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PUC DOCKET NO. _____

PETITION OF ARIZA GOSLING
OWNER LLC PURSUANT TO TEXAS
WATER CODE § 13.043 FOR REVIEW
OF DECISION BY NORTHAMPTON
MUNICIPAL UTILITY DISTRICT TO
CHANGE RATES

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PUBLIC UTILITY COMMISSION
OF
TEXAS

**ARIZA GOSLING OWNER LLC'S PETITION FOR REVIEW APPEALING
NORTHAMPTON MUNICIPAL UTILITY DISTRICT'S AMENDED RATE ORDER**

Pursuant to Texas Water Code § 13.043(b)(4) and 16 TEX. ADMIN. CODE § 24.101(c)(4), Ariza Gosling Owner LLC ("Petitioner" or "Ariza Gosling") files this Petition for Review to the Public Utility Commission of Texas ("Commission") to appeal the water service rate increase established by Northampton Municipal Utility District ("Northampton MUD"), effective February 4, 2023, and would show as follows:

I. AUTHORIZED REPRESENTATIVES

Petitioner's authorized legal representatives in this proceeding are:

Carrie Collier-Brown
LOCKE LORD LLP
300 Colorado Street, Suite 2100
Austin, Texas 78701
(512) 305-4732 (telephone)
carrie.collierbrown@lockelord.com

All pleadings, orders, and other documents should be served on Petitioner's authorized legal representatives.

II. BACKGROUND

Ariza Gosling is the owner of a multi-family housing complex known as the Ariza Gosling Apartments, which is located at 23223 Gosling Road, Spring, Texas 77389. Ariza Gosling is located within the water utility service area served by Northampton MUD, and is a ratepayer under Chapter 13 of the Texas Water Code. Northampton MUD provides water and sewer services to Ariza Gosling, which pays for such water services of the residents who reside at the apartment complex. The owner of the underlying real property upon which the Ariza Gosling Apartments sit is the Houston Housing Authority ("HHA"). HHA is exempt from ad valorem taxes pursuant

to applicable law, and therefore Northampton MUD does not derive tax revenue from the property on which Ariza Gosling Apartments sits.

On February 6, 2023, the Board of Directors of the Northampton MUD adopted an Amended Rate Order, which implemented a two new rate classes:

- **Tax Exempt Multi-family Residential**—defined as “any Multi-family Residential Connection in the District’s Defined Area that is exempt from the District’s ad valorem taxation, in whole or in part.” *See Exhibit A* at Section I.M. Previously, Northampton MUD applied its “Multi-family Residential” rate class rate to Ariza Gosling Apartments.
- **Defined Area Tax Exempt Multi-family Residential**—defined as “any Multi-family Residential Connection in the District’s Defined Area that is exempt from the District’s ad valorem taxation, in whole or in part.

Prior to the adoption of the Amended Rate Order, Northampton MUD charged Ariza Gosling the **Multi-family Residential** rate. Effective February 6, 2023 and pursuant to the Amended Rate Order, Northampton MUD’s water service rates moved Ariza Gosling water and sewer service to the new **Tax Exempt Multi-family Residential** rate class. As a result, Northampton increased water service rates charged to Ariza Gosling by 280% per apartment unit from the previously applicable rates in the Multi-family Residential rate class:

Water Service Type of Connection	Gallons Used	Rate
Multi-family Residential	0-7,000 (minimum)	\$20.00 per unit
	7,001 and over	\$1.50 per 1,000 gallons
Tax Exempt Multi-Family Residential	Any quantity	Flat rate of \$76.15 per unit
Defined Area Tax Exempt Multi-family Residential	Any quantity	Flat rate of \$149.40 per unit

The Amended Rate Order also implemented the new rate classes for sewer service but did not change the rates:

Sewer Service Type of Connection	Gallons Used	Rate
Multi-family Residential	Any quantity	\$24.35 per unit
Tax Exempt Multi-Family Residential	Any quantity	\$24.35 per unit
Tax Exempt Multi-Family Residential	Any quantity	\$24.35 per unit

The minutes of the special meeting of the Board of Directors of Northampton MUD state the Board's reason for adopting the Amended Rate Order to add the new tax exempt multi-family residential customer class is solely to make up for lost tax revenue due to HHA's exemption from ad valorem taxes. *See Exhibit B.* In other words, Northampton dramatically increased water service rates charged to its ratepayer, Ariza Gosling, due to the tax exempt status of the underlying property's owner's tax exempt status. As such, Northampton MUD is using its power to charge water service rates as an illegal scheme to recover tax revenue that it cannot assess without violating applicable tax exemption laws.

III. JURISDICTION

Ratepayers of a MUD may appeal the decision of the governing body of the MUD affecting their water, drainage, or sewer rates to the Commission.¹ Ariza Gosling is a ratepayer of and receives water and sewer service from Northampton MUD.² *See Exhibit C.* Ariza Gosling is therefore eligible to appeal the Amended Rate Order to the Commission.

A petitioner must initiate an appeal with the Commission under Texas Water Code § 13.043(b)(4) within 90 days after the effective day of the rate change.³ The Amended Rate Order was adopted on February 6, 2022 and became effective the same day. *See Exhibit A.* The 90-day deadline to initiate an appeal with the Commission is Sunday, May 7, 2023, and therefore this appeal the Northampton MUD's Board decision to adopt the Amended Rate Order is timely filed.⁴

The petition for review must be signed by the lessor of 10,000 or 10 percent of those ratepayers whose rates have been changed.⁵ Upon information and belief, the rate change adopted in the Amended Rate Order, which implemented the new **Tax Exempt Multi-family Residential** rate class, affects only one Northampton MUD's ratepayer—Ariza Gosling. Upon information and belief, there are no ratepayers affected by the implementation of the new **Defined Area Tax**

¹ *See* TEX. WATER CODE § 13.043(b)

² *See id.* at § 13.043(c) and 16 TEX. ADMIN. CODE § 24.101(d) ("each person receiving a separate bill is considered a ratepayer, but one person may not be considered more than one ratepayer regardless of the number of bills the person receives.")

³ *See* TEX. WATER CODE § 13.043(c)

⁴ *See id.* at § 13.043(a) and 16 TEX. ADMIN. CODE § 24.101(b).

⁵ *See* TEX. WATER CODE § 13.043(c)

Exempt Multi-family Residential rate class. Therefore, Ariza Gosling represents more than ten (10) percent of the affected ratepayers whose rates have been changed.⁶

16 Texas Administrative Code (“TAC”) § 24.101(b) requires that a copy of a petition for review be sent “to the entity providing service and with the governing body whose decision is being appealed if it is not the entity providing service.” Accordingly, Petitioner sent a copy of the petition to Northampton MUD and to the Board of Directors of Northampton MUD concurrent with filing this petition with the Commission.⁷

IV. PETITION FOR REVIEW

Pursuant to section 13.043(b)(4) of the Texas Water Code, Petitioner appeals Northampton MUD’s Amended Rate Order to the Commission, and requests that the Commission review Northampton MUD’s rates and fix such rates to ensure they are just and reasonable, sufficient, equitable, and consistent in application to each class of customers consistent with 16 TAC § 24.101(d).

Northampton MUD’s Amended Rate Order established rates charged to Ariza Gosling that are unjust and unreasonable, unreasonably preferential, prejudicial, and discriminatory.⁸ Furthermore, Northampton MUD’s decision to implement a new discriminatory rate without conducting a proper cost of service and rate allocation study is arbitrary and capricious.

The rates established by Northampton MUD’s Amended Rate Order for the new tax exempt multi-family rate class and charged only to Ariza Gosling is a discriminatory rate increase because it results in—and was intentionally designed by the Board to—far exceed the rates charged to other multi-family residential complex ratepayers served by the MUD. The rates charged to Ariza Gosling are not based on Northampton MUD’s actual cost of providing charged-for service,⁹ and are not based on a just and reasonable rate structure such as differentials by meter size. In establishing the new rates, Northampton MUD failed to conduct any rate study to support the increased rate for water service provided to Ariza Gosling. The only purported reason for the

⁶ See TEX. WATER CODE § 13.043(c) and 16 TEX. ADMIN. CODE § 24.101(b).

⁷ 16 TEX. ADMIN. CODE § 24.101(b).

⁸ See TEX. WATER CODE § 13.043(j) (stating the Commission “shall ensure that every rate made, demanded, or received by any retail public utility...shall be just and reasonable...[and] shall not be unreasonably preferential, prejudicial, or discriminatory”).

⁹ *Black v. City of Killeen*, 78 S.W.3d 686, 694 (Tex. App.—Austin 2002, pct. Denied).

different rate structure charged for water service to the same types of ratepayers (multi-family residential apartments) is the tax exempt status of owner of the property on which the ratepayer's facilities are located.

V. INTERIM RATES

16 TAC § 24.101(h) permits the Commission to establish interim rates until final decision is made.¹⁰ The substantial and unjustified rate increase imposed on a single customer—Ariza Gosling—without any cost of service study whatsoever has resulted in unjust and unreasonable rates, an unreasonable economic hardship on the ratepayer, and an unreasonable economic hardship on the residents of the Ariza Gosling apartment complex. Since Northampton began charging the new Tax Exempt Multi-Family Residential rate to Ariza Gosling, monthly water charges are 3.8 times higher: from \$6,320 to \$24,063.60. *See Exhibit C.*

Therefore, to alleviate this extreme economic burden during the pendency of this appeal, Petitioner requests that the Commission establish interim rates applicable to Ariza Gosling that were in place prior to the Amended Rate Order:

Multi-family Residential	0-7,000 (minimum)	\$20.00 per unit
	7,001 and over	\$1.50 per 1,000 gallons

VI. PRAYER

WHEREFORE, PREMISES CONSIDERED, Ariza Gosling respectfully requests that the Commission enter an order vacating Northampton's Amended Rate Order, establish just and reasonable rates, and establish interim rates until a final decision is made in this proceeding. Ariza

¹⁰ *See id.*

Gosling further requests that the Commission grant any such other relief to which it may show itself to be entitled.

Dated: May 5, 2023

Respectfully submitted,



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ATTORNEYS FOR ARIZA GOSLING OWNER LLC

CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2023 a copy of the foregoing was sent to the following:

Northampton Municipal Utility District
Attn: Lisa June, General Manager
6012A Root Road
Spring, TX 77389
contact@northamptonmud.com

E.C. Thomas
President, Northampton MUD
ec.thomas@nhmud.com

Cheryl Brisbane
First Vice President, Northampton MUD
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Scott Kirkpatrick
Second Vice President/Secretary, Northampton MUD
scott.kirkpatrick@nhmud.com

Terese Wahl
Secretary, Northampton MUD
twahl@nhmud.com

Roger Flood
Treasurer/Investment Officer, Northampton MUD
roger.flood@nhmud.com



Carrie Collier-Brown

CERTIFICATE FOR ORDER

STATE OF TEXAS §

COUNTY OF HARRIS §

NORTHAMPTON MUNICIPAL UTILITY DISTRICT §

I, the undersigned Secretary of the Board of Directors of Northampton Municipal Utility District of Harris County, Texas (the "District"), hereby certify as follows:

1. The Board of Directors of the District convened in regular session on the 6th day of February, 2023, at the regular meeting place thereof, and the roll was called of the duly constituted officers and members of the Board, to wit:

E. C. Thomas	President
Cheryl Brisbane	1 st Vice President
Scott Kirkpatrick	2 nd Vice President/Assistant Secretary
Terese Wahl	Secretary
Roger A. Flood, III	Treasurer/Investment Officer

and all of said persons were present, except the following absentees: none
 _____ thus constituting a quorum. Whereupon,
 among other business, the following was transacted at said meeting:

ORDER ADOPTING AMENDED RATE ORDER

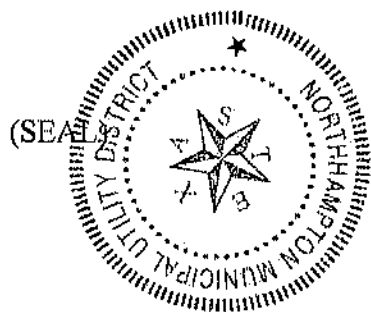
was introduced for the consideration of the Board. It was then duly moved and seconded that the Order be adopted; and, after due discussion, the motion, carrying with it the adoption of said Order, prevailed and carried-by the following vote:

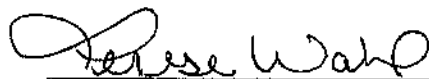
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2. That a true, full and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; and that said Order has been duly recorded in said Board's minutes of said meeting; that the persons named in the above and foregoing paragraph were duly chosen, qualified and acting officers and members of the Board as indicated therein; that each of the officers and members of said Board was duly and sufficiently notified officially and personally, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; that public notice of the

time, place and subject of said meeting was given as required by the Texas Government Code, §551.043, and the Texas Water Code, §49.063, as amended.

SIGNED AND SEALED the 6th day of February, 2023.




Secretary, Board of Directors

ORDER ADOPTING AMENDED RATE ORDER

THE STATE OF TEXAS §

COUNTY OF HARRIS §

NORTHAMPTON MUNICIPAL UTILITY DISTRICT §

WHEREAS, the Board of Directors (the "Board") of Northampton Municipal Utility District (the "District") has from time to time adopted certain orders ("Rate Order") and Rules and Regulations establishing the rates and conditions under which water and sanitary sewer service would be provided; and

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

IT IS, THEREFORE, ORDERED BY THE BOARD OF DIRECTORS OF NORTHAMPTON MUNICIPAL UTILITY DISTRICT THAT:

ARTICLE I DEFINITIONS

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

A. "Commercial" - shall mean any structure designed for business purposes including office buildings, hotels, retail stores, warehouses, service stations, recreational centers and all other establishments not generally considered as residential structures or defined herein as a residential structure.

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

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

D. "Esplanade Connection" - shall mean a water system connection serving public right-of-way or other public common areas, including subdivision entrances.

E. "Multi-family Residential Connection" - shall mean all multiplex residential connections which are served by a master meter.

F. "Multi-family Units" - shall mean the individual dwelling units served through the Multi-family Residential Connection's master meter and shall include condominiums and all individual dwelling units served by a master meter.

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

H. "Operator" - shall mean the person, company or corporation which is employed by or under contract with the District to operate the District's water and sewer system, collect amounts owed to the District for such services, report monthly to the District on the operations of the District's System and perform any additional services set out in its contract with the District.

I. "Rules and Regulations" - shall mean the Amended and Restated Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections attached to this Order as Appendix "A" and incorporated herein for all purposes.

J. "Separate Connection" - shall mean each residential unit designed for occupancy by a separate family, including each separate unit located within a single multi-unit building, and each commercial unit designed for use by a separate business, including separate establishments within a single building.

K. "Single-family Residential" - shall mean any single family structure within the District designed for occupation as a residence whether by the owner or by a renter or lessee, including any single-family residence, townhouse, multiplex, apartment building, or other structure generally considered to be and used solely for residential purposes and which is separately metered.

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

M. "Tax Exempt Multi-family Residential" - shall mean any Multi-family Residential Connection that is exempt from the District's ad valorem taxation, in whole or in part.

N. "Defined Area Tax Exempt Multi-family Residential" - shall mean any Multi-family Residential Connection in the District's Defined Area that is exempt from the District's ad valorem taxation, in whole or in part.

ARTICLE II
TAP FEES AND CONNECTION POLICY

Section 2.1. Initiation of Water and Sanitary Sewer Connections. Each person desiring a water and sanitary sewer service connection to the District's System shall be required to pay such fees as set forth in this Order, or as established by separate written agreement. No service shall be established or re-established until such fees are paid. All service connections are subject to the provisions of the District's Rules and Regulations and all other rules, regulations, and policies of the District.

Section 2.2. Policies Governing Initial Connections.

A. Certification of System. Connections shall not be made to the District's System or portions of the System until the District's engineer has certified that the System or applicable portion thereof is operable.

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

Section 2.3. Connections by District Operator. All connections to the District's sewer system shall be made in accordance with the District's Rules and Regulations. No person except the District's Operator or his authorized agent shall be permitted to tap or make any connection to the mains or distribution piping of the District's water system, except for emergency fire-fighting purposes, or make any repairs or additions to or alterations in any meter, box, tap, pipe, cock or other fixture connected with the water service or any manhole, main, trunk or appurtenance of the District's sanitary sewer system, unless otherwise specified by the Board of Directors of the District.

Section 2.4. Inspections and Fees.

A. Sewer Inspection and Fees. Sewer connections and house service lines shall be inspected by the District's Operator for compliance with the Rules and Regulations. A fee of \$70.00 shall be charged for all residential inspections, connections, and re-inspections. A fee of the Operator's hourly cost multiplied by actual hours worked, plus 35% thereof, shall be charged for all Commercial inspections, connections, and re-inspections. Installations which fail to conform at any time to the Rules and Regulations may be disconnected. Any Customer whose connection is disconnected for such failure shall be notified as to the basis for such disconnection. After noted deficiencies have been corrected, all subsequent re-inspections shall be made upon payment of the applicable above-stated fee(s).

B. Customer Service Inspections. The District's Operator shall be responsible for performing the Customer Service Inspection and completing the Customer Service Inspection Certification required by Article III of the Rules and Regulations. If the District's Operator performs the residential Customer Service Inspection, a fee of \$80.00 will be charged. If the District's Operator performs the Commercial Customer Service Inspection, a fee of the Operator's hourly cost multiplied by actual hours worked, plus 35% thereof, shall be charged.

C. Residential Swimming Pool and Hot Tub Inspections. Every Customer who constructs or installs a swimming pool or hot tub in the District shall notify the Operator prior to connection of same to the District's facilities and shall pay the required fee of \$75.00. For purposes of this Order, a swimming pool is defined as a pool having a capacity in excess of 10,000 gallons or a pool or hot tub causing an alteration of then existing plumbing fixtures.

Section 2.5. Facility and Water Meter Inspection Fees; Builder's Deposit. Prior to any construction activity on a prospective property, the builder shall notify the Operator, who will then conduct a facility inspection. At such inspection, the Operator shall make note of the condition of all District facilities on the property. For residential construction, the builder shall pay this Pre-Inspection fee of \$60.00. For Commercial construction, the builder shall pay this Pre-Inspection fee of the Operator's hourly cost multiplied by actual hours worked, plus 25% thereof. After construction has been completed on the property, but before service is transferred to a Customer, the District's Operator will perform a Post-Inspection on the water tap, meter and all other District facilities on the property for a residential Post-Inspection fee of \$80.00, which shall be collected at the time the tap fee is paid. The Commercial Post-Inspection fee of the Operator's hourly cost multiplied by actual hours work, plus 25% thereof, shall likewise be collected at the time the tap fee is paid.

Each builder of a residence, Multi-family project, commercial building, or other structure shall, at the time a request for a water tap is made, pay a deposit of \$500 for the first lot or dwelling unit, for which a water tap has been requested and \$100 for each additional lot or dwelling unit

thereafter up to a maximum deposit of \$1,000.00. The deposit shall be refunded within sixty (60) days after the builder certifies the sale of its last residence, Multi-family project, commercial building or other structure within the District, less any amounts forfeited as provided herein. The District shall deduct from the deposit the cost to repair any damage caused to the District's property by the builder or the builder's employees, contractors, subcontractors or agents and shall deduct any delinquent water and sewer service bills of the builder. In the event any amounts are so deducted from the builder's deposit, it will be incumbent on the builder to reinstate the original amount of the deposit, and failure to do so will result in the suspension of any additional water taps for the builder. The builder will be held responsible for any damages or relocations to District facilities and the cost of repairing or relocating the facilities before service shall be initiated to a Customer.

Section 2.6. Temporary Water Service.

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

B. Application and Deposit. Each temporary Customer desiring temporary water service shall be required to execute an application for such temporary service and shall provide a security deposit of \$500.00. The deposit shall be made by cashier's check or money order payable to the District. The deposit shall be used by the District to secure the payment for temporary water supplied by the District, the installation fee, and the cost of repair of any damages caused by the temporary Customer. The balance of the security deposit, if any, shall be refunded after disconnection from the District's System.

C. Fees and Rates. The Operator shall make a direct charge to the Customer for the costs of installation or meter rental. The Customer shall pay the cost of the metered water to the District. The following rate for the sale of water for each temporary water service connection shall be in effect from the effective date hereof until such time as the Board amends said rate: \$2.20 per each 1,000 gallons used.

Section 2.7. Service to Out-of-District Customers. All requests for water and sewer service from parties located outside the boundaries of the District shall be considered on a case by case basis and governed by separate agreement. In addition to water and sewer fees, a fee of \$35.00 will be charged for the Service Agreement.

Section 2.8. Water Taps. The following charges for the tap of water lines shall be in effect within the District from and after the effective date hereof until amended by the Board of the District:

A. Standard Residential taps:

Maximum 3/4" x 5/8" tap: \$1,180.00 per connection

Maximum 1" tap: \$1,596.50 per connection.

B. Non-Standard Residential Taps and Commercial Taps: Three (3) times the District's actual cost.

C. Non-Taxable Connection: The cost to the District including the Customer's pro rata share of the cost of all facilities that are necessary to provide District services to such entity and that are financed or to be financed in whole or in part by tax supported bonds of the District, but determined pursuant to Texas Water Code, Section 49.212, as amended.

D. Residence utilizing two or more lots, tap fee for each additional lot: \$300.00.

E. In the event a request is made to increase the size of a previously installed connection, the Customer shall pay an additional tap fee based on the difference in tap fees for the smaller versus larger meter, plus any additional expense incurred by the District in the installation of the new connection.

Section 2.9. Sewer Taps. The charge for all taps of sewer lines within the District shall be equal to the cost to the District for making such connections, including the inspection fee charged the District by its Operator, plus \$10.00. The fee for each subsequent inspection of the sewer tap shall be \$35.00.

Section 2.10. Title to Facilities. Title to all water meters, water and sewer taps, and all other appurtenances, including meter boxes, shall lie in the District.

ARTICLE III SERVICE RATES

Section 3.1. Water Service Rates. The following monthly rates for the sale of water shall be in effect for each Separate Connection within the District from the effective date hereof until such time as the Board of Directors amends said rates:

<u>TYPE OF CONNECTION</u>	<u>GALLONS USED</u>	<u>RATE</u>
Residential and Builder	0 - 7,000 (minimum)	\$20.00
	7,001 - 12,000	\$1.50 per 1,000 gallons
	12,001 - 20,000	\$2.00 per 1,000 gallons
	20,001 - 30,000	\$2.50 per 1,000 gallons

	30,001 - 75,000	\$3.50 per 1,000 gallons
	75,000 and above	\$5.00 per 1,000 gallons
Commercial, Irrigation, Non-Taxable Commercial	0 - 1,000 (minimum)	\$25.00
	1,001 - 12,000	\$1.50 per 1,000 gallons
	12,001 - 20,000	\$2.00 per 1,000 gallons
	20,001 - 30,000	\$2.50 per 1,000 gallons
	30,001 - 75,000	\$3.50 per 1,000 gallons
	75,000 and over	\$5.00 per 1,000 gallons
Multi-family Residential	0 - 7,000 (minimum)	\$20.00 per unit
	7,001 and over	\$1.50 per 1,000 gallons
Tax Exempt Multi-family Residential	Any quantity	Flat rate of \$76.15 per unit
Defined Area Tax Exempt Multi-family Residential	Any quantity	Flat rate of \$149.40 per unit
Esplanade Connection	Any quantity	\$1.50 per 1,000 gallons

Multi-Unit Connections. In the case of a Multi-family Residential Connection where each Separate Connection is not individually metered, the Customer shall be billed the total of (1) the minimum monthly charge for each Separate Connection, plus (2) \$1.50 for each 1,000 gallons used by the occupants of such structure in excess of 7,000 gallons per Multi-family Unit.

In the case of new Multi-family construction, in order to account for the lease-up period, the total number of Multi-family Residential Connections shall be multiplied by the applicable percentage for each month following the date of installation of the Commercial tap:

Month 1	20%
Month 2	40%
Month 3	60%
Month 4	80%
Month 5	100%

In the case of a multi-unit Commercial structure or Commercial structure where each Separate Connection is not individually metered, the Customer shall be billed the total of (1) the minimum monthly charge for each Commercial Separate Connection as specified above, plus (2) the applicable rate for each 1,000 gallons over the minimum used by the occupants of such structure.

Section 3.2. Sewer Service and Garbage Collection Rates. The following monthly rates for the collection and disposal of sewage and the collection and disposal of garbage (only for Residential Connections) shall be in effect for each Separate Connection within the District from the effective date hereof until such time as the Board amends said rates:

<u>TYPE OF CONNECTION</u>	<u>GALLONS OF WATER USED</u>	<u>RATE</u>
Residential and Builder	Any quantity	\$24.35 per connection plus Prevailing Garbage Charge and Prevailing Garbage Recycle Charge
Commercial and Non-Taxable Commercial	Any quantity	\$24.35 per connection
Multi-family Residential	Any quantity	\$24.35 per unit
Tax Exempt Multi-family Residential	Any quantity	\$24.35 per unit
Defined Area Tax Exempt Multi-family Residential	Any quantity	\$24.35 per unit
Klein Independent School District	Any quantity	\$3.13 per 1,000 gallons

The "Prevailing Garbage Charge" shall mean the monthly rate per residence charged to the District for garbage collection services by a third party contractor pursuant to an agreement with such contractor which is in effect during the month that sewer services are provided to the Customer.

The "Prevailing Garbage Recycling Charge" shall mean the monthly rate per residence charged to the District for garbage recycling services by a third party contractor pursuant to an agreement with such contractor, which is in effect during the month that sewer services are provided to the Customer.

In the case of a Klein Independent School District connection, wastewater usage will be measured using metering devices at the connection site. If no adequate measuring device exists at a connection site, wastewater usage shall be calculated by multiplying that connection's water usage for the same billing period by ninety percent (90%). In the event of a measuring device malfunction, or any other occurrence, resulting in the failure of a measuring device to accurately measure usage at a connection site, usage at that site may be calculated by averaging the previous three (3) month's readings prior to the event.

In the case of new Multi-family construction, in order to account for the lease-up period, the total number of Multi-family Connections shall be multiplied by the applicable percentage for each month following the date of installation of the Commercial tap:

Month 1	20%
Month 2	40%
Month 3	60%
Month 4	80%
Month 5	100%

In the case of a multi-unit Commercial structure or Commercial structure where each Separate Connection is not individually metered, the Customer shall be billed \$24.35 for each Commercial Separate Connection.

Section 3.3. Service To Out-of-District Customers. Unless otherwise expressly contracted for in writing between the District and an out-of-district customer, customers whose establishments lie outside the taxing jurisdiction of the District shall be charged water and sanitary sewer fees equal to five (5) times the rates that would otherwise be charged if the customer's establishment was within the taxing jurisdiction of the District.

Section 3.4. Regulatory Assessment. Pursuant to Section 5.235, Texas Water Code, as amended, the District shall pay a regulatory assessment to the Texas Commission on Environmental Quality (the "TCEQ") annually in the amount required by law on the total charges for retail water and sewer service billed to its Customers. At the end of each calendar year, the Operator shall prepare a written statement indicating (i) the total charges for retail water and sewer service for the year and (ii) the regulatory assessment due and payable to the TCEQ.

Section 3.5. North Harris County Regional Water Authority Fees. Pursuant to an order adopted March 7, 2000, the North Harris County Regional Water Authority (the "NHCRWA"), a regional water authority created pursuant to H.B. 2965 of the 76th Legislature (1999) and Article XVI, § 59 of the Texas Constitution, assessed well pumpage fees upon all non-exempt wells located within its boundaries.

Each customer's billing statement will include a line item reflected as "RWA Fee." Such fee will be calculated based upon the customer's actual water usage for the previous month multiplied by the current fee assessed by the NHCRWA per 1,000 gallons of metered water plus a 15% surcharge.

Section 3.6. No Reduced Rates or Free Service. All Customers receiving water and/or sewer service from the District shall be subject to the provisions of this Order and shall be charged the rates established in this Order, and no reduced rate or free service shall be furnished to any Customer; provided, however, this provision shall not prohibit the District from establishing

reasonable classifications of customers for which rates differing from the rates stated herein may be adopted.

Section 3.7. Grease Traps.

A. The District shall require the owner of any establishment that discharges certain types of waste into the District's sanitary sewer system to install a trap to prevent the entry of the discharge into the system and a sampling well to allow for periodic sampling of the discharge from the establishment. Discharges requiring a trap and sampling well include, but are not limited to, grease, oil, sand, or flammable waste. Other discharges requiring a trap and sampling well shall be determined by the Operator on a case-by-case basis based on the Operator's conclusion that the discharge in question will harm the District's facilities if allowed to enter the District's system.

B. Any person responsible for a discharge requiring a trap and sampling well shall provide equipment and facilities of a type and capacity approved by the District, locate the trap in a manner that provides ready and easy access for cleaning and inspection, and maintain the trap in effective operating condition. For restaurants and similar developments, the District will require as a minimum one trap and one sampling well per restaurant.

C. Each trap and sampling well required to be installed hereunder shall be subject to initial inspection and approval by a District representative. The fee for this initial inspection shall be the Operator's hourly charge multiplied by actual hours worked, plus 35% thereof. It shall be the responsibility of the owner of the property to maintain and service the trap(s). All traps shall be cleaned a minimum of once a month or more frequently as necessary. The Operator may inspect the traps and may take samples and flow measurements from the sampling wells with no limit as to the frequency of the tests, and the District may, at its sole discretion as to time and frequency, bill to the owner of the property charges as follows:

Inspection	\$75.00 each trip
Sampling	\$25.00 each time
Lab analysis	Cost + 15%

D. The District has the right, in its sole discretion, to require the owner to pretreat the discharge at the owner's expense.

E. The District may invoke the procedure described in this Order to discontinue water service to a tract or establishment in the event the owner or proprietor of said tract or establishment either (a) refuses to permit an inspection pursuant to this Section, or (b) fails, within seven (7) days after receiving written notice issued by the operator, the Board of Directors or other duly authorized representative of the District, to correct any

condition found to be in violation of the District's requirements for installation, maintenance and operation of the grease and lint traps. In addition, the District may assess a fine of \$5,000.00 per day to any party that fails, within seven (7) days after receiving written notice of violation, to correct the condition prompting the notice, in accordance with the provisions of this Order, and the Board may, at its discretion, take such action as necessary to correct the condition and maintain the grease or lint trap and bill the customer one and a half times the District's cost of such corrective action.

ARTICLE IV SERVICE POLICY

Section 4.1. Security Deposits. Security deposits shall be required as follows:

A. Residential Deposits. Each customer establishing a Residential account, and each customer re-establishing an account that has been terminated for non-payment, shall be required to make a security deposit equal to \$200.00 per Separate Connection being served, \$35.00 of which shall be nonrefundable, before the District shall provide such service. If a residence is not to be occupied by the owner, each new customer shall make a security deposit equal to \$300.00 per connection, \$35.00 of which shall be nonrefundable.

B. Commercial Deposits. Each Customer establishing a commercial account and each customer re-establishing an account that has been terminated for non-payment, shall be required to make a security deposit equal to two (2) times the estimated monthly bill prior to service as determined by the District Operator based on typical requirements for similar uses.

C. Full Payment Required. Service shall be initiated upon payment of the security deposit and all other fees and charges.

D. Refund of Deposit. Following payment of the final bill and payment of all fees and charges, the balance of the security deposit, if any, shall be refunded by check mailed to the Customer. No interest shall be payable to the Customer on any security deposit. For customers with an established multi-family residential account, security deposit will be reduced by 50% after twelve months of good payment history.

Section 4.2. Billing Procedures. All accounts shall be billed in accordance with the following procedures:

A. Due Date and Delinquency. Payment shall be due on or before the fifteenth (15th) day after the date of the bill. After such date, a late charge of ten percent (10%) will be assessed on the unpaid balance on the water and sewer bill. All accounts not paid by the due date shall be deemed delinquent and failure to make payment may result in the termination of water and sewer service.

B. Notice and Appeal. Prior to termination of service, a Customer who is delinquent in payment shall be sent a notice in the next following month's billing that service will be discontinued unless payment in full is received. Notice shall be sent by first class United States mail and will provide the Customer with an opportunity to appear in person or by written correspondence at the next scheduled meeting of the Board of the District to contest, explain, or correct the charges, services, or disconnection. The notice shall inform the Customer of the amount of the delinquent bill, the date service will be disconnected if payment is not made, and of the right to contest, explain, or correct the charges, services, or disconnection. The customer will be charged a delinquent letter fee of \$10.00. If the Operator places a "doorhanger" on the customer's residence as a last and final notice prior to termination of service, the customer will be charged a fee of \$10.00 for this service. Service shall not be disconnected where a Customer has informed the District or the District's Operator of his or her desire to contest or explain his bill. If the Customer appears before the Board, in person or by written correspondence, the Board shall hear and consider the matter and inform the Customer of the Board's determination by sending written notice to the Customer by first class United States mail stating whether service will be continued or disconnected. If service is discontinued, it shall be reinstated only upon payment in full of all delinquent amounts due, by cash, cashier's check or money order, including any late charges, the security deposit set out in Section 4.01, and a disconnect/reinstatement charge of \$60.00. The meter will not be pulled for non-payment of fees but, if the meter is pulled due to Customer tampering with the meter, a pull meter fee of \$55.00 will be assessed.

C. Returned Checks. A \$35.00 charge will be charged to the Customer's account for any check returned by the bank. Any amounts due on an account which have been paid with a check that has been returned by the bank must be paid in full by cash, cashier's check or money order, including all late charges and returned check charges, within five (5) days from the day the Operator hangs a notice on the Customer's door or otherwise notifies the Customer that the check has been returned by the bank.

Section 4.3. Entitlement. Customers are not guaranteed a specific quantity or pressure of water or specific capacity in sewer facilities for any purpose whatsoever; furthermore, in no instance shall the District be liable for failure or refusal to furnish water or any particular amount or pressure of water or to provide capacity in sewer facilities.

Section 4.4. Unauthorized and Extraordinary Waste. The rates established herein are applicable for Domestic Waste as defined herein. Customers proposing to generate other types of waste will be assessed additional charges as established by the District.

Section 4.5. Damage to District Facilities.

A. Damage to Meter and Appurtenances. No person other than a duly authorized agent of the District shall tamper with or in any way interfere with a meter, meter box, service line or other water and/or sewer system appurtenance. The District

reserves the right, immediately and without notice, to remove the meter or disconnect water service to any Customer whose meter has been tampered with and to assess repair charges to the Customer, plus a damage fee of \$100.00.

B. Right to Repair. The District reserves the right to repair any damage to the District's System and appurtenances without prior notice and to assess against any Customer such penalties as are provided by law and such penalties provided for in this Rate Order in addition to those charges necessary to repair the portion of the System so damaged.

ARTICLE V ADOPTION OF RULES AND REGULATIONS CONCERNING WATERWORKS AND SANITARY SEWER SYSTEM

To preserve the sanitary condition of all water controlled by the District, to prevent waste or the unauthorized use of water controlled by the District, and to secure and maintain safe, sanitary and adequate plumbing installation, connections and appurtenances, the Board of the District hereby adopts the Amended and Restated Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections attached hereto as Appendix "A" and incorporated herein for all purposes.

ARTICLE VI DROUGHT CONTINGENCY PLAN

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

ARTICLE VII WASTEWATER CONTROL ORDER

The Board of the District hereby adopts the Amended and Restated Wastewater Control Order, attached hereto as Appendix "C" and incorporated herein for all purposes.

ARTICLE VIII STANDARDS FOR NEW DEVELOPMENT

The Board of the District hereby adopts the Amended Resolution Establishing Standards for New Development, attached hereto as Appendix "D" and incorporated herein for all purposes.

ARTICLE IX
ENFORCEMENT/CIVIL PENALTIES

Section 9.1. Enforcement.

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

B. Liability for Costs. Any person violating any of the provisions of this Order and/or the Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines, and Connections shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation, and enforcement thereof shall be in accordance with Section 8.01 (A) of this Order and Article X of the Rules and Regulations.

Section 9.2. Non-waiver. The failure on the part of the District to enforce any section, clause, sentence, or provision of this Order shall not constitute a waiver of the right of the District later to enforce any section, clause, sentence, or provision of this Order.

Section 9.3. Appeal. Any determination by the District's Operator or the District's engineer or any authorized agent of the District of any dispute regarding the terms and provisions of this Order may be appealed to the Board of the District, which shall conduct a hearing on the matter. The District's Operator and/or attorney shall provide the Customer with information regarding appeals and hearing procedures upon the Customer's request.

ARTICLE X
MISCELLANEOUS

Section 10.1. Amendments. The Board of the District has and specifically reserves the right to change, alter or amend any rate or provision of this Order at any time.

Section 10.2. Severability. The provisions of this Order are severable, and if any provision or part of this Order or the application thereof to any person or circumstance shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this order and application of such provision or part of this Order shall not be affected thereby.

Section 10.3. Headings. The section and paragraph headings used herein are for reference only and are not to be construed as part of the text of the section or paragraph.

ARTICLE XI
REPEAL OF PREVIOUS ORDERS

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

ARTICLE XII
EFFECTIVE DATE

This Order shall be effective as of February 6, 2023.

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

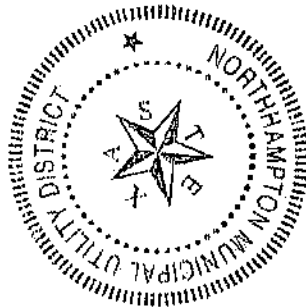
PASSED, ADOPTED, ORDERED and APPROVED as of the 6th day of February, 2023.

/s/ E. C. Thomas
President, Board of Directors

ATTEST:

/s/ Terese Wahl
Secretary, Board of Directors

(DISTRICT SEAL)



LIST OF APPENDICES AND EXHIBITS

- APPENDIX "A" - Amended and Restated Rules and Regulations Governing
Water and Sanitary Sewer Facilities, Service Lines, and
Connections
- Exhibit 1 - Plumber's Certificate
- Exhibit 2 - Service Inspection Certification
- Exhibit 3 - Backflow Prevention Assembly Test and Maintenance Report
- Exhibit 4 - Customer Service Agreement
- Exhibit 5 - Application for Service
- Exhibit 6 - Sanitary Sewer Inspection Form
- APPENDIX "B" - Amended Drought Contingency Plan
- APPENDIX "C" - Amended and Restated Wastewater Control Order
- APPENDIX "D" - Amended Resolution Establishing Standards For New
Development

APPENDIX A

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

THE STATE OF TEXAS §
COUNTY OF HARRIS §
NORTHAMPTON MUNICIPAL UTILITY DISTRICT §

ARTICLE I. PURPOSE

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

ARTICLE II. GENERAL

Section 2.1. Definitions.

1. Customer is any person, partnership, corporation, nonprofit corporation, trust or other legal entity served by the District with water and/or sewer services to a residence or business establishment.
2. District is Northampton Municipal Utility District of Harris County, Texas, a political subdivision of the State of Texas.
3. Engineer is the person, company or corporation which is under contract with the District to design the District's Water Supply System and Sanitary Sewer Collection System and performs any additional services as set forth in the contract with the District.
4. High Health Hazard is a cross-connection, potential cross-connection, or any other situation involving any substance that can cause death, illness, spread of disease, or that has a high possibility of causing such effects if introduced into the District's Water Supply System.
5. Operator is the person, company or corporation which is under contract with the District to operate the District's Water Supply System and Sanitary Sewer Collection System, collect amounts owed to the District for such services, report monthly to the District on the

operations of the District's Water Supply System and Sanitary Sewer Collection System and perform any additional services as set forth in the contract with the District.

6. Rate Order shall mean the District's Order Adopting Consolidated Rate Order and Rules and Regulations; Establishing Policy Regulating Water Use During Emergencies; Establishing a Wastewater Control Order; and Providing Penalties for Violation Thereof which may be amended from time to time.

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

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

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

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

11. Smart Water Meter is an electronic measuring device that records water consumption and has the ability to store and transmit consumption data periodically to the Operator for monitoring and billing. Smart Water Meters enable communication between the meter, central system, and customer.

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

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

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

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

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

16. Water Meter is a recording device that registers the amounts of water consumed by each Customer of the District. This meter is owned and maintained by the District. All new or replacement meters installed after December 1, 2017 are required to be Smart Water Meters which meet the requirements as designated by the District.

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

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

Section 2.2. Platting Requirement.

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

1. was first connected to the District's Water Supply System or Sanitary Sewer Collection System prior to September 1, 1987, or

2. is part of an area covered by a development plat duly approved and recorded pursuant to Sections 212.0115 and 212.012 of the Local Government Code, as amended, or

3. is not required to be platted and written certification to that effect, in accordance with Section 212.0115(e), has been presented to the District's Operator.

Section 2.3. Approval of Plans and Specifications.

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

of the plans and specification by the District's Engineer and Operator shall be paid by the Customer.

ARTICLE III. WATER CONNECTIONS

Section 3.1. Water Tap Materials. Only the following types of pipe and fitting materials shall be approved for the installation of Water Taps, including residential Water Taps and commercial Water Taps:

1. Any meter approved by the City of Houston;
2. Brass curb stops, corp stops, and related fittings manufactured by Ford, Hays or Muller;
3. Polyethylene water service pipe, 3/4" to 2";
4. Cast iron or vinyl iron (C-900) water service pipe, larger than 2";
5. Water main pipe of the type originally installed;
6. Plastic meter box up to 2" meter;
7. Concrete meter box, where traffic use is specified; and
8. Concrete meter vault per City of Houston specifications for 3" and larger meter.

Section 3.2. Plumbing Material Prohibitions.

A. Prohibited Materials.

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

1. any pipe or pipe fitting which contains more than 0.25% lead; and
2. any solder or flux which contains more than 0.2% lead.

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

B. Certificate of Compliance.

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

Section 3.3. Installation.

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

Section 3.4. Customer Service Inspection Certifications.

A. A Customer Service Inspection Certification, as described in Exhibit "2" attached hereto, shall be completed prior to providing continuous water service to any new construction, on any existing service where the District has reason to believe that cross-connections or other unacceptable plumbing practices exist, and after any material improvement, correction, or addition to private plumbing facilities. Prior to the District initiating continuous service, a Customer shall provide a Customer Service Inspection Certification to the District. The Customer Service

Inspection Certification may only be performed by those individuals described in Subsection B of this Section 3.4. For Customer Service Inspection Certifications performed by the District's Operator, the Customer must pay the District the Customer Service Inspection Fee prior to the operator performing the inspection and certification. Copies of properly completed Customer Service Inspection Certifications shall be kept on file by the District's Operator and made available, upon request, for Texas Commission on Environmental Quality ("TCEQ") review. Inspection certifications shall be retained for a minimum of ten (10) years. Failure to provide a Customer Service Inspection Certification in accordance with this Section 3.4 shall constitute a violation of these Rules and Regulations and such violation shall be subject to the enforcement provisions set forth in Article X hereof.

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

1. Plumbing Inspectors and Water Supply Protection Specialists licensed by the Texas State Board of Plumbing Examiners; and
2. Certified Waterworks Operators and members of other water related professional groups who have completed a training course, passed an examination administered by the TCEQ or its designated agent, and hold an endorsement granted by the TCEQ or its designated agent.

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

D. The Customer Service Inspection Certification shall certify that:

1. No direct connection between the District's Water Supply System and a potential source of contamination exists. Potential sources of contamination are isolated from the District's Water Supply System by an air gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices are in compliance with state plumbing regulations.
2. No cross-connection between the District's Water Supply System and a private water source exists. Where an actual air gap is not maintained between the District's Water Supply System and a private water supply, an approved reduced pressure-zone backflow

prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a recognized backflow prevention assembly tester.

3. No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the District's Water Supply System.
4. No pipe or pipe fitting which contains more than 0.25% lead exists in private plumbing facilities installed on or after July 1, 1988.
5. No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after July 1, 1988.
6. No new or replacement plumbing fixture is installed which is not in compliance with a State Approved Plumbing Code.

Section 3.5. Prohibited Connections.

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

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

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

D. No connection to the District's Water Supply System shall be made which is in violation of Section 602.0 of the Uniform Plumbing Code concerning unlawful connections.

Section 3.6. Backflow Prevention Assemblies.

A. Backflow prevention assemblies shall be installed on any connection which poses a High Health Hazard and any other connection which the District or the District's Operator reasonably believes poses a threat to the District's Water Supply System. Water service provided for lawn sprinklers, swimming pool supply, reflection pool supply or other such applications must

incorporate a backflow prevention assembly in accordance with Section 603 et seq. of the Uniform Plumbing Code for the particular designated use. No permanent water service will be provided or continued to any new connection in the District which requires a backflow prevention assembly, unless the Customer provides the District with a Backflow Prevention Assembly Test and Maintenance Report (the "Test Report"), as described in Exhibit "3" attached hereto. At the request of the customer, the District's Operator may, on behalf of the District, install the backflow prevention assembly and complete the Test Report at the Customer's cost.

B. Effective January 1, 1996, all backflow prevention assemblies shall be tested upon installation by a Recognized Backflow Prevention Assembly Tester and certified to be operating within specifications. The Test Report, as described in Exhibit "3" attached hereto, shall be retained for a minimum of three (3) years. The District shall provide these records to the TCEQ for inspection upon request. Backflow prevention assemblies which are installed to provide protection against High Health Hazards must also be tested and certified to be operating within specifications at least annually by a Recognized Backflow Prevention Device Tester.

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

1. The "General Tester" is qualified to test and repair backflow prevention assemblies on any domestic, commercial, industrial or irrigation service.
2. The "Fireline Tester" is qualified to test and repair backflow prevention assemblies on firelines only. The State Fire Marshall's office requires that a person performing maintenance on firelines must be employed by an Approved Fireline Contractor.

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

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

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

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

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

Section 3.7. Customer Service Agreements.

A. The District is responsible for protecting its Water Supply System from contamination or pollution which can result from unacceptable plumbing practices. To this end, the District has adopted plumbing restrictions to provide protection to the District's Water Supply System. To notify Customers of the plumbing restrictions which are in place, each Customer shall be required to sign a Customer Service Agreement, as described in Exhibit "4" attached hereto, before the District will begin service. In addition, when service to an existing connection has been suspended or terminated, the District will not re-establish service unless it has a signed copy of a Customer Service Agreement.

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

B. The Customer shall allow his/her property to be inspected for possible cross-connections and other unacceptable plumbing practices. These inspections shall be conducted by the District or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections or other unacceptable plumbing practices exist; or after any major changes to the private plumbing facilities. Inspections shall be conducted during the District's normal business hours.

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

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

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

F. If a Customer fails to comply with the terms of the Customer Service Agreement, the District shall, at its option, either terminate service or properly install, test, and maintain an

appropriate backflow prevention assembly at the service connection. Any expenses associated with the enforcement of the Customer Service Agreement shall be billed to the Customer.

ARTICLE IV. SANITARY SEWER CONNECTIONS

Section 4.1. Sanitary Sewer Service Line Installation.

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

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

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

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

Section 4.2. Sanitary Sewer Service Line Materials. Only the following types of pipe and fitting materials are approved for constructing Sanitary Sewer Service Lines. Pipe and fittings in each Sanitary Sewer Service Line must consist of the following material or other material approved by the District's Engineer:

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

5. Acrylonitrile butadiene styrene (ABS) pipe material conforming to ASTM Specification D2751.

Section 4.3. Size and Grade of Sanitary Sewer Service Lines.

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

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

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

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

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

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

Section 4.4. Connection of Building Sewer Outlet.

A. On all building waste outlets, the building tie-on connections shall be made directly to the stub-out from the building plumbing at the foundation.

B. Water-tight adapters of a type compatible with the materials being joined shall be used at the point of connection of a Sanitary Sewer Service Line to the building plumbing. No cement grout materials shall be permitted.

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

D. Commercial users shall install a sampling well constructed to City of Houston standards and a grease trap with sampling port constructed to City of Houston standards when required by the District's Engineer and Operator.

Section 4.5. Fittings and Cleanouts.

- A. No bends or turns at any point will be greater than forty-five degrees (45°).
- B. Each horizontal Sanitary Sewer Service Line will be provided with a cleanout at its upper terminal; and each such run of piping which is more than ninety (90) feet in length will be provided with a cleanout for each ninety (90) feet or fraction thereof in the length of such piping.
- C. Each cleanout will be installed so that it opens in a direction opposite to the flow of the waste and, except in the case of wye branch and end-of-the-line cleanouts, cleanouts will be installed vertically above the flow line of the pipe.
- D. Cleanouts will be made with air-tight mechanical plug.

Section 4.6. Installation of Sewer Taps and Issuance of Permits.

- A. Sanitary Sewer Service Lines must be at least 24 inches below (vertically) and at least 9 feet from (horizontally) any Water Service Line (far side or near side connection). If this is not possible, a cast iron casing over the Water Service Line must be installed by the Customer, which casing will be inspected by the Operator.
- B. Excavation for Sewer Taps shall be water tamped in all areas within 5 feet (vertically or horizontally) of any existing sewer lines, sidewalks or driveways. Soil not suitable for water tamping (clay modules, organic material or silty soils) shall be removed and replaced with suitable backfill materials.
- C. All stacks shall be installed in locations shown on the plans. Stacks shall be capped and the cap lightly cemented in place. Wyes will not be installed by the line contractor. Wye saddles will be paid for in the line contract, but will be delivered to the District's Operator. The District's Operator will furnish the Customer a saddle at the time of inspection.
- D. An Application for Service (a copy of which is attached as Exhibit "5") must be filed with the District's Operator prior to construction of any Sanitary Sewer Service Line, and the Tap Fee and/or Sewer Tap Inspection fee as established in the District's most current Rate Order should accompany the application. (Application forms are available from the District's Operator.) Construction of any Sanitary Sewer Service Line must not begin until the design of the Sanitary Sewer Service Line is approved by the District's Engineer and construction is authorized by the District's Operator.
- E. When the Sanitary Sewer Service Line is complete, and prior to backfilling the pipe trench, the Customer shall request an inspection of the Sanitary Sewer Service

Line. Requests for inspections (or re-inspections) shall be made to the District's Operator at least twenty-four (24) hours in advance of the inspection.

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

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

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

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

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

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

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

ARTICLE V. FEES AND CHARGES

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

ARTICLE VI. EXCLUDED FLOW AND WASTE

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

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

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

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

ARTICLE VII. PRIVATE WELLS/TANKS

The construction of water wells and/or the installation of septic tanks is prohibited without prior written approval by the Board of Directors. Said approval, if granted by the Board of Directors, will state the purpose for the construction of a water well and the intended use of the water.

ARTICLE VIII. AVAILABILITY OF ACCESS/OBSTRUCTIONS

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

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

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

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

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

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

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

ARTICLE X. ENFORCEMENT OF RULES AND REGULATIONS

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

1. Discontinuance of water service.
2. Disconnection and sealing of sanitary sewer connection.

3. The Board hereby imposes the following civil penalties for breach of any rule or regulation of the District: The violator shall pay the District twice the costs the District has sustained due to the violation up to \$5,000. A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorneys' fees shall be fixed by the court.
4. A Customer found in violation of these Rules and Regulations shall be liable to the District for all expenses borne by the District including laboratory fees, legal fees, engineering fees and other costs incurred by the District in establishing the violation and resolving the cause of the violation.
5. A Customer found in violation of these Rules and Regulations who causes or contributes to a violation by the District's Sanitary Sewer Collection System of effluent parameters shall be liable to the District for all expenses borne by the District, including legal and engineering fees related to any lawsuit filed by federal, state, or local authorities regarding violations by the District of effluent parameters applicable to the District's Sanitary Sewer Collection System.

ARTICLE XI.
EFFECTIVE DATE

These Rules and Regulations shall become effective immediately.

EXHIBIT "1"
TO APPENDIX A

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

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

- (i) No direct connection between the District's Water Supply System and a potential source of contamination exists. Potential sources of contamination are isolated from the District Water Supply System by an air gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices are in compliance with state plumbing codes.
- (ii) No cross connection between the District's Water Supply System and a private water system exists. Where an actual air gap is not maintained between the District's Water Supply System and a private water supply system, an approved reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention device tester.
- (iii) No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the District's Water Supply System.
- (iv) No pipe or pipe fitting which contains more than 0.25% lead exists in private plumbing facilities installed on or after July 1, 1988.
- (v) No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after July 1, 1988.
- (vi) No plumbing fixture is installed which is not in compliance with a State Approved Plumbing Code.

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

Signature

Printed Name

Company Name

Texas License No.: _____

Date

EXHIBIT "2"
TO APPENDIX A

Service Inspection Certification

Name of District: Northampton Municipal Utility District

District I.D. #: _____

Location of Service: _____

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

		Compliance	Non-Compliance	File	Certificate of Compliance on
		<u>FOR DISTRICT USE ONLY</u>			
1	No direct connection between the District's Water Supply System and a potential source of contamination exists. Potential sources of contamination are isolated from the District Water Supply System by an air gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices are in compliance with state plumbing codes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2	No cross connection between the District's Water Supply System and a private water system exists. Where an actual air gap is not maintained between the District's Water Supply System and a private water supply system, an approved reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention device tester.	<input type="checkbox"/>	<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 District's Water Supply System.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4	No pipe or pipe fitting which contains more than 0.25% lead exists in private plumbing facilities installed on or after July 1, 1988.	<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"/>	
6	No plumbing fixture is installed which is not in compliance with a State Approved Plumbing Code.	<input type="checkbox"/>	<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	<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 Water Supply System of Northampton Municipal Utility District and that I am legally responsible for the validity of the information I have provided.

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

Signature of Inspector: _____

Registration Number: _____

Title: _____

Type of Registration: _____

Date: _____

EXHIBIT "3"
TO APPENDIX A

Backflow Prevention Assembly Test and Maintenance Report

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

BACKFLOW PREVENTION ASSEMBLY TEST AND MAINTENANCE REPORT

Name of District: Northampton Municipal Utility District

PWS I.D. #: _____

Location of Service: _____

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

TYPE OF ASSEMBLY

- ☐ Reduced Pressure Principle ☐
Pressure Vacuum Breaker
☐ Double Check Valve ☐
Atmosphere Vacuum Breaker
☐ Not Needed at this Address

Manufacturer _____

Model Number _____

Serial Number _____

Size _____

Located at _____

	Reduced Pressure Principle Assembly		Relief Valve	Pressure Vacuum Breaker	
	Double Check Valve Assembly			Air Inlet	Check Valve
	1st Check	2nd Check		Opened at _____ psid	Opened at _____ psid
Initial Test	DC-Closed Tight <input type="checkbox"/> RP-_____ 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"/> RP-_____ psid	Closed Tight <input type="checkbox"/>	Opened at _____ psid	Opened at _____ psid	_____ psid

The above is certified to be true,

Firm Name: _____

Firm Address: _____

Certified Tester: _____

Cert. Tester No.: _____

Date: _____

EXHIBIT "4"
TO APPENDIX A

CUSTOMER SERVICE AGREEMENT

SECTION 1. PURPOSE. Northampton Municipal Utility District (the "District") is responsible for protecting its Water Supply System from contamination or pollution which could result from unacceptable plumbing practices. The purpose of this Service Agreement is to notify each customer of the plumbing restrictions which are in place to provide this protection. The District enforces these restrictions to ensure the public health and welfare. Each customer must sign this Customer Service Agreement before the District will begin service. In addition, when service to an existing connection has been suspended or terminated, the District will not re-establish service unless it has a signed copy of this Customer Service Agreement.

SECTION 2. PLUMBING RESTRICTIONS. The following unacceptable plumbing practices are prohibited by State regulations:

- A. No direct connection between the District's Water Supply System and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air gap or an appropriate backflow prevention device.
- B. No cross-connection between the District's Water Supply System and a private water system is permitted. These potential threats to the District's Water Supply System shall be eliminated at the service connection by the installation of an air gap or a reduced pressure-zone backflow prevention device.
- C. No connection which allows water to be returned to the District's Water Supply System is permitted.
- D. No pipe or pipe fitting which contains more than 0.25% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
- E. No solder or flux which contains more than 0.2% lead can be used for the installation or repair of plumbing at any connection which provides water for human use.

SECTION 3. SERVICE AGREEMENT. The following are the terms of this Customer Service Agreement between Northampton Municipal Utility District (the "District") and _____ (the "Customer");

- A. The District will maintain a copy of this Customer Service Agreement as long as the Customer and/or the premises is connected to the District.
- B. The Customer shall allow his/her property to be inspected for possible cross-connections and other unacceptable plumbing practices. These inspections shall be conducted by the District or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections or other unacceptable plumbing practices exist; or after any major changes to the private plumbing facilities. Inspections shall be conducted during the District's normal business hours.
- C. The District shall notify the Customer in writing of any cross-connection or other unacceptable plumbing practices which have been identified during the initial inspection or the periodic reinspection.
- D. The Customer shall immediately correct any unacceptable plumbing practice on his/her premises.

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

SECTION 4. ENFORCEMENT. If the Customer fails to comply with the terms of this Service Agreement, the District shall, at its option, either terminate service or properly install, test, and maintain an appropriate backflow prevention device at the service connection. Any expenses associated with the enforcement of this Service Agreement shall be billed to the Customer.

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

Customer's
Signature: _____

Date: _____

Address: _____

EXHIBIT "5"
TO APPENDIX A

APPLICATION FOR SERVICE
(Please print or type)

Duplicate to
(address)

(Name of Applicant)

(Subdivision and Section)

(Lot)

(Block)

(Street Address)

(Street Address)

(Phone)

(City)

(State)

(Zip)

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

Type of pipe material to be used: PVC _____, ABS _____, VC _____, CI _____

Date: _____ Requested by: _____
(Signature)

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

For District Use Only

Date Application Received: _____

Date Construction Authorized: _____

Connection Information: _____

WYE Location _____

Stack Location _____

Manhole Location _____

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

Date Permit Granted _____

Approved by _____ District Representative

EXHIBIT "6"
TO APPENDIX A

INSPECTION FORM
SANITARY SEWER SERVICE

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

Pipe Material: Size _____ PVC (D3034) _____ ABS(D2751) _____

Tap to: Wye _____ Stack _____
Cleanout: House _____ and _____

INSTALLATION

	<u>Satisfactory</u>	<u>Unsatisfactory</u>
Directness to Wye	_____	_____
Slope	_____	_____
Full Contact w/bedding	_____	_____
Connection w/Main	_____	_____
Condition of Other District	_____	_____
Facilities on Lot	_____	_____
Connection Permit is approved (not approved).		
Water service to Lot is approved (not approved).		
This service reinspected on _____ (See Attached new report).		
Comments: _____		

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

APPENDIX "B"

CERTIFICATE FOR ORDER ADOPTING
AMENDED DROUGHT CONTINGENCY PLAN

THE STATE OF TEXAS §

COUNTY OF HARRIS §

NORTHAMPTON MUNICIPAL UTILITY DISTRICT §

I, the undersigned Secretary of the Board of Directors (the "Board") of Northampton Municipal Utility District (the "District"), hereby certify as follows:

1. The Board convened in regular session, open to the public, on the 16th day of September, 2013, at the regular meeting place thereof, and the roll was called of the members of the Board, to-wit:

E.C. Thomas	President
Bill Black	1 st Vice President
W. Paul Schneider	2 nd Vice President
Joyce Nelsen	Secretary
John Braden	Treasurer/Investment Officer

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

ORDER ADOPTING
AMENDED DROUGHT CONTINGENCY PLAN

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

AYES: 4

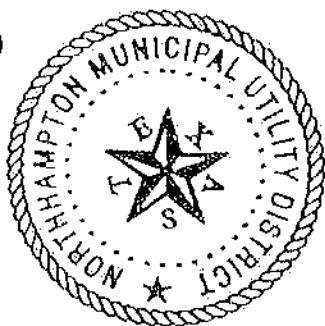
NOES: 0

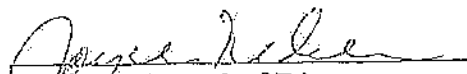
1. A true, full, and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in said Board's minutes of such meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance of the time, place, and purpose of such meeting and that such Order would be introduced and considered for adoption at such meeting and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; such meeting was open to the public, as required by law, and public notice

of the time, place and purpose of such meeting was given as required by V. T. C. A. Government Code, Chapter 551 and Section 49.063, Texas Water Code, as amended.

SIGNED AND SEALED the 16th day of September, 2013.

(SEAL)




Secretary, Board of Directors

ORDER ADOPTING AMENDED DROUGHT CONTINGENCY PLAN

THE STATE OF TEXAS §

COUNTY OF HARRIS §

NORTHAMPTON MUNICIPAL UTILITY DISTRICT §

WHEREAS, the Board recognizes that the amount of water available to Northampton Municipal Utility District ("District") and its water utility customers is limited and subject to depletion during periods of extended drought;

WHEREAS, the Board of Directors of the district (the "Board") recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes;

WHEREAS, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all public water supply systems in Texas to prepare a drought contingency plan;

WHEREAS, as authorized under law, and in the best interests of the customers of the District, the Board deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

WHEREAS, the Board has determined that the adoption of an Amended Drought Contingency Plan (the "Plan") is necessary.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF NORTHAMPTON MUNICIPAL UTILITY DISTRICT THAT:

SECTION 1. That the Plan attached hereto as Exhibit "A" and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the District.

SECTION 2. That the District's Systems Operator ("Operator") is hereby directed to implement, administer, and enforce the Amended Drought Contingency Plan.

SECTION 3. That this resolution shall take effect immediately upon its passage.

PASSED AND APPROVED this 16th day of September, 2013.

/s/ E.C. Thomas
President, Board of Directors

ATTEST:

/s/ Joyce Nelsen
Secretary, Board of Directors

(DISTRICT SEAL)



EXHIBIT "A"

AMENDED DROUGHT CONTINGENCY PLAN FOR NORTHAMPTON MUNICIPAL UTILITY DISTRICT

Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, Northampton Municipal Utility District ("District") hereby adopts the following regulations and restrictions on the delivery and consumption of water through a resolution.

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

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the District by means of scheduling and providing public notice of a public meeting to accept input on the Plan.

Section III: Public Education

The District will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by one or a combination of the following means:

- (a) Publication of articles in a newspaper or newsletter of general circulation in the District's service area.
- (b) Direct distribution to all District residents and other users of water within the District.
- (c) Conducting educational programs for Users at a public place within or accessible to residents of the District.

Section IV: Coordination with Regional Water Planning Groups

The service area of the District is located within the Regional Water Planning Area "H" as designated by the Texas Water Development Board, and District has provided a copy of this Plan to said Regional Water Planning Group.

Section V: Authorization

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

Section VI: Application

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

Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

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

Authority: the North Harris County Regional Water Authority, a governmental agency and body politic and corporate of the State of Texas organized and operating pursuant to the provisions of Chapter 1029 (H.B. 2965), Acts of the 76th Texas Legislature 1999, as amended, to accomplish the purposes provided by Section 59, Article XVI of the Texas Constitution.

City: the City of Houston, Texas.

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

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

Customer: any person, company, or organization using water supplied by the District.

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

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

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

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

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

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

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

Ordinances: Chapter 47, Article VII, entitled *Water Shortages and Emergencies*, of the City's Code of Ordinances.

Section VIII: Criteria for Initiation and Termination of Drought Response Stages

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

The triggering criteria described below are based on known system capacity limits.

Stage 1 Triggers -- MILD Water Shortage Conditions

Requirements for initiation - Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII B - Definitions, when total daily water demand on the District's water supply facilities ("Facilities") reaches or exceeds 75% of the production capacity of such Facilities for three consecutive days. Stage 1 of the Plan will also be triggered when the Authority and/or the City has declared a Stage 1 water shortage in accordance with the Ordinances.

Requirements for termination - Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three consecutive days.

Stage 2 Triggers -- MODERATE Water Shortage Conditions

Requirements for initiation - Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when demand on the District's Facilities reaches or exceeds 80% of the production capacity of such Facilities for three consecutive days. Stage 2 of the Plan will also be triggered when the Authority and/or the City has declared a Stage 2 water shortage in accordance with the Ordinances.

Requirements for termination - Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

Stage 3 Triggers -- SEVERE Water Shortage Conditions

Requirements for initiation - Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when demand on the District's Facilities reaches or exceeds 85% of the production capacity of such Facilities for three consecutive days. Stage 3 of the Plan will also be triggered when the Authority and/or the City has declared a Stage 3 water shortage in accordance with the Ordinances.

Requirements for termination - Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

Stage 4 Triggers -- CRITICAL Water Shortage Conditions

Requirements for initiation - Customer shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when demand on the District's Facilities reaches or exceeds 90% of the production capacity of such Facilities for three consecutive days. Stage 4 of the Plan will also be triggered when the Authority and/or the City has declared a Stage 4 water shortage in accordance with the Ordinances.

Requirements for termination - Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

Stage 5 Triggers -- EMERGENCY Water Shortage Conditions

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

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service;
2. Natural or man-made contamination of the water supply source(s); or
3. The Authority has declared an Emergency Water Shortage.

Requirements for termination - Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three consecutive days.

Section IX: Drought Response Stages

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

Notification of the Public:

The Operator or its designee shall notify the public by one or more of the following means:

- (a) publication of notice in a newspaper of general circulation in the area of the District.
- (b) direct mail to each customer.
- (c) signs posted in public places.
- (d) press release to local news media.

Additional Notification:

The Operator or its designee shall notify directly, or cause to be notified directly, the following individuals and entities when emergency water shortage conditions exist:

- (a) City and/or County Emergency Management Coordinator(s).
- (b) Major water users.
- (c) Critical water users, i.e. hospitals.

Stage 1 Response -- MILD Water Shortage Conditions

Target: Achieve a voluntary five percent reduction in daily water demand.

Best Management Practices for Supply Management:

District will manage limited water supplies and/or reduce water demand by reducing flushing of water mains and overflow tanks, unless necessary for the health and safety of the District's residents.

Voluntary Water Use Restrictions for Reducing Demand :

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m to midnight on designated watering days.
- (b) All operations of the District shall adhere to water use restrictions prescribed for Stage 2 of the Plan.
- (c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Response -- MODERATE Water Shortage Conditions

Target: Achieve a ten percent reduction in daily water demand.

Best Management Practices for Supply Management:

District will manage limited water supplies and/or reduce water demand by discontinuing flushing of water mains and overflow tanks, unless necessary for the health and safety of the District's residents.

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the District.
- (f) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and

between 8 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the District, the facility shall not be subject to these regulations.

- (g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (h) The following uses of water are defined as non-essential and are prohibited:
 - 1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - 2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - 3. use of water for dust control;
 - 4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
 - 5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response -- SEVERE Water Shortage Conditions

Target: Achieve a fifteen percent reduction in daily water demand.

Best Management Practices for Supply Management:

District will manage limited water supplies and/or reduce water demand by discontinuing flushing of water mains and overflow tanks, unless necessary for the health and safety of the District's residents. District will also diligently search for and repair any leaks found in a timely manner.

Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, drip irrigation only. The use of permanently installed automatic sprinkler systems and hose-end sprinklers is prohibited at all times.
- (b) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the District.
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

Stage 4 Response - CRITICAL Water Shortage Conditions

Target: Achieve a twenty percent reduction in daily water demand.

Best Management Practices for Supply Management:

District will manage limited water supplies and/or reduce water demand by discontinuing flushing of water mains and overflow tanks, unless necessary for the health and safety of the District's residents. District will also diligently search for and repair any leaks found in a timely manner.

Water Use Restrictions for Demand Reduction:

All requirements of Stages 2 and 3 shall remain in effect during Stage 4 except:

- (a) irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10 p.m.
- (c) The filling, refilling, or adding of water to swimming pools, wading pools, and jacuzzi-type pools is prohibited.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

Stage 5 Response -- EMERGENCY Water Shortage Conditions

Target: Achieve a twenty-two percent reduction in daily water demand.

Best Management Practices for Supply Management:

District will manage limited water supplies and/or reduce water demand by discontinuing flushing of water mains and overflow tanks, unless necessary for the health and safety of the District's residents. District will also diligently search for and repair any leaks found in a timely manner. Additionally, water pressure will be reduced to 50 psi, if determined by the Operator to be necessary.

Water Use Restrictions for Reducing Demand. All requirements of Stages 2, 3 and 4 shall remain in effect during Stage 5 except:

- (a) Irrigation of landscaped areas is absolutely prohibited.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

Section X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the District for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the Operator, or its designee, in accordance with provisions of this Plan.
- (b) Any failure to comply with this Plan shall be a violation of the District's rules and shall be subject to enforcement in the same manner as provided in the District's Rate Order for violations thereof. Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person commits three or more distinct violations of this Plan, the Operator shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$500.00, and any other costs incurred by the District in discontinuing service. In addition, suitable assurance must be given to the Operator that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.
- (c) Any person, including a person classified as a water customer of the District, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously

directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.

- (d) Any employee of the District, police officer, or other employee designated by the Operator, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the appropriate municipal court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in the appropriate municipal court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in the appropriate municipal court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in the appropriate municipal court before all other cases.

Section XI: Variances

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

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

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

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

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

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

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

APPENDIX "C"

AMENDED AND RESTATED WASTEWATER CONTROL ORDER

THE STATE OF TEXAS

COUNTY OF HARRIS

NORTHAMPTON MUNICIPAL UTILITY DISTRICT

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§
§

1) PURPOSE

This Amended and Restated Wastewater Control Order set forth below is to govern all connections made to the sanitary sewer collection system within the District.

2) DEFINITIONS

Definitions from the District's Order Adopting Consolidated Rate Order and Rules and Regulations; Establishing Policy Regulating Water Use During Emergencies; Establishing a Wastewater Control Order; and Providing Penalties for Violation Thereof are incorporated herein by reference. Unless the context requires otherwise, the terms and phrases used herein shall have meanings as follows:

i) The term "amenable to treatment" shall mean susceptible to reduction in concentration by Treatment routinely provided in the District's wastewater treatment plant, to a level which is in compliance with federal and state effluent limitations for discharges into the waters of the State of Texas.

ii) The term "B.O.D." (Biochemical Oxygen Demand) means the quantity of oxygen by weight expressed in milligrams per liter ("mg/l") utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five days at a temperature of twenty (20) degrees centigrade as determined by the procedures specified in the latest edition of Standard Methods, or such other manual of operations as the District may adopt from time to time in accordance with the latest rules of the Texas Commission on Environmental Quality (the "TCEQ").

iii) The term "Control Manhole" or "Control Point" means a manhole, sample well or other facility which provides access to a Customer's Sanitary Sewer Collection System and is located at a point before the Waste discharges in the Waste Disposal System.

iv) The term "C.O.D." (Chemical Oxygen Demand) means the measure of the oxygen-consuming capacity of inorganic and organic matter present in water or waste, expressed in milligrams per liter as the amount of oxygen consumed from a chemical oxidant as determined by Standard Methods, or such other manual of operations as the District may adopt from time to time in accordance with the latest rules of the TCEQ.

v) The term "Commercial Waste" means the liquid and water-carried waste resulting from any process of industry, manufacturing, trade, business, or commercial enterprise, or any other process resulting in the discharge of waste other than normal domestic wastewater, including any mixture of industrial waste with water or normal domestic wastewater, and such other waste as the District deems appropriate.

vi) The term "Commercial Waste Charge" means the charge made to persons who discharge or are responsible for the discharge of non-residential waste into the Waste Disposal System which discharge is amenable to treatment but which exceeds the concentration levels of normal domestic wastewater.

vii) The term "Customer" means any person who is served by the wastewater collection and treatment system of the District (the "Waste Disposal System").

viii) The term "Customer's Sanitary Sewer Collection System" means the sanitary sewer system(s) now owned or operated or to be constructed or acquired by Customers of the District, including sanitary sewers (but excluding storm sewers), manholes, intercepting sewers, pumping works, and all other plants, works, and equipment for the collection and transportation of waste to the District's Waste Disposal System.

ix) The term "daily composite" means the composite of all samples of a Customer's wastewater that may be taken in any 24-hour period selected by the District. A daily composite shall be prepared from not less than three (3) grab samples collected no closer together than one (1) hour per sample.

x) The term "discharge" includes the terms deposit, conduct, drain, emit, throw, run, seep, or otherwise release or dispose of, or to allow, permit, or suffer any of such acts or omissions.

xi) The term "grab sample" means an individual sample collected in less than 15 minutes.

xii) The term "grease" means fats, waxes, oils, and other similar volatile material and waste which are extracted by procedures specified in the latest edition of Standard Methods, or such other manuals as the District may adopt from time to time in accordance with the latest rules of the TCEQ.

xiii) The term "infiltration water" means water which leaks into the District's Waste Disposal System or its customers' sanitary sewer collection systems.

xiv) The term "interference" means the inhibition or disruption of the Waste Disposal System treatment process or operations which causes or contributes to causing a violation of the District's NPDES Permit or its permit issued by the Texas Natural Resource Conservation Commission.

xv) The term "mg/l" means milligrams per liter.

xvi) The term "monthly average" means, at the option of the District, either (i) the arithmetic average of all grab samples taken during a calendar month or (ii) the arithmetic average of all daily composite samples taken during a calendar month.

xvii) The term "normal domestic wastewater" means waste, excluding industrial waste, discharged by a person into the Waste Disposal System or into a Customer's sanitary sewer collection system in which the average concentration of total suspended solids is not more than 200 mg/l, B.O.D. is not more than 200 mg/l, and NH₃-N is not more than 35 mg/l.

xviii) The term "overload" means the imposition of organic or hydraulic loading on the Waste Disposal System in excess of either its designated hydraulic capacity, its installed rated capacity, or its organic loading capacity.

xix) The term "person" means any individual, public or private corporation, district, authority, political subdivision, or other agency, or entity of the State of Texas or of the United States of America; any incorporated city, town, or village, whether operating under general law or under its home rule charter; and any copartnership, association, firm, trust, estate, or any other entity whatsoever.

xx) The term "pH" means the common logarithm of the reciprocal of the hydrogen ion concentration expressed in molecules per liter of solution.

xxi) The term "Pollutant" means any dredged spoil, solid waste, incinerator residue, waste, garbage, sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.

xxii) The term "pretreatment" means the reduction of the amount of Pollutants, the elimination of Pollutants, or the alteration of the nature of the Pollutant properties in the wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such Pollutants into the Waste Disposal System.

xxiii) The term "properly shredded garbage" means solid waste from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sanitary sewers, with no particle greater than one-half (1/2) inch in any dimension.

xxiv) The term "slug" means any discharge of water which in the concentration of any given constituent or in the quantity of the flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flow during normal operation.

xxv) The term "Standard Methods" means the examination and analytical procedures set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" as prepared, approved, and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

xxvi) The term "storm sewer" means sewers which carry storm and surface waters and drainage and into which waste is not intentionally discharged.

xxvii) The term "suspended solids" means those solids that either float on the surface or are in suspension in waste or other liquids, expressed in terms of milligrams per liter.

xxviii) The term "trap" means a device designed to skim, settle, or otherwise remove grease, oil, sand, flammable wastes, or other substances which may be harmful to either the Waste Disposal System or its treatment processes.

xxix) The term "waste" means normal domestic wastewater and commercial waste collected by a public sanitary sewer collection system, together with such infiltration water as may be present.

xxx) The term "Waste Disposal System" means all or any part of any disposal system or disposal facilities constructed or acquired by the District for receiving, transporting, treating, and disposing of waste collected by the sanitary sewer collection systems of the District's customers, together with such extensions, enlargements, and modifications as may be required in the future or as may be necessary to comply with any regulatory requirements.

xxxi) The term "wastewater service charge" means the charge to all users of the District's Waste Disposal System whose wastes do not exceed the concentrations established herein as representative of normal domestic wastewater.

3)

PROHIBITED DISCHARGE

a) DISCHARGES INJURING OR INTERFERING WITH WASTE DISPOSAL SYSTEM

All waste discharged into the Waste Disposal System shall conform to the requirements hereof and shall consist only of waste amenable to biological treatment or other processes employed by the District from time to time. No person may discharge into the Waste Disposal System any waste which by itself or by interaction with any other waste may (i) injure or interfere with the process or physical properties or facilities of the Waste Disposal System, (ii) constitute a hazard to humans or animals, and (iii) create a hazard in the receiving waters of the effluent of the Waste Disposal System. No person shall discharge any of the following substances into the Waste Disposal System:

i) Any inflows or infiltration, including but not limited to, storm water, groundwater, roof runoff, sub-surface drainage, noncontact cooling water, or from sources such as downspouts, yard drains, pool drains, yard fountains or ponds, or lawn sprinklers.

ii) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances, to cause fire or explosion or be injurious in

any other way to the Waste Disposal System or to the operation of the Waste Disposal System. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances in concentrations which the District, the State or EPA has identified or hereafter identifies as a fire hazard or a hazard to the system.

iii) Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the Waste Disposal System including, but not limited to, garbage (other than properly shredded garbage) containing particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, lettuce, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud, glass grindings or polishing wastes.

iv) Any wastewater having a pH less than 6.0 or higher than 9.0, as determined from the average of at least four (4) grab samples taken at least one hour apart and measured instantaneously, or having a pH lower than 5.0 or higher than 10.0 for any single grab sample, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the Waste Disposal System.

v) Any wastewater containing toxic Pollutants in sufficient quantity, either singly or by interaction with other Pollutants, to injure or interfere with any wastewater treatment process, which constitute a hazard to humans or animals, which create a toxic effect in the receiving waters of the wastewater facilities, or which exceed the limitation set forth in a National Categorical Pretreatment Standard.

vi) Any wastewater having a temperature which will inhibit biological activity in the wastewater treatment plant or result in the interference with the operations of such facility, but in no case wastewater with a temperature at the designated control point or sample well which exceeds 65°C (150°F) or which causes the temperature of waste at the entrance to the wastewater treatment plant to exceed 40°C (104°F). In addition, no wastewater with such a temperature that will cause the temperature of wastewater at the entrance to the wastewater treatment plant to rise more than 10°F per hour.

vii) Any Pollutants, including oxygen demanding Pollutants released at a flow rate and/or Pollutant concentration which will cause interference to the Waste Disposal System. No slug discharges are allowed.

viii) A volume of flow which will cause the influent flow to the Waste Disposal System to exceed 1.5 times the average dry weather flow rate for a period longer than one hour. The design and installation of surge basins shall be subject to the review and approval of the District and to the requirements of all applicable laws.

ix) Waste containing B.O.D. or suspended solids in excess of 200 mg/l, or ammonia in excess of 35 mg/l, based on a grab sample, unless a variance is first obtained from the District. B.O.D. or suspended solids in monthly average concentrations above 200 mg/l, and ammonia in a monthly concentration above 35 mg/l, shall be subject to payment of Commercial Waste Charges pursuant to Section VIII herein.

Discharges prohibited by the foregoing parameters include, but are not limited to, slugs and materials which exert or cause: excessive discoloration or concentrations of suspended solids, B.O.D., C.O.D., or chlorine demands in excess of the ability of the Waste Disposal System to treat adequately and dispose of such waste in compliance with applicable regulatory requirements.

b) CHEMICAL DISCHARGES

The following chemicals shall not be admissible into the Waste Disposal System:

- i) Cyanide or cyanogen compounds capable of liberating hydrocyanic gas upon acidification when present in concentrations in excess of 0.5 mg/l by weight as cyanide (CN);
- ii) Fluorides other than those contained in the local public water supply for the area which is the source of the discharge;
- iii) Gasoline, cleaning solvents, benzene, naphtha, fuel oil, or other flammable or explosive liquids, solids, or gases;
- iv) Substances causing C.O.D. in excess of 500 mg/l for any daily composite sample or 1,000 mg/l for any grab sample;
- v) Acids or alkalis having pH values lower than 6.0 or higher than 9.0, iron pickling wastes, or concentrated plating solutions whether neutralized or not;
- vi) Grease, whether emulsified or not, containing substances which may solidify or become viscous at temperatures between 32 degrees and 150 degrees Fahrenheit (0 degrees and 65 degrees Centigrade) or which exceeds on analysis an average of 100 mg/l of soluble matter;
- vii) Dissolved sulfides whose concentrations exceed 30 mg/l;
- viii) Radioactive materials or isotopes of such half-life or concentrations which will permit a transient concentration higher than the maximum allowable as specified by the governing standards of all local, State and federal regulatory authorities;
- ix) Any other corrosive, explosive, malodorous, or objectionable chemicals in liquid, solid, or gaseous form.

c) HEAVY METALS AND TOXIC MATERIALS

The following metals and metal ions and toxic materials shall not be admissible into the District's Waste Disposal System:

- i) Objectionable or toxic substances exerting an excessive chlorine requirement to such a degree that any such material received in the composite waste at the wastewater treatment plant exceeds the limits established from time to time by the District for such materials.
- ii) Obnoxious, toxic, or poisonous solids, liquids, or gases in quantities sufficient to violate the provisions of this Part III hereof.
- iii) Any substance having corrosive properties capable of causing damage or hazard to structures, equipment, or personnel operating the Waste Disposal System.
- iv) All waste or other substances containing phenols, hydrogen sulfide, or other taste or odor producing substances exceeding the concentration limits established from time to time by the District or which, after treatment of the composite waste, exceeds applicable regulatory requirements.
- v) Antimony, beryllium, bismuth, boron, cobalt, molybdenum, tin, uranyl ion, uranium, rhenium, strontium, tellurium, and such other heavy metals as may be prohibited by the District.

vi) The following heavy metals or the salts thereof in solution or suspension which upon analysis by Standard Methods exceed the concentrations listed below:

<u>Metal</u>	<u>Monthly Average</u>	<u>Daily Composite</u>
Arsenic	1.000	1.500
Barium	5.000	7.500
Cadmium	0.083	0.125
Chromium	5.000	7.500
Copper	0.600	0.900
Lead	0.400	0.600
Manganese	2.000	3.000
Mercury	0.0005	0.0010
Nickel	5.000	7.500
Selenium	0.467	0.700
Silver	0.050	0.050
Zinc	2.000	3.000

vii) Any other heavy metals or toxic materials except upon the conditions of pretreatment, concentration, volumes, and other applicable standards prescribed by the District or by applicable statutes, laws, rules, or regulations.

d) SOLID WASTE

No person may discharge solid waste into the Waste Disposal System unless it is properly shredded garbage. The District may review and approve the installation and operation of any garbage grinder equipped with a motor of three-fourth (3/4) horsepower (0.76 H.P. metric) or greater.

4)
MINIMUM PRELIMINARY TREATMENT CRITERIA
FOR COMMERCIAL WASTE

It is not the intent of this Wastewater Control Order to cover all the possibilities for types of businesses that could potentially discharge wastes that can be adverse to the Waste Disposal System. However, the common commercial enterprises found in the vicinity of residential neighborhoods have been considered.

i) Gasoline Sales/Car Repair. All floor drains in shop areas shall include a combination mud and grease trap similar to City of Houston Dwg. 359-S-1. All flows into these drains should subsequently be treated in a specially designed oil separator with positive means for oil and grease removal. A 48-hour detention grease trap (minimum 1,500 gallons) or a corrugated plate pack separator will provide such treatment. No drainage shall be pumped with a centrifugal pump prior to oil and grease separation. The traps shall be cleaned at least once a month. Safeguards shall be taken against contamination of groundwater due to leakage from fuel tanks. All piping and tankage for both oil and grease pretreatment facilities and product storage shall be of double wall construction and shall include integral leak detection monitors to preclude contamination of groundwater.

ii) Car Wash Facilities. All car wash facilities shall recycle the maximum amount of wash water through the best commercially available systems and install a mud/grease trap for each drain followed by 96-hour detention gravity grease separation (minimum 1,500 gallons) or a corrugated plate pack separator. Mud, sludge, and grease removal shall be required at least once a month. If the car wash facility has gasoline pump(s), then the car wash facility must also have floor drains to include a mud and grease trap similar to City of Houston Dwg. 359-S-1. All flows into these drains should subsequently be treated in a specifically designed oil separator with positive means for oil and grease removal. Traps shall be cleaned at least once a month. Safeguards shall be taken against contamination of groundwater due to

leakage from fuel tanks. All piping and tankage for both oil and grease pretreatment facilities and product storage shall be double wall construction and shall include integral leak detection monitors to preclude contamination of groundwater. A ground water monitoring well must also be installed.

iii) Food Service/Grocery Stores. Restaurants, meat markets, grocery stores, and other establishments dealing with the sale of unprocessed or cooked foods shall be prohibited from using garbage grinders, shall require grease traps (minimum 1,500 gallons), shall install an inspection manhole for sampling, and shall insure that scrap food and grease are collected in sealed containers and hauled away for reprocessing. Grease traps shall be cleaned a minimum of once a month.

iv) Printing and Photoprocessing. Printing and photoprocessing facilities shall install a ground water monitoring well and shall discharge only domestic waste from sinks and restrooms. All printing and photoprocessing chemicals shall be collected in sealed containers and hauled away for reprocessing.

v) Laundry/Dry Cleaning. Laundry and dry cleaning facilities shall install a ground water monitoring well and shall incorporate a lint trap system equivalent to two City of Houston Dwg. 533-S units in series, providing a minimum of 3,000 gallons of capacity. Cleaning of the lint trap is required at least once a month.

vi) Landscaping/Nurseries. Landscaping and nurseries that use herbicides and pesticides shall install a ground water monitoring device and shall only discharge domestic waste from sinks and restrooms.

vii) Discharge of Waters or Wastes Containing Toxic or Poisonous Substances; Submission of Written Statement. Where the operation of a person, firm, or corporation entails the discharge of water or wastes containing toxic or poisonous substances, a written statement setting forth the nature of the operation contemplated or presently carried on shall be filed with the District. The statement shall specify the amount of water that will be used and its source, the proposed point of discharge of wastes into the Waste Disposal System of the District, and the estimated amount to be discharged; the statement shall include a laboratory statement setting forth the expected bacterial, physical, chemical, and other known characteristics of said wastes. Within thirty (30) days from receipt of such statement, the District shall issue an order stating minimum restrictions necessary in the judgement of the District's Engineer to protect the District's systems.

Where pretreatment or control is required by the District, it shall review and approve the design and installation of the equipment and processes in conformity with all applicable laws and regulatory requirements. Any person responsible for discharges requiring such pretreatment or control facilities shall provide and maintain such facilities in effective operating conditions.

5)

TRAPS; INTERCEPTORS

Grease, oil, and sand interceptors shall be provided for the proper handling of liquid wastes containing grease in amounts that will impair the proper functioning of any sanitary sewer line and for preventing any flammable wastes, sand, and other harmful ingredients from entering into the sanitary sewers. Interceptors shall not be required for premises used exclusively as private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the District and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gas-tight and watertight. Where installed, all grease, oil, and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. Any facility with a mud and grease trap or grease trap or pretreatment system shall be required to remove grease,

grit, sludge, or other residue at least once a month and shall maintain records at the site of the date, time, name of hauler, volume removed, destination, waste hauling permit number, and a copy of a hauler's manifest. Records shall be available for inspection by District's representatives during normal working hours. A facility not complying shall be subject to having water service terminated until the facility is brought into compliance.

6)

SAMPLING; TESTING; INSPECTION; RIGHT OF ENTRY

a) Control Manholes: Installation, Location, and Maintenance. The owner of any property served by a sewer carrying Commercial Waste shall install a suitable control manhole in the sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole shall be accessible and safely located and shall be constructed in accordance with plans approved by the District Engineer. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

Owners of property served by a sewer carrying Commercial Waste and required to install a suitable manhole pursuant to this Article VI hereof and receiving water and sanitary sewer service from the District on the initial effective date of this Wastewater Control Order shall have 180 days from the initial effective date to install a suitable control manhole. Failure to install the manhole within 180 days as described herein shall result in the termination of water and sewer service to the property. All new connections served by a sewer carrying Commercial Waste shall have a suitable control manhole installed prior to receiving water and sewer service from the District.

b) Sampling/Testing. The District or its duly authorized agent or representative may enter at all reasonable times any lands or premises served or proposed to be served by the Waste Disposal System for the purposes of carrying out and determining compliance with the provisions hereof.

After the effective date hereof and upon completion of the installation of a suitable control manhole pursuant to Section VI(A) hereof, the Operator for the District shall conduct an initial test which shall consist of a minimum of one (1) grab sample and a maximum of three (3) grab samples, as determined by the District's Operator, from the control manhole of all sewers carrying Commercial Waste. If the results of the grab samples indicate that the waste being discharged into the Waste Disposal System is in accordance with this Wastewater Control Order, testing shall then be conducted on a periodic basis.

In the event the grab samples indicate that the waste being discharged into the Waste Disposal System is in violation of this Wastewater Control Order, then the owner of the property shall be notified and shall be required to submit a plan for the satisfactory correction of the violation in accordance with Subsection C of this Section, unless the violation presents an imminent danger to the health or welfare of the public, then service shall be terminated in accordance with Article IX hereof. The cost for all additional testing conducted as a result of the violation shall be billed to the commercial Customer, and failure to pay such cost will result in the termination of water and sewer service.

Sampling and testing shall be conducted on connections carrying Commercial Waste in accordance with customarily accepted methods, reflecting the effects of constituent wastes upon the Waste Disposal System and the existence of hazards to health, life, limb, or property. Examination and analysis of the characteristics of water and waste shall be conducted in accordance with Standard Methods or such other manual of operation as the District may adopt from time to time in accordance with the latest rules of the Texas Natural Resource Conservation Commission and shall be determined from suitable samples taken at control points selected by the District. The cost to take and analyze such samples shall be added to the Customer's water and sewer service bill, and failure to pay for such sample will result in the termination of the Customer's water and sewer service.

c) Notification of Violation/Submission of Plan. Whenever the District finds that any Customer has violated or is violating this Wastewater Control Order, except when such violation presents an imminent danger to the health or welfare of persons, as provided in Article IX, the District shall serve

upon such person a written notice stating the nature of the violation. Within a period of not more than thirty (30) days from the date of the notice, as specified therein, a plan for satisfactory correction thereof shall be submitted in writing to the District. If such a plan is not timely submitted, or if such violation is not corrected, the District shall proceed with enforcement under Article XII. No prior notice shall be required for the imposition of the fine described in Article XI if such fine is assessed for a violation of this Wastewater Control Order.

7)
SUPERVISION

If the District or its designated representative determines that a discharge or a proposed discharge into the Waste Disposal System may deleteriously affect the Waste Disposal System or receiving waters, or create a hazard to life or health, or create a public nuisance, it may require:

- a) Discontinuation of the discharge into the District's sewer system in its entirety.
- b) Pretreatment to an acceptable condition for discharge into the Waste Disposal System.
- c) Control over the quantities and rates of discharge.
- d) Waste surcharge payments sufficient to compensate the District for the cost of handling and treating the waste.

8)
COMMERCIAL WASTE CHARGES

In addition to the wastewater service charges made by the District, the District may charge customers discharging commercial waste into the Waste Disposal System the Commercial Waste Charges provided for herein where the waste discharge exceeds the parameters of normal domestic wastewater.

- i) The Commercial Waste Charge shall be calculated by the following formula:

$$UC = Q[X + Y(BOD - 200) + Z(SS - 200) + n(N-35)]$$

Formula values are:

$$UC = \text{Commercial Waste Charge (in dollars)}$$

$$Q = \text{Billable quantity (based on water billed or actual measurement of Wastewater discharged) of wastewater in thousands of gallons.}$$

$$X = \$0.50$$

$$Y = \$0.0018$$

$$Z = \$0.0022$$

$$n = \$0.0125$$

$$BOD = \text{Five-day, twenty (20) degrees Celsius, biochemical oxygen demand content of the waste delivered, in mg/l based on monthly average concentration.}$$

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

N = Ammonia content of the Waste delivered, in mg/l based on monthly average concentration.

The District shall review and, if appropriate, adjust the Commercial Waste Charges to reflect changes in the characteristics of the commercial waste of each user based upon the results of sampling and testing. The District also shall review the basis for determining Commercial Waste Charges and shall adjust the unit treatment costs in the above formula to reflect increases or decreases in the wastewater treatment costs based upon the prior experience. Increases in Commercial Waste Charges shall continue for six (6) billing periods unless subsequent tests determine that the charges should be further increased. If another method of billing is determined by the District's Board to be a more effective method of allocating such costs to the Customer, based upon the particular facts of each case, the District may use such method in lieu of the above. The Commercial Waste Charges will be billed as a separate item from wastewater service charges. Failure to pay the Commercial Waste Charge shall result in termination of water and sewer service pursuant to provisions of the District's Order Adopting Consolidated Rate Order and Rules and Regulations; Establishing Policy Regulating Water Use During Emergencies; Establishing a Wastewater Control Order; Establishing Certain Other Policies; and Providing Penalties for Violation Thereof.

9)

EMERGENCY RELIEF

The District may immediately suspend the wastewater treatment service of a user when such suspension is necessary, in the opinion of the Board of the District, in order to stop or prevent an actual or threatened discharge that presents an imminent or substantial endangerment to the health or welfare of persons, to the environment, or to the Waste Disposal System of the District, or which would cause the effluent from the plant to exceed discharge parameters. The District may immediately suspend the wastewater treatment service of a user when such suspension is necessary, in the opinion of the Board of the District, to prevent contamination of sludge from the plant. The District shall reinstate the wastewater service upon proof of the elimination of the noncomplying discharge. Such disconnection and reconnection shall be at the expense of the user. The District may permanently disconnect any user showing a history of flagrant or habitual violation of this Wastewater Control Order.

10)

REVIEW

Any user objecting to a decision or order of the District under authority of this Wastewater Control Order shall have the right to a hearing before the Board of the District, at which time the contentions of both the District and user shall be reviewed. The Board President, or in his absence the Vice President, shall be the presiding officer and may, at his discretion, request other professional opinions prior to rendering his decision on the matter of review.

11)

PENALTY FOR VIOLATION OF ARTICLE

All violations of this Wastewater Control Order, including any failure to observe any discharge parameter set forth herein or permit issued pursuant to this Wastewater Control Order, shall be punishable with the Civil Penalties set forth in and under the Enforcement Provisions of the District's Rate Order and as set forth in Article XII of this Wastewater Control Order. Each day of a violation of any parameter or requirement constitutes a distinct and separate offense.

12)
ENFORCEMENT

Any or all of the following remedies may be employed by the District to abate and prevent any violation of the provisions of this Wastewater Control Order:

- i) Discontinuance of water service.
- ii) Disconnection and sealing of sanitary sewer connection.
- iii) The District's attorney may and is hereby authorized to:
 - (1) File suit in a court of competent jurisdiction to secure appropriate judicial relief, including, but not limited to, injunctive relief and the penalty provided in the District's Rate Order for the violation by such user of the provisions of this Wastewater Control Order.
 - (2) Seek a resolution of the Board authorizing the filing of a lawsuit under the provision of Texas Water Code §26.124.
- iv) A user found in violation of this Wastewater Control Order shall be liable to the District for all expenses borne by the District including laboratory fees, legal fees, engineering fees and other costs incurred by the District in establishing the violation and resolving the cause of the violation.
- v) A user found in violation of this Wastewater Control Order that causes or contributes to a violation by the District's Waste Disposal System of effluent parameters shall be liable to the District for all expenses borne by the District, including legal and engineering fees related to any lawsuit filed by federal, state, or local authorities regarding violations by the District of effluent parameters applicable to the District's sanitary sewer system.
- vi) Where a user discharges wastewater to the District's Waste Disposal System in violation of this Wastewater Control Order and such discharge causes or contributes to contamination of sludge from the wastewater treatment plant, the user shall be liable for all costs borne by the District in disposing of the contaminated sludge over and above costs regularly incurred in sludge disposal.

13)
SEVERABILITY

All orders or parts of orders in conflict herewith are hereby repealed to the extent of such conflict. The invalidity of any section, clause, sentence, or provision of this Wastewater Control Order shall not affect the validity of any other part or parts of this Wastewater Control Order, which other part or parts shall be given effect as though such invalid section, clause, sentence, or provision were omitted.

14)
SUPERSEDING REGULATION OR STATUTE

Whenever any applicable statute, regulation, or permit of any state, federal, or other agency having jurisdiction over the subject matter of this Wastewater Control Order is in conflict with this Wastewater Control Order, the stricter requirement shall apply, unless mandated otherwise.

15)
REIMBURSEMENT TO DISTRICT

In the event that any person, as defined in Section 11 herein, discharges industrial wastes as defined in this Wastewater Control Order, either with or without authorization by the District, such person shall be responsible for any extraordinary costs of operation of the wastewater treatment plant that might result from unauthorized wastes or improper handling of authorized wastes and shall also be responsible for any administrative fines, penalties or fees that may be assessed to the District for such discharge. Such charges may include, but not be limited to, the costs of determining the nature of the contaminant into the plant (a Toxicity Identification Evaluation), the costs of locating

the source of the contaminant, and the costs of preventing the contaminant from entering the plant or eliminating the contaminant from the treatment units. Failure to pay such costs when billed may subject the entity to disconnection of services as set forth in Section XII above and to any other remedies available to the District.

16)

EFFECT OF REGULATION, AMENDMENT

The provisions hereof are to be deemed and construed as regulatory requirements supplementary and in addition to all laws, rules, regulations, ordinances, or licenses now in effect or hereafter passed, adopted, or promulgated by any regulatory agency, federal, state, or local, having jurisdiction over the District's Waste Disposal System. The provisions hereof are subject to amendment, repeal, or alteration from time to time by the Board of Directors of the District.

APPENDIX "D"

CERTIFICATE FOR AMENDED RESOLUTION
ESTABLISHING STANDARDS FOR NEW DEVELOPMENT

THE STATE OF TEXAS §
COUNTY OF HARRIS §
NORTHAMPTON MUNICIPAL UTILITY DISTRICT §

I, the undersigned Secretary of the Board of Directors (the "Board") of Northampton Municipal Utility District (the "District"), hereby certify as follows:

1. The Board convened in regular session, open to the public, on the 16th day of August, 2004, at the regular meeting place thereof, and the roll was called of the members of the Board, to-wit:

E. C. Thomas	President
Bill Black	1 st Vice President
Jim Bawcom	2 nd Vice President
Joyce Nelsen	Secretary
John A. Braden	Treasurer/Investment Officer

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

AMENDED RESOLUTION ESTABLISHING
STANDARDS FOR NEW DEVELOPMENT

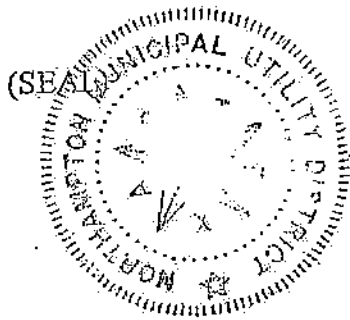
was duly introduced for the consideration by the Board. It was then duly moved and seconded that such Resolution be adopted; and, after due discussion, such motion, carrying with it the adoption of said Resolution, prevailed and carried by the following vote:

AYES: 4 NOES: 0

2. A true, full, and correct copy of the aforesaid Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Resolution has been duly recorded in said Board's minutes of such meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such meeting pertaining to the adoption of such Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance of the time, place, and purpose of such meeting and that such Resolution would be introduced and considered for adoption at such meeting and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; such meeting was open to the public, as required by law, and public notice of the time,

place and purpose of such meeting was given as required by Chapter 551, Government Code, and Section 49.063, Texas Water Code, as amended.

SIGNED AND SEALED this the 16th day of August, 2004.



Gregg Nelson
Secretary, Board of Directors

AMENDED RESOLUTION ESTABLISHING
STANDARDS FOR NEW DEVELOPMENT

WHEREAS, Northampton Municipal Utility District (the "District") is a conservation and reclamation district and a taxing unit located within Harris County; and

WHEREAS, the Board of Directors (the "Board") of the District has found and determined that it will benefit the health, safety and welfare of the residents of the District to establish standards for areas of new development within the District, including tracts proposed for annexation.

THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF NORTHAMPTON MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY, TEXAS THAT;

Section 1: The proposed land use for any new development and tracts proposed for annexation will be specifically detailed in a separate agreement with the District. The land use information that is provided in the agreement will include, but not be limited to, plans showing the number and size of lots, location and type of greenbelts and amenities, number and size of retail space, streets, location of recreational facilities, etc. If the land use information changes from the specifics previously provided to the District, the developer must have the changes approved by the Board or the agreement may be voided by the District.

Section 2: New developments within the District shall not include undesirable uses, such as, but not limited to, trailer parks, pre-manufactured housing units, related wastes, junkyards, industrial manufacturing or processing businesses, sexually oriented businesses, used car lots, flea markets, bars, or taverns.

Section 3: The District's Engineer shall be responsible for designing the water, sanitary sewer and storm sewer facilities for new developments located within the District or for developments to be served outside the boundaries of the District. The District's Engineer and one or more Directors will perform inspections of all utility construction projects on a weekly basis, or as needed. Progress meetings including the contractor or developer, Board members or their representatives and the District's Engineer are required. All change orders for construction projects must be approved and authorized by the Board prior to implementation.

Section 4: In an effort to maintain a quality environment for the development, the development will allow for the preservation of native areas and mature trees, particularly hard wood trees. The development may utilize the concepts of tree clusters, tree replacement, open spaces, greenbelts, permanent water in detention ponds, and the like, in order to achieve the best use of the property. In general, existing mature trees should remain on individual lots except those trees that, if left in place, might jeopardize the structural integrity of improvements. Also, the use of backyard storm water piping should be utilized in favor of the placement of site fill to achieve positive drainage.

Section 5: The provisions of this Amended Resolution Establishing Standards for Development shall be included in all utility commitments and reimbursement agreements issued by or entered into by the District.

PASSED AND APPROVED this the 16th day of August, 2004.

E. C. Thomas

E. C. Thomas
President, Board of Directors

ATTEST:

Joyce Nelson

Joyce Nelson
Secretary, Board of Directors



MINUTES OF SPECIAL MEETING
NORTHAMPTON MUNICIPAL UTILITY DISTRICT
HARRIS COUNTY, TEXAS

February 6, 2023

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The Board of Directors (the "Board") of Northampton Municipal Utility District (the "District") of Harris County, Texas, met in special session, open to the public, at 5:00 p.m., on the 6th day of February 2023, at the regular meeting place thereof, the Northampton MUD Building, 6012 Root Road, Spring, Texas, within the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

E. C. Thomas	President
Vacant	1st Vice President
Scott Kirkpatrick	2nd Vice President/Assistant Secretary
Terese Wahl	Secretary
Roger A. Flood III	Treasurer/Investment Officer

All members of the Board were present, thus constituting a quorum.

Also present were Mr. Jim Ferguson Water District Management, the District's Operator; Mr. Josh Lee, P.E. and Mr. Diego Burgos, P.E. of Quiddity Engineering, LLC, the District's Engineer; Ms. Lisa June, the District's General Manager; Ms. Cherrelle Burkhalter, the District's Assistant General Manager; Mr. David Wood of Robert W. Baird & Co. Inc., the District's Financial Advisor; Deputy Simmons of the Harris County Sherriff's Office; Cheryl Brisbane, a resident of the District; Jeff Shadwick, attorney for ATMA Development; Clayton Benedict of NTN Gosling, LLC, a developer in the District; Amanda Buckson of Buckson Landscape Architecture; and Mr. John R. Wallace and Mr. Landon T. Gerlich of Bacon, Wallace & Philbin, L.L.P., the District's Attorneys.

WHEREUPON, following a notation that notices of the meeting had been duly posted in accordance with law, copies of which are attached hereto as exhibits, the meeting was called to order.

President Thomas led the meeting in the Pledge of Allegiance and invocation.

APPROVAL OF MINUTES

The minutes of previous Board meetings were presented for review and approval. Director Wahl requested a minor change to the minutes. After discussion and upon a motion duly made and seconded, the Board voted unanimously to approve the minutes of January 16, 2023, as revised.

APPOINTMENT OF NEW DIRECTOR

Upon a motion duly made and seconded, the Board voted unanimously to appoint Cheryl Brisbane to the Board. Mr. Wallace then administered the Oath of Office, Statement of Officer, and presented the Affidavit of Director. Upon a motion duly made and seconded, the Board voted unanimously to authorize filing of the Amended District Registration Form and to reconstitute the Board as follows:

E. C. Thomas	President
Cheryl Brisbane	1st Vice President
Scott Kirkpatrick	2nd Vice President/Assistant Secretary
Terese Wahl	Secretary
Roger A. Flood III	Treasurer/Investment Officer

SECURITY REPORT

Deputy Simmons presented and reviewed the Security Report. Dcp. Simmons reviewed criminal activity in the District. He reviewed security patrol activity in the District. Upon a motion duly made and seconded, the Board voted unanimously to approve the Security Report.

DEFINED AREA UNLIMITED TAX BOND SALE - \$4,145,000

David Wood presented the bid results for the sale of the District's \$4,145,000 Defined Area Bonds (the "Bonds"). Mr. Wood presented the bid summary, a copy of which is attached hereto as an exhibit. He said that of the six bids, the lowest bid was a net interest cost of 4.104803% submitted by SAMCO Capital Markets. He said the Bonds had an underlying rating of "Baa3" and were Build America Mutual insured with a "AA" rating. Mr. Wallace reviewed the bond sale process and post-sale proceedings.

Upon a motion duly made and seconded, the Board voted unanimously to award the SAMCO Capital Markets bid to purchase the Bonds as presented, to authorize the Financial Advisor and Attorney to do all things necessary to complete the issuance and delivery of the Bonds, and to approve and authorize execution of the: (i) Order Authorizing Issuance of the Bonds; (ii) Official Statement; (iii) General Certificate; (iv) Rule 15C2-12 Certificate; (v) Signature Identification and No-Litigation Certificate; (vi) Paying Agent/Registrar Agreement; and (vii) letters to the Attorney General and Comptroller.

MAY 2023 PARK BOND ELECTION

Amanda Buckson presented the Preliminary Cost Estimate and Master Plan for the District's May 2023 Park Bond Election (the "Plan"), a copy of which is attached hereto as an exhibit. She said the total bond issue requirement was estimated to be \$12,500,000. Mr. Wallace noted that if the election results were in favor of Park Bond authorization, any future issuance of Park Bonds would require additional Board approval and financial analysis. The Board discussed the matter and agreed to include a \$12,500,000 Park Bond authorization proposition in its May election.

BOND AUTHORIZATION REPORT

Diego Burgos presented the Bond Authorization Report, a copy of which is attached hereto as an exhibit. Mr. Burgos reviewed the state of the District's water, sanitary sewer, and drainage facilities. He noted the District's aging infrastructure and also noted the District's facilities were inspected and re-evaluated annually. He then discussed the District's 10-year capital improvement plan ("CIP") for necessary facility maintenance and improvements. Based on the 10-year CIP, the engineers estimated the bond authorization needs of the District to be \$86,000,000. Mr. Burgos noted the last time the Board requested voter authorization to issue bonds was in 2012, which was also based on a 10-year CIP. The Board discussed the matter and, upon a motion duly made and seconded, voted unanimously to approve the Bond Authorization Report as presented.

ORDER CALLING BOND ELECTION

Mr. Wallace presented and reviewed the Order Calling Bond Election for an election to be held in May 2023. Mr. Wallace said Harris County was preparing a joint election agreement between Harris County and the District. Upon a motion duly made and seconded, the Board voted unanimously to adopt the Order Calling Bond Election as presented. Further, upon a motion duly made and seconded, the Board voted unanimously to authorize signature of the joint election agreement with Harris County subject to Attorney review.

AMENDED RATE ORDER

Mr. Wallace reviewed proposed changes to the District's Rate Order, including the addition of a tax exempt multi-family residential customer class. He said the new customer class would be established to prevent major loss in revenue for tax exempt re-classification, which had been occurring without notice to municipal utility districts. Wallace then discussed Houston Housing Authority ("HHA") activity outside city limits resulting in an unprecedented rise in new developments being exempt from taxation.

Mr. Gerlich presented and reviewed the District's multi-family revenue analysis, a copy of which is attached hereto as an exhibit. Mr. Gerlich said the combined tax, water, sanitary sewer, and irrigation revenue received from multi-family customers in the District was as much as \$100.51 per unit per month and was \$95.54 on average. Director Wahl noted that if the owner of an apartment complex in the District were to engage the HHA to obtain tax exempt status, the customer's new water and sanitary sewer rates would need to total \$100.51 to prevent lost revenue. Mr. Gerlich noted that the lost revenue would be much higher in the Defined Area due to the higher tax rate in the District's Defined Area.

Upon a motion duly made and seconded, the Board voted unanimously to approve the Amended Rate Order.

GOSLING OAKS 51-ACRE DEVELOPMENT

Clayton Benedict updated the Board on the status of the Gosling Oaks development. Mr. Wallace discussed annexation proceedings and said the Development Financing Agreement and Waiver of Special Appraisal needed to be amended to include the approximately 9-acre tract proposed to be annexed. Mr. Wallace said a consent to encroachment would govern repair work responsibilities for the storm sewer drains and incidental damage to concrete. Mr. Lee then reviewed the updated Gosling Oaks feasibility study, a copy of which is attached hereto as an exhibit. The Board agreed to replace the original Gosling Oaks feasibility study with the feasibility study that included potential reimbursement for public storm sewers.

Regarding the District's restricted reserve 60-foot right of way leading to the Water Plant, Mr. Lee noted there were two water lines, drainage infrastructure, and a natural gas line running to the District's generator in the right of way. He said repair and maintenance access and other matters related to these facilities in the right-of-way would need to be discussed prior to allowing the access road to be in an unrestricted reserve.

Upon a motion duly made and seconded, the Board voted unanimously to approve the First Amendment to Development Financing Agreement and Waiver of Special Appraisal, to authorize advertisement for bids for the Gosling Oaks mass grading project. Further, upon a motion duly made and seconded, the Board voted unanimously to accept the Petition for Addition of Land, Petition for Consent to Annex Land, Order Adding Land Subject to Certain Conditions, and to annex the 9.0698-acre tract subject to City of Houston consent.

ATMA DEVELOPMENT AND SERVICE AGREEMENT

Mr. Wallace reviewed the terms of the Development and Service Agreement. Director Wahl and Director Thomas discussed their concerns regarding the potential flooding impact the ATMA development could have, and they stressed the importance of quality construction and analysis to prevent an adverse flooding impact. Josh Lee said the scope of the Engineer's review would be to confirm models and calculations met Harris County and Harris County Flood Control District criteria for development. Mr. Lee noted the project should not be allowed to block sheet flow, and he said the sheet flow should ultimately empty into Willow Creek Channel. He said that he had not received plans for the project yet. Director Wahl noted two District sanitary sewer manholes on the project site ruptured while ATMA was working on the property. Jeff Shadwick said ATMA was following all rules and regulations to develop a quality product and was prepared to sign the Development and Service Agreement with the District.

Upon a motion duly made and seconded, the Board voted unanimously to approve the Development and Service Agreement as presented.

GENERAL MANAGER'S REPORT

Lisa June presented the General Manager's Report. She said she received three bids to renovate the District's pool. She recommended pool renovations occur in the Fall. She reported

significant washout at the Inway Oaks Trail, and she said portions of the trail had been sectioned off. She said an e-waste and shredding event was scheduled for February 18.

OTHER MATTERS

Director Kirkpatrick asked about the Creekview Lift Station ("Lift Station") backup that occurred during the recent heavy rain event in the District. He noted the backup entered a resident's home located several houses from the Lift Station. He recommended forming a subcommittee to discuss the issue with the Engineer and Operator.

Diego Burgos discussed the heavy rain event and effect on the Lift Station. He said there was a redundant pump at the Lift Station; however, all three pumps were running to keep up with flow. Mr. Lee said the District likely had a significant inflow situation. Director Kirkpatrick asked about the District's ability to compare the flow to historical data. Mr. Wallace said insurance coverage might apply. The Board agreed a subcommittee of Director Kirkpatrick and Director Brisbane should meet with the Engineer to discuss the matter further.

There being no other matters to come before the Board, the meeting was adjourned.




Secretary, Board of Directors

HISTORY LEDGER

EXHIBIT C

ACCOUNT: 1-40-00400-01
NAME: ARIZA GOSLING OWNER LLC
CITY: OAK BROOK

SERVICE ADDRESS: 23223 GOSLING RD
MAILING ADDRESS: PO BOX 5169
STATE: IL ZIP: 60522

CONNECT DATE: 11/07/2022
FINAL DATE:

RD - 3 USAGE	RD - 2 USAGE	WATER USAGE	PAYMENT DATE	BILL PER.	DEPOSIT	WATER	SEWER	MISC	PENALTY	NSF FEE	SERV FEE	VOLUNTARY	NHCRWA	GREASE TR	DISC/REC	TOTALS	BALANCE
			Bal FW														.00
.0	.0	.0	20035.00	12/1 NOV 2022	20000.00	.00	.00	.00	.00	.00	35.00	.00	.00	.00	.00	20035.00	.00
.0	.0	.0	<--- Compound Usage														
.0	.0	437.0	16326.33	1/18 DEC 2022	.00	6320.00	7694.60	.00	.00	.00	.00	.00	2311.73	.00	.00	16326.33	.00
.0	.0	.0	<--- Compound Usage														
.0	.0	361.0	19034.81	2/21 JAN 2023	.00	6320.00	7694.60	.00	.00	.00	.00	.00	5020.21	.00	.00	19034.81	.00
.0	.0	588.0	<--- Compound Usage														
.0	.0	330.0	34505.04	3/24 FEB 2023	.00	24063.40	7694.60	.00	.00	.00	.00	.00	2747.04	.00	.00	34505.04	.00
.0	.0	252.0	<--- Compound Usage														
.0	.0	273.0	33277.84	MAR 2023	.00	24063.40	7694.60	.00	.00	.00	.00	.00	1519.84	.00	.00	33277.84	.00
.0	.0	49.0	<--- Compound Usage														
*****TOTALS*****																	
		1401.0	123179.02		20000.00	60766.80	30778.40	0.00	0.00	0.00	35.00	0.00	11598.82	0.00	0.00	123179.02	
		889.0	<--- Compound Usage														