

**AMENDED RATE ORDER AND RULES AND REGULATIONS
GOVERNING WATER AND SANITARY SEWER FACILITIES,
SERVICE LINES, AND CONNECTIONS**

(Effective as of June 1, 2023)

WHEREAS, Emerald Forest Utility District (the "District") is in the process of constructing a water, sewer and storm drainage system to provide service to residential and commercial establishments within the District (the "System"); and

WHEREAS, it is necessary that fees, charges, and conditions be established for service from the District's System; and

WHEREAS, the District has been asked by the State Legislature to adopt and implement a program of water conservation aimed at reducing the consumption of water, reducing the loss or waste of water and improving efficiency in the use of water; and

WHEREAS, it is the District's intent to establish rates for service from the District's System that will encourage sound management of the District's water usage and conservation practices by Users within the District; and

WHEREAS, the escalating rates for increased water usage herein adopted by the District are intended to promote conservation and efficient management of the District's water resources; Now, Therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS OF EMERALD FOREST UTILITY DISTRICT THAT:

SECTION 1: DEFINITIONS

- A. **"Single Family Residential User"** shall mean any user of the District's water and sewer system that consists of one residence designed for use and occupancy by a single family unit.
- B. **"Multi-Family Residential User"** shall mean any user of the District's water and sewer system, other than a Single Family Residential User or a Commercial User, that consists of a building designed for use and occupancy by multi-family units, including apartments, townhouses, and other multi-family dwelling units.
- C. **"Commercial User"** shall mean any user of the District's water and sewer system that is not a Single Family Residential User or a Multi-Family Residential User, including, but not limited to, commercial establishments, but not including Non-Taxable Users.

- D. "Non-taxable User" shall mean an entity not subject to property taxation pursuant to the provisions of the Texas Property Tax Code.

SECTION 2: WATER

A. Tap Fees and Inspections.

1. Single Family Residential Users. Prior to the connection of a Single-Family Residential User to the District's water system with a 3/4-inch, 5/8 inch, or 1-inch water meter, a tap fee equal to the cost of the District of installing the tap, meter, and any necessary service lines, plus 10% of such cost, shall be paid to the District; provided, however, for a meter size of 1-1/2 inches or greater, a tap fee equal to two (2) times the cost of the District of installing the tap, meter, and any necessary service lines shall be paid to the District.
- (1) Multi-Family Residential Users and Commercial Users. Prior to the connection of a Multi-Family Residential User or a Commercial User that is not exempt from the payment of ad valorem property taxes under Texas law, a tap fee equal to three (3) times the cost to the District of installing the tap, meter, and any necessary service lines shall be paid to the District.
- (2) Non-Taxable Users. Prior to the connection of a Non-Taxable User that is exempt from the payment of ad valorem property taxes under Texas law, a tap fee equal to the District's actual cost of installing the tap, meter and any necessary service lines plus such User's pro rata share of the District's actual cost of the facilities necessary to provide District services to such User that are financed or to be fully or partially financed by the District's tax bonds (as determined by the District's consultants and approved by the Board of Directors) shall be paid to the District.
- (3) Irrigation Systems. Prior to connection to the District's water system, a tap fee equal to the District's actual cost for installation plus the cost of the meter shall be paid to the District for irrigation systems that have been authorized by the District and that are to be used solely for the purpose of providing irrigation water to landscaped areas within the District.
- (4) Inspections. Physical connection to the District's water system shall be made by the District's operator unless specified otherwise by the Board of Directors of the District. Connections to the District's water system shall not be allowed prior to an approved sanitary sewer inspection as provided in this Order.

B. Monthly Rates.

- (1) North Harris County Regional Water Authority ("NHCRWA") Fee. The NHCRWA assesses a fee to the District for each 1,000 gallons of surface

water provided by the NHCRWA to the District ("Surface Water Fee"), which Surface Water Fee may be amended from time to time. Each User of District water for any purpose, whether builder, Single Family Residential, Multi-Family Residential, Commercial, or any other type of User, shall be billed, in addition to the water rates set forth below, a separate amount for each 1,000 gallons of water delivered to such User in a billing cycle times that is equal to the Surface Water Fee charged to the District by the NHCRWA for each 1,000 gallons of water for that period plus a 10% surcharge.

- (2) Builder Rates. During construction and prior to initial occupancy, builders shall be charged for water usage at the rates and the manner quoted for Commercial Users in the District, including the NHCRWA fees.
- (3) Temporary Water Service.
 - a. The District's operator shall be authorized to make a temporary connection to any fire hydrant or flushing valve upon receipt of a written request for temporary water service. Such temporary service shall be supplied only through a District meter installed by the District's operator.
 - b. The person applying for temporary water service shall be required to deposit an amount to be determined by the District's operator with the District to secure the payment for water supplied by the District and the safe return of the District's meter. Upon receipt of full payment for temporary water used and return of the meter in good condition, the deposit will be returned; provided, however, any damage to the meter or unpaid balances will be paid from the deposit.
 - c. The fee for temporary water service shall be \$2.25 per 1,000 gallons of water delivered through the meter, plus the NHCRWA fees.
- (4) Single Family Residential Users. Single Family Residential Users shall be charged monthly for water as follows:

First 6,000 gals.	\$17.00 (minimum)
6,001 to 10,000 gals.	\$ 2.75 per 1,000 gals.
10,001 to 15,000 gals.	\$ 3.25 per 1,000 gals.
15,001 to 25,000 gals.	\$ 3.75 per 1,000 gals.
All over 25,000 gals.	\$ 4.25 per 1,000 gals.

(5) Multi-Family Residential Users.

- a. Single Meter: Each multi-family building or multi-family complex that is served by a single meter shall be charged monthly for water at the minimum rate applicable to Single Family Residential Users times the number of units within the building. Water usage in excess of 6,000 gallons per unit per month shall be charged at the rates quoted above for Single Family Residential Users.
- b. Multiple Meters: If a multi-family building is served by more than one meter, water delivered through each meter shall be charged the minimum rate for Single Family Residential Users times the number of units served through such meter, with consumption over the minimum charged at the rates quoted above for Single Family Residential Users.

(6) Commercial Users. Each business unit occupied by a separate business, including separate establishments within a single building, shall be charged a monthly minimum of \$18.00, whether connected by a single meter or multiple meters. Water usage in excess of 6,000 gallons per month shall be charged at the following rates:

6,001 to 10,000 gals.	\$2.75 per 1,000 gals.
10,001 to 15,000 gals.	\$3.25 per 1,000 gals.
15,001 to 25,000 gals.	\$3.75 per 1,000 gals.
25,001 to 50,000 gals.	\$4.25 per 1,000 gals.
All over 50,000 gals.	\$4.75 per 1,000 gals.

(7) Non-Taxable Users. Each non-taxable business unit occupied by a separate non-taxable business, including separate establishments within a single building, shall be charged a monthly minimum of \$18.75, whether connected by a single meter or multiple meters. Water usage in excess of 6,000 gallons per month shall be charged at the following rates:

6,001 to 10,000 gals.	\$2.75 per 1,000 gals.
10,001 to 15,000 gals.	\$3.25 per 1,000 gals.
15,001 to 25,000 gals.	\$3.75 per 1,000 gals.
25,001 to 50,000 gals.	\$4.25 per 1,000 gals.
All over 50,000 gals.	\$4.75 per 1,000 gals.

(8) Irrigation Systems. Metered water connections authorized by the District and established solely for the purpose of providing water to irrigation systems shall be charged monthly for water usage at the rates and in the manner quoted above for Single Family Residential Users, including the NHCRWA fees. There shall be no sewer charge for irrigation meters.

- (9) Recreational Facilities. Recreational facilities owned by civic or community associations shall be charged monthly for water usage at the rates and in the manner quoted above for Single Family Residential Users, including the NHCRWA fees.
- (10) VFD Facilities. Facilities owned by volunteer fire departments shall be charged monthly for water usage at 80% of the rates and in the manner quoted above for Commercial Users, including the NHCRWA fees.
- C. Pressure of Water. The District agrees to use all reasonable efforts to supply adequate pressure of water to any User. The District does not and will not guarantee to any User a specific quantity or pressure of water for any purpose whatsoever. The District is required only to furnish a connection to its water system and in no case shall the District be liable for the failure or refusal to furnish water or any particular amount or pressure of water; however, the District shall use reasonable efforts to supply water to all Users at an acceptable minimum pressure.

SECTION 3: SEWER

- A. Sewer Connections and Inspections. All connections to the District's sanitary sewer system shall be made in accordance with the District's Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections attached to this Rate Order as Appendix "1," as may be amended from time to time. The 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. A Sanitary Sewer Service Line is any sanitary sewer 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. No sewer connection or house lead shall be covered in the ground before a representative of the District has inspected the connection. A fee of \$50.00 for each single family residential sewer inspection and a fee of twice the District's cost for each multi-family residential and commercial sewer inspection made by the District shall be charged. If a sewer connection fails an inspection, an additional inspection fee at the same rate shall be paid to the District prior to reinspection.

B. Monthly Rates.

(1) Single Family Residential Users, except those within Woodedge Village.

First 6,000 gals.	\$22.00 (minimum)
All over 6,000 gals.	\$ 3.75 per 1,000 gals.

(2) Single Family Residential Users within Woodedge Village.

First 6,000 gals.	\$42.00 (minimum)
All over 6,000 gals.	\$ 3.75 per 1,000 gals.

(3) Multi-Family Residential Users.

First 6,000 gals. per unit	\$22.00 (minimum)
All over 6,000 gals. per unit	\$ 3.75 per 1,000 gals.

(4) Commercial Users.

First 6,000 gals. per unit	\$22.00 (minimum)
All over 6,000 gals. per unit	\$ 3.75 per 1,000 gals.

(5) Non-Taxable Users.

First 6,000 gals. per unit	\$22.90 (minimum)
All over 6,000 gals. per unit	\$ 3.90 per 1,000 gals.

(6) Recreational Facilities.

Recreational facilities owned by civic or community associations shall be charged only the minimum monthly charge of \$16.00 for sewer service.

(7) VFD Facilities.

Facilities owned by volunteer fire departments shall be charged at 80% of the rates charged to Commercial Users for sewer service.

C. Quality of Sewage. All discharges, whether domestic, commercial or industrial, shall be discharged in accordance with the Order Regulating the Introduction of Wastewater into the Sanitary Sewer System of the District.

(1) Domestic Waste. Only ordinary liquid and water-carried waste from domestic activities that is amenable to biological treatment and that is discharged from sanitary conveniences of buildings connected to a public sanitary sewer system shall be discharged into the District's sanitary sewer lines. Waste resulting from any process of commerce or industry may not

be discharged into the District's sanitary sewer lines except as authorized pursuant to the following subsection.

- (2) Commercial and Industrial Waste. All discharges other than waste described in the preceding subsection are prohibited unless the user has applied to and received written authorization from the District for such discharge. The applicant must file a statement with the District containing the following information:
- a. Name and address of applicant;
 - b. Type of industry, business, activity, or other waste-creative process;
 - c. Quantity of waste to be discharged;
 - d. Typical analysis of the waste;
 - e. Type of pretreatment proposed; and
 - f. Such other information as the District may request in writing.

The District shall have the right to reject any application for discharge of non-domestic waste into the District's sanitary sewer lines if the District determines in its sole discretion that the proposed discharge may be harmful to the District's sanitary sewer system or the environment. The District also shall have the right in approving any application for the discharge of non-domestic waste to impose any limitations on such discharge that the District determines in its sole discretion to be necessary to protect the District's sanitary sewer system or the environment.

- (3) National Categorical Pretreatment Standard. If a user is subject to a national categorical pretreatment standard pursuant to regulations promulgated by the Environmental Protection Agency under Section 307 of the federal Clean Water Act, the user is prohibited from discharging pollutants into the District's sanitary sewer system in violation of applicable categorical pretreatment standards.
- (4) District Testing; Pretreatment. The District shall have the right to sample and test any user's discharge at the discretion of the District's operator, with no limit as to the frequency of the tests, and to charge the user for the District's cost of such sampling and testing. The District also shall have the right to require pretreatment, at the user's expense, of any discharge of non-domestic waste if the District determines in its sole discretion that pretreatment of such waste is necessary to protect the District's sanitary sewer system or the environment, even if pretreatment is not otherwise required pursuant to the preceding subsection.

D. Grease Trap Inspections. Any User responsible for a discharge requiring a trap and sampling well shall provide equipment and facilities of a type and capacity approved by the District, locate the trap in a manner that provides ready and easy

access for cleaning and inspection, and maintain the trap in effective operating condition. It shall be the responsibility of the User to maintain and service such User's traps. All traps shall be cleaned a minimum of once a month. The District's operator may inspect the traps and may take samples and flow measurements from the sampling wells with no limit as to the frequency of the tests. For each grease trap installed, there shall be charged a flat rate initial inspection fee of \$55.00. If the operator is required to reinspect the grease trap after the initial inspection due to problems or concerns about the grease trap, such reinspection shall be charged at the same \$55.00 rate. Thereafter, for each monthly inspection and/or reinspection, if required, a fee of \$45.00 shall be charged.

SECTION 4: REGULATORY ASSESSMENT

As required by the Texas Water Code, each User of the District's water and sanitary sewer system is hereby assessed a charge of one-half of one percent of the District's charge for water and sewer service. This assessment is included in the rate schedules listed above and will be forwarded to the Texas Commission on Environmental Quality ("TCEQ") for use in paying costs and expenses incurred in its regulation of water districts.

SECTION 5: LATE PAYMENTS

- A. **Late Payment Charge.** A late payment charge of ten percent (10%) of the unpaid balance will be due the District for any monthly water or sewer bill that is not paid on or before the 20th day after the date of the statement for said charges in order to cover the District's costs of collection of such delinquent amount. All accounts not paid by the due date shall be considered delinquent.
- B. **Delinquent Letter Fee.** A fee of \$10.00 shall be charged by the District for each notice of delinquency mailed to an account to cover the District's costs associated with such notice.
- C. **Transfer Fee.** A fee of \$25.00 shall be charged by the District to cover the expense to the District for the transfer of water and sewer service from the initial User to each subsequent User.

SECTION 6: TERMINATION AND DISCONNECTION OF SERVICE

- A. **Termination for Delinquent Accounts.** The District reserves the right to terminate service to any User for failure to pay all charges by the due date. In such event, service shall be disconnected only after sending written notice by first class United States mail to the User at the address of the connection and providing the User with an opportunity to contest, explain, or correct the charges, services, or disconnection. The written notice shall inform the User of the amount of the delinquent payment, the date service will be disconnected if payment is not made, the date, time, and place of the next scheduled meeting of the Board of Directors,

and of the opportunity to contest, explain, or correct the charges, services, or disconnection by presenting in person or in writing such matter to the Board of Directors at the next scheduled meeting as shown on the notice. The date specified for disconnection shall be forty-eight (48) hours after the date and time of the next scheduled meeting of the Board of Directors as shown in the notice. The notice shall be deposited, postpaid, in a post office or official depository under the care and custody of the United States Postal Service at least ten (10) days prior to the date of the scheduled meeting of the Board of Directors. A written statement by the District's operator that the notice was so mailed and a certificate of mailing by the United States Postal Service shall be prima facie evidence of delivery of same. If the User appears before the Board in person or in writing at the scheduled meeting specified in the notice, the Board shall hear and consider the matter and inform the User of the Board's determination by sending written notice by first class United States mail to the User at the address of the connection. If the Board's determination is that service be terminated, the User shall be further informed of disconnection of service by door hanger at the address of the connection on the day following the Board meeting at which termination was authorized. Such disconnection shall be in addition to penalties that may be imposed by the District under this Order.

- B. Billing and Service During Extreme Weather Emergency.** Notwithstanding any provisions of this Rate Order to the contrary, a User or entity may not be charged late fees nor have service disconnected for nonpayment of a bill that is due during an extreme weather emergency until after the emergency is over. A User or entity may, within thirty (30) days from the date the extreme weather emergency is over, request from the District a payment schedule for any unpaid bill that is due during an extreme weather emergency. Upon receipt of a timely payment schedule request, the District shall provide, in writing, a payment schedule and a deadline for accepting the payment schedule. The District or the District's operator may, at the discretion of the District and/or the District's operator, determine the terms of the payment schedule described in this paragraph in accordance with applicable laws and regulations. If a User or entity requests a payment schedule pursuant to this paragraph, the District shall not disconnect the User or entity from service for nonpayment of bills that are due during an extreme weather emergency unless: (1) the payment schedule has been offered and the User or entity has declined to accept the payment schedule in a timely fashion; or (2) the User or entity has violated the terms of the payment schedule. Any preexisting disconnection notices issued to a User or entity for nonpayment of bills due during an extreme weather emergency are suspended upon the timely request for a payment schedule made under this paragraph; provided, however, that if: (1) the User or entity does not timely accept a payment schedule offered by the District; or (2) the User or entity violates the terms of the payment schedule, then any suspended disconnection notices may be reinstated. A User or entity who violates the terms of a payment schedule shall be subject to disconnection from service pursuant to the provisions

of this Rate Order. For purposes of this paragraph, "extreme weather emergency" means a period when the previous day's highest temperature in an area did not exceed 28 degrees Fahrenheit and the temperature is predicted to remain at or below that level for the next 24 hours according to the nearest National Weather Service reports for that area. For purposes of this paragraph, an "extreme weather emergency" is over on the second business day the temperature exceeds 28 degrees Fahrenheit.

- C. **Termination for Rate Order Violations.** Any User who violates any provision of this Rate Order, in addition to being subject to all other penalties described in the Order, shall be subject to having water and sewer service terminated; provided, however, that prior to disconnecting service for such violation, the District shall give written notice, by first class United States mail or otherwise, to such User of the pending disconnection and shall give such User the opportunity to contest, explain, or correct the violation of the Order at a meeting of the Board of Directors of the District. The date specified for disconnection shall be forty-eight (48) hours after the date and time of the next scheduled meeting of the Board of Directors as shown in the notice. The notice shall be deposited, postpaid, in a post office or official depository under the care and custody of the United States Postal Service at least ten (10) days prior to the date of the scheduled meeting of the Board of Directors. A written statement by the District's operator that the notice was so mailed and a certificate of mailing by the United States Postal Service shall be prima facie evidence of delivery of same. If the User appears before the Board in person or in writing at the scheduled meeting specified in the notice, the Board shall hear and consider the matter and inform the User of the Board's determination by sending written notice by first class United States mail to the User at the address of the connection. If the Board's determination is that service be terminated, the User shall be further informed of disconnection of service by door hanger at the address of the connection on the day following the Board meeting at which termination was authorized. Such disconnection shall be in addition to penalties that may be imposed by the District under this Order.
- D. **Disconnection.** If service to a User is disconnected for any cause, a disconnection fee of \$50.00 shall be paid to the District before service is again commenced at such location. In addition, before service is reconnected to the User, all charges for water and sewer service that have been billed to the User, including penalties, interest, and current charges, must be paid and, if such User has not previously paid a security deposit as required by this Order, the security deposit shall be collected. If the User's meter must be removed to prevent unauthorized use of water following disconnection under this policy, a fee of \$50.00 shall be paid for reinstallation of said meter. Payment of all amounts under this Section must be in the form of cashier's check or money order.

SECTION 7: RETURNED CHECKS

In the event that a User's check is returned unpaid by User's bank for any cause, a charge of \$25.00 shall be added to such User's bill to cover the District's cost of handling. If such User's account is also more than thirty (30) days delinquent, the account shall be scheduled for termination and notice thereof shall be given as provided in this Order. In such event, payment for the amount due on such account must be in the form of cashier's check or money order.

SECTION 8: DIRECT PAYMENT TRANSACTION FEE

A fee of \$1.00 per transaction will be charged by the District to Users paying water and sewer bills pursuant to the District's direct payment plan.

SECTION 9: ADDITIONAL PAYMENT OPTIONS

Any User may pay the monthly water and sewer bill via the payment options provided through the District and its operator, including, but not limited to, online check and credit card payments, check and credit card payments processed over the telephone, and payment through various area retail locations. Certain payment options are made available through service providers who may charge Users a convenience fee in connection with some payment options. Such convenience fees are the sole responsibility of the User and are separate from any amount owed by the User to the District. Non-payment of any such convenience fee shall subject the User to termination of service in accordance with this Order. If any User payment is refused or returned by the processing financial institution, the District will charge the User a return item fee of \$25.00. Acceptable payment methods for delinquent accounts may be restricted as specified elsewhere in this Order.

SECTION 10: SECURITY DEPOSITS

- A. **Single Family Residential Users.** A deposit of \$100.00 shall be charged to all new Single Family Residential Users who own property in the District. A deposit of \$250.00 shall be charged to all new Single Family Residential Users who rent or lease property in the District. Such sums shall be required prior to service being initiated and shall be held by the District as a deposit to assure prompt payment of all charges for utility service. For each instance service is terminated to a User and the User desires to be reconnected, the User shall be required to pay the disconnection fee, and the security deposit shall be increased an additional \$50.00 for each time service is recommenced. No interest will be allowed on such deposits.
- B. **Multi-Family Residential, Commercial Users, and Non-Taxable Users.** A deposit equal to three times the average monthly utility bill, as determined by the District's operator, shall be required of all other Users in the District. Such sums shall be required prior to service being initiated and shall be held by the District as a

deposit to assure prompt payment of all charges for utility service. For each instance service is terminated pursuant to this Order and the User desires to be reconnected, the User shall be required to pay the disconnection fee, and the security deposit shall be increased an additional \$25.00 for each time service is recommenced. No interest will be allowed.

- C. **Refund of Deposit.** Following payment of the final bill and payment of all fees and charges, the balance of the security deposit, if any, in amounts of \$10.00 or more shall be automatically refunded by check mailed to the User. Following payment of the final bill and payment of all fees and charges, the User may request a refund of the balance of the security deposit, if any, in amounts less than \$10.00 and the balance shall be refunded by check mailed to the User. No interest shall be payable to the User on any security deposit.
- D. **Deposit Transfers.** Security deposits may not be transferred from one User to another; provided, however, that a User who moves from one address to another within the District may have the security deposit from the account at the previous address transferred to the account at the new address.
- E. **Builder Deposits and Inspection Fees.** A \$100.00 deposit shall be required of builders at the time a request for an initial water tap is made for each residence, commercial building, or other structure in the District. Said deposit will be refunded by the District upon a builder's written request; provided, however, that the entire deposit shall be forfeited as a penalty in the event any provision of this Order or the District's Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections, attached to this Rate Order as Appendix "1", as may be amended from time to time, is violated. The deposit described herein may be applied by the District to the cost of repair of any damage caused to District property by the builder or builder's agent, whereupon it will be the builder's responsibility to reinstate the original amount of the deposit prior to the District's operator making any additional water taps for said builder.

SECTION 11: BACKCHARGES TO BUILDERS

- A. **Pre-Facility Inspection.** All builders or contractors for property owners within the District must contact the District's operator, prior to starting any work on property within the District, to do an inspection to verify District facilities. If any District facility is either damaged or cannot be located, the operator will make necessary repairs or locate and make the facilities visible at the expense of the District. A copy of the inspection report will be given to the builder's or contractor's representative. After the inspection and any necessary work is completed, the builder or contractor will then be responsible for paying the costs of all damages, adjustments, relocations and repairs found during the final site survey described below. The cost for each inspection is \$40.00 and must be paid with payment of the tap fee.

- B. **Final Site Survey.** After construction has been completed on the property, but before service is transferred to a User, the District's operator will conduct a final site survey to inspect the water tap, meter and all other District facilities on the property for a fee in the amount of \$40.00, which must be paid with payment of the tap fee. The property owner, builder, or contractor will be held responsible for any damages or adjustments to District facilities and the cost of repairing, adjusting or relocating the facilities (the "Backcharges") before service shall be initiated to a User. If any reinspections of the facilities are required to ensure that the District's facilities are repaired, relocated or adjusted, a fee in the amount of \$40.00 shall be charged for each such reinspection before service will be transferred to a subsequent User. Payment of the Backcharges, and any inspection or reinspection fees, shall be made on or before the due date of the invoice for said charges. The District may withhold the provision of service to the property or to other property owned by any User, property owner, builder or contractor who has failed to timely pay for the Backcharges, inspection, or reinspection fees, including specifically the provision of additional taps.

SECTION 12: PLUMBING REGULATIONS; PROHIBITION AGAINST CROSS-CONNECTIONS AND UNACCEPTABLE PLUMBING PRACTICES; PENALTY FOR VIOLATION

Pursuant to Title 30, Chapter 290, of the Texas Administrative Code, the District adopts the following plumbing regulations, which apply to all users of the District's potable water distribution system.

- A. **Service Agreements.** Prior to receiving service from the District to new construction or to buildings containing new plumbing fixtures, or prior to having service reconnected to any building after termination of water service, a User must execute a Service Agreement in the form attached to this Rate Order as Exhibit "A."
- B. **Plumbing Fixtures.** A User is not permitted to install any plumbing fixture which is not in compliance with a state approved plumbing code and the plumbing code, if any, required by the city in whose jurisdiction the District is located.
- C. **Prohibition Against Water Contamination.** No direct connection between the District's potable water distribution system and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the District's potable water distribution system by the installation of an air-gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. In addition, all pressure relief valves and thermal expansion devices must be in accordance with state plumbing codes and the plumbing code, if any, required by the city in whose jurisdiction the District is located.

- D. **Backflow Prevention Assemblies.** All lawn sprinkler systems, spas and pools must have a reduced pressure zone (“RPZ”) backflow prevention assemblies installed by the User at the User’s sole cost and expense. In addition, the District, in its sole discretion, may require a Non-Single Family Residential User to install an RPZ backflow prevention assembly at any meter(s) servicing such a User’s property. The District, in its sole discretion, also may require any User to install other backflow prevention assemblies at any fixture in order to prevent contamination of the District’s potable water distribution system or if the User’s plumbing system poses a high health hazard. A high health hazard is defined by the TCEQ as a “cross-connection, potential cross-connection, or other situation involving any substance that could cause death, illness, spread of disease, or has a high probability of causing such effects if introduced into the potable drinking water supply.” If the District determines that a User must install a backflow prevention assembly as a protection against a high health hazard, the backflow prevention assembly used must comply with a state approved plumbing code and the plumbing code, if any, required by the city in whose jurisdiction the District is located, and must be tested and certified at least annually by a recognized backflow prevention assembly tester. A list of certified backflow prevention assembly inspectors can be obtained from the local office of the TCEQ.

The User is responsible for ensuring that all backflow prevention assemblies are tested upon installation by a recognized backflow prevention assembly tester. The test must be performed by the District’s operator or its subcontractor. The cost, which is due and payable prior to the test, is \$150.00 for Single Family Residential Users and twice the District’s cost for all other Users. The User is solely responsible for the cost of this test. If the District requires the installation of an RPZ backflow prevention assembly in order to prevent a serious threat to the District’s public water supply, then the District, in its sole discretion, may immediately terminate service to the User. In that event, service will not be restored until the RPZ backflow prevention assembly has been installed and tested and a signed and dated original of a Backflow Prevention Assembly Test and Maintenance Report in the form attached to this Rate Order as Exhibit “B” has been provided to the District’s operator.

If the District determines that an RPZ backflow prevention assembly must be installed pursuant to this Order for reasons other than to eliminate a serious threat to the District’s public water system, the User must install the backflow prevention assembly within five (5) working days after receipt of notice from the District that such installation is required. In addition, the User must provide the District’s operator with a signed and dated original of a Backflow Prevention Assembly Test and Maintenance Report in the form attached to this Order as Exhibit “B” within three (3) working days of the installation of the backflow prevention assembly and within three (3) working days of any subsequent repair, maintenance or testing of such assembly. If the User fails to provide the testing certificate within this time,

the District, in its discretion, may terminate service to the User pursuant to the terms of this Order. The District's operator will retain such reports for a minimum of three (3) years.

- E. **Customer Service Inspections.** A customer service inspection is required prior to the time the District (i) provides continuous water service to new construction, (ii) provides water service to private plumbing facilities that have been added to existing construction or materially improved or corrected, or (iii) continues service to a User when the District has reason to believe that cross-connections or other unacceptable plumbing practices exist. The cost of such customer service inspection will be the sole responsibility of the User. The District's operator shall perform this inspection at a cost of \$85.00 for Single Family Residential Users and twice the District's cost for all other Users. Customer service inspections include an inspection prior to the pouring of a slab, an inspection prior to the installation of sheet rock, and a final plumbing inspection. All fees relating to the customer service inspection shall be paid by the User prior to the inspection, and if the inspection is made in connection with new construction, the fee will be collected with the tap fee.

Prior to initiating service to new construction or buildings containing new plumbing fixtures, the District's operator will prepare a signed and dated Customer Service Inspection Certification in the form attached to this Order as Exhibit "C." The District's operator will retain such inspection certifications for a minimum of ten (10) years. If the User requests a copy of the Certificate, the District's operator will provide the User with the Certificate. In connection with the customer service inspection, the User shall allow its property to be inspected by the District's operator or its subcontractors during normal business hours for possible cross-connections and other unacceptable plumbing practices which violate this Order. The District's operator or its subcontractors may, at the discretion of the District and/or the District's operator, periodically inspect a User's plumbing system during normal business hours for the purpose of identifying possible cross-connections and other unacceptable plumbing practices which violate this Order.

- F. **Prohibition Against Cross-Connections.** No cross-connection between the District's potable water distribution system and a private water system is permitted. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved RPZ backflow prevention assembly must be properly installed and such assembly must be annually inspected and tested by a Recognized Backflow Prevention Assembly Tester and certified to be operating within specifications. Recognized Backflow Prevention Assembly 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. A list of Recognized Backflow Prevention Assembly Testers may be obtained from the local office of the TCEQ.

By accepting service from the District, all Users agree to allow such annual inspection and testing of backflow prevention assemblies to take place during normal business hours. If any User refuses to allow such annual inspection and testing, service to such User will be discontinued until such inspection and testing is completed.

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

G. **Notice of Unacceptable Plumbing Practices.** The District shall notify the User in writing of any cross-connection or other unacceptable plumbing practice which has been identified during the customer service inspection, the final plumbing inspection, any periodic reinspection, or any other inspection. At its sole cost and expense, the User shall immediately correct any unacceptable plumbing practice on its premises and properly install, test and maintain any backflow prevention assembly required by the District within two (2) working days of receipt of notice of the improper cross-connection. The User shall provide copies of all testing and maintenance records on such assemblies to the District within three (3) working days of the testing or maintenance. If the User fails to correct the noted unacceptable plumbing practice, the District may immediately terminate water service or, at the User's sole cost and expense, eliminate the cross-connection or correct the unacceptable plumbing practice.

H. **Plumbing Material Restrictions.**

(1) **Prohibition on Use of Specified Materials.** The use of the following plumbing materials are prohibited in any and all improvements connected to the District's water system after June 13, 1994:

- a. Any pipe or pipe fitting which contains more than a weighted average of 0.25% lead; and
- b. Any solder or flux which contains more than 0.2% lead.
- c. Any concrete sanitary sewer pipe either for a sanitary sewer lead or sanitary sewer collection line.
- d. Any asbestos cement water line pipe.

I. **Penalty for Violation.** The failure of a User to comply with the terms of this Section will be considered a violation of this Order. If such a violation occurs, or if the District determines the existence of a serious threat to the integrity of the

District's water supply, the District, in its sole option, may, in addition to all other legal remedies available to it, including those remedies set out in this Order, immediately terminate service or, at the User's sole cost and expense, install the plumbing fixtures or assemblies necessary to correct the unacceptable plumbing practice. If the District terminates service in order to preserve the integrity of the District's water supply, service will be restored only when the source of the potential contamination no longer exists or until additional safeguards have been taken. Any and all expenses associated with the enforcement of this Section shall be billed to the User.

SECTION 13: REQUIREMENTS FOR SERVICE

- A. **Platting Requirement.** Prior to initial connection to the District's water, sewer, or drainage system, a User shall submit to the District's engineer and/or operator proof that the User's property has been platted in accordance with the subdivision ordinances of the City of Houston. Acceptable proof of platting includes a copy of the recorded plat or a certificate from the City of Houston that the property has been platted or that the property is legally exempt from the platting process.
- B. **Permits.** Any applicant requesting connection to the District's system must have obtained all necessary permits from the County. The District may require proof that a permit has been obtained or that the County has waived the requirement for such permit.
- C. **Approval of Plans.** Before any connection, other than a Single Family Residential User connection, is made to the District's water, sewer, or drainage system, before any reconnection is made, or before the District provides water service to private plumbing facilities that have been either added to existing development or materially improved or corrected, the person requesting such connection shall submit to the District's engineer for review and approval the water, sanitary sewer, and drainage plans and specifications for the property for which the connection is sought. Such plans shall clearly show the estimated volumes of water or effluent and the proposed points of connection to the District's system. A copy of such approved plans, with the engineer's approval indicated thereon, shall be submitted to the District's operator. Any modification of such plans shall require reapproval by the District's engineer. The District reserves the right to require removal of any connection made in violation of this Section. Commencement of construction in advance of the District's plan approval may result in the owner or his representative being required to uncover the newly constructed utilities and/or to televise the newly constructed utilities and/or to remove the newly constructed utilities at the owner's expense. Additionally, the installation of utilities prior to approval of the plans may result in the denial of utility service.

- D. **Easements.** Before service is commenced to any User, the person requesting such service shall grant an easement of ingress and egress to and from the meter for such maintenance and repair as the District, in its judgment, may deem necessary.

SECTION 14: MISCELLANEOUS PROVISIONS

- A. **Future Adjustments.** The District reserves the right to increase rates and fees from time to time when, in the opinion of the Board of Directors, such increases are required to cover the costs of administration, efficient operation, and adequate maintenance of the District's facilities.
- B. **No Free Service.** No free service shall be granted to any User for water or sewer services furnished by the District, whether such User be a charitable or eleemosynary institution, a political subdivision, or a municipal corporation, and all charges for water and sewer service shall be made as required herein.
- C. **Swimming Pool Inspections and Fee.** Every User who plans to construct or install a swimming pool within the District shall notify the District's operator in writing prior to commencing construction of the pool. Upon notification by the User of the intention to construct or install a swimming pool, the User shall pay an inspection fee of \$85.00. After the notification is received, the District's operator shall ensure that all drains from the swimming pool are connected to the District's sanitary sewer system. After the drains have been installed, the User shall notify the District's operator, who shall make an inspection of all swimming pool drains to verify that the proper connection is made, before service is authorized for said swimming pool.
- D. **Penalties for Violation.** Any User who:
- (1) violates any Section of this Order; or
 - (2) makes unauthorized use of District services or facilities, including the unauthorized taking of water; or
 - (3) causes damage to District facilities by using such facilities in a manner or for a purpose contrary to the purpose for which such facilities were designed; or
 - (4) uses or permits the use of any septic tank or holding tank within the District; or
 - (5) violates the District's Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections; or
 - (6) violates the District's Order Adopting Amended and Restated Drought Contingency Plan; Providing for Implementation and Enforcement Thereof;

Providing Penalties for Violations; and Containing Other Provisions Related to the Subject; or

- (7) violates the District's Order Regulating the Introduction of Wastewater into the Sanitary Sewer System of the District; or
- (8) constructs facilities or buildings which are not included in the approved plans for development described in this Order

shall be subject to a penalty of up to \$10,000.00 for each breach of the foregoing provisions. Each day that a breach of any provision hereof continues shall be considered a separate breach. This penalty shall be in addition to the other penalties provided by the laws of the State and to any other legal rights and remedies of the District as may be allowed by law.

- E. **Maintenance and Repair.** It shall be the responsibility of each User to maintain the water and sewer lines from the building served to the point of connection to the District's system.
- F. **Required Service.** No service shall be given from the District's water and sewer system unless the User agrees to take both water and sewer service.
- G. **Prohibition of Septic Tanks and Holding Tanks.** No septic tanks or holding tanks shall be permitted or used within the District.
- H. **In-District Service.** Prior to the review of a request for utility service to areas inside the District or prior to review of the connection of private plumbing facilities that have been either added to existing construction or materially improved or corrected, the person or entity requesting such service may be required to pay a deposit in the amount of \$5,000.00 to cover the expenses incurred by the District for the preliminary evaluation, including plan review as described in this Order, by the District's consultants. No review work will begin until the deposit is paid to the District. The District reserves the right to request additional funds if the initial deposit is not sufficient to cover the consultant costs. Upon completion of the review of any such requests by the District's consultants, any remaining portion of the fee will be refunded to the person or entity requesting service.
- I. **Out-of-District Service.** The Board of Directors shall determine whether to provide any utility service to areas outside of the District and the terms and conditions for such service. Prior to review of a request for utility service to areas outside the District, the person or entity requesting such service must pay a deposit of at least \$10,000.00 to cover the expenses incurred by the District for the preliminary evaluation by the District's consultants. No review work will begin until the deposit is paid to the District. The District reserves the right to determine

the amount of the deposit, in its sole discretion, and to request additional funds if the initial deposit is not sufficient to cover the consultant costs. Upon completion of the review of any such requests by the District's consultants, any remaining portion of the fee will be refunded to the person or entity requesting service.

SECTION 15: SUPERSEDING ORDER

This amended Rate Order supersedes all previous Rate Orders adopted by the Board of Directors of the District.

PASSED AND APPROVED the 12th day of June, 2023, but effective as of June 1, 2023.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

(SEAL)



LIST OF APPENDICES AND EXHIBITS

APPENDIX "1"	Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections
Exhibit A	Service Agreement
Exhibit B	Backflow Prevention Assembly Test and Maintenance
Exhibit C	Customer Service Inspection Certification
Exhibit D	Application for Water and Sanitary Sewer Service

APPENDIX "1"

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

SECTION 1: 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 Emerald Forest Utility 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.

SECTION 2: GENERAL

SECTION 2.01 Definitions.

1. Customer is any person, partnership, corporation, non-profit corporation, trust or other legal entity responsible for paying for water and/or sewer services provided through the District's System to any Connection owned or occupied by such person, partnership, corporation, non-profit corporation, trust or legal entity.
2. District is Emerald Forest Utility District of Harris County, Texas, a political subdivision of the State of Texas.
3. Engineer is the person, company or corporation which is under contract with the District to design the District's Water Supply System and Sanitary Sewer Collection System and performs any additional services as set forth in the contract with the District.
4. High Health Hazard is a cross-connection, potential cross-connection, or any other situation involving any substance that can cause death, illness, spread of disease, or that has a high possibility of causing such effects if introduced into the District's Water Supply System and the health hazards reflected on Tables 4-1 and 4-2 of the American Water Works Association ("AWWA") Manual M14.
5. Operator is the person, company or corporation which is under contract with the District to operate the District's Water Supply System and Sanitary Sewer Collection System, collect amounts owed to the District for such services, report monthly to the District on the operations of the District's Water Supply System and Sanitary Sewer Collection System and perform any additional services as set forth in the contract with the District.
6. Rate Order shall mean the District's Order Adopting Amended Consolidated Rate Order and Rules and Regulations; Establishing Policy Regulating Water

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

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

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

SECTION 2.02 Adoption of Plumbing Code. The District hereby adopts as the District's Plumbing Code Chapter 6 of the Uniform Plumbing Code entitled "Water Supply and Distribution" and the six (6) plumbing restrictions set forth in Section 3.04D hereof.

SECTION 2.03 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), has been presented to the District's Operator.

SECTION 2.04 Approval of Plans and Specifications. Prior to any non-residential connection to the District's Water Supply System or the Sanitary Sewer Collection System, the plans and specifications for the Sanitary Sewer Service Line and the Water Service Line must be submitted the District's Engineer for review and approval. Upon the Engineer's review and approval, the plans and specifications shall then be submitted to the District's Operator for review and approval. The cost of the review and approval of the plans and specification by the District's Engineer and Operator shall be paid by the Customer.

SECTION 3: 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, corporation stops, and related fittings manufactured by Ford, Hays or Mueller;
3. Polyethylene water service pipe, 3/4" to 2";
4. Ductile iron or polyvinylchloride (PVC) (C900) 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 is prohibited for the installation and repair of the District's Water Supply System and for the installation and repair of any private plumbing facilities after June 13, 1994:

1. any pipe or pipe fitting which contains more than a weighted average of 0.25% lead; and
2. any solder or flux which contains more than 0.2% lead.
3. any concrete sanitary sewer pipe either for a sanitary sewer lead or sanitary sewer collection line.
4. any asbestos cement water line pipe.

This prohibition may be waived by the District's Operator for lead joints that are necessary for repairs to cast iron pipe.

SECTION 3.03 Installation.

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

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

SECTION 3.04 Customer Service Inspection Certifications.

- A. A Customer Service Inspection Certification, as described in Exhibit "C" 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. Prior to the District initiating continuous service, a Customer shall provide a Customer Service Inspection Certification to the District. The Customer Service Inspection Certification may only be performed by those individuals described in Subsection B of this Section 3.04. For Customer Service Inspection Certifications of a Commercial connection 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. Copies of properly completed Customer Service Inspection Certifications shall be kept on file by the District's Operator and made available, upon request, for TCEQ review. Inspection certifications shall be retained for a minimum of ten (10) years. Failure to provide a Customer Service Inspection Certification in accordance with this Section 3.04 shall constitute a violation of these Rules and Regulations and such violation shall be subject to the enforcement provisions set forth in Section 10 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 Section 3 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 a weighted average of 0.25% lead exists in private plumbing facilities installed on or after June 13, 1994.
 5. No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after June 13, 1994.
 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 assemblies shall be required at the meter in the form of a backflow prevention assembly (in accordance with AWWA Standards C510 and C511 and AWWA Manual M14) on those establishments handling substances deleterious or hazardous to the public health.
- B. No water connection from the District's Water Supply System shall be made to any condensing, cooling, or industrial process or any other system of non-potable usage over which the District does not have sanitary control, unless the said connection is made in accordance with the requirements of paragraph (A) of this section. Water from such systems cannot be returned to the District's Water Supply System.
- C. Overhead bulk water dispensing stations must be provided with an air gap between the filling outlet hose and the receiving tank to protect against back siphonage and cross-contamination.

SECTION 3.06 Backflow Prevention Assemblies.

- A. Backflow prevention assemblies shall be installed on any connection which poses a High Health Hazard and any other connection which the District or the District's Operator reasonably believes poses a threat to the District's Water Supply System. Water service provided for lawn sprinklers, swimming pool supply, reflection pool supply or other such applications must incorporate a backflow prevention assembly in accordance with a State Approved Plumbing Code for the particular designated use. No permanent water service will be provided 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 "B" 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. Effective January 1, 1996, all backflow prevention assemblies shall be tested upon installation by a Recognized Backflow Prevention Assembly Tester and certified to be operating within specifications. The Test Report, as described in Exhibit "B" attached hereto, shall be retained for a minimum of three (3) years. The District shall provide these records to the TCEQ for inspection upon request. Backflow prevention assemblies which are installed to provide protection against High Health Hazards must also be tested and certified to be operating within specifications at least annually by a Recognized Backflow Prevention Assembly Tester.

- C. Recognized Backflow Prevention Assembly 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 AWWA Manual M14. Test gauge serial numbers must be included on the Test Report and Recognized Backflow Prevention Assembly 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 assembly 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 Agreements.

- 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 "A" 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 are 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 re-inspection.
- D. The Customer shall correct any undesirable plumbing practice on his/her premises within ten (10) working days of receiving notification from the District.
- E. The Customer shall, at his expense, properly install, test, and maintain any backflow prevention assembly 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.

SECTION 4: 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 Customer's property 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 wyees or stacks directly from the residence or structure without meanders or bends.

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

1. Vitrified clay pipe conforming to ASTM Specification C700 with joint coupling conforming to ASTM Specifications C425 or C594 and installed according to ASTM C12.
2. Cast iron soil pipe, standard weight, conforming to ASTM Specification A74 with rubber gasket joint coupling conforming to ASTM Specification C564.
3. Poly vinyl chloride PSM (PVC) pipe conforming to ASTM Specification D3034 or ASTM specification F789 (with UL listing) and installed according to ASTM D2321.
4. Ductile Iron Pipe conforming to ANSI A21.51 with rubber gasket joints ANSI A21.11 and installed according to manufacturer's recommendations.
5. Acrylonitrile butadiene styrene (ABS) pipe material conforming to ASTM Specification D2751.

SECTION 4.03 Size and Grade of Sanitary Sewer Service Lines.

A. Minimum Sizes for Sanitary Sewer Service Lines shall be as follows:

1. Residential - - - 4 inches in diameter; and
2. Commercial - - - 6 inches in diameter.

B. The minimum grades for Sanitary Sewer Service Lines shall be as follows:

1. 4 inch pipe 14 inch drop per hundred feet (1.2%);
2. 6 inch pipe 8 inch drop per hundred feet (0.7%); and
3. 8 inch pipe 5 inch drop per hundred feet (0.4%).

C. The maximum grades for Sewer Service Lines shall be as follows:

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

SECTION 4.04 Connection of Building Sewer Outlet.

- A. On all building waste outlets, the building tie-on connections shall be made directly to the stub-out from the building plumbing at the foundation.
- B. Water-tight adapters of a type compatible with the materials being joined shall be used at the point of connection of a Sanitary Sewer Service Line to the building plumbing. No cement grout materials shall be permitted.
- C. Unless an exception is permitted by the District's Operator, existing wye and stack connections must be utilized for connection of a Sanitary Sewer Service Line to the District's Sanitary Sewer Collection System.
- D. Commercial Users and Non-Taxable 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 District's Engineer and Operator.

SECTION 4.05 Fittings and Cleanouts.

- A. No bends or turns at any point will be greater than forty five degrees (45°).
- B. Each horizontal Sanitary Sewer Service Line will be provided with a cleanout at its upper terminal; and each such run of piping which is more than ninety (90) feet in length will be provided with a cleanout for each ninety (90) feet or fraction thereof in the length of such piping.
- C. Each cleanout will be installed so that it opens in a direction opposite to the flow of the waste and, except in the case of wye branch and end of the-line cleanouts, cleanouts will be installed vertically above the flow line of the pipe.
- D. Cleanouts will be made with airtight 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 or some other method approved by District's Engineer and complying with the rules of the TCEQ must be installed by the Customer and shall be inspected by the District's 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 "A") must be filed with the District's Operator prior to construction of any Sanitary Sewer Service Line, and the Tap Fee and/or Sewer Tap Inspection fee as established

in the District's most current Rate Order should accompany the application. (Application forms are available from the District's Operator.) Construction of any Sanitary Sewer Service Line must not begin until the design of the Sanitary Sewer Service Line is approved by the District's Engineer and construction is authorized by the District's Operator.

- 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. The area around the tap shall be embedded and backfilled with cement stabilizing sand.
- 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. 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.
- J. Connection permits which are rejected for any deficiency shall be promptly corrected and a re-inspection requested. A re-inspection fee as set forth in the District's Rate Order shall be paid at the time the re-inspection is requested.

SECTION 5: FEES AND CHARGES

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

SECTION 6: EXCLUDED FLOW AND WASTE

- A. No waste material which is not biologically degradable will be permitted to discharge into the District's Sanitary Sewer Collection System, including mud and debris accumulated during service line installation. The Customer should refer to the District's Rate Order and Wastewater Control Order for specific

information concerning acceptable discharges into the District's Sanitary Sewer Collection System. The Customer is to be fully responsible for cleaning and jetting lines of any dirt or debris permitted to enter during service construction.

- B. No surface runoff water will be permitted to be discharged into the District's Sanitary Sewer Collection System, including but not limited to, downspouts and yard or area drains.

SECTION 7: PRIVATE WELLS/TANKS

The construction of water wells and/or the installation of septic tanks or other sewage treatment facilities 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 water well and/or septic tank and the intended use of the water.

SECTION 8: 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 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.

SECTION 9: PROTECTION OF DISTRICT'S WATER SUPPLY SYSTEM AND SANITARY SEWER COLLECTION SYSTEM

- A. Damage to the District's Water Supply System or the Sanitary Sewer Collection System by the District's Customers, including developers and builders' plumbers, will be repaired by the District at the Customer's expense.
- B. After a water meter has been set or a fire hydrant installed, the Customer shall at all times keep the area in, around and upon such facilities and District easements and property under Customer's control free from rubbish or obstructions of any kind, including shrubbery. Failure to keep such facilities and District easements and property under Customer's control free from rubbish or obstructions of other kind, including shrubbery, shall result in disconnection of water service and/or the assessment of charges necessary to remove said obstructions. Customers are prohibited from introducing material into the

District's Sanitary Sewer Collection System which could cause obstruction of said system. In the event that an inspection by the District's Engineer or Operator reveals foreseeable damage to the District's Sanitary Sewer Collection System resulting from a Customer's failure to prevent obstructions from entering said system, the District reserves the right to remove the obstruction immediately and without notice. Any costs incurred by the District for removal of an obstruction to the District's system, plus a District administration fee of 20% of said costs, shall be assessed to the Customer.

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

SECTION 10: ENFORCEMENT OF RULES AND REGULATIONS

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

1. Discontinuance of water service.
2. Disconnection and sealing of sanitary sewer connection.
3. The Board hereby imposes the following civil penalties for breach of any rule or regulation of the District: The violator shall pay the District twice the costs the District has sustained due to the violation up to and not exceeding \$10,000 as set forth in the Texas Government Code Section 27.031, as amended. A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action,

recover any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorneys' fees shall be fixed by the court.

4. A Customer found in violation of these Rules and Regulations shall be liable to the District for all expenses borne by the District including laboratory fees, legal fees, engineering fees and other costs incurred by the District in establishing the violation and resolving the cause of the violation.
5. A Customer found in violation of these Rules and Regulations who causes or contributes to a violation by the District's Sanitary Sewer Collection System of effluent parameters shall be liable to the District for all expenses borne by the District, including legal and engineering fees related to any lawsuit filed by federal, state, or local authorities regarding violations by the District of effluent parameters applicable to the District's Sanitary Sewer Collection System.

SECTION 11: EFFECTIVE DATE

These Rules and Regulations shall become effective immediately.

EXHIBIT "A"
SERVICE AGREEMENT

- I. **PURPOSE.** Emerald Forest Utility District (the "District") is responsible for protecting the drinking water supply from contamination or pollution which could result from improper plumbing practices. The purpose of this service agreement is to notify each customer of the plumbing restrictions which are in place to provide this protection. The District enforces these restrictions to ensure public health and welfare. Each customer must sign this 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 agreement.
- II. **PLUMBING RESTRICTIONS.** The following unacceptable plumbing practices are prohibited by State regulations.
- A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention assembly.
 - B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention assembly.
 - C. No connection which allows water to be returned to the public drinking water supply is permitted.
 - D. No pipe or pipe fitting which contains more than a weighted average of 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 0.2 percent lead can be used for the installation or repair of plumbing at any connection which provides water for human use.
- III. **SERVICE AGREEMENT.** The following are the terms of the service agreement between Emerald Forest Utility District (the "District") and _____ (the "Customer").
- A. The District will maintain a copy of this agreement as long as Customer and/or the premises is connected to the District's water system.
 - B. 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. The inspections shall be conducted during the District's normal business hours.

- C. The District shall notify Customer in writing of any cross-connection or other unacceptable plumbing practice which has been identified during the initial inspection or the periodic reinspection.
- D. Customer shall immediately correct any unacceptable plumbing practice on his/her premises.
- E. Customer shall, at his/her expense, properly install, test, and maintain any backflow prevention assembly required by the District. Copies of all testing and maintenance records shall be provided to the District.
- F. Customer understands and agrees that the District does not guarantee any specific quantity or pressure of water for any purpose whatsoever and that the District is not liable to customer for failure or refusal to furnish any particular amount or pressure of water to Customer at any time.

IV. **ENFORCEMENT.** If Customer fails to comply with the terms of the Service Agreement, the District shall, at its option, either terminate service or properly install, test, and maintain an appropriate backflow prevention assembly at the service connection. Any expenses associated with the enforcement of this Service Agreement shall be billed to Customer.

CUSTOMER'S SIGNATURE: _____

DATE: _____

ADDRESS: _____

EXHIBIT "B"

Texas Commission on Environmental Quality BACKFLOW PREVENTION ASSEMBLY TEST AND MAINTENANCE REPORT

The following form must be completed for each assembly tested. A signed and dated original must be submitted to the public water supplier for recordkeeping *purposes:

NAME OF PWS:	
PWS ID#:	
PWS MAILING ADDRESS:	
PWS CONTACT PERSON:	
ADDRESS OF SERVICE:	

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

TYPE OF BACKFLOW PREVENTION ASSEMBLY (BPA):			
<input type="checkbox"/>	Reduced Pressure Principle (RPBA)	<input type="checkbox"/>	Reduced Pressure Principle-Detector (RPBA-D) Type II <input type="checkbox"/>
<input type="checkbox"/>	Double Check Valve (DCVA)	<input type="checkbox"/>	Double Check-Detector (DCVA-D) Type II <input type="checkbox"/>
<input type="checkbox"/>	Pressure Vacuum Breaker (PVB)	<input type="checkbox"/>	Spill-Resistant Pressure Vacuum Breaker (SVB)

Manufacturer:	Main:	Bypass:	Size:	Main:	Bypass:
Model Number:	Main:	Bypass:	BPA Location:		
Serial Number:	Main:	Bypass:	BPA Serves:		

Reason for test:	New <input type="checkbox"/>	Existing <input type="checkbox"/>	Replacement <input type="checkbox"/>	Old Model/Serial #
Is the assembly installed in accordance with manufacturer recommendations and/or local codes?				<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the assembly installed on a non-potable water supply (auxiliary)?				<input type="checkbox"/> Yes <input type="checkbox"/> No

TEST RESULT	Reduced Pressure Principle Assembly (RPBA)			Type II Assembly	PVB & SVB	
	DCVA		Relief Valve	Bypass Check	Air Inlet	Check Valve
	1 st Check	2 nd Check***				
PASS <input type="checkbox"/> FAIL <input type="checkbox"/>						
<u>Initial Test</u> Date: Time:	Held at psid Closed Tight <input type="checkbox"/> Leaked <input type="checkbox"/>	Held at psid Closed Tight <input type="checkbox"/> Leaked <input type="checkbox"/>	Opened at psid Did not open <input type="checkbox"/>	Held at psid Closed Tight <input type="checkbox"/> Leaked <input type="checkbox"/>	Opened at psid Did not open <input type="checkbox"/> Did it fully open (Yes <input type="checkbox"/> /No <input type="checkbox"/>)	Held at psid Leaked <input type="checkbox"/>
Repairs and Materials Used**	Main: Bypass:					
<u>Test After Repair</u> Date: Time:	Held at psid Closed Tight <input type="checkbox"/>	Held at psid Closed Tight <input type="checkbox"/>	Opened at psid	Held at psid Closed Tight <input type="checkbox"/>	Opened at psid	Held at psid

*** 2nd check: numeric reading required for DCVA only

Differential pressure gauge used:	Potable: <input type="checkbox"/>	Non-Potable: <input type="checkbox"/>
Make/Model:	SN:	Date tested for accuracy:

Remarks:	

Company Name:	Licensed Tester Name (Print/Type):	
Company Address:	Licensed Tester Name (Signature):	
Company Phone #:	BPAT License #	
	License Expiration Date:	

The above is certified to be true at the time of testing.

* TEST RECORDS MUST BE KEPT FOR AT LEAST THREE YEARS [30 TAC §290.46(B)]
 ** USE ONLY MANUFACTURER'S REPLACEMENT PARTS

EXHIBIT "C"

Texas Commission on Environmental Quality Customer Service Inspection Certificate

Name of PWS:	
PWS ID #:	
Location of Service:	

Reason for Inspection:	
New construction	<input type="checkbox"/>
Existing service where contaminant hazards are suspected	<input type="checkbox"/>
Material improvement, correction or expansion of distribution facilities	<input type="checkbox"/>

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

Compliance	Non-Compliance	
<input type="checkbox"/>	<input type="checkbox"/>	(1) No direct or indirect connection between the public drinking water supply and a potential source of contamination exists. Potential sources of contamination are isolated from the public water system by an air gap or an appropriate backflow prevention assembly in accordance with Commission regulations.
<input type="checkbox"/>	<input type="checkbox"/>	(2) No cross-connection between the public drinking water supply and a private water system exists. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure principle backflow prevention assembly is properly installed.
<input type="checkbox"/>	<input type="checkbox"/>	(3) No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the public water supply.
<input type="checkbox"/>	<input type="checkbox"/>	(4) No pipe or pipe fitting which contains more than 8.0% lead exists in private water distribution facilities installed on or after July 1, 1988 and prior to January 4, 2014.
<input type="checkbox"/>	<input type="checkbox"/>	(5) Plumbing installed on or after January 4, 2014 bears the expected labeling indicating $\leq 0.25\%$ lead content. If not properly labeled, please provide written comment.
<input type="checkbox"/>	<input type="checkbox"/>	(6) No solder or flux which contains more than 0.2% lead exists in private water distribution facilities installed on or after July 1, 1988.

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

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

Remarks:	

I recognize that this document shall be retained by the aforementioned Public Water System for a minimum of ten years and that I am legally responsible for the validity of the information I have provided.

Signature of Inspector:	License Type:
Inspector Name(Print/Type):	License Number:
Title of Inspector:	Date / Time of Insp.: _____ / _____

A Customer Service Inspection Certificate should be on file for each connection in a public water system to document compliance with 30 TAC § 290.44(h)/290.46(j).

EXHIBIT "D"
APPLICATION FOR WATER AND SEWER SERVICE

DISTRICT Emerald Forest Utility District SUBDIVISION (If Applicable) _____

APPLICANT'S NAME _____ PHONE _____

BILLING ADDRESS OF APPLICANT _____

STREET ADDRESS OF SERVICE _____

LEGAL DESCRIPTION OF SERVICE ADDRESS _____

IS PROPERTY PLATTED IN ACCORDANCE WITH LOCAL REQUIREMENTS? _____

SEWER INSTALLATION TO BE PERFORMED BY _____
Plumber/Subcontractor

PLUMBER/SUBCONTRACTOR PHONE _____

BUILDING METER		
	DESCRIPTION	Amount
	WATER METER	\$ TBD
For pre-facility, facility, sanitary sewer, customer service and backflow inspections)	INSPECTION FEES	TBD
	SECURITY DEPOSIT	TBD
	ENGINEERING FEES (If Applicable)	TBD
	TOTAL TAP FEE AMOUNT	\$ TBD
	Refundable Builder's Deposit (Please issue separate check for processing)	\$100.00

DATE _____

REQUESTED BY _____
Print

Please check items attached:

- Tap Fee Payment (Make check payable to Emerald Forest UD)
- Builder Deposit in amount of \$100.00 (Make check payable to Emerald Forest UD)
- Completed Application for Water and Sewer Service
- Completed Emerald Forest UD Service Agreement - Exhibit "A"

CERTIFICATE FOR ORDER

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, the undersigned officer of the Board of Directors of Emerald Forest Utility District, do hereby certify as follows:

1. The Board of Directors of Emerald Forest Utility District convened in a regular meeting on the 12th day of June, 2023, outside the boundaries of the District, and the roll was called of the members of the Board:

Bobby G. Dillard	President
Robert M. Kimball	Vice President
William B. Schmidt	Secretary/Investment Officer
Donald F. Brooks	Asst. Vice President
DeWayne High	Assistant Secretary

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

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

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

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

SIGNED AND SEALED the 12th day of June, 2023.




Secretary, Board of Directors