

**CERTIFICATE FOR ORDER ADOPTING AMENDED CONSOLIDATED
RATE ORDER AND RULES AND REGULATIONS;
ESTABLISHING CERTAIN OTHER POLICIES; AND
PROVIDING PENALTIES FOR VIOLATION THEREOF**

THE STATE OF TEXAS §

COUNTY OF HARRIS §

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 179 §

I, the undersigned Secretary of the Board of Directors (the “Board”) of Harris County Municipal Utility District No. 179 (the “District”), hereby certify as follows:

1. The Board convened in regular session, open to the public, on the 22nd day of November, 2022, at the regular meeting place thereof, and the roll was called of the members of the Board, to-wit:

| | |
|---------------------|---------------------|
| Buddy Myers | President |
| Ron Thomas | Vice President |
| Jim Cooper | Secretary |
| Travis Rupp | Assistant Secretary |
| Nilesh Shringarpure | Assistant Secretary |

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

**ORDER ADOPTING AMENDED CONSOLIDATED RATE ORDER AND
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THEREOF**

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

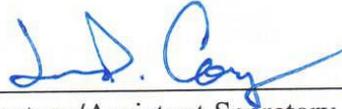
AYES: 5

NOES: 0

2. A true, full, and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in said Board’s minutes of such meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board’s minutes of such meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and

personally, in advance of the time, place, and purpose of such meeting and that such Order would be introduced and considered for adoption at such meeting and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; such meeting was open to the public, as required by law, and public notice of the time, place and purpose of such meeting was given as required by Texas Government Code §551.043, as amended, and §49.063 of the Texas Water Code.

SIGNED AND SEALED the 22nd day of November, 2022.



Secretary/Assistant Secretary, Board of Directors



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HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 179 §

WHEREAS, the Board of Directors (the “Board”) of Harris County Municipal Utility District No. 179 (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 HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 179 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, including apartments and condominiums, 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 apartments, 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, including churches and schools.

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.

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. 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, 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 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 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 firefighting 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. An inspection fee of \$40.00 shall be charged for all single family residential connections and \$100.00 for all other

inspections. Installations which fail to conform at any time to the Rules and Regulations shall 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, a reinspection shall be made upon payment to the District of a reinspection fee of \$40.00 for single family residential connections and \$75 for all other connections.

B. Customer Service Inspection Fees

. If the District's Operator performs the inspection and completes the Customer Service Inspection Certification required by Article III of the Rules and Regulations, the District shall charge the Customer a fee of \$150 for residential connections and \$200 for commercial connections to cover the costs of such inspection and certification.

C. Final Builder Inspection and Fees

. Upon receipt of instruction from a builder to transfer an account to an initial Customer, the District's Operator shall make a final inspection of the property and make note of the condition of all District facilities. The District's Operator will repair any damaged District facilities, and the builder will be held responsible for all costs incurred. A fee of \$35.00 shall be charged by the District to cover the cost of such inspection and will be collected at the time the tap fee is paid.

D. Transfer Fee for New Connections

. A non-refundable fee of \$50.00 shall be charged by the District to cover the expense to the District of the transfer of water and sewer service from the builder of any housing unit or other structure to the initial customer (owner or lessee) and to each subsequent customer (owner or lessee). This fee shall cover the establishment of an account to provide service to the new occupant, owner or lessee. The transfer fee shall be billed to each new customer as an item on that consumer's first monthly bill for water and/or sewer service. The transfer fee shall be in addition to the deposit required in Section 4.1.

Section 2.5 Builder's Deposit Requirements

A. Builder Deposit

. Each builder of homes within the District shall establish a deposit of \$1,500 with the District. Such deposit shall be returned at the completion of the builder's building program within the District, except as provided hereinbelow. Before the Operator issues any requested refunds of builder deposits as set forth above, the Operator shall inspect all District facilities affected by the builder's construction activities to determine if the builder or builder's agent has caused any damage to District property. If requested by the builder, the District's Operator shall inspect the District's facilities to be affected by the builder's construction activities prior to commencement of such activities

to determine if there is any preexisting damage to the District's property for which the builder should not be held responsible. The District shall charge a fee of \$35 for each inspection.

B. Use of Deposit

. The cost of any repairs to waterworks or sanitary or storm sewer lines of the District attributable or caused by builder or subcontractor negligence or by agents thereof shall be billed by the District's operator to the builder responsible therefor. If the builder fails to pay such bill within 30 days from the date of invoice, the District shall make no additional taps for such builder until such invoice is paid in full. The deposit will be applied against any such bill which remains outstanding 30 days after invoice, and the builder shall be obligated to restore the deposit prior to receiving any additional taps.

C. Submission of Plans for Commercial Connections. In recognition of the District's obligation to protect and maintain public health, the District's Engineer or other party designated by the Board of Directors of the District shall review the information presented and may approve or reject the application, or request that further information be submitted prior to approval of the application. Customer shall be notified in writing as to the basis for rejection of applications. A copy of such approved plans with Engineer's approval indicated thereon shall be submitted to the District's Operator. Failure to construct the facilities in accordance with approved drawings shall constitute a basis for denial of District services.

After receipt of the plans and specifications, the District's engineer shall determine the amount of review and notify the applicant. The applicant shall be responsible for the payment of the District engineer's review fee prior to proceeding with such review.

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, or to provide a temporary rental meter, 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 \$1,500.00, \$50.00 of which shall be a non-refundable charge to install and remove the temporary meter. 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

. A fee of \$2.00 per day for the rental meter, plus the cost of the metered water, shall be charged for temporary water service. The following rates for the sale of water for each temporary water service connection shall be in effect from the effective date hereof until such time as the Board amends said rates: \$1.50 per each 1,000 gallons.

Section 2.7 Service to Out-of-District Customers

. The District shall not provide water or sewer service outside of its boundaries.

Section 2.8 Water and Sewer 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. Residential water taps (3/4" x 5/8"): \$1,300.00 per connection but in no event shall the cost exceed three times the District's actual and reasonable cost.

B. Connections to Nontaxable Entities: The cost to the District including cost of all facilities that are necessary to provide District services to such entity and that are financed or to be financed in whole or in part by tax supported bonds of the District.

C. All other water taps (to be considered commercial): To be determined by the District's Board of Directors after consultation with the District's Operator and Engineer, but in no event more than two (2) times the District's actual and reasonable cost.

Section 2.9 Sanitary Sewer Tap.

A. Residential Tap: \$100 per connection, but in no event exceed 3 times the District's cost.

B. Commercial sanitary sewer tap: All other sanitary sewer taps (to be considered commercial): To be determined by the District's Board of Directors after consultation with the District's Operator and Engineer, but in no event more than two (2) times the District's actual and reasonable cost.

All tap charges shown above shall be paid when application for the tap or connection is made, and the request for service shall be held in abeyance until such charges have been paid.

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:

A. Residential Consumers.

1. Residential Rate. The following rates per month shall be charged for water service furnished by the District through meters to each Separate Connection for Residential Consumers:

| | |
|--|---------------|
| <i>For first 8,000 gallons of water used</i> | <i>\$8.00</i> |
| <i>For each 1,000 gallons of water used over 8,000 gallons to 25,000 gallons</i> | <i>\$1.00</i> |
| <i>For each 1,000 gallons of water used over 25,000 gallons</i> | <i>\$6.00</i> |

The minimum monthly charge shall be \$8.00 for which 8,000 gallons of water may be used. Until a meter is installed, the minimum amount shall be charged each month.

2. Residential Drought Rate. At the discretion of the Board, the following monthly rates shall be charged during periods of drought:

| | |
|---|----------------|
| <i>For first 8,000 gallons of water used</i> | <i>\$8.00</i> |
| <i>For each 1,000 gallons of water used over 8,000 gallons to 15,000 gallons</i> | <i>\$2.00</i> |
| <i>For each 1,000 gallons of water used over 15,000 gallons to 20,000 gallons</i> | <i>\$5.00</i> |
| <i>For each 1,000 gallons of water used over 20,000 gallons to 25,000 gallons</i> | <i>\$8.00</i> |
| <i>For each 1,000 gallons of water used over 25,000 gallons</i> | <i>\$12.00</i> |

B. Apartment Consumers.

1. Apartment Rate. The following rates shall be charged for water service furnished by the District through meters to each Separate Connection for Apartment Consumers:

| | |
|--|----------------|
| <i>For first 5,000 gallons of water used</i> | <i>\$11.00</i> |
| <i>For each 1,000 gallons of water used over 5,000 gallons</i> | <i>\$1.50</i> |

The rates provided in this Section 3.1(B) shall be applicable to each Separate Connection as defined in Section 1.1(J) of this Order; provided, however, that water to an Apartment Consumer may be furnished through a Master Meter and the monthly billing rate per unit shall be determined by dividing the total number of gallons furnished during the month through such Master Meter by the total number of units in such apartment project (occupied and unoccupied) and then applying the rates set forth above. The minimum monthly charge shall be \$15.00 for which 5,000 gallons of water may be used. Until a meter is installed, the minimum amount shall be charged each month.

2. Apartment Drought Rate. At the discretion of the Board, the following monthly rates shall be charged during periods of drought:

| | |
|--|----------------|
| <i>For first 4,000 gallons of water used</i> | <i>\$11.00</i> |
| <i>For each 1,000 gallons of water used over 4,000 gallons</i> | <i>\$2.00</i> |

C. Commercial Consumers.

1. Commercial Rate. The following rates per month shall be charged for water service furnished by the District through meters to each Separate Connection for Commercial Consumers:

| | |
|---|----------------|
| a. <i>For first 10,000 gallons of water used</i> | <i>\$17.00</i> |
| <i>For each 1,000 gallons of water used over 10,000 gallons</i> | <i>\$2.00</i> |

2. Commercial Drought Rate. At the discretion of the Board, the following monthly rates shall be charged during periods of drought:

| | |
|--|----------------|
| a. <i>For first 8,000 gallons of water used</i> | <i>\$17.00</i> |
| <i>For each 1,000 gallons of water used over 8,000 gallons to 15,000 gallons</i> | <i>\$2.00</i> |

*For each 1,000 gallons of water used
over 15,000 gallons to 20,000 gallons* \$5.00

*For each 1,000 gallons of water used
over 20,000 gallons to 25,000 gallons* \$8.00

*For each 1,000 gallons of water used
over 25,000 gallons* \$12.00

3. Commercial Sprinkler Drought Rate. At the discretion of the Board, the following monthly rate shall be charge during periods of drought:

Same charges as Commercial Consumer without sewer

4. Homeowners Association Drought Rate. At the discretion of the Board, the following monthly rates shall be charged during periods of drought:

First 8,000 gallons of water used \$8.00

*For each 1,000 gallons of water used
over 8,000 gallons to 300,000 gallons* \$0.50

*For each 1,000 gallons of water used
over 300,000 gallons* \$1.00

D. Parks and Recreation Consumer

. The following rates per month shall be charged for water service furnished by the District through meters to each Separate Connection for Park and Recreation Consumers:

For first 8,000 gallons of water used \$8.00

*For each 1,000 gallons of water used
over 8,000 gallons* \$0.50

The minimum monthly charge shall be \$8.00 for which 8,000 gallons of water may be used. Until a meter is installed, the minimum amount shall be charged each month

E. Nondesignated Consumer

. For any Consumer not specifically designated herein, the rates per month charged for water service furnished by the District through meters to each Separate Connection for such Consumer shall be the rates set forth in Section 3.1(A) above.

gallons of water used

The minimum monthly charge shall be \$8.00. Until a meter is installed, the minimum amount shall be charged each month

E. Nondesignated Consumer

. For any Consumer not specifically designated herein, the rate for sewer service furnished by the District for each Separate Connection for such Consumer shall be the same rate set forth in Section 3.2(A) above.

Section 3.3 Monthly Rates to Builders for Water and Sewer Service to Unoccupied Residences

. The following rates shall be charged to builders for water and sewer service to unoccupied residences connected to the District's System: *\$10.00*

Section 3.4 Grease Traps

. 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. 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. 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 \$75.00. 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. 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. A surcharge of \$45.00 per quarter will be added to the District's commercial sanitary sewer rates for each grease trap installed. This surcharge will cover the cost of routine inspection, sampling, and testing. If a grease trap is found in violation of this Rate Order during a routine inspection, re inspection, sampling, and testing, the District may, at its sole discretion as to time and frequency bill to the owner of the property charges as follows:

| | |
|---------------|-------------------|
| Re-inspection | \$75.00 each trip |
| Sampling | \$35.00 each time |
| Lab analysis | Cost + 15% |

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

Section 3.5 Hazardous Material Discharge

. The District requires the owner of any establishment, including, but not limited to, dry cleaners, photo laboratories, and medical and veterinarian clinics, to allow for inspections to prevent the discharge into the system and a sampling well to allow for periodic sampling of the discharge from the establishment. Discharges requiring a sampling well include any "hazardous waste" as defined in the Order Regulating the Discharge of industrial Wastes into the Public Sewer of the District, Promulgating Regulations and Establishing Charges for Services Rendered, Providing for a Penalty not to Exceed Two Hundred Dollars for Each Offense ("District's Industrial Waste Order"), or as classified as hazardous waste by the EPA or TCEQ from time to time. If an establishment is found in violation of this Order or the District's Industrial Waste Order, the District may, at its sole discretion as to time and frequency, bill to the owner of the establishment charges as follows:

| | |
|--------------------------|-------------------|
| Inspection/Re inspection | \$75.00 each trip |
| Sampling | \$35.00 each time |
| Lab analysis | Cost + 15% |

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

Section 3.6 Regulatory Assessment

. Pursuant to Section 5.701, 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 annually. The District shall assess and collect from each customer that received retail water and/or sewer service from the District a regulatory assessment equal to one half of one percent of the District's charges for such water and/or sewer service. The District shall list the regulatory assessment as a separate item on customer utility bills on or about September 1, 1991. The District shall remit such regulatory assessments to the Texas Natural Resource Conversation Commission in the manner required by law. At the end of each 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. The District shall retain an administrative fee equal to ten percent (10%) of the amount due to the TCEQ for costs incurred in collecting and remitting the assessment.

Section 3.7 Groundwater Reduction Plan (GRP) Fee

. The West Harris County Regional Water Authority (the "WHCRWA") is a regional water authority created by legislature and is a political subdivision of the state of Texas. The WHCRWA was created to accomplish the purpose of Section 59, Article XVI, Texas Constitution including the acquisition and provision of surface water and groundwater for residential, commercial, industrial, agricultural and other uses. The WHCRWA was empowered

to fund its projects and operations by (1) charges, rates, fees, user fees, (2) special assessments, (3) notes, (4) bonds, and (5) capital contributions received from municipalities or utility districts within the boundaries of the WHCRWA and (6) other available funds. The WHCRWA assesses a surface water fee per 1,000 gallons of water sold to the District. The District shall assess and collect from each customer that received retail water from the District a surface pumpage fee in an amount equal to the surface water fee per 1,000 gallons of water being assessed by the WHCRWA to the District. Effective as of February 1, 2002, this WHCRWA Fee shall be listed separately on each customer's water bill

Section 3.8 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 classification of customers for which rates differing from the rates stated herein may be adopted.

ARTICLE IV SERVICE POLICY

Section 4.1 Security Deposits

. Security deposits shall be required as follows:

A. Residential Deposits

1. Each Customer that owns a home and establishes a new account for single-family residential service and each homeowner Customer re-establishing an account for single-family residential service that has been terminated for non-payment shall be required to pay, prior to the District providing service or restoring service, a security deposit of \$150.00 in addition to the non-refundable transfer fee required in Section 2.4D.

2. Each Customer that rents a home and establishes a new account for single-family residential service and each rental Customer re-establishing an account for single-family residential service that has been terminated for non-payment shall be required to pay, prior to the District providing service or restoring service, a security deposit of \$200.00 in addition to the non-refundable transfer fee required in Section 2.4D.

B. Commercial Deposits

. Each Customer establishing a commercial account or multi-family residential account, and each Customer re-establishing a commercial account or multi family residential account that has been terminated for non-payment, shall be required to make a security deposit equal to three (3) times the estimated average monthly bill for such connection, as determined by the District 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.

1. 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.

2. A residential Customer, with a deposit, having been a customer for twenty four (24) months without being delinquent in monthly payments, shall be eligible to have the deposit refunded. No interest shall be payable to the Customer on any security deposit.

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 due date shown on 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 within twenty (20) days thereafter 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 that service will be discontinued unless payment in full is received. An administrative fee of \$10.00 shall be added to the customer's bill upon delivery of this notice. 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 a 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. 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 disconnected, it shall be reinstated only upon payment in full of all amounts due, including any late charges, the security deposit set out in Section 4.1, and a reinstatement charge of \$40.00.

C. Returned Checks

. A \$25.00 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 open a meter box, tamper with or in any way interfere with a meter, meter box, service line or other water and/or sewer system appurtenance. The District reserves the right, 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 \$250.00.

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.

Section 4.6 Termination of service upon request of consumer

. Whenever a customer of District water temporarily or permanently abandons the structure being served and no longer wishes to be furnished with water, he shall notify the District's operator at least two (2) days prior to the time he desires such service discontinued. A charge of \$20.00 for restoring water service where such service is discontinued or restored at the request of the consumer and he is not delinquent in the payment of any bill at the time of either request.

Section 4.7 Customer Leaks

. At anytime the District detects a customer leak where, in the opinion of the District, the leak is causing an unacceptable loss of water, the District shall notify the customer of the leak and request immediate repair. Should the customer fail to repair such leak within seven (7) days of notification, the District may proceed with termination of service pursuant to Section 4.2 of this Order, and service will not be restored until the leak is repaired.

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
RESERVED

ARTICLE VII
ENFORCEMENT/CIVIL PENALTIES

Section 7.1 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 7.1(A) of this Order and Article X of the Rules and Regulations.

Section 7.2 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 7.3 Section 7.3. 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 VIII
SOLID WASTE

The District may contract with an independent contractor to provide for solid waste and trash collection within the District. If the Board of the District determines that it is in the best interest of the District to contract for solid waste and trash collection, the fee for such service, as established by contract, shall be included on the water and sewer service bill. Failure to pay the solid waste and trash collection service on or before the due date indicated on the water and sewer service bill shall result in the assessment of a 10% penalty on the unpaid balance of the bill for solid waste and trash collection as well as termination of service under the provisions of Article IV of this Order.

ARTICLE IX
MISCELLANEOUS

Section 9.1 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 9.2 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 9.3 Headings

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

ARTICLE X
REPEAL OF PREVIOUS ORDER

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 XI
EFFECTIVE DATE

This Order shall be effective November 22, 2022.

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 22nd day of November, 2022.



President, Board of Directors

ATTEST:



Secretary, Board of Directors



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 - Application for Service

Exhibit 5 - Sanitary Sewer Inspection Form

APPENDIX A

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

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 179

ARTICLE I
PURPOSE

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

ARTICLE II
GENERAL

Section 2.01 Definitions.

1. Customer is any person, partnership, corporation, non-profit corporation, trust or other legal entity served by the District with water and/or sewer services to a residence or business establishment.
2. District is Harris County Municipal Utility District No. 179, 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 a 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; and Providing Penalties for Violation Thereof which may be amended from time to time.

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

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

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

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

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

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

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

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

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

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

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

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

Section 2.02 Platting Requirement.

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

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

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

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

Section 2.03 Approval of Plans and Specifications.

Prior to any non-residential connection to the District's Water Supply System or the Sanitary Sewer Collection System, the plans and specifications for the Sanitary Sewer Service Line and the Water Service Line must be submitted 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 3.01 Water Tap Materials. Only the following types of pipe and fitting materials shall be approved for the installation of Water Taps, including residential Water Taps and commercial Water Taps:

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

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

Section 3.02 Plumbing Material Prohibitions.

1. 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:

- a. any pipe or pipe fitting which contains more than 0.25% lead; and
- b. 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.

2. Certificate of Compliance.

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

Section 3.03 Installation.

1. An Application for Service, a copy of which is attached hereto as Exhibit “5,” must be filed with the District’s Operator. The Customer must pay to the District’s Operator all Tap Fees, inspection fees and deposits, as described in the District’s Rate Order.

2. All Water Taps to the District’s Water Supply System shall be installed only by the District’s Operator.

3. The District’s Operator shall install Water Taps and set meters at a location on adjoining property lines, whenever possible, with the meter box being located in the easement adjacent to the property line and with two (2) meters per box, where appropriate.

4. The District’s Operator shall be responsible for all repairs to the Water Taps.

5. After installation of the Water Tap, connection of the Water Service Line shall be made at the expense of the Customer. (Note: This line shall be tested for leaks since all water recorded through the meter will be charged to the Customer).

6. After connection to the District's Water Supply System, the Water Service Line should be thoroughly flushed as to prevent foreign matter from entering the household system.

Section 3.04 Customer Service Inspection Certifications.

1. A Customer Service Inspection Certification, as described in Exhibit "2" attached hereto, shall be completed prior to providing continuous water service to any new construction, on any existing service where the District has reason to believe that cross-connections or other unacceptable plumbing practices exist, and after any material improvement, correction, or addition to private plumbing facilities. Prior to the District initiating continuous service, a Customer shall provide a Customer Service Inspection Certification to the District. The Customer Service Inspection Certification may only be performed by those individuals described in Subsection B of this Section 3.04. For Customer Service Inspection Certifications performed by the District's Operator, the Customer must pay the District the Customer Service Inspection Fee prior to the Operator performing the inspection and certification. Copies of properly completed Customer Service Inspection Certifications shall be kept on file by the District's Operator and made available, upon request, for Texas Natural Resource Conservation Commission ("TCEQ") review. Inspection certifications shall be retained for a minimum of ten (10) years. Failure to provide a Customer Service Inspection Certification in accordance with this Section 3.04 shall constitute a violation of these Rules and Regulations and such violation shall be subject to the enforcement provisions set forth in Article X hereof.

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

- a. Plumbing Inspectors and Water Supply Protection Specialists licensed by the Texas State Board of Plumbing Examiners; and
- b. 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.

3. 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.

4. The Customer Service Inspection Certification shall certify that:
- a. 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.
 - b. 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.
 - c. 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.
 - d. No pipe or pipe fitting which contains more than 0.25% lead exists in private plumbing facilities installed on or after July 1, 1988.
 - e. No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after July 1, 1988.
 - f. No new or replacement plumbing fixture is installed which is not in compliance with a State Approved Plumbing Code.

Section 3.05 Prohibited Connections.

1. 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.

2. 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.

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

Section 3.06 Backflow Prevention Assemblies.

1. 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 law sprinklers, swimming pool supply, reflection pool supply or other such applications must incorporate a backflow prevention assembly in accordance with a State Approved Plumbing Code for the particular designated use. No permanent water service will be provided 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.

2. 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.

3. 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:

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

4. 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).

5. 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.

6. 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.

7. 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.

8. 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.

ARTICLE IV SANITARY SEWER CONNECTIONS

Section 4.01 Sanitary Sewer Service Line Installation.

1. 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.

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

3. 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.

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

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

1. Vitrified clay pipe conforming to ASTM Specification C700 with joint coupling conforming to ASTM Specifications C425 or C594 and installed according to ASTM C12.

2. Cast iron soil pipe, standard weight, conforming to ASTM Specification A74 with rubber gasket joint coupling conforming to ASTM Specification C564.

3. Poly-vinyl-chloride PSM (PVC) pipe conforming to ASTM Specification D3034 or ASTM specification F789 (with UL listing) and installed according to ASTM D2321.

4. Ductile Iron Pipe conforming to ANSI A21.51 with rubber gasket joints ANSI A21.11 and installed according to manufacturer's recommendations.

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

Section 4.03 Size and Grade of Sanitary Sewer Service Lines.

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

- a. Residential - - - 4 inches in diameter; and
- b. Commercial - - - 6 inches in diameter.

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

- a. 4 inch pipe - - -14 inches drop per hundred feet (1.2%);
- b. 6 inch pipe - - - 8 drop per hundred feet (0.7%); and
- c. 8 inch pipe - - - 5 inch drop per hundred feet (0.4%).

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

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

Section 4.04 Connection of Building Sewer Outlet.

1. 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.

2. 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.

3. 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.

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

Section 4.05 Fittings and Cleanouts.

1. No bends or turns at any point will be greater than forty-five degrees (45°).
2. 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.
3. Each cleanout will be installed so that it opens in a direction opposite to the flow of the waste and, except in the case of wye branch and end-of-the-line cleanouts, cleanouts will be installed vertically above the flow line of the pipe.
4. Cleanouts will be made with air-tight mechanical plug.

Section 4.06 Installation of Sewer Taps and Issuance of Permits.

1. 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.
2. 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.
3. 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.
4. An Application for Service (a copy of which is attached as Exhibit "4") 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.
5. When the Sanitary Sewer Service Line is complete, and prior to backfilling the pipe trench, the Customer shall request an inspection of the Sanitary Sewer Service Line. Requests for inspections (or reinspections) shall be made to the District's Operator at least twenty-four (24) hours in advance of the inspection.
6. 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.

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

8. 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.

9. 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.

10. The District's Operator will complete the Inspection Form (a copy of which is attached as Exhibit "5") and file it for record with the Application.

11. 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.

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

ARTICLE V FEES AND CHARGES

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

ARTICLE VI EXCLUDED FLOW AND WASTE

1. 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 Order Regulating Discharge of Industrial Wastes 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.

2. No surface runoff water will be permitted to be discharged into the District's Sanitary Sewer Collection System unless specifically approved by the District in writing.

3. 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.

No Customer shall use District water, or allow District water to be used, on land other than the platted parcel where the connection is located. If only a portion of a platted parcel of land is located within the District, the Customer shall use District water solely within the confines of the District and shall not transport it for use on the portion of the platted parcel outside the District.

No Customer shall allow discharges to the District's sanitary sewer system from land other than the platted parcel where the sanitary sewer connection is located. If only a portion of a platted parcel of land is located within the District, the Customer shall allow discharges to the District's sanitary sewer system solely from the portion of the parcel within the confines of the District and shall not allow such discharges to the District's system from the portion of the platted parcel outside the District.

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

1. 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.

2. 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.

3. 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.

4. 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.

5. 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 Harris County Municipal Utility District No. 179. I further certify that:

1. No direct connection between the District's Water Supply System and a potential source of contamination exists. Potential sources of contamination are isolated from the District Water Supply System by an air gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices are in compliance with state plumbing codes.

2. No cross connection between the District's Water Supply System and a private water system exists. Where an actual air gap is not maintained between the District's Water Supply System and a private water supply system, an approved reduced pressure-zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention device tester.

3. No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the District's Water Supply System.

4. No pipe or pipe fitting which contains more than 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 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: Harris County Municipal Utility District No. 179

District I.D. #: _____

Location of Service: _____

I, _____ (name of Inspector), upon inspection of the private plumbing facilities connected to the Water Supply System of Harris County Municipal Utility District No. 179, do hereby certify that, to the best of my knowledge:

| | | Non-Compliance | Compliance | File | Compliance on |
|-----|--|-------------------------------------|-----------------------------|--------------------------|--------------------------|
| | | : <input type="checkbox"/> | <input type="checkbox"/> :: | <input type="checkbox"/> | <input type="checkbox"/> |
| | | <u>FOR DISTRICT USE ONLY</u> | | | |
| (1) | No direct connection between the District's Water Supply 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"/> | <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 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"/> | <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"/> | <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"/> | <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"/> | <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"/> | <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 : Cooper PVC : Other :

Solder Lead : Lead Free Solvent Weld Other

I recognize that this document shall become a permanent record of the Water Supply System of Harris County Municipal Utility District No. 179 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: Harris County M.U.D. No. 179
 District 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 _____ Size _____
 Model Number _____ Location at _____
 Serial Number _____

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

The above is certified to be true.

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

EXHIBIT "4"
TO APPENDIX A

APPLICATION FOR SERVICE

(Please print or type)

Duplicate to
(address)

(Subdivision and Section)

(Name of Applicant) (Lot) (Block)

(Street Address) (Street Address)

(Phone) (City) (State) (Zip)

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

Type of pipe material to be used: PVC _____, ABS_____, VC_____, CI_____

Date: _____ Requested by:

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 "5"
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

| | Satisfactory | Unsatisfactory |
|-----------------------------|--------------|----------------|
| Directness to Wye | _____ | _____ |
| Slope _____ | _____ | _____ |
| Full Contact w/bedding | _____ | _____ |
| Condition of Other District | _____ | _____ |
| Facilities on Lot | | |

Connection Permit is approved (not approved).

Water service to Lot is approved (not approved).

This service reinspected on _____. (See attached new report).

Comments: _____

Copy to:

Applicant _____ By: _____
District Inspector

Manager _____ By: _____
Authorized Representative of Applicant