

Harris County WCID No. 92
Proposed Rate Order Amendments
May 2, 2023

Section of Rate Order	Purpose	Current WDM rates	Current District rates (rate order)	Proposed WDM rates	Proposed District rates (rate order)
2.01	Initial Application for Water and Sanitary Sewer Connections. (nonrefundable) (includes Red Flag Rule)	\$25	\$0	\$30	\$30
2.05	Water Taps				
	Residential-short	\$600	\$900	\$800	\$1,200
	Residential-long	\$600	\$900	\$800	\$1,200
2.06	Sewer Inspection	\$40	\$50	\$50	\$60
3.08	Inspections				
	Pre-Con Inspection	\$40	not specified	\$45	\$55
	Post Con Inspection	\$60	not specified	\$75	\$100
	Custom Service Inspection	\$60	not specified	\$75	\$100
4.01 b.	Article IV Service Policy Security Deposits				
	Owner	N/A	\$100	N/A	\$125
	Renter	N/A	\$125	N/A	\$150
4.02 b.	Delinquent Letter Fee	\$5	\$0	\$10	\$10
4.02 c.	Disconnect	\$25	\$50	\$25	\$50
	Reconnect	\$0	\$0	\$25	\$0
	Delinquent Door Hanger Fee	\$5	\$0	\$10	\$10
4.02 e.	NSF Fee	\$20	\$25	\$25	\$25
4.05	Grease Trap Inspection	\$30	\$30	\$50	\$50
4.06 a.	Tamper / Pull meter Fee	\$50	\$100	\$50	\$100
	Reinstall meter fee	\$0	\$0	\$50	\$100
	Swimming Pool Inpsection	\$60	\$60	\$100	\$100
Appendix "A"					
3.06	Back Flow Assemblies	\$125	\$125	\$150	\$150

Add to Rate Order

Update Rate Order

**CERTIFICATE FOR ORDER AMENDING WATER AND SEWER RATES AND
RECREATIONAL FEES OF HARRIS COUNTY WATER CONTROL AND IMPROVEMENT
DISTRICT NO. 92**

THE STATE OF TEXAS

COUNTY OF HARRIS

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 92

CONFIDENTIAL

We, the undersigned President and Secretary of the Board of Directors (the "Board") of Harris County Water Control and Improvement District No. 92 (the "District"), hereby certify as follows:

1. The Board convened in special session, open to the public, on the 8th day of December, 2014, at the special meeting place thereof, and the roll was called of the members of the Board, to-wit:

Joe Wright	-	President
Donald H. Roberts, Jr.	-	Vice President/Treasurer
Tom Ellison	-	Secretary
Charles R. Hart	-	Assistant Secretary
Randal G. Weber	-	Director

All members of the Board were present except the following: ONE MEMBER, thus constituting a quorum. Whereupon, among other business, the following was transacted at such meeting:

ORDER AMENDING WATER AND SEWER RATES AND RECREATIONAL FEES

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

AYES: 5

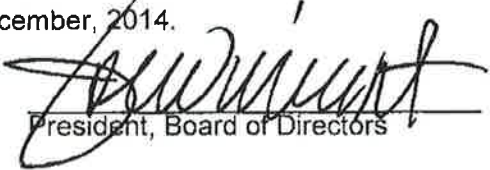
NOES: 0

2. A true, full, and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in said Board's minutes of such meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance of the time, place, and purpose of such meeting and that such Order would be introduced and considered for adoption at such meeting and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; such meeting was open to the public, as required by law, and public notice of the time, place and purpose of such meeting was given as required by V.T.C.A. Government Code, Chapter 551, as amended.

SIGNED AND SEALED this 8th day of December, 2014.

(SEAL)


Secretary, Board of Directors


President, Board of Directors

**ORDER AMENDING WATER AND SEWER RATES AND RECREATIONAL FEES OF
HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 92**

THE STATE OF TEXAS

COUNTY OF HARRIS

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 92

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WHEREAS, the Board of Directors of Harris County Water Control and Improvement District No. 92 previously adopted an Order Amending Water and Sewer Tap Fees, Service Rates and Establishing Certain Policies of Harris County Water Control and Improvement District No. 92 at its meeting of December 8, 2014; and

WHEREAS, the Board of Directors deems it advisable to amend said Order in certain respects.

IT IS, THEREFORE, ORDERED BY THE BOARD OF DIRECTORS OF HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 92 THAT:

ARTICLE I

DEFINITIONS.

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

a. "Commercial" - any structure within the District designed for business purposes including office buildings, hotels, retail stores, apartment complexes, warehouses, service stations, churches, schools, recreational centers and all other establishments not generally considered as single family residential structures or defined herein as a residential structure.

b. "Domestic Waste" - liquid carried sanitary sewage discharge which is normally discharged from residential food preparation and bathroom facilities.

c. "Non-Profit" - any structure located within the District and operated by a

non-profit corporation.

d. "Operator" - the person, company or corporation which is under contract with the District to operate the District's water and sewer system, collects amounts owed to the District for such services, reports monthly to the District on the operations of the District's System and performs any additional services set out in its contract with the District.

e. "Residential" - any structure within the District designed for occupation as a residence whether by the owner or by a renter or lessee, including, any single family residence, townhouse, or other structure generally considered to be for single family residential purposes.

f. "Separate Connection" - each residential unit designed for occupancy by a separate family, including each separate unit located within a single multi-unit building, and each commercial unit designed for use by a separate business, including separate establishments within a single building, regardless of whether or not each residential or commercial unit is separately metered. When used herein, the single word "connection" shall mean "Separate Connection" as hereinabove defined, unless the context requires otherwise. When used herein, the term "Customer" shall mean the account holder(s) having responsibility for payment of fees, penalties, assessments, charges and rates for services rendered at any connection. The definition of "customer" set forth at Section 4.01(a) for purposes of Article IV shall be construed to be consistent with the foregoing.

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

ARTICLE II

TAP FEES AND CONNECTION POLICY

Section 2.01. Application for Water and Sanitary Sewer Connections. Each person

desiring initial water and sanitary sewer service connections to the District's System shall (i) sign and complete an application for such service; (ii) pay such fees as are established by this Order; and (iii) acknowledge that water and sewer service shall be provided pursuant to the provisions of this Order and the Rules and Regulations attached hereto as Appendix "A". No service shall be rendered until the applicable fees are paid.

Section 2.02. Policies Governing Initial Connections.

- (a) Certification. Connections shall not be made to the District's System or portions of the System until the District's engineer has certified that the System or applicable portion thereof is operable.
- (b) Availability of Access. Upon application for initial connection, the applicant shall grant an easement 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 necessary. 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 and debris or the work area is not completed or to finished grade. When sidewalks, driveways or other improvements have been constructed prior to application for service, such application shall be construed and accepted as a waiver of a claim from damages to such improvements resulting from the reasonable actions of the District's Operator in installation of the customer's connection.

Section 2.03. Connections by District Operator. All connections to the District's water system shall be made by the District's Operator unless otherwise specified by the Board of Directors of the District. All connections to the District's sewer system shall be made in accordance with the District's "Amended and Restated Rules and Regulations Governing Waterworks and Sanitary Sewer Facilities, Service Lines and Connections". A copy of said

Amended and Restated Rules and Regulations is attached hereto as Appendix AA.@ No person other than the properly authorized agents of the District shall be permitted to tap or make any connection with the mains or distribution piping of the District's water system, except for emergency fire-fighting purposes, or make any repairs or additions to or alterations in any meter, box, tap, pipe, cock or other fixture connected with the water service or any manhole, main, trunk or appurtenance of the District's sanitary sewer system except by the written permission of the Board of Directors of the District.

Section 2.04. Inspections. Sewer connections and house service lines shall be inspected for strict compliance with the District's "Amended and Restated Rules and Regulations Governing Waterworks and Sanitary Sewer Facilities, Service Lines and Connections". Installations which fail to conform to said rules will be disconnected. Any customer whose connection is disconnected for such failure shall be notified in writing as to the basis for such disconnection. After noted deficiencies have been corrected, a reinspection shall be made upon payment to the District of a reinspection fee of \$50.00. If subsequent reinspections are required before the sewer connection and service lines are found in compliance with the District's rules, a reinspection fee of \$50.00 shall be charged for each such reinspection.

Section 2.05. Water Taps. The following charges for the tap of water lines shall be in effect within the District from and after the effective date hereof until amended by the Board of Directors of said District:

a. Residential taps (maximum of 1 inch tap with 3/4" meter): \$900.00 per connection but in no event shall the cost exceed three (3) times the District's actual and reasonable costs.

b. Non-Profit Connection: The cost to the District including cost of all facilities that are necessary to provide District services to such entity and that are

financed or to be financed in whole or in part by tax supported bonds of the District.

c. All other water taps: Three (3) times the District's actual and reasonable costs.

Section 2.06. Sewer Taps. The charge for all sewer line taps within the District shall be \$50.00, which is included in the residential water tap charge as stated in Section 2.05.a. The fee for each subsequent reinspection of the sewer tap, if necessary, shall be \$50.00.

Section 2.07. Title. Title to all water meters, water and sewer taps, and all other appurtenances, including meter boxes, shall vest in the District.

ARTICLE III

SERVICE RATES

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

<u>TYPE OF CONNECTION</u>	<u>GALLONS USED</u>	<u>RATE</u>
Residential	0 - 6,000 gallons	\$ 11.00 (Minimum bill)
	6,001 - 25,000 gallons	\$ 0.75 per 1,000 gallons
	25,001 - and above	\$ 1.25 per 1000 gallons
Commercial	0 - 5,000 gallons	\$16.50 (Minimum bill)
	5,001 - 50,000 gallons	\$ 1.00 per 1000 gallons
	50,001 - and above	\$ 1.50 per 1000 gallons
Non-Profit	0 - 5,000	\$ 7.00 (Minimum bill)
	5,001 - and above	\$ 0.50 per 1000 gallons

In the case of a multi-unit Commercial structure or Commercial structure where each Separate Connection is not individually metered, the customer shall be billed the total of (1) the minimum charge for each Commercial Separate Connection as specified above, plus (2) \$1.00 per 1,000 gallons for each 1,000 gallons used by the occupants of such structure in excess of the product obtained by multiplying the number of Separate Connections in such structure by

5,000 gallons, plus (3) \$1.50 per 1000 gallons for each 1000 gallons used by the occupants of such structure in excess of the product obtained by multiplying the number of Separate Connections in such structure by 10,000 gallons.

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

<u>TYPE OF CONNECTION</u>	<u>GALLONS OF WATER USED</u>	<u>RATE</u>
Residential	0 - 50,000	\$11.00 (Minimum bill)
	50,001 and above	\$ 0.75 per 1000 gallons
Commercial	0 - 50,000 Gallons	\$16.50 (Minimum bill)
	50,001 and above	\$ 1.00 per 1000 gallons
Non-Profit (provided the non-profit entity has a sewer tap)	0 - 50,000	\$ 7.00
	50,001 and above	\$ 0.25 per 1000 gallons

In the case of a multi-unit Commercial structure or Commercial structure where each Separate Connection is not individually metered, the customer shall be billed the total of (1) the minimum charge for each Commercial Separate Connection as specified above, plus (2) \$1.00 per 1,000 gallons for each 1,000 gallons used by the occupants of such structure in excess of the project obtained by multiplying the number of Separate Connections in such structure by 10,000 gallons.

Section 3.03. Regulatory Assessment. Pursuant to Section 5.235, Texas Water Code, as amended, and 30 Texas Administrative Code Section 291.76, as amended, the District shall pay, by January 30 of each year, a regulatory assessment to the Texas Commission on Environmental Quality (the "Commission") in the amount required by law based on the total charges for retail water and sewer service collected from its retail customers in the prior twelve calendar months.

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

indicating (i) the total charges collected for retail water and sewer service for the year; and (ii) the regulatory assessment due and payable to the Commission. The Operator shall deliver the written statement to the District=s Bookkeeper for payment.

Section 3.04. North Harris County Regional Water Authority (ANHCRWA®) Regulatory Assessment. By law, the District is required to pay a monthly fee (currently \$1.75 per thousand gallons) to the NHCRWA based on the total amount of ground water pumped and metered at the District's water wells and/or the total amount of surface water delivered to the District by the NHCRWA.

To recover its costs incurred to the NHCRWA, the District hereby assesses each customer of the District a monthly charge (the "NHCRWA fee") of \$1.75 (or such other amount as may subsequently be charged by NHCRWA) per thousand gallons of water metered at such customer's connection. Additionally, in any month, an amount shall be added to such charge to each customer, which shall be a flat amount to be determined by (a) subtracting the total volumes metered at all customers' connections from the total volumes metered at the District's water wells and/or the District's connection to the NHCRWA; (b) multiplying the amount so determined by \$1.75 (or such other amount as may subsequently be charged by NHCRWA) per thousand gallons, and (c) dividing the amount so determined by the total number of active connections in the District. The Operator shall list the NHCRWA fees on the Customer=s bill as a separate line item and shall collect the NHCRWA fee in addition to other charges. Failure by a Customer to pay the NHCRWA fees shall result in the termination of water and sewer service in accordance with the provisions of this Rate Order.

At the end of each month, the Operator shall prepare a written statement indicating the total pumpage at each of the District's water wells and/or the surface water delivered to the District by the Water Authority for the month, and the amount due to the Water Authority. The Operator shall deliver the written statement to the District's Bookkeeper for payment.

Section 3.05. Garbage Service and Fees. On behalf of the residential customers in the District, the District contracts with a private independent contractor to provide twice-weekly residential collection and disposal of solid waste and weekly collection of residential recyclable materials. To recover the costs of such services, the District hereby assesses each active residential connection a monthly fee to be determined by the District's actual cost. The Operator shall list the garbage collection fee on each residential customer's bill as a separate line item and shall collect the garbage collection fee in addition to other charges. For certain items of bulky or heavy waste that are outside the scope of normal service under the contract made by the District, additional services may be obtained by individual customers by dealing directly with the vendor at their own individual expense.

Section 3.06. Recreation Fee. Recreation facilities operated and maintained by the District are available for use by each occupant of a Residential Separate Connection within the District. A monthly fee of \$11.65 (the "Recreation Fee") shall be in effect for each Residential Separate Connection, which monthly fee shall be reflected as a separate line item on each monthly water/sewer service bill.

Section 3.07. Customer Service Agreement Fee. Prior to providing continuous service to a customer, each customer (Builder) must execute and deliver to the District's Operator at 17707 Old Louetta Road, Houston, Texas, a Customer Service Agreement substantially in the form attached as Exhibit 4 to Appendix A hereof.

Section 3.08. Inspections and Fees Applicable to Builders and Others Making Improvements and Starting Construction. Any person or entity proposing to make improvements or start construction on property within the District must notify the District's Operator prior to commencing any improvement or construction if such improvement, construction or equipment used in the construction will be within easements, rights-of-way or property where District facilities are located. The District's Operator shall conduct an inspection

prior to the commencement of construction to verify the condition of the District's facilities. The District's Operator shall conduct another inspection after completion of construction to again verify the condition of the District's facilities. If the Operator finds that the facilities have been damaged as a result of the construction, the builder or other responsible party must reimburse the District for the costs of the repair before the District will initiate permanent service to the affected property. The costs of the District's Operator to inspect the condition of the District's facilities (but not reinspection fees) is included in the water tap charge as described in Section 2.05 herein.

Section 3.09. Temporary Water Service.

A. Temporary Connections. The District's Operator shall be authorized to make a temporary connection to any fire hydrant or flushing valve upon request for temporary water service. All temporary service shall be metered and billed to the temporary Customer as provided herein. All unauthorized withdrawal of water from flushing valves, fire hydrants, or other appurtenances of the District's System without prior approval of the District, except for emergency fire-fighting purposes, is prohibited.

B. Application and Deposit. Each temporary Customer desiring temporary water service shall be required to execute an application for such temporary service and shall provide a minimum security deposit of \$1,000.00, but not more than \$2,000.00, with such determination to be made by the District's Operator depending on the length of time temporary service is required and estimated amount of water to be used. The deposit shall be made by cashier's check or money order payable to the District. The deposit shall be used by the District to secure the payment for temporary water supplied by the District, the installation fee, meter rental and the cost of repair of any damages caused by the temporary Customer. The balance of the security deposit, if any, shall be refunded after disconnection from the District's System.

C. Fees and Rates. A fee of \$100.00 for costs of installation, plus the cost of the

metered water and meter rental, shall be charged for temporary water service. The following rates for the sale of water for each temporary water service connection shall be in effect from the effective date hereof until such time as the Board amends said rates:

<u>Gallons Used</u>	<u>Rate</u>
0 - 10,000 gallons	\$4.00 per each 1,000 gallons
10,001 gallons & above	\$5.00 per each 1,000 gallons

Section 3.10. Service To Out Of District Customers. Unless otherwise expressly contracted for in writing between the District and an out-of-District customer, customers whose establishments lie outside the taxing jurisdiction of the District shall be charged water and sanitary sewer fees equal to two and one-half (2-1/2) times the rates that would otherwise be charged if the customer's establishment was within the taxing jurisdiction of the District; provided however, that other political subdivisions receiving water and/or sewer service shall be charged the same rates as comparable customers located within the District.

Section 3.11. No Reduced Rates or Free Service. All customers receiving service from the District shall be subject to the provisions of this Order and shall be charged the rates established in this Order, and no reduced rate or free service shall be furnished to any such customer. Provided, however, this provision shall not prohibit the District, from establishing reasonable classifications of customers for which rates differing from the rates stated herein may be adopted.

Section 3.12 Constable Service and Fees. To enhance overall security within the District and to add security for its facilities, the District contracts with the Harris County Commissioners' Court to obtain law enforcement services on a fee basis within the geographical area covered by the District and around the perimeter of the District. To recover the balance of the District's cost, the District hereby assesses each active connection an equal share of the monthly Constable fee charged to the District. The Operator shall list the Constable fee on each customer's bill as a separate line item and shall collect the Constable fee in addition to other

charges. Such fee shall not be applicable to homeowners' associations, recreation centers or irrigation meters.

ARTICLE IV

SERVICE POLICY

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

a. For purposes of this Article IV, "customer" shall mean any person, partnership, corporation, non-profit corporation, trust or other legal entity served by the District's System with water and/or sewer services to a residence, business establishment owned or occupied by such person, partnership, corporation, non-profit corporation, trust or legal entity.

b. Each customer (i) establishing a Residential account, or (ii) re-establishing a water/sewer service Residential account that has been terminated for non-payment, shall be required to make the following security deposit per Separate Connection being served before the District shall provide such service:

\$100 if the customer is the owner of the residence, and \$125 if the customer is not the owner of the residence.

"Separate Connection" shall have the meaning set out in Article I hereinabove.

c. Each customer (i) establishing a Commercial account, or (ii) re-establishing a water/sewer service Commercial account that has been terminated for non-payment, shall be required to make a security deposit of \$200 per Separate Connection being served before the District shall provide such service.

d. Each builder of a residence, commercial building or other structure (regardless of the number of lots on which it is building) shall, at the time a request for the first water tap is made, pay a deposit of \$1,000. The deposit shall be refunded within ninety (90) days after the builder certifies the sale of its last residence, commercial building or other structure within the District, less any amounts forfeited as provided

herein. The District shall deduct from the deposit the cost to repair any damage caused to the District's property by the builder or the builder's employees, contractors, subcontractors or agents and shall deduct any delinquent water and sewer service bills of the builder. In the event any amounts are so deducted from the builder's deposit, it will be incumbent on the builder to reinstate the original amount of the deposit, and failure to do so will result in the suspension of any additional water taps for the builder.

e. Each customer whose Recreation Fee remains unpaid for thirty (30) days after the due date shall thereafter be required to have on deposit with the District per Separate Residential Connection the security deposit set out in subparagraph (b) immediately above. The District shall be entitled to utilize all legal remedies available to it to collect such deposit as set forth in Section 4.02(d) herein.

f. Service shall be initiated in accordance with this Order and upon payment of the security deposit and all other fees.

g. Following payment of the final bill and payment of all charges, the balance of the security deposit, if any, shall be refunded by check mailed to the customer.

h. No interest shall be payable to the customer on its security deposit.

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

a. Bills shall be mailed to customers between the fourth (4th) and sixth (6th) day of each month and payment of the billed amount shall be due on or before the date reflected on each bill, which date shall be seventeen (17) to twenty (20) days after the bill is mailed

b. A customer is delinquent in the payment of a monthly service bill if payment in full is not received by the due date stated on the bill. If payment in full is not

received by the due date, the unpaid amount shall be carried forward as an amount in arrears on the next monthly service bill. A late charge penalty of ten percent (10%) of the cumulative amount in arrears shall automatically be added to the next monthly service bill and all subsequent monthly service bills until all amounts in arrears, including accumulated penalties, have been paid.

c. Except in case of a delinquency that is only in respect to the monthly Recreation Fee, if the amount in arrears, including accumulated penalties, is not paid by the due date of the next monthly bill, the account will be placed on the delinquent list and a notice will be sent to the customer advising that service will be terminated if payment in full is not received within ten (10) days from the date of such notice. Door hangers warning of the impending service termination will also be placed on the customer's door. If service is terminated, it shall be reinstated only upon payment in full of all amounts due plus reinstatement of the applicable security deposit, and a re-connection charge of \$50.00, by cash, cashier's check or money order.

d. The District shall be entitled to utilize all legal remedies at law or in equity to collect all unpaid fees, penalties and deposits due hereunder. In addition, the District may discontinue services or deny access to any or all facilities to prevent an abuse or to enforce payment of an unpaid charge, fee, or rental due the District (including taxes that have been delinquent for not less than six (6) months) upon observance of the procedure appropriate to the circumstances. In the event the District is required to obtain a judgment from a court of competent jurisdiction in order to collect such monies, the District shall be entitled to recover all court costs and reasonable attorney fees.

e. A \$25.00 charge will be charged to the customer's account for any check returned by the bank.

Section 4.03. Entitlement. Customers are not guaranteed a specific quantity or

pressure of water or specific capacity in sewer facilities for any purpose whatsoever; furthermore, in no instance shall the District be liable for failure or refusal to furnish water or any particular amount or pressure of water or to provide capacity in sewer facilities.

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

Section 4.05. Grease Traps. Each customer requiring a grease trap shall: (1) install such grease trap in accordance with City of Houston standards and approved by the District's Operator and Engineer, at the sole expense of the customer; (2) provide the District, prior to receiving service, with a copy of an effective and continuing contract between the customer and a licensed hauler, said contract to be for regular routine pumping and disposal; and (3) provide the District's Operator with a copy of a hauler's manifest to evidence regular pumping and disposals within ten (10) days after receipt by the customer. In addition, no less often than once per calendar quarter, the customer shall meet with the District's Operator to review the above items and inspect the grease trap. In the event the customer fails to have the grease trap cleaned on a timely basis, following ten (10) days written notice, the District shall be authorized to clean the customer's grease trap and deduct such cost from the customer's deposit. Such cost shall be billed to customer with the next monthly water bill.

Section 4.06. Damage to District Facilities.

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

fee of \$100.00.

- (b) Right to Repair. The District reserves the right to repair damage to the District's System and appurtenances without prior notice, and to assess against any customer such penalties as are provided by law and such penalties provided in the District's "Rules and Regulations Governing Waterworks and Sanitary Sewer System" in addition to those charges necessary to repair the portion of the System so damaged.
- (c) Interconnections. Interconnection or cross connection of the District's water system, whether directly or through a customer's private system, to another source of water is strictly prohibited without the express written consent of the District. Initial customers shall construct and each customer shall maintain water connections and appurtenances so as to avoid infiltration of any possible contaminated liquid into the District's System. District personnel shall have access to all customer water line connections and appurtenances within reasonable time periods in order to inspect suspected, unauthorized connections. The District reserves the right to immediately and without notice disconnect water service to any customer whose internal private system has been found to be interconnected or cross connected, to assess against the customer such penalties as are provided by law and such penalties provided in the District's "Amended and Restated Rules and Regulations Governing Waterworks and Sanitary Sewer Facilities, Service Lines, and Connections" in addition to those charges necessary to repair the portion of the System so damaged or contaminated.
- (d) Obstructions. After a water meter has been set, the customer shall at all times keep the area in, around and upon the meter and box and District easements

and property under customer's control free from rubbish or obstructions of any kind. Failure to keep the meter and box and District easements and property under customer's control free from rubbish or obstructions of other kind 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 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 sanitary sewer system resulting from a customer's failure to prevent obstructions from entering said system, the District reserves the right to immediately and without notice remove the obstruction; any District costs for removal of the obstruction, plus a District administration fee of 50% of said costs, shall be assessed to the customer.

ARTICLE V

MISCELLANEOUS

- (a) Appeal. Any determination by the District's Operator or the District's engineer or any authorized agent of the District of any dispute regarding the terms and provisions of this Order may be appealed to the Board of Directors of the District, which shall conduct a hearing on the matter. The District's Operator and/or attorney shall provide the customer with information regarding appeals and hearing procedures upon the customer's request.
- (b) Amendments. The District's Board of Directors has and specifically reserves the right to change, alter or amend any rate or provision of this Order at any time.
- (c) Severability. The provisions of this Order are severable, and if any provision or part of this Order or the application thereof to any person or circumstance shall ever be held by any court of competent jurisdiction to be invalid or

unconstitutional for any reason, the remainder of this Order and application of such provision or party of this Order shall not be affected thereby.

- (d) Civil Penalties. The Board hereby imposes the following civil penalties for breach of any rule of the District: The violator shall pay the District twice the costs that the District has sustained due to the violation, up to \$5,000, but in no event will the penalty be less than \$350. A penalty under this section is in addition to any other penalty provided by the law of this state and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorney's fees shall be fixed by the court.

ARTICLE VI

DROUGHT CONTINGENCY PLAN FOR THE DISTRICT

The Board of the District hereby adopts the Drought Contingency Plan attached hereto as Appendix "B" and incorporated herein for all purposes.

ARTICLE VII

REPEAL OF PREVIOUS ORDERS

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

ARTICLE VIII

EFFECTIVE DATE

This Order shall be effective as of January 1, 2015.

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

PASSED, ADOPTED, ORDERED and APPROVED as of the 8th day of December,
2014.

/s/ Joe Wright
President, Board of Directors

ATTEST:

/s/ Tom Ellison
Secretary, Board of Directors

(DISTRICT SEAL)

APPENDIX A

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

THE STATE OF TEXAS

COUNTY OF HARRIS

HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 92

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ARTICLE I.
PURPOSE

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

ARTICLE II.
GENERAL

Section 2.01. Definitions.

1. Customer is any person, partnership, corporation, non-profit corporation, trust or other legal entity having a separate connection served by the District with water and/or sewer services to a residence or business establishment, and shall include the account holder(s) having responsibility for payment of fees, penalties, assessments, charges and rates for services rendered at such connection.

2. District is Harris County Water Control and Improvement District No. 92 of Harris County, Texas, a political subdivision of the State of Texas.

3. Engineer is the person, company or corporation which is under contract with the District to design the District's Water Supply System and Sanitary Sewer Collection System and performs any additional services as set forth in the contract with the District.

4. High Health Hazard is a cross-connection, potential cross-connection, or any other situation involving any substance that can cause death, illness, spread of disease, or that has a high possibility of causing such effects if introduced into the District's Water Supply System.

5. Operator is the person, company or corporation which is under contract with the District to operate the District's Water Supply System and Sanitary Sewer Collection System,

collect amounts owed to the District for such services, report monthly to the District on the operations of the District's Water Supply System and Sanitary Sewer Collection System and perform any additional services as set forth in the contract with the District.

6. Rate Order shall mean the District's Order Amending Water and Sewer Rates and Recreational Fees, Establishing Certain Policies and Rules and Regulations which may be amended from time to time.

7. Sanitary Sewer Collection System constitutes the underground sanitary sewer lines owned or leased and operated by the District. This system is composed of all interconnecting laterals, mains, and trunk lines with manholes, clean-outs, stacks, tees, and wyes located within the publicly dedicated utility easements owned or leased and operated by the District. This system is maintained by the District.

8. Sanitary Sewer Service Line is any line from a residential dwelling or commercial building which connects with the District's Sanitary Sewer Collection System, including any grease traps or other facilities constructed to prevent non-domestic waste from being introduced into the District's Sanitary Sewer Collection System. This service line is owned and maintained by the property owner of the residential dwelling or commercial building.

9. Sewer Tap is the physical connection between the Sanitary Sewer Service Line and the District's Sanitary Sewer Collection System.

10. Sewer Tap Inspection is the inspection performed by the District's Operator to assure that the proper materials and connections to the Sanitary Sewer Collection System have been accomplished in accordance with these Rules and Regulations.

11. State Approved Plumbing Code is a set of rules governing plumbing practices which are at least as stringent and comprehensive as one of the following nationally recognized codes:

- a. Southern Standard Plumbing Code.
- b. Uniform Plumbing Code.
- c. National Standard Plumbing Code.

12. Tap Fee is the fee paid to the District to obtain a water meter and sewer inspection for any dwelling. The amount of the Tap Fee shall be established in the District's Rate Order and may be modified or changed at any time.

13. Utility Easement is an interest in land, granted by dedication, to public utility entities, including the District, to install and maintain utilities across, over, or under private land together with the right to enter thereon with machinery, other vehicles and personnel necessary for the maintenance, repair or construction of said utilities.

14. Water Supply System is composed of all water lines, valves, valve boxes, flushing valves, blowoff valves, water meters, water meter service lines, and meter boxes located within public rights-of-way or easements owned or leased and operated by the District. This system is maintained by the District.

15. Water Meter is the recording device that registers the amounts of water consumed by each Customer of the District. This meter is owned and maintained by the District.

16. Water Service Line is any line from a residential dwelling or commercial building, which connects to the District's Water Supply System. This service line is owned and maintained by the property owner of the residential dwelling or commercial structure.

17. Water Tap is the physical connection of any Water Service Line to the District's Water Supply System. Such connection will be made only by the District's Operator.

Section 2.02. Platting Requirement.

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

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

Section 2.03. Approval of Plans and Specifications.

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

ARTICLE III. WATER CONNECTIONS

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

1. Any meter approved by the City of Houston;
2. Brass curb stops, corp stops, and related fittings manufactured by Ford, Hays or Muller;
3. Polyethylene water service pipe, 3/4" to 2";

4. Cast iron or vinyl iron (C-900) water service pipe, larger than 2";
5. Water main pipe of the type originally installed;
6. Plastic meter box up to 2" meter;
7. Concrete meter box, where traffic use is specified; and
8. Concrete meter vault per City of Houston specifications for 3" and larger meter.

Section 3.02. Plumbing Material Prohibitions.

A. Prohibited Materials.

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

1. any pipe or pipe fitting which contains more than 8.0% lead; and
2. any solder or flux which contains more than 0.2% lead.

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

B. Certificate of Compliance.

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

Section 3.03. Installation.

1. An Application for Service, a copy of which is attached hereto as Exhibit "5," 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 "2" attached hereto, shall be completed prior to providing continuous water service to any new construction, on any existing service where the District has reason to believe that cross-connections or other unacceptable plumbing practices exist, and after any material improvement, correction, or addition to private plumbing facilities. 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 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 Texas Commission on Environmental Quality ("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 Article X hereof.

B. Individuals with the following credentials shall be recognized as capable of conducting a Customer Service Inspection Certification:

1. Plumbing Inspectors and Water Supply Protection Specialists licensed by the Texas State Board of Plumbing Examiners;
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, and
3. Licensed Plumbers but only on residential connections.

C. Private plumbing facilities in violation of Article III hereof shall constitute an unacceptable plumbing practice and violation of these Rules and Regulations. If an

unacceptable plumbing practice is discovered, the Customer shall eliminate the unacceptable plumbing practice within thirty (30) days from the date of discovery to prevent possible contamination of the District's Water Supply System. The existence of a serious threat to the integrity of the District's Water Supply System shall be considered sufficient grounds for immediate termination of water service. Service can be restored only when the source of potential contamination no longer exists, or when sufficient additional safeguards have been taken, and a Customer Service Inspection Certification confirming correction of unacceptable plumbing practices has been submitted to the District.

D. The Customer Service Inspection Certification shall certify that:

1. No direct connection between the District's Water Supply System and a potential source of contamination exists. Potential sources of contamination are isolated from the District's Water Supply System by an air gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices are in compliance with state plumbing regulations.
2. No cross-connection between the District's Water Supply System and a private water source exists. Where an actual air gap is not maintained between the District's Water Supply System and a private water supply, an approved reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a recognized backflow prevention assembly tester.
3. No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the District's Water Supply System.
4. No pipe or pipe fitting which contains more than 8.0% lead exists in private plumbing facilities installed on or after July 1, 1988.
5. No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after July 1, 1988.
6. No new or replacement plumbing fixture is installed which is not in compliance with a State Approved Plumbing Code.

Section 3.05. Prohibited Connections.

A. No water connection from the District's Water Supply System shall be made to any establishment where an actual or potential contamination or system hazard exists without an air gap separation between the drinking water supply and the source of potential contamination. Where a containment air gap is impractical, individual "internal" air gaps or mechanical backflow prevention devices shall be required at the meter in the form of a backflow prevention device (in accordance with AWWA Standards C510 and C511 and AWWA Manual M14) on those establishments handling substances

deleterious or hazardous to the public health.

B. No water connection from the District's Water Supply System shall be made to any condensing, cooling, or industrial process or any other system of non-potable usage over which the District does not have sanitary control, unless the said connection is made in accordance with the requirements of paragraph (A) of this section. Water from such systems cannot be returned to the District's Water Supply System.

C. Overhead bulk water dispensing stations must be provided with an air gap between the filling outlet hose and the receiving tank to protect against back siphonage and cross-contamination.

Section 3.06. Backflow Prevention Assemblies.

A. Backflow prevention assemblies or where appropriate reduced pressure zone devices shall be installed on any connection which poses a High Health Hazard, all commercial connections and any other connection which the District or the District's Operator reasonably believes poses a threat to the District's Water Supply System. Water service provided for lawn sprinklers, swimming pool supply, reflection pool supply or other such applications must incorporate a back flow prevention assembly in accordance with a State Approved Plumbing Code for the particular designated use. No permanent water service will be provided or continued to any new connection in the District which requires a backflow prevention assembly and/or reduced pressure zone device, until the District's Operator performs a Backflow Prevention Assembly Test and Maintenance Report (the "Test Report"), as described in Exhibit "3" attached hereto. The District's Operator shall, on behalf of the District, install the backflow prevention assembly and complete the Test Report at the Customer's cost. The Operator shall test annually all reduced pressure zone devices the cost of which inspection shall be paid by the Customer.

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 "3" attached hereto, shall be retained for a minimum of three (3) years. The District shall provide these records to the TCEQ for inspection upon request. Backflow prevention assemblies which are installed to provide protection against High Health Hazards must also be tested and certified to be operating within specifications at least annually by a Recognized Backflow Prevention Device Tester.

C. Recognized Backflow Prevention Device Testers shall have completed a TCEQ approved course on cross-connection control and backflow prevention and passed an examination administered by the TCEQ or its designated agent. The accredited tester classification shall be broken down into two categories:

1. The "General Tester" is qualified to test and repair backflow prevention assemblies on any domestic, commercial, industrial or irrigation service.

2. The "Fireline Tester" is qualified to test and repair backflow prevention assemblies on firelines only. The State Fire Marshall's office requires that a person performing maintenance on firelines must be employed by an Approved Fireline Contractor.

D. Individuals who can show proof of completion of a course and passage of an exam based on the ABPA or ASSE National Exam, prior to the effective date of these regulations, may be recognized as accredited for the term of their current certification (not to exceed three (3) years).

E. Gauges used in the testing of backflow prevention assemblies shall be tested for accuracy annually in accordance with the University of Southern California's Foundation of Cross- Connection Control and Hydraulic Research and/or the American Water Works Association Manual of Cross Connection Control (Manual M-14). Test gauge serial numbers must be included on the Test Report and Recognized Backflow Prevention Device Testers shall have gauges tested for accuracy.

F. A Test Report must be completed by the Recognized Backflow Prevention Assembly Tester for each assembly tested. The signed and dated original must be submitted to the District's Operator for record keeping purposes.

G. Repairs to backflow prevention assemblies shall be performed by authorized individuals as recognized by the Texas State Board of Plumbing Examiners, the TCEQ, Texas Irrigators Advisory Council, or the Texas Commission on Fire Protection-State Fire Marshall's Office, depending upon application and use.

H. The use of a backflow prevention device at the service connection shall be considered as additional backflow protection and shall not negate the use of backflow protection on internal hazards as outlined and enforced by a State Approved Plumbing Code.

Section 3.07. Customer Service 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 prior to the District providing continuous water service to sign a Customer Service Agreement, as described in Exhibit "4" attached hereto.

The District will maintain a copy of the Customer Service Agreement as long as the Customer and/or the premises is connected to the District.

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

practices exist; or after any major changes to the private plumbing facilities. Inspections shall be conducted during the District's normal business hours.

C. The District shall notify the Customer in writing of any cross-connection or other unacceptable plumbing practices which have been identified during the initial inspection or the periodic reinspection.

D. The Customer shall immediately correct any undesirable plumbing practice on his/her premises.

E. The Customer shall, at his expense, properly install, test, and maintain any backflow prevention device required by the District. Copies of all testing and maintenance records shall be provided to the District.

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

ARTICLE IV. SANITARY SEWER CONNECTIONS

Section 4.01. Sanitary Sewer Service Line Installation.

A. Only one Sanitary Sewer Service Line connection to the District's Sanitary Sewer Collection System is permitted for each residence or commercial building. The Sanitary Sewer Service Line shall remain fully within the boundaries of the lot until the line reaches a utility easement or street right-of-way.

B. No opening in the District's Sanitary Sewer Collection System will be allowed to remain overnight or during rain.

C. All Sanitary Sewer Service Lines must be constructed to true alignment and grade. Warped and/or sagging lines will not be permitted. Sanitary Sewer Service Lines must have continuous contact with firm trench bottom throughout their entire run. Lines placed in such manner as to increase the likelihood of being displaced during backfill will be rejected.

D. All Sanitary Sewer Service Lines should be run from wyes or stacks directly to the houses without meanders or bends.

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

1. Cast iron soil pipe, standard weight, conforming to ASTM Specification A74 with rubber gasket joint coupling conforming to ASTM Specification C564.
2. Poly-vinyl-chloride PSM (PVC) SDR 26 pipe conforming to ASTM Specification D3034 or ASTM specification F789 (with UL listing) and installed according to ASTM D2321.
3. Ductile Iron Pipe conforming to ANSI A21.51 with rubber gasket joints ANSI A21.11 and installed according to manufacturer's recommendations.
4. Acrylonitrile-butadiene-styrene (ABS) pipe material conforming to ASTM Specification D2751.

Section 4.03. Size and Grade of Sanitary Sewer Service Lines.

- A. Minimum Sizes for Sanitary Sewer Service Lines shall be as follows:
1. Residential - - 4 inches in diameter; and
 2. Commercial - - 6 inches in diameter.
- B. The minimum grades for Sanitary Sewer Service Lines shall be as follows:
1. 4 inch pipe - - - 14 inch drop per hundred feet (1.2%);
 2. 6 inch pipe - - - 8 inch drop per hundred feet (0.7%); and
 3. 8 inch pipe - - - 5 inch drop per hundred feet (0.4%).
- C. The maximum grades for Sewer Service Lines shall be as follows:
1. 4 inch pipe - - - two and one-half feet drop per hundred feet (2.5%);
 2. 6 inch pipe - - - one and one-half feet drop per hundred feet (1.5%); and
 3. 8 inch pipe - - - one foot drop per hundred feet (1%).

Section 4.04. Connection of Building Sewer Outlet.

- A. On all building waste outlets, the building tie-on connections shall be made directly to the stub-out from the building plumbing at the foundation.
- B. Water-tight adapters of a type compatible with the materials being joined shall be used at the point of connection of a Sanitary Sewer Service Line to the building plumbing. No cement grout materials shall be permitted.

C. Unless an exception is permitted by the District's Operator, existing wye and stack connections must be utilized for connection of a Sanitary Sewer Service Line to the District's Sanitary Sewer Collection System.

D. Commercial users shall install a sampling well constructed to City of Houston 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 (45E).

B. Each horizontal Sanitary Sewer Service Line will be provided with a Double Sweep Tee cleanout at its upper terminal located within 18"-24" from the slab; and each such run of piping which is more than ninety (90) feet in length will be provided with a Double Sweep Tee 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 and with 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, and level with the finished yard grade.

D. Cleanouts will be made with air-tight threaded plug.

Section 4.06. Installation of Sewer Taps and Issuance of Permits.

A. Sanitary Sewer Service Lines must be at least 24 inches below (vertically) and at least 9 feet from (horizontally) any Water Service Line (far side or near side connection). If this is not possible, a cast iron casing over the Water Service Line must be installed by the Customer, which casing will be inspected by the Operator.

B. Excavation for Sewer Taps shall be water tamped in all areas within 5 feet (vertically or horizontally) of any existing sewer lines, sidewalks or driveways. Soil not suitable for water tamping (clay modules, organic material or silty soils) shall be removed and replaced with suitable backfill materials.

C. All stacks shall be installed in locations shown on the plans. Stacks shall be capped and the cap lightly cemented in place. Wyes will not be installed by the line contractor. Wye saddles will be paid for in the line contract, but will be delivered to the District's Operator. The District's Operator will furnish the Customer a saddle at the time of inspection.

D. An Application for Service (a copy of which is attached as Exhibit "5") must be filed with the District's Operator prior to construction of any Sanitary Sewer Service Line, and the Tap Fee and/or Sewer Tap Inspection fee as established in the District's most current Rate Order should accompany the application. (Application forms are available

from the District's Operator.) Construction of any Sanitary Sewer Service Line must not begin until the design of the Sanitary Sewer Service Line is approved by the District's Engineer and construction is authorized by the District's Operator.

E. When the Sanitary Sewer Service Line is complete, and prior to backfilling the pipe trench, the Customer shall request an inspection of the Sanitary Sewer Service Line. Requests for inspections (or reinspections) shall be made to the District's Operator at least twenty-four (24) hours in advance of the inspection.

F. The Sewer Tap shall be made only under the supervision of the District's Operator by use of an adapter of a type compatible with materials being joined. The Sewer Tap shall be watertight. No cement grout materials are permitted.

G. Any damage to the District's facility shall be repaired promptly by the Customer under the direction of the District's Operator. Major damage will be repaired by the District's Operator at the Customer's expense.

H. Backfilling of a Sanitary Sewer Service Line trench must be accomplished within twenty-four (24) hours of inspection and approval. Backfill material shall be sand or loam free of large lumps or clods. No debris will be permitted in the trench or backfill.

I. During inspection of the Sanitary Sewer Service Line, the District's Operator will examine all District facilities, such as manholes, valves, flush valves, and inlets on and adjacent to the lot. The connection permit will not be granted until any damage to these facilities has been repaired.

J. The District's Operator will complete the Inspection Form (a copy of which is attached as Exhibit "6") and file it for record with the Application.

K. A connection permit will be issued after the Sewer Tap Inspection is performed and the District's Operator confirms that all requirements of these Rules and Regulations have been met.

L. Connection permits which are rejected for any deficiency shall be promptly corrected and a reinspection requested. A reinspection fee as set forth in the District's Rate Order shall be paid at the time the reinspection is requested.

ARTICLE V. FEES AND CHARGES

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

ARTICLE VI. EXCLUDED FLOW AND WASTE

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

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

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

C. Swimming pool and/or spa connections will not be made to the District's Sanitary Sewer Collection System unless specifically approved by the District in writing.

ARTICLE VII. PRIVATE WELLS/TANKS

The construction of water wells and/or the installation of septic tanks 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 the intended use of the water.

ARTICLE VIII. AVAILABILITY OF ACCESS/OBSTRUCTIONS

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

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

A. Damage to the District's Water Supply System or the Sanitary Sewer Collection System by the District's Customers, including developers and builders' plumbers, will be repaired by the District at the Customer's expense.

B. After a water meter has been set or a fire hydrant installed, the Customer shall at all times keep the area in, around and upon such facilities and District easements and property under Customer's control free from rubbish or obstructions of any kind, including shrubbery. Failure to keep such facilities and District easements and property under Customer's control free from rubbish or obstructions of other kind, including shrubbery, shall result in disconnection of water service and/or the assessment of charges necessary to remove said obstructions. Customers are prohibited from introducing material into the District's Sanitary Sewer Collection System which could cause obstruction of said system. In the event that an inspection by the District's Engineer or Operator reveals foreseeable damage to the District's Sanitary Sewer Collection System resulting from a Customer's failure to prevent obstructions from entering said system, the District reserves the right to remove the obstruction immediately and without notice. Any costs incurred by the District for removal of an obstruction to the District's system, plus a District administration fee of 20% of said costs, shall be assessed to the Customer.

C. It shall be unlawful for any person, unless authorized in writing by the District's Operator, to tamper or interfere with, obstruct access to, or as a result of willful action injure, deface, or destroy any facilities that are a part of the District's Water Supply System or Sanitary Sewer Collection System, including, with respect to the waterworks system, water plants, flushing valves, valve boxes, and water lines up to the meter box and including meters; provided, however, that duly authorized members of the local fire department shall have the right to use such flushing valves for fire protection purposes.

D. It shall be unlawful for any person to connect any building to the District's Water Supply System without a meter or to have a straight line connection to a building without being metered. It shall also be unlawful for any person, other than the District's Operator or Engineer, to draw water from the District's Water Supply System (except for the use of water for firefighting purposes) without being metered, including the unauthorized use of a flushing valve or unmetered water taps.

E. It shall be unlawful for any person to deposit, throw, drain, discharge, or otherwise cause to be injected into any sewer, manhole, catch basin, flush tank, or other facility that is a part of the District's Water Supply System or Sanitary Sewer Collection System any debris or foreign substance that would interfere with the proper and routine functioning thereof.

ARTICLE X. ENFORCEMENT OF RULES AND REGULATIONS

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

1. Discontinuance of water service.
2. Disconnection and sealing of sanitary sewer connection.
3. The Board hereby imposes the following civil penalties for breach of any

rule or regulation of the District: The violator shall pay the District twice the costs the District has sustained due to the violation up to \$5,000. A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorneys' fees shall be fixed by the court.

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

ARTICLE XI.
EFFECTIVE DATE

These Rules and Regulations shall become effective immediately.

EXHIBIT "1"
TO APPENDIX A

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

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

1. No direct connection between the District's Water Supply System and a potential source of contamination exists. Potential sources of contamination are isolated from the District Water Supply System by an air gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices are in compliance with state plumbing codes.
2. No cross connection between the District's Water Supply System and a private water system exists. Where an actual air gap is not maintained between the District's Water Supply System and a private water supply system, an approved reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention device tester.
3. No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the District's Water Supply System.
4. No pipe or pipe fitting which contains more than 8.0% lead exists in private plumbing facilities installed on or after July 1, 1988.
5. No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after July 1, 1988.
6. No plumbing fixture is installed which is not in compliance with a State Approved Plumbing Code.

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

Signature

Printed Name

Company Name

Texas License No.: _____

Date

EXHIBIT "2"
TO APPENDIX A
Service Inspection Certification

Name of District: _____
District I.D. #: _____
Location of Service: _____

I, _____ (*name of Inspector*), upon inspection of the private plumbing facilities connected to the Water Supply System of _____, do hereby certify that, to the best of my knowledge:

		Compliance	Non-Compliance	Certificate of Compliance on File
		<u>FOR DISTRICT USE ONLY</u>		
(1)	No direct connection between the District's Water Supply System and a potential source of contamination exists. Potential sources of contamination are isolated from the District Water Supply System by an air gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices are in compliance with state plumbing codes.	G	G	G
(2)	No cross connection between the District's Water Supply System and a private water system exists. Where an actual air gap is not maintained between the District's Water Supply System and a private water supply system, an approved reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention device tester.	G	G	G
(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.	G	G	G
(4)	No pipe or pipe fitting which contains more than 8.0% lead exists in private plumbing facilities installed on or after July 1, 1988.	G	G	G
(5)	No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after July 1, 1988.	G	G	G
(6)	No plumbing fixture is installed which is not in compliance with a State Approved Plumbing Code.	G	G	G

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

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

Service Lines	Lead ☐	Copper ☐	PVC ☐	Other ☐
Solder	Lead ☐	Lead Free ☐	Solvent Weld ☐	Other ☐

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

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

Signature of Inspector: _____

Registration Number: _____

Title: _____

Type of Registration: _____

Date: _____

TCEQ Cert. No. _____

Texas State Board of Plumbing Examiners Cert No. _____

EXHIBIT "3"
TO APPENDIX A

Backflow Prevention Assembly Test and Maintenance Report

The following form must be completed for each assembly tested. A signed and dated original must be submitted to the District for record keeping purposes:

BACKFLOW PREVENTION ASSEMBLY TEST AND MAINTENANCE REPORT

Name of District: _____
PWS I.D. #: _____
Location of Service: _____

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

TYPE OF ASSEMBLY

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

G Pressure Vacuum Breaker
G Atmosphere Vacuum Breaker

Manufacturer _____
Model Number _____
Serial Number _____

Size _____
Located at _____

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

The above is certified to be true.

Firm Name: _____ Certified Tester: _____
Firm Address: _____ Cert. Tester No.: _____
Date: _____

EXHIBIT "4"
TO APPENDIX A

CUSTOMER SERVICE AGREEMENT

SECTION I. PURPOSE. _____ (the "District") is responsible for protecting its Water Supply System from contamination or pollution which could result from unacceptable plumbing practices. The purpose of this Service Agreement is to notify each customer of the plumbing restrictions which are in place to provide this protection. The District enforces these restrictions to ensure the public health and welfare. Each customer must sign this Customer Service Agreement before the District will begin service.

SECTION II. PLUMBING RESTRICTIONS. The following unacceptable plumbing practices are prohibited by State regulations:

- A. No direct connection between the District's Water Supply System and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air gap or an appropriate backflow prevention device.
- B. No cross-connection between the District's Water Supply System and a private water system is permitted. These potential threats to the District's Water Supply System shall be eliminated at the service connection by the installation of an air gap or a reduced pressure-zone backflow prevention device.
- C. No connection which allows water to be returned to the District's Water Supply System is permitted.
- D. No pipe or pipe fitting which contains more than 8.0% 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% lead can be used for the installation or repair of plumbing at any connection which provides water for human use.

SECTION III. SERVICE AGREEMENT. The following are the terms of this Customer Service Agreement between _____ (the "District") and _____ (the "Customer"):

- A. The District will maintain a copy of this Customer Service Agreement as long as the Customer and/or the premises is connected to the District.
- B. The Customer shall allow his/her property to be inspected for possible cross-connections and other unacceptable plumbing practices. These inspections shall be conducted by the District or its designated agent prior to initiating new

water service; when there is reason to believe that cross-connections or other unacceptable plumbing practices exist; or after any major changes to the private plumbing facilities. Inspections shall be conducted during the District's normal business hours.

- C. The District shall notify the Customer in writing of any cross-connection or other unacceptable plumbing practices which have been identified during the initial inspection or the periodic reinspection.
- D. The Customer shall immediately correct any unacceptable plumbing practice on his/her premises.
- E. The Customer shall, at his expense, properly install, test, and maintain any backflow prevention device required by the District. Copies of all testing and maintenance records shall be provided to the District.

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

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

Customer's
Signature _____

Date: _____

Address: _____

EXHIBIT "5"
TO APPENDIX A

APPLICATION FOR SERVICE

(Please print or type)

Duplicate to
(address)

(Subdivision and Section)

(Name of Applicant)

(Lot)

(Block)

(Street Address)

(Street Address)

(Phone)

(City)

(State)

(Zip)

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

Type of pipe material to be used: PVC____, ABS____, VC____, CI____

Date: _____ Requested by: _____
(Signature)

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

For District Use Only

Date Application Received: _____

Date Construction Authorized: _____

Connection Information: _____

WYE Location _____

Stack Location _____

Manhole Location _____

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

Date Permit Granted _____

Approved by _____ District Representative

EXHIBIT "6"
TO APPENDIX A

INSPECTION FORM
SANITARY SEWER SERVICE

Lot _____ Block _____ Section _____
Street Address _____
Inspection Requested By: _____ Date _____
Date Tap to Be Made _____
Results of Inspection Made on _____ at _____ AM/ PM

Pipe Material: Size _____ PVC (D3034) _____ ABS(D2751) _____
Tap to: Wye _____ Stack _____
Cleanout: House _____ and _____

INSTALLATION

	<u>Satisfactory</u>	<u>Unsatisfactory</u>
Directness to Wye	_____	_____
Slope	_____	_____
Full Contact w/bedding	_____	_____
Connection w/Main	_____	_____
Condition of Other District	_____	_____
Facilities on Lot	_____	_____

Connection Permit is approved (not approved).
Water service to Lot is approved (not approved).
This service reinspected on _____. (See Attached new report).
Comments: _____

Copy to:

Applicant _____ By: _____

District Inspector

Manager _____ By: _____

Authorized Representative of Applicant

APPENDIX B
HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 92
DROUGHT CONTINGENCY PLAN

ARTICLE I
POLICY AND, PURPOSE

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

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety, and to minimize the adverse impacts of water supply shortage or other water supply emergency conditions, Harris County Water Control and Improvement District No. 92 (the "District") hereby adopts the following regulations and restrictions on the delivery and consumption of water.

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

Section 1.02: **Public Involvement.**

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

Section 1.03: **Public Education**

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

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

The service area of the District is located within Regional Water Planning Area H ("Region H") under the Texas Water Plan, and the District will provide a copy of this Plan to Region H.

Section 1.05: Authorization

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

Section 1.06: Application

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

**ARTICLE II
DEFINITIONS**

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

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, partnership, corporation, non-profit corporation, trust or other legal entity having a separate connection served by the District with water and/or sewer services to a residence or business establishment, and shall include the account holder(s) having responsibility for payment of fees, penalties, assessments, charges and rates for services rendered at such connection.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8, and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except as otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

ARTICLE III DROUGHT RESPONSE STAGES

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

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

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

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

A. Requirements for initiation

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

When the water well motor run time is 16 hours for three (3) consecutive days (e.g., based on the "safe" operating capacity of water supply facilities), or when the water supply facilities cannot meet or are in danger of not being capable of meeting water supply demand, as determined by the District's Operator.

B. Requirements for termination

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

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

A. Requirements for initiation

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

When the water well motor run time is 18 hours for three (3) consecutive days (e.g., based on the "safe" operating capacity of water supply facilities), or when the water supply facilities cannot meet or are in danger of not being capable of meeting water supply demand, as determined by the District's Operator.

B. Requirements for termination

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

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

A. Requirements for initiation

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

When the water well motor run time is 20 hours for three (3) consecutive days (e.g., based on the "safe" operating capacity of water supply facilities), or when the water supply facilities cannot meet or are in danger of not being capable of meeting water supply demand, as determined by the District's Operator.

B. Requirements for termination

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

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

A. Requirements for initiation

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

When total the water well motor run time is 22 hours for three (3) consecutive days (e.g., based on the "safe" operating capacity of water supply facilities), or when the

water supply facilities cannot meet or are in danger of not being capable of meeting water supply demand, as determined by the District's Operator.

B. Requirements for termination

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

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

A. Requirements for initiation

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

1. Major water line breaks, pump or system failures, or other events which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s).

B. Requirements for termination

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

**ARTICLE IV
DROUGHT RESPONSE STAGES**

Section 4.01. Public Notification

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

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

The Operator shall notify the public by means of:

- (1) direct mail to each customer,
- (2) signs posted in public places, or
- (3) other measures that might be appropriate.

B. **Additional Notification:**

The Operator shall notify directly, or cause to be notified directly, the following individuals and entities:

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

Section 4.02 **Stage 1 Response -- Mild Water Shortage Conditions**

A. **Goal:** Achieve an 8 percent reduction in daily water demand to reduce the well motor run time from 16 hours to 14 hours or less.

B. **Best Management Practices:**

- (1) Reduce flushing of water mains.
- (2) Notify customers of the implementation of the voluntary water use restrictions by sending the letter attached as Exhibit 1.

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

- (1) Customers are requested to voluntarily limit the irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. Total irrigation time for any zone should not exceed thirty (30) minutes. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.

(2) All operations of the District shall adhere to water use restrictions prescribed for Stage 2 of the Plan.

(3) Customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

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

A. **Goal:** Achieve a 16 percent reduction in daily water demand to reduce the well motor run time from 18 hours to 14 hours or less.

B. **Best Management Practices:**

(1) Reduce flushing of water mains.

(2) Notify customers of the implementation of the water use restrictions by sending the letter attached as Exhibit 2.

C. **Water Use Restrictions for Reducing Water Demand:** Upon threat of penalty for violation, the following water use restrictions shall apply to all persons:

(1) Irrigation of residential landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. Total irrigation times for any zone shall not exceed thirty (30) minutes. However, irrigation of residential landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.

(2) Irrigation of green belts, common areas, esplanades and sports field shall be limited to thirty minutes for any zone and shall be permitted only on Mondays and Fridays between 8:00 p.m. and 12:00 midnight.

(3) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health,

safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.

(4) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.

(5) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.

(6) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the District.

(7) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the District, the facility shall not be subject to these regulations.

(8) All restaurants are prohibited from serving water to patrons except upon request of the patron.

(9) The following uses of water are defined as non-essential and are prohibited:

- (a) wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (b) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (c) use of water for dust control;
- (d) flushing gutters or permitting water to run or accumulate in any gutter or street; and
- (e) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

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

A. **Goal:** Achieve a 25 percent reduction in daily water demand to reduce the well motor run time from 20 hours to 14 hours or less.

B. **Best Management Practices:**

(1) Discontinue flushing of water mains.

(2) Notify customers of the implementation of the mandatory water use restrictions by sending the letter attached as Exhibit 3.

C. **Water Use Restrictions:** All requirements of Stage 2 shall remain in effect during Stage 3 except that except:

(1) Irrigation of residential landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. Total irrigation times for any zone shall not exceed thirty (30) minutes. The use of hose-end sprinklers is prohibited at all times.

(2) Irrigation of green belts, common areas, esplanades and sports field shall be limited to thirty (30) minutes for any zone and shall be permitted only on Mondays and Fridays between 8:00 p.m. and 12:00 midnight

(3) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the District.

(4) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

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

A. **Goal:** Achieve a 33 percent reduction in daily water demand to reduce well motor run time from 22 hours to 14 hours or less.

B. **Best Management Practices:**

(1) Discontinue flushing of water mains; discontinue irrigation of public landscaped areas.

(2) Notify customers of the implementation of the water use restrictions by sending the letter attached as Exhibit 4.

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

(1) Irrigation of residential landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. Total irrigation times for any zone shall not exceed thirty (30) minutes. The use of hose-end sprinklers or permanently installed automatic sprinkler systems is prohibited at all times.

(2) Irrigation of green belts, esplanades and sports field shall be limited to thirty (30) minutes for any zone and shall be permitted only on Mondays and Fridays between 8:00 p.m. and 12:00 midnight

(3) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

(4) The filling, refilling, or adding of water to swimming pools, wading pools, and jacuzzi-type pools is prohibited.

(5) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.

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

ARTICLE VII ENFORCEMENT

A. No Customer shall knowingly or intentionally use or allow the use of water from the District for any residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to or in an amount in excess of that permitted by the drought response stage declared and in effect at the time in accordance with provisions of this Plan.

B. First Violation. Any Customer who violates or permits the violation of this Plan shall be issued a written citation and notification of such violation, which shall set forth (i) the date of the violation, (ii) the nature of the violation, (iii) the Drought Stage measures then in effect, and (iv) that penalties will be assessed for any further violations of this Plan; provided, however, that if such Customer has previously been cited for violating this Plan, the penalties set forth at Section C, below may, in the discretion of the Board, be imposed. The citation letter attached as Exhibit 6, or its substantial equivalent, may be used for the written notification of a first violation of the provisions of the Plan and shall constitute the first citation and notice preceding assessment of penalties under Section C below.

C. Subsequent Violations.

(1) Monetary Penalties. If, after once being cited for violation of this Plan, any Customer violates or permits the violation of any provision of this Plan (which violation shall constitute an unauthorized use of District services and/or facilities), then, in addition to or in lieu of disconnection as provided in this Section, the Board of the District may impose penalties as follows:

2nd violation: \$50.00
3rd violation: \$200.00
4th violation: \$300.00
5th and subsequent violations: \$500.00 each

Each day that a breach of any provision of this Plan continues shall be considered a separate violation. Any penalty shall be in addition to any other legal rights and remedies of the District as may be allowed by law.

(2) Disconnection. If, after once being cited for violation of this Plan, any Customer violates or permits the violation of any provision of this Plan on two (2) or more subsequent occasions (which violations shall constitute an unauthorized use of District services and/or facilities), then, in addition to or in lieu of any other remedies, penalties, sanctions, and enforcement procedures provided for herein, the District shall have the right to terminate water service to the connection serving such Customer. Water services will not be restored until the Customer signs an agreement to comply with restrictions in effect under this Plan, a reconnect fee of \$100.00 is received by the District, and all previously assessed penalties are paid.

D. Remedies Cumulative. All remedies, sanctions, penalties, and enforcement procedures provided for in this Plan are cumulative. In addition, the District shall have and may exercise and enforce any and all other rights and remedies provided by law or in equity.

ARTICLE VIII VARIANCES

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

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

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

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

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

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

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

ARTICLE IX
END OF DROUGHT CONTINGENCY WATER USE RESTRICTIONS

When the District is able to return to normal water use, the District shall send out the letter attached as Exhibit 8, or otherwise notify the customers of the District of the end of all water use restrictions.

EXHIBIT 1
TO APPENDIX B

**Harris County Water Control and Improvement District No. 92
of Harris County, Texas
(Drought Stage 1)**

(Date)

Dear Customer:

Harris County Water Control and Improvement District No. 92 is unable to provide water at the customary levels or pressure.

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

(a) Irrigation of residential landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. Total irrigation times for any zone should not exceed thirty (30) minutes. However, irrigation of residential landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.

(b) Irrigation of green belts, esplanades and sports field shall be limited to thirty (30) minutes for any zone and shall be permitted only on Mondays and Fridays between 8:00 p.m. and 12:00 midnight.

(c) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.

(d) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.

(e) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.

(f) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the District.

(g) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the District, the facility shall not be subject to these regulations.

(h) All restaurants are prohibited from serving water to patrons except upon request of the patron.

(i) The following uses of water are defined as non-essential and are prohibited:

- (1) wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (2) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (3) use of water for dust control;
- (4) flushing gutters or permitting water to run or accumulate in any gutter or street; and
- (5) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

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

Very truly yours,

Board of Directors

EXHIBIT 2
TO APPENDIX B

**Harris County Water Control and Improvement District No. 92
of Harris County, Texas
(Drought Stage 2)**

(Date)

**Mandatory Water Restriction Notice
Critical Water Shortage Conditions**

Dear Customer:

Harris County Water Control and Improvement District No. 92 is unable to provide water at the customary levels or pressure.

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage 2 of the Drought Contingency Plan is now in effect. Stage 2 includes the MANDATORY water use restrictions set forth below. Any Customer who violates or permits the violation of the water use restrictions set forth below shall be subject to civil penalties as provided in the District's Drought Contingency Plan (Appendix B to the District's Rate Order), in addition to such liability as may be imposed by law. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If three or more distinct violations of this Plan occur on the premises of any connection served by the District, the Operator shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occurred. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, as set forth in Appendix B to the District's Rate Order, and any other costs incurred by the District in discontinuing and re-connecting service. In addition, suitable assurance must be given to the District that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the District Court.

WATER USE RESTRICTIONS

(a) Irrigation of residential landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6, or 8) and Saturdays and Wednesdays for customers with a street address ending in an odd number (1, 3, 5, 7, 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on the designated watering days. Total irrigation times for any zone shall not exceed thirty (30) minutes. However, residential irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose, a faucet-filled bucket or watering can of five (5) gallons or less, or drip irrigation system.

(b) Irrigation of green belts, esplanades and sports fields shall be limited to thirty (30) minutes for any zone and shall be permitted only on Mondays and Fridays between 8:00 p.m. and 12:00 midnight.

(c) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.

(d) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight.

(e) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.

(f) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use

of water from designated fire hydrants for construction purposes may be allowed under special permit from the District.

(g) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the District, the facility shall not be subject to these regulations.

(h) All restaurants are prohibited from serving water to patrons except upon request of the patron.

(i) The following uses of water are defined as non-essential and are prohibited:

(1) wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;

(2) use of water to wash down buildings or structures for purposed other than immediate fire protection;

(3) use of water for dust control;

(4) flushing gutters or permitting water to run or accumulate in any gutter or street; and

(5) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

The Board of Directors appreciates your cooperation and perseverance during this conservation condition. Once the conservation condition ends, we will notify you and you may then return to normal usage. If conditions should worsen, you will be notified of more stringent restrictions, to ensure the availability of water in our community. You may direct questions to our Operator (Water District Management) at 281-376-8802.

Very truly yours,

Board of Directors
Harris County WCID No. 92

EXHIBIT 3
TO APPENDIX B

**Harris County Water Control and Improvement District No. 92
of Harris County, Texas
(Drought Stage 3)**

(Date)

Dear Customer:

Harris County Water Control and Improvement District No. 92 is experiencing severe water shortage conditions and is unable to provide water at the customary levels or pressure.

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage 3 of the Drought Contingency Plan is now in effect and the mandatory restrictions set forth below are now in effect. The Board of Directors is aware of the inconvenience of these severe restrictions, but it is imperative that the water supply not only be available for drinking and bathing but also for fire fighters in the event of a house fire. Any Customer who violates or permits the violation of the water use restrictions set forth below shall be subject to civil penalties as provided in the District's Drought Contingency Plan (Appendix B to the District's Rate Order), in addition to such other liability as may be imposed by law. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If three or more distinct violations of this Plan occur on the premises of any connection served by the District, the Operator shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District in discontinuing service. In addition, suitable assurance must be given to the District that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the District Court.

WATER USE RESTRICTIONS

(a) Irrigation of residential landscaped areas shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Irrigation of residential landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00

a.m. and between 8 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. Total irrigation times for any zone shall not exceed thirty (30) minutes. The use of hose-end sprinklers is prohibited at all times.

(b) Irrigation of green belts, esplanades and sports field shall be limited to thirty (30) minutes for any zone and shall be permitted only on Mondays and Fridays between 8:00 p.m. and 12:00 midnight

(c) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 10:00 a.m. and 2:00 p.m. and between 10:00 p.m. and 6:00 a.m.

(d) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.

(e) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.

(f) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

(g) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the District.

(h) All restaurants are prohibited from serving water to patrons except upon request of the patron.

(i) The following uses of water are defined as non-essential and are prohibited:

(1) wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;

(2) use of water to wash down buildings or structures for purposes other than immediate fire protection;

- (3) use of water for dust control;
- (4) flushing gutters or permitting water to run or accumulate in any gutter or street; and
- (5) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Failure to comply with the Water Use Restrictions is deemed a violation of the Drought Contingency Plan and may result in the termination of water and sewer service to your property. Water and sewer service will not be restored until noncompliance is discontinued and a reconnect fee of \$100 is paid.

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

Very truly yours,

Board of Directors

EXHIBIT 4
TO APPENDIX B

**Harris County Water Control and Improvement District No. 92
of Harris County, Texas
(Drought Stage 4)**

(Date)

Dear Customer:

Harris County Water Control and Improvement District No. 92 is experiencing critical water shortages conditions and is unable to provide water at the customary levels or pressure.

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage 4 of the Drought Contingency Plan is now in effect and the **mandatory** restrictions set forth below are now in effect. The Board of Directors is aware of the inconvenience of these severe restrictions, but it is imperative that the water supply not only be available for drinking and bathing but also for fire fighters in the event of a house fire. Any Customer who violates or permits the violation of the water use restrictions set forth below shall be subject to civil penalties as provided in the District's Drought Contingency Plan (Appendix B to the District's Rate Order), in addition to such other liability as may be imposed by law. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If three or more distinct violations of this Plan occur on the premises of any connection served by the District, the Operator shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District in discontinuing and re-connecting service. In addition, suitable assurance must be given to the District that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.

WATER USE RESTRICTIONS

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage 4 of the Drought Contingency Plan is now in effect. The Board of Directors is aware of the inconvenience of these severe restrictions, but it is imperative that the water supply not only be available for drinking and bathing but

also for fire fighters in the event of a house fire. The following mandatory restrictions are now in effect:

(a) Irrigation of residential areas shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Irrigation of residential landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. Total irrigation times for any zone shall not exceed thirty (30) minutes. The use of hose-end sprinklers or permanently installed automatic sprinkler systems is prohibited at all times.

(b) Irrigation of green belts, esplanades and sports field shall be limited to thirty (30) minutes for any zone and shall be permitted only on Mondays and Fridays between 8:00 p.m. and 12:00 midnight.

(c) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

(d) The filling, refilling, or adding of water to swimming pools, wading pools, and jacuzzi-type pools is prohibited.

(e) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.

(f) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

(g) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the District.

(h) All restaurants are prohibited from serving water to patrons except upon request of the patron.

(i) The following uses of water are defined as non-essential and are prohibited:

(1) wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;

- (2) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (3) use of water for dust control;
- (4) flushing gutters or permitting water to run or accumulate in any gutter or street; and
- (5) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

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

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

Very truly yours,

Board of Directors

EXHIBIT 5
TO APPENDIX B

**Harris County Water Control and Improvement District No. 92
of Harris County, Texas**

(Drought Stage 5)

(Date)

Dear Customer:

Harris County Water Control and Improvement District No. 92 is experiencing emergency water conditions and is unable to provide water at the customary levels or pressure.

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage 4 of the Drought Contingency Plan is now in effect and the **mandatory** restrictions set forth below are now in effect. The Board of Directors is aware of the inconvenience of these severe restrictions, but it is imperative that the water supply not only be available for drinking and bathing but also for fire fighters in the event of a house fire. Any Customer who violates or permits the violation of the water use restrictions set forth below shall be subject to civil penalties as provided in the District's Drought Contingency Plan (Appendix B to the District's Rate Order), in addition to such other liability as may be imposed by law. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If three or more distinct violations of this Plan occur on the premises of any connection served by the District, the Operator shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, as set forth in the District's Rate Order, and any other costs incurred by the District in discontinuing and re-connecting service. In addition, suitable assurance must be given to the District that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.

WATER USE RESTRICTIONS

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage 5 of the Drought Contingency Plan is now in effect. The Board of Directors is aware of the inconvenience of these severe restrictions, but it is imperative that the water supply not only be available for drinking and bathing but

also for fire fighters in the event of a house fire. The following mandatory restrictions are now in effect:

- (a) Irrigation of all residential landscaped areas is prohibited.
- (b) irrigation of green belts, esplanades and sports fields is prohibited.
- (c) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.
- (d) The filling, refilling, or adding of water to swimming pools, wading pools, and jacuzzi-type pools is prohibited.
- (e) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.
- (f) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.
- (g) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the District.
- (h) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (i) The following uses of water are defined as non-essential and are prohibited:
 - (1) wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - (2) use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - (3) use of water for dust control;
 - (4) flushing gutters or permitting water to run or accumulate in any gutter or street; and
 - (5) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).
- (j) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service

facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

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

Very truly yours,

Board of Directors

EXHIBIT 6
TO APPENDIX B
Harris County Water Control and Improvement District No. 92
Of Harris County, Texas

CITATION
AND
NOTICE OF FIRST VIOLATION

(Date)

Dear Customer:

You are hereby notified that violations of the Water Use Restrictions in effect under the Drought Contingency Plan of Harris County Water Control and Improvement District No. 92 have been observed on your premises located at _____,
Spring, TX.

Specifically, on or about _____, 20__:

Enclosed is a copy of the Notice that was issued on _____, 20__, imposing
Water Use Restrictions.

Unless the use of water in a prohibited manner is ceased on your premises, you will be subject to a series of increasing civil monetary penalties. Additional violations may also result in termination of water and sewer service to your property, and service will be restored only upon payment of all sums due plus a \$100 reconnect fee.

Very truly yours,

Board of Directors

EXHIBIT 7
TO APPENDIX B
**Harris County Water Control and Improvement District No. 92
of Harris County, Texas**

CITATION
AND
NOTICE OF PENALTY

(Date)

Dear Customer:

On or about _____, 20____, you were issued a Citation and Notice of First Violation of the Water Use Restrictions under the Drought Contingency Plan of Harris County WCID No. 92. You are hereby notified that additional violation(s) of said Water Use Restrictions have been observed on your premises located at _____, Spring, TX.

Specifically, on or about _____, 20____:

In accordance with the Enforcement provisions of its Drought Contingency Plan, the Board of Directors of the District hereby assesses a monetary penalty or penalties for such violation(s) as indicated below:

- ☐ 2nd violation: \$50.00
- ☐ 3rd violation: \$200.00
- ☐ 4th violation: \$300.00
- ☐ 5th and subsequent violations: \$500.00 each

Each day that a violation of any provision of the Drought Contingency Plan continues shall be considered a separate violation. Any penalty shall be in addition to any other legal rights and remedies of the District as may be allowed by law.

- ☐ For multiple violations following issuance of Citation and Notice of First Violation, service to your connection will be discontinued.

Please contact the District's Operator, Water District Management Inc., at 281-376-8802, to arrange for payment of any monetary penalty and/or re-connection of service.

Very truly yours,

Board of Directors

EXHIBIT 8
TO APPENDIX B

**Harris County Water Control and Improvement District No. 92
of Harris County, Texas**

(Date)

Dear Customer:

The Drought Condition has ended. You may return to normal water usage. The Board of Directors of Harris County Water Control and Improvement District No. 92 appreciates your cooperation and perseverance during this period and would appreciate your continued attention to water use. Continued water conservation practices will help ensure water availability in the future. Thank you for your efforts.

Very truly yours,

Board of Directors

4835-6184-3477, v. 1