

March period, shall be billed for sewer usage during the April through September period which does not exceed adopted Standard Sanitary Sewer Usage Rates attached hereto as Exhibit A.

- C. Non-Single Family Residential User. After initial occupancy, each Non-Single Family Residential User within the District and each unit occupied by a separate business, including separate establishments within a single building, shall be charged a monthly minimum of \$20.00 per SFR equivalent connection. Water usage between 1,000 gallons and 30,000 gallons will be charged at a rate of \$1.00 per 1,000 gallons and water usage over 30,000 gallons will be charged at a rate of \$1.50 per 1,000 gallons. Sewer usage per 1,000 gallons metered water for over 1,000 gallons will be charged at a rate of \$1.50 per 1,000 gallons.
- D. Public Space User. Water service will be provided to public esplanades, lakes, recreational areas or green spaces ("Public Spaces") within the District at a rate of \$0.45 per 1,000 gallons of water usage per month. In order to promote conservation of the District's water supply, however, Public Space users will pay an increased rate to be set by the District if the District determines that the Public Space user's water usage is excessive, inefficient, and/or wasteful.
- E. Non-Taxable User. Each unit occupied by a separate business, including separate establishments within a single building, shall be charged a monthly minimum of \$20.00 per SFR equivalent connection. Water usage between 1,000 gallons and 30,000 gallons will be charged at a rate of \$1.00 per 1,000 gallons and water usage over 30,000 gallons will be charged at a rate of \$1.50 per 1,000 gallons. Sewer usage per 1,000 gallons metered water for over 1,000 gallons will be charged at a rate of \$1.50 per 1,000 gallons.
- F. Irrigation Systems. Metered water connections authorized by the District and established solely for the purpose of providing water to irrigation systems shall be charged a monthly minimum of \$15.00. Water usage between 1,000 gallons and 30,000 gallons will be charged at a rate of \$1.00 per 1,000 gallons and water usage over 30,000 gallons will be charged at a rate of \$1.50 per 1,000 gallons. There shall be no sewer charge for irrigation meters.
- G. Irrigation Systems (homeowners associations). Metered water connections established solely for the purpose of providing water to homeowners associations' irrigation systems shall be charged monthly for water usage at the rate of \$0.75 per 1,000 gallons. There shall be no sewer service charge for irrigation meters.



- H. Garbage Service. Each Single Family Residential User shall receive garbage service. No exceptions will be made.

Section 6: Maintenance and Repair. It shall be the responsibility of each User to maintain the water and sewer lines from the home or building to the point that the User's lines connect to the District's water and sewer system.

Section 7: Temporary Water Service.

- A. The District's operator shall be authorized to make a temporary connection to any fire hydrant or flushing valve upon receipt of a written request for temporary water service. Such temporary service shall be supplied only through a District meter installed by the District's operator.
- B. The person applying for temporary water service shall be required to deposit \$800.00 with the District to secure the payment for water supplied by the District and the safe return of the District's meter. Upon receipt of full payment for temporary water used and return of the meter in good condition, the deposit will be returned; provided, however, any damage to the meter or unpaid balances will be paid from the deposit.
- C. The fee for temporary water service shall be \$50.00 for costs of installation plus \$1.50 per 1,000 gallons of water delivered through the meter.

Section 8: Plumbing Regulations; Prohibition Against Cross-Connections and Unacceptable Plumbing Practices; Penalty for Violation. Pursuant to Title 30, Chapter 290 of the Texas Administrative Code, the District adopts the following plumbing regulations, which apply to all users of the District's potable water distribution system.

- A. Service Agreements. Prior to receiving service from the District to new construction or to buildings containing new plumbing fixtures, a User must execute a Service Agreement in the form attached as Exhibit C hereto. The District will charge each User a one-time administrative fee of \$16.50 for the Service Agreement.
- B. Plumbing Fixtures. A User is not permitted to install any plumbing fixture which is not in compliance with a state approved plumbing code and the plumbing code, if any, required by the city in whose jurisdiction the District is located.
- C. Prohibition Against Water Contamination. No direct connection between the District's potable water distribution system and a potential source of contamination is permitted. Potential sources of contamination shall be



isolated from the District's potable water distribution system by the installation of an air-gap or an appropriate backflow prevention device in accordance with state plumbing regulations. In addition, all pressure relief valves and thermal expansion devices must be in accordance with state plumbing codes and the plumbing code, if any, required by the city in whose jurisdiction the District is located.

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

The User is responsible for insuring that all backflow prevention assemblies are tested upon installation by a recognized backflow prevention assembly tester. If this test is performed by the District's operator or its subcontractor, the cost will be \$40.00 for Single Family Residential Users and \$110.00 for Non-Single Family Residential Users, which is due and payable prior to the test. The User is solely responsible for the cost of this test. If the District requires the installation of a backflow prevention assembly in order to prevent a serious threat to the District's public water supply, then the District, in its sole discretion, may immediately terminate service to the User. In that event, service will not be restored until the backflow prevention assembly has been installed and tested and a signed and dated original of a "Backflow Prevention Assembly Test and Maintenance Report" in the form attached hereto as Exhibit D has been provided to the District's operator.



If the District determines that a backflow prevention assembly must be installed for reasons other than to eliminate a serious threat to the District's public water system, the User must install the backflow prevention assembly within five working days after receipt of notice from the District that such installation is required. In addition, the User must provide the District's operator with a signed and dated original of a "Backflow Prevention Assembly Test and Maintenance Report" within three working days of the installation of the backflow prevention assembly and within three working days of any subsequent repair, maintenance or testing of such assembly. If the User fails to provide the testing certificate within this time, the District, in its discretion, may terminate service to the User pursuant to the terms of this Rate Order. The District's operator will retain such reports for a minimum of three years.

- E. Customer Service Inspections. A customer service inspection is required prior to the time the District (i) provides continuous water service to new construction, (ii) provides water service to private plumbing facilities that have been added to existing construction or materially improved or corrected, or (iii) continues service to a User when the District has reason to believe that cross-connections or other unacceptable plumbing practices exist. The cost of such customer service inspection will be the sole responsibility of the User. The District's operator will perform this inspection at a cost of \$100.00 for Single Family Residential Users and on an individual basis for other Users. Customer service inspections include a final plumbing inspection. All fees relating to the customer service inspection shall be paid by the User prior to the inspection, and if the inspection is made in connection with new construction, the fee will be collected with the tap fee. The District's operator and engineer shall determine whether these services duplicate inspections or other services performed by or on behalf of the City, and, if so, shall not perform such inspection or service or assess the resulting fee.

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



operator, periodically inspect a User's plumbing system during normal business hours for the purpose of identifying possible cross-connections and other unacceptable plumbing practices which violate this Rate Order.

- F. Prohibition Against Cross-Connections. No cross-connection between the District's potable water distribution system and a private water system is permitted. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure-zone backflow prevention assembly must be properly installed and such assembly must be annually inspected and tested by a certified backflow prevention device tester. By accepting service from the District, all Users agree to allow such annual inspection and testing of backflow prevention assemblies to take place during normal business hours. If any User refuses to allow such annual inspection and testing, service to such User will be discontinued until such inspection and testing is completed.

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

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

- H. Plumbing Material Restrictions.

- (1) Prohibition on Use of Specified Materials. In addition to any materials that may be prohibited by the City pursuant to its



regulations, the use of the following plumbing materials are prohibited in any and all improvements connected to the District's water system:

- (a) Any pipe or pipe fitting which contains more than 8.0% lead; and
 - (b) Any solder or flux which contains more than 0.2% lead.
- (2) Customer Service Inspection Certification. Before the District will provide water and sewer service to any new improvement, a fully executed Customer Service Inspection Certification, in the form attached as Exhibit B, signed by a state-licensed plumber must be submitted to the District.
- I. Penalty for Violation. The failure of a User to comply with the terms of this Section will be considered a violation of the Rate Order. If such a violation occurs, or if the District determines the existence of a serious threat to the integrity of the District's water supply, the District, in its sole option, may, in addition to all other legal remedies available to it, including those remedies set out in this Rate Order, immediately terminate service or, at the User's sole cost and expense, install the plumbing fixtures or assemblies necessary to correct the unacceptable plumbing practice. If the District terminates service in order to preserve the integrity of the District's water supply, service will be restored only when the source of the potential contamination no longer exists or until additional safeguards have been taken. Any and all expenses associated with the enforcement of this Section shall be billed to the User.

Section 9: Swimming Pool Inspections and Fee. Swimming pool connections will be made in accordance with the City of Pearland Plumbing Code requirements. Every User who plans to construct or install a swimming pool within the District shall notify the District's operator in writing prior to commencing construction of the pool. Upon notification by the User of the intention to construct or install a swimming pool, the User shall pay an inspection fee of \$50.00. After the notification is received, the District's operator shall ensure that all drains from the swimming pool are connected to the District's sanitary sewer system. After the drains have been installed, the User shall notify the District's operator, who shall make an inspection of all swimming pool drains to verify that the proper connection is made, before service is authorized for said swimming pool.

Section 10: Sewer Regulations. The following regulations apply to all Users of the District's Sanitary Sewer System.



A. Quality of Sewage.

- (1) Domestic Waste. Only ordinary liquid and water-borne human waste and waste from commercial and domestic activities, such as washing, bathing, and food preparation (but excluding without limitation industrial waste), that is amenable to biological treatment and that is discharged from sanitary conveniences of buildings connected to a public sanitary sewer system shall be discharged into the District's sanitary sewer lines. Waste resulting from any process of commerce or industry may not be discharged into the District's sanitary sewer lines except as authorized pursuant to subsection (2) below.
- (2) Commercial and Industrial Waste. All discharges other than waste described in subsection (a) are prohibited unless the user has applied to and received written authorization from the District for such discharge. The applicant must file a statement with the District containing the following information:
 - (a) Name and address of applicant;
 - (b) Type of industry, business, activity, or other waste-creative process;
 - (c) Quantity of waste to be discharged;
 - (d) Typical analysis of the waste;
 - (e) Type of pretreatment proposed; and
 - (f) Such other information as the District may request in writing.

The District shall have the right to reject any application for discharge of non-domestic waste into the District's sanitary sewer lines if the District determines in its sole discretion that the proposed discharge may be harmful to the District's sanitary sewer system or the environment. The District also shall have the right in approving any application for the discharge of non-domestic waste to impose any limitations on such discharge that the District determines in its sole discretion to be necessary to protect the District's sanitary sewer system or the environment. Notwithstanding the above, any consent granted under this subsection must be approved by the Director of Public Works of the City of Pearland prior to becoming effective.

- (3) National Categorical Pretreatment Standard. If a user is subject to a national categorical pretreatment standard pursuant to regulations promulgated by the Environmental Protection Agency under Section 307 of the federal Clean Water Act, the user is prohibited from discharging pollutants into the District's sanitary sewer system in violation of applicable categorical pretreatment standards.



- (4) District Testing; Pretreatment. The District shall have the right to sample and test any user's discharge at the discretion of the District's operator, with no limit as to the frequency of the tests, and to charge the user for the District's cost of such sampling and testing. The District also shall have the right to require pretreatment, at the user's expense, of any discharge of non-domestic waste if the District determines in its sole discretion that pretreatment of such waste is necessary to protect the District's sanitary sewer system or the environment, even if pretreatment is not otherwise required pursuant to subsection (c) above.
- (5) No downspouts, yard or street drains, or gutters will be permitted to be connected into the District's sanitary sewer facilities.

B. Service Lines

- (1) Service line is defined as the sewer line from the foundation of the house or commercial building to the sewer line owned by the District.
- (2) Only one service line connection to the District's sanitary sewage collection system is permitted for each residence or commercial building.
- (3) Only the following types of pipe and fitting materials are approved for constructing service lines. Pipe and fittings in each individual service line will be of identical material.
 - (a) Schedule 40 conforming to ASTM, D-1785 and installed as per section II of these specifications.
 - (b) Six-inch lines and over; polyvinyl chloride (PVC) pressure rated pipe SDR 26 or SDR 21 conforming to ASTM D 3034 with rubber gasket joints conforming to ASTM, F-477 and installed as per section II of these specifications.
 - (c) Ductile-iron pipe conforming to ANSI A21.51 with rubber gasket joints ANSI A21.11, and installed according to manufacturer's recommendations.
- (4) Minimum sizes of service lines shall be as follows:



- (a) Residential -- 4 inches in diameter.
- (b) Commercial -- 6 inches in diameter.
- (5) Minimum grades for service lines shall be as follows:
 - (a) 4 inch pipe -- one foot drop per hundred feet (1%).
 - (b) 6 inch pipe -- six inches drop per hundred feet (0.5%).
 - (c) 8 inch pipe -- four inches drop per hundred feet (0.33%).
- (6) Maximum grades for service lines shall be as follows:
 - (a) 4 inch pipe -- two and one-half feet drop per hundred feet (2.5%).
 - (b) 6 inch pipe -- one and one-half feet drop per hundred feet (1.5%).
 - (c) 8 inch pipe -- one foot drop per hundred feet (1%).
- (7) Construct service lines to true alignment and grade. Warped and sagging lines will not be permitted.

C. Connection of Building Sewer Outlet to Service Lines

- (1) Building tie-on connection will be made directly to the stub-out from the building plumbing at the foundation on all waste outlets.
- (2) Water-tight adapters of a type compatible with the materials being joined will be used at the point of connection of the service line to the building plumbing. No cement grout materials are permitted.
- (3) Existing "wye" and stack connections must be utilized for connection of the service line to the sewer main unless an exception is permitted by the District's operator.
- (4) The physical connection to the sewer main shall be made by use of an adapter of a type compatible with materials being joined. The connection shall be watertight. Portion to be cut out from sewer main shall be circular and available for inspection.



- (5) No connection shall be made into a manhole without approval from the District.
- (6) No sewer lines shall be laid within nine feet of a water line unless the sewer pipe and its couplings shall have a pressure rating of not less than 150 pounds per square inch (psi).

D. Service Line Fittings and Cleanouts

- (1) No bends or turns at any point will be greater than 45 degrees.
- (2) Each horizontal service line will be provided with a cleanout at its upper terminal; and each such run of piping which is more than 90 feet in length will be provided with a cleanout for each 90 feet or fraction thereof, in the length of such piping.
- (3) Each cleanout will be installed so that it opens in a direction opposite to the flow of the waste and, except in the case of "wye" branch and end-of-the-line cleanouts, cleanouts will be installed vertically above the flow line of the pipe.
- (4) Cleanout will be made with air-tight mechanical plug.



E. Connection Permit

- (1) Application for Sanitary Sewer Service must be filed prior to construction of the service line and the connection fee should accompany this application. (Application forms are available from the District's operating company, attached as Exhibit E). Construction must not begin until authorized by the District.
- (2) When the service line is complete, and prior to backfilling the pipe trench, the applicant for sewer service shall request an inspection of the installation. Requests for inspections shall be made to the District's operator 24 hours in advance of the inspection.
- (3) The physical connection to the District's sewer main will be made by use of an adapter of a type compatible with materials being joined. The connection shall be water-tight. No cement grout materials are permitted.
- (4) Backfilling of service lines trench must be accomplished within 24 hours of inspection and approval. The trench backfill material will be clean and free of debris and will be compacted in one foot lifts to prevent future trench settlement.
- (5) A connection permit will be granted after inspection confirms that all requirements of these Rules and Regulations have been met.
- (6) In addition to the District's requirements, all taps must be inspected and approved by The City of Pearland, and the applicant is responsible for all scheduling, permits and fees related to such approval.

F. Grease, Lint, and Sand Traps

- (1) Grease traps will be required for dining establishments where food is prepared and served to customers on premises.
- (2) Washateria operations shall require a lint trap.
- (3) Air space above the water line must be vented with four-inch soil pipe if the trap is located inside a building.
- (4) All shopping centers shall provide a grease trap and a sampling well.



(5) All health care facilities shall provide an acid dilution basin and a sampling well.

(6) Sand traps will be required for all car washing establishments.

G. Excluded Flow and Waste.

(1) No industrial waste or waste material which is not biologically degradable will be permitted to be discharged into the District's sewage facilities, including mud and debris accumulated during service line installation.

Section 11: Surcharge for Service. In fairness to all Users of land within the District, and to honor its contractual obligations and commitments, the District has the right to monitor the use of water and the discharge of sewage to determine if Users are exceeding the amount of capacity committed to serve their land or buildings. As one method of enforcement, the District has determined to reserve the right to impose a surcharge on any User who uses water or discharges sewage in excess of the amount reserved to such User or tract. Accordingly, in addition to the other charges specified herein, the District has the right to impose an additional charge of \$0.05 per gallon of water used in excess of one hundred ten percent (110%) of the amount of capacity reserved to the tract by any utility commitment letter.

Section 12: Fire Protection Fee. In accordance with the Fire Protection Agreement between Brazoria County Municipal Utility District No. 22 and the City of Pearland, Texas, dated September 19, 2002, and approved by the voters at an election held in the District on September 13, 2003, all Single Family Residential Users shall be charged \$4.38 each month, and all Non-Single Family Residential Users shall be charged an amount equal to \$4.38 each month per each 2,000 square feet or part thereof of building floor area for every improved nonresidential property that is connected to or receiving service from the District's water supply system on or before the twentieth day of the immediately preceding month. The square footage used to determine the charge shall be based on the records of the Brazoria County Appraisal District. The above-quoted monthly rates shall be subject to annual adjustment, each September, as provided by the Fire Protection Agreement. The District may discontinue water and sewer service to any customer to enforce payment of an unpaid fire protection fee in accordance with the procedures established in this Order.

Section 12: Termination and Reconnection of Service.

A Monthly Bills and Termination. Charges for service shall be billed monthly. All bills shall be payable on the 20th day after the date of the statement for said charges. Unless payment of the monthly bill is received on or before the 20th day after the date of said statement or unless payment of any



Backcharges is received on or before the 30th day after the date of the invoice, such account shall be considered delinquent and interest of ten percent (10%) of the unpaid balance shall be charged. The District may, in its discretion, disconnect service for failure to pay all charges and Backcharges, including interest, by the 50th day after the due date; provided, however, that prior to disconnecting services, the District shall send written notice by United States first class mail to the User or entity at the appropriate address and provide the User or entity with an opportunity to contest, explain or correct the charges, services, or disconnection, at a meeting of the Board of Directors of the District. The written notice shall inform the User or entity of the amount of the delinquent payment, the date service will be disconnected or additional service withheld if payment is not made, the date, time and place of the next scheduled meeting of the Board of Directors, and of the opportunity to contest, explain or correct the charges, services, or disconnection, by presenting in person or in writing such matter to the Board of Directors at the next scheduled meeting as shown on the notice. The date specified for disconnection shall be ten (10) days after the date of the next scheduled meeting of the Board of Directors as shown in the notice and the date for withholding additional service shall be the date of that Board meeting. The notice shall be deposited, postpaid, in a post office or official depository under the care and custody of the United States Postal Service at least ten (10) days prior to the date of the scheduled meeting of the Board of Directors. A written statement by the District's operator that the notice was so mailed and a certificate of mailing by the United States Postal Service shall be prima facie evidence of delivery of same. If the User or entity appears before the Board in person or in writing, the Board shall hear and consider the matter and inform the User or entity of the Board's determination by sending written notice by United States first class mail to the User or entity at the appropriate address.

- B Termination for Rate Order Violations. Any person, corporation or other entity who violates any provision of this Rate Order, in addition to being subject to the penalties described in this Rate Order, shall be subject to having service terminated; provided, however, that prior to disconnecting service for violations that do not constitute a hazard to health or safety or endanger the integrity of the District's system, the District shall give written notice by first class mail or otherwise, to such person, corporation or other entity, of the pending disconnection, and shall give such person, corporation or other entity the opportunity to contest, explain or correct the violation of the Rate Order at a meeting of the Board of Directors of the District. Such disconnection shall be in addition to penalties that may be imposed by the District under this Rate Order.



- C. Reconnection. If service to a User is disconnected for nonpayment of a delinquent bill or for any cause legally authorized, a reconnection fee of \$50.00 plus a security deposit of \$75.00, payable as provided below, shall be paid prior to service being restored. Payment of fees and charges under this Section must be in the form of cash, cashier's check, or money order.
- D. Pulled Meter. In the event that the District's operator removes a User's meter due to unauthorized reconnection of service subsequent to its termination by the District, a reinstallation fee of \$50.00 shall be paid prior to service being restored, which fee is in addition to any other fees imposed.
- E. Termination of Service Upon Request of User. Whenever a User of District services temporarily or permanently abandons the structure or building receiving service and no longer wishes to be serviced, he or she shall notify the District's operator at least two (2) days prior to the time he or she desires service to be discontinued. The District shall charge such User \$20.00 for discontinuing and \$20.00 for restoring service if such service is discontinued or restored at the request of the User and he or she is not delinquent in the payment of any bill at the time of the request.
- F. After-Hours Service Charge. Any User who requests the District's operator to disconnect or reconnect service during non-business hours (i.e. Saturdays and Sundays and after 4:00 p.m. on weekdays) will be charged an after-hours service charge of \$40.00.

Section 13: Returned Check Charge. The District will charge a \$25.00 fee to any customer for each check given to the District for payment that must be returned for any reason. Payments attempted to be made by a check which is returned shall be considered delinquent unless cash or certified funds are presented to the District for payment within the time period required by the previous section.

Section 14: New Account Fee. A non-refundable fee of \$16.50 shall be charged for each new account in order to cover the District's costs of setting up such account. Such fee shall be paid prior to service being initiated and shall be in addition to the security deposit required in this Rate Order.

Section 15: Additional Payment Options. Any User may pay the monthly water and sewer bill via the payment options provided through the District and its operator including but not limited to, online check and credit card payments, check and credit card payments processed over the telephone, and payment through various area retail locations. Certain payment options are made available through service providers who may charge Users a convenience fee in connection with some payment options. Such convenience fees are the sole responsibility of the User and are separate from any amount owed by the User



to the District. Non-payment of any such convenience fee shall subject the User to termination of service in accordance with this Order. If any User payment is refused or returned by the processing financial institution, the District will charge the User a return item fee of \$25.00. Acceptable payment methods for delinquent accounts may be restricted as specified elsewhere in this Order.

Section 16: Security Deposit.

- A. For Users that have been disconnected as described above, a one-time non-interest bearing deposit in the amount of \$75.00 shall be required to be paid prior to service being restored. Once a User has paid a deposit, such User shall not be required to pay another deposit if the User is subsequently disconnected. The security deposit shall be held by the District as a deposit to assure prompt payment of all charges for service in the future. No interest shall be paid on the deposit.

Any final payments due to the District upon termination of service will be deducted from the security deposit and all remaining funds in the account will be distributed by the Bookkeeper to the User after the disbursement of said funds has been approved by the Board.

- B. A deposit of \$75.00 shall be charged to all new Single-Family Residential Users in the District. A deposit equal to three times the average monthly utility bill, as determined by the District's operator, shall be required of all other Users in the District. Such sums shall be required prior to service being initiated and shall be held by the District as a deposit to assure prompt payment of all charges for utility service. No interest will be allowed on such deposits.
- C. A \$1,000.00 deposit shall be required of each builder prior to any water taps being made for such builder in the District. Said deposit shall be refunded by the District upon written request by a builder; provided, however, that all or a portion of the deposit shall be forfeited as a penalty in the event that any provision of this Order or the District's Rules and Regulations Governing Sewer House Lines and Sewer Connections, as may be amended from time to time, is violated. The deposit described herein may be applied by the District to the cost of repair of any damage caused to District property by the builder or builder's agent, whereupon it will be the builder's responsibility to reinstate the original amount of the deposit prior to the District's operator making any additional water taps for said builder.



Section 17: Transfer Fee. A fee of \$30.00 shall be charged by the District to cover the expense to the District for the transfer of water and sewer service from the initial User to each subsequent User.

Section 158: Easements. Before service is commenced to any User, the person requesting such service shall grant an easement of ingress and egress to and from the meter for such maintenance and repair as the District, in its judgment, may deem necessary.

Section 16: Pressure of Water. The District agrees to use all reasonable efforts to supply to any User adequate pressure of water. The District does not and will not guarantee to any User a specific quantity or pressure of water for any purpose whatsoever. The District is required only to furnish a connection to its System and in no case shall the District be liable for the failure or refusal to furnish water or any particular amount or pressure of water; however, the District shall use reasonable efforts to supply water to all Users at an acceptable minimum pressure.

Section 20: No Free Service. No free service shall be granted to any User for services furnished by the District's System whether such User be a charitable or eleemosynary institution, a political subdivision or municipal corporation, and all charges for service shall be made as required herein.

Section 17: Required Service. No service shall be given from the District's System unless such User agrees to take both water and sewer service, except in those instances where the Board determines that both services are not necessary for the preservation of the sanitary condition of water within the District.

Section 22: Delinquent Letter Fee. A fee of \$7.00 shall be charged by the District for each notice of delinquency mailed to an account to cover the District's costs associated with such notice.

Section 18: Penalties for Violation. Any person, corporation or other entity who:

- A. violates any Section of this Order; or
- B. makes unauthorized use of District services or facilities; or
- C. causes damage to District facilities by using such facilities in a manner or for a purpose contrary to the purpose for which such facilities were designed; or



- D. uses or permits the use of any septic tank or holding tank within the District without approval from the District; or
- E. violates the District's Regulations Governing Water and Sanitary Sewer Lines and Connections; or
- F. constructs facilities or buildings which are not included in the approved plans for development as set forth in this Rate Order; or
- G. violates the District's Order Adopting Drought Contingency Plan;

shall be subject to a penalty of up to \$5,000.00 for each breach of the foregoing provisions. Each day that a breach of any provision hereof continues shall be considered a separate breach.

This penalty shall be in addition to the other penalties provided by the laws of the State and to any other legal rights and remedies of the District as may be allowed by law.

Section 24: Out-of-District Service. The Board of Directors shall determine whether to provide any utility service to areas outside of the District and the terms and conditions for such service.

Section 19: Applicability of Rate Order. This Rate Order and all of the provisions herein apply only to utility service to land within the District. The Board of Directors shall determine whether to provide any utility service to areas outside of the District and the terms and conditions for such service.

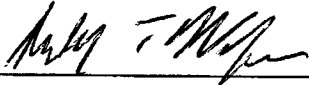



ADOPTED this 18th day of October, 2010.



President, Board of Directors

ATTEST:



_____
Secretary, Board of Directors

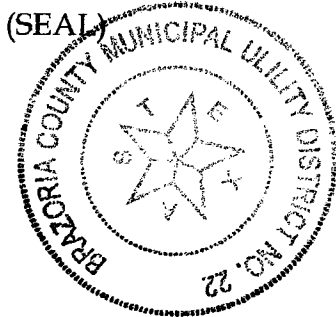


EXHIBIT "A"

STANDARD SANITARY SEWER USAGE RATES

CALCULATE VALUE BASED ON THE FOLLOWING DATA:

- A) Residential Development
- | | |
|--------------------------------|--------------|
| Single Family Residential | 315 GPD/Unit |
| Townhouse/Patio/Cluster Homes | 315 GPD/Unit |
| Duplex/Triplex | 315 GPD/Unit |
| Fourplex | 270 GPD/Unit |
| Condominium | 225 GPD/Unit |
| Apartment with Washer/Dryer | 225 GPD/Unit |
| Apartment without Washer/Dryer | 225 GPD/Unit |
- B) Non-Taxable Development
- Church
- | | |
|-------------------------|---------------|
| Auditorium | 1 GPD/Seat |
| Administration Building | 15 GPD/Capita |
| Day School Classroom | 10 GPD/Capita |
- School
- | | |
|-----------------|----------------|
| Unspecified | 15 GPD/Capita |
| Elementary | 10 GPD/Capita |
| Day Care Center | 10 GPD/Capita |
| Residential | 100 GPD/Capita |
| Dormitory | 90 GPD/Capita |
- Hospital
- 200 GPD/Bed
- Nursing Home
- 90 GPD/Bed
- Prison
- 280 GPD/Capita
- C) Office Development
- | | |
|-----------------|-------------------------|
| Office Building | 0.10526 GPD/Square Feet |
|-----------------|-------------------------|
- D) Retail Development
- | | |
|---------------------------------|----------------------|
| Retail Store | 0.07 GPD/Square Feet |
| Grocery Store | 0.07 GPD/Square Feet |
| Convenience Store with gasoline | 0.10 GPD/Square Feet |
- E) Restaurant Development
- | | |
|------------------------------------|-------------|
| Average Full Service 10-12 Hours | 35 GPD/Seat |
| Twenty Four (24) Hour Full Service | 50 GPD/Seat |
| Tavern or Lounge (No Food Service) | 10 GPD/Seat |



Soda Fountain	10 GPD/Seat
Fast Food Paper Plate Service	10 GPD/Seat
Cafe	20 GPD/Seat
Bakery	0.225 GPD/Square Feet
Pizza Parlor	8 GPD/Seat
Fast Food (No Seating)	0.07 GPD/Square Feet

F) Coiffure Development

Beauty Shop	150 GPD/Shampoo Bowl
Barber Shop	150 GPD/Shampoo Bowl

G) Cleaning Development

Washateria (Based on 50 G/Wash and 10 washes/day)	500 GPD/Machine
--	-----------------

Car Wash

Individual Bay, Self-service w/o reclaim (wand type)	300 GPD/Bay
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Individual Bay, Self-service with reclaim (wand type)	0 GPD/Bay
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Commercial w/o reclaim (tunnel type)	1200 GPD
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Commercial with reclaim (tunnel type)	0 GPD
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H) Recreational Development

Theatre

Indoor	5 GPD/Seat
Drive-In	5 GPD/Space
Skating Rink	5 GPD/Capita
Bowling Alley	200 GPD/Lane
Swimming Pool	5 GPD/Swimmer
Stadium	3 GPD/Seat
Country Club	100 GPD/Member and 25 GPD/Guest

Health Club/Spa w/swimming pool and/or whirlpool	10GPD/Member/Day
---	------------------

Health Club/Spa w/out swimming pool and/or whirlpool	5GPD/Member/Day
---	-----------------



	Raquetball Club	160.25GPD/Court
I)	Service Station Development	
	Station with service (maximum of 1000 GPD if no car wash)	500 GPD/Island
	Self Service Station	0.07 GPD/Square Feet
J)	Hotel/Motel Development	
	Hotel/Motel (excluding restaurant)	79 GPD/Room
	Hotel/Motel (w/kitchenettes)	135 GPD/Room
K)	Industrial Development	
	Warehouse	0.03 GPD/Square Feet
	Factory w/shower	25 GPD/Capita
	Factory w/o shower	20 GPD/Capita
	Factory Residential	80 GPD/Capita
	Industrial Laundry	300 GPD/50 lbs.
	Clothes or	5000 GPD/Machine
	Manufacturing	0.05 GPD/Square Feet
L)	Transportation Terminal Development	
	Transportation Terminal (excluding restaurants)	5 GPD/Passenger
M)	Other	
	Film Processor	1260 GPD/Processor
	Fire Station	90 GPD/Capita
	Funeral Homes	675 GPD/Body
	Toilet	80 GPD/Toilet



EXHIBIT "B"
Customer Service Inspection Certification

Name of PWS: _____

PWS I.D. #: _____

Location of Service: _____

I, _____, upon inspection 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
(1) No direct connection between the public 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"/>
(2) No cross-connection between the public drinking water supply and a private water system exists. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention device tester.	<input type="checkbox"/>	<input type="checkbox"/>
(3) No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the public water supply.	<input type="checkbox"/>	<input type="checkbox"/>
(4) No pipe or pipe fitting which contains more than 8.0% lead exists in private plumbing facilities installed on or after July 1, 1988.	<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"/>
(6) No plumbing fixture is installed which is not in compliance with a state approved plumbing code.	<input type="checkbox"/>	<input type="checkbox"/>

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 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

License Expiration Date



EXHIBIT "C"

FORM OF SERVICE AGREEMENT

- I. **PURPOSE.** Brazoria County Municipal Utility District No. 22 (the "District") is responsible for protecting the drinking water supply from contamination or pollution which could result from improper plumbing practices. The purpose of this service agreement is to notify each customer of the plumbing restrictions which are in place to provide this protection. The District enforces these restrictions to ensure the public health and welfare. Each customer must sign this agreement before the District will begin service. In addition, when service to an existing connection has been suspended or terminated, the District will not re-establish service unless it has a signed copy of this agreement.
- II. **PLUMBING RESTRICTIONS.** The following unacceptable plumbing practices are prohibited by State regulations.
- A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.
 - B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.
 - C. No connection which allows water to be returned to the public drinking water supply is permitted.
 - D. No pipe or pipe fitting which contains more than 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 percent lead can be used for the installation or repair of plumbing at any connection which provides water for human use.
- III. **SERVICE AGREEMENT.** The following are the terms of the service agreement between Brazoria County Municipal Utility District No. 22 (the "District") and _____ (the "Customer").



- A. The District will maintain a copy of this agreement as long as Customer and/or the premises is connected to the District's water system.
 - B. Customer shall allow his/her property to be inspected for possible cross-connections and other unacceptable plumbing practices. These inspections shall be conducted by the District or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections or other unacceptable plumbing practices exist; or after any major changes to the private plumbing facilities. The inspections shall be conducted during the District's normal business hours.
 - C. The District shall notify Customer in writing of any cross-connection or other unacceptable plumbing practice which has been identified during the initial inspection or the periodic reinspection.
 - D. Customer shall immediately correct any unacceptable plumbing practice on his/her premises.
 - E. Customer shall, at his/her expense, properly install, test, and maintain any backflow prevention device required by the District. Copies of all testing and maintenance records shall be provided to the District.
 - F. Customer understands and agrees that the District does not guarantee any specific quantity or pressure of water for any purpose whatsoever and that the District is not liable to customer for failure or refusal to furnish any particular amount or pressure of water to Customer at any time.
- IV. **ENFORCEMENT.** If Customer fails to comply with the terms of the Service Agreement, the District shall, at its option, either terminate service or properly install, test, and maintain an appropriate backflow prevention device at the service connection. Any expenses associated with the enforcement of this Service Agreement shall be billed to Customer.

CUSTOMER'S SIGNATURE: _____

DATE: _____

ADDRESS: _____



EXHIBIT "D"**Backflow Prevention Assembly Test and Maintenance Report**

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

BACKFLOW PREVENTION ASSEMBLY TEST AND MAINTENANCE REPORT

NAME OF PWS: _____

PWS I.D. #: _____

LOCATION OF SERVICE: _____

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

☐ Not needed at this address

TYPE OF ASSEMBLY

☐ Reduced Pressure Principle

☐ Pressure Vacuum Breaker

☐ Double Check Valve

☐ Atmosphere Vacuum Breaker

Manufacturer: _____ Size: _____

Model Number: _____ Located At: _____

Serial Number: _____

	Reduced Pressure Principle Assembly			Pressure Vacuum Breaker	
	Double Check Valve Assembly		Relief Valve	Air Inlet	Check Valve
	1st Check	2nd Check		Opened at _____ psid	_____ psid
Initial Test	DC - Closed Tight <input type="checkbox"/> RF _____ psid Leaked <input type="checkbox"/>	Closed Tight <input type="checkbox"/> Leaked <input type="checkbox"/>	Opened at _____ psid	Did Not Open <input type="checkbox"/>	Leaked <input type="checkbox"/>
Repairs and Materials Used					
Test After Repair	DC - Closed Tight <input type="checkbox"/> RF _____ psid Leaked <input type="checkbox"/>	Closed Tight <input type="checkbox"/>	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 "E"

(Transmit in
duplicate to:
[Address]):

APPLICATION FOR SANITARY SEWER SERVICE

(Please print or type)

_____	_____	_____	_____
(Name of Applicant)	Lot	Block	Section
_____	_____	_____	_____
(Street Address)	(Phone)	(City)	(State) (Zip)

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

Type of pipe material to be used: PVC____ CI____

Date: _____ Requested by: _____
(Signature)

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

For District Use Only

Date Application Received: _____

Date Construction Authorized: _____

Connection Information: _____

WYE Location _____

Stack Location _____

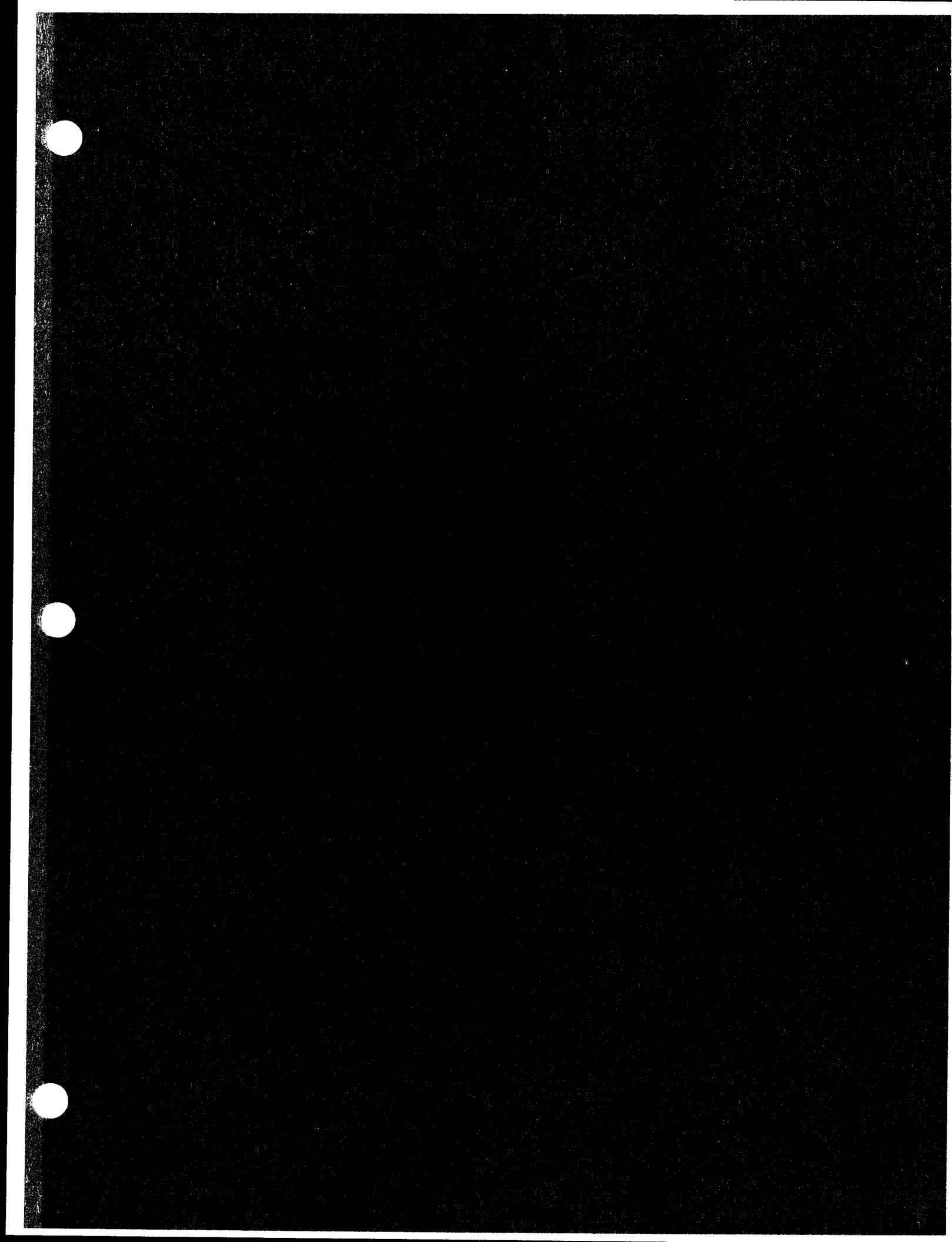
Manhole Location _____

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

Date Permit Granted: _____

Approved by: _____
(District Representative)





NOTICE FOR PUBLICATION

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE IN BRAZORIA AND FORT BEND COUNTIES, TEXAS

Brazoria County Municipal Utility District No. 22 (BCMUD22) has filed an application for a CCN and Dual Certification with the Texas Commission on Environmental Quality to provide water and sewer utility service in Brazoria and Fort Bend Counties.

The proposed utility service area is located approximately 20 miles south of downtown Houston, Texas, and is generally bounded on the north by County Road 564B; on the east by Kincade Road; and on the south by County Road 58.

The total area being requested includes approximately 622.31 acres.

The proposed amendment affects customers and/or areas located in the following zip codes: 77545, 77581, 77583, and 77588.

A copy of the proposed service area map is available at 3200 Southwest Freeway, Suite 2600, Houston, TX 77027, 713-860-6412.

A request for public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative

Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

Si desea informacion en Espanol, puede llamar al 1-512-239-0200.

NOTICE TO NEIGHBORING SYSTEMS AND CITIES

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND
NECESSITY (CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE IN
BRAZORIA AND FORT BEND COUNTIES, TEXAS

To: _____ Date Notice Mailed: _____, 2014
(Neighboring System or City)

(Address)

(City) State Zip)

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List of Utilities Within 5 Mile Radius

<u>CCN#</u>	<u>Utility</u>
11008 & 20403	City of Pearland 3519 Liberty Drive Pearland, TX 77581
12004	Johnson's Water Service 1713 Oleander Rosharon, TX 77583
12981 & 20897	Harvard Estates Ltd. 4800 W 34 th Street, Suite C12 Houston, TX 77092
12094 & 20688	Southwood Estates, Inc. P.O. Box 757 Pearland, TX 77588
11982	Orbit Systems, Inc. 1302 Airline North Rosharon, TX 77583
12195	Turner Water Service P.O. Box 1189 Fresno, TX 77545
11157, 12902, 20453, & 20867	Aqua Source, Inc. 11100 Brittmoore Park Drive Houston, TX 77041
12903	Houston Southwest Airport 503 McKeever Road, Suite 1505 Arcola, TX 77583
12924 & 20871	Oak Crest of Manvel P.O. Box 2067 Alvin, TX 77512
12653 & 20819	City of Manvel 6615 FM 1128 Manvel, TX 77578
11862	Walker Water Works, Inc. P.O. Box 907 El Campo, TX 77437
11845	West Lea Water Co. 2460 Country Club Drive Pearland, TX 77581