

**AMENDED AND RESTATED
ORDER SETTING WATER AND SEWER SERVICE RATES,
ESTABLISHING TAP FEES, ADOPTING RULES AND
REGULATIONS CONCERNING DISTRICT'S WATERWORKS AND
SANITARY SEWER SYSTEM, AND ESTABLISHING POLICY WITH
RESPECT TO FIRE HYDRANTS, MANHOLES, METER BOXES,
AND CLEAN-OUTS**

THE STATE OF TEXAS
COUNTY OF HARRIS
MEMORIAL VILLAGES WATER AUTHORITY

WHEREAS, the Board of Supervisors (the "Board") of Memorial Villages Water Authority (the "Authority") desires to (1) set water and sewer rates sufficient to pay for operation and maintenance of the Authority's waterworks and sanitary sewer system; (2) provide for connections into its water distribution and sanitary sewer collection systems; (3) adopt rules to maintain a safe and adequate sanitary sewer system, protect the sanitary condition of the Authority's water supply, and prevent waste or unauthorized use of its water supply and unauthorized use of its sanitary sewer system; and (4) establish a policy for the adjustment of fire hydrants, manholes, meter boxes, and clean-outs;

WHEREAS, the Board is required by 31 Texas Administrative Code Section 293.111 to adopt certain rules concerning construction of commercial and/or household sewer service lines and connections to the Authority's sanitary sewer system; and

WHEREAS, the Board has been advised by the Authority's General Manager that the charges, rules, and policies described below are sufficient for such purposes;

WHEREAS, the Board now deems it necessary and advisable to amend such Consolidated Rate Order to increase water and sewer service rates and to restate such Order as amended;

IT IS, THEREFORE, ORDERED BY THE BOARD OF SUPERVISORS OF MEMORIAL VILLAGES WATER AUTHORITY THAT:

I. Service Agreements with Customer. Prior to receiving permanent water service (upon initial completion of an improvement within the Authority's service area, upon reinstatement of water service after a turn-off, or upon transfer of water service to a new customer), the customer shall execute and deliver to the Authority's General Manager a service agreement in the form attached as Exhibit "A".

II. Customer Service Inspections.

A. A customer service inspection certification in the form attached to these Rules as exhibit "B" must be completed and delivered to the Authority: (1) prior to the time the Authority provides sanitary sewer service or permanent water service to a new connection in the Authority's service area, (2) within 5 days after an existing customer receives notice from the Authority that it has reason to believe that a cross-connection or other unacceptable plumbing

practice exists at his establishment, or (3) within 30 days after any material improvement, correction or addition is made to the private plumbing facilities of any connection. Failure to provide such certification is a violation of these rules.

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 holding license endorsement issued 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 Commission or its designated agent, and hold an endorsement granted by the Commission or its designated agent.

C. It is the responsibility of the customer to obtain the certification and to deliver such to the Authority.

D. The existence of private plumbing facilities in violation of (1) local plumbing codes and/or, (2) Section III or IV of these rules is an unacceptable plumbing practice and a violation of these rules. Upon discovery of any such condition, the Authority may immediately terminate water service to the connection to protect the integrity of its public water supply system. Service will be restored only when the source of potential contamination no longer exists or when sufficient additional safeguards have been taken as determined by the Authority's General Manager.

III. Rules and Regulations Governing the Authority's Waterworks and Wastewater Systems.

A. Prohibition on Use of Lead: The use of pipes and pipe fittings that contain more than 8.0 percent lead or solders and flux that contain more than 0.2 percent lead is prohibited for installation or repair of the Authority's water system and for installation or repair of any plumbing in a residential or non residential facility providing water for human consumption and connected to the Authority's water system.

B. Prohibition on Direct or Cross Connections: No water connection from the Authority's water 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 the containment air gap is impractical, reliance may be placed on individual "internal" air gaps or mechanical backflow prevention devices. Under these conditions, additional protection shall be required at the meter in the form of a 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.

C. Condensing, Cooling or Industrial Process: No water connection from the Authority'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 Authority does not have sanitary control, unless the connection is made in accordance with the requirements of this subsection. Water from such systems cannot be returned to the Authority's potable water supply system.

D. Overhead and Elevated Bulk Water Stations: No overhead or elevated bulk water dispensing station may be connected to the Authority's water supply system without an air gap between the filling outlet hose and the receiving tank to protect against back siphonage and cross-connection.

E. Fire Sprinkler and Irrigation Systems: No residential or nonresidential fire sprinkler system or irrigation system may be connected to the Authority's water supply system without an approved backflow prevention device installed and maintained in accordance with AWWA Standards C510 and C511, AWWA Manual M14 and local fire and plumbing codes as applicable.

F. Inspection of Backflow Prevention Devices:

1. All backflow prevention assemblies shall be tested by a recognized backflow prevention assembly tester after installation and, in case of new establishments, prior to the time the Authority begins providing permanent water service to the system on which the devices has been installed. Backflow prevention assemblies which are installed to provide protection against high health hazards must also be tested at least annually. A high health hazard is defined as a cross-connection, potential cross-connection, or other situation involving any substance that could cause death, illness, spread of disease, or has a high probability of causing such effects if introduced into the potable drinking water supply.

2. Recognized testers shall have completed a Commission approved course on cross connection control and backflow prevention and shall have passed an examination administered by the Commission or its designated agent. Testers are required to renew their accreditation every 3 years. The accredited tester classification shall be broken down into two categories:

a) The "General Tester" is qualified to test backflow prevention assemblies on any domestic, commercial, industrial or irrigation service except fire lines.

b) The "Fire Line Tester" is qualified to test backflow prevention assemblies on fire lines only. The State Fire Marshall's office requires that a person performing maintenance on fire lines must be employed by an Approved Fire Line Contractor.

3. Individuals that can show proof of completion of a course and passage of an exam based on the ABPA or ASSE National exam, prior to September 1, 1995, may be recognized as accredited for the term of their current certification (not to exceed 3 years). Those individuals that have not renewed their accreditation are required to complete the Commission approved courses and pass the exam administered by the Commission or it designated agent.

4. Gauges used in the testing of backflow prevention assemblies shall be tested for accuracy annually in accordance with the University of Southern California's Foundation of Cross Connection Control and Hydraulic Research and/or the AWWA manual of Cross Connection Control (Manual M-14). Testers shall include test gauge serial numbers on "Test and Maintenance" report forms.

5. 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 City having jurisdiction (City of Hedwig Village, Hunters Creek Village or Piney Point Village) and a copy of such provided to the Authority for record keeping purposes. Should the tester

choose to use a report format which differs from that provided by the Authority and attached to these Rules as exhibit "C", it must minimally contain all information required by the Authority's report form.

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

7. The use of a backflow prevention device at the service connection shall be considered as additional backflow prevention and shall not negate the use of backflow protection on internal hazards as outlined and enforced by local plumbing codes.

8. No permanent service will be provided or continued to any connection in the Authority's service area which requires a backflow prevention device, unless the customer provides the Authority with a backflow prevention assembly test and maintenance report properly completed and signed by an accredited tester.

9. A customer with a connection to the Authority's public water supply system which presents high health hazards must provide the Authority with a properly completed and signed test report annually. In the event any customer fails to provide such a report within 30 days after written notification by the Authority that such a report is required, the Authority may (1) terminate the connection to its water system or (2) engage a Certified Tester to inspect and test the backflow prevention device and the cost will automatically be charged to the customer's account.

G. Discharge of Waste into the Sanitary Sewers:

1. All discharges into the sanitary sewers of the Authority are regulated by a BOARD ORDER "Regulating the Discharge of Waste into the Sanitary Sewers of the Memorial Villages Water Authority, Establishing a Permit System, Establishing a System of Charges For Services Rendered, Regulating Un-sewered and Miscellaneous Discharges, and Providing for Enforcement", established July 5, 1983, as amended and attached as exhibits "D" and "E".

H. Encumbrance of Facilities Prohibited: No person shall encumber or cause to be encumbered any manhole, fire hydrant, valve, valve box, water meter, water meter box, clean-out, clean-out box, or any other water or sewer utility line or related fitting, equipment, facilities or appurtenances owned by the Authority. This shall include, but not be limited to, covering or hindering the access to or opening of manholes, clean-out boxes, water valve boxes or water meter boxes.

I. Adjustments of Manholes, Fire Hydrants, Meter Boxes, and Clean-Outs. No elevation or grade change to any manhole, fire hydrant, valve, valve box, water meter, water meter box, clean-out, clean-out box, or any other water or sewer utility line or related fitting, equipment, facilities or appurtenances owned by the Authority shall be made without written permission of the Authority. Where an adjustment in elevation or grade is needed, the Authority shall approve the method and materials used before such adjustment is made and all costs of said adjustment shall be the responsibility of the property owner requesting the adjustment. The General Manager shall prepare a cost accounting of the adjustment and payment shall be made to the Authority before any such

adjustments are made. The Authority shall only make adjustments to facilities owned by the Authority.

IV. Connections to Authority's Waterworks and Sanitary Sewer System.

A. Connections Made, and Inspected by Authority, Plans Reviewed by Authority's General Manager. All water taps and sanitary sewer taps, except those for new subdivisions and/or re-plated property or property subdivided, and inspections shall be made by the Authority. All water taps and sanitary sewer taps for subdivisions and/or re-plated property or property subdivided shall be made by the developer or owner at their expense. All plans and specifications shall be submitted in duplicate, reviewed and approved by the Authority's General Manager prior to construction.

B. New Buildings. All new buildings constructed within the Authority service area shall have the finished floor of the building no less than 12 inches above the nearest manhole that provides service to the building or, where no sewer is available, the finished floor shall be not less than four inches above the crown of the street. The lowest elevation of any sunken tub or sunken plumbing fixture connected to a sanitary sewer line that connects to the Authority's sanitary sewer system shall be no less than six inches above the top elevation of the nearest manhole of the Authority that provides service to the building. All Sanitary Sewer Service Lines shall be fitted with a two-way clean-out, at the property line.

C. Plans Submissions. All construction plans shall be submitted, in duplicate, to the general manager for construction, sewer connection or septic systems and shall reflect the elevations of the finished floor of the building, the elevation of any sunken tub and/or sunken plumbing fixture and the elevation of the nearest manhole that provides service to the building or crown of the street, whichever is applicable. The Authority will not connect any sewer system to its lines or allow any connection to its lines until such plans have been reviewed by the City or Village within which such construction is proposed and the Director of Public Works, or other official designated by the governing body of the City, has verified that the plan meets the requirements of this Order and that "as-built" drawings of the proposed construction submitted after construction has been completed are in accordance with such construction plans.

D. Damage Risks. All connections to the Authority's system are made on the condition that the owner shall take all risk of damage that may result from a backup of water and/or sewage into and or onto the premises from the sewer.

E. Existing Structures, Remodeling and Demolition: Existing structures and additions constructed during remodeling required to be connected to (1) the public sewers or (2) existing private sewers that have an existing connection to the public sewer (re-modeling), shall have the finished floor a minimum of 12 inches above the nearest manhole that will provide service to the structure and sunken tubs and/or sunken plumbing fixture shall be at least six inches above the top elevation of the nearest manhole that will provide service to the structure. Demolition of property, that has an existing connection to the Authority's sanitary sewer system, shall be preceded by a written approval from the Authority for such demolition.

F. Exceptions. Where the public or private sewer is not of sufficient depth or where structures required to be connected to the sewer cannot meet the minimum requirements of this Section and other ordinances, the General Manager of the Authority may authorize a connection to the Authority's system for an alternative method of construction or installation when this will not be detrimental to the health, welfare and safety of the public, provided, however, that the

Director of Public Works or other official designated by the governing body of the City in which the construction or connection is proposed to be made has also certified that the proposed alternative method of construction or installation will not be detrimental to the health, welfare and safety of the public. The full cost of any such authorized alternative method of construction, connection or installation, including maintenance, shall be the responsibility of the owner.

G. Payment of Fees. Anyone desiring a connection to the Authority's waterworks and sanitary sewer system must pay the water tap fee, water system connection fee, sanitary sewer tap fee, sanitary sewer connection fee and inspection fees, as applicable, prior to receiving the connection. The Authority shall make no connection into or allow any connection into the Authority's system until the applicable fees are paid.

H. Tap Fees, Connection Fees and Inspection Fees.

1. The water tap fees and water system connection fees shall be as follows and include the tap, meter, meter box and initial inspection where the water tap is made by the Authority. Where the water tap is not made by the Authority, only the Connection Fee shall apply and will include the meter, meter box and initial inspection.

<u>TAP SIZE</u>	<u>TAP FEE</u>	<u>CONNECTION FEE</u>
3/4-inch tap	575.00	325.00
1-inch tap	725.00	425.00
1-1/2-inch tap	975.00	575.00
2-inch tap	1,175.00	775.00
3-inch tap	By Contract	1,600.00
4-inch tap	By Contract	2,250.00
6-inch tap	By Contract	3,800.00

Taps larger than 2-inch, compound meters and fire meters to be quoted on a cost plus 15 percent fee basis.

Re-inspection fees of private water facilities shall be \$50.00.

2. Where the Authority makes the sanitary sewer tap, the sanitary sewer tap fee and connection fee shall be quoted on a cost plus 15% fee basis and will include the tap, service line to the property line, a clean out at the property line and an initial inspection fee. Where the Authority does not make the tap, only a connection fee of \$800.00 is required. Re-inspection fees of private sanitary sewer facilities shall be \$50.00.

I. Limitations. Residential customers shall be limited to one sanitary sewer connection per residence unless a waiver of such limitation is granted by the Authority's General Manager or Board of Supervisors. Where a waiver is granted, a sanitary sewer tap "Surcharge"

fee of \$500.00 shall be required in addition to the normal and customary sanitary sewer tap and connection fees stated in H.2. above, as applicable.

V. Requirements of Homebuilders.

A. Builder Deposit. Before any water taps, sanitary sewer taps, or inspections shall be made by the Authority or water or sanitary sewer service provided for a builder operating within the Authority, the builder shall deposit \$100.00, per account, with the Authority. The deposit shall be refunded without interest to the builder at the completion of the builder's building program within the Authority.

B. Use of Deposit. The Authority shall bill repair costs caused by builder negligence, the builder's contractors, sub-contractors or any other person, to the builder responsible for the property, for damages to any part of the Authority's water or sanitary sewer system. If a builder (1) fails to pay such bills for 45 days or more or (2) is responsible for outstanding bills in an amount greater than \$100.00, then the Authority may apply all or any part of the \$100.00 deposit to pay for the system repairs. Subsequent to the application of a builder's deposit, the Authority shall provide no water or sewer service, make no additional water taps, sanitary sewer taps, or inspections for such builder until the deposit is re-established in the full amount of \$100.00 or such greater amount as required by the General Manager.

VI. Deposits and Rates; Water and Sewer Service; Checks Returned Because of Insufficient Funds.

A. Deposit. For each residence in the Authority which is the subject of a lease or rental agreement, the Authority shall collect a security deposit of \$70.00 from the lessee or renter upon each new connection or reconnection by the Authority to its waterworks system. The Authority shall collect a security deposit equal to the highest average of four billings, as estimated by General manager of the Authority, for each new commercial connection or reconnection by the Authority to its waterworks system; provided, however, that such deposit may be in the form of cash, a letter of credit from a local bank or savings and loan association insured by the Federal Deposit Insurance Corporation, a surety bond from a surety which is rated "A" or better by Best Key Rating Service, or any other instrument acceptable to the General Manager of the Authority. The Authority shall collect a \$500.00 cash fire hydrant meter security deposit from persons requesting water from one of the Authority's fire hydrants.

All deposits, except for the cash meter security deposit, shall be placed in a separate, non-interest bearing account. The cash deposit shall be held by the Authority until the Authority's fire hydrant meter has been returned. All deposits shall be refunded or applied to any outstanding bill, as applicable, when the resident or commercial establishment discontinues Authority service or fire hydrant meter has been returned. If a resident or commercial establishment is delinquent in payment of amounts owed the Authority for 60 days or more, then the Authority may apply all or part of the deposit against the amount owed the Authority. The resident or commercial establishment shall then be required to re-establish a deposit with the Authority as provided in VI.A, above. The Authority shall discontinue water service if a resident or commercial establishment fails to establish a deposit within 15 days of receiving notification of such from the Authority.

B. Water and Sewer Service. The following charges for water distribution and sewage collection along with the regulatory assessment to be collected pursuant to Texas Water Code § 5.235, are hereinafter in effect:

WATER SERVICE

Monthly Charges:

Residential:

First 2,000 gallons of water used (Minimum bill)	\$ 14.00
Each 1,000 gallons of water used from 2,001 to 5,000 gallons	\$ 1.50
Each 1,000 gallons of water used from 5,001 to 10,000 gallons	\$ 1.70
Each 1,000 gallons of water used from 10,001 to 15,000 gallons	\$ 2.00
Each 1,000 gallons of water used from 15,001 to 20,000 gallons	\$ 2.30
Each 1,000 gallons of water used from 20,001 to 25,000 gallons	\$ 2.60
Each 1,000 gallons of water used from 25,001 to 30,000 gallons	\$ 2.85
Each 1,000 gallons of water used over 30,000 gallons	\$3.00

Schools, Churches, and Commercial Users:

First 2,000 gallons of water used (Minimum bill)	\$ 17.00
Each 1,000 gallons of water used from 2,001 to 5,000 gallons	\$ 1.75
Each 1,000 gallons of water used from 5,001 to 10,000 gallons	\$ 1.95
Each 1,000 gallons of water used from 10,001 to 15,000 gallons	\$ 2.20
Each 1,000 gallons of water used from 15,001 to 20,000 gallons	\$ 2.50
Each 1,000 gallons of water used from 20,001 to 25,000 gallons	\$ 2.75
Each 1,000 gallons of water used from 25,001 to 30,000 gallons	\$ 3.00
Each 1,000 gallons of water used over 30,000 gallons	\$ 3.50

Water for Fire Protection \$ 10.00

Water for Contractors Through Fire Hydrants:

(METER TO BE PROVIDED BY THE AUTHORITY)

First 1,000 gallons of water used (Minimum bill)	\$ 25.00
Each 1,000 gallons of water used from	\$ 2.50

2,000 to 4,000 gallons
Each 1,000 gallons of water used over
4,000 gallons \$ 3.00

SEWER SERVICE*

Monthly Charges:

Residential:

First 2,000 gallons of water used (Minimum bill)	\$14.00
Each 1,000 gallons of water used from 2,001 to 5,000 gallons	\$ 1.40
Each 1,000 gallons of water used from 5,001 to 10,000 gallons	\$ 1.50
Each 1,000 gallons of water used from 10,001 to 15,000 gallons	\$ 1.60
Each 1,000 gallons of water used from 15,001 to 20,000 gallons	\$ 1.70
Each 1,000 gallons of water used from 20,001 to 25,000 gallons	\$ 2.10
Each 1,000 gallons of water used from 25,001 to 30,000 gallons	\$ 2.30

(No sewer charge on water over 30,000 gallons)

Schools, Churches, and Commercial Users:

First 2,000 gallons of water used (Minimum bill)	\$ 17.00
Each 1,000 gallons of water used from 2,001 to 5,000 gallons	\$ 1.70
Each 1,000 gallons of water used from 5,001 to 10,000 gallons	\$ 1.80
Each 1,000 gallons of water used from 10,001 to 15,000 gallons	\$ 2.00
Each 1,000 gallons of water used from 15,001 to 20,000 gallons	\$ 2.20
Each 1,000 gallons of water used from 20,001 to 25,000 gallons	\$ 2.40
Each 1,000 gallons of water used from 25,001 to 30,000 gallons	\$ 2.60
Each 1,000 gallons of water used over 30,001 gallons	\$ 3.00

City of Bunker Hill Village:

Each 1,000 gallons of sewer treated (Minimum bill)	\$ 10.85
Each 1,000 gallons of sewer treated over 1,000 Gallons	\$ 0.85

G & A Expense based on "Residential
Equivalents"

“City of Bunker Hill Village” “*the City*” shall be billed on a monthly basis of the total gallons treated multiplied by the current sewer rate for the City please G & A Expenses as calculated below.

The G & A Expenses shall be determined by dividing the number of "Residential Equivalents" for the fiscal year ending April 30th included in the City by the number of "Residential Equivalents" for the fiscal year ending April 30th included in both the Authority and the City and multiplying the resulting quotient (a) times the total of Direct Costs Chargeable to the Wastewater Treatment Plant and the Trunk Line for the fiscal year ending April 30th.

*Not applicable to separate sprinkler meters.

Where the Authority provides sewer service only, no water service, the following rates shall apply:

Residential Sewer Service Only:

FLAT RATE BASED ON 30,000 GALLONS \$ 64.20

Commercial Sewer Service Only – Inside or Outside Authority:

To be set by the General Manager of the Authority based on type of business, typical water usage, comparative usages and/or available usage historical information.

C. Returned Checks. Any check of any customer of the Authority returned because of insufficient funds shall result in a charge of \$25.00 to such customer's account.

VII. Billing and Collection; Delinquent Accounts and Delinquent Ad Valorem Tax Accounts.

A. The Authority shall bill each customer on or about the 15th day of every month. All bills shall become delinquent if not paid by the 10th day of the following month. A penalty of 5% will be added to all bills outstanding by the end of the billing month. Upon a customer's request for a waiver of the penalty, the General Manager may waive such penalty if it is determined by past payment record that the Customer has paid all bills in a timely fashion for the last 12 consecutive months. If a bill is delinquent for 60 days (irrespective of the payment record of the customer), the Authority shall discontinue the delinquent customer's water service.

After the 10-day delinquency period, a delinquent customer shall be notified in the next billing of the delinquency and the date on which water service shall be terminated if the account is not paid. The termination date shall be not less than 5 days from the date the notice is sent. The notice shall additionally state the place and time at which the account may be paid and that any errors in the billing may be corrected by contacting the Authority at that telephone number given in such notice. A similar notice shall be left by the Authority on the door at the address where service was provided.

Notwithstanding anything else in this section, the Authority shall not provide service to a customer whose service has been discontinued, due to delinquency, until the account has been paid in full or the security deposit provided for in VI.A. is re-established in the full amount described therein or such greater amount as required by the General Manager.

B. Delinquent Ad Valorem Tax Accounts. The Authority shall, in accordance with law, bill or cause the billing of all property owners in the Authority for ad valorem taxes due, including penalty and delinquency charges. All bills shall become delinquent if not paid by

January 31 of the year following the year for which the tax bills have been rendered. If a bill remains unpaid for 6 months after any annual delinquency date, water service may be discontinued in accordance with this paragraph. The taxpayer shall be notified in the next billing after such 6-month period (or at any time thereafter that the Board of Supervisors of the Authority determines that discontinuance of service is an appropriate method for collecting delinquent taxes from any taxpayer), of the tax delinquency and that water service shall be terminated if the delinquent tax account is not paid by a date certain, which date shall be not less than 20 days from the date such notice is mailed. Such notice shall be mailed to the address appearing on the tax roll and shall state the place and time at which the account may be paid and that any errors in the tax statement may be corrected by contacting the tax assessor/collector, whose telephone number shall also be given in such notice. Such notice shall also be postmarked or sent at least 10 days before the next regular Board of Supervisors meeting, which shall be the meeting at which the question of the termination of service for the nonpayment of taxes for any such delinquent taxpayer is to be considered. Such notice shall specify the date, time and place of such Board of Supervisors meeting and shall indicate that the taxpayer shall have the opportunity to appear at such Board meeting to present evidence of why the taxpayer's water service should not be disconnected. Once the Board of Supervisors has authorized the Authority's General Manager to terminate water service for the nonpayment of taxes, a notice of intent to terminate shall be left by an Authority employee on the door at the address to which the service proposed to be disconnected was provided, which notice shall also state the time and place at which the account may be paid or that any errors in the tax bill may be corrected. The Authority's General Manager may have the water service disconnected on or after the date specified in the notice sent to the taxpayer, if the delinquent tax account is not resolved to the Authority's satisfaction by such date. After a notice of termination of water service has been sent to a taxpayer, payment of amount of taxes due must be in the form of cash, or by cashier's check or money order before service is again commenced to such taxpayer.

VIII. Discontinuation of Service.

A. Charges for Disconnection and Reconnection. If service is discontinued, whether because of a customer's delinquent water account, delinquent ad valorem tax account or, to enforce its rules regarding Authority facilities, the Authority shall charge \$50.00 if the customer is a residential customer and \$75.00 if the customer is a commercial customer.

B. Charges for Removal and Reinstallation of Water Meter. If the Authority is required to remove a water meter to enforce its rules regarding Authority facilities, the Authority shall charge \$100.00 to remove ¾-inch and 1-inch meters and \$100.00 to reinstall ¾-inch and 1-inch meters and \$150.00 to remove 1½-inch and 2-inch meters and \$150.00 to reinstall 1½-inch and 2-inch meters.

IX. General Policies.

A. All Services Charged. The Authority shall not provide free water or sewer service to any person, firm, corporation, or organization, including water passing through the meter of a customer due to a broken or leaking pipe, fitting or fixture, irrespective of whether the broken or leaking pipe, fitting or fixture was a result of cold or freezing weather or any other act by or beyond the control of the customer. Unless otherwise approved by the General Manager, it shall be a violation of this Order for anyone to take water from any Authority pipe, line, tank, fire

hydrant, sample tap, hose bib, or other Authority facility without first passing through an Authority water meter.

1. Sewer Credit for Water Leak: Upon a customer's written request, the General Manager may make an adjustment to a customer's sewer charge due to a customer's broken or leaking pipe, fitting or fixture provided (1) the customer can furnish either a paid invoice from the plumber that made the repairs or (2) a paid invoice of the plumbing supplies purchased by the customer to make the repairs and (3) the broken or leaking pipe, fitting or fixture did not leak into the sanitary sewer system of the Authority. The adjustment to the sewer charge shall be calculated as follows:

SEWER CREDIT DUE = WATER USAGE DURING BREAKAGE PERIOD LESS THE CUSTOMERS AVERAGE WATER USAGE DURING LIKE PERIODS OF TIME MULTIPLIED BY THE CURRENT SEWER RATE.

B. Other Utilities. Prior to installing underground cables, lines, conduit or other facilities in the area of Authority water supply and sanitary sewer collection lines, representatives of companies installing such cables, lines, conduit, or other facilities shall contact the Authority to file such companies' construction plan and schedule and to review the engineering plans illustrating the location of Authority lines.

C. Implementation of Order. This Order is effective as of the date of its adoption by the Board. The President or Vice President or Secretary or Acting Secretary of the Board are authorized to do all things necessary and proper to evidence the Board's adoption of this Order and to carry out the intent hereof.

MEMORIAL VILLAGES WATER AUTHORITY

1955 GAYLORD DRIVE

HOUSTON, TEXAS 77024

(713) 465-8318

CUSTOMER APPLICATION AND SERVICE AGREEMENT

NAME: _____

MAILING ADDRESS: _____

SERVICE ADDRESS: _____

SERVICE FOR: [] OWNERS PROPERTY [] RENTED/LEASED PROPERTY [] BUSINESS PROPERTY

[] VACANT LOT/PROPERTY [] BUILDERS PROPERTY [] REALTORS PROPERTY [] GOVERNMENT

DATE SERVICE IS TO BEGIN: _____ TYPE OF SERVICE: [] WATER [] SEWER

The undersigned "Customer" hereby makes application for water and/or sanitary sewer service to be furnished by Memorial Villages Water Authority, the "District", to the premises described above in accordance with the operating practices of the District. The Customer agrees to take and use the same, and to pay for all water and/or sanitary sewer service supplied to said premises, at the rates now fixed, or which may be hereafter fixed, by the District, as bills are rendered therefor, is measured by the meter for water and as established for sanitary sewer service, until written notice is given by the Customer to the District at its office to discontinue service. The Customer hereby expressly agrees to, and this agreement is made subject to, all and singular the rules and regulations fixed and prescribed by the District, now in effect, or which may be hereafter fixed for the management, operation, maintenance and protection of the public water and sanitary sewer systems of the District. The Customer hereby acknowledges the following unacceptable plumbing practices are prohibited by state regulations and agrees to immediately correct any and all unacceptable plumbing practices on the premises described above.

- A. No direct connection between the public drinking water 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 public drinking water system and a private water system is permitted. These potential threats to the public drinking water 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 public drinking water system is permitted.
D. No pipe or pipe fitting which contains more than 8.0 percent lead or solder or flux which contains more than 0.2 percent lead can be used for the installation or repair of plumbing at any connection which provides water for human use.

In addition, the following are made a part of the application and service agreement between the District and the Customer:

- A. The District will maintain a copy of this agreement as long as the Customer and/or the premises is connected to the public water and/or sanitary sewer system.
B. The Customer shall allow the above described premises 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 continuous water service; when there is reason to believe that cross-connections or other unacceptable (sic) plumbing practices exist; or after any major changes to the private plumbing facilities. The inspections shall be conducted during the District's normal business hours.
C. The District or its designated agent shall notify the Customer in writing of any cross-connection or other unacceptable plumbing practice which has been identified during the initial inspection or the periodic re-inspection.
D. The Customer shall, at his/her 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.
E. If the Customer fails to comply with the terms of this Application and Service Agreement, the District shall have the right to terminate service immediately.

Table with 2 columns: Description and Amount. Rows include: 1. WATER METER, TAP & MAINTENANCE FEE; 2. SANITARY SEWER TAP & MAINTENANCE FEE; 3. METER DEPOSIT; 4. AMOUNT PAID; 5. BALANCE DUE.

Description: _____

This Application and Service Agreement is to become a CONTRACT only upon acceptance by the undersigned Customer and Memorial Villages Water Authority.

ACCEPTED THIS THE _____ DAY OF _____, _____.

BY: _____

_____ APPLICANTS SIGNATURE

MEMORIAL VILLAGE WATER AUTHORITY

SAMPLE SERVICE INSPECTION CERTIFICATION

Name of PWS: _____

PWS I.D.#: _____

Location of Service: _____

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

	Compliance	Non-Compliance	Certificate of Compliance on File
(1) No direct connection between the public drinking water supply and a potential source of contamination exists. Potential sources of contamination are isolated from the public water system by an air gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices are in compliance with state plumbing codes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) No cross-connection between the public drinking water supply and a private water system exists. Where an actual air gap is not maintained between the public water supply and a private water supply, an approval reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention device tester.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) No connection exists which would allow the return of water used for condensing cooling or industrial processes back to the public water supply.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5) No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after July 1, 1988.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Water services 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	<input type="checkbox"/>	Copper	<input type="checkbox"/>	PVC	<input type="checkbox"/>	Other	<input type="checkbox"/>
Solder	Lead	<input type="checkbox"/>	Lead Free	<input type="checkbox"/>	Solvent Weld	<input type="checkbox"/>	Other	<input type="checkbox"/>

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

Signature of Inspector

Registration Number

Title

Type of Registration

Date

MEMORIAL VILLAGES WATER AUTHORITY

1955 GAYLORD DRIVE

HOUSTON, TEXAS 77024

(713) 465-8318

BACKFLOW PREVENTION ASSEMBLY TEST AND MAINTENANCE REPORT

Effective January 1, 1996, the Texas Natural Resource Conservation Commission (TNRCC) requires all backflow prevention assemblies to be tested upon installation and at least annually thereafter by a Certified Backflow Prevention Device Tester. This form shall be completed by a Certified Tester and returned to the Water Authority before water service can be provided.

Name of Public Water System : Memorial Villages Water Authority
 Public Water System I.D. No. : 1010148

Service Address of Backflow Device: _____

Customer Name : _____

TYPE OF ASSEMBLY

Reduced Pressure Principle
 Double Check Valve

Pressure Vacuum Breaker
 Atmosphere Vacuum Breaker

Manufacturer _____
 Model Number _____
 Serial Number _____

Size _____
 Located at _____
 Located at _____

	REDUCED PRESSURE PRINCIPAL ASSEMBLY			PRESSURE VACUUM BREAKER	
	Double Check Valve Assembly				
	1 st Check	2 nd Check	Relief Valve	Air Inlet	Check Valve
Initial Test	DC-Closed <input type="checkbox"/> Tight RP- _____ psid Leaked <input type="checkbox"/>	Closed Tight <input type="checkbox"/> Leaked <input type="checkbox"/>	Opened at: _____ psid	Opened at: _____ psid Did Not Open <input type="checkbox"/>	_____ psid Leaked <input type="checkbox"/>
Repairs and Materials Used					
Test After Repair Made	DC-Closed <input type="checkbox"/> Tight RP- _____ psid	Closed Tight <input type="checkbox"/> Leaked <input type="checkbox"/>	Opened at: _____ psid	Opened at: _____ psid	_____ psid

THE ABOVE INFORMATION IS CERTIFIED TO BE TRUE TO THE BEST OF MY KNOWLEDGE.

Firm Name: _____ Testers Name (Print): _____

Firm Address: _____ Testers Signature: _____

_____ Certificate No.: _____

Firm Phone No.: _____ Date: _____ Expiration Date: _____

**ORDER ADOPTING A SEWER USE ORDINANCE
A BOARD ORDER**

REGULATING THE DISCHARGE OF WASTES INTO THE SANITARY SEWERS OF THE MEMORIAL VILLAGES WATER AUTHORITY, ESTABLISHING A PERMIT SYSTEM, ESTABLISHING A SYSTEM OF CHARGES FOR SERVICES RENDERED, REGULATING UNSEWERED AND MISCELLANEOUS DISCHARGES, AND PROVIDING FOR ENFORCEMENT.

WHEREAS, the Memorial Villages Water Authority has provide facilities for the collection and treatment of wastewater to promote the health, safety, and convenience of its people and for the safeguarding of water resources common to all, and

WHEREAS, a provision has been made in the design, construction and operation of such facilities to accommodate certain types and quantities of industrial wastes in addition to normal wastewater, and

WHEREAS, it is the obligation of the producers of industrial waste to defray the costs of the wastewater treatment services rendered by the Memorial Village Water Authority in an equitable manner and, insofar as it is practicable, in proportion to benefits derived, and

WHEREAS, protection of the quality of the effluent and proper operation of the wastewater collection and treatment facilities may require either the exclusion, pretreatment, or controlled discharge at point of origin of certain types of quantities of industrial wastes, and

WHEREAS, the Memorial Villages Water Authority shall require future compliance with any rules and regulations promulgated under Section 307 of the Clean Water Act;

NOW, THEREFORE BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF THE MEMORIAL VILLAGES WATER AUTHORITY:

SANITARY SEWER USE ORDINANCE

SECTION 1. Definitions. As used in this board order

- (1) “APPROVING AUTHORITY” means the Board of Supervisors of the Authority or its duly authorized representative;
- (2) “AUTHORITY” means the Memorial Villages Water Authority, Harris County, Texas, or any authorized person acting in its behalf;
- (3) “B.O.D.” (Biochemical Oxygen Demand) means the quantity of oxygen by weight, expressed in mg/1, utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of twenty (20) degrees centigrade;
- (4) “BUILDING SEWER” means the extension from the building drain to the Public Sewer or other place of disposal (also called the house lateral and house connection);
- (5) “C.O.D.” (Chemical Oxygen Demand) means measure of the oxygen consuming capacity of inorganic and organic matter present in the water of Wastewater expressed in mg/1 as the amount of oxygen consumed from a chemical oxidant in a specific test, but not differentiating between stable and unstable organic matter and thus not necessarily correlating with biochemical oxygen demand;
- (6) “CONTROL MANHOLE” means a manhole giving access to a building sewer at some point before the building sewer discharge mixes with other discharges in the Public Sewer;
- (7) “CONTROL POINT” means point of access to a course of discharge before the discharge mixes with other discharges in the Public Sewer;
- (8) “GARBAGE” means animal and vegetable Wastes and residue from preparation, cooking and dispensing of food; and from the handling, processing, storage and sale of food products and produce;
- (9) “INDUSTRIAL WASTE” means Waste resulting from any process of industry, manufacturing, trade, or business from the development of any natural resource, or any mixture of the Waste with water or Normal Wastewater, or distinct from Normal Domestic Wastewater;
- (10) “INDUSTRIAL WASTE CHARGE” means the charge made to those persons who discharge Industrial Wastes in the Authority’s Sanitary Sewer system;
- (11) “MANAGER” means the General Manager of the Memorial Villages Water Authority, Harris County, Texas or his duly authorized deputy, agent or representative;
- (12) “MILLIGRAMS PER LITER” (mg/1) means the same as parts per million and is a weight-to-volume ratio; the milligram-per-liter value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water;
- (13) “NATURAL OUTLET” means any outlet into a watercourse, ditch, lake, or other body of surface water or groundwater;

(14) “NORMAL DOMESTIC WASTEWATER” means Wastewater excluding Industrial Waste discharged by a person into Sanitary Sewers and in which the average concentration of total suspended solids is not more than 250 mg/1 and BOD is not more than 250 mg/1;

(15) “OVERLOAD” means the imposition of organic or hydraulic loading on a treatment facility in excess of its engineered design capacity;

(16) “PERSON” means any individual and includes any corporation, organization, government or governmental subdivision or agency, business trust, estate, trust, partnership association, or other legal entity;

(17) “pH” means the logarithm (Base 10) of the reciprocal of the hydrogen ion concentration;

(18) “PUBLIC SEWER” means pipe or conduit carrying Wastewater or unpolluted drainage in which owners of abutting properties shall have the use, subject to control by the Authority;

(19) “SANITARY SEWER” means a Public Sewer that conveys domestic Wastewater or Industrial Wastes or a combination of both, and into which storm water, surface water, groundwater, and other unpolluted Wastes are not intentionally passed;

(20) “SLUG” means any discharge of water, Wastewater or Industrial Waste which in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four hour concentration or flows during normal operation;

(21) “STANDARD METHODS” means the examination and analytical procedures set forth in the latest edition, at the time of analysis, of “Standard Methods for the Examination of Water and Wastewater” as prepared, approved and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation;

(22) “STORM SEWER” means a Public Sewer which carries storm and surface waters and drainage and into which Normal Domestic Wastewater or Industrial Wastes are not intentionally passed;

(23) “STORM WATER” means rainfall or any other forms of precipitation;

(24) “SUSPENDED SOLIDS” (SS) means solids measured in mg/1 that either float on the surface of, or are in suspension in, water, Wastewater, or other liquids, and which are largely, removable by a laboratory filtration device;;

(25) “TO DISCHARGE” includes to deposit; conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions;

(26) “TRAP” means a device designed to skim, settle, or otherwise remove grease, oil, sand, flammable Wastes or other harmful substances;

- (27) “UNPOLLUTED WASTEWATER” means water containing:
- A. no free or emulsified grease or oil;
 - B. no acids or alkalis;
 - C. no phenols or other substances producing taste or odor in receiving water;
 - D. no toxic or poisonous substances in suspension, colloidal state, or solution;
 - E. no noxious or otherwise obnoxious or odorous gases;
 - F. not more than an insignificant amount in mg/1 each of suspended solids and BOD, as determined by the Texas Commission on Environmental Quality; and
 - G. color not exceeding fifty (50) units as measured by the Platinum-Cobalt method of determination as specified in Standard Methods;

(28) “WASTE” means rejected, unutilized or superfluous substances in liquid, gaseous, or solid form resulting from domestic, agricultural, or industrial activities;

(29) “WASTEWATER” means a combination of the water-carried Waste from residences, business buildings, institutions and industrial establishments, together with any ground, surface, and storm water that may be present;

(30) “WASTEWATER FACILITIES” includes all facilities for collection, pumping, treating, and disposing of Wastewater, including Normal Domestic Wastewater and Industrial Wastes;

(31) “WASTEWATER TREATMENT PLANT” means any Authority-owned facilities, devices, and structures used for receiving processing and treating Wastewater, Industrial Waste, Normal Domestic Wastewater, and sludges from the Sanitary Sewers;

(32) “WASTEWATER SERVICE CHARGE” means the charge to all users of the Authority’s Public Sewer system whose Wastes do not exceed in strength the concentration values established as representative of normal Wastewater; and

(33) “WATERCOURSE” means a natural or man-made channel in which a flow of water occurs, either continuously or intermittently.

SECTION 2. PROHIBITED DISCHARGES.

(1) No person may discharge to Public Sewers any Waste which by itself or by interaction with other Wastes may;

- A. Injure or interference with the Wastewater Treatment Plant or Wastewater Facilities;
- B. Constitute a hazard to humans or animals; or

C. Create a hazard in receiving waters of the Wastewater Treatment Plant effluent.

D. All discharges shall conform to requirements of this Order.

SECTION 3. CHEMICAL DISCHARGES.

(1) No discharge to Public Sewers may contain:

A. cyanide greater than 1.0 mg/1;

B. fluoride other than that contained in the public water supply;

C. chlorides in concentrations greater than 250 mg/1;

D. gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas; or

E. substances causing an excessive Chemical Oxygen Demand (C.O.D.).

(2) No Waste or Wastewater discharged to Public Sewers may contain:

A. strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not;

B. fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/1 or containing substances which may solidify or become viscous at temperature between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (0 and 65 degrees centigrade);

C. objectionable or toxic substances, exerting an excessive chlorine requirement, to such degree that any such material received in the composite Wastewater Treatment Plant and Wastewater Facilities exceeds the limits established by the Approving Authority for such materials; or

D. obnoxious, toxic or poisonous solids, liquids, or gases in quantities sufficient to violate the provisions of Section 2 (1);

(3) No Waste, Wastewater, or other substance may be discharged into Public Sewers which has a pH lower than 5.5 or higher than 9.5, or any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel at the Wastewater Facilities;

(4) All Waste, Wastewater, or other substance containing phenols, hydrogen sulfide, or other taste-and-odor producing substances, shall conform to concentration limits established by the Approving Authority. After treatment of the composite Wastewater, concentration limits may not exceed the requirements established by state, federal, or other agencies with jurisdiction over discharges to receiving waters.

SECTION 4. HAZARDOUS METALS AND TOXIC MATERIALS.

(1) No discharges may contain concentrations of hazardous metals other than amounts specified in subsection (2) of this section;

(2) The allowable concentrations of hazardous metals, in terms of milligrams per liter (mg/l), for discharge to inland waters, (as defined by the Texas Commission on Environmental Quality General Regulations incorporated into permits, Rule 156.19.15.001-.009, or any successor provision) and determined on the basis of individual sampling in accordance with “Standard Methods” are:

<u>Metal</u>	<u>Not to Exceed</u>		
	<u>Average</u>	<u>Daily Composite</u>	<u>Grab Sample</u>
Arsenic	0.1	0.2	0.3
Barium	1.0	2.0	4.0
Cadmium	0.05	0.1	0.2
Chromium	0.5	1.0	5.0
Copper	0.5	1.0	2.0
Lead	0.5	1.0	1.5
Manganese	1.0	2.0	3.0
Mercury	0.005	0.005	0.01
Nickel	1.0	2.0	3.0
Selenium	0.05	0.1	0.2
Silver	0.05	0.1	0.2
Zinc	1.0	2.0	6.0

Note: These concentration parameters and rules governing same are promulgated under authority of Sections 5.131 and 5.132, Texas Water Code – HAZARDOUS METALS and in accordance with Texas Commission on Environmental Quality Rule 156.19.

(3) No other hazardous metals or toxic materials may be discharged into Public Sewers without a written permit from the approving Authority specifying conditions of pretreatment, concentrations, volumes, and other applicable provisions;

(4) Prohibited hazardous materials include but are not limited to:

(5) Antimony, Rhenium, Herbicides
 Beryllium, Strontium,
 Bismuth, Tellerium,
 Molybdenum, Fungicide
 Uranyl ion, Pesticides; and

SECTION 5. PARTICULATE SIZE.

(1) No person may discharge Garbage or other solids into Public Sewers unless it is shredded to a degree that all particles can be carried freely under the flow conditions normally prevailing in Public Sewers. Particles greater than one-half (1/2) inch in any dimensions are prohibited;

(2) The Approving Authority is entitled to review and approve the installation and operation of any Garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater.

SECTION 6. STORM WATER AND OTHER UNPOLLUTED DRAINAGE.

(1) No Person may discharge to Sanitary Sewers

A. unpolluted storm water, surface water, groundwater, roof runoff or subsurface drainage;

B. unpolluted cooling water;

C. unpolluted industrial process waters;

D. other unpolluted drainage; or make any new connections from inflow sources.

(2) In compliance with the Texas Water Quality Act and other statutes, the Cities served by the Approving Authority will designate storm sewers and other watercourses into which unpolluted drainage described in subsection (1) of this section may be discharged. The Authority has no jurisdiction over or responsibility for storm water and other unpolluted water drainage.

SECTION 7. TEMPERATURE.

No person may discharge liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit (65 degrees centigrade), or any substance which causes the temperature of the total Wastewater Treatment Plant influent to increase at a rate of ten (10) degrees Fahrenheit or more per hour, or a combined total increase of plant influent to one hundred ten (110) degrees Fahrenheit.

SECTION 8. RADIOACTIVE WASTES.

(1) No person may discharge radioactive wastes or isotopes into public sewers without the written permission of the Approving Authority.

(2) The Approving Authority may establish, in compliance with applicable state and federal regulations, regulations for discharge of radioactive wastes into Public Sewers.

SECTION 9. IMPAIRMENT OF FACILITIES.

- (1) No Person may discharge into Public Sewers any substance capable of causing:
- A. Obstruction to the flow in sewers;
 - B. Interference with the operation of the Wastewater Facilities or processes used thereby; or
 - C. Excessive loading of Wastewater Facilities.
- (2) Discharges prohibited by Section 9 (1) include, but are not limited to, materials which exert or cause concentrations of:
- A. Inert suspended solids greater than 250 mg/1 including but not limited to:
 - 1) Fuller's earth
 - 2) lime slurries; and
 - 3) lime residues;
 - B. Dissolved solids greater than 1,000 mg/1 including but not limited to:
 - 1) sodium chloride; and
 - 2) sodium sulfate;
 - C. Excessive discoloration including but not limited to:
 - 1) dye wastes; and
 - 2) vegetable tanning solutions; or
 - D. BOD, COD, or chlorine demand in excess of normal Wastewater Treatment Plant capacity.
- (3) No Person may discharge into Public Sewers any substance that may:
- A. deposit grease or oil in the sewer lines in such a manner as to clog the sewers;
 - B. overload skimming and grease handling equipment;
 - C. pass to the receiving waters without being effectively treated by normal Wastewater treatment processes due to the nonamenability of the substance to bacterial action; or
 - D. deleteriously affect the treatment process due to excessive quantities.
- (4) No Person may discharge any substance into Public Sewers which:

A. is not amenable to treatment or reduction by the processes and facilities employed; or

B. is amenable to treatment only to such a degree that the Wastewater Treatment Plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(5) The Approving Authority shall regulate the flow and concentration of slugs when they may:

A. impair the treatment process;

B. cause damage to Wastewater Facilities;

C. incur treatment costs exceeding those for normal Wastewater; or

D. render the effluent unfit for stream disposal or industrial use.

(6) No Person may discharge into Public Sewers solid or viscous substances which may violate subsection (1) of this section if present in sufficient quantity or size including but not limited to:

ashes;

cinders;

sand;

mud;

straw;

shavings;

metal;

glass;

rags;

feathers;

tar;

plastics;

wood;

underground Garbage;

whole blood;

paunch manure;

hair and fleshings;

entrails;

paper products, either whole or ground by Garbage grinders;

slops;

chemical residues;

paint residues; or

bulk solids.

SECTION 10. COMPLIANCE WITH EXISTING AUTHORITY.

(1) Unless exception is granted by the Approving Authority, the Public Sewer system shall be used by all Persons discharging;

- A. Wastewater;
- B. Industrial Waste;
- C. polluted liquids.

(2) Unless authorized by the Texas Commission on Environmental Quality, no Person may deposit or discharge any Waste included in subsection (1) of this section on public or private property or into or adjacent to any:

- A. Natural Outlet;
- B. Watercourse;
- C. Storm Sewer;
- D. Other area within the jurisdiction of the Authority.

(3) The Approving Authority shall verify prior to discharge that Wastes authorized to be discharged will receive suitable treatment within the provisions of laws, regulations, board orders, rules and orders of federal, state and local governments.

SECTION 11. APPROVING AUTHORITY REQUIREMENTS.

(1) If discharges or proposed discharges to Public Sewers may:

- A. deleteriously affect Wastewater Facilities, processes, equipment, or receiving waters;
- B. create a hazard to life or health; or
- C. create a public nuisance;

the Approving Authority shall require:

- 1) pretreatment to an acceptable condition for discharge to the Public Sewers;
- 2) control over the quantities and rates of discharge; and
- 3) payment to cover the cost of handling and treating the Wastes.

(2) The Approving Authority is entitled to determine whether a discharge or proposed discharge is included under subsection (1) of this section.

(3) The Approving Authority shall reject Wastes when it determines that a discharge or proposed discharge does not meet the requirements of subsection f(1) of this section.

SECTION 12. APPROVING AUTHORITY REVIEW AND APPROVAL.

(1) If pretreatment or control is required, the Approving Authority shall review and approve design and installation of equipment and processes.

(2) The design and installation of equipment and processes must conform to all applicable statutes, codes, ordinances and other laws.

(3) Any Person responsible for discharges requiring pretreatment, flow equalizing, or other facilities shall provide and maintain the facilities in effective operating condition at his own expense.

SECTION 13. REQUIREMENTS FOR TRAPS.

(1) Discharges requiring a trap include:

A. Grease or Waste containing grease in amounts that will impede or stop the flow in the Public Sewers;

B. oil;

C. sand;

D. flammable Wastes; and

E. other harmful ingredients.

Any Person responsible for discharges requiring a trap shall at his own expense and as required by the Approving Authority:

1) provide equipment and facilities of a type and capacity approved by the Approving Authority;

2) locate the trap in a manner that provides ready and easy accessibility for cleaning and inspection; and

3) maintain the trap in effective operating condition.

SECTION 14. REQUIREMENTS FOR BUILDING SEWERS.

(1) Any Person responsible for discharges through a Building Sewer carrying industrial Wastes shall, at his own expense and as required by the Approving Authority:

A. install an accessible control Manhole;

B. install meters and other appurtenances to facilitate observation sampling and measurement of the Waste;

- and
- C. install safety equipment and facilities (ventilation, steps. . .) where needed;
 - D. maintain the equipment and facilities.

SECTION 15. SAMPLING AND TESTING.

(1) Sampling shall be conducted according to customarily accepted methods, reflecting the effect of constituents upon the sewage works and determining the existence of hazards to health, life, limb, and property.

Note: The particular analysis involved will determine whether a twenty-four (24) hour composite sample from all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls. Where applicable, 16-hour, 8-hour or some other period may be required. Periodic grab samples are used to determine pH and oil and grease.

(2) Examination and analyses of the characteristics of waters and Wastes required by this Order shall be;

- A. conducted in accordance with the latest edition of Standard Methods; and
- B. determined from suitable samples taken at the Control Manhole provided or other control point authorized by the Approving Authority.

(3) BOD and Suspended Solids shall be determined from composite sampling, except to detect unauthorized discharges.

(4) The Approving Authority shall determine which users or classes of users may contribute Wastewater which is of greater strength than Normal Domestic Wastewater. All users or classes of users so identified shall be sampled for flow, BOD, TSS and pH at least annually.

(5) The Authority may select an independent firm or laboratory to determine flow, BOD, and suspended solids, if necessary. Flow may alternately be determined by water meter measurements if no other flow device is available and no other source of raw water is used.

SECTION 16. USER CHARGE SYSTEM.

(1) Persons making discharges of Industrial Waste into the Authority's Sanitary Sewer system shall pay a charge to cover all costs of collection and treatment.

(2) When discharges of any Waste into the Authority's Sanitary Sewer system are approved by the Approving Authority, the Authority or its authorized representative shall enter into a written agreement or arrangement providing:

- A. terms of acceptance by the Authority's;
- B. payment by the Person making the discharge, in accordance with the User Charge System as established in Subpart (5) of this Section;

C. sewer connection procedures and requirements shall be in accordance with the Ordinances of the Cities served by the Authority;

D. Payment of the sewer connection fee as set forth in the Authority's rate order; and

E. Construction of sewer connections shall be approved by the Authority's manager prior to sewer use.

(3) Each User of the Wastewater Facilities will be notified, at least annually, in conjunction with a regular sewer bill, of the rate and that portion of user charges or ad valorem taxes which are attributable to the Operation and Maintenance of the Wastewater Facilities.

(4) The Authority will apply excess revenues collected from a class of users to the cost of operation and maintenance attributable to this class for the next year and adjust the rates accordingly.

(5) The User Charge System shall be computed annually based on the following formula:

BUNKER HILL VILLAGE

$$C(BH) = [(Ct - Ca) Vt] \times V(BH)$$

MEMORIAL VILLAGES WATER AUTHORITY CUSTOMERS

$$C(MV) = [(Ct - C(BH))] V(MV)$$

The symbols above are defined as follows:

- C(MV) = User charge to MVWA customers for O, M & R/yr./MG
- C(BH) = User charge to Bunker Hill for O, M, & R/yr./MG
- Ct = Total O, M, & R cost for W.W.T.F. & Collection System
- Ca = Total cost of Collection System O, M, & R
- Vt = Total volume of Wastewater contributed by all users
- V(BH) = Total volume of Wastewater contributed by Bunker Hill
- V(MV) = Total volume of Wastewater contributed by MVWA

The annual rate, established by the hereinbefore stated formulas will be set forth by a separate Board Order and will become effective on the date set forth in the Order.

SECTION 17. SAVINGS CLAUSE.

(1) A Person discharging Wastes into Public Sewers prior to the effective date of this board order may continue without penalty so long as he:

A. does not increase the quantity or decrease the quality of discharge without permission of the Approving Authority;

B. has discharged the Waste at least twelve months prior to the effective date of this Order; and

C. applies for and is granted a permit no later than ninety days after the effective date of this Order.

SECTION 18. CONDITIONS OR PERMITS.

(1) The Authority may grant a permit to discharge to Persons meeting all requirements of the savings clause provided that the person:

A. Submits an application within ninety days after the effective date of this Order on forms supplied by the Approving Authority;

B. secures approval by the Approving Authority of plans and specifications for the facilities when required; and

C. has complied with all requirements for agreements or arrangements including but not limited to, provisions for:

1) payment of charges;

2) installation and operation of the facilities and of pretreatment facilities, if required; and,

3) sampling and analysis to determine quantity and strength when directed by the Authority; and,

4) provides a sampling point, when requested by the Authority, subject to the provisions of this Order and approval of the Approving Authority.

(2) A Person applying for a new discharge shall:

A. meet all conditions of subsection (1) of this section; and

B. secure a permit prior to discharging any Waste.

SECTION 19. POWER TO ENTER PROPERTY.

(1) The Manager and other duly authorized employees of the Authority bearing proper credentials and identification are entitled to enter any public or private property at any reasonable time for the purpose of enforcing this Order.

(2) Anyone acting under this authority shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection.

(3) Except when caused by negligence or failure of Person(s) to maintain safe conditions, the Authority shall indemnify the Person(s) whose property its Manager or other duly authorized employees have entered against loss or damage to their property by Authority's employees and against liability claims and demands for personal injury or property damage asserted against the Person(s) and growing out of the sampling operation.

(4) The Manager and other duly authorized employees of the Authority bearing proper credentials and identification are entitled to enter all private properties through which the Authority holds a valid and duly dedicated easement for the purposes of:

- A. inspection, observation, measurement, sampling or repair;
- B. maintenance of any portion of the Authority's system lying within the easements; and,
- C. conducting any other authorized activity. All activities shall be conducted in full accordance with the terms of the negotiated easement pertaining to the private property involved.

(5) No person acting under authority of this provision may inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the Public Sewers.

SECTION 20. AUTHORITY TO DISCONNECT SERVICE.

(1) The Authority may terminate water and Wastewater disposal service and disconnect a customer from the system when:

A. acids or chemicals which may damage the sewer lines or treatment process are released to the Public Sewer potentially causing accelerated deterioration of these structures or interfering with proper conveyance and treatment of Wastewater;

B. a governmental agency informs the Authority that the effluent from the Wastewater Treatment Plan is no longer of a quality permitted for discharge to a watercourse, and it is found that the customer is delivering Wastewater to the Authority's system that cannot be sufficiently treated or requires treatment that is not provided by the Authority as Normal Domestic Treatment; or

C. the customer;

1) discharges Waste or Wastewater that is in violation of the permit issued by the Approving Authority;

2) discharges Wastewater at an uncontrolled, variable rate in sufficient quantity to cause an imbalance in the Wastewater Facilities;

3) fails to pay monthly bills for water and sanitary sewer services when due; or

4) repeats a discharge of prohibited Wastes to Public Sewers in violation of Sections 2 through 9 as stated above.

(2) If service is discontinued pursuant to subsection (1)B of this section, the Authority shall:

A. disconnect the customer;

B. supply the customer with the governmental agency's report and provide the customer with all pertinent information; and

C. continue disconnection until such time as the customer provides pretreatment/additional pretreatment or other facilities designed to remove the objectionable characteristics from his Wastes;

D. exercise any other rights, impose any other charges or penalties, and enforce any other relevant provisions of its rate Order as referred to in Section 16 hereof.

SECTION 21. NOTICE.

The Authority shall serve Persons discharging in violation of this Order with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory compliance.

SECTION 22. CONTINUING PROHIBITED DISCHARGES.

No Person may continue discharging in violation of this Order beyond the time limit provided in the notice.

SECTION 23. PENALTY.

(1) A Person who continues prohibited discharges is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200 for each act of violation and for each day of violation.

(2) In addition to proceeding under authority of subsection (1) of this section, the Authority is entitled to pursue all other remedies to which it is entitled under authority of statutes or other board orders against a person continuing prohibited discharges.

SECTION 24. FAILURE TO PAY.

In addition to sanctions provided for by this Order, the Authority is entitled to exercise sanctions provided for by any other board orders of the Authority for failure to pay bills for water and sanitary sewer service when due.

SECTION 25. PENALTY FOR CRIMINAL MISCHIEF.

The Authority may pursue all criminal and civil remedies to which it is entitled under authority of statutes and board orders against a Person negligently, willfully or maliciously causing loss by tampering with or destroying Public Sewers or Wastewater Facility.

SECTION 26. REPEALING CLAUSE.

All Orders or parts of Orders adopted by the Authority inconsistent with the terms of this Order are hereby repealed, provided that such repeal shall be only to the extent of such inconsistency and in all other respects this Order shall be cumulative of other Orders regulating and governing the subject matter covered by this Order.

SECTION 27. SEPARABILITY CLAUSE.

Nothing in this Order shall be construed to violate any provisions of the Constitution of the United States of America or the Constitution of the State of Texas and all acts hereunder shall be done in such a manner as may conform thereto. If any word, phrase, clause, paragraph, sentence, part, portion or provision of this Order or the application thereof to any person or circumstance is held to be invalid or unconstitutional, the remainder of these shall nevertheless be valid and the Authority hereby declares this Order would have been enacted without such invalid word, phrase, clause, paragraph, sentence, part, portion or provision. All of the terms and provisions of this Order are to be liberally construed to effectuate the purposes, power, rights, functions and authorities herein contained.

SECTION 28. EFFECTIVE DATE.

The Secretary of the Board of Supervisors is hereby directed to give notice hereof by causing a brief substantial statement of the rules and penalties in the specified herein Order to be published once a week for two consecutive weeks in a newspaper of general circulation in the area in which the Authority is located in accordance with Section 53.122 of the Texas Water Code. The Order shall take effect seven (7) days after the second publication.