachment 3(B) to this Rate Order, along with the appropriate District application fee. Accepted forms of payment for District application fees are personal or business or cashier's check only made payable to WCID110. Cash and credit/debit cards are not authorized for payments.

It is the duty of the Office Building Customer to notify the District through the WCID110 District Manager of any (1) change involving the existing plumbing facilities, and/or (2) a new tenant who is required by law to have a Texas Sales Tax and Use Certificate. Notice is accomplished by completing the application set forth in Attachment 3(B) and paying the requisite District application fee.

It is the duty of all Office Building Customers to provide to the WCID110 District Manager a copy of the business or tenant's Texas Sales Tax and Use Certificate prior to the new business opening.

It is the duty of all Office Building Customers to notify the District through the WCID110 District Manager, of any change in business in the office building. For any changes of a business in an office building, the Office Building Customer shall provide the WCID110 District Manager a copy of the plans and specifications of the new business prior to the new business opening.

The application fee for a new tenant who is required by law to have a Texas Sales Tax and Use Certificate is **\$500.00** if the application is provided within fifteen (15) days of the change; provided, however, if the change is not provided to the District within fifteen (15) days, the application fee is **\$1,000.00** or the actual cost to the District whichever is greater.

For changes of a business in an office building there is no application fee, if there are no plumbing changes to the business space.

For changes of a business in an office building, the application fee is **\$1,250.00** if there are plumbing changes to the commercial space.

An Office Building tenant may be required to install a sampling well at the point of discharge into the Office Building Customer's sanitary sewer system pursuant to Section 2.05 of this Rate Order.

Each Office Building Customer is deemed to grant the District the right of ingress and egress for purposes of inspections and compliance with this Rate Order, including all Appendices. Failure by the Office Building Customer or its Tenant to provide the information required in this Section 2.04 will result in termination of water service to the Office Building Customer account in accordance with Sections 4.02 and 4.03 of this Rate Order.

Grease trap requirements and sampling well requirements are set forth in Section 2.05 of this Rate Order and Articles IV and V of the Rules and Regulations Concerning Domestic and Commercial Wastes, Appendix B to this Rate Order.

Failure to comply with this Section 2.04 will result in the imposition of a fine of

1. **\$1,000** for the first offense,

2. **\$1,500** for the second offense,
3. **\$2,500** for the third offense and any offenses thereafter, and
4. the termination of service to the development.

The Application set forth in Attachment 3(B) to this Rate Order shall be in addition to an application, application fee, or commercial service deposit required by the Operator.

**C. Single Family Residence Application for Approval of New Construction, Demolition, Reconstruction or Remodel of a Residence.**

Prior to undertaking construction of a new single-family residence, demolition of a single-family residence, reconstruction of a single-family residence, or remodel of a single-family residence, any and all parties, including the property owner(s), must obtain approval from the District of the new construction, demolition, reconstruction, or remodel as it relates to water and sanitary sewer facilities. To obtain District approval, party(ies), inclusive of property owner(s) must:

1. complete and file with the District the Single-Family Residence Application for Approval of New Construction, Demolition, Reconstruction, or Remodel of a Residence, as set forth in Attachment 3(C) of this Rate Order,
2. provide the District with a copy of the applicable permit from Harris County, and
3. pay an application of **\$500.00**. If the application and application fee are not provided thirty (30) days prior to the commencement of the new construction, demolition, reconstruction or remodel, the application fee shall be **\$1,250.00**.
4. Failure to comply with this Section 2.04(C) is subject to the enforcement provisions set for in Article VIII hereof.

The Single-Family Residence Application for Approval of New Construction, Demolition, Reconstruction, or Remodel of a Residence and application fee shall be filed with the District Manager at 19023 Joanleigh, Spring, Texas 77388, Telephone, 281-353-0998. Accepted forms of payment for District application fees are personal or business or cashier's check only made payable to WCID110. Cash and credit/debit cards are not authorized for payments.

The entity/party proposing the new construction, demolition, reconstruction, or remodel shall provide the WCID110 District Manager a copy of the plans and specifications of the new construction, demolition, remodel, or reconstruction prior to commencement of the new construction, demolition, reconstruction or remodel. If the application and application fee are not provided thirty (30) days prior to the commencement of the new construction, demolition, reconstruction, or remodel, the application fee shall be **\$1,250.00**.

The entity/party proposing the new construction, demolition, reconstruction, or remodel is deemed to grant the District the right of ingress and egress for purposes of inspections and compliance with this Rate Order, including all Appendices and Exhibits. Failure by the entity/party to provide the information required in this Section 2.04(C) will result in termination of water service to the affected account in accordance with Sections 4.02 and 4.03 of this Rate Order. In addition, failure to comply with the applicable provisions of this Rate Order will result in the imposition of a charge of:

1. **\$1,000** for the first offense,
2. **\$1,500** for the second offense,
3. **\$2,500** for the third offense and
4. **\$2,500** for any offenses thereafter.

The Application set forth in Attachment 3(C) to this Rate Order shall be in addition to an application, application fee, and residential or commercial service deposit required by the Operator within this Rate Order, including the fees set forth in Section 2.08 of this Rate Order.

## **Section 2.05. Policies Governing Commercial Connections**

### **A. Master Meter/Individual Meters.**

It is the policy of the District that all individually occupied commercial units must be individually metered. In the case of a "strip center", or a "multi-tenant development center", each individually occupied unit must be metered or, at the request of the owner of the property, one master meter may be approved at the sole discretion of the Board. The Operator will verify metering prior to establishing service. All unoccupied metered units will be billed to the owner and the owner is responsible for such accounts. A "strip center" or "multi-tenant development center" is defined to include all commercial property, other than for residential use, which is subdivided and leased to individual entities, firms or persons which receive utility services.

### **B. Grease Traps / Sampling Wells.**

All Commercial Customers shall install a sampling well when required by the Engineer and/or Operator. The sampling well shall be installed in accordance with the Engineer's and/or Operator's specifications. A grease trap with sampling port, when required by the Engineer and Operator, shall be installed in accordance with the Engineer's specifications. If a grease trap is required, a minimum size of 1,500 gallons shall be installed, and the pavement above the grease trap is to be blocked out for 1,500-gallon grease trap in order to allow for expansion, if necessary. All flows, except restroom facilities, shall be routed through the grease trap. The grease trap shall be cleaned at least once per month.

Each Commercial Customer requiring a grease trap shall:

1. install such grease trap at the Commercial Customer's sole expense;
2. provide the Operator, prior to receiving service, with a copy of an effective and continuing contract between the customer and a hauler licensed by the Texas Department of Licensing Regulators, said contract to be for regular routine pumping and disposal of the grease trap; and
3. provide the Operator with a copy of the manifest of a hauler licensed by the Texas Department of Licensing Regulators to evidence regular pumping and disposal within ten (10) days after receipt by the Commercial Customer.

### **C. Sand and Oil Interceptor for Gasoline Sales / Car Repair / Motorized Equipment Repair Facilities.**

All gasoline sales / car repair / motorized equipment repair facilities shall install a sand and oil interceptor in accordance with the Engineer's specifications. A minimum size of 500 gallons shall be installed. All flows, except restroom facilities, shall be routed through the sand and oil interceptor. The sand and oil interceptors shall be cleaned at least once per month. 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.

Each Commercial Customer requiring a sand and oil interceptor shall:

1. install such sand and oil interceptor at the Commercial Customer's sole expense;
2. provide the Operator, prior to receiving service, with a copy of an effective and continuing contract between the customer and a hauler licensed by the Texas Department of Licensing Regulators, said contract to be for regular routine pumping and disposal; and

3. provide the Operator with a copy of the manifest of a hauler licensed by the Texas Department of Licensing Regulators to evidence regular pumping and disposal within ten (10) days after receipt by the Commercial Customer.
4. Each Commercial Customer under this [Section 2.05\(C\)](#) will also be required to install a sampling well pursuant to [Section 2.05\(B\)](#) hereof.

#### **D. Sand and Mud Interceptor for Car Wash Facilities.**

All car wash facilities shall install a sand and mud interceptor in accordance with the Engineer's specifications. A minimum size of 500 gallons shall be installed. All flows, except restroom facilities shall be routed through the sand and mud interceptors. All car wash facilities shall recycle the maximum amount of wash water through the best commercially available systems. 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 in accordance with this Rate Order.

Each Commercial Customer requiring a sand and mud interceptor shall:

1. install such sand and mud interceptor at the Commercial Customer's sole expense;
2. provide the Operator, prior to receiving service with a copy of an effective and continuing contract between the customer and a licensed hauler licensed by the Texas Department of Licensing Regulators, said contract to be for regular routine pumping and disposal; and
3. provide the Operator with a copy of a manifest by a hauler licensed by the Texas Department of Licensing Regulators to evidence regular pumping and disposal within ten (10) days after receipt by the Commercial Customer.
4. Each Commercial Customer under this Section 2.05(D) will also be required to install a sampling well pursuant to [Section 2.05\(B\)](#) hereof.

#### **E. Printing and Photo Processing.**

Printing and photo processing facilities shall install a ground water monitor well and shall discharge only domestic waste from sinks and restrooms. Unless waived in writing by the District, all printing and photo processing chemicals shall be collected in sealed containers and hauled away for processing.

Each printing and photo processing Commercial Customer shall:

1. install such ground water monitor well at the Commercial Customer's sole expense;
2. provide the Operator, prior to receiving service with a copy of an effective and continuing contract between the customer and a licensed hauler licensed by the Texas Department of Licensing Regulators, said contract to be for regular routine disposal; and
3. provide the Operator with a copy of a manifest by a hauler licensed by the Texas Department of Licensing Regulators to evidence regular disposal.
4. Each Commercial Customer under this Section 2.05(E) will also be required to install a sampling well pursuant to [Section 2.05\(B\)](#) hereof.

#### **F. Medical Waste.**

Each Commercial Customer handling medical waste shall install a sampling well and shall discharge only domestic waste from sinks and restrooms. All medical waste shall be collected in sealed containers and hauled away for processing. No medical waste shall be discharged into the District's sanitary sewer system.

Each Commercial Customer handling medical waste shall:

1. install such ground water monitor well at the Commercial Customer's sole expense;

2. provide the Operator, prior to receiving service with a copy of an effective and continuing contract between the customer and a licensed hauler licensed by the Texas Department of Licensing Regulators, said contract to be for regular routine disposal; and
3. provide the Operator with a copy of a manifest by a hauler licensed by the Texas Department of Licensing Regulators to evidence regular disposal.
4. Each Commercial Customer under this Section 2.05(F) will also be required to install a sampling well pursuant to [Section 2.05\(B\)](#) hereof.

#### **G. Lint Interceptor for Laundry/Dry Cleaning.**

Laundry and dry-cleaning facilities shall install a ground water monitoring well and shall incorporate a lint interceptor in accordance with the Engineer's specifications. A minimum size of 500 gallons shall be installed. All flows, except restroom facilities shall be routed through the lint interceptor. The lint interceptors shall be cleaned daily.

Each Commercial Customer requiring a lint interceptor shall install such lint interceptor at the Commercial Customer's sole expense.

#### **H. 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. Discharging fertilizers, herbicides pesticides into the District's sanitary sewer is prohibited.

1. Each Commercial Customer requiring a ground water monitor well shall install such lint interceptor at the Commercial Customer's sole expense.
2. Each Commercial Customer under this Section 2.05(H) will also be required to install a sampling well pursuant to [Section 2.05\(B\)](#) hereof.

#### **I. Sanitary Sewer Dump Stations for Recreational Vehicles and Motorhomes.**

Any and all sanitary sewer dump stations for recreational vehicles/motorhomes must comply with this Section 2.05, including, but not limited to installation of a grease trap, sampling well, and pretreatment basin. Sanitary sewer dump stations for recreational vehicles/motorhomes shall be inspected by the Operator for the District before operation and use. Customer is required to maintain the certification of approval from the District Operator for each sanitary sewer dump station on site. Any and all sanitary sewer dump stations for recreational vehicles/motorhomes will be inspected periodically by the District Operator for compliance with this Rate Order. Customer shall be billed for all inspections in accordance with this Rate Order, and failure to pay the service and inspection fees, listed in Section 3.05, shall result in termination of service in accordance with Article IV of this Rate Order.

#### **J. Pre-treatment of Discharge of Waste; 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 WCID110 District Manager.

The statement shall specify:

1. the amount of water that will be used,
2. the water source,
3. the proposed point of discharge of wastes into the waste disposal system of the District,
4. the estimated amount to be discharged, and

5. 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 judgment of the 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.

Each Commercial Customer requiring pre-treatment of discharge of waste shall:

1. install required equipment at the Commercial Customer's sole expense;
2. provide the Operator, prior to receiving service, with a copy of an effective and continuing contract between the customer and a hauler licensed by the Texas Department of Licensing Regulators, said contract to be for regular routine pumping and disposal of the grease trap; and
3. provide the Operator with a copy of the manifest of a hauler licensed by the Texas Department of Licensing Regulators to evidence regular pumping and disposal within ten (10) days after receipt by the Commercial Customer.

## **Section 2.06. 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 Operator and/or 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 [Appendix "B" Exhibit 2](#).

Taps and connections will not be made when, in the opinion of the Engineer and/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 Operator in installation of the connection.

## **Section 2.07. 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 Operator or its 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 Directors of the District.

## **Section 2.08. Inspections and Fees Relating to All Connections**

### **A. Sewer Inspection and Fees.**

Sewer connections and service lines shall be inspected by the Operator for compliance with the Rules and Regulations. An inspection fee shall be the actual cost to the District plus ten percent (10%) but not less than **\$150.00** for all services.

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 shall be the actual cost to the District plus ten percent (10%) but not less than **\$150.00** for all services.

### **B. Customer Service Inspection Fees.**

If the Operator performs the inspection for a residential connection and completes the Customer Service Inspection Certification required by [Article III of the Rules and Regulations](#), the District shall charge the Customer a fee shall be the actual cost to the District plus ten percent (10%) but not less than **\$150.00** for all services.

### **C. Inspections and Fees Applicable to Builders and Others Making Improvements and Starting Construction.**

Any person or entity proposing to make improvements or start construction on property within the District must notify the Operator prior to commencing any improvement or construction if such improvement, construction, or equipment used in the construction will be within easements, rights-of-way, or property where District facilities are located ("Facilities Inspection"). The Operator shall conduct a Facilities Inspection prior to the commencement of construction to verify the condition of the District's facilities. The fee shall be the actual cost to the District plus ten percent (10%) but not less than **\$150.00** for all services.

If the Operator finds that the facilities have been damaged as a result of the construction, the builder or other responsible party is required to reimburse the District for the costs of the repair before the District will initiate permanent service to the affected property. If the affected property is receiving permanent service and the responsible party fails to pay said repair costs, service to the affected property will be terminated in accordance with [Sections 4.02 and 4.03](#) of this Rate Order.

### **D. Inspection of Yard and Other Drains.**

Yard, deck, and roof drains shall be inspected for strict compliance with the District's Rules and Regulations. No yard drains, deck drains, or roof drains shall be connected to the District's sanitary sewer system ("Prohibited Connection").

From time to time, the District will inspect sanitary sewer connections in the District, and an inspection fee shall be the actual cost to the District plus 10% but not less than \$100.00 charged to the Customer. Customers with Prohibited Connections shall be notified in writing of the Prohibited Connection and may be allowed thirty (30) days to disconnect the prohibited connection. If the customer fails to disconnect the prohibited connection at the end of thirty (30) days, the Customer's water service shall be terminated in accordance with [Article IV](#) of this Rate Order and shall be assessed a **charge of \$500.00**. After

noted deficiencies have been corrected; a re-inspection shall be made and the Customer shall be assessed a re-inspection fee shall be the actual cost to the District plus 10% but not less than \$100.00. If subsequent re-inspections are required before the Prohibited Connection is found in compliance with the District's Rules and Regulations, a re-inspection fee shall be the actual cost to the District plus 10% but not less than \$100.00. For customers who have a continuing and/or subsequent Prohibited Connection, a **fine of \$1,000.00** will be assessed.

#### **E. Grease Trap Inspections.**

Commercial users shall install a sampling well constructed to City of Houston standards and a grease trap with sampling port constructed to City of Houston standards when required by the Engineer and Operator. Each customer requiring a grease trap shall:

1. install such grease trap in accordance with City of Houston standards and approved by the Operator and Engineer, at the sole expense of the customer;
2. provide the District, prior to receiving service, with a copy of an effective and continuing contract between the customer and a hauler licensed by the Texas Department of Licensing Regulators, said contract to be for regular routine pumping and disposal; and
3. provide the Operator with a copy of a manifest from a hauler licensed by the Texas Department of Licensing Regulators to evidence regular pumping and disposal within ten (10) days after receipt by the customer. In addition, no less often than once per month, the Operator shall inspect the grease trap, the cost of which inspection shall be the actual cost to the District plus 10% but not less than \$100.00 and shall be billed to the customer.

In the event the customer fails to have the grease trap cleaned on a timely basis, following ten (10) days written notice, the District shall be authorized to clean the customer's grease trap and such cost shall be billed to customer with the next monthly water bill. Failure to pay any charges described in this [Sections 4.02 and 4.03](#) shall result in the termination of water service in accordance with [Article IV](#) of this Rate Order.

### **Section 2.09. Builder's Deposit**

Any person or entity constructing ("Constructing Entity") a residence, commercial building, multi-family development, or other structure shall, at the time an initial request for a water tap is made, pay a Builder's Deposit of **\$2,500**. The deposit shall be made by cashier's check or money order payable to the District. The Builder's Deposit shall at all times thereafter while building in the District maintain the deposit of \$2,500 unless a greater amount is required as hereinafter set forth. To the extent the District incurs costs to repair any damage caused to the District's property by the Constructing Entity, its employees, contractors, subcontractors or agents during construction, any amounts are so incurred shall be back charged to the Constructing Entity, and it shall be incumbent on the Constructing Entity to reinstate the original amount of the deposit of \$2,500.00. Failure to do so will result in the suspension of taps/service pursuant to [Article IV](#) of this Rate Order.

The deposit shall be refunded (less any amounts forfeited as provided herein) within ninety (90) days after the Constructing Entity:

1. has received certification from the District that the Customer Servicer Inspection and post-construction inspections have been performed and the Constructing Entity is in compliance with the District regulations,
2. certifies the sale of its last residence, commercial building, or other structure within the District, and
3. service to the last residence, commercial building, or other structure has been transferred in the name of a new Customer.

The District shall deduct from the deposit the cost to repair any damage caused to the District's property by the Constructing Entity, its employees, contractors, subcontractors, or agents and shall deduct any delinquent water and sewer service bills of the Constructing Entity prior to processing a refund.

## Section 2.10. Domestic / Irrigation / Fire Meters

All water lines, including domestic irrigation and fire lines, shall be metered, shall be underground in a vault, and located in a public easement. Any and all above ground and/or internal metering equipment is prohibited. 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 is also unlawful for any person, other than the Operator and/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 un-metered water taps.

If approved by the Operator, a fire line may be metered with a detection meter with appropriate cross connection controls. All such meters shall be installed underground within a vault and located in a public easement.

## Section 2.11. Temporary Water Service

### A. Temporary Connections.

The 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 security deposit of **\$2,500.00**. 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.

Each temporary Customer will be charged the cost to install the meter plus ten percent (10%), but in no event shall the charge be less than **\$100.00**. The following rates for the sale of water for each temporary water service connection shall be in effect from the effective date hereof until such time as the Board amends said rates:

Gallons Used	Rate
0 - 8,000 gallons	\$1.50 per each 1,000 gallons, plus additional costs of <a href="#">section 3.07</a> .
8,001 gallons & above	\$2.00 per each 1,000 gallons, plus additional costs of <a href="#">section 3.07</a> .

The rates set forth in this Section 2.11 are subject and shall be assessed the regulatory assessments set forth in [Article III](#) of this Rate Order.

**Section 2.12. Service to Out-of-District Customers**

Except as provided by [Section 3.03](#) of this Rate Order, 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 a separate agreement.

**Section 2.13. Taps to the District's System**

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

Type of Tap	Cost
Residential tap 3/4"	Actual cost to the District plus 10% but not less than \$1,500 for both water and sewer
Residential Tap 1"	Actual cost to the District plus 10% but not less than \$2,000 for both water and sewer (residential 1-inch water/sewer taps are limited to residences constructed after 1999, and to those residences where the water lines are sized to handle a 1" meters)
Commercial	Two (2) times the actual and reasonable cost to the District provided, however, for fire meter taps on an existing structure due to a change in regulatory requirements, the cost is the actual cost to the District
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 have been, are financed or to be financed by tax-supported bonds of the District
Non-profit Irrigation Taps	Cost to the District
Commercial Irrigation Tap	Actual cost to the District plus 10% but not less than \$2,000

**Section 2.14. Title to Facilities**

Title to all water meters, water and sewer 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 of Directors amends said rates. These rates are not inclusive of the fees charged by NHCRWA as set forth in [Section 3.07](#) hereof.

Type of Connection	Gallons Used	Rate
<b>Residential and Builder</b>	0 - 8,000 gallons	\$11.00 (Minimum)
	8,001 - 20,000 gallons	\$0.50 per each 1,000 gallons
	20,001 - 30,000 gallons	\$1.50 per each 1,000 gallons
	30,001 - 40,000 gallons	\$2.50 per each 1,000 gallons
	over 40,000 gallons	\$3.50 per each 1,000 gallons

Type of Connection	Type of Connection and Rate
<b>Multi-Family</b>	\$11.00 per Multi-Family Unit (Minimum), based on 95% occupancy, plus \$1.25 per 1,000 gallons over the calculation of 8,000 gallons times 95% of the total number of Multi-Family Units

Type of Connection	Gallons Used	Rate
<b>Single Use Commercial Connections and Irrigation Connections</b>	0 - 8,000 gallons	\$75.00 (Minimum)
	8,001 - 15,000 gallons	\$1.25 per each 1,000 gallons
	15,001 - 75,000 gallons	\$1.50 per each 1,000 gallons
	75,001 - 150,000 gallons	\$3.00 per each 1,000 gallons
	150,001 gallons & above	\$5.00 per each 1,000 gallons

Type of Connection	Gallons Used	Rate
<b>Multi-Use Commercial Connections</b>	0 - 8,000 gallons	\$75.00 (Minimum)
	8,001 - 15,000 gallons	\$1.25 per each 1,000 gallons
	15,001 - 75,000 gallons	\$1.50 per each 1,000 gallons
	75,001 - 150,000 gallons	\$3.00 per each 1,000 gallons
	150,001 gallons & above	\$5.00 per each 1,000 gallons

**In the case of a Dual Use Structure (i.e. a residential structure used for both residential and commercial purposes) the rate for water service shall be the rate established for a Commercial Connection.**

Type of Connection	Gallons Used	Rate
<b>Car Washes</b>	0 - 50,000 gallons	\$300.00 (Minimum)
	50,001 - 75,000 gallons	\$1.25 per each 1,000 gallons
	75,001 and above	\$3.00 per each 1,000 gallons

Type of Connection	Type of Connection and Rate
<b>Multi-Family</b>	\$11.00 per Multi-Family Unit (Minimum), based on 95% occupancy, plus \$1.25 per 1,000 gallons over the calculation of 8,000 gallons times 95% of the total number of Multi-Family Units

Type of Connection	Type of Connection and Rate
<b>All political subdivisions (including public schools) and 501(c)(3) organizations</b>	\$2.00 per 1,000 gallons
<b>Non-Profit Irrigation</b>	\$5.00 minimum or \$0.25 per 1,000 gallons of water used, whichever is greater

### **Tax Exempt Multi-Family**

If multi-family property is tax exempt pursuant to [Section 11.182 of the Texas Property Code](#), and there is no agreement for a payment in lieu of taxes, a monthly assessment shall be added on the multi-family Customer's bill as a separate line item in accordance with the formula set forth below for the work and facilities that are necessary to provide services to the multi-family property.

Formula = Market value of multi-family property, including land and improvements as determined by the records of the appraisal district as if the property were not exempt, times an amount equal to the Districts tax rate per \$100 assessed valuation divided by 12.

Market value of multi-family property, including land and improvements as determined by the records of the appraisal district as if the property were not tax exempt	X the District's tax rate per \$100 assessed valuation	÷ 12
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The market value of the multi-family property may be adjusted annually as determined by the records of the appraisal district

The assessment shall be imposed on the multi-family customer as of the date service is provided to the multi-family customer and the Customer shall be invoiced accordingly. Customer shall be billed the assessment at the same time as the District sends out its monthly water and sewer bills and payment shall be due at the same time water and sewer bills are due. The Operator shall collect the assessment in addition to other charges set forth herein for multi-family customers. Failure to pay the assessment shall result in termination of water service to the multi-family property in accordance with [Article IV](#) of this Rate Order.

### 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 of Directors amends said rates:

Type of Connection	Gallons Used	Rate
Residential	Any quantity	\$36.00 (flat fee) (effective September 1, 2022)
Multi-Family		
Multi-Family	\$16.25 per Multi-Family Unit (minimum) based on total number of units, plus \$1.25 per each 1,000 gallons of water usage over the calculation of 8,000 gallons times 95% of the total number of Multi-Family Units	
Type of Connection	Gallons Used	Rate
Single Use Retail Commercial Structure and Irrigation Connections	0 - 8,000 gallons	\$60.00 (Minimum)
	8,001 - 15,000 gallons	\$1.25 per each 1,000 gallons
	15,001 - 75,000 gallons	\$1.50 per each 1,000 gallons
	75,001 - 150,000 gallons	\$3.00 per each 1,000 gallons
	150,001 gallons & above	\$5.00 per each 1,000 gallons
Type of Connection	Gallons Used	Rate
Multi-Use Retail Commercial Structures	0 - 8,000 gallons	\$110.00 (Minimum)
	8,001 - 15,000 gallons	\$1.25 per each 1,000 gallons
	15,001 - 75,000 gallons	\$1.50 per each 1,000 gallons
	75,001-150,000 gallons	\$3.00 per each 1,000 gallons
	150,001 gallons & above	\$5.00 per each 1,000 gallons
Type of Connection	Gallons Used	Rate
	0 - 8,000 gallons	\$135.00 (Minimum)

Commercial Offices and Buildings	8,001 - 15,000 gallons	\$1.25 per each 1,000 gallons
	15,001 - 75,000 gallons	\$1.50 per each 1,000 gallons
	75,001-150,000 gallons	\$3.00 per each 1,000 gallons
	150,001 gallons & above	\$5.00 per each 1,000 gallons
<b>Type of Connection</b>	<b>Gallons Used</b>	<b>Rate</b>
Car Washes	0 - 50,000 gallons	\$305.00 (Minimum)
	50,001 - 75,000 gallons	\$1.25 per each 1,000 gallons
	75,001 and above	\$3.00 per each 1,000 gallons
<b>Type of Connection</b>	<b>Gallons Used and Rate</b>	
Sanitary Sewer Dump Station for recreational vehicles/motorhomes	Flat fee of \$60.00 per station per month	
<b>Type of Connection</b>	<b>Gallons Used and Rate</b>	
Non-Profit and Charitable Organization	\$2.00 per 1,000 gallons	
All political subdivisions (including public schools) and 501(c)(3) organizations		

**In the case of a Dual Use Structure (i.e. a residential structure used for both residential and commercial purposes) the rate for sewer service shall be that rate established for a Commercial Connection.**

**Sanitary Sewer Dump Stations**

Any and all sanitary sewer dump stations for recreational vehicles/motorhomes shall comply with [Section 2.05](#) of this Rate Order, including, but not limited to installation of grease trap, sampling well, and pretreatment basin. Sanitary sewer dump stations for recreational vehicles/motorhomes must be inspected by the Operator for the District before operation and use. Customer is required to maintain the certification of approval from the District Operator for each sanitary sewer dump station on-site. Any and all sanitary sewer dump stations for recreational vehicles/motorhomes will be inspected periodically by the District Operator for compliance with this Rate Order. Customer shall be billed for all inspections in accordance with this Rate Order, and failure to pay the service and inspection fees shall result in termination of service in accordance with [Article IV](#) of this Rate Order.

**Section 3.03. Rates for Service as Out-of-District Customer**

Unless otherwise provided by special contract, the District shall bill Out-of-District Customers monthly for water and sewer service at two times the rate for similar customers located inside the boundaries of the District. Service to the Out-of-District Customer shall be subject to this Rate Order and Rules and Regulations adopted by the District. Out-of-District Customers shall also be billed monthly (the “Payment-in-Lieu of Taxes”) according to the following formula:

Assessed valuation of owner’s or Customer’s property inclusive of improvements thereon, inventory and all personal property	X the District’s tax rate per \$100 assessed valuation	÷ 12
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The Payment-in-Lieu-of-Taxes shall be imposed on the Out-of-District Customer at the commencement of service and the Out-of-District Customer shall be invoiced for the Payment-in-Lieu-of-Taxes at the same time

the District sends out its monthly water and sewer bills and payment shall be due at the same time water and sewer bills are due. Failure to pay the Payment-in-Lieu-of-Taxes by the due date shall result in the imposition of charges and interest in an amount equal to the charges and interest charged for failure to pay taxes by the due date (including the charge assessed pursuant to the Texas Property Tax Code). On or before January 1 of each year, the District's Tax Assessor and Collector shall provide written notice to the Operator of the total assessed valuation of the Tract for the preceding tax year.

### **Section 3.04. Special Out of District Contracts**

- A. **Palace of Praise**. Contract is dated December 4, 1994, and provides that Customer shall be billed monthly at in-District commercial rate. Contract has a term of ten years, and is not assignable. As Contract has expired, in order to continue/restore service, a new contract shall be required.
- B. **Spring ISD**. Contract is dated October 8, 2003, has a term until 2033, and is not assignable. Spring ISD is billed monthly at two times the rate for commercial customers.
- C. **Carlisle Aspinal/Transmission Shop**. Customer shall be billed monthly at in-District commercial rate for water only. Sanitary sewer service is not provided to Customer.
- D. **Resurrection Church**. (no written agreement, grandfathered).
- E. **ATT**. (no written agreement, grandfathered at commercial)

### **Section 3.05. Charges / Fees for Grease Trap Inspections/Backflow Inspections.**

For all grease trap inspections and backflow prevention device inspections, the District shall charge actual cost to the District plus 10% but not less than \$150.00.

### **Section 3.06. Regulatory Assessment**

Pursuant to [Section 5.35 Texas Water Code](#), as amended, and [30 T.A.C. 291.76](#), the District shall pay by January 31 of each year a regulatory assessment to the Texas Commission on Environmental Quality in the amount required by law based on the total charges for retail water and sewer service collected from its retail customers in the prior twelve months.

At the end of each calendar year, the Operator shall prepare a written statement indicating the:

1. the total charges collected for retail water and sewer service for the year; and
2. the regulatory assessment due and payable to the Texas Commission on Environmental Quality, the Operator shall deliver the written statement to the District's Bookkeeper for payment.

### **Section 3.07. North Harris County Regional Water Authority Regulatory Assessment**

The District is located within the boundaries of the North Harris County Regional Water ("NHCRWA"), and is required to pay the NHCRWA for surface water supplied to the District, and to the extent that the District pumps ground water from its water wells, the District is required to pay the pumpage fee imposed by the NHCRWA for all water pumped from the District's water wells. The District shall include on each Customer's bill as a separate line item the NHCRWA charge for surface/pumpage water. The Operator shall collect the NHCRWA fee in addition to other charges.

Effective February 12, 2025, the NHCRWA rate of \$4.86 per 1,000 gallons of water shall be included on each customers' bill.

### **Section 3.08. Detention Pond Maintenance**

- A. Routine maintenance and repair of detention facilities serving property within the District is critical to the abatement of flooding and the continuous flow of storm water in the District; and to that end Customers are required to operate, maintain, and repair detention facilities owned by the Customer and serving Customer's property. Failure by a Customer to maintain and/or repair a detention facility constitutes a violation under this Rate Order and State law.
- B. Customers who own detention facilities are required to maintain an annual Certificate of Compliance as set forth in the District's Drainage Policy set forth in [Appendix F](#) of this rate order.
- C. The District's Operator and Engineer shall, from time to time, inspect detention facilities in the District. Any deficiencies noted in the inspection shall be reported in writing to the Customer ("Deficiency Notice"); and the Customer shall have ten (10) days from the date of the Deficiency Notice to perform the necessary maintenance/repairs to the detention facility. If the Customer fails to perform the necessary maintenance/repairs within the time prescribed in the written notice, the District shall proceed with the necessary maintenance, repairs or improvements to the detention facility; and shall add the cost thereof, including Attorney's fees to Customer's account. In addition to the provisions set for in [Article VIII](#) hereof, the charges and termination procedures set forth in [Sections 4.02 and 4.03](#), hereof, for late or non-payment shall also apply to such costs.
- D. The District may, in its sole discretion, enter in an agreement with a Customer to provide maintenance/repair services to a Customer's detention facilities; and the cost thereof shall be included as a separate line item on the Customer's water bill. The charges and termination procedures set forth in [Sections 4.02 and 4.03](#), hereof, for late or non-payment shall apply to such costs. The District has entered into agreements with the following Customers to maintain/repair Customers' detention facilities:
  - a. Cypresswood Lakes
  - b. Haas Toyota
  - c. Kings Village
  - d. Spring Park Village
  - e. Cypress Forest Reserves, Ponds D & E

### **Section 3.09. 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; provided, however, this provision shall not prohibit the District from establishing reasonable classifications of customers with differing rates.

### **Section 3.10. Water Leaks**

Water leaks that are allowed to continue without abatement only serve to undermine the efforts taken by public entities to conserve and safeguard water. Customers are required to repair water leaks within a reasonable time after discovery. If a Customer fails to repair a water leak within a reasonable amount of time, water service

to the Customer's property will be terminated in accordance with [Article IV](#) of this Rate Order, and service will not be restored until such time as the water leak is repaired.

## Article IV: Service Policy

### Section 4.01. Application for Service / Application Fees / Security Deposits

#### A. Application for Residential Service.

All Residential Customers requesting water and/or sanitary sewer service must complete the [Application for Service set forth in Attachment 1](#), attached hereto. The Application for Service should be completed and submitted to the Operator, [Municipal Operations & Consulting, L.L.C.](#), 20141 Schiel Road, Cypress, Texas 77433, 281-367-5511.

In instances where the previous customer continues to reside at the applicant's service address and there is an outstanding balance on the service address, service will not be initiated until the unpaid balance is paid in full.

#### B. Application Fee for Residential Service.

Each Residential Customer establishing a new account or transferring an existing account shall be charged a non-refundable application fee of **\$35.00**, which fee shall be in addition to the application fee set forth in [Article II](#) of this Rate Order.

#### C. Residential Security Deposits.

Each Residential Customer establishing a new account for single-family residential service and each Customer re-establishing 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 \$150.00 where service is provided to the owner of the service account; and \$450.00 where service is provided to a lessee / renter of the service account**. Upon request from the Customer, the District will include the deposit on the first water/sewer bill sent to Customer. In the event the initial payment ("Initial Payment") from the Customer is not paid or is paid with a check that is returned due to insufficient funds, Customer's water service will be subject to termination pursuant to [Sections 4.02 and 4.03](#) hereof; and Customer will be required to pay by cashier's check or money order the Initial Payment, plus:

- 1) the cost to disconnect and reconnect service (if service is terminated),
  - 2) late fees,
  - 3) charges; and
  - 4) an additional deposit of \$150.00 for a home owner or \$450.00 for a lessee / renter.
- a. If Customer fails to pay the deposit upon billing by the District, then Customer's water service shall be terminated in accordance with [Sections 4.02 and 4.03](#) hereof. Each Customer restoring water service where such service has been terminated for non-payment or for any other reason other than the request of such Customer, shall be required to pay an additional **\$150.00** deposit for a home owner and \$450.00 for a lessee / renter before service is restored. A separate **\$150.00** deposit for a home owner and \$450.00 for a lessee / renter shall be required for each such occurrence, up to a maximum of **\$1,000.00**.
  - b. In the event of a disaster where a residential Customer's residence ("Primary Residence") is not habitable due to flooding caused by torrential rains, or damage caused by tornado, hurricane, or fire, and the Customer obtains temporary housing ("Temporary Residence") in the District, and applies for a second service account, the Customer will not be required to pay an additional deposit on the

Temporary Residence account; provided, however, the deposit on file for the Primary Residence account may be applied to any unpaid bills for the Temporary Residence. If the Primary Residence deposit is used to pay unpaid bills owed on the Temporary Residence, the Customer will be required to restore the deposit on the Primary Residence account by the amount utilized for the Temporary Residence Account.

**D. Commercial/Multi-Family Deposits.**

Each customer establishing a Commercial or a Multi-Family account and each customer re-establishing a Commercial or a Multi-Family account that has been terminated for non-payment, shall be required to make a **security deposit equal to two (2) times the average monthly bill for that connection** as estimated by the Operator, provided, however, that in no event shall the deposit for a Commercial or Multi-Family account be less than **\$150.00**.

All deposits will be paid by the customer prior to service being established. All unoccupied metered units will be billed to the owner and the owner is responsible for such accounts. The District's Operator shall review the security deposit for each commercial account or multi-family residential account on or before July 31 of each year and adjust the security deposit as needed. The District's Operator shall invoice the Customer for any increase in the security deposit. Failure by the commercial account or multi-family residential account to pay the increased deposit shall result in termination of service to the account in accordance with the [Article IV](#).

If the Commercial Customer fails to pay the deposit upon billing by the District, then the Commercial Customer's water service shall be terminated in accordance with [Sections 4.02 and 4.03](#) hereof. Each Commercial Customer restoring water service where such service has been terminated for non-payment or for any other reason other than the request of such Commercial Customer shall be required to pay an additional **\$150.00** deposit before service is restored. A separate **\$150.00** deposit shall be required for each such occurrence, up to a maximum of four times the average monthly bill.

**E. Full Payment Required.**

Except as otherwise provided herein, service shall be initiated upon payment of the security deposit and all other fees and charges.

**F. 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, provided, however, in the event the Customer owes the District delinquent taxes, the amount of delinquent taxes owed to the District shall be applied against the deposit refund. Any deposit funds remaining thereafter shall be refunded to Customer. No interest shall be payable to the Customer on any security deposit.

**Section 4.02. Billing Procedures/Termination of Service**

All accounts shall be billed in accordance with the following procedures:

- A. Charges for service shall be billed monthly. The monthly statement shall include information regarding (i) termination for failure to timely pay; (ii) contact information for billing questions; and (iii) procedures for disputing the monthly charges, by appearing in-person or by video conference at the next regular Board of Directors meeting held on the 2<sup>nd</sup> Wednesday at 5 p.m. and 3<sup>rd</sup> Thursday at 9 a.m. of each month. All bills shall be payable on the due date (the "Due Date") printed on the statement. Multiple service accounts for Customers with multiple water meters serving the same service address shall be treated as a single account and failure to timely pay one or more of the service accounts shall result in termination of service to the

domestic service account in accordance with this [Article IV](#). Service shall not be terminated to irrigation or fire suppression meters.

If payment of the monthly bill is not received on or before the Due Date, the account shall be scheduled for termination in accordance with the following procedures:

1. Such account shall be declared delinquent and a late charge equal to ten percent (10%) of the current billed amounts shall be assessed. Any partial payments received by the District shall be applied in the following order of priority:
  - i. past due amounts;
  - ii. late fees; and
  - iii. current amounts due.
  
2. Written notice (by letter to the Customer) of delinquency and notice of service termination shall be issued to the Customer within five (5) days following the Due Date, but in no event less than ten (10) days prior to the date of the next Board Meeting held on the 2<sup>nd</sup> Wednesday at 5 p.m. of each month. If a notice of delinquency and termination is issued, the Customer shall be assessed a fee **equal to the cost to the District** for issuing such notice but not less than \$10.00. The written notice shall inform the Customer:
  - i. of the amount of all past due charges;
  - ii. that water service will be terminated on the day following the Board meeting if payment is not received by the date of the Board Meeting; and
  - iii. of the date, time and place of the next regularly scheduled meeting of the Board of Directors held on the 2<sup>nd</sup> Wednesday at 5 p.m. of each month, to provide Customer the opportunity to dispute the monthly statement, by presenting in-person, via video conference (Zoom links are provided on District website for all board meetings at <https://www.wcid110.com/board-meetings>) or in writing such matter to the Board of Directors. A written statement by the Operator that the notice was so mailed shall be prima facie evidence of delivery of same.
  
3. If the Customer appears before the Board of Directors in-person or by video conference (i.e., Zoom), or by submitting a written statement/request to dispute the monthly statement, the Board of Directors shall hear and consider the matter prior to terminating the Customer's service. If the Board denies the Customer dispute, a door tag will be issued and termination shall occur on the Monday following the meeting in accordance with the Notice issued as set forth in [Section 4.02.A.2](#), above.
  
4. If the Customer does not appear before the Board of Directors in-person or by video conference or submit a written statement/request, and payment is not received by the date of the Board meeting, a door tag will be issued and termination shall occur the Monday following the meeting as set forth in [Section 4.01.A.2](#), above.
  
5. If water service is terminated,
  - i. the Operator shall lock the water meter, and
  - ii. service shall be reinstated only upon payment in full of all amounts due, including any late charges or other fees owed (notice of delinquency mailing, door hanger notification, termination charge), the residential security deposit set out in [Section 4.01](#), and a reinstatement charge of **\$40.00**.

6. A fee in the amount of the cost to the District plus 10% but not less than \$20.00 shall be added to an account if a door hanger is delivered to the Customer.
7. A fee in the amount of the cost to the District plus 10% but not less than \$10.00 shall be added to an account if a notice of delinquency is mailed to the Customer.
8. A fee in the amount of the cost to the District plus 10% but not than \$100.00 shall be added to an account if water service is terminated for any reason.
9. The following language shall be included on each Customer bill in bold type: **SERVICE TO THIS ACCOUNT WILL BE SCHEDULED FOR TERMINATION IF FULL PAYMENT IS NOT RECEIVED ON OR BEFORE THE DUE DATE. BILLING DISPUTES CAN BE MADE TO THE BOARD OF DIRECTORS AT THE REGULAR MEETING HELD AT 5 P.M. ON THE 2ND WEDNESDAY OF EACH MONTH, AT 19023 JOANLEIGH DR., SPRING, TX 77388 AT THE FOREST OAKS SWIM AND RACQUET CLUB CLUBHOUSE. CUSTOMERS MAY APPEAR IN-PERSON OR BY VIDEO CONFERENCE. MEETING INFORMATION IS ON THE DISTRICT'S WEBSITE [WWW.WCID110.COM](http://WWW.WCID110.COM) AND ZOOM LINKS ARE AVAILABLE UNDER BOARD MEETING TAB FROM THE HOMEPAGE.**

B. **Returned Checks.** A \$35.00 fee will be charged to the 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 cash, 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. Termination of Service Section 49.212 Texas Water Code**

Pursuant to [Section 49.212 of the Texas Water Code](#), the District may discontinue any or all facilities or services to prevent an abuse or to enforce payment of an unpaid charge, fee, or rental due to the District, including taxes that have been delinquent for not less than six months.

### **Section 4.04. Policy for Issuing Credits on Water and Sewer Bills**

From time to time a customer may have a water leak which goes undetected for a period of time which results in an unusually high-water bill. Each residential customer is allowed a one-time adjustment in his/her water bill if the unusually high-water usage is the result of a problem on the customer's side of the meter. In making the adjustment, the Operator will average the previous two-month bills and charge the customer according to this Rate Order. Any credit applied to a customer's water bill shall only be applied to the charges assessed by the District. The charges applicable for the North Harris County Regional Water Authority shall not be reduced, and shall be applied on the total amount of water used.

### **Section 4.05. 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 4.06. 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 4.07. Damage to District Facilities.**

Person(s) who damage the District's systems and facilities are subject to charges of twice the cost incurred by the District for the damage up to **\$5,000**. Charges assessed shall be in addition to any other costs set forth in this [Section 4.07](#).

### **A. Damage to Meter and Appurtenances.**

No person other than a duly authorized agent of the District shall open the meter box, tamper with or in any way interfere with the meter, meter box, service line, or any other water and/or sewer system appurtenance. The District reserves the right to immediately, and without notice, remove the meter or service to any customer, including but not limited to physical removal of the Tap, where the meter has been tampered with and to assess repair charges to the customer plus a damage fee equal to the actual cost to the District plus 10%, but not less than \$150.00, for each time such fee is assessed. If a tap is removed pursuant to this subsection, restoration of such tap will be for all purposes considered new service, and a tap fee as provided by [Article II](#) above will be assessed to the customer, or any other person, partnership, corporation, non-profit corporation, trust or other legal entity seeking service to the subject property, and such tap will not be made, and service restored, until all applicable fees and charges, including the tap fee as herein provided, have been paid.

### **B. Damage to District Facilities.**

The District owns and operates (1) water, sanitary sewer and drainage facilities, (2) certain administrative offices and peace officer facilities, (3) detention ponds and lakes, (4) park lands, (5) parking lots, (6) maintenance buildings, (7) digital signs and (8) certain recreational facilities including, but not limited to swimming pools, tennis courts, fitness center, trails, amphitheater, pavilion, outdoor convenience restrooms and playground equipment (herein items 1 through 5, collectively, the "District Facilities").

Persons who damage, cause damage to, cause injury to, or dump waste and/or debris on the District Facilities shall be held liable for such damage or injury in accordance with this the provisions set forth in this Rate Order. The cost to repair damage to the District Facilities shall be added to the Customer's service bill, the minimum cost of which shall not be less than \$500.00. Failure to pay the repairs costs shall result in termination of water service in accordance with this Rate Order.

### **C. Interconnections.**

Interconnections or cross connections of the District's water system, whether directly or indirectly through a customer's private system to another source of water, is strictly prohibited. Customers shall construct and each customer shall maintain water connections and appurtenances so as to avoid infiltration of any possible contaminated liquid into the District's system. District personnel shall have access to all customer water lines and water line connections and appurtenances within reasonable time periods in order to inspect suspected, possible unauthorized connections. The District reserves the right to immediately and without notice to (1) disconnect water service to any customer whose internal private system has been found to be interconnected or cross connected, and (2) assess the customer such charges as are provided by law and provided in this Section 4.07 plus those charges necessary to repair the portion of the system so damaged or contaminated.

**D. Right to Repair.**

The District reserves the right to repair any damage to the District's System, appurtenances, and District Facilities without prior notice and to assess against any person such charges as are provided by law and as are provided for in this Rate Order. Charges shall be added to Customer service bill. Any charges assessed shall be in addition to those charges necessary to repair the portion of the System, and District Facilities so damaged (“Damage Costs”). If the Customer fails to pay the Damage Costs, then the District may terminate the Customer’s water service in accordance with this Rate Order.

**E. Policy Relating to Obstructions/Encroachments in Easements.**

From time to time it is necessary for the District to undertake repairs and/or maintenance in the utility easements or road right-of-way where a customer has constructed a pool, deck, spa, fence, landscaping or planted vegetation (“Encroaching Structures). Encroaching Structures prevent access to the easement, and impede repair work to be performed by the District. Encroaching Structures which are improperly placed within the easement may be damaged or destroyed when the District undertakes repairs to its facilities. It is the Customer’s obligation to keep the easement clear of Encroaching Structures. If, in the conduct of its work, the District or its contractors damage or destroy an Encroaching Structure, the District shall not repair or replace the damaged/destroyed Encroaching Structure. It is neither fair nor reasonable that the District and its taxpayers pay the cost to repair or restore any Encroaching Structure that has been improperly located in the easement. In addition, the Customer will be required to pay any additional costs the District may incur as a result of the Encroaching Structures in the easement.

Notwithstanding the foregoing, it is the District’s policy to (i) replace only that portion of the sod in the easement/road right-of-way area which was disturbed during repairs/maintenance, (ii) re-install the irrigation system which was removed during repairs/maintenance, and (iii) to replace only that portion of a driveway that was removed or excavated while performing repairs/maintenance. For purposes of this Section 4.07, utility easement/road right-of-way is defined as an interest in land, granted by dedication, to public 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.

**Section 4.08. High Usage Accounts**

After each month’s meter readings, the Operator shall send an advisory letter to the 25 residential customers who have the highest month’s usage.

**ARTICLE V: APPLICATION FOR CONSENT TO ENCROACHMENT**

Customers requesting consent from the District relating to encroachments on District easements or such other requests shall complete the Application for Consent to Encroachment set forth in [Attachment 4](#) to this Rate Order.

**ARTICLE VI: POLICY RELATING TO ANNEXATIONS OF LAND**

Persons/entities requesting annexation of land into the District shall enter into an annexation agreement with the District containing the provisions set forth in [Attachment 5](#) to this Rate Order and shall submit a petition for annexation to the District substantially in the form and to the effect attached hereto as [Attachment 6](#) to this Rate Order.

# **ARTICLE VII: 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 VIII: ENFORCEMENT/ CHARGES**

### **Section 8.01. Enforcement.**

#### **A. Charges and Fees for Violation of Rate Order.**

The Board hereby imposes a fee of \$2,500 for violation of:

1. any rule, ordinance, or order of the District, or
2. any policy of the District, or
3. any restriction relating to annexation as set forth in [Attachment 6](#) to this Rate Order.

A violation fee under this Section is in addition to any other charge 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. If the violation fee is not paid on or before the due date stated in the violation notice, an additional violation fee in an amount to be determined by the Board shall be assessed. In addition to the fees set forth above, the District may assess against a Commercial Property Owner of a Drainage Facility a non-compliance charge of \$500 per month as set forth in the Drainage Policy attached hereto as Appendix "F."

#### **B. Liability for Costs.**

Any person violating any of the provisions of this Rate Order and/or the Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections is liable to the District for any expense (including Attorney's fees), loss or damage occasioned by the District by reason of such violation, and enforcement thereof shall be in accordance with [Article IV](#), and [Article VIII](#) of this 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 Order shall not constitute a waiver of the right of the District to later to enforce any section, clause, sentence, or provision of this Order.

### **Section 8.03. Appeal.**

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

## **ARTICLE IX: SOLID WASTE FOR RESIDENTIAL CUSTOMERS**

The District may contract with an independent contractor to provide for solid waste and trash collection for residential Customers within the District. If the Board of the District determines that it is in the best interest of the District to contract for solid waste and trash collection, the fee for such service, as established by contract, shall be included on the water and sewer service bill as a separate line item. Failure to pay the solid waste and trash collection service on or before the due date indicated on the water and sewer service bill shall result in the assessment of a 10% charge on the unpaid balance of the bill for solid waste and trash collection as well as termination of service under the provisions of [Article IV](#) of this Order.

## **ARTICLE X: RULES AND REGULATION CONCERNING DOMESTIC AND COMMERCIAL WASTES**

The Board of the District hereby adopts the Rules and Regulations Concerning Domestic and Commercial Wastes, attached hereto as [Appendix B](#) and incorporated herein for all purposes.

## **ARTICLE XI: DROUGHT CONTINGENCY PLAN**

The Board of the District hereby adopts the Water Conservation and/or Emergency and/or Drought Contingency Plan, attached hereto as [Appendix C](#) and incorporated herein for all purposes.

## **ARTICLE XII: FEES AND DUES RELATING PARK AND RECREATIONAL FACILITIES**

The District owns and operates certain park and recreational facilities, including the facilities and services provided by the Forest Oaks Swim and Racquet Club (the “Club”) and the Forest Oaks Park (the “Park”). Membership in the Club is voluntary; and Club members pay monthly dues for membership in the Club. The District approves and consents to providing Club members the option of including the monthly Club dues on a Customer’s service bill. Any Customer who selects the option of placing the monthly dues on the service bill agrees to and consents to the District exercising its right to termination of service in accordance with the procedures set forth in this Rate Order in the event the Customer Club member fails to pay the Club dues on the service bill as they become due.

The District allows for the lease/rental of certain park and recreational facilities conditioned upon and subject to the payment of lease/rental fees and deposits. Any party leasing/renting spaces in the park and/or recreational facilities as a condition precedent to the rental/lease of a space in the park and/or recreational facilities shall consent to the termination of water service in accordance with this Rate Order if a payment is made by a check which is returned for non-sufficient funds or a payment to the District is not honored by the merchant bank provided by the party.

## **ARTICLE XIII: RIGHT TO ENTER LAND**

In accordance with [Section 49.221 of the Texas Water Code](#) as amended, District employees, and agents are entitled to enter any public or private property within the boundaries of the District or other property owned by the District at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water or compliance with any rule, regulation permit or order of the District, including this Rate Order. District agents or employees acting under this authority who enter private property shall observe the establishment’s rules

and regulations concerning safety, internal security and fire protection, and shall notify any occupant or management of their presence, and shall exhibit proper credentials.

## **ARTICLE XIV: MISCELLANEOUS**

### **Section 14.01. Amendments.**

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

### **Section 14.02. Severability.**

The provisions of this Order are severable, and if any provision or part of this 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 Order and application of such provision or part of this Order shall not be affected thereby.

### **Section 14.03. 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 XV: REPEAL OF PREVIOUS ORDERS**

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

## **ARTICLE XVI: EFFECTIVE DATE**

This Order shall be effective as of the date of adoption as set forth below.

The President or Vice President is authorized to execute and the Secretary or any Assistant Secretary is authorized to attest this Order on behalf of the Board and to do all things necessary and proper to carry out the purpose and intent hereof.

PASSED, ADOPTED, ORDERED and APPROVED this May 12, 2025.

ATTEST:

/s/ James N. Williams

President, Board of Directors

/s/ Vanessa Sommer

Secretary, Board of Directors

## LIST OF ATTACHMENTS/APPENDICES AND EXHIBITS

<a href="#"><u>ATTACHMENT 1</u></a>	Application for Residential Service
<a href="#"><u>ATTACHMENT 2</u></a>	Application for Service for New Development
<a href="#"><u>ATTACHMENT 3(A)</u></a>	Application for Change to Existing Commercial Development
<a href="#"><u>ATTACHMENT 3(B)</u></a>	Application for Change of Existing Office Building
<a href="#"><u>ATTACHMENT 3(C)</u></a>	Application for Approval of Demolition/Reconstruction/Remodel of an Existing Residence
<a href="#"><u>ATTACHMENT 4</u></a>	Consent to Encroachment
<a href="#"><u>ATTACHMENT 5</u></a>	Policy Relating to Annexations
<a href="#"><u>ATTACHMENT 6</u></a>	Petition for Addition of Land
<a href="#"><u>APPENDIX "A"</u></a>	Amended and Restated Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections
<a href="#"><u>Exhibit 1</u></a>	- Plumber's Certificate
<a href="#"><u>Exhibit 2</u></a>	- Service Inspection Certification
<a href="#"><u>Exhibit 3</u></a>	- Backflow Prevention Assembly Test and Maintenance Report
<a href="#"><u>Exhibit 4</u></a>	- Application for Service
<a href="#"><u>Exhibit 5</u></a>	- Customer Service Agreement
<a href="#"><u>Exhibit 6</u></a>	- Sanitary Sewer Inspection Form
<a href="#"><u>APPENDIX "B"</u></a>	- Rules and Regulations Concerning Domestic and Commercial Wastes
<a href="#"><u>APPENDIX "C"</u></a>	- Drought Contingency Plan
<a href="#"><u>APPENDIX "D"</u></a>	- Customer Service Agreement
<a href="#"><u>APPENDIX "E"</u></a>	- Water Audit Reporting Form
<a href="#"><u>APPENDIX "F"</u></a>	- Policy for Certification of Compliance for Commercial Drainage Facilities
<a href="#"><u>Exhibit 1</u></a>	- Application for Certification of Compliance for Commercial Drainage Facilities

# Attachment 1 to Rate Order: MOC Residential Application for Utility Service

Residential Customer Application for new service:

- <https://municipalops.com/new/>
- QR code will take you directly to Residential Application for New Service



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# Attachment 2 to Rate Order: Application for New Development



## ATTACHMENT 2 TO RATE ORDER APPLICATION FOR SERVICE FOR NEW DEVELOPMENT

c/o Brian Mills, District Manager  
Harris County Water Control and Improvement District No. 110  
19023 Joanleigh Dr.  
Spring, Texas 77388  
Office: 281-353-0998  
Email: [brianmills@hcwcid110.com](mailto:brianmills@hcwcid110.com)

Persons or entities inquiring as to availability of water and/or wastewater capacity or a Letter of Commitment for (1) property on which there are no vertical improvements, or (2) property on which there are existing vertical improvements and new vertical improvements are to be constructed shall be required to complete this Application for New Development. This Application for New Development is in addition to any application for service required by the district.

This Application for New Development along with a **non-refundable application fee made payable to Harris County Water Control and Improvement District No. 110 (the "District") in the amount of (1) \$7,500.00 for property located in the District; or (2) \$15,000.00 for property located outside the District** shall be completed and submitted to the District's Engineer, LEI, at 1080 W. Sam Houston Parkway North, Suite 200, Houston, Texas 77043.

Upon receipt of the attached Application and application fee, the Engineer shall present your request to the Board of Directors of the District and obtain authorization for the District's consultants to begin evaluation of your request. The application fee will be used to cover the expenses incurred by the District for the preliminary evaluation by the consultants as to whether the District's facilities can accommodate your proposed project.

The Board of Directors reserves the right to request additional application monies from you should the initial application fee not be sufficient to cover anticipated consultant costs during the review. If additional monies are not produced when requested, then all review work will be stopped and this application will become null and void upon ten (10) days written notice to the Applicant.

Other pertinent facts and information you should know and be agreeable to are listed hereinafter and should be read carefully before submitting your application.

The Board of Directors has adopted the following policy for the purpose of providing water and sewer service for the growth and development within the District in a uniform and nondiscriminatory manner. These policies and procedures shall apply uniformly throughout the district for any new or additional development:

1. Any party requesting service from the district shall be required to submit an Application to the Board of Directors for consideration in care of the District's Engineer LEI, at 1080 W. Sam Houston Parkway North, Suite 200, Houston, Texas 77043.
2. Commitment letters issued by the District for water/sewer service shall not be issued for more than one (1) year from the date of issuance.
3. Commitment letters by the District are assignable only upon written approval of the Board of Directors of the District.
4. **APPLICATIONS SHALL NOT BE CONSIDERED FOR PROPERTY WITH DELINQUENT TAXES.**
5. No construction may begin on any improvements until all applications, plans and specifications/blueprints and fees required by the District have been provided to the District.
6. Applicant must provide the District's Engineer with three (3) copies of the plans and specifications for the water, sewer and drainage for review and approval. Construction of said facilities may not begin until

approved by the District's Operator and Engineer. Plans shall include internal plumbing and mechanical improvement or modifications.

7. Construction of the water, sewer and drainage facilities must begin prior to the expiration date contained in the District commitment letter and diligently pursued thereafter.
8. Applicant is required to provide the District with periodic written progress reports (at thirty [30] day intervals) advising the Board of Directors as to the status of progress until completion of construction.
9. All tracts of land receiving services must be platted through the City of Houston, Harris County and other appropriate agencies prior to utility service being provided by the District. **SERVICE WILL NOT BE PROVIDED UNTIL THE DISTRICT'S OPERATOR AND ENGINEER HAS BEEN PROVIDED WITH A COPY OF THE RECORDED PLAT OR A LETTER FROM THE CITY OF HOUSTON INDICATING THAT IT IS NOT NECESSARY TO RECORD A PLAT FOR THE TRACT OF LAND.**
10. Applicant must make arrangements to extend the necessary water, sanitary sewer and drainage facilities to serve its property in areas where such facilities do not exist. All temporary and permanent arrangements for sewer and water service must be approved in advance of construction by the District's Operator and/ Engineer. Approval by the District Engineer and Operator is conditioned upon the date the information is provided to the District. Any subsequent changes or alterations on the property may require additional approval.
11. Applicant, at its sole cost, must convey all necessary easements and rights-of-way to the District with all lienholder subordinations.
12. All utility lines constructs that are not in permanent acceptable easements, or which lie within private developments (apartments, condominiums, etc.) shall remain the permanent property of the landowner and shall remain such owner's permanent maintenance responsibility.
13. Applicant shall furnish a statement of the estimated value of the proposed project as a part of the initial application itemized by land value and improvement.
14. Any change of utilization to the previously approved use of the property covered by this application shall terminate any commitments issued unless otherwise approved by the District in writing.
15. Service shall be extended to a tract in accordance with the then current Order Setting Water and Sewer Tap Fees and Setting Service Rates and Rules and Regulations Governing Waterworks and Sanitary Sewer System, including the payment of any tap fee, as such, Order may be amended from time to time.
16. **ALL COMMERCIAL DEVELOPMENTS WILL BE REQUIRED TO INSTALL GREASE TRAPS, UNLESS WAIVED BY THE BOARD OF DIRECTORS.**
17. In addition to the other referenced prerequisites, the following requirements are applicable to requests for annexation:
  - a. All legal, engineering and other costs associated with the annexation shall be paid by the Applicant.
  - b. All costs of constructing the water, sanitary sewer and drainage facilities to serve the property shall be paid by the Applicant.
  - c. Applicant shall be required to finance all costs related to whatever expansion to the District's sewage treatment plant is necessary to serve the Tract. Such costs shall be secured by an irrevocable letter of credit, in form satisfactory to the District, drawn on a bank located in Harris County, Texas. Such letter of credit shall be deposited with the District at the time expansion of the sewage treatment plant commences.

- d. The same restrictions and procedures as described in 17c above shall apply to the District's water production facilities, if it is determined that the District does not have sufficient surplus water supply to serve Applicant's proposed development.
- e. All utility facilities proposed to be owned and operated by the District shall be designed by and construction supervised by the District's Engineer; or such other qualified civil engineering firm selected by Applicant and approved by the District, provided, however, if Applicants selects an engineer other than the District's Engineer, all design plans must be reviewed and approved by the District's Engineer.
- f. All contracts let for the construction of public utilities shall be let in the name of the District and shall be supervised by the Board of Directors. All payments, however, shall be solely the responsibility of the Applicant.
- g. If the District issues bonds to reimburse the Applicant for the cost to design and construct the water, sewer or drainage facilities, the Applicant shall waive any special use valuations including agricultural, open space or business inventory value for the property being served by the facilities being financed by such bond issue.
- h. The terms and conditions of the annexation agreement shall be recorded at the time of annexation and shall be binding upon any future purchaser and any lender.
- i. Whether the Applicant has a known use for the annexed tract will impact the Board's decision on whether to annex the tract.
- j. A feasibility study shall be prepared by the District's Engineer upon receipt of all required forms. It will take approximately forty-five (45) to sixty (60) days to complete the feasibility study.
- k. Applicant shall provide to the District a copy of the deed showing current ownership of the property referenced in the Application.
- l. Applicant shall submit to the District a current title or title commitment.
- m. The petition of the City of Houston for its consent to the annexation and the annexation petition to the District shall be prepared by the District's Attorney.
- n. Applicant shall provide to the District a copy of the current survey of the property, including a metes and bounds description.

18. Applicant shall be aware of District's Rate Order covering water and sewer rates and discharges to the sewer. Copies of Rate Order are available from the District's Operation Manager of the District website [www.wcid110.com](http://www.wcid110.com).

**UPON EXECUTION AND SUBMITTAL OF THIS APPLICATION FOR SERVICE, 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 INSPECTIONS REQUIRED BY THIS RATE ORDER, INCLUDING THE RULES AND REGULATIONS.**

**ATTORNEY**

Maria Salinas Parker  
Josh J. Kahn  
Sanford Kuhl Hagan Kugle Parker Kahn, LLP  
1330 Post Oak Boulevard  
Suite 2650  
Houston, Texas 77056

T: 713-850-9000  
F: 713-850-1330  
E: [parker@sklaw.us](mailto:parker@sklaw.us)  
E: [kahn@sklaw.us](mailto:kahn@sklaw.us)

**ENGINEER**

Langford Engineering, Inc.  
1080 W. Sam Houston Parkway, North Suite 200  
Houston, Texas 77043

T: 713-461-3530  
F: 713-932-7505  
E: [tim.h@langfordeng.com](mailto:tim.h@langfordeng.com)  
E: [norman.g@langfordeng.com](mailto:norman.g@langfordeng.com)

**OPERATOR**

Mike Williams  
Municipal Operations & Consulting, L.L.C.  
20141 Schiel Road  
Cypress, Texas 77433

T: 281-367-5511  
F: 281-367-5517  
E: [mwilliams@municipalops.com](mailto:mwilliams@municipalops.com)



**ATTACHMENT 2 TO RATE ORDER  
APPLICATION FOR SERVICE FOR NEW DEVELOPMENT**

c/o Brian Mills, District Manager  
Harris County Water Control and Improvement District No. 110  
19023 Joanleigh Dr.  
Spring, Texas 77388  
Email: [brianmills@hewcid110.com](mailto:brianmills@hewcid110.com) Office: 281-353-0998

Type of Application:     Residential             Commercial

Name of person submitting application: \_\_\_\_\_

Address of person submitting application: \_\_\_\_\_

Phone of person submitting application: \_\_\_\_\_ Email: \_\_\_\_\_

Name of Business: \_\_\_\_\_

Address of business: \_\_\_\_\_

Type of business: \_\_\_\_\_ Sales Tax Number: \_\_\_\_\_

Type of service requested:     In-District     Out-of-District             Water     Wastewater

Estimated date construction to begin: \_\_\_\_\_

Proposed acreage in development: \_\_\_\_\_

Estimated taxable value: Land: \_\_\_\_\_ Improvement: \_\_\_\_\_

Type of wastewater to be put into system:     Domestic             Industrial

Wastewater capacity required (Gallons/Day): \_\_\_\_\_

Water capacity required (gallons/day): \_\_\_\_\_

Name title holder to referenced property (if different from above contact): \_\_\_\_\_

Address of title holder to referenced property (if different from above contact):  
\_\_\_\_\_

Contact info of title holder to referenced property (if different from above contact):

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

---

UPON EXECUTION OF THIS APPLICATION APPLICANT HEREBY CONFIRMS THAT (1) APPLICANT HAS OBTAINED A COPY OF THE DISTRICT'S RATE ORDER, (2) HAS READ AND UNDERSTANDS THE POLICY AND PROCEDURES OF THE DISTRICT SPECIFICALLY THOSE SET FORTH IN ARTICLE II OF THE RATE ORDER; (3) PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION APPLICANT MUST RECEIVE WRITTEN APPROVAL FROM THE DISTRICT'S ENGINEER AND OPERATOR OF THE PLANS RELATING TO WATER, SEWER, AND DRAINAGE OF APPLICANT'S PROPERTY; (4) UNDERSTANDS THAT THE TAP FEE IS ASSESSED AT 2 TIMES THE ACTUAL COST TO THE DISTRICT, (5) IS RESPONSIBLE FOR OBTAINING AN ESTIMATE OF THE TAP FEE FROM THE DISTRICT'S OPERATOR, (6) UNDERSTANDS THAT SERVICE WILL NOT BE PROVIDED TO APPLICANT'S

PROPERTY UNTIL APPLICANT HAS PROVIDED THE DISTRICT WITH EVIDENCE OF A RECORDED PLAT FOR APPLICANT'S PROPERTY, (6) IS REQUIRED TO FURNISH TO THE DISTRICT'S ENGINEER WRITTEN CERTIFICATION FROM APPLICANT'S ENGINEER, THAT THE WATER, SANITARY SEWER AND DRAINAGE FACILITIES HAVE BEEN CONSTRUCTED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE DISTRICT'S ENGINEER AND OPERATOR, AND (7) UPON EXECUTION AND SUBMITTAL OF THIS APPLICATION FOR SERVICE, APPLIANT 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, AND 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 INSPECTIONS REQUIRED BY THIS RATE ORDER, INCLUDING THE RULES AND REGULATIONS.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

**\*\*Please attach a map to the application indicating proposed location of project and boundaries of subject tract. PDF files can be emailed to District Manager or Engineers instead.  
\*\*\*Applicant agrees that it shall notify the District if any of the above information should change during the Application process. This Application along with the requisite deposit must be submitted to the District's Engineer, with a copy thereof to the District's Operator and Attorney.**

---

### **For District Use Only**

Tap Fee Required:

Operator's recommendations: \_\_\_\_\_  
\_\_\_\_\_

Engineer's recommendations: \_\_\_\_\_  
\_\_\_\_\_

Attorney's recommendations: \_\_\_\_\_  
\_\_\_\_\_

Is Annexation Required:  Yes  No Amount of Service Required: \_\_\_\_\_

Additional Consideration: \_\_\_\_\_  
\_\_\_\_\_

Approved  Disapproved Board of Directors Meeting of: \_\_\_\_\_

\_\_\_\_\_  
Signature, President, Harris County Water Control and Improvement District No. 110

# Attachment 3(A) to Rate Order: Application for Change to Existing Commercial Development



## ATTACHMENT3(A) TO RATE ORDER APPLICATION FOR CHANGE TO EXISTING COMMERCIAL OR MULTI-FAMILY DEVELOPMENT

c/o Brian Mills District Manager  
Harris County Water Control and Improvement District No. 110  
19023 Joanleigh Dr.  
Spring, Texas 77388  
Email: [brianmills@hcwcid110.com](mailto:brianmills@hcwcid110.com) Office: 281-353-0998

For any changes to existing development of a Commercial Customer or Multi-family Customer, including change in account name, or management companies, or ownership, the Commercial Customer or Multi-Family Customer shall complete and file with the Water District Manager this Application for Change to Existing Commercial Development or Multi-Family Development, along with the appropriate application fee.

It is the duty of the Commercial Customer and the Multi-family Customer to notify the District through the WCID110 District Manager of any change in name of the commercial or multi-family development, change in management companies, or new ownership. Notice is accomplished by completing this Application and paying the requisite application fee.

It is the duty of all Commercial Customers to provide to the WCID110 District Manager a copy of the business or tenant's sales tax identification certificate prior to the new business opening.

It is the duty of all Commercial Customers to notify the District through the WCID110 District Manager of any change in business. For any changes of a business, the Commercial Customer shall provide the WCID110 District Manager a copy of the plans and specifications of the new business prior to the new business opening.

The application fee for changes in names, management companies or ownership is \$500.00 if the application is provided within fifteen (15) days of the change; provided, however, if the change is not provided to the District within fifteen (15) days, the application fee is \$1,000.00 or the actual cost to the District, whichever is greater.

For changes of a business in a commercial development the application fee is \$500.00 if there are no plumbing changes to the commercial space and the application is provided within fifteen (15) days of the change; provided, however, if the change is not provided to the District within fifteen (15) days, the application fee is \$1000.00 or the actual cost to the District, whichever is greater.

For changes of a business in a commercial development, the application fee is \$1,500.00 if there are plumbing changes to the commercial space.

Each Commercial Customer shall be required to install a sampling well at the point of discharge into the Commercial Customers sanitary sewer system pursuant to Section 2.05 of this Rate Order.

Each Commercial Customer and its Tenant and Multi-Family Customer is deemed to grant the District the right of ingress and egress for purposes of inspections and compliance with this Rate Order, including all Appendices.

Failure by the Commercial Customer or its Tenant or a Multi-Family Customer to comply with Section 2.04 of the Rate Order will result in termination of water service to the Commercial Customer or Multi-Family account in accordance with Section 4.02 of the Rate Order.

Grease trap requirements and sampling well requirements are set forth in Section 2.05 of the Rate Order and Articles IV and V of the Rules and Regulations Concerning Domestic and Commercial Wastes, Appendix B to the Rate Order.

Failure to comply with Section 2.04 of the Rate Order will result in (1) the imposition of a fine of \$1,000 for the first offense, \$1,500 for the second offense, \$2,500 for the third offense and any offenses thereafter, and (2) the termination of service to the development.

This Application for Existing Commercial Customers shall be in addition to any application required by the District's Operator.

By completing this Application for Service, the Commercial Customer, its tenants and the Multi-Family Customer agree to comply with the District's Rules and Regulations and Rate Order. The Commercial Customer, its tenants and the Multi-Family Customer agree that only domestic waste shall be discharged into the sanitary sewer system.

Applicant agrees that it shall notify the District if any of the above information should change during the Application process.

This Application for Change in Existing Commercial or Multi-Family Development must be completed and filed with the District each time there is a change of business in a Commercial Customers development

**This Application for Change in Existing Commercial or Multi-Family Development must be completed and filed with the District each time there is a change in ownership, management or name of a Commercial or Multi-Family account.**

**UPON EXECUTION OF THIS APPLICATION APPLICANT HEREBY CONFIRMS THAT APPLICANT HAS (1) OBTAINED A COPY OF THE DISTRICT'S RATE ORDER, AND (2) READ AND UNDERSTANDS THE POLICY AND PROCEDURES OF THE DISTRICT SET FORTH IN THE RATE ORDER AND SPECIFICALLY ARTICLE II OF THE RATE ORDER.**

**Any change of utilization to the previously approved use of the lease space covered by this application shall terminate the District's approval and a new Application must be submitted for the new use.**

**UPON EXECUTION AND SUBMITTAL OF THIS APPLICATION FOR SERVICE, APPLIANT 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, AND 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 INSPECTIONS REQUIRED BY THIS RATE ORDER, INCLUDING THE RULES AND REGULATIONS.**

If you do not have blueprints for the property, please contact [Harris County Engineers Department](#) or scan the **BLACK QR CODE**.



If you do not know water/wastewater needs, please use this [reference guide](#) or scan the **BLUE QR CODE**.





**ATTACHMENT 3(A) TO RATE ORDER  
APPLICATION FOR CHANGE TO  
EXISTING COMMERCIAL OR MULTI-FAMILY DEVELOPMENT**

Please download this document, complete the fillable sections, then print and sign. Electronic signatures will not be accepted. This application, the application fee, space blueprints, and sales tax certificate must be submitted in-person to the WCID110 office before the application can be processed. Application fee can be a personal or business check or cashier's check only, made payable to WCID110. Blueprints (PDF file or three physical copies) and Sales Tax Certificate (JPG or PDF) can be emailed to District Manager at [briannmills@hewcid110.com](mailto:briannmills@hewcid110.com).

Is this Application for:  Change to Existing **WITH NO** changes to water/sewer (\$500.00 fee required)  
**Note: Failure to submit within 15 days of opening will incur fee of \$1,000.00 instead of \$500.00**

Change to Existing **WITH** changes to water/sewer (\$1,500.00 fee required)

Anticipated Opening date: \_\_\_\_\_

Name of Business / Property: \_\_\_\_\_

Address of Business / Property: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Contact Person Name / Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email address: \_\_\_\_\_

Type of Business: \_\_\_\_\_

Sales Tax ID Number (if applicable): \_\_\_\_\_ ***(JPG or PDF of Sales Tax required)***

Amount of leased space (sq. ft.): \_\_\_\_\_ ***(PDF of blueprints required)***

Water Capacity Required: \_\_\_\_\_ Wastewater Capacity Required: \_\_\_\_\_

Current Account # to transfer (if known): \_\_\_\_\_

Current Account Name to transfer (if known): \_\_\_\_\_

Signature of Tenant: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name of Tenant: \_\_\_\_\_

Signature of Business Office Customer: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name of Business Office Customer: \_\_\_\_\_

# Attachment 3(B) to Rate Order: Application for Change of Existing Office Building

## ATTACHMENT 3(B) TO RATE ORDER APPLICATION FOR CHANGE TO EXISTING OFFICE BUILDING



c/o Brian Mills District Manager  
Harris County Water Control and Improvement District No. 110  
19023 Joanleigh Dr.  
Spring, Texas 77388  
Email: [brianmills@hcwcid110.com](mailto:brianmills@hcwcid110.com) Office: 281-353-0998

For any changes in existing office buildings which (i) involve changes to the existing plumbing facilities, and/or (ii) include a new tenant whose is required by law to have a Texas Sales Tax and Use Certificate, the Office Building Customer shall complete and file with the WCID110 District Manager the Application for Change to Existing Office Building set forth in Attachment 3(B) to this Rate Order, along with the appropriate application fee.

It is the duty of the Office Building customer to notify the District through the WCID110 District Manager of any (i) change involving the existing plumbing facilities, and/or (ii) a new tenant who is required by law to have a Texas Sales Tax and Use Certificate. Notice is accomplished by completing the application set forth in Attachment 3(B) and paying the requisite application fee.

It is the duty of all Office Building Customers to provide to the WCID110 District Manager a copy of the business or tenant's sales tax identification certificate prior to the new business opening.

For changes of a business in an office building there is no application fee if there are no plumbing changes to the business space.

The application fee for a new tenant who is required by law to have a Texas Sales Tax and Use Certificate is \$500.00 if the application is provided within fifteen (15) days of the change; provided, however, if the change is not provided to the District within fifteen (15) days, the application fee is \$1,000.00 or the actual cost to the District, whichever is greater.

For changes of a business in an office building, the application fee is \$1,500.00 if there are plumbing changes to the commercial space.

An Office Building tenant may be required to install a sampling well at the point of discharge into the Office Building Customer's sanitary sewer system pursuant to Section 2.05 of this Rate Order.

Each Office Building Customer is deemed to grant the District the right of ingress and egress for purposes of inspections and compliance with this Rate Order, including all Appendices.

Failure by the Office Building Customer or its Tenant to comply with Section 2.04 of the Rate Order will result in termination of water service to the Office Building Customer account in accordance with Section 4.02 of the Rate Order.

Grease trap requirements and sampling well requirements are set forth in Section 2.05 of the Rate Order and Articles IV and V of the Rules and Regulations Concerning Domestic and Commercial Wastes, Appendix C to this Rate Order.

Failure to comply with Section 2.04 of the Rate Order will result in (I) the imposition of a fine of \$1,000 for the first offense, \$1,500 for the second offense, \$2,500 for the third offense and any offenses

thereafter, and (2) the termination of service to the development.

The Application set forth in Attachment 3(B) to this Rate Order shall be in addition to any application required by the District's Operator.

By completing this Application for Change to Existing Office Building, the Business Office Customer, and its tenants agree to comply with the District's Rules and Regulations and Rate Order. The Business Office Customer and its tenants agree that only domestic waste shall be discharged into the sanitary sewer system.

Applicant agrees that it shall notify the District if any of the above information should change during the Application process.

This application for change in existing office building must be completed and filed with the district each time there is any (i) change involving the existing plumbing facilities, and/or (ii) a new tenant who is required by law to have a Texas sales tax and use certificate. Notice is accomplished by completing the application set forth in attachment 3(b) and paying the requisite application fee.

**Upon execution of this application applicant hereby confirms that applicant has (1) obtained a copy of the district's rate order, and (2) read and understands the policy and procedures of the district set forth in the rate order and specifically article ii of the rate order.**

**Any change of utilization to the previously approved use of the lease space covered by this application shall terminate the district's approval and a new application must be submitted for the new use.**

If you do not have blueprints for the property, please contact [Harris County Engineers Department](#) or scan the **BLACK QR CODE**.



If you do not know water/wastewater needs, please use this [reference guide](#) or scan the **BLUE QR CODE**.





**ATTACHMENT 3(B) TO RATE ORDER  
APPLICATION FOR CHANGE TO EXISTING OFFICE BUILDING**

Please download this document, complete the fillable sections, then print and sign. Electronic signatures will not be accepted. This application, the application fee, space blueprints, and sales tax certificate must be submitted to the WCID110 District Manager before the application can be processed. Application fee can be a personal or business check or cashier's check only, made payable to WCID110. Blueprints (PDF file or three physical copies) and Sales Tax Certificate (JPG or PDF) can be emailed to WCID110 District Manager at [brianmills@hwcid110.com](mailto:brianmills@hwcid110.com).

Is this Application for:

- Change to Existing Office Building **WITH NO** changes to water/sewer (\$0.00 fee required)
- Change to Existing Office Building **WITH** changes to new business with Sales Tax Certificate (\$500.00 fee required)  
**Note: Failure to submit within 15 days of opening will incur fee of \$1,000.00 instead of \$500.00**
- Change to Existing Office Building **WITH** changes to water/sewer (\$1,500.00 fee required)

Anticipated Opening Date:

Name of Business / Property:

Address of Business / Property:

City:  State:  Zip Code:

Contact Person Name / Title:

Phone Number:  Email address:

Type of Business:

Sales Tax ID Number (if applicable):  *(JPG or PDF of Sales Tax required)*

Amount of leased space (sq. ft.):  *(PDF of blueprints required)*

Water Capacity Required:  Wastewater Capacity Required:

Current Account # to transfer (if known):

Current Account Name to transfer (if known):

Signature of Tenant: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name of Tenant:

Signature of Business Office Customer: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name of Business Office Customer:

# Attachment 3(C) to Rate Order: Application for Approval of New Construction / Demolition / Reconstruction / Remodel of an Existing Residence



## ATTACHMENT3(C) TO RATE ORDER SINGLE FAMILY RESIDENCE APPLICATION FOR APPROVAL OF NEW CONSTRUCTION, DEMOLITION, RECONSTRUCTION OR REMODEL OF A RESIDENCE.

This Single-Family Residence Application for Approval of New Construction, Demolition, Reconstruction or Remodel of a Residence is for approval from Harris County Water Control and Improvement District No. 110 (the "Water District") for the new construction, demolition, reconstruction or remodel of a single-family residence located within the boundaries of the Water District. To obtain approval from the Water District of the new construction, demolition, reconstruction, or remodel, Applicant must pay an application fee of \$500.00, and file this completed Application with the Water District thirty (30) days prior to the commencement of the new construction, demolition, reconstruction, or remodel of a single-family residence. This application, along with the application fee of \$500.00 must be submitted in person, or by mail to the following:

Harris County Water Control and Improvement District No. 110  
C/O Brian Mills, District Manager  
19023 Joanleigh Dr.  
Spring, Texas 77388  
Email: [brianmills@hccwid110.com](mailto:brianmills@hccwid110.com)  
Office Phone: 281-353-0998

Applicant Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Address/description of property to be constructed/demolished/reconstruction/remodeled:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ALL NEW CONSTRUCTION, DEMOLITIONS, RECONSTRUCTION, OR REMODELS MUST CONFORM TO THE WATER DISTRICT RATE ORDER WHICH MAY BE OBTAINED FROM THE WATER DISTRICT'S WEBSITE: <https://www.wcid110.com/library>**

**APPLICANT(S) MUST ATTACH TO THIS APPLICATION THE PERMIT ISSUED BY HARRIS COUNTY FOR THE NEW CONSTRUCTION, DEMOLITION, RECONSTRUCTION OR REMODEL.**

The undersigned is/are the owner(s) of the above-described property that is planned for new construction, demolition, reconstruction or remodel. I(We) have contracted with:

Contractor/Construction Company: \_\_\_\_\_

to perform the new construction, demolition, reconstruction, or remodel on my/our behalf. Their contact person is:

Contractor Name: \_\_\_\_\_

Contractor Telephone Number: \_\_\_\_\_

I/We are making application to the Water District for the approval of:

- Construction of a new single-family residence
- Demolition to current structure
- Reconstruction/New construction on current site
- Remodel to current preexisting structure on current site
- Demolition ONLY (No plans for reconstruction on site)

I/We are making application for the Water District to perform the following services in connection with the demolition/reconstruction/removal to the property described above:

- Installation of domestic water.
- Installation of sanitary sewer.
- Removal of domestic water meter.
- Removal of irrigation meter.
- Removal/plugging of sanitary sewer tap.
- Termination of services to the property.

Note: This Application goes through a review and approval process based on the information submitted by the Applicant. Board of Directors meetings are held on the second Wednesday and third Thursday of every month unless otherwise posted. Meeting information may be obtained from the Water District website: [www.wcid110.com](http://www.wcid110.com).

Any non-compliance with this Application or the District Rate Order will result in immediate termination of water service and pulling the meter for the service site. A non-compliance fee of **\$25 per day** will be applied until the application, application fee and Harris County approved plans have been submitted to and received by the District Manager. All applicable fees will apply for reinstallation of the meter and restoring service to the site After the application has been received and approved by the Water District, Applicant will be informed of the Approval/Disapproval of this application via written letter from the Water District Manager. All inspection services and fees in section 2.08 of the Rate Order may apply depending on the scope of the project in this Application.

**UPON EXECUTION AND SUBMITTAL OF THIS APPLICATION, APPLIANT SHALL BE DEEMED TO BE GRANTING TO THE WATER 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, AND 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 INSPECTIONS REQUIRED BY THIS RATE ORDER, INCLUDING THE RULES AND REGULATIONS.**

My/our signature below confirms my/our review and understanding of the aforesaid application, and that the new construction, demolitions, reconstruction, or remodels must be undertaken in accordance with the rate order of the water district.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant Printed Name: \_\_\_\_\_

Primary Phone Number: \_\_\_\_\_

Primary Email Address: \_\_\_\_\_

# Attachment 4 to Rate Order: Consent to Encroachment



## ATTACHMENT 4 TO RATE ORDER APPLICATION REQUESTING CONSENT TO ENCROACHMENT

c/o Brian Mills District Manager  
Harris County Water Control and Improvement District No. 110  
19023 Joanleigh Dr.  
Spring, Texas 77388  
Email: [brianmills@hwcid110.com](mailto:brianmills@hwcid110.com) Office: 281-353-0998

The attached Application along with a non-refundable application fee made payable to Harris County Water Control and Improvement District No. 110 (the "District") in the amount of \$500 should be completed and submitted to the District's Engineer, LEI, at 1080 W. Sam Houston Parkway North, Suite 200, Houston, Texas 77043. You are advised to carefully read the information contained herein before submitting your Application.

Upon receipt of the attached Application and application fee, the Engineer shall present your request to the Board of Directors of the District and obtain authorization for the District's consultants to begin evaluation of your request. The application fee will be used to cover the expenses incurred by the District for the evaluation by the consultants of your request.

The Board of Directors reserves the right to request additional application monies from you if the initial application fee is not sufficient to cover the consultant costs. If additional monies are not provided when requested, then all review work will be stopped and this Application will become null and void upon ten (10) days written notice to the Applicant.

The following policies and procedures shall apply for all Application submitted to the District:

1. Written consent granted by the District is assignable only upon written approval of the Board of Directors of the District.
2. APPLICATIONS SHALL NOT BE CONSIDERED FOR PROPERTY WITH DELINQUENT TAXES.
3. No action may be taken in connection with the request, including but not limited to construction / installation on any improvements until all fees required by the District have been paid and written consent has been provided by the District's Engineer and Operator.
4. Applicant must provide the District's Engineer with three (3) copies of plans and specifications relating to the request for review and approval.
5. Applicant is required to provide the District with periodic written progress reports advising the Board of Directors as to the status of progress until completion.
6. APPLICATIONS SHALL NOT BE CONSIDERED UNTIL THE DISTRICT'S OPERATOR AND ENGINEER HAS BEEN PROVIDED WITH A COPY OF THE RECORDED PLAT OR A LETTER FROM THE CITY OF HOUSTON INDICATING THAT IT IS NOT NECESSARY TO RECORD A PLAT FOR THE TRACT OF LAND.
7. **IF CONSENT BY THE DISTRICT REQUIRES DOCUMENT RECORDATION IN THE OFFICIAL RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS, (SUCH AS A CONSENT TO ENCROACHMENT), APPLICANT SHALL NOT COMMENCE**

**CONSTRUCTION AND/OR INSTALLATION UNTIL SUCH DOCUMENT HAS BEEN DULY RECORDED.**

- 8. FILING AN APPLICATION FOR CONSENT WITH THE DISTRICT SHOULD NOT BE CONSTRUED AS CONSENT BY THE DISTRICT. THE BOARD OF DIRECTORS WILL REVIEW EACH APPLICATION AND CONSENT WILL BE GRANTED OR DENIED BASED ON THE FACTS AND CIRCUMSTANCES. HARRIS COUNTY TEXAS SHALL BE FILED AND RECORDED PRIOR TO COMMENCEMENT OF CONSTRUCTION AND /OR INSTALLATION.**



**ATTACHMENT 4 TO RATE ORDER  
APPLICATION REQUESTING CONSENT TO ENCROACHMENT**

Date of Application: \_\_\_\_\_

Name of Applicant/Business: \_\_\_\_\_

Applicant Phone: \_\_\_\_\_ Applicant Email: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Business: \_\_\_\_\_

Property Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name and address of title holder to referenced property:

\_\_\_\_\_

Please provide a brief statement as to the action/consent being requested:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

By executing and filing this Application for Service, Applicant(s) certifies that he/she has read the policies and procedures for obtaining consent of the District and that he/she understands and agrees to comply with the policies and procedures.

Signature of Applicant: \_\_\_\_\_

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant agrees that it shall notify the District if any of the above information should change during the Application process. This Application along with the requisite deposit must be submitted to the WCID110 District Manager, with a copy there of to the District's Engineer and Attorney.

**For District Use Only**

**Operators Comments**

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**Engineers Comments**

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The forgoing Application was \_\_\_\_\_ approved \_\_\_\_\_ denied by the Board of Directors on \_\_\_\_\_.

\_\_\_\_\_  
President, Board of Director

**DISTRICT ENGINEER**

Langford Engineering, Inc.  
1080 W. Sam Houston Parkway, North Suite 200  
Houston, Texas 77043  
T: 713.461.3530  
F: 713.932.7505  
Attention Norman E. Gutierrez  
E: [norman.g@langfordeng.com](mailto:norman.g@langfordeng.com)

**OPERATOR**

Municipal Operations & Consulting, L.L.C.  
20141 Schiel Road  
Cypress, Texas 77433  
T: 281-367-5511  
F: 281-367-5517  
Attention Mike Williams  
E: [mwilliams@municipalops.com](mailto:mwilliams@municipalops.com)

## **Attachment 5 to Rate Order: Policy Relating to Annexations**

Any and all annexation agreement between the District and persons and/or entities (“Annexation Applicant”) requesting annexation of land into the District (“Annexation Tract”) shall provide for and contain the following provisions.

### **District Approval Required.**

Annexation Applicant for annexation must submit to the District for approval a site plan setting forth the proposed development of the Annexation Tract (the "Site Plan"). To the extent that the final Site Plan does not materially change from the Site Plan submitted to the District, no further approval of the Site Plan is required by the District; provided, however, Annexation Applicant shall provide the District with a copy of any revised Site Plan prior to commencing construction regardless of whether the change is material or nonmaterial. Any material changes to the Site Plan must be approved in writing by the District.

Approval of the Site Plan by the District shall be to ensure that

- 1) the Annexation Tract is developed as represented to the District,
- 2) the external design construction material and color of the buildings conform to adjacent existing structures, and
- 3) the location and finish grade elevations of the improvements conform to the surrounding topography.

Approval of the Site Plan by the District is only for the purposes described above, and specifically, but without limitation, shall not be construed as any representation by Annexation Applicant or the District as to, or responsibility for, design or quality of improvements or the ultimate construction thereof.

### **Offensive and Prohibited Uses.**

1. No use of the Annexation Tract shall be permitted which is illegal.
2. No activity or use shall be permitted on or with respect to any part of the Annexation Tract for the operation of:
  - a. any business which discharges wastes other than domestic waste;
  - b. any dry cleaning facility/plant, nail salon, beauty/hair salon except as incorporated as a day spa with a pre-treatment process, trailer court, slaughterhouse, tannery, cannery, manufacturing facility, barn, stables, cemetery, junk yard, scrap metal yard or waste material collection, storage and distribution, any dumping disposal, incineration or reduction of garbage or refuse, or any fire or bankruptcy sale or auction house operation, open air or flea market operation, or waste treatment facility, junk yard, scrap metal yard or waste material business (including any dumping, disposal, incineration or reduction of garbage or refuse, but this restriction shall not preclude the use of compacting devices on the Annexation Tract which temporarily hold refuse for disposal off-site when such devices are used in conjunction with an Annexation Tract use or business which is not a junk yard, scrap metal yard, or waste material business);
  - c. a used clothing business or a business that specializes in bankruptcy or liquidation sales or the selling of fire damaged items;
  - d. an auction house or flea market;

- e. a night club, bar, amusement or game room, lounge or tavern;
- f. "adult" bookstore, theater, studio, parlor or other facility, any of which show on-premises X-type rated or unrated pornographic motion pictures or video films or provide forms of entertainment appealing to the prurient interests of the general public or would otherwise diminish the reputation or alter the family-oriented character of the immediate community in which the Annexation Tract is located including any business which requires a sexually oriented business permit or like permit from the City of Houston or other governmental authority;
- g. the keeping of sheep, goats, horses, cattle, swine, poultry, dangerous animals, snakes, livestock, or other animals or fowl of any kind other than household pets;
- h. storage of oil, gasoline, or other flammable liquid other than minimal amounts used in the ordinary course of business for a non-prohibited use;
- i. any oil exploration, excavation or drilling operations, oil refinery, quarrying or mining operations of any kind; the placement of any oil wells, tanks, tunnels, mineral excavations or shafts, or any operating derrick or other structure designated for the use in boring/drilling for fossil fuels; provided however, that the foregoing prohibition shall be subject to presently existing rights, if any, in favor or the owners of the minerals in and to the Annexation Tract;
- j. residential treatment centers, including without limitation, drug or psychiatric treatment centers; or half-way houses;
- k. exterior storage of any goods or materials; and
- l. any other use not compatible with the operation of a commercial, retail, professional office project, or memory care facility.
- m. No building, structure, addition, sign or other improvement shall be erected, maintained or permitted upon any portion of the Annexation Tract that would be used for the foregoing offensive and/or prohibited uses.

These restrictions shall be covenants that run with the land, and a copy of this Agreement shall be filed of record in the Real Property Records of Harris County, Texas. The restrictions shall be deemed to be material and continuing, shall not be merged and shall survive the annexation of the Annexation Tract into the District.

**Open Spaces/Detention Pond.**

With respect to each developed portion of the Annexation Tract, at least ten percent (10%) of each such developed portion of the Annexation Tract shall be landscaped and maintained as open space areas (exclusive of any detention pond), and each such building tract shall have an irrigation system installed throughout. Any designated landscape easement within the Annexation Tract's boundaries may be included in open space calculations. In the event the Annexation Tract is developed in phases, Owner shall dedicate at least ten percent (10%) of each phase for landscaping.

Annexation Applicant agrees that a property owners association shall be established to maintain the open spaces, detention pond, and landscaped areas. The property owners association shall maintain the detention pond so

that it retains water at the level of original design. Owner shall provide to the District a copy of the property restrictions establishing the property owners association. Such restrictions shall require the property owners association to abide by the terms of this Annexation Policy.

**Grading and Drainage.**

Surface drainage shall be collected on-site and connected to underground storm drain structures. Care shall be taken not to cause damage, or flooding, or ponding of water to adjacent properties during construction or after completion of the project.

**Signs / Exterior Lighting / Trash Receptacle.**

No sign of a flashing or moving character shall be installed and no pylon signs shall be permitted on any part of the Annexation Tract. For the purposes of this provision, signs shall include, without limitation, awnings, mobile trailer signs, canopies, banners, and advertising placed on walls, automobiles, windows, or other objects located on the Annexation Tract. No free-standing sign shall exceed the height of ten (10) feet above the ground.

Any exterior lighting shall be placed or positioned so that it does not shine into the homes of any adjacent residential area.

All trash receptacles/dumpsters shall be placed so as to be concealed from view from any adjacent homes, businesses, and vehicular street traffic.

The forgoing provisions shall be covenants that run with the land, and a copy of the annexation agreement shall be filed of record in the Real Property Records of Harris County, Texas. The provisions herein set forth shall be deemed to be material and continuing, shall not be merged and shall survive the annexation of the Annexation Tract into the District; and to the extent any offensive or prohibited use is engaged in on the Annexation Tract, the District reserves the right to:

1. issue and levy charges for violations hereof, and
2. terminate water and sanitary sewer service to the Annexation Tract in accordance with [Article IV](#) of the District's Rate Order.

# Attachment 6 to Rate Order: Petition for Addition of Land

THE STATE OF TEXAS §  
COUNTY OF HARRIS §  
HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110 §

\_\_\_\_\_, a \_\_\_\_\_ (herein “Petitioner”), hereby petitions the Board of Directors (the “Board”) of Harris County Water Control and Improvement District No. 110 (the “District”) for inclusion within the District of the land hereinafter described, so that such land shall be added to, and become a part of, the District.

In support of this Petition, Petitioner would respectfully show unto the Board the following:

I.

Petitioner is the owner of the tract of land described by metes and bounds in Exhibit “A” (the “Tract”) attached hereto and made a part hereof for all purposes.

II.

No person or entity holds a lien on the Tract, except for \_\_\_\_\_.

III.

No one currently resides upon the Tract.

IV.

The Tract lies wholly within the extraterritorial jurisdiction of the City of Houston, Harris County, Texas and is not located within the boundaries of any incorporated city or town.

V.

Petitioner agrees and states that the addition of the Tract to the District is feasible, practicable, and to the advantage of the District, and the water, sewer, and drainage systems and other improvements of the District are or will be sufficient to supply the Tract without injuring land already in the District.

VI.

This Petition shall constitute an election on the part of Petitioner, its successors and assigns, for the aforesaid land and any improvements which are now or may hereafter be constructed thereon to become liable for all present and future debts of the District in the same manner and to the same extent as other lands and improvements in the District are liable for the District’s debts.

VII.

Without limiting the generality of Paragraph VI above, Petitioner is aware that the District has heretofore issued and has outstanding a total of \$ \_\_\_\_\_ of its Waterworks and Sewer System Combination Unlimited Tax and Revenue Bonds, and Petitioner hereby agrees that the Tract and all improvements thereon, presently existing or

to be constructed, shall assume its share of all bonds or other obligations of the District and must be taxed equally with all other property within the District. Petitioner acknowledges, consents to, and affirmatively requests the assumption by the Tract of a pro rata share of all obligations of the District, and of the taxes levied or hereafter to be levied by the District.

#### VIII.

Petitioner, its successors and assigns, hereby agrees that the Tract and any improvements existing or to be constructed thereon, shall be liable for its pro rata share of all voted but unissued bonds of the District which were authorized at various elections held within the District, and which may hereafter be issued and sold by the District. This Petition constitutes authorization by Petitioner, its successors and assigns, for the Board to issue and sell all of the remaining unissued bonds for the purposes and upon the terms and conditions such bonds were voted, in one or more issues or series, at a future date or dates, when in the Board's judgment such amounts are required for the authorized purposes.

#### IX.

This Petition shall further be considered the consent and authorization of Petitioner, its successors and assigns, for all the taxable land described in Exhibit "A", and all improvements now existing or to be constructed thereon, to be taxed uniformly and equally on an ad valorem basis with all other taxable property within the District for:

1. the payment of principal and interest on the District's outstanding bonds;
2. the payment of principal and interest on the District's voted but unissued bonds; and
3. all other purposes for which the District may lawfully levy taxes, including taxes levied for maintenance purposes.

#### X.

Petitioner, its successors and assigns, hereby agree that notwithstanding anything to the contrary herein, no use of the Tract shall be permitted which is illegal.

In addition, no activity or use shall be permitted on or with respect to any part of the Tract for the operation of:

- A. any business which discharges wastes other than domestic waste;
- B. any dry cleaning facility/plant, nail salon, beauty/hair salon except as incorporated as a day spa with a pre-treatment process, trailer court, slaughterhouse, tannery, cannery, manufacturing facility, barn, stables, cemetery, junk yard, scrap metal yard or waste material collection, storage and distribution, any dumping disposal, incineration or reduction of garbage or refuse, or any fire or bankruptcy sale or auction house operation, open air or flea market operation, or waste treatment facility, junk yard, scrap metal yard or waste material business (including any dumping, disposal, incineration or reduction of garbage or refuse, but this restriction shall not preclude the use of compacting devices on the Tract which temporarily hold refuse for disposal off-site when such devices are used in conjunction with a Tract use or business which is not a junk yard, scrap metal yard, or waste material business);
- C. a used clothing business or a business that specializes in bankruptcy or liquidation sales or the selling of fire damaged items;

- D. an auction house or flea market;
- E. a night club, bar, amusement or game room, lounge or tavern;
- F. "adult" bookstore, theater, studio, parlor or other facility, any of which show on-premises X-type rated or unrated pornographic motion pictures or video films or provide forms of entertainment appealing to the prurient interests of the general public or would otherwise diminish the reputation or alter the family-oriented character of the immediate community in which the Tract is located including any business which requires a sexually oriented business permit or like permit from the City of Houston or other governmental authority;
- G. the keeping of sheep, goats, horses, cattle, swine, poultry, dangerous animals, snakes, livestock, or other animals or fowl of any kind other than household pets;
- H. storage of oil, gasoline, or other flammable liquid other than minimal amounts used in the ordinary course of business for a non-prohibited use;
- I. any oil exploration, excavation or drilling operations, oil refinery, quarrying or mining operations of any kind; the placement of any oil wells, tanks, tunnels, mineral excavations or shifts, or any operating derrick or other structure designated for the use in drilling for fossil fuels; provided however, that the foregoing prohibition shall be subject to presently existing rights, if any, in favor of the owners of the minerals in and to the Tract;
- J. residential treatment centers, including without limitation, drug or psychiatric treatment centers; or half-way houses;
- K. exterior storage of any goods or materials; and
- L. any other use not compatible with the operation of a commercial, retail, professional office project, or memory care facility. No building, structure, addition, sign or other improvement shall be erected, maintained or permitted upon any portion of the Tract that would be used for the foregoing offensive and/or prohibited uses.

The restrictions set forth herein shall be covenants that run with the land, and a copy of this Petition shall be filed of record in the Real Property Records of Harris County, Texas. The restrictions set forth herein shall be deemed to be material and continuing, shall not be merged and shall survive the annexation of the Tract into the District; and to the extent any offensive or prohibited use is engaged in on the Tract, the District reserves the right to:

1. issue and levy charges for violations hereof, and
2. terminate water and sanitary sewer service to the Tract in accordance with [Article IV](#) of the District's Rate Order.

## XI.

For and in consideration of the addition of the Tract to the District, Petitioner agrees that the covenants contained herein shall become fixed with the land, shall run with the land, and shall be binding on Petitioner, its successors and assigns.

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that this Petition be filed with the Secretary of the Board; that, thereafter this Petition be heard by the Board and granted in all respects; that, the Tract be added to and become a part of the District, as provided by law, including particularly [Chapters 49](#) and [54](#), Texas Water Code,

as amended; that, after it has been heard and granted, this Petition and the Board's action hereon be filed of record in the Office of the County Clerk of Harris County, Texas; and that Petitioner have such other Orders and relief to which it may show itself entitled.

RESPECTFULLY SUBMITTED THIS \_\_\_\_\_

“PETITIONER” \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

THE STATE OF TEXAS §

§

COUNTY OF HARRIS §

This instrument was acknowledged before me on this the \_\_\_\_ day of \_\_\_\_\_, by \_\_\_\_\_ in his/her capacity as \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_, on behalf said \_\_\_\_\_.

STAMP NAME AND DATE OF

EXPIRATION OF COMMISSION

BELOW:

\_\_\_\_\_

NOTARY PUBLIC, STATE OF TEXAS

# Appendix “A” to Rate Order: Amended and Restated Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections

THE STATE OF TEXAS §

COUNTY OF HARRIS §

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110 §

## 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. Detector Meter is a device to register the flow of water for the purpose of complying with regulatory requirements that all water lines shall be metered.
3. District is Harris County Water Control and Improvement District No. 110 of Harris County, Texas, a political subdivision of the State of Texas.
4. 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.
5. 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.
6. 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.
7. 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 Charges for Violation Thereof which may be amended from time to time.
8. 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.

9. 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.
10. Sewer Tap is the physical connection between the Sanitary Sewer Service Line and the District's Sanitary Sewer Collection System.
11. 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.
12. 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.
13. Tap Fee is the fee paid to the District to connect to the District's water and/or sanitary sewer systems. The amount of the Tap Fee shall be established in the District's Rate Order and may be modified or changed at any time, and is retroactive to all customers.
14. 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.
15. Water Supply System is composed of all water lines, valves, valve boxes, flushing valves, blow off 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.
16. 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.
17. 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.
18. 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 Engineer.

### **Section 2.03. Approval of Plans and Specifications.**

Prior to any 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 to the District's Engineer and Operator 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 approved by the City of Houston;
2. Brass curb stops, curb stops, and related fittings manufactured by Ford, Hays or Muller;
3. Polyethylene water service pipe, 3/4" to 2";
4. Cast iron or PVC water service pipe, larger than 2";
5. Water main pipe of the type originally installed;
6. Plastic meter box up to 2" meter;
7. Concrete meter box, where traffic use is specified; and
8. 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 more than 0.25% lead; and
2. any solder or flux which contains more than 0.25% lead.

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

#### **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.
  - a. **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 Certification, as described in Exhibit "2" attached hereto, shall be completed prior to providing continuous water service to any new construction, on any existing service where the District has reason to believe that cross-connections or other unacceptable plumbing practices exist, and after any material improvement, correction, or addition to private plumbing facilities.
  1. Prior to the District initiating continuous service, a Customer shall provide a Customer Service Inspection Certification to the District.
  2. The Customer Service Inspection Certification may only be performed by those individuals described in Subsection B of this Section 3.04.
  3. For 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.
  4. Copies of properly completed Customer Service Inspection Certifications shall be kept on file by the District's Operator and made available, upon request, for Texas Commission on Environmental Quality ("TCEQ") review. Inspection certifications shall be retained for a minimum of ten (10) years.
  5. Failure to provide a Customer Service Inspection Certification in accordance with this Section 3.04 shall constitute a violation of these Rules and Regulations and such violation shall be subject to the enforcement provisions set forth in Article X hereof.
- B. Individuals with the following credentials shall be recognized as capable of conducting a Customer Service Inspection Certification:
  1. Plumbing Inspectors and Water Supply Protection Specialists licensed by the Texas State Board of Plumbing Examiners; and
  2. Certified Waterworks Operators and members of other water related professional groups who have completed a training course, passed an examination administered by the TCEQ or its designated agent, and hold an endorsement granted by the TCEQ or its designated agent.
- C. Private plumbing facilities in violation of Article III hereof shall constitute an unacceptable plumbing practice and violation of these Rules and Regulations. If an unacceptable plumbing practice is discovered, the Customer shall eliminate the unacceptable plumbing practice within thirty (30) days from the date of discovery to prevent possible contamination of the District's Water Supply System. The existence of a serious threat to the integrity of the District's Water Supply System shall be considered sufficient grounds for

immediate termination of water service. Service can be restored only when the source of potential contamination no longer exists, or when sufficient additional safeguards have been taken, and a Customer Service Inspection Certification confirming correction of unacceptable plumbing practices has been submitted to the District.

- D. The Customer Service Inspection Certification shall 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's 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 regulations.
  2. No cross-connection between the District's Water Supply System and a private water source exists. Where an actual air gap is not maintained between the District's Water Supply System 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 recognized 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 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 July 1, 1988.
  5. No solder or flux which contains more than 0.25% lead exists in private plumbing facilities installed on or after July 1, 1988.
  6. No new or replacement plumbing fixture is installed which is not in compliance with a State Approved Plumbing Code.

### **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.
- D. When the water pressure from a District water main during flow is insufficient to supply fixtures that are likely to be in simultaneous operation, the supply shall be from a gravity house tank, pressure tank, or booster system. No pumps are permitted to take suction directly from a main owned, operated, or served, whether directly or indirectly, by the District, unless the main is of sufficient size, as determined by the District Engineer, and an exception to this rule is approved and granted by the District.

### **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. All backflow prevention assemblies shall be inspected and tested annually. The Test Report, as described in Exhibit "3" attached hereto, shall be retained for a minimum of three (3) years by Customer with copies provided to the District. 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 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.

### **Section 3.07. Customer Service Agreement.**

- A. The District is responsible for protecting its Water Supply System from contamination or pollution which can result from unacceptable plumbing practices. To this end, the District has adopted plumbing restrictions to provide protection to the District's Water Supply System. To notify Customers of the plumbing restrictions which are in place, each Customer shall be required to sign a Customer Service Agreement, as described in Exhibit "5" attached hereto, before the District will begin service. In addition, when service to an existing connection has been suspended or terminated, the District will not re-establish service unless it has a signed copy of a Customer Service Agreement. The District will maintain a copy of the Customer Service Agreement as long as the Customer and/or the premises is connected to the District.
- B. The Customer shall allow his/her 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 exist; or after any major changes to the private plumbing facilities. Inspections shall be conducted during the District's normal business hours.
- C. The District shall notify the Customer in writing of any cross-connection or other unacceptable plumbing practices which have been identified during the initial inspection or the periodic reinspection.
- D. The Customer shall immediately correct any undesirable plumbing practice on his/her premises.
- E. Unless otherwise installed by the District's Operator, the Customer shall, at his expense, properly install, test, and maintain any backflow prevention device required by the District. Copies of all testing and maintenance records shall be provided to the District.
- F. If a Customer fails to comply with the terms of the Customer Service Agreement, the District shall, at its option, either terminate service or properly install, test, and maintain an appropriate backflow prevention assembly at the service connection. Any expenses associated with the enforcement of the Customer Service Agreement shall be billed to the Customer.

## **ARTICLE IV: SANITARY SEWER CONNECTIONS**

### **Section 4.01. Sanitary Sewer Service Line Installation.**

- A. Only one 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. Poly-vinyl-chloride PSM (PVC) pipe conforming to ASTM Specification D3034 or ASTM specification F789 (with UL listing) and installed according to ASTM D2321.
2. Ductile Iron Pipe conforming to ANSI A21.51 with rubber gasket joints ANSI A21.11 and installed according to manufacturer's recommendations.
3. 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:
  - a. Residential: 4 inches in diameter; and
  - b. Commercial: 6 inches in diameter.
- B. The minimum grades for Sanitary Sewer Service Lines shall be as follows:
  - a. 4-inch pipe: 14-inch drop per hundred feet (1.2%);
  - b. 6-inch pipe: 8-inch drop per hundred feet (0.7%); and
  - c. 8-inch pipe: 5-inch drop per hundred feet (0.4%).
- C. The maximum grades for Sanitary Sewer Service Lines shall be as follows:
  - a. 4-inch pipe: two and one-half feet drop per hundred feet (2.5%);
  - b. 6-inch pipe: one and one-half feet drop per hundred feet (1.5%); and
  - c. 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.

#### **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 toward 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. 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 fee as established in the District's most current Rate Order should accompany the application. 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.
- D. 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.
- E. 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.
- F. 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.
- G. 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.
- H. 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.
- I. The District's Operator will complete the Inspection Form (a copy of which is attached as Exhibit "6") and file it for record with the Application.

- J. 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.
- K. Connection permits which are rejected for any deficiency shall be promptly corrected and a reinspection requested. A reinspection fee as set forth in the District's Rate Order shall be paid at the time the reinspection 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 (Appendix B) 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.

## **ARTICLE VII: PRIVATE WELLS / TANKS**

The construction of private water wells and/or the installation of septic tanks is 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 private 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 un-metered 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 a fee of \$2,500 for violation of:
  - 1. any rule, ordinance, or order of the District, or
  - 2. any policy of the District, or
  - 3. any restriction relating to annexation as set forth in [Attachment 6](#) to this Rate Order.

A violation fee under this Section is in addition to any other charge 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. If the violation fee is not paid on or before the due date stated in the violation notice, an additional violation fee in an amount to be determined by the Board shall be assessed. In addition to the fees set forth above, the District may assess against a Commercial Property Owner of a Drainage Facility a non-compliance charge of \$500 per month as set forth in the Drainage Policy attached hereto as Appendix "F."

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: Plumber's Certificate**



**EXHIBIT "1" TO APPENDIX A**  
**CERTIFICATE OF COMPLIANCE WITH PROHIBITION ON USE OF**  
**SPECIFIED MATERIALS IN CONNECTIONS TO**  
**MUNICIPAL UTILITY DISTRICT WATER SYSTEM**

c/o Brian Mills, WCID110 District Manager  
Harris County Water Control and Improvement District No. 110  
19023 Joanleigh Dr.  
Spring, Texas 77388  
Office: 281-353-0998

Website: [www.wcid110.com](http://www.wcid110.com)

Email: [brianmills@hewcid110.com](mailto:brianmills@hewcid110.com)

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 . 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 July 1, 1988.
5. No solder or flux which contains more than 0.25% 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 fines.

Signature:

Date:

Printed Name:

Company Name:

Texas License Number:

**Exhibit 2: Service Inspection Certification**



**EXHIBIT “2” TO APPENDIX A  
 CERTIFICATE OF COMPLIANCE WITH PROHIBITION ON USE OF  
 SPECIFIED MATERIALS IN CONNECTIONS TO  
 MUNICIPAL UTILITY DISTRICT WATER SYSTEM**

c/o Brian Mills, WCID110 District Manager  
 Harris County Water Control and Improvement District No. 110  
 19023 Joanleigh Dr.  
 Spring, Texas 77388  
 Office: 281-353-0998

Website: [www.wcid110.com](http://www.wcid110.com)

Email: [brianmills@hewcid110.com](mailto:brianmills@hewcid110.com)

Name of District: Harris County Water Control and Improvement District 110

District I.D. #: CN600741508

Location of Service:

I,  (name of Inspector), upon inspection of the private plumbing

facilities connected to the Water Supply System of Harris County Water Control and Improvement District 110, do

hereby certify that, to the best of my knowledge:

		<b>For District Use Only</b>
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.	<input type="checkbox"/> Compliance <input type="checkbox"/> Non-Compliance <input type="checkbox"/> Fine
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.	<input type="checkbox"/> Compliance <input type="checkbox"/> Non-Compliance <input type="checkbox"/> Fine
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.	<input type="checkbox"/> Compliance <input type="checkbox"/> Non-Compliance <input type="checkbox"/> Fine
4	No pipe or pipe fitting which contains more than 0.25%.	<input type="checkbox"/> Compliance <input type="checkbox"/> Non-Compliance <input type="checkbox"/> Fine
5	No solder or flux which contains more than 0.25% lead.	<input type="checkbox"/> Compliance <input type="checkbox"/> Non-Compliance <input type="checkbox"/> Fine
6	No plumbing fixture is installed which is not in compliance with a State Approved Plumbing Code.	<input type="checkbox"/> Compliance <input type="checkbox"/> Non-Compliance <input type="checkbox"/> Fine

Water service shall not be provided or restored to the private plumbing facilities until the above conditions are determined to be in compliance.

I further certify that the following materials were used in the installation of the plumbing facilities:

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

I recognize that this document shall become a permanent record of the Water Supply System of HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT 110 and that I am legally responsible for the validity of the information I have provided.

**NOTE: THIS SERVICE INSPECTION CERTIFICATION IS FURNISHED FOR THE SOLE PURPOSE OF INSPECTING THE PLUMBING FACILITIES AT THE AFORESAID LOCATION OF SERVICE FOR UNACCEPTABLE PLUMBING PRACTICES IN ACCORDANCE WITH SAID DISTRICT'S RULES AND REGULATIONS GOVERNING WATER AND SANITARY SEWER FACILITIES, SERVICE LINES, AND CONNECTIONS. NO REPRESENTATION OR WARRANTY IS INTENDED OR MADE AS TO THE ADEQUACY, QUALITY OR FITNESS OF THE PRIVATE PLUMBING FACILITIES.**

Name of Inspector:

Signature of Inspector:

Registration Number:

Title:

Type of Registration:

Date:

### Exhibit 3: Backflow Prevention Assembly Test and Maintenance Report



## EXHIBIT "3" TO APPENDIX A BACKFLOW PREVENTION ASSEMBLY TEST AND MAINTENANCE REPORT

c/o Brian Mills, WCID110 District Manager  
 Harris County Water Control and Improvement District No. 110  
 19023 Joanleigh Dr.  
 Spring, Texas 77388  
 Office: 281-353-0998

Website: [www.wcid110.com](http://www.wcid110.com)

Email: [brianmills@hewcid110.com](mailto:brianmills@hewcid110.com)

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: Harris County Water Control and Improvement District 110

District 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

- |   |  |
|---|--|
| <input type="checkbox"/> Reduced Pressure Principle | <input type="checkbox"/> Pressure Vacuum Breaker   |
| <input type="checkbox"/> Double Check Valve         | <input type="checkbox"/> Atmosphere Vacuum Breaker |
| <input type="checkbox"/> Not Needed at this Address |  |

Manufacturer:

Size:

Model Number:

Serial Number:

Located at:

Reduced Pressure Principle Assembly			
	Double Check Valve Assembly		
	1 <sup>st</sup> Check	2 <sup>nd</sup> Check	Relief Valve
Initial Test	DC-Closed Tight <input type="checkbox"/> RP: _____ psi Leaked <input type="checkbox"/>	Closed Tight <input type="checkbox"/>  Leaked <input type="checkbox"/>	Opened at _____ psi
Repairs and Materials Used			
Test After Repair	DC-Closed Tight <input type="checkbox"/> RP: _____ psi Leaked <input type="checkbox"/>	Closed Tight <input type="checkbox"/>  Leaked <input type="checkbox"/>	Opened at _____ psi

Pressure Vacuum Breaker		
	Air Inlet	Check Valve
	Opened at _____ psi	Opened at _____ psi
Initial Test	Did Not Open <input type="checkbox"/>	Leaked <input type="checkbox"/>
Repairs and Materials Used		
Test After Repair	Opened at _____ psi	Opened at _____ psi

**The above is certified to be true.**

Name of Company Performing Inspection:

Company Address:

Name of Certified Tester / Inspector:

Registration Number for Certified Tester / Inspector:

Signature of Inspector:

Date:

**Exhibit 4: Application for Service**



**EXHIBIT "4" TO APPENDIX A  
APPLICATION FOR SERVICE**

c/o Brian Mills, WCID110 District Manager  
Harris County Water Control and Improvement District No. 110  
19023 Joanleigh Dr.  
Spring, Texas 77388  
Office: 281-353-0998

Website: [www.wcid110.com](http://www.wcid110.com)

Email: [brianmills@hcwcid110.com](mailto:brianmills@hcwcid110.com)

Name of Applicant:   
Street Address:   
City:  State:  Zip:   
Subdivision Name:  Lot #:

**Installation to be performed by**

Company Name:   
Company Address:   
Company Phone:   
Installer Name:   
Installer Phone:   
Installer Email:   
Installer Registration Number:

**Type of Pipe Material to be Installed:**

PVC  ABS   
VC  CI

Requested by:  Date:   
Signature of Applicant:

**Applicant to draw sketch of house layout or provide blueprints with proposed location of water and sewer line. Attach sketch or email PDF of blueprints to Brian Mills, WCID110 District Manager, at [brianmills@hcwcid110.com](mailto:brianmills@hcwcid110.com).**

**For District Use Only**

Date Application Was Received:   
Date Construction Authorized:

**Connection Information:**

WYE Location:   
Stack Location:   
Manhole Location:   
Date of Inspection 1<sup>st</sup>  2<sup>nd</sup>  3<sup>rd</sup>   
Date Permit Granted:   
Approved by District Representative:

## Exhibit 5: Customer Service Agreement



Website: [www.wcid110.com](http://www.wcid110.com)

Email: [brianmills@hewcid110.com](mailto:brianmills@hewcid110.com)

## EXHIBIT "5" TO APPENDIX A CUSTOMER SERVICE AGREEMENT

c/o Brian Mills, WCID110 District Manager  
Harris County Water Control and Improvement District No. 110  
19023 Joanleigh Dr.  
Spring, Texas 77388  
Office: 281-353-0998

### SECTION I. PURPOSE.

Harris County Water Control and Improvement District No. 110 (the "District") is responsible for protecting its Water Supply System from contamination or pollution which could result from unacceptable plumbing practices. The purpose of this Customer Service 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 Customer Service Agreement before the District will begin service. In addition, when service to an existing connection has been suspended or terminated, the District will not re-establish service unless it has a signed copy of this Customer Service Agreement.

### SECTION II. PLUMBING RESTRICTIONS.

The following unacceptable plumbing practices are prohibited by State regulations:

- A. No direct connection between the District's Water Supply System 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 District's Water Supply System and a private water system is permitted. These potential threats to the District's Water Supply System 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 District's Water Supply System is permitted.
- D. No pipe or pipe fitting which contains more than 0.25% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
- E. No solder or flux which contains more than 0.25% lead can be used for the installation or repair of plumbing at any connection which provides water for human use.

### SECTION III. SERVICE AGREEMENT.

The following are the terms of this Customer Service Agreement between Harris County Water Control and Improvement District No. 110 (the "District") and  (the "Customer"):

- A. The District will maintain a copy of this Customer Service Agreement as long as the Customer and/or the premises is connected to the District.
- B. The Customer shall allow his/her 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 exist; or after any major changes to the private plumbing facilities. Inspections shall be conducted during the District's normal business hours.
- C. The District shall notify the Customer in writing of any cross-connection or other unacceptable plumbing practices which have been identified during the initial inspection or the periodic reinspection.
- D. The Customer shall immediately correct any unacceptable plumbing practice on his/her premises.
- E. The Customer shall, at his expense, properly install, test, and maintain any backflow prevention device required by the District. Copies of all testing and maintenance records shall be provided to the District.

### SECTION IV. ENFORCEMENT.

If the Customer fails to comply with the terms of this 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 Service Agreement shall be billed to the Customer.

**NOTE: THE PURPOSE OF THE CUSTOMER SERVICE AGREEMENT IS TO NOTIFY CUSTOMERS OF THE PLUMBING RESTRICTIONS OF THE DISTRICT ADOPTED TO PROTECT THE DISTRICT'S WATER SUPPLY SYSTEM. INSPECTIONS CONDUCTED BY THE DISTRICT'S OPERATOR IN ACCORDANCE WITH THIS SERVICE AGREEMENT ARE FOR THE SOLE PURPOSE OF DISCOVERING AND ELIMINATING UNACCEPTABLE PLUMBING PRACTICES. THE DISTRICT OR THE DISTRICT'S OPERATOR MAKES NO REPRESENTATION AS TO THE ADEQUACY, QUALITY, OR FITNESS OF THE CUSTOMER'S PRIVATE PLUMBING FACILITIES.**

Requested by:  Date:

Signature of Applicant:

Name of Applicant:

Street Address:

City:  State:  Zip:

Subdivision Name:  Lot #:

**Exhibit 6: Sanitary Sewer Inspection Form**



**EXHIBIT "6" TO APPENDIX A**  
**INSPECTION FORM SANITARY SEWER SERVICE**

c/o Brian Mills, WCID110 District Manager  
 Harris County Water Control and Improvement District No. 110  
 19023 Joanleigh Dr.  
 Spring, Texas 77388  
 Office:281-353-0998

Website: [www.wcid110.com](http://www.wcid110.com)

Email: [brianmills@hewcid110.com](mailto:brianmills@hewcid110.com)

Name of Applicant:  Date of Request:   
 Street Address:   
 City:  State:  Zip:   
 Subdivision Name:  Lot #:   
 Date Tap to Be Made:

Results of Inspection Made on  (date) at  (time).  
 Pipe Material: Size  PVC (D3034)  ABS(D2751)   
 Tap to: Wye  Stack   
 Cleanout: House  and

**INSTALLATION**

Category	Satisfactory	Unsatisfactory
Directness to Wye	<input type="checkbox"/>	<input type="checkbox"/>
Slope	<input type="checkbox"/>	<input type="checkbox"/>
Full Contact w/bedding	<input type="checkbox"/>	<input type="checkbox"/>
Connection w/Main	<input type="checkbox"/>	<input type="checkbox"/>
Condition of Other District	<input type="checkbox"/>	<input type="checkbox"/>
Facilities on Lot	<input type="checkbox"/>	<input type="checkbox"/>

Connection Permit is approved  not approved   
 Water Service to Lot is approved  not approved

This service reinspected on  (date of inspection). *(See Attached new report).*

Comments:

Copy to:  
 Applicant:  By:   
 District Inspector  
 Manager:  By:   
 Authorized Representative of Applicant

# Appendix “B” to Rate Order: Rules and Regulations Concerning Domestic and Commercial Wastes

THE STATE OF TEXAS §  
COUNTY OF HARRIS §  
HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110 §

## Article I: PURPOSE

The Rules and Regulations Concerning Commercial and Domestic Wastes set forth below is to govern all connections made to the sanitary sewer collection system within the District.

## Article II. DEFINITIONS

Definitions from the District's Order Adopting Consolidated Rate Order and Rules and Regulations; Establishing a Wastewater Control Order; and Providing Charges 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 ("mg/l") 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 from a Commercial (as defined in this Rate Order) unit, including but not limited to industry, manufacturing, trade, business, hospice, or commercial enterprise, or any other 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 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 customers' 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 NH<sub>3</sub>-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 co-partnership, 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 inch (1/2") 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.

### **Article 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, noncontact 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 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, naphtha, 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 (1/2") in any dimension, animal guts or tissues, 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 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 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/l by weight as cyanide (CN);
2. Fluorides other than those contained in the local public water supply for the area which is the source of the discharge;
3. Gasoline, cleaning solvents, benzene, naphtha, fuel oil, or other flammable or explosive liquids, solids, or gases;
4. Substances causing C.O.D. in excess of 500 mg/l for any daily composite sample or 1,000 mg/l 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/l of soluble matter;
7. Dissolved sulfides whose concentrations exceed 30 mg/l;
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 by the District for such materials.
2. Obnoxious, toxic, or poisonous solids, liquids, or gases in quantities sufficient to violate the provisions of this Article 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)**

Metal	Monthly Average	Daily Composite	Grab Sample
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	0.250	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.

### **Article 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/Motorized Equipment 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 ground water 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 ensure 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 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.

## **Article V: TRAPS AND 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 any other harmful waste from entering into the sanitary sewers. Interceptors shall not be required for premises used exclusively as private living quarters or dwelling units, except in the cases of where a hospice is operated in 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 Customer, at Customer 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 the hauler licensed by the Texas Department of Licensing Regulators, volume removed, destination, waste hauling permit number, and a copy of a manifest by hauler licensed by the Texas Department of Licensing Regulators. 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.

## **Article VI: SAMPLING; TESTING; INSPECTION; RIGHT OF ENTRY**

### **A. Control Manholes: Installation, Location, and Maintenance.**

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 Customer at Customer expense and shall be maintained by Customer so as to be safe and accessible at all times.

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 180 days from the initial effective date to install a suitable control manhole. Failure to install the manhole within 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 Customer 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 Customer on their monthly water bill, 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 Texas Commission on Environmental Quality 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 submitted within this thirty (30) day period, 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 charges described in Article XI if such charge is assessed for a violation of this Wastewater Control Order.

### **Article 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:

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

### **Article 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.

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 = Commercial Waste Charge (in dollars)

Q = 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/l based on monthly average concentration.

SS = Suspended solids content of the waste delivered, in mg/l based on monthly average concentration.

N = Ammonia content of the Waste delivered, in mg/l 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 Charges for Violation Thereof.

## **Article 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 or its duly authorized agent or representative, 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 or its duly authorized agent or representative, to prevent contamination of sludge from the plant. The District shall reinstate the wastewater service upon proof of the elimination of the non-complying 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.

## **Article 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.

## **Article XI: CHARGE 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 these Wastewater Control Order, shall be punishable with the Charges 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.

## **Article 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 charge 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.

### **Article 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.

### **Article 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.

### **Article XV: REIMBURSEMENT TO DISTRICT**

In the event that any person, as defined in Section 2.01 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 charges 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 Article XII above and to any other remedies available to the District.

### **Article 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 “C” to Rate Order: Drought Contingency Plan

## ARTICLE I: POLICY AND PURPOSE

### Section 1.01: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety, and to minimize the adverse impacts of water supply shortage or other water supply emergency conditions Harris County Water Control And Improvement District No. 110, (the "District") hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the "Plan") are considered to be non-essential, and continuation of such uses during times of water shortage or other emergency water supply condition is deemed to constitute a waste of water which subjects the offender(s) to charges as defined in Article VII of this Plan.

### Section 1.02: Public Involvement.

Opportunity for the public to provide input into the preparation of the Plan was provided by the District by means of holding public hearings during regular meetings of the Board of Directors of the District during preparation of the Plan.

### Section 1.03: Public Education

The District will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of letters to the residents, notices on the utility bills, placing of signs in the District, or other similar measures, as appropriate.

### Section 1.04: Coordination with Regional Water Planning Groups

The service area of the District is located within Regional Water Planning Area H ("Region H") under the Texas Water Plan, and the District will provide a copy of this Plan to Region H. The District is required to follow all decisions related to Drought Contingency Stages announced by the North Harris County Regional Water Authority (“NHCRWA”) regardless of specific conditions within the District.

### Section 1.05: Authorization

The Board of Directors of the District, along with the District's Operator and Engineer, are hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The Operator shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

### Section 1.06: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the District. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

## ARTICLE II: DEFINITIONS

For the purposes of this Plan, the following definitions shall apply in addition to the definitions from Article I of the Order Adopting Consolidated Rate Order and Rules and Regulations; Establishing Drought Contingency Plan; Establishing a Wastewater Control Order; Establishing Certain Other Policies; and Providing Charges for Violation Thereof:

1. **Aesthetic water use:** water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.
2. **Commercial and institutional water use:** water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.
3. **Conservation:** those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.
4. **Customer:** any person, company, or organization using water supplied by the District.
5. **Domestic water use:** water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.
6. **Even number address:** street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8, and locations without addresses.
7. **Industrial water use:** the use of water in processes designed to convert materials of lower value into forms having greater usability and value.
8. **Landscape irrigation use:** water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, rights-of-way, esplanades, and medians.
9. **Non-essential water use:** water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:
  - a. irrigation of landscape areas, including parks, athletic fields, esplanades, and golf courses, except as otherwise provided under this Plan;
  - b. use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
  - c. use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - d. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - e. flushing gutters or permitting water to run or accumulate in any gutter or street;
  - f. use of water to fill, refill, or add to any indoor or outdoor swimming pools or jacuzzi-type pools;
  - g. use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
  - h. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
  - i. use of water from hydrants for construction purposes or any other purposes other than firefighting.

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## **ARTICLE III: DROUGHT RESPONSE STAGES**

### **Section 3.01. Criteria for Initiation and Termination of Drought Response Stages**

The Operator shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified "triggers" are reached.

The triggering criteria described below are based on known system capacity limits. The District will adopt measures for each stage of the Plan as warranted by the triggers. The stages will not necessarily be adopted in consecutive order.

The District is required to follow all decisions related to Drought Contingency Stages announced by the NHCRWA regardless of specific conditions within the District.

### **Section 3.02. Stage 1 Triggers -- Mild Water Shortage Conditions**

#### **A. Requirements for initiation**

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain non-essential water uses, defined in Article II hereof, when the following condition is reached:

- a) When the North Harris County Regional Water Authority ("NHCRWA") declares a Stage 1 water shortage, or
- b) when total daily water demand reaches 16 hours well motor run time for three (3) consecutive days, or
- c) when the water supply facilities cannot meet or are in danger of not being capable of meeting water supply demand, as determined by the District's Operator.

#### **B. Requirements for termination**

Stage 1 of the Plan may be rescinded when the District's Operator determines that all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days.

### **Section 3.03. Stage 2 Triggers --- Moderate Water Shortage Conditions**

#### **A. Requirements for initiation**

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 2 of this Plan when any of the following conditions occur:

- a) When the NHCRWA declares a Stage 2 water shortage, or
- b) when total daily water demand reaches 18 hours well motor run time for three (3) consecutive days, or
- c) when the water supply facilities cannot meet or are in danger of not being capable of meeting water supply demand, as determined by the District's Operator.

#### **B. Requirements for termination**

Stage 2 of the Plan may be rescinded when the District's Operator determines that all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage 2, Stage 1 becomes operative, unless otherwise notified.

#### **Section 3.04. Stage 3 Triggers -- Severe Water Shortage Conditions**

##### **A. Requirements for initiation**

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when any of the following conditions occur:

- a) When the NHCRWA declares a Stage 3 water shortage, or
- b) when total daily water demand reaches 20 hours well motor run time for three (3) consecutive days, or
- c) when the water supply facilities cannot meet or are in danger of not being capable of meeting water supply demand, as determined by the District's Operator.

##### **B. Requirements for termination**

Stage 3 of the Plan may be rescinded when the District's Operator determines that all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative, unless otherwise notified.

#### **Section 3.05. Stage 4 Triggers -- Critical Water Shortage Conditions**

##### **A. Requirements for initiation**

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when any of the following conditions occur:

- a) When the NHCRWA declares a Stage 4 water shortage, or,
- b) when total daily water demand reaches 22 hours well motor run time for three (3) consecutive days, or
- c) when the water supply facilities cannot meet or are in danger of not being capable of meeting water supply demand, as determined by the District's Operator.

##### **B. Requirements for termination**

Stage 4 of the Plan may be rescinded when the District's Operator determines that all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative, unless otherwise notified.

#### **Section 3.06. Stage 5 Triggers -- Emergency Water Shortage Conditions**

##### **A. Requirements for initiation**

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when the Operator determines that a water supply emergency exists based on:

- a) Major water line breaks, pump or system failures, or other events which cause unprecedented loss of capability to provide water service; or
- b) Natural or man-made contamination of the water supply source(s); or
- c) When the NHCRWA declares an Emergency Water Shortage.

**B. Requirements for termination**

Stage 5 of the Plan may be rescinded when the District's Operator determines that all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days.

## **ARTICLE IV: DROUGHT RESPONSE STAGES**

### **Section 4.01. Public Notification**

The Operator shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section III of this Plan, shall determine when a mild, moderate, severe, critical, or emergency water shortage condition exists and shall implement the following notification procedures:

- A. **Notification:** Before any notification of the public occurs, the Operator shall notify the Board of Directors of the need to evoke mandatory water conservation procedures.

The Operator shall invoke the public by means of:

- 1) direct mail to each customer,
- 2) signs/banners posted in public places, or
- 3) post announcements on District website, social media accounts, and send emergency text alert notifications, or
- 4) other measures that might be appropriate.

- B. **Additional Notification:** The Operator shall notify directly, or cause to be notified directly, the following individuals and entities:

- 1) Texas Commission on Environmental Quality (required when mandatory restrictions are imposed),
- 2) Major water users,
- 3) Critical water users, i.e. hospitals.

### **Section 4.02 Stage 1 Response – Mild Water Shortage Conditions**

- A. **Goal:** Achieve a 10 percent reduction in daily water demand.

B. **Best Management Practices:**

- 1) Reduce flushing of water mains.
- 2) Notify customers of the implementation of the voluntary water use restrictions by sending the letter attached as Exhibit 1.
- 3) Encourage customers, including residents, businesses, HOAs, and any other District entity to inspect their irrigation systems for any possible leaks and ensure the system schedule is set properly.
- 4) Post announcements on District website, social media accounts, and other District managed communication.
- 5) Posting of signage throughout the District.

- C. **Voluntary Water Use Restrictions for Reducing Water Demand:** The following voluntary water use restrictions shall apply to all persons:

- 1) Customers are requested to **voluntarily** limit irrigation to the hours of 7:00 p.m. to 5:00 a.m. (10-hour window) on the following days and times based on residential address numbers:
  - i. Even number addresses: Sundays and Thursdays
  - ii. Odd number addresses: Saturdays and Wednesdays
  - iii. All other customers: Tuesdays and Fridays.
  - iv. No irrigation on Mondays to allow wells to replenish
- 2) All operations of the District shall adhere to water use restrictions prescribed for Stage 2 of the Plan.
- 3) Customers are requested to practice water conservation measures such as:
  - i. displacement bags,
  - ii. low-flow shower heads,
  - iii. leak detection tablets, and
  - iv. to minimize or discontinue water use for non-essential purposes.
- 4) Customers are requested to check for, and repair all leaks, dripping faucets, and running toilets within 72 hours of discovery.
- 5) Mandatory measures may be imposed if the water shortage period continues.

#### **Section 4.03. Stage 2 Response -- Moderate Water Shortage Conditions**

- A. **Goal:** Achieve a 20 percent reduction in daily water demand.
- B. **Best Management Practices:**
  - 1) Reduce flushing of water mains.
  - 2) Notify customers of the implementation of the water use restrictions by sending the letter attached as Exhibit 2.
  - 3) Encourage customers, including residents, businesses, HOAs, and any other District entity to inspect their irrigation systems for any possible leaks and ensure the system schedule is set properly.
  - 4) Post announcements on District website, social media accounts, and other District managed communication.
  - 5) Posting of signage throughout the District.
- C. **Water Use Restrictions for Reducing Water Demand:** Upon threat of charge for violation, in addition to the restrictions listed in Stage 1, the following water use restrictions shall apply to all persons:
  - 1) Customers are requested to voluntarily limit the irrigation to the hours of 7:00 p.m. to 5:00 a.m. (10-hour window) on the following days and times based on residential address numbers:
    - i. Even number addresses: Sundays and Thursdays,
    - ii. Odd number addresses: Saturdays and Wednesdays
    - iii. All other customers: Tuesdays and Fridays.
  - 2) Irrigation of green belts, common areas, esplanades and sports field shall be limited to Tuesdays and Fridays between 8:00 p.m. and 12:00 midnight (four-hour (4) window).
  - 3) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 7:00 p.m. to 5:00 a.m.
    - i. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses.
    - ii. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station.
    - iii. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.

- 4) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools is prohibited except on designated watering days between the hours of 7:00 p.m. to 5:00 a.m.
- 5) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- 6) Use of water from hydrants shall be limited to firefighting related activities or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the District.
- 7) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 7:00 p.m. to 5:00 a.m. However, if the golf course utilizes a water source other than that provided by the District, the facility shall not be subject to these regulations.
- 8) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- 9) The following uses of water are defined as non-essential and are prohibited:
  - i. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - ii. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - iii. use of water for dust control;
  - iv. flushing gutters or permitting water to run or accumulate in any gutter or street; and
  - v. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).
- 10) Repair detectable water leaks within 72 hours of discovery.

#### **Section 4.04. Stage 3 Response --Severe Water Shortage Conditions**

- A. **Goal**: Achieve a 30 percent reduction in daily water demand.
- B. **Best Management Practices**:
  - 1) Discontinue flushing of water mains.
  - 2) Notify customers of the implementation of the mandatory water use restrictions by sending the letter attached as Exhibit 3.
  - 3) Encourage customers, including residents, businesses, HOAs, and any other District entity to inspect their irrigation systems for any possible leaks and ensure the system schedule is set properly.
  - 4) Post announcements on District website, social media accounts, and other District managed communication.
  - 5) Posting of signage throughout the District.
- C. **Water Use Restrictions**: All requirements of Stages 1 and 2 shall remain in effect during Stage 3 except:
  - 1) Customers are requested to voluntarily limit the irrigation to the hours of 7:00 p.m. to 5:00 a.m. (10-hour window) on the following days and times based on residential address numbers:
    - i. Even number addresses: Sundays and Thursdays,
    - ii. Odd number addresses: Saturdays and Wednesdays
    - iii. All other customers: Tuesdays and Fridays.
  - 2) Irrigation of green belts, common areas, esplanades and sports field shall be limited to Tuesdays and Fridays between 8:00 p.m. and 12:00 midnight (four (4)-hour window).
  - 3) Use of water for ornamental, decorative, or scenic purposes such as fountains, reflecting pools, and water gardens shall be prohibited.

- 4) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the District.
- 5) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.
- 6) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 7:00 p.m. to 5:00 a.m.
  - i. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises.
  - ii. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station.
  - iii. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- 7) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools is prohibited except on designated watering days between the hours of 7:00 p.m. to 5:00 a.m.
- 8) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- 9) Use of water from hydrants shall be limited to firefighting related activities or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the District.
- 10) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 7:00 p.m. to 5:00 a.m. However, if the golf course utilizes a water source other than that provided by the District, the facility shall not be subject to these regulations.
- 11) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- 12) The following uses of water are defined as non-essential and are prohibited:
  - i. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - ii. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - iii. use of water for dust control;
  - iv. flushing gutters or permitting water to run or accumulate in any gutter or street; and
  - v. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).
- 13) Repair detectable water leaks within 72 hours of discovery.

#### **Section 4.05. Stage 4 Response -- Critical Water Shortage Conditions**

A. **Goal:** Achieve a 35 percent reduction in daily water demand.

B. **Best Management Practices:**

1. Discontinue flushing of water mains; discontinue irrigation of public landscaped areas.
2. Notify customers of the implementation of the water use restrictions by sending the letter attached as Exhibit 4.
3. Encourage customers, including residents, businesses, HOAs, and any other District entity to inspect their irrigation systems for any possible leaks and ensure the system schedule is set properly.

4. Post announcements on District website, social media accounts, and other District managed communication.
5. Posting of signage throughout the District.

C. **Water Use Restrictions:** Under threat of charge for violation, the water use restrictions of Stages 1, 2 and 3 shall be mandatory and shall remain in effect during Stage 4 except:

- 1) Customers are requested to voluntarily limit the irrigation to the hours of 7:00 p.m. to 5:00 a.m. (10-hour window) on the following days and times based on residential address numbers:
  - a) Even number addresses: Sundays and Thursdays,
  - b) Odd number addresses: Saturdays and Wednesdays
  - c) All other customers: Tuesdays and Fridays.
- 2) Irrigation of green belts, common areas, esplanades and sports field shall be limited to Tuesdays and Fridays between 8:00 p.m. and 12:00 midnight (four (4)-hour window).
- 3) Use of water for ornamental, decorative, or scenic purposes such as fountains, reflecting pools, and water gardens shall be prohibited.
- 4) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the District.
- 5) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.
- 6) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 7:00 p.m. to 5:00 a.m.
  - a) Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises.
  - b) Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station.
  - c) Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- 7) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools is prohibited except on designated watering days between the hours of 7:00 p.m. to 5:00 a.m.
- 8) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.
- 9) Use of water from hydrants shall be limited to firefighting related activities or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the District.
- 10) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 7:00 p.m. to 5:00 a.m. However, if the golf course utilizes a water source other than that provided by the District, the facility shall not be subject to these regulations.
- 11) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- 12) The following uses of water are defined as non-essential and are prohibited:
  - a) wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - b) use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - c) use of water for dust control;
  - d) flushing gutters or permitting water to run or accumulate in any gutter or street; and

- e) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).
- 13) Repair detectable water leaks within 72 hours of discovery.

No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

**Section 4.06 Stage 5 Response -- Emergency Water Shortage Conditions**

- A. **Goal:** Reduce delivery of water as appropriate to address the emergency condition and restore normal water supply as soon as possible.
- B. **Best Management Practices:**
  - 1. Discontinue flushing of water mains; discontinue irrigation of public landscaped areas.
  - 2. Notify customers of the implementation of the water use restrictions by sending the letter attached as Exhibit 5.
  - 3. Encourage customers, including residents, businesses, HOAs, and any other District entity to inspect their irrigation systems for any possible leaks and ensure the system schedule is set properly.
  - 4. Post announcements on District website, social media accounts, and other District managed communication.
  - 5. Posting of signage throughout the District.
- C. **Water Use Restrictions:** All requirements of Stages 1, 2, 3, and 4 shall remain in effect during Stage 5. The following prohibited water use restrictions will be in effect during Stage 5.
  - 1. Irrigation of landscaped areas is prohibited.
  - 2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle are absolutely prohibited.
- D. In addition to the foregoing, the District shall implement the water shortage response measures mandated by the North Harris County Regional Water Authority.

**ARTICLE VII: ENFORCEMENT**

- A. No person shall knowingly or intentionally allow the use of water from the District for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the Operator in accordance with provisions of this Plan.
- B. Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a charge of not less than **two hundred fifty dollars (\$250) and not more than five hundred dollars (\$500)**. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the Operator shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District discontinuing and re-connecting service. In addition, suitable assurance must be given to the District that the same action shall not be repeated

while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court if charges are not paid in full with the monthly water bill statement.

**1) First Violation of Drought Contingency Plan:**

- i. Written warning and no charge.

**2) Second Violation of Drought Contingency Plan:**

- i. \$250.00 charge added to water bill

**3) Third Violation of Drought Contingency Plan:**

- i. \$350.00 charge added to water bill
- ii. Termination of service. Service will be reconnected when full payment of charge and any associated fees for disconnecting and reconnecting of service are paid in full by the resident.

**4) Additional Violations of Drought Contingency Plan:**

- i. \$500.00 charge added to water bill.
- ii. Termination of service. Service will be reconnected when full payment of charge and any associated fees for disconnecting and reconnecting of service are paid in full by the resident.

- C. Any person, including a person classified as a water customer of the District, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
- D. The Operator, police officer, or other person(s) designated by the District, may issue a citation to a person he/she reasonably believes to be in violation of this Drought Contingency Plan. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the Justice of the Peace Court on the date shown on the citation for which the date shall not be less than three (3) days nor more than five (5) days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in the Justice of the Peace Court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in the Justice of the Peace Court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in the Justice of the Peace Court before all other cases.
- E. Reporting Violations to District can be done by any resident by emailing the WCID110 Administrative Office at [office@hcwcid110.com](mailto:office@hcwcid110.com) or an online form will be available on the homepage of the District website. **We highly recommend that residents do not attempt to engage any other resident about their violation and allow the District staff or District Operator to handle the situation.** When submitting a violation, please include the following information:
  - a. Address of the violation or location if it is not a residential address
  - b. Day and time of the violation
  - c. Photo(s) and/or video of the violation

## **ARTICLE VIII: VARIANCES**

The Operator, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the District within five (5) days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Operator, and shall include the following:

- a) Name and address of the petitioner(s).
- b) Purpose of water use.
- c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- e) Description of the relief requested.
- f) Period of time for which the variance is sought.
- g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this plan and the compliance date.
- h) Other pertinent information.

Variances granted by the Operator on behalf the District shall be subject to the following conditions, unless waived or modified by the Operator:

- a) Variances granted shall include a timetable for compliance.
- b) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

## **ARTICLE IX: END OF DROUGHT CONTINGENCY WATER USE RESTRICTIONS**

When the District is able to return to normal water use, the District shall send out the letter attached as Exhibit 10, or otherwise notify the customers of the District of the end of all water use restrictions.

## Exhibit 1 To Appendix C: HCWCID110 Drought Stage 1 Notification

Date: \_\_\_\_\_

Dear Customer:

Harris County Water Control and Improvement District No. 110 is unable to provide water at the customary levels or pressure.

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage One of the Drought Contingency Plan is now in effect. Stage One includes the following **VOLUNTARY** water use restrictions:

- a) Customers are requested to voluntarily limit the irrigation to the hours of 7:00 p.m. to 5:00 a.m. (10-hour window) on the following days and times based on residential address numbers:
  - i. Even number addresses: Sundays and Thursdays,
  - ii. Odd number addresses: Saturdays and Wednesdays
  - iii. All other customers: Tuesdays and Fridays.
- b) Irrigation of green belts, esplanades and sports field shall be limited to Tuesday and Fridays between 8:00 p.m. and 12:00 midnight (4-hour window).
- c) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 7:00 p.m. and 5:00 a.m. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- d) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools is prohibited except on designated watering days between the hours of 7:00 p.m. and 5:00 a.m. (10-hour window).
- e) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.
- f) Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the District.
- g) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 7:00 p.m. and 5:00 a.m. However, if the golf course utilizes a water source other than that provided by the District, the facility shall not be subject to these regulations.
- h) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- i) The following uses of water are defined as non-essential and are prohibited:
  - i. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - ii. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - iii. use of water for dust control; and

- iv. flushing gutters or permitting water to run or accumulate in any gutter or street.
- j) Customers are requested to check for, and repair all leaks, dripping faucets, and running toilets within 72 hours of discovery.

The Board of Directors appreciates your cooperation and perseverance during this Conservation Condition. Once the Conservation Condition ends, we will notify you and you may then return to normal usage. If conditions should worsen, you will be notified of more stringent restrictions, to ensure the availability of water in your community.

Sincerely,  
WCID110 Board of Directors

## Exhibit 2 To Appendix C: HCWCID110 Drought Stage 2 Notification

Date: \_\_\_\_\_

Dear Customer:

Harris County Water Control and Improvement District No. 110 is unable to provide water at the customary levels or pressure.

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage 2 of the Drought Contingency Plan is now in effect. Stage 2 includes the **MANDATORY** water use restrictions set forth below. Any person who violates the water use restrictions set forth below is guilty of a misdemeanor and, upon conviction shall be punished by a charge of not less than **two hundred fifty dollars (\$250)**. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the Operator shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District in discontinuing and re-connecting service. In addition, suitable assurance must be given to the District that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.

### **First Violation of Drought Contingency Plan:**

- Written warning and no charge.

### **Second Violation of Drought Contingency Plan:**

- \$250.00 charge added to water bill

### **Third Violation of Drought Contingency Plan:**

- \$350.00 charge added to water bill
- Termination of service. Service will be reconnected when full payment of charge and any associated fees for disconnecting and reconnecting of service are paid in full by the resident.

### **Additional Violations of Drought Contingency Plan:**

- \$500.00 charge added to water bill.
- Termination of service. Service will be reconnected when full payment of charge and any associated fees for disconnecting and reconnecting of service are paid in full by the resident.

## **WATER USE RESTRICTIONS**

- a) Customers are required to limit irrigation to the hours of 7:00 p.m. to 5:00 a.m. (10-hour window) on the following days and times based on residential address numbers:
  - i. Even number addresses: Sundays and Thursdays,
  - ii. Odd number addresses: Saturdays and Wednesdays
  - iii. All other customers: Tuesdays and Fridays.
- a) Irrigation of green belts, esplanades and sports field shall be limited to Tuesday and Fridays between 8:00 p.m. and 12:00 midnight (4-hour window).
- b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 7:00 p.m. to 5:00 a.m. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.

- c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools is prohibited except on designated watering days between the hours of 7:00 p.m. to 5:00 a.m. (10-hour window).
- d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.
- e) Use of water from hydrants shall be limited to firefighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the District.
- f) Use of water for the irrigation of golf courses, and fairways is prohibited except on designated watering days between the hours 7:00 p.m. to 5:00 a.m. However, if the golf course utilizes a water source other than that provided by the District, the facility shall not be subject to these regulations.
- g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- h) The following uses of water are defined as non-essential and are prohibited:
  - i. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - ii. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - iii. use of water for dust control; and
  - iv. flushing gutters or permitting water to run or accumulate in any gutter or street;
- i) Repair detectable water leaks within 72 hours of discovery.

The Board of Directors appreciates your cooperation and perseverance during this Conservation Condition. Once the Conservation Condition ends, we will notify you and you may then return to normal usage. If conditions should worsen, you will be notified of more stringent restrictions, to ensure the availability of water in your community.

Sincerely,  
WCID110 Board of Directors

## Exhibit 3 To Appendix C: HCWCID110 Drought Stage 3 Notification

Date: \_\_\_\_\_

Dear Customer:

Harris County Water Control and Improvement District No. 110 is experiencing severe water shortage conditions and is unable to provide water at the customary levels or pressure.

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage 3 of the Drought Contingency Plan is now in effect and the **MANDATORY** restrictions set forth in below are now in effect. The WCID110 Board of Directors is aware of the inconvenience of these severe restrictions, but it is imperative that the water supply not only be available for drinking and bathing but also for fire fighters in the event of a house fire. Any person who violates the water use restrictions set forth below is guilty of a misdemeanor and, upon conviction shall be punished by a charge of not less than two hundred fifty dollars (\$250) and not more than five hundred dollars (\$500). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the Operator shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the in discontinuing service. In addition, suitable assurance must be given to the District that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.

### **First Violation of Drought Contingency Plan:**

- Written warning and no charge.

### **Second Violation of Drought Contingency Plan:**

- \$250.00 charge added to water bill

### **Third Violation of Drought Contingency Plan:**

- \$350.00 charge added to water bill
- Termination of service. Service will be reconnected when full payment of charge and any associated fees for disconnecting and reconnecting of service are paid in full by the resident.

### **Additional Violations of Drought Contingency Plan:**

- \$500.00 charge added to water bill.
- Termination of service. Service will be reconnected when full payment of charge and any associated fees for disconnecting and reconnecting of service are paid in full by the resident.

## **WATER USE RESTRICTIONS**

- a) Customers are required to limit irrigation to the hours of 7:00 p.m. to 5:00 a.m. (10-hour window) on the following days and times based on residential address numbers:
  1. Even number addresses: Sundays and Thursdays,
  2. Odd number addresses: Saturdays and Wednesdays
  3. All other customers: Tuesdays and Fridays.
- b) Irrigation of residential landscaped areas shall be limited to designated watering days and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- c) Irrigation of green belts, esplanades and sports field shall be limited to Mondays and Fridays between 8:00 p.m. and 12:00 midnight (4-hour window).

- d) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 10:00 a.m. and 2:00 p.m..
- e) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools is prohibited.
- f) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.
- g) Use of water for all outdoor purposes such as irrigation, fountains, reflecting pools, and water gardens shall be prohibited.
- h) Use of water from hydrants shall be limited to firefighting related activities or other activities necessary to maintain public health, safety, and welfare. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.
- i) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the District.
- j) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- k) The following uses of water are defined as non-essential and are prohibited:
  - 1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - 2. use of water to wash down buildings or structures for purposes other than immediate fire protections;
  - 3. use of water for dust control; and
  - 4. flushing gutters or permitting water to run or accumulate in any gutter or street.
- l) Repair detectable water leaks within 72 hours of discovery.

Failure to comply with the Water Use Restrictions is deemed a violation of the Drought Contingency Plan and may result in the termination of water and sewer service to your property. Water and sewer service will not be restored until noncompliance is discontinued and a reconnect fee of \$100.00 is paid.

The WCID110 Board of Directors appreciates your cooperation and perseverance during this Drought Stage. Once the Drought Stage ends, we will notify you and you may then return to normal usage. If conditions should worsen, you will be notified of more stringent restrictions, to ensure the availability of water in your community.

Sincerely,  
WCID110 Board of Directors

## Exhibit 4 To Appendix C: HCWCID110 Drought Stage 4 Notification

Date: \_\_\_\_\_

Dear Customer:

Harris County Water Control and Improvement District No. 110 is experiencing critical water shortages conditions and is unable to provide water at the customary levels or pressure.

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage 4 of the Drought Contingency Plan is now in effect and the **MANDATORY** restrictions set forth in below are now in effect. The WCID110 Board of Directors is aware of the inconvenience of these severe restrictions, but it is imperative that the water supply not only be available for drinking and bathing but also for fire fighters in the event of a house fire. Any person who violates the water use restrictions set forth below is guilty of a misdemeanor and, upon conviction shall be punished by a charge of not less than two hundred fifty dollars (\$250) and not more than five hundred dollars (\$500). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the Operator shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District in discontinuing and re-connecting service. In addition, suitable assurance must be given to the District that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.

### **First Violation of Drought Contingency Plan:**

- Written warning and no charge.

### **Second Violation of Drought Contingency Plan:**

- \$250.00 charge added to water bill

### **Third Violation of Drought Contingency Plan:**

- \$350.00 charge added to water bill
- Termination of service. Service will be reconnected when full payment of charge and any associated fees for disconnecting and reconnecting of service are paid in full by the resident.

### **Additional Violations of Drought Contingency Plan:**

- \$500.00 charge added to water bill.
- Termination of service. Service will be reconnected when full payment of charge and any associated fees for disconnecting and reconnecting of service are paid in full by the resident.

## **WATER USE RESTRICTIONS**

- a) All irrigation shall be limited to hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only to the hours of 7:00 p.m. to 5:00 a.m. (10-hour window) on the following days and times based on residential address numbers:
  - a. Even number addresses: Sundays and Thursdays,
  - b. Odd number addresses: Saturdays and Wednesdays
  - c. All other customers: Tuesdays and Fridays.
- b) Use of water for all outdoor purposes such as irrigation, fountains, reflecting pools, and water gardens shall be prohibited.
- c) Use of water from hydrants shall be limited to firefighting related activities or other activities necessary to maintain public health, safety, and welfare.

- d) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 7:00 p.m. to 5:00 a.m. However, if the golf course utilizes a water source other than that provided by the District, the facility shall not be subject to these regulations.
- e) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- f) The following uses of water are defined as non-essential and are prohibited:
  - a. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - b. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - c. use of water for dust control;
  - d. flushing gutters or permitting water to run or accumulate in any gutter or street; and
- g) Repair detectable water leaks within 72 hours of discovery.
- h) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.
- i) In the event that water shortage conditions threaten public health, safety, and welfare, the District may implement additional measures.

The WCID110 Board of Directors appreciates your cooperation and perseverance during this Conservation Condition. Once the Conservation Condition ends, we will notify you and you may then return to normal usage. If conditions should worsen, you will be notified of more stringent restrictions, to ensure the availability of water in your community.

Sincerely,  
WCID110 Board of Directors

## Exhibit 5 To Appendix C: HCWCID110 Drought Stage 5 Notification

Date: \_\_\_\_\_

Dear Customer:

Harris County Water Control and Improvement District No. 110 is experiencing emergency water conditions and is unable to provide water at the customary levels or pressure.

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage 5 of the Drought Contingency Plan is now in effect and the **MANDATORY** restrictions set forth in below are now in effect. The Board of Directors is aware of the inconvenience of these severe restrictions, but it is imperative that the water supply not only be available for drinking and bathing but also for fire fighters in the event of a house fire. Any person who violates the water use restrictions set forth below is guilty of a misdemeanor and, upon conviction shall be punished by a charge of not less than **two hundred fifty dollars (\$250) and not more than five hundred dollars (\$500)**. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the Operator shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District in discontinuing or re-connecting. In addition, suitable assurance must be given to the District that the same action shall not be repeated while the Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the district court.

### **First Violation of Drought Contingency Plan:**

- Written warning and no charge.

### **Second Violation of Drought Contingency Plan:**

- \$250.00 charge added to water bill

### **Third Violation of Drought Contingency Plan:**

- \$350.00 charge added to water bill
- Termination of service. Service will be reconnected when full payment of charge and any associated fees for disconnecting and reconnecting of service are paid in full by the resident.

### **Additional Violations of Drought Contingency Plan:**

- \$500.00 charge added to water bill.
- Termination of service. Service will be reconnected when full payment of charge and any associated fees for disconnecting and reconnecting of service are paid in full by the resident.

### **WATER USE RESTRICTIONS**

- a) Irrigation of all residential landscaped areas is prohibited.
- b) Irrigation of green belts, esplanades and sports fields is prohibited.
- c) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited.
- d) The filling, refilling, or adding of water to swimming pools, wading pools, and jacuzzi-type pools is prohibited.
- e) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.
- f) Use of water from hydrants shall be limited to firefighting related activities or other activities necessary to maintain public health, safety, and welfare. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

- g) The watering of golf courses is prohibited unless the golf course utilizes a water source other than that provided by the District.
- h) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- i) The following uses of water are defined as non-essential and are prohibited:
  - a. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - b. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - c. use of water for dust control; and
  - d. flushing gutters or permitting water to run or accumulate in any gutter or street.
- j) Repair detectable water leaks within 72 hours of discovery.
- k) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.
- l) In the event that water shortage conditions threaten public health, safety and welfare, the District may implement additional measures.

The WCID110 Board of Directors appreciates your cooperation and perseverance during this Conservation Condition. Once the Conservation Condition ends, we will notify you and you may then return to normal usage. If conditions should worsen, you will be notified of more stringent restrictions, to ensure the availability of water in your community.

Sincerely,  
WCID110 Board of Directors

Exhibit 6 To Appendix C: HCWCID110 Drought Contingency Citation Notification - Warning



EXHIBIT 6 TO APPENDIX C  
Harris County Water Control and Improvement District No. 110  
Drought Stage \_\_\_\_\_ Mandatory Water Use Restrictions

FIRST NOTICE OF VIOLATION OF WATER USE RESTRICTIONS - **WARNING**

DATE: \_\_\_\_\_

Dear Customer:

You are hereby notified that on \_\_\_\_\_ you were observed violating the Water Use Restrictions of Harris County Water Control and Improvement District No. 110. **This First Notice of Violation of Water Use Restrictions is a warning.** Continued violation of the Water Use Restrictions will result in:

- **Second Notice of Violation:** fined two hundred fifty dollars (\$250), which fine shall be added to your water bill.
- **Third Notice of Violation:** fined three hundred fifty dollars (\$350), which will be added to your water bill, and water service shall be terminated to your property. Services discontinued for violating Water Use Restrictions shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District in discontinuing and re-connecting service. In addition, suitable assurance must be given by the customer to the District that violation of the Water Use Restrictions will not re-occur. Compliance with this Plan may also be sought through injunctive relief in the district court.
- **Any further violations:** If, after reconnection, a person violates this Plan, the customer shall be fined five hundred dollars (\$500) and the Operator shall, upon due notice to the customer, discontinue water service to the premises where such violations occurred. Services discontinued for violating Water Use Restrictions shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District in discontinuing and re-connecting service. In addition, suitable assurance must be given by the customer to the District that violation of the Water Use Restrictions will not re-occur. Compliance with this Plan may also be sought through injunctive relief in the district court.

Residential irrigation and non-essential water usage is only allowed between 7 p.m. and 5 a.m. on specific days of the week listed below:

- Even # addresses:
  - o Sundays @ 7 p.m. until 5 a.m. Monday (10-hour window)
  - o Thursdays @ 7 p.m. until 5 a.m. Friday (10-hour window)
- Odd # addresses:
  - o Saturdays @ 7 p.m. until 5 a.m. Sunday (10-hour window)
  - o Wednesdays @ 7 p.m. until 5 a.m. Thursday (10-hour window)
- All other addresses:
  - o Tuesdays @ 7 p.m. until 5 a.m. Wednesday (10-hour window)
  - o Fridays @ 7 p.m. until 5 a.m. Saturday (10-hour window)
- Irrigation of green belts, esplanades, and sports fields
  - o Tuesdays at 8 p.m. until 12 a.m. (midnight) Wednesdays (4-hour window)
  - o Fridays at 8 p.m. until 12 a.m. (midnight) Saturday (4-hour window)
- Monday from 5 a.m. through Tuesday at 7 p.m. is for district water tanks to replenish. No irrigation or non-essential water usage during that time.
- All non-essential water usage is restricted except during the days and times listed based on your address.

Sincerely,  
Board of Directors WCID110

19023 Joanleigh Dr, Spring, TX 77388

Office: 281-353-0998

Email: [office@hcwcid110.com](mailto:office@hcwcid110.com)

District Website: [www.wcid110.com](http://www.wcid110.com)

QR Code to District Website Home page

**ATTACHMENT OF PHOTOS OF VIOLATIONS ADDED TO 2<sup>ND</sup> PAGE**



Exhibit 7 To Appendix C: HCWCID110 Drought Contingency Citation Notification – 1<sup>st</sup> Charge



EXHIBIT 7 TO APPENDIX C  
Harris County Water Control and Improvement District No. 110  
Drought Stage \_\_\_\_\_ Mandatory Water Use Restrictions

SECOND NOTICE OF VIOLATION OF WATER USE RESTRICTIONS – 1<sup>st</sup> FINE

DATE: \_\_\_\_\_

Dear Customer:

You are hereby notified that on \_\_\_\_\_ you were observed violating the Water Use Restrictions of Harris County Water Control and Improvement District No. 110. **This Second Notice of Violation of Water Use Restrictions will result in a fine of \$250.00 to your water bill.** Continued violation of the Water Use Restrictions will result in:

- **Third Notice of Violation:** fined three hundred fifty dollars (\$350), which will be added to your water bill, and water service shall be terminated to your property. Services discontinued for violating Water Use Restrictions shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District in discontinuing and re-connecting service. In addition, suitable assurance must be given by the customer to the District that violation of the Water Use Restrictions will not re-occur. Compliance with this Plan may also be sought through injunctive relief in the district court.
- **Any further violations:** If, after reconnection, a person violates this Plan, the customer shall be fined five hundred dollars (\$500) and the Operator shall, upon due notice to the customer, discontinue water service to the premises where such violations occurred. Services discontinued for violating Water Use Restrictions shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District in discontinuing and re-connecting service. In addition, suitable assurance must be given by the customer to the District that violation of the Water Use Restrictions will not re-occur. Compliance with this Plan may also be sought through injunctive relief in the district court.

Residential irrigation and non-essential water usage is only allowed between 7 p.m. and 5 a.m. on specific days of the week listed below.

- Even # addresses:
  - o Sundays @ 7 p.m. until 5 a.m. Monday (10-hour window)
  - o Thursdays @ 7 p.m. until 5 a.m. Friday (10-hour window)
- Odd # addresses:
  - o Saturdays @ 7 p.m. until 5 a.m. Sunday (10-hour window)
  - o Wednesdays @ 7 p.m. until 5 a.m. Thursday (10-hour window)
- All other addresses:
  - o Tuesdays @ 7 p.m. until 5 a.m. Wednesday (10-hour window)
  - o Fridays @ 7 p.m. until 5 a.m. Saturday (10-hour window)
- Irrigation of green belts, esplanades, and sports fields
  - o Tuesdays at 8 p.m. until 12 a.m. (midnight) Wednesdays (4-hour window)
  - o Fridays at 8 p.m. until 12 a.m. (midnight) Saturday (4-hour window)
- Monday from 5 a.m. through Tuesday at 7 p.m. is for district water tanks to replenish. No irrigation or non-essential water usage during that time.
- All non-essential water usage is restricted except during the days and times listed based on your address.

Sincerely,  
Board of Directors WCID110



19023 Joanleigh Dr, Spring, TX 77388

Office: 281-353-0998

Email: [office@hwcid110.com](mailto:office@hwcid110.com)

District Website: [www.wcid110.com](http://www.wcid110.com)

QR Code to District Website Home page

ATTACHMENT OF PHOTOS OF VIOLATIONS ADDED TO 2<sup>ND</sup> PAGE

Exhibit 8 To Appendix C: HCWCID110 Drought Contingency Citation Notification – 2<sup>nd</sup> Charge



EXHIBIT 8 TO APPENDIX C  
Harris County Water Control and Improvement District No. 110  
Drought Stage \_\_\_ Mandatory Water Use Restrictions

THIRD NOTICE OF VIOLATION OF WATER USE RESTRICTIONS – 2<sup>nd</sup> FINE

DATE: \_\_\_\_\_

Dear Customer:

You are hereby notified that on \_\_\_\_\_ you were observed violating the Water Use Restrictions of Harris County Water Control and Improvement District No. 110. **This Third Notice of Violation of Water Use Restrictions will result in a fine of \$350.00, which will be added to your water bill, and water service shall be terminated to your property. Services discontinued for violating Water Use Restrictions shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District in discontinuing and re-connecting service. In addition, suitable assurance must be given by the customer to the District that violation of the Water Use Restrictions will not re-occur. Compliance with this Plan may also be sought through injunctive relief in the district court.**

Continued violation of the Water Use Restrictions will result in:

- **Any further violations:** If, after reconnection, a person violates this Plan, the customer shall be fined five hundred dollars (\$500) and the Operator shall, upon due notice to the customer, discontinue water service to the premises where such violations occurred. Services discontinued for violating Water Use Restrictions shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District in discontinuing and re-connecting service. In addition, suitable assurance must be given by the customer to the District that violation of the Water Use Restrictions will not re-occur. Compliance with this Plan may also be sought through injunctive relief in the district court.

Residential irrigation and non-essential water usage is only allowed between 7 p.m. and 5 a.m. on specific days of the week listed below.

- Even # addresses:
  - o Sundays @ 7 p.m. until 5 a.m. Monday (10-hour window)
  - o Thursdays @ 7 p.m. until 5 a.m. Friday (10-hour window)
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  - o Wednesdays @ 7 p.m. until 5 a.m. Thursday (10-hour window)
- All other addresses:
  - o Tuesdays @ 7 p.m. until 5 a.m. Wednesday (10-hour window)
  - o Fridays @ 7 p.m. until 5 a.m. Saturday (10-hour window)
- Irrigation of green belts, esplanades, and sports fields
  - o Tuesdays at 8 p.m. until 12 a.m. (midnight) Wednesdays (4-hour window)
  - o Fridays at 8 p.m. until 12 a.m. (midnight) Saturday (4-hour window)
- Monday from 5 a.m. through Tuesday at 7 p.m. is for district water tanks to replenish. No irrigation or non-essential water usage during that time.
- All non-essential water usage is restricted except during the days and times listed based on your address.

Sincerely,  
Board of Directors WCID110



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ATTACHMENT OF PHOTOS OF VIOLATIONS ADDED TO 2<sup>ND</sup> PAGE

**Exhibit 9 To Appendix C: HCWCID110 Drought Contingency Citation Notification – Additional Charges**



**EXHIBIT 9 TO APPENDIX C  
Harris County Water Control and Improvement District No. 110  
Drought Stage \_\_\_\_\_ Mandatory Water Use Restrictions**

**FOURTH NOTICE OF VIOLATION OF WATER USE RESTRICTIONS – 3rd FINE**

**DATE: \_\_\_\_\_**

Dear Customer:

You are hereby notified that on \_\_\_\_\_ you were observed violating the Water Use Restrictions of Harris County Water Control and Improvement District No. 110. **This Fourth Notice of Violation of Water Use Restrictions will result in a fine of five hundred dollars (\$500) and the Operator shall, upon due notice to the customer, discontinue water service to the premises where such violations occurred. Services discontinued for violating Water Use Restrictions shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District in discontinuing and re-connecting service. In addition, suitable assurance must be given by the customer to the District that violation of the Water Use Restrictions will not re-occur. Compliance with this Plan may also be sought through injunctive relief in the district court.**

Continued violation of the Water Use Restrictions will result in:

- **Any further violations:** If, after reconnection, a person violates this Plan, the customer shall be fined five hundred dollars (\$500) and the Operator shall, upon due notice to the customer, discontinue water service to the premises where such violations occurred. Services discontinued for violating Water Use Restrictions shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District in discontinuing and re-connecting service. In addition, suitable assurance must be given by the customer to the District that violation of the Water Use Restrictions will not re-occur. Compliance with this Plan may also be sought through injunctive relief in the district court.

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  - o Thursdays @ 7 p.m. until 5 a.m. Friday (10-hour window)
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  - o Wednesdays @ 7 p.m. until 5 a.m. Thursday (10-hour window)
- All other addresses:
  - o Tuesdays @ 7 p.m. until 5 a.m. Wednesday (10-hour window)
  - o Fridays @ 7 p.m. until 5 a.m. Saturday (10-hour window)
- Irrigation of green belts, esplanades, and sports fields
  - o Tuesdays at 8 p.m. until 12 a.m. (midnight) Wednesdays (4-hour window)
  - o Fridays at 8 p.m. until 12 a.m. (midnight) Saturday (4-hour window)
- Monday from 5 a.m. through Tuesday at 7 p.m. is for district water tanks to replenish. No irrigation or non-essential water usage during that time.
- All non-essential water usage is restricted except during the days and times listed based on your address.

**Sincerely,  
Board of Directors WCID110**



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District Website: [www.wcid110.com](http://www.wcid110.com)

QR Code to District Website Homepage

**ATTACHMENT OF PHOTOS OF VIOLATIONS ADDED TO 2<sup>ND</sup> PAGE**

## **Exhibit 10 To Appendix C: HCWCID110 Drought Contingency Plan Termination Notification**

Date: \_\_\_\_\_

Dear Customer:

The Drought Condition has ended. You may return to normal water usage. The Board of Directors of Harris County Water Control and Improvement District No. 110 appreciates your cooperation and perseverance during this period and would appreciate your continued attention to water use. Continued water conservation practices will help ensure water availability in the future. Thank you for your efforts.

Sincerely,

\_\_\_\_\_  
WCID110 Board of Directors

## Appendix “D” to Rate Order: Customer Service Agreement

Please go to the District’s Operator, Municipal Operations and Consulting, Inc. website to initiate new service for residential or commercial properties.

MOC website: <https://municipalops.com/new/>



# Appendix "E" to Rate Order: Water Audit Reporting Form

## Appendix E – Water Audit Reporting



Website: [www.wcid110.com](http://www.wcid110.com)

Email: [brianmills@hcwcid110.com](mailto:brianmills@hcwcid110.com)

c/o Brian Mills, WCID110 District Manager

Harris County Water Control and Improvement District No. 110

19023 Joanleigh Dr.

Spring, Texas 77388

Office: 281-353-0998

Mark Mathis, Conservation Division

Email: [Mark.Mathis@twdb.state.tx.us](mailto:Mark.Mathis@twdb.state.tx.us)

P. O. Box 13231

Austin, TX 78711

512-463-0987

Utility Name:

Type of Utility: (select one)  WSC  MUD  WCID  SUD  CITY

Other:

Regional Water Planning Group(s) in which this system operates

[http://www.twdb.state.tx.us/mapping/maps/pdf/sb1\\_groups\\_8x\\_11.pdf](http://www.twdb.state.tx.us/mapping/maps/pdf/sb1_groups_8x_11.pdf)

Name of person completing this form:

Phone number of person completing form:

Mailing address of Utility:

Reporting Period: From  To

Percentage of water used: Surface  Groundwater Mean

household income of population served:

<http://factfinder.census.gov/servlet/SAFFPeople?>

Population served:

Note: unit of measure (Acre- foot or Million gallons) must stay consistent throughout report

1. SYSTEM INPUT VOLUME MG ACRE-FT OTHER

Water Delivery: Amount of water put into delivery system:

Master Meter Adjustment: Volume master meter did not account for: +/-

Corrected Input Volume: Water delivery plus/minus Master Meter Adjustment:

### 2. AUTHORIZED CONSUMPTION

Revenue Water:

Billed Metered - All water sold:

Billed Unmetered - All water sold but not metered:

Non-Revenue Water:

Unbilled metered - City and local government use metered line flushing:

Unbilled unmetered - Line flushing/fire dept use: (estimate):

Authorized Consumption - The Total of all Authorized water:

**3. WATER LOSS**

Apparent Loss

Customer Meter Under-Registering-Inaccurate customer meters +/- :

Billing Adjustment/Waivers:

Unauthorized consumption (Theft) (estimate):

Total at Apparent loss:

Real Loss:

Operator error (storage tank overflows):

Main break/leaks: (estimate):

Customer service line leaks/breaks: (estimate):

The Total of Real Loss:

Total Water Loss, Apparent Loss + Real Loss:

**4. TECHNICAL PERFORMANCE INDICATORS**

Performance Indicators for Real Losses

Your utility's number of service connections:

Your utility's number of miles of main lines:

Now divide your service connections by miles of main:

Total Real Loss/Miles of Main/365:

Total Real Loss/No. of Service Connections/365:

**5. FINANCIAL PERFORMANCE INDICATORS**

Total Real Loss:

Production cost of water:

Total Real Loss multiplied by production cost of water:

Total Apparent Loss Retail cost of water:

Retail cost of water:

Total Apparent loss multiplied by retail cost of water:

# **Appendix F: Commercial Property Drainage Policy – Program for Certification of Compliance with Drainage Policy**

## **ORDER AMENDING AND RESTATING ORDER ESTABLISHING AND ADOPTING DRAINAGE POLICY FOR COMMERCIAL PROPERTIES AND ESTABLISHING PROGRAM FOR CERTIFICATION OF COMPLIANCE WITH DRAINAGE POLICY**

**THE STATE OF TEXAS** §

**COUNTY OF HARRIS** §

**HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110** §

WHEREAS, Harris County Water Control and Improvement District No. 110 (the “District”) is a political subdivision of the State of Texas (the “State”), operating pursuant to the terms and provisions of Article XVI, Section 59 of the Constitution of the State of Texas and Chapters 49 and 54 of the Texas Water Code; as amended; and

WHEREAS, Section 49.211 and Section 54.201 (b) of the Texas Water Code, as amended, set forth the powers and duties of the District which inter alia, include the right to gather, conduct, divert and control local storm water or other local harmful excesses of water in the District; and

WHEREAS, by Order dated March 24, 2022, the Board of Directors of the District (the “Board”) adopted an Order Establishing and Adopting Drainage Policy for Commercial Properties which provides certain rules, regulations, and policies relating to the cleaning, maintenance and repair of drainage facilities on commercial properties located in the District (the “Drainage Policy”); and

WHEREAS, the Board of the District has determined that it is in the best interest of the District to establish a program to certify compliance with the Drainage Policy;

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110 THAT:

### **ARTICLE I. ADOPTION OF DRAINAGE POLICY**

The Board of the District hereby adopts and shall cause the implementation of this Amended and Restated Order Establishing and Adopting Drainage Policy.

### **ARTICLE II. DEFINITIONS**

For all purposes of this Policy, unless the context requires a different meaning or except as otherwise expressly provided, the following terms shall have the meaning assigned to them below:

“For all purposes of this Policy, unless the context requires a different meaning or except as otherwise expressly provided, the following terms shall have the meaning assigned to them below:

- A. **“Certification of Compliance”** shall mean an annual certificate issued on or before December 31 of each year by the District to owners of Commercial Properties certifying that the Drainage Facility on the Commercial Property is in compliance with the District’s Drainage Policy.
- B. **“Commercial Property(ies)”** shall mean those certain properties located in the District used for business purposes, including, but not limited to, retail centers, office buildings, hotels, retail stores, car washes, warehouses, service stations, churches, schools, recreational centers, and any and all other businesses conducting services with customers, cliental or patients.
- C. **“Commercial Property Owner(s)”** shall mean the record title owner of a Commercial Property, which property conveys storm water runoff to a Drainage Facility . The term “Commercial Property Owner” shall also include any tenant of a Commercial Property Owner being served with water and service services by the District.
- D. **“Drainage Facility”** shall mean an excavated area constructed to contain excessive stormwater runoff, including but not limited to drainage basins/ponds, drainage channels, ditches, or stormwater conveyance systems.
- E. **“Maintain/Maintenance”** shall mean routine mowing, vegetation management, structural repairs, removal of debris and other obstructions that could divert water flow from the designated drainage area, as well as the removal of soil or other sediment that may clog drainage features such as stormwater sewer inlets and culverts under roadways and other structures, all as set forth in Article III hereof.
- F. **“Drainage and Detention Fee”** shall mean the fee charged to all District customers as set forth in Section 3.03 of this Order.

### **ARTICLE III. GENERAL**

Maintenance of each Drainage Facility in the District is necessary to abate the potential of flooding and to preserve property in the District. A Drainage Facility functions by allowing large flows of water to enter; but limits the outflow by having a small opening at the lowest point of the structure. The size of this opening is determined by the capacity of underground and downstream culverts or open channels to handle the release of the contained water. A Drainage Facility is also a stormwater management feature that provide general flood protection by controlling stormwater such as what is produced by a large rain event. A Drainage Facility is typically built when the commercial property is initially developed. A Drainage Facility helps manage the excess urban runoff generated by newly constructed impervious surfaces such as parking lots and commercials centers. A Drainage Facility is often called a "holding pond" or "drainage pond" if no permanent pool of water exists. A Drainage Facility that is designed to permanently retain some volume of water at all times is referred to as a *retention basin*.

Maintenance of a Drainage Facility generally includes routine mowing, vegetation management, removal of debris and other obstructions that could divert water flow from the designated drainage area, as well as the removal of soil or other sediment that may clog drainage features such as stormwater sewer inlets and culverts under roadways and other structures. Maintenance of a Drainage Facility also includes the previously mentioned tasks as well as preventing the excessive erosion of the basin walls caused by stormwater entering the basin from locations or sources other than those determined by the original design. A Drainage Facility also must be maintained to prevent water from being retained in the basin during dry periods. Overgrown vegetation at the outfall of a storm sewer prevents water from discharging from the outfall into the basin. Vegetation, such as trees and shrubs, should be cleared from the basin. Excessive vegetation, litter, and sediment accumulations

should be removed from basin inlets and outfalls to allow water to enter and exit the basin without obstruction. Overgrown vegetation and debris prevent stormwater from draining. Removal of debris and mowing vegetation will help prevent standing water and allow for the positive flow of water through the Drainage Facility.

## **ARTICLE IV. JURISDICTION OF HARRIS COUNTY FLOOD CONTROL DISTRICT**

The District is within the jurisdiction of the Harris County Flood Control District (the “Flood Control District”), therefore, requiring development in the District to comply with the rules and regulations of the Flood Control District relating to flood control and management. Current compliance measures require Commercial Property Owners, prior to the commencement of construction of their commercial development, to submit for approval to the Flood Control District the drainage plans for the proposed commercial development. Approval of the drainage plans for a Commercial Property generally requires the construction of a Drainage Facility. Implicit with this approval is the obligation of the Commercial Property Owner(s) to continuously Maintain the Drainage Facility.

## **ARTICLE V. DRAINAGE AND DETENTION FEE**

<b>Type of Connection</b>	<b>Fee</b>
Single Family Residential	Flat fee of \$3.00 per month
Single Commercial Retail	Flat fee of \$65.00 per month
Master Meter	Flat fee of \$250.00 per month
Apartments/Hotels	Flat fee of \$350.00 per month
Out of District Commercial	Flat fee of \$65.00 per month

## **ARTICLE VI. COMMERCIAL PROPERTY OWNERS’ DUTY TO MAINTAIN DRAINAGE FACILITY**

It is the obligation of Commercial Property Owner(s) to maintain and perform maintenance on a Drainage Facility serving their properties that forms the basis for the establishment of this Drainage Policy. The Commercial Property Owner(s) is responsible for maintenance of the Drainage Facility serving its commercial development. Maintenance of the Drainage Facility is required to be performed frequently but in no event less than semi-annually; and shall be performed in a manner to ensure that the Drainage Facility functions as designed.

In the interest of ensuring that Drainage Facilities are properly maintained, a Commercial Property Owner, in lieu of maintaining its Drainage Facilities, may enter into a License Agreement with District which provides that the District may access the Drainage Facilities and will be responsible for maintenance of the Drainage Facilities. If the Commercial Property Owner declines to enter into a License Agreement with the District and elects to maintain its Drainage Facilities, the Commercial Property Owner shall comply with the District’s Drainage Facilities Certification Policy, as set forth in Article VI, below.

In instances where an inspection conducted by the District identifies deterioration threatening structural integrity of a Drainage Facility, the District shall provide written notification to the Commercial Property Owner(s). Within thirty (30) days of said notification, the Commercial Property Owner(s) shall (1) establish a plan for addressing and eliminating the deterioration threatening the structural integrity, and (2) provide to the District a copy of the plan along with an implementation schedule.

Failure to comply with this Article V will result in enforcement action as set forth in Article VII. Commercial Property Owners shall provide to the District's Engineer, Langford Engineering, Inc. (LEI), the site construction plans, and as-built drawings for its Drainage Facility which illustrate the drainage infrastructure that has been constructed to serve the commercial development. The address for the District's Engineer is as follows:

Norman Gutierrez, E.I.T.      [norman.g@langfordeng.com](mailto:norman.g@langfordeng.com)  
Langford Engineering, Inc.  
1080 W. Sam Houston Parkway N, Ste 200  
Houston, Texas 77043  
Main Phone: 713-461-3530  
Fax: 713-932-7505

## **ARTICLE VII. DISTRICT ANNUAL INSPECTIONS/CERTIFICATE OF COMPLIANCE WITH DRAINAGE POLICY**

A Certificate of Compliance with Drainage Policy is required for any Drainage Facility for Commercial Property(ies) in the District. If the Commercial Property Owner(s) decline to enter into a License Agreement with the District to access and maintain the property, but rather elects to maintain its Drainage Facilities, the Commercial Property Owner(s) shall complete and file annually with the District the Application for Certificate of Compliance with Drainage Policy as set forth in Exhibit "A," attached hereto (the "Application"). Upon receipt of the Application, the Engineer for the District shall inspect the Drainage Facility noted in the Application and determine whether to approve or deny the Application. The following schedule shall be followed in reviewing each Application to determine approval or denial of the Application.

- **August 15**      **Notification/letter of the annual certification process shall be issued to Commercial Property Owners that have private detention facilities serving their development. The Policy requires the Commercial Property Owner to submit on or before October 1 of each year an application and application fee of \$500 to the District for an Annual Certificate of Compliance.**
- **September 15**      **Follow up notices shall be issued as a reminder of October 1 deadline.**
- **October 1**      **Deadline to submit Application for Certificate of Compliance and application fee. If the Application and fee are not submitted by October 1 of each year, the Commercial Property Owner shall be deemed non-complaint and an additional non-compliance charge of \$2,500 per month will be assessed until such time as the Application for Certificate of Compliance and application fee are submitted.**
- **October 1**      **LEI shall review each application received and perform a site inspection. If the applicant is in compliance, a Certificate of Compliance shall be issued effective as of January and valid through December 31.**
- **October 15**      **If the applicant is not in compliance, LEI shall issue a deficiency letter and deny the Certificate of Compliance. Applicant is required to bring drainage facilities into compliance, and resubmit an additional Application for Compliance together with a \$500 re-inspection fee.**

- **November 1** LEI shall reinspect the drainage facilities. If the applicant is in compliance a Certificate of Compliance shall be issued effective as of January 1 and valid through December 31. If the applicant is not in compliance, LEI shall issue a deficiency letter and deny the Certificate of Compliance. Applicant shall be assessed a non-compliance charge of \$2,500 per month until such drainage facility is brought into compliance with the District's Drainage Policy.

## **ARTICLE VIII. FAILURE TO COMPLY/CHARGES/TERMINATION OF SERVICE**

If a Commercial Property Owner is not issued a Certificate of Compliance with Drainage Policy for failure to (1) maintain or perform required Maintenance, or (2) failure to take action as described in a notice issued to the Commercial Property Owner(s), the District shall assess non-compliance charges to the Commercial Property Owner(s) as set forth in the District's Rate Order. In addition to the provisions set for in [Article VIII](#) of this Rate Order, the non-compliance charges and termination of service procedures set forth in [Section 4.02](#) and [Section 4.03](#), of this Rate Order for late or non-payment shall also apply.

## **ARTICLE VIII. MISCELLANEOUS**

This Policy shall be and remain in full force and effect unless and until amended, revised, rescinded, or repealed by action of the Board. Any prior orders, rules, regulations, or policies which pertain to the subject matter herein or are in conflict herewith, are repealed, revoked, rescinded and of no further force and effect as of the date hereof.

The President or the Vice President is authorized to execute and the Secretary or any Assistant Secretary is authorized to attest this Policy on behalf the Board, and any officer of the Board and the Attorney for the District are authorized to do any and all things necessary to carry out the intent hereof.

**Exhibit "1" to Appendix "F": Application for Certification of Compliance for Commercial Drainage Facilities**

**EXHIBIT A  
HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT  
NO. 110**

**APPLICATION/CERTIFICATE OF COMPLIANCE**

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**APPLICATION FOR CERTIFICATE OF COMPLIANCE WITH DRAINAGE POLICY**

Applicant/Owner: \_\_\_\_\_  
Project Address/Legal Description: \_\_\_\_\_  
Contact Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Email: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
Application Fee: \$500.00 Made Payable to WCID110

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**CERTIFICATE OF COMPLIANCE DRAINAGE POLICY**

District Action: Approval: \_\_\_\_\_  
Date: \_\_\_\_\_  
Certificate of Compliance No.: \_\_\_\_\_

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**DENIAL OF CERTIFICATE OF COMPLIANCE**

District Action: Denial/Basis \_\_\_\_\_  
Date: \_\_\_\_\_  
Corrective Action Required: \_\_\_\_\_