Mason Creek Utility District
Harris County, Texas

REVISED ORDER ESTABLISHING RATES AND POLICIES FOR WATER, SEWER AND OTHER SERVICES AND FACILITIES PROVIDED BY MASON CREEK UTILITY DISTRICT AND FOR ADMINISTRATION OF THE DISTRICT; PRESCRIBING PENALTIES AND PROVIDING FOR COMPLIANCE ORDERS; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

Including Amendments Adopted Through
September 16, 2025

WHEREAS, Mason Creek Utility District (the "District") owns a water and sewer system and other facilities designed to serve present and future inhabitants within the District; and

WHEREAS, it is necessary that fees, charges and conditions be established for service from the District's water and sewer system and other facilities; and

WHEREAS, the Board of Directors of the District has carefully considered the matter and is of the opinion that the following conditions should be revised, established and re-established for service from the District's water and sewer system; NOW, THEREFORE,

BE IT ORDERED AND RESOLVED BY THE BOARD OF DIRECTORS OF MASON CREEK UTILITY DISTRICT, HARRIS COUNTY, TEXAS, THAT:

Section 1: Definitions. In this order:

(a) "SFR connection" shall mean and include any single-family residence and any single unit of a townhouse or multiplex dwelling structure (other than apartments) when such is separately metered. Townhouse or multiplex dwelling structures are those where: (i) each dwelling unit is owned separately (this does not preclude private streets, access easements or common areas), (ii) the owner of each unit has the exclusive right to occupy the land where it is located and the air space above it, and (iii) the unit is served by the District directly from a street or other public easement.

(b) "Commercial connection" shall mean and include any office building, hotel, retail store, clubhouse, warehouse, service station, or other establishment rendering a service or offering a product for sale to the public, apartments, churches, schools and any and all establishments or premises which are not SFR connections as defined herein.

(c) "Back-up connection" shall mean a connection to the system of another water district or water utility which has entered into a contract with the District for back-up water or sewer service from the District; such a contract may provide for two-way, or mutual, back-up.

(d) "Unmetered fire connection" means a connection that serves only a closed-type automatic fire sprinkler system, where water can only be drawn off through a sprinkler head.

(e) "Board" means the Board of Directors of the District.

(f) "Person" includes natural persons as well as corporations, companies, partnerships and other legal entities.

(g) "Premises" means and includes: (i) a separately-occupied or used land area, and (ii) a separately occupied or used building (or part of a building) and all grounds, structures, and land areas appurtenant to that building or part.

(h) "Control" means, with respect to any premises, to control the use and condition of the premises. It is presumed that a person controls premises if the person: (i) owns the premises, as indicated by Harris County Appraisal District records or an instrument recorded in the real property records of Harris County, Texas; or (ii) leases the premises, as indicated by a signed lease or rental agreement. For purposes of regulation, enforcement or responsibility a violation of this order, it is presumed that a person controls premises if the person has arranged for or paid for any utility service provided to the premises, but only for the time period during which such utility service is provided to those premises. Proof of such arrangements or payments may consist of excerpts from the customer billing records of the company or entity providing the service (e.g., a retail electric provider, a gas utility, or the District.)

(i) "Legal holiday" means a holiday observed by national banks or the U. S. Postal Service.

(j) "Customer-side facilities" means water or sewer facilities on the customer side of a point of connection designated as provided in Section 5. Customer-side facilities include connection and tapping devices (like sleeves, saddles, valves, etc.) and incidental items, but exclude any District-owned meter, regardless of location.

(k) "District-side facilities" means water or sewer facilities on the District's side of a point of connection designated as provided in Section 5 and includes any District-owned meter, regardless of location.

(l) Terms such as "this order," "this rate order," "rate order," and similar terms refer to this order as a whole, including all appendices, attachments, exhibits, and incorporated documents.

Section 1A: Utility Information Letters.

(a) *Purpose And Intent.* The purpose of this section is to provide predictable procedures and rules for responding to utility capacity inquiries. These regulations shall be applied and interpreted so that projects needing utility capacity can be examined and served on a reasonable basis, and also so that available capacity can be apportioned fairly and equitably to all areas in the District likely to require it.

(b) *Application of Section; Prior Provisions.* This section applies to all requests for new or expanded utility capacity received after June 16, 1993. This section supersedes and replaces all previous rules, policies and procedures for utility capacity matters, including but not limited to the interim regulations adopted August 19, 1992. Any previous letters of availability or utility commitment are terminated (unless issued in accordance with the interim regulations adopted August 19, 1992), but the holder of any such terminated letter or commitment is free to re-apply under this section.

(c) *Owner's Application, Fee.* The owner of a tract of land needing new or increased District utilities may apply in writing to the District office. The application must include a full description of the buildings and structures to be served, the water, sewer and drainage facilities to be constructed, the water and sewer (central plant) capacities requested, expressed in gallons per day on an average day ("GPD"), and the line capacities requested, expressed in units prescribed by the District's engineer. The application must include a non-refundable fee, determined in accordance Section 5 of this order.

(d) *Initial Review.* The District's operator and engineer shall review each application received (except for applications covering only a single-family residence, which the operator alone may review and approve). They shall submit their recommendations to the Board.

(e) *Board Determination; Criteria.* The Board shall determine if the application can be approved by applying the following criteria: (1) whether sufficient unused and unreserved central water and sewer plant capacity exists to serve the applicant, after making a reasonable allowance for future service to the remainder of the District, (2) whether sufficient water, sewer and drainage lines and facilities exist to serve the applicant, taking into account the remainder of the area to be served by such lines and facilities, (3) whether the proposed buildings or structures will impose any unreasonable burdens on the District's

systems, in terms of quality of effluent, flooding, peak demands or other demand or use characteristics, and (4) whether the applicant has the readiness, willingness and ability, in a timely manner, to carry out the project and discharge all obligations to the District, including the payment of charges, fees, taxes, etc. With respect to criteria (1) and (2), above, the standard reference level of service for all unserved land in the district is established at a level equivalent to three SFR units per acre, and this reference level shall be used unless specific circumstances indicate that it is not feasible to provide such level to any specific tract or that conditions on other tracts call for a different base level of service. However, this does not prohibit higher levels of service where capacity is actually available and not likely to be used for other tracts, taking into account costs, feasibility and revenues. Neither this order nor any capacity study or allocation nor any letter or response shall ever be construed to create any contract right, vested right or entitlement to a specific level of service, except to the extent, if any, actually written down in utility agreement duly approved by the District's Board of Directors and duly executed by all parties, by manual (ink) signatures.

(f) *Letters.* If the application is approved, the District shall cause a standard utility information letter to be sent to the applicant, including the particular features of the application approved by the Board, any special provisions and standard utility connection policies and procedures. All fees required by this order must be paid, in addition to the non-refundable application fee. All information letters shall expire on the 180th day following the date of issuance. However, the Board of Directors may approve a longer expiration period for a specific letter, upon written request and for good cause shown, and the Board may require payment of minimum water and sewer charges (as estimated by the Board) during the extended period (in excess of 180 days).

Section 2: [RESERVED; *for tap fees, water, see now Appendix E*]

Section 3: Standards (All Plumbing). All plumbing and drainage facilities, including private or internal plumbing facilities for water or wastewater, must meet standards required for facilities connected to the City of Houston water, sewer and drainage systems and such additional standards as are prescribed by: (i) state laws, rules and regulations, including those prescribed by the Texas Natural Resource Conservation Commission, (ii) the districts which receive and treat wastewater from the District, (iii) the District's Plumbing Code attached as Appendix "B," and (iv) rules promulgated by the District's engineer for protection of the District's systems. Grease traps on all commercial establishments must comply with the City of Houston specifications. All connections to the District's sewer shall be made in accordance with this order and all of the District's other rules and regulations.

Section 4: Plan-Checking, Inspections, Service Agreements (Water, Sewer And Drainage).

(a) *When Required.* Plan-checking, inspections, re-inspections, service agreements and related fees are required in the following indicated circumstances:

Circumstances	Utility information letter (must be issued and not expired when S&P Permit is issued)	Plan-checking (plans must win approval)	Inspections (must be passed)	Re-Inspections (must be passed)	Service & Plumbing Permit (must be duly issued and not expired)	Application for service and Service Agreement (must be signed and approved)	Fees and deposits (must be paid or covered by cash deposit, in advance)
New connection with new tap (before connection is made)	All except SFR	All except SFR (and approval)	All	All (if an inspection is not passed)	All except SFR	All	Tap, plan checking(except SFR), utility information letter (except SFR) and S&P Permit (except SFR) and inspection(s)
New construction, but no new tap (before being served by the water or sewer system)	All except SFR	All except SFR	All	All (if an inspection is not passed)	All except SFR	All	Plan checking (except SFR), utility information letter (except SFR) and S&P Permit (except SFR) and inspection(s)
Material improvement, correction or addition to or change in private plumbing facilities; or change in occupant or operator of any food preparation or service premises or other commercial premises (before being placed in service and before operation begins)	All except SFR	All except SFR	All	All (if an inspection is not passed)	All except SFR	All	Plan checking (except SFR), utility information letter (except SFR) and S&P Permit (except SFR) and inspection(s)
Change in name, customer, occupant or actual user; transfer of existing account; new account; etc.	None	None	None	All (if a required inspection has not been passed)	None	All	Transfer fee (if applicable); new account and inspection fees (if any); customer deposits
There is reason to believe that cross-connections or other unacceptable plumbing practices exist	None	All	All	All (if an inspection is not passed)	None	None	Inspection (only if unacceptable practice found) and reinspection (if any)
A required inspection indicates violation or non-compliance, or access to inspect is prevented, or information is missing, or other circumstances prevent an inspection from being passed..	None	None	All	All (if an inspection is not passed)	None	None	Re-inspection(s) required until inspection is passed. A separate re-inspection fee applies to each re-inspection.

(b) *Application for Plan Checking.* The applicant for plan checking must submit a site survey and complete plans and specifications for the buildings to be served by the connection and related structures, all in the form prescribed by the District's engineer.

(c) *Plan-checking Fee.* The fee for a new site is $200.00 per acre (but not less than the District's out-of-pocket costs for engineering and legal review and related work, including easement dedications and utility availability matters, to the extent not previously paid), and provided that the Board may reduce the fee in case only a small part of the site is developed with buildings. This fee shall be applied only to the cost of having plans, and related matters reviewed. In case pre-existing buildings space on a site is added to, enlarged or changed in use, an additional fee shall be required. The additional fee shall be a proportionate part of the total fee for a new building site of the same size, with the proportionate part being based on the size of the added, enlarged or changed building space as compared to the total building space after addition, enlargement or change, but not less than the out-of-pocket costs mentioned above.

(d) *Inspections.* In the indicated circumstances, inspections and re-inspections of all affected

plumbing facilities are required, including private or internal plumbing, both water and wastewater. Each inspection shall be performed by an inspector selected by the District and having the credentials required by state regulations. Unless otherwise prescribed by the District's operator, the times for plumbing inspections are as follows:

(1) Before the slab or foundation is poured or affixed and before underground facilities are covered.
(2) After rough-in, and before facilities are covered by building materials.
(3) After completion

For customer service inspections, the inspector must file a certification with the District office containing all of the information and certifications shown in the sample certification form attached as Appendix "A." When a backflow prevention assembly is required by 30 TAC 290.44(h), or other law, rule or regulation, there must be a test of the backflow prevention assembly by a recognized tester having the credentials required by applicable regulations, and the tester must file a test and maintenance report with the District office containing all of the information and certification shown in the sample certification form attached as Appendix "C." The District shall retain inspection and test certifications and reports for at least 10 years. The fees for inspections and tests (if applicable) are specified elsewhere in this order, and such fees are additional charges for water service.

(e) *Other Charges.* Additional charges, as applicable, will be due under Sections 2, 5, 8A and other parts of this order (for example, the tap fee and the fees for tap or grease trap inspections), and additional charges may be applicable under Section 6 (relating to house and building lines).

(f) *Service Agreement.* A service agreement, in substantially the form required by state regulations (see Appendix "D"), is required in the indicated circumstances.

Section 5: Other Fees and Inspections; Service & Plumbing Permits.

(a) *SFR Plumbing Inspection.* A fee of $115.00 shall be charged by the District for each SFR inspection provided or paid for by the District. Of this fee, $75.00 shall be refundable when the inspection is completed, if the facilities are not covered up before inspection and if the first inspection is satisfactory. If more than one attempted inspection is required, the District will retain the entire $115.00

(b) *Non-SFR Plumbing Inspection.* A fee of $100.00 shall be charged by the District for each of the times when a non-SFR plumbing inspection or re-inspection is provided or paid for by the District. *Exception*: The fee is $200 when the inspection discloses a violation of this order or non-compliance with this order, and neither the customer nor the owner of the premises reported the violation or non-compliance to the District (or timely requested the inspection or timely applied for an approval requiring the inspection). The regular fee applies to automatic re-inspections after an inspection has disclosed violation or non-compliance.

(c) *Utility Capacity Letters*. The non-refundable application fees for utility capacity letters are: (i) $75.00 for a application for a single-family lot, or (ii) the District's actual out-of-pocket costs for engineering and legal review and related work, including easement dedications and utility availability matters, to the extent not previously paid, but not less than $200, for all other applications. Such fees shall be credited against related fees due at the time a connection is sought to be established (for example: tap, permit, plan-checking, or inspection fees), if the connection is ought to be established, for the same project, before the expiration of the capacity letter. The District may require deposits of estimated costs before beginning work on applications for other than one single-family lot.

(d) *Pools And Irrigation Systems.* From and after January 1, 1994, if a new water connection is established and serves a swimming pool (including a spa or "hot tub") or an irrigation system, the following shall apply:

(1) the plumbing shall be designed and constructed so that the chance for

backflow or cross-connection is minimized;

(2) there must be an approved anti-backflow system to protect the District's system from the possibility of backflow;

(3) there must be an inspection of the internal plumbing before the connection is made and annually thereafter (if requested by the District); and

(4) there is a fee of the greater of the District's out-of-pocket cost, or $25 for each such inspection, which is an additional charge for water service.

(e) *Discharge Causing Costs to the District.* If the "Approving Authority" orders that payment be made to cover the cost of handling and treating waste under the Plumbing Code (*see* "VII" in Appendix B), the payment is an additional charge for sewer service payable by the customer at the premises where the waste originates. If any discharge that is forbidden or restricted by this order causes clogging or damage to the District's sanitary sewer system, the District's cost of unclogging and making repairs (plus 40% to cover administration and oversight, in the case of contracted work) shall be an additional charge for sewer service payable by the customer at the premises where the discharge originates.

(f) *House And Building Lines.* An additional charge for utility service may be applicable under Section 6 hereof (relating to house and building lines).

(g) *Service & Plumbing* Permits ("S&P Permits"). To have an S&P Permit issued, the owner of the property must complete all the steps listed below, before the utility information letter expires, and must pay a fee of $150. S&P Permits expire after 45 days. However, the Board of Directors may approve a longer expiration period for a specific permit, upon written request and for good cause shown, and the Board may require payment of minimum water and sewer charges (as estimated by the Board) during the extended period. The President or Vice President may sign and issue S&P Permits. Unless otherwise expressly authorized in an S&P Permit, only the District's operator may make a connection to, or alter, District facilities. The steps that must be completed before issuance of an S&P Permit are as follows:

Point(s) of connection. The designated point of connection for each existing or new water or sewer connection to District facilities shall be as follows:

(1) where, for a water connection, a meter or delivery-point equipment (like a valve or flow-detection equipment installed for an unmetered connection) is either:

(i) installed by the District (or its contractor) on or adjacent to a District-owned water facility, or

(ii) installed by others but conveyed in writing to the District (by instrument recorded in the Harris County Real Property Records),

the designated point of connection shall be the output flange of such meter or delivery-point equipment; and

(2) where a sewer tap is installed on or to a District-owned sewer facility (like a line or manhole) to serve a single customer, the designated point of connection shall be the outer wall of the District-owned sewer facility.

Exceptions: In all cases, when the District's engineering record drawings indicate a different point of connection designated by the District's engineer, the different point of connection controls. The engineer may change a designated point by annotating the record drawings, as may be necessary to reflect ownership or responsibilities for facilities. The drawings may indicate a single point of connection to the District's water system that serves multiple meters or unmetered facilities (e.g., fire lines). The drawings may indicate the location for a District-owned meter downstream of a designated point of connection.

No connection or service through joint or shared facilities (jointly-owned or shared by two or more customers) is allowed, and no intermediary facilities between a designated point of connection and the customer's exclusive facilities are allowed. Instead, service may only be provided directly to the customer's exclusive facilities(alone) from District facilities at a duly designated point of connection. *Exception:* Service through joint or shared facilities may be allowed if there is a written agreement with appropriate persons or entities and with appropriate provisions for maintenance, operation, repair, and replacement of those facilities and payment for services, all as approved by the Board.

District-side facilities, etc. *If the District has determined that any new or additional water or sewer facilities or fixtures on the District's side of a designated point of connection are needed*, customer must, at its sole expanse, make a written agreement with the District and cause all such facilities or fixtures to be:

(1) designed by: (i) the District's engineer or (ii) if approved by the District's Board, another licensed professional engineer who must obtain reviews and written approval of the plans and specifications by the District's engineer and comply with all conditions of the District's approval;

(2) constructed and completed in accordance with the plans and specifications prepared or approved by the District's engineer,

with completion certified in writing, signed and sealed by a licensed professional engineer;
(3) inspected by the District's representative(s) and passed;
(4) approved in writing by District representative(s) and conveyed to the District (if necessary) free and clear of liens and encumbrances, by instruments with supporting documents approved by the District's Board;
(5) accepted by the District's Board; and
(6) placed in service by the District.

Customer-side facilities, etc. Customer must, at customer's sole expense, cause all water and sewer facilities and fixtures on the customer's side of a designated point of connection to be:
(1) designed by a licensed professional engineer who must obtain reviews and written approval of the plans and specifications by the District's engineer;
(2) constructed and completed in accordance with the plans and specifications approved by the District's engineer, with completion certified in writing, signed and sealed by a licensed professional engineer;
(3) inspected by the District's representative(s) and passed;
(4) approved in writing by District representative(s); and
(5) placed in service.
In case of phased development approved in writing by both the customer and the District, if only the first phase of the facilities and fixtures is completed when the customer requests new or changed service, an S&P Permit may be limited to them, and the remaining facilities may not be served or placed in service (or physically connected) until they are completed, inspected and approved, as provided above, and a new S&P Permit for them is issued.

Plat, replat, etc. The entire Subject Parcel served must be covered by a duly executed and recorded plat and (if applicable) a replat, to the extent required by applicable state, county and municipal laws, rules and regulations. If customer believes a plat or replat is not required, customer must obtain a written certification to that effect from the agencies with platting jurisdiction (both county and municipal).

Capacity. The actual water and sewer capacity (including both central plant capacity and line and pumping capacity) needed to serve all new and changed facilities and fixtures, as determined by the District's engineer, must be less than or equal to the available capacity, as most recently determined by the District's Board as of the time of the new or changed service.

Fees and Charges, Service Agreements. All tap fees, permit fees, review fees, inspection fees and other fees, charges and deposits must be paid, for the entire Subject Parcel and for all connections, buildings, improvements and fixtures, and customer must sign any applications and service agreements required to begin receiving service. *In case any fee, charge or deposit is based upon actual costs or an estimate, a cash deposit sufficient to cover the ultimate fee, charge or deposit must have been made, as estimated by the District's operator.*

Easements, Etc. *If the District's engineer determines that easements or interests in land are necessary to provide reliable, backed-up service to the customer (immediately or in the future)*, the customer must provide them or cause them to be provided at customer's expense. The easements and interests in land must be conveyed to the District free and clear of all liens and claims, by written instrument(s) supported by surveys, title insurance, subordinations, lienholder consents, etc., all in a form prepared by or approved by the District. Upon request, the District may assist in obtaining such items.

Certain Agreements. *If the District's engineer or operator determines that any* customer-side facilities and fixtures will require contract(s) for long-term operation, maintenance, repair and replacement, or to keep them available to serve the Subject Parcel long-term, the customer must provide: (1) satisfactory evidence that it has made long-term contracts be made for such purposes, at owner's expense; and (2) written notice(s) for recording in the County real property records. This paragraph applies to drainage facilities, water quality facilities, detention facilities, pumping facilities, force mains, grease traps, grit chambers, backflow preventers, meters, sensors, valves, vaults, etc. Each contract and notice must run with the land and bind all owners, tenants and the entire Subject Parcel and must be in a form prescribed or approved by the District. Each contract must assign responsibility for operation, maintenance, repair and replacement to one party and assess the costs against all owners, in case the Subject Parcel is divided.

Quality of waste. The quality of waste discharged (or to be discharged) into the District sewer system may not be harmful to the system, must comply with Applicable Regulations and may not violate any contract with any other party for conveying or treating such waste, in the judgment of the District's operator.

Paving, drainage, etc. With respect to paving, drainage, flood control, detention, storm water quality and other similar facilities, customer must take all steps necessary for them to be designed by a licensed professional engineer, and then constructed and approved (and accepted, if necessary) by Harris County, Harris County Flood Control District and other governmental agencies having jurisdiction.

Drainage report. A drainage report must be submitted to, and must win written approval from, the District, as provided in the District's rate order. It must be prepared by a licensed professional engineer.

Taxes, fees, etc. All taxes, assessments, fees and charges due for or in connection with the Subject Parcel or related development, buildings, fixtures and facilities must be paid in full, including any penalties, interest and recaptured amounts.

Sales and use taxes. If the Subject Parcel has been or is proposed to be annexed for limited purposes under a strategic partnership agreement, one or more sales tax permits, covering all taxable sales and uses on or from the Subject Parcel, must be issued, and a copy must be provided to the District's Office Manager and tax assessor-collector

Section 6: Customer-side facilities, etc. (a) *User/Owner Responsibilities.* It shall be the joint and several responsibilities of each user and other person(s) owning, leasing, or controlling property served by the District's facilities to:

(i) provide, operate, maintain, repair, and replace all customer-side facilities for the site in compliance with the Plumbing Code, sound utility operating and engineering standards, and applicable regulations;

(ii) provide access for authorized representatives of the District:

--to inspect all customer-side facilities (and read meters and detection devices) at reasonable times as may be requested by the District's representative, and

--to take remedial action as authorized by this order (Note: The District's utility operator is authorized to perform such inspections and take such actions and to authorize contractors and other representatives to do so);

(iii) provide easements for District-side facilities serving the site that are not located in dedicated roads, streets, alleyways, or utility easements, as reasonably required by the District's engineer; and

(iv) repair or correct breaks, leaks, cross-connections and similar defects promptly.

(b) *Disconnection or Repair.* If there is non-compliance with subsection (a), above, the District may, in its discretion and subject to the notice procedures of the next subsection:

(i) disconnect the customer-side facilities involved, or

(ii) if it appears that a substantial savings in cost will occur if the deficiency is corrected in the first instance (rather than being disconnected and then corrected by a separate operation), the District may proceed to correct the deficiency, but only if such work can be accomplished upon public right of way or easements or areas to which the District has access.

(c) *When Notice Required.* Prior to taking any such action, the District operator shall take reasonable steps to notify the current user (if any) and owner of the premises involved in an attempt to provide them: (i) an opportunity to show cause why the action should not be taken and (ii) a reasonable time within which they may correct any deficiencies at their own expense (subject to the District's right to inspect the work and payment by them of the normal inspection fees). However, in case of imminent harm to persons or property, or the District's system, the District may take immediate action to disconnect the customer-side facilities or to correct the deficiency, and the District shall make reasonable efforts to notify the user and owner thereafter.

(d) *Payment of Cost.* When customer-side facilities are disconnected in accordance with this section, they shall not be reconnected until the District's actual cost incurred is paid, unless a variance is granted by the District's President or Vice President. Such a variance may be made temporary and may be granted upon conditions. When the District disconnects customer-side facilities or does remedial work in accordance with this section, the District's actual cost shall be determined in accordance with Section 8 and shall be paid as follows:

(i) If there is a current user at such premises, the cost shall be added to one or more upcoming bills as an additional charge for utility service. If the Board finds that the corrections will benefit not only the current user but also future users at the premises involved, the Board may allow payment of the charge in installments (including any carrying costs) upon such reasonable conditions as the Board may prescribe.

(ii) Until the full cost is paid (including any carrying cost incurred by the District during the period of non-payment), no new service, additional type of service or transfer of existing service shall be allowed to the premises involved, either to the current user, to the owner or to any other user, except upon order of the Board for good cause shown.

(e) *Deed Record Notices.* The President or Vice President of the District is authorized to place in the Real Property Records of Harris County a formal statement of the nature and amount of the charges claimed by the District under this section as well as the requirement that the same be paid before reconnection or extension of service

(f) *Special Permits.* When new or different customer-side facilities or easements are required for existing, non-compliant premises, and whenever an existing site must be "retrofitted" or brought into

compliance, the Board may grant a special permit to extend the time for coming into compliance with this order. Such a permit may include requirements to mitigate the impact of the noncompliance and to achieve compliance within a stated period of time, or upon stated events. The permit must allow periodic inspection by the District, require an additional monthly water or sewer fee, and be signed and acknowledged in recordable form. The amount of the fee shall be prescribed by the Board and designed to recover the costs to the District of enforcement, monitoring the non-compliance (and mitigation), handling any additional flows or other results of the non-compliance, etc. Compliance with such a special permit is a defense to violating this order (with respect to the authorized delay in achieving compliance). The District's engineer is authorized to issue "plat letters" indicating the District's intention to continue providing existing services, subject to such special permits.

(g) *Certain offenses.* Within the boundaries of the District, it shall be unlawful for any person or entity to:

(1) erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, operate or maintain any customer-side facilities connected to or served by the District's water or sanitary sewer system, or permit the same to be done, if the customer-side facilities or the premises do not comply with the Plumbing Code or other provisions of this order; or

(2) discharge or deposit any substance into the District's sanitary sewer system, or into any fixture or fitting that is connected to the District's sanitary sewer system (directly or indirectly), if the discharge or deposit is prohibited by the Plumbing Code.

A violation of this section shall constitute a misdemeanor, equivalent to the violation of a city ordinance, and shall be punishable upon conviction by a fine not to exceed $500 per day. To the extent allowed by law, a civil penalty not to exceed $500 per day is also imposed for each violation. Each day a violation continues shall be a separate offense. It shall be an affirmative defense, in any proceeding to enforce this section, that the conduct in question was covered by the Texas Penal Code or otherwise preempted by a state statute.

(h) *Effect of Section.* This section may apply to premises and connections to which other sections of this order also apply. In those circumstances, the District may enforce any section that applies and may enforce all sections that apply; proceedings under one section do not bar proceedings under another.

Section 7: Back-up Connections. The terms and conditions for back-up service shall be as provided in the contract with the District. This order shall only apply to back-up connections to the extent not inconsistent with the contract.

Section 8: Water and Sewer Rates.

(a) *In General.* Charges for water and sewer service shall be billed monthly. All bills shall be due and payable upon receipt. Except as provided below, payment must be: (i) physically delivered to the District office or, except as provided below, to the District's depository bank (if the bank has been designated by the Board of Directors to receive such payments directly); or (ii) electronically delivered to the District's designated account for receiving electronic payments. *Exception*: Payments for dishonored or returned checks (including the additional charge therefor) and payments of delinquencies and reconnection charges after service has been disconnected must be made at the District's office by cashier's check, certified check or money order.

(b) *Payment Date; Additional Charge.* The payment date for each monthly bill is the 15th day of the calendar month which immediately follows the calendar month in which the billing period for the bill ended, unless such 15th day falls on a Saturday, Sunday or legal holiday, in which case the payment date is the next day that is not a Saturday, Sunday, or legal holiday. If any bill is not paid in full on or before its payment date, an additional charge accrues, but only if the amount unpaid as of such payment date is $5.00 or more (except as otherwise provided in this order for emergencies or

disasters). If the unpaid amount is $5.00 or more, the additional charge is 10% of the charges for the preceding calendar month (i.e., the current month bill).

(c) *Payments Mailed.* Users may mail payments for their own convenience, but any user who mails payment or uses any other delivery service must pay any additional charge which accrues because a payment is received late.

(d) *Waiver of 10% Charge.* If a user demonstrates to the satisfaction of the District's designated billing officer, or to the satisfaction of the Board of Directors, that the user did not receive a bill in time to make payment on or before its payment date for some reason not within the user's control, the 10% additional charge for such payment may be waived.

(e) *Basic Rates.* The rates for water and sewer service shall depend upon the type of connection and, in the case of water service for commercial connections, upon the size of the meter serving the connection. Additional charges under Section 6 hereof (relating to house and building lines) may also apply. Monthly rates for water and sewer service are hereby established as set out in Appendix E and F, attached. The basic unit for measurement and billing by quantity of water is 1,000 gallons. *Exception*: Upon special request from a customer, the District may render bills to that customer using quantities expressed in hundreds of gallons, and, for this purpose, the rates set out in Appendix E and F shall be mathematically converted. Charges for work provided by the District, or by the District operator at District expense, shall be billed at the following unit rates:

Category	*Rate*
Large backhoe with operator	$125 per hour, $187.50/hr. overtime
Small backhoe with operator, pull truck, trailer, driver	$205 per hour, $307.50/hr. overtime
Service truck with driver and tools	$65 per hour, $97.50/hr overtime
Dump truck with trailer and driver	$80 per hour, $120/hr. overtime
Sewer jet machine, with operator and pull truck	$125 per hour, $187.50/hr. overtime
Equipment operator	$45 per hour, $67.50/hr. overtime
Supervisor with truck	$80 per hour, $120/hr. overtime
All other labor	$45 per hour, $67.50/hr. overtime
Materials, rentals, subcontract items, etc.	Cost plus 20%

(f) *Returned Items.* In case a customer pays by check, electronic transfer, credit card or other instrument which is dishonored or returned for any reason not caused by the District, there is an additional service charge (for utility service) of $25.00. *Exception*: The district may not collect the additional service charge for a dishonor of a credit card if: (i) the district is notified at the time of payment that the payment is not honored; and (ii) the customer immediately submits to the district an alternative form of payment.

(g) *Regulatory Assessments.* In addition to the rates and charges herein prescribed, there shall be collected from each retail customer a regulatory assessment equal to one-half of one percent of the charge for retail water or sewer service. The items subject to the regulatory assessment shall be as prescribed from time to time by the appropriate state regulatory authorities. The regulatory assessment shall be listed on the customer's bill as a separate item and collected in addition to the other charges for utility services.

(h) *Damage to District Meter, Box or Curb Stop.* If a customer (or any person acting at the request of, or on behalf of, the customer) breaks a District meter, meter box or curb stop (cutoff valve), there is an additional charge for water service equal to the actual, out-of-pocket cost to the District of repairing or replacing the item damaged.

Section 8A: Plumbing Code, Inspections, Etc.

(a) *Adoption of Code*. The "Plumbing Code" set out in Appendix B is adopted in its entirety. It shall apply to all buildings, structures and fixtures connected, or proposed to be

connected, to the District's sanitary sewer system.

(b) *Grease Trap Inspections*. The District's operator shall arrange monthly inspections of each grease trap and the associated records (see below) until the trap and records pass six consecutive monthly inspections. Then, the operator may extend the inspection interval to two months. If a required trap is missing, bypassed or found in non-compliance, or if the records are missing or do not comply, or if access to inspect is denied, the inspections will start over on a monthly basis, as provided above..

(c) *Service Intervals & Records For Traps*. Each trap must be serviced and completely cleaned at least once during each 31-day time interval. *Exception*: The District's operator may approve a longer interval, not to exceed 62 days, if the customer demonstrates that the trap is not likely to need service or cleaning more often than the approved interval, taking into account the records of prior cleanings, the current use of the premises and the loading of the trap likely to occur. Each customer with a trap must maintain complete records to show: (i) contracts or arrangements for cleaning currently and for the past 12 months, (ii) when the trap is cleaned and serviced, and (iii) and where the grease is taken and disposed of. All grease and other trapped substances must be transported and disposed of in a lawful manner. A trap will not pass an inspection if any such records are missing.

(d) *Trap Inspection Fees; Sampling & Testing.* Each trap inspection shall cost the greater of the District's out-of-pocket costs or $50, which shall be an additional cost of sewer service and added to the monthly bill of the customer. *Exception*: For a non-routine inspection that discloses a violation of this order or non-compliance with this order, the fee is the greater of twice the District's out-of-pocket costs or $100, if neither the customer nor the owner of the premises reported the violation or non-compliance to the District (or timely requested the inspection or timely applied for an approval requiring the inspection). The regular fee applies to automatic re-inspections after an inspection has disclosed violation or non-compliance. In addition to inspection fees, the cost of sampling and testing for fats, oil and grease in discharges (plus 40% to cover administration and oversight, in the case of contracted work) shall be an additional cost of sewer service and added to the monthly bill of the customer at the premises from which discharges are sampled. The sampling and testing interval shall be determined by the District's operator, taking into account compliance history, recordkeeping, inspections, clogging, damage to the District's system, use of the premises and related circumstances.

(e) *Compliance Schedule*. All existing commercial customers shall come into compliance with the Plumbing Code's trap and sampling well requirements (if applicable) on or before the 180th day following the adoption of this section. The Board may grant a special permit to extend this deadline upon application of the customer and a demonstration that the customer has begun work to come into compliance and will proceed with diligence to completion. The permit may contain conditions designed to get the customer into compliance at the earliest practicable date. The fee for the special permit is $4.00 per day of extension, which shall be an additional cost of sewer service and added to the monthly bill of the customer.

(f) *Inflow and Infiltration, Compliance Orders.* In case of a violation of the Plumbing Code relating to inflow or infiltration from private property that pre-dated the adoption of the Plumbing Code, the Board may approve a compliance order allowing the owner of the property a reasonable period of time to come into compliance. The compliance order must: (i) require partial compliance as soon as practicable, (ii) allow periodic inspection by the District, (iii) require additional monthly service charges sufficient to cover the District's increased costs, and (iv) be signed and acknowledged by the owner of the property, in recordable form.

(g) *Access*. Each customer shall provide access for authorized representatives of the District to inspect all traps and other plumbing facilities. Access shall be provided at reasonable times as may be requested by the District's representative. The District's chief utility operator is authorized to perform such inspections and to authorize other representatives to perform such inspections.

(h) *Certain offenses.* Within the boundaries of the District, it shall be unlawful for any person or entity to:

> erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, operate or maintain any plumbing that is connected to or served by the District's water or sanitary sewer system, or permit the same to be done, if the plumbing or the premises do not comply with the Plumbing Code; or
>
> discharge or deposit any substance into the District's sanitary sewer system, or into any fixture or fitting that is connected to the District's sanitary sewer system (directly or indirectly), if the discharge or deposit is prohibited by the Plumbing Code.

A violation of this section shall constitute a misdemeanor, equivalent to the violation of a city ordinance, and shall be punishable upon conviction by a fine not to exceed $500 per day. To the extent allowed by law, a civil penalty not to exceed $500 per day is also imposed for each violation. Each day a violation continues shall be a separate offense. It shall be an affirmative defense, in any proceeding to enforce this section, that the conduct in question was covered by the Texas Penal Code or otherwise preempted by a state statute.

Section 9: Suspension, Disconnection, Etc.

(a) *Notice, Etc.* Failure to pay all taxes, fees and charges within the time specified by this order or state law, failure to provide any required deposit, failure to obtain any required permit, or failure to comply with any of the District's orders, rules and regulations shall be grounds for suspension or disconnection of water and/or sewer service until such failure is remedied as provided for herein. On or before the seventh day prior to suspending or disconnecting any service, notice of intent will be mailed to: (i) the affected ratepayer at the ratepayer's most recent address as shown in the District's records, and (ii) the current "occupant" at the service address as shown in the District's records. *Exception*: The hearing official may approve a different notice method, if the hearing official finds that it was reasonably calculated to bring the matter to the attention of the ratepayer and occupant (if different). The notice must provide an opportunity for the matter to be heard by the hearing official, before suspension or disconnection. The hearing official is the President or Vice President of the District, or, if the notice so provides, the entire Board. Each hearing official is authorized to correct any amounts claimed to be owed and to rectify any mistaken circumstances relating to the proposed suspension or disconnection. Each hearing official is authorized to halt or postpone the suspension or disconnection, as may be appropriate in any given case, and to reduce or waive additional charges imposed in connection with the proceedings. The Board, for good cause shown, may also compromise and settle any disputed amount (subject to restrictions imposed by the Texas Tax Code in the case of taxes). After the opportunity for the hearing, suspension or disconnection may occur, unless otherwise ordered by the hearing official.

(b) *Payments; Reconnection Charge.* After a hearing notice is sent, any payments must be made by cashier's or certified check, or other method that assures good funds. If service is suspended or disconnected, a charge of $60.00 accrues. If the District also removes a water meter, after indications that there was unauthorized use of water at the premises (actual or attempted) within the preceding 12 months, there is an additional charge of $100.00 (in addition to the $60 fee). Additional charges under applicable laws, rules or regulations, including this order, may also apply. The District must receive full payment of all accrued charges, plus a deposit in the amount then-required (see below; the deposit amount will likely be more than the amount previously required), before a service is resumed, unless otherwise ordered by the hearing official.

(c) *Disasters, Emergencies.* During those times when the District's service area is covered by an officially-declared disaster or emergency, the District's staff, with approval of the President, Vice-

President or Board, may provide temporary relief. With such an approval, the staff may temporarily: (i) reduce, postpone or waive fees relating to delinquencies or late payment, including notice and "doorhanger" fees, re-connection fees, increased deposits, etc.; (ii) postpone service terminations or disconnections; (iii) allow payment of amounts due in monthly installments, without interest, not to exceed 12 monthly installments; (iv) absorb fees for credit-card and online payments; and (v) notify affected customers accordingly. Such relief may be provided to all customers or to customers in limited categories or areas (and it may be limited to customers who apply for relief or submit proof of need, or both), as may be approved by the President or Vice-President.

Section 9A: Accounts, Deposits, Etc.

(a) *In General.* Any person desiring service from the District or desiring to transfer service (including change in name, occupant or user) must establish an account with the District by: (i) obtaining an application (in a form provided by the District's office manager); (ii) completing and signing the application and attaching supporting information, including proof of identity and proof of possession and control of the entire premises to be served (typically by ownership or written lease); (iii) completing and signing the Service Agreement required by this order; and (iv) filing both, together with all applicable fees and deposits, at the District's office by mail or delivery (or by electronic or fax transmission, if approved by the District's officer manager). Unless a variance is granted by the President or Vice-President, accounts may only be set up in the name(s) of the person or persons having possession and control of the entire premises to be served; and if more than one person has possession or control, the account must be set up jointly in the names of all persons having possession or control. *Example*: An account for service to premises owned or leased by two spouses must be set up in the names of both spouses, jointly. The foregoing rules apply both to new accounts, changed accounts, transferred accounts and accounts for which service is resumed after termination or discontinuation of service (for any reason). Responsibilities and liabilities for water and sewer service to premises shall be joint and several among all persons having possession or control of the premises, regardless of how the account may be set up.

(b) *Customer Deposits.* A deposit is required to: (i) establish new service, establish a new account or transfer existing service (including change in name, customer, occupant or actual user), etc.; (ii) reconnect service after disconnection, and (iii) continue service to any ratepayer if the ratepayer gives two or more "bad checks" to the District in any 18-month period. (A "bad check" is a check or other order for payment that is dishonored for insufficient funds or otherwise returned unpaid.) Deposits are subject to the following regulations:

(1) The minimum deposit shall be the estimated billing for two months' utility service for each account (peak months), but not less than $300 for each account. *Exceptions*: (i) where there is a for a secondary, "water only" account for an SFR customer who has a primary account in the same name and serving the same house, the deposit for the primary account shall cover both the primary and the secondary account (no separate deposit required for the secondary account); (ii) there is no minimum deposit if the applicant owns the premises, and the premises are the applicant's residence homestead, according to records of the Harris County Appraisal District; and (iii) there is no minimum deposit for non-SFR services. Even if there is no minimum deposit, there may be an increased deposit, as provided below.

(2) The deposit is increased by 50% (or $150, whichever is greater) for each of the following factors, if present: (i) the applicant for service does not own or occupy the premises served (and is not a licensed real estate agent for a firm that has a written listing agreement for the premises and that has no record of non-payment to the District), (ii) there is no proof of a written connection, such as ownership, a lease agreement or agency agreement, between the applicant for service and the premises served, assuming a variance is granted to allow the account to be set up for that applicant, as provided above; (iii) service to the premises has been disconnected for on-payment at least twice while owned by the current owner, (iv) the applicant for service has a residence address more than 100 miles from the premises to be served, (v) the applicant for service cannot be found in a standard online telephone directory, at the address given to the District, (vi) there is good reason to believe that the applicant is acting as a "straw man" for another person or entity who does not sign the service agreement, or (vii) there are other circumstances indicating that information given by the applicant may be incomplete, untrue or misleading.

(3) If the deposit is increased, as provided above, it must be paid long enough in advance of the start (or resumption) of service to assure the District that any check or order for payment will be honored.

The District may apply all or part of the deposit to pay charges accrued by a customer, provided: (i) applying the deposit to a pay a charge neither excuses a failure to pay nor prevents disconnection of service, and (ii) if there is a disconnection of service, the deposit must be restored (or increased, if required by this order) before reconnection, and the amount of the deposit will likely be more than the amount previously required (see above). Each deposit shall be returned to the customer when 24 consecutive months elapse without a delinquency, provided all taxes, rates and charges are then paid current.

(c) *Modifications and Waivers*. The Board has the authority to modify, reduce or waive the deposit, in whole or in part, for good cause shown. The deposit for new or transferred service (not a reconnection following non-payment) is waived if the applicant owns the premises, and the premises are the applicant's residence homestead, according to records of the Harris County Appraisal District.

Section 10: Transfer Fee. A fee of $25.00 shall be charged by the District to cover the expense to the District in the transfer of water and sewer service from one customer to another (including change in name, customer, occupant or actual user). This fee shall cover the establishment of an account for the new customer. The transfer fee shall be billed to each new customer as an item on that customer's first monthly water and sewer invoice. Additional charges under Section 6 hereof (relating to house and building lines) may also apply.

Section 11: Easements. Before service is begun or expanded to any user or, once begun but before reconnection is made, the person requesting such service shall grant an easement of ingress and egress to and from the meter for such maintenance and repair as the District, in its judgment, may deem necessary.

Section 12: No Free Service; Adjustments. (a) No free service shall be granted to any user for services furnished by the District's water and sewer system whether such user is a charitable or eleemosynary institution, a political subdivision or municipal corporation, and all charges for water and sewer service shall be made as required herein.

(b) The quantity used for water and sewer billing may be adjusted in accordance with the procedures and criteria set out in the City of Houston Code of Ordinances, Section 47-74 ("Adjustment of bill as result of defect in customer's line") or Section 47-75 ("Adjustment of unusually large bill"), as those sections were amended through December 31, 2011. The District shall provide forms for applications, which may be based upon forms used by the City of Houston. The office manager and the operator for the District are each authorized to investigate applications, approve those which comply and adjust the affected customer accounts accordingly, but only in accordance with the City of Houston procedures and criteria specified in this section. No other adjustment is allowed without specific approval by the Board of Directors.

Section 13: Certain Recreational Facilities. (a) The Board of the District has found that the Nottingham Country Park (on Rennie Drive, in the District), including its size and location, were established in consideration of municipal and county recreational facilities, whether or existing or proposed, that serve or will serve the area in which the District is located. The standards for recreational facilities to be developed and maintained by the District at or near the park are as follows: (i) they shall be at least equal to the facilities previously in existence in the area, and (ii) they shall meet or exceed prevailing standards for similar facilities in western Harris County. Funds for improvements for the park have been and shall be allocated from accumulated system funds and maintenance tax proceeds

not pledged for other purposes. All such findings, standards and allocation are confirmed and re-adopted.

(b)The Board of the District has found that the Mason Creek Community Center (on Kingsland at Houghton Road, in the District), including its size and location, were established in consideration of municipal and county recreational facilities, whether or existing or proposed, that serve or will serve the area in which the District is located. The standards for the Center have been and are established as follows: (i) it shall be at least equal to the facilities previously in existence, and (ii) it shall meet or exceed prevailing standards for similar facilities in western Harris County. Funds for the Center have been and shall be allocated from accumulated system funds and maintenance tax proceeds not pledged for other purposes. All such findings, standards and allocation are confirmed and re-adopted.

(c) The Board of the District has found that certain pedestrian-oriented facilities (sidewalks and streetlights along Kingsland and Westgreen and trail facilities along Mason Creek and HCFCD ditch T-101-07, with appurtenances and extensions) including their sizes and locations, were established in consideration of municipal and county recreational facilities, whether existing or proposed, that serve or will serve the area in which the District is located. The standards for those facilities have been and are established as follows: (i) they shall be at least equal to the facilities previously in existence, and (ii) they shall meet or exceed prevailing standards for similar facilities in western Harris County. Funds for such facilities have been and shall be allocated from accumulated system funds and maintenance tax proceeds not pledged for other purposes. All such findings, standards and allocation are confirmed and re-adopted.

Section 14: Computation of Time. In this order, time periods are computed as follows, unless otherwise clearly required by the context:

(1) In computing a period of days, the first day is excluded and the last day is included.

(2) If the last day of any period is a Saturday, Sunday, or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday, or legal holiday.

(3) If a number of months is to be computed by counting the months from a particular day, the period ends on the same numerical day in the concluding month as the day of the month from which the computation is begun, unless there are not that many days in the concluding month, in which case the period ends on the last day of that month.

Section 15: Administrative Remedies.

(a) *Generally.* The Board shall hear and decide applications for appeals, interpretations and variances from: (i) the requirements of this order and any other regulations, policies or practices of the District, and (ii) actions (or failures to act) of the District's staff, operators, engineers, attorneys, tax assessor-collectors or other District officers, agents, representatives or employees.

(b) *Who may apply; deadline.* Any person aggrieved may apply for an appeal, interpretation or variance. Applications must be filed, in writing, within 30 days following the time the person knows of the requirement, action or failure to act in question. The Board may extend the time for filing, but only if good cause is shown by the applicant for failure to file within the 30-day period.

(c) *Special provisions for variances.* Variances may only be issued upon:

(1) a clear showing by the applicant of good and sufficient cause and unusual hardship, which would ordinarily require proof that the affected property or other circumstances are significantly different from other properties or circumstances;

(2) a determination by the Board that there is good and sufficient cause and that failure

to grant the variance would result in unusual hardship to the applicant; and

(3) a determination by the Board that the granting of a variance will not result in: (i) a threat to public health or safety, (ii) an unreasonable risk of contamination, pollution or flooding; (iii) any significant increase in costs or expenses to the District or other public agencies, or the public at large; (iv) any nuisance or significant adverse effect upon other persons or properties; (v) any fraud on or victimization of the public, or (vi) a conflict with other laws, rules or regulations.

Based upon the factors listed above, and taking into account the purpose and intent of the provision(s) from which a variance is sought, the Board may attach conditions to a variance to carry out such purpose and intent and mitigate potentially adverse effects. A variance may only be issued to the minimum extent necessary to afford relief.

(d) *Priority and Finality.* Board action on appeals, interpretations and variances control over decisions, actions and failures to act of the District's staff, operators, engineers, attorneys, tax assessor-collectors or other District officers, agents, representatives or employees. No decision, action or failure to act of the District is final until: (i) it is officially made by an officer, agent, representative, employee or body authorized to do so, (ii) available appeals, variances and interpretations have been applied for and decided, and (iii) other available administrative remedies have been exhausted.

(e) *Additional administrative remedies.* As an additional administrative remedy, any person may request that the Board amend or repeal this order or other regulations, policies or practices of the District, or add to them. An amendment or addition may apply generally or may be limited to defined circumstances or create an exception. An application for repeal, amendment or addition should be made in writing and submitted to the District's office manager. It must include the exact wording of the measure that is requested, together with supporting data and information. Either the office manager or the Board may require the submission of additional data and information.

Section 16. Certain Contracts and Agreements. (a) *Contract Definition.* As used in this section, the term "contract" includes written agreements and other written documents resembling agreements such as, for example, construction contracts, work orders, change orders, leases, permits, bills of sale, releases, easements, deeds, and purchase orders.

(b) *Advertising for Bids.* The District's engineer or operator may advertise for and receive bids or quotes, without prior Board authority, for the following:

(1) Emergency contracts which are necessary to preserve life or property, under circumstances when it is necessary to take immediate action and it is impractical to await a Board meeting.

(2) Contracts calling for a total expenditure of $100,000 or less.

(3) Other contracts specifically identified and authorized in the current budget.

All bid and quote procedures must comply with state law.

(c) *Completion, Signing, if Board approves.* If the Board approves or authorizes a contract by motion, resolution or order, whether in general or specific terms: (i) the President (with the assistance of the staff, engineer, attorney, bookkeeper and operator, as appropriate) is authorized to assemble, negotiate and do all other things necessary to complete the contract and consummate the transactions approved or authorized by the Board, and (ii) the President and Secretary may execute and attest the contract for and on behalf of the District. In addition, the President may execute any of the following to the extent they relate directly to such a contract:

(1) Surety bonds required by the contract documents.

(2) Change orders and amendments to the contract needing immediate action at a time when it is impractical to await a Board meeting, but limited as follows: (i) the bookkeeper must certify that sufficient funds are on hand and budgeted for the purpose, (ii) the change order or amendment may not authorize an expenditure in excess of $25,000 or 10 per cent of the estimated expenditure under the original contract, whichever is less.

(3) Other notices to the contractor which do not increase the expenditure under the contract.

(d) *Contracts Not Requiring Board Approval.* The President and Secretary are authorized to execute and attest the following contracts for and on behalf of the District, without approval or authorization from the Board:

(1) Emergency contracts which are necessary to preserve life or property, under circumstances when it is necessary to take immediate action and it is impractical to await a Board meeting but limited to funds certified by the bookkeeper to be on hand and budgeted for the purpose.

(2) Contracts for regular District business--and not for extension, improvement or enlargement of District facilities or property--provided: (i) the total expenditure under the contract does not exceed $50,000 and does not ; (ii) the contract can be canceled or terminated by the Board without penalty; and (iii) the bookkeeper has certified that funds for the contract are budgeted for the purpose and are on hand.

The President or Secretary must report any such contracts at the next meeting of the Board.

(e) *Other officers.* If the President is not immediately available, the Vice President may take actions of the President authorized by this section. If the Secretary is not immediately available, the Assistant Secretary or Treasurer may take actions of the Secretary authorized by this section.

Section 17 Violations; penalties; etc. (a) *Violations.* It is a violation of this order for any person to: (i) fail or refuse to comply with any provision of this order; or (ii) take any action prohibited by this order; (iii) fail or refuse to take any action this order requires the person to take; or (iv) use District property, water, services, or facilities in any manner that is not authorized by the District, or is not allowed by applicable laws, rules, regulations, and orders; or (v) tamper with, disturb or damage any District property or facilities; or (vi) use District property, water, service, or facility in a manner (or for a purpose)contrary to the manner or purpose for which it is intended to be used; or (vii) cause or allow any violation of this order, or assist another person in violating this order; or viii) fail or refuse to to cure or correct any violation of (or condition in non-compliance with) this order at premises controlled by the person, within the time that may be prescribed by this order for correction or cure (or within a reasonable time, if no such time is prescribed), but in any event within 30 days following the date the person becomes aware of the violation or condition in non-compliance. Each day any such violation occurs or continues shall be considered a separate violation.

(b) *Certain penalties.* A person who violates this order shall be subject to:
(i) a civil penalty not to exceed $1,000 for each such violation and (ii) a criminal penalty not to exceed $1,000 for each such violation (as if the provisions of this section were penal ordinances of a city). However:

(1) If a smaller penalty of the same type (civil or criminal) is specified in this order for any particular violation, the smaller penalty shall apply.

(2) In any proceeding to enforce a criminal penalty for a violation or alleged violation, it shall be an affirmative defense that a civil penalty for the same violation was imposed by the District

(or a court) and paid.

(3) In any proceeding to enforce a civil penalty for a violation or alleged violation, it shall be an affirmative defense that a criminal penalty for the same violation was imposed by a court and paid (or otherwise satisfied).

(4) In any proceeding alleging a violation of this order, it shall be an affirmative defense that a special permit, variance, or other permission authorized the conduct in question, but only if: (i) the permit, variance, or permission is authorized by this order, duly issued, and in effect; and (ii) all conditions of the permit, variance, or permission are fully observed and satisfied.

(5) In any proceeding alleging a violation of this order, it shall be an affirmative defense that the violation in question is: (i) is caused or controlled by the District itself or its officers, agents, employees or contractors, in the course of their duties for the District, and (ii) approved by the Board.

(c) *Suspension, discontinuation.* The District may suspend or discontinue District services or use of District facilities at any premises where two or more violations of this order have occurred, or where a violation of this order is ongoing on continuing; provided, however, that prior to taking such action, the District shall give written notice, in accordance with the provisions to the user of the facilities or services and allow such user the opportunity to contest, explain or correct the violation. In any such proceeding, each of the following shall be an affirmative defense to suspension or discontinuation: (i) that a person in control of the premises has taken effective action to correct or cure the violation and prevent a recurrence; or (ii) that each violation alleged was committed or caused by a person who neither controls the premises nor occupies them, and the violation could not be corrected or cured by a person controlling or occupying the premises in questions.

(d) *Other remedies.* Penalties prescribed by this section shall be in addition to any other penalties provided by the laws of the State of Texas and in addition to any other legal rights and remedies of the District as allowed by law. Nothing in this order limits any other remedies available to the District or later becoming available to the District, including, without limitation, remedies available under state law. All such other remedies may be availed of regardless of whether a criminal or civil penalty sought, assessed or paid. No remedy shall be a bar to any other remedy, except as mentioned in this section when a penalty has been imposed and paid for the same violation (affirmative defenses).

Section 18: Other Provisions. The following are approved, adopted and incorporated into this order by the Board of Directors:

Appendix A	Service Inspection Certification Form
Appendix B	Plumbing Code
Appendix C	Backflow Prevention Form
Appendix D	Service Agreement Forms
Appendix E	Water Rates
Appendix F	Sewer Rates
Appendix G	Fees of Office and Expenses
Appendix H	Rules For Mason Creek Community Center
Appendix I	Records Management
Appendix J	Certain Personnel Policies
Appendix K	"Red Flag" Regulations
Appendix L	Master Drainage Plan
Appendix M	Reimbursement Policy
Appendix N	Standard & Continuing Policies
Appendix O	Solid Waste
Appendix P	Drought Contingency Plan

Section 19: Superseding Order. This order supersedes all prior orders, resolutions and other actions of the Board concerning fees and charges for water and sewer service and the other matters

prescribed by this order, and it is to be effective from and after its adoption by the Board. Changes in tap fee rates shall apply to each tap application from and after the date of this order, and periodic and volume-based water and sewer rates shall apply to each customer from and after the first day of the customer's first billing period that begins after the date of adoption of this order. The rates in effect before this order is adopted shall continue in effect as to billing periods before such first billing period).

PASSED, APPROVED AND ADOPTED September 16, 2026.

ATTEST (SEAL):

MASON CREEK UTILITY DISTRICT HARRIS COUNTY TEXAS

/s/Frederick Castellano, Secretary-Treasurer

SIGNED:

Brian Connolly, President

Appendix A
Service Inspection Certification Form

Texas Commission on Environmental Quality

Customer Service Inspection Certificate

Name of PWS:	
PWS ID #:	
Location of Service:	

Reason for Inspection:	
New construction	☐
Existing service where contaminant hazards are suspected	☐
Material improvement, correction or expansion of distribution facilities	☐

I, [.....], upon inspection of the private water distribution facilities connected to the aforementioned public water supply do hereby certify that, to the best of my knowledge

Compliance	Non-Compliance		
☐	☐	(1)	No direct or indirect connection between the public drinking water supply and a potential source of contamination exists. Potential sources of contamination are isolated from the public water system by an air gap or an appropriate backflow prevention assembly in accordance with Commission regulations.
☐	☐	(2)	No cross-connection between the public drinking water supply and a private water system exists. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure principle backflow prevention assembly is properly installed.
☐	☐	(3)	No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the public water supply.
☐	☐	(4)	No pipe or pipe fitting which contains more than 8.0% lead exists in private water distribution facilities installed on or after July 1, 1988 and prior to January 4, 2014.
☐	☐	(5)	Plumbing installed on or after January 4, 2014 bears the expected labeling indicating ≤0.25% lead content. If not properly labeled, please provide written comment.
☐	☐	(6)	No solder or flux which contains more than 0.2% lead exists in private water distribution facilities installed on or after July 1, 1988.

I further certify that the following materials were used in the installation of the private water distribution facilities:

Service lines:	Lead ☐	Copper ☐	PVC ☐	Other ☐
Solder:	Lead ☐	Lead Free ☐	Solvent Weld ☐	Other ☐

Remarks:	

I recognize that this document shall be retained by the aforementioned Public Water System for a minimum of ten years and that I am legally responsible for the validity of the information I have provided.

Signature of Inspector:		License Type:	
Inspector Name(Print/Type):		License Number:	
Title of Inspector:		Date / Time of Insp.:	...../☐

A Customer Service Inspection Certificate should be on file for each connection in a public water system to document compliance with 30 TAC §290.44(h)/290.46(j).

Appendix B
Plumbing Code
As adopted 6-16-93

The District hereby adopts the "City of Houston Plumbing Code", as amended from time to time (current version as of 6-16-93 is the 1991 Uniform Plumbing Code with City of Houston amendments), insofar as it applies to water supply and sewage collection systems, and to the extent that it is not contradictory to this Order or the District's rules and regulations. Only those materials listed in "BUILDING SERVICE LINES," below, are approved for use in the District. The Houston City Code shall govern on method of installation, pipe sizing, fixture count, and all general requirements.

I. BUILDING SERVICE LINES

A. Waste pipe material shall be of the following material only:

1. Schedule 40 ABS Plastic CS 270 NSF-DWV, ASTM Designation D-2661.

2. Schedule 40 PVC Plastic CS-272 NSF-DWV, ASTM Designation D-2665 or conforming to ASTM specification D3034 and installed according to ASTM D2321 with SDR35 or better.

3. For temperatures in excess of one hundred (100) degrees Fahrenheit, Schedule 40 CPVC Plastic, ASTM Designation D-3034 MUST BE USED.

4. Cast Iron Hub Type Soil pipe Extra Heavy Service weight, ASTM A-74, with Rubber Ring and Gasket or Lead and Oakum joint. "No -Hub" pipe is not permitted below grade.

5. SIX INCH ONLY shall be not less than ABS-SDR 23.5 - ASTM D-2751 0.265" wall thickness.

6. ABS Composite Truss pipe may be used for eight (8) inch diameter and above.

7. Ductile iron pipe (push on joint) conforming to ANSI A21.51.

B. Water pipe material shall be:

1. Schedule 40 galvanized steel pipe, ASTM A-53.

2. Seamless Copper Tubing Type K, L, or M, ASTM B-88.

3. Type I PVC 1120 and PVC 1220, 160 psi minimum pressure rating, ASTM D1784.

4. Asbestos cement pipe (Transite or equal) Class 150 for eight (8) inch and larger; Class 200 for six (6) inch.

5. Ductile iron pipe (push on joint) conforming to ANSI A21.51.

6. Polyethylene for one (1) inch and smaller, ASTM Designation D-2239.

C. Diameter of Service Lines:

1. Residential service lines shall be sized according to City of Houston Plumbing Code and in no case shall be smaller than 3/4 inch for water or 4 inch for waste.

2. Commercial service lines shall be sized according to City of Houston Plumbing Code and in no

case shall be smaller than 1 inch for water or 6 inch for waste.

D. Solvent for ABS shall be ASTM Designation D-2235. Solvent for PVC shall be ASTM Designation D-2564. Industrial Polychemical Solvent 793 shall be used for joining PVC to ABS.

II. GRADE (WASTE LINES)

A. Minimum grade for four inch sewer pipe shall be one percent (one foot drop/hundred feet), with a maximum grade of two percent (two foot drop/hundred feet).

B. Minimum grade for six inch sewer pipe shall be 0.7 percent (8.5 inch drop/hundred feet), with a maximum grade of 1.5 percent (18 inch drop/hundred feet).

III. CONNECTION OF BUILDING STUB-OUTS TO SERVICE LINES

A. Building tie-on connections shall be made directly to the stub at the foundation on all waste outlets. Septic tanks and all grease traps must be bypassed. Septic tanks and grease traps should be pumped out, sides broken down, then filled with dirt or sand. (This applies only to existing residences being connected.)

B. Type of Waste Connections: Watertight adaptor shall be used at house connections. All other connections shall be solvent weld.

C. No drain rim shall be installed less than one foot above the top of the nearest manhole.

IV. FITTINGS AND CLEANOUTS

A. No bends or turns at any point shall be greater than 45 degrees.

B. Each horizontal drainage pipe shall be provided with a cleanout at its upper terminal; and each such run of piping which is more than 90 feet in length shall be provided with a cleanout for each 90 feet or fraction thereof, in the length of such piping.

C. Each cleanout shall 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-line cleanouts, cleanouts shall be installed vertically above the flow line of the pipe.

D. Cleanout should be made with air tight mechanical plug.

E. This section applies to each floor drain or similar fitting that is: (i) connected to the District's sanitary sewer system, directly or indirectly,(ii) in a place freely accessible by the public, but not supervised, during 12 or more hours per day, (iii) described in a notice referencing this section from the District to the owner or other person in charge of the place. As close as practicable to each such drain or fitting, there must be a sign posted in plain view, with letters at least 1/2 inch in height, reading as follows:

IT IS UNLAWFUL TO DISCHARGE CHEMICALS OR HAZARDOUS WASTE INTO FLOOR DRAIN OR ANY OTHER CONNECTION TO THE SANITARY SEWER SYSTEM. Report violations to Mason Creek Utility District, [insert current phone number]

ES ILEGAL DESCARGAR PRODUCTOS QUÍMICOS O LOS DESECHOS PELIGROSOS EN DREN DEL PISO O CUALQUIER OTRA CONEXIÓN AL SISTEMA DE ALCANTARILLA SANITARIO. Divulgue las violaciones a Distrito de Servicios Publico de Mason Creek, [numero de telefono]

The District may provide signs to the owner or person in charge of the place where the sign is required to be posted.

V. UNDER SLAB PLUMBING

Under slab pipe and fittings shall be Cast Iron, Schedule 40 ABS or Schedule 40 PVC

VI. COMPLIANCE WITH EXISTING AUTHORITY

A. Unless exception is granted by the Approving Authority, * the public sanitary sewer system shall be used by all persons discharging wastewater.

B. Unless authorized by the Texas Department of Water Resources (or successor agency), no person may deposit or discharge any waste included in subsection "A" of this section on public or private property or into or adjacent to any:

natural outlet;

watercourse;

storm sewer;

other area within the jurisdiction of the District.

C. The Approving Authority shall verify prior to discharge that wastes authorized to be discharged will receive suitable treatment within the provisions of laws, regulations, ordinance, rules and orders of federal, state and local governments. *Note: As used herein, "Approving Authority" means the District's engineer, unless: (1) the engineer decision is appealed, or (2) the engineer refers to a matter to the Board. In either case, "Approving Authority" then means the District's Board of Directors.*

VII. APPROVING AUTHORITY REQUIREMENTS

A. If discharge or proposed discharges to public sewers may---

---deleteriously affect wastewater facilities, processes, equipment, or receiving waters;

---create a hazard to life or health; or

---create a public nuisance;

the Approving Authority shall require---

---pretreatment to an acceptable condition for discharge to the public sewers;

---control over the quantities and rates of discharge; and

---payment to cover the cost of handling and treating the wastes.

B. The Approving Authority is entitled to determine whether a discharge or proposed discharge is included under subsection "A" of this section.

C. The Approving Authority shall reject wastes when it determines that a discharge or proposed discharge does not meet the requirements of subsection "A" of this section.

VIII. APPROVING AUTHORITY REVIEW AND APPROVAL

A. If pretreatment or control is required, the Approving Authority shall review and approve design and installation of equipment and processes. A fee will be charged to cover the cost of said review.

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

C. Any person responsible for discharges requiring pretreatment, flow equalizing, or other facilities shall provide an maintain the facilities in effective operating condition at his own expense.

IX. REQUIREMENTS FOR TRAPS

A. Discharges requiring a trap include

1. grease or waste containing grease in amounts that will impede or stop the flow in the public sewers;

2. oil;

3. sand;

4. flammable wastes; and

5. other harmful ingredients.

B. Any person responsible for discharges requiring a trap shall at his own expense and as required by the Approving Authority

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

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

3. maintain the trap in effective operating condition acceptable to the Approving Authority to protect overall Wastewater Treatment Plant operation.

X. REQUIREMENTS FOR BUILDING SEWERS

A. Any person responsible for discharges through a building sewer carrying industrial wastes shall, at his own expense and as required by the Approving Authority

1. install an accessible control manhole;

2. install meters and other appurtenances to facilitate observation sampling and measurement of the waste; and

3. install safety equipment and facilities (ventilation, steps) where needed;

4. maintain the equipment and facilities.

B. No industrial waste will be discharged into the District's system.

XI. SAMPLING AND TESTING

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

(NOTE: The particular analysis involved will determine whether a twenty-four (24) hour composite sample from all outfalls of a premise is appropriate or whether a grab sample or samples should

be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls. Where applicable, 16-hour, 8-hour or some other period may be required. Periodic grab samples are used to determine pH and oil and grease.)

B. Examination and analyses of the characteristics of waters and wastes required by the ordinance shall be

1. conducted in accordance with the latest edition of "Standard Methods", and

2. determined from suitable samples taken at the control manhole provided or other control point authorized by the Approving Authority.

C. BOD and suspended solids shall be determined from composite sampling, except to detect unauthorized discharges.

D. The Approving Authority shall determine which users or classes of users may contribute wastewater which is of greater strength than normal domestic wastewater. All users or classes of users so identified shall be sampled for flow BOD, TSS and pH at least annually.

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

XII. PROHIBITED DISCHARGES

A. No person may discharge to public sewers any waste which by itself or by interaction with other wastes may

1. injure or interfere with wastewater treatment processes or facilities;

2. constitute a hazard to humans or animals, or

3. create a hazard in receiving waters of the wastewater treatment plant effluent.

B. All discharges shall conform to requirements of this Code.

XIII. CHEMICAL DISCHARGES

A. No discharge to public sewers may contain:

1. cyanide greater than .01 mg/l;

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

3. chlorides in concentrations greater than 250 mg/l;

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

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

B. No waste or wastewater discharged to public waters may contain:

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

2. fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at

temperatures between thirty-two (32) and one hundred fifty (150) degrees Fahrenheit (0 and 65 degrees Centigrade).

3. objectionable or toxic substances, exerting an excessive chlorine requirement, to such degree that any such material received in the composite wastewater treatment works exceeds the limits established by the Approving Authority for such materials; or

4. obnoxious, toxic or poisonous solids. liquids, or gases in quantities sufficient to violate the provisions of Section (12) A.

C. No waste, wastewater, or other substance may be discharged into public sewers which has a pH lower than 6.0 or higher than 9.0 or any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel at the wastewater facilities.

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

XIV. HAZARDOUS METALS AND TOXIC MATERIALS

A. No discharges may contain concentrations of hazardous metals other than amounts specified in subsection "B" of this section.

B. The allowable concentrations of hazardous metals, in terms of milligrams per liter (mg/l), for discharge to inland waters, and determined on the basis of individual sampling in accordance with "Standard Methods" are:

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

* The allowable concentrations of each of the hazardous metals, stated in terms of milligrams per liter (mg/l).

No other hazardous metals or toxic materials may be discharged into public sewers without a permit from the Approving Authority specifying conditions of pretreatment, concentrations, volumes, and other applicable provisions.

C. Prohibited hazardous materials include but are not limited to:
Antimony, Beryllium, Bismuth, Cobalt, Molybdenum, Uranyl ion, Rhenium, Strontium, Tellurium, Herbicides, Fungicides, and Pesticides.

XV. PARTICULATE SIZE

A. No Person may discharge garbage or other solids into public sewers unless it is shredded

to a degree that all particles can be carried freely under the flow conditions normally prevailing in public sewers. Particles greater than one-half (1/2) inch in any dimensions are prohibited.

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

XVI. STORM WATER AND OTHER UNPOLLUTED DRAINAGE

A. No person may discharge to public sanitary sewers

1. unpolluted storm water, surface water, groundwater, swimming pools, roof runoff or subsurface drainage;

2. unpolluted cooling water;

3. unpolluted industrial process waters;

4. other unpolluted drainage;

or make new connections from inflow sources.

B. In compliance with the Texas Water Quality Act and other statutes, the Approving Authority may designate storm sewers and other watercourses into which unpolluted drainage described in subsection "A" of this section may be discharged.

XVII. TEMPERATURE

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

XVIII. RADIOACTIVE WASTES

A. No person may discharge radioactive wastes or isotopes into public sewers without the permission of the Approving Authority.

B. The Approving Authority may establish, in compliance with applicable state and federal regulation, regulations for discharge of radioactive wastes into public sewers.

XIX. IMPAIRMENT OF FACILITIES

A. No person may discharge into public sewers any substance capable of causing

1. obstruction to the flow in sewers;

2. interference with the operation of treatment processes of facilities; or

3. excessive loading of treatment facilities.

B. Discharge prohibited by Section XIX A include, but are not limited to, materials which exert or cause concentrations of

1. inert suspended solids greater than 250 mg/l including but not limited to
   (a) Fuller's earth
   (b) lime slurries; and
   (c) lime residues;

2. dissolved solids greater than 750 mg/l including but not limited to
   (a) sodium chloride; and
   (b) sodium sulfate;

3. excessive discoloration including but not limited to
   (a) dye wastes; and
   (b) vegetable tanning solutions; or

4. BOD, COD, or chlorine demand in excess of normal plant capacity.

C. No person may discharge into public sewers any substance that may

1. deposit grease or oil in the sewer lines in such a manner as to clog the sewers;

2. overload skimming and grease handling equipment;

3. pass to the receiving waters without being effectively treated by normal wastewater treatment processes due to the nonamenability of the substance to bacterial action; or

4. deleteriously affect the treatment process due to excessive quantities.

D. No person may discharge any substance into public sewers which

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

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

E. The Approving Authority shall regulate the flow and concentration of slugs when they may

1. impair the treatment process;

2. cause damage to collection facilities;

3. incur treatment costs exceeding those for normal wastewater; or

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

F. No person may discharge into public sewers solid or viscous substances which may violate subsection "A" of this section if present in sufficient quantity or size including but not limited to:

1. ashes;
2. cinders;
3. sand;
4. mud;
5. straw
6. shavings;
7. metal;
8. glass;
9. rags;
10. feathers;
11. tar;
12. plastics;
13. wood;
14. unground garbage;
15. whole blood;
16. paunch manure;
17. hair and fleshings;

18. entrails;
19. paper products, either whole or ground by garbage grinders;
20. slops;
21. chemical residues
22. paint residues; or
23. bulk solids.

XX. ILLEGAL WORK. Any person, contractor, firm or corporation responsible for work not meeting the above standards shall correct the deficiencies without delay. Parties responsible for the installation of illegal systems may be refused permits for future work until all corrections are made . Any installation found to be in violation of District specifications after the inspection is completed may be required to be corrected, based on severity of the offense and a review by the Board of Directors. Water service to illegal installations will be terminated ten (1) days after notification unless proper corrections are made.

XXI. EXCEPTIONS

Verbal exceptions to any portion of this Order are not permitted. Any exception to the Order, Rules or Regulations, shall be in writing with each party involved having a signed copy of the exception. No exceptions may be granted except upon action by the Board of Directors at a meeting in regular session. Exceptions are not valid until signed copies are disbursed to the parties involved.

Appendix C
Backflow Prevention Form

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

Texas Commission on Environmental Quality

BACKFLOW PREVENTION ASSEMBLY TEST AND MAINTENANCE REPORT

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

NAME OF PWS:	
PWS ID#:	
PWS MAILING ADDRESS:	
PWS CONTACT PERSON:	
ADDRESS OF SERVICE:	

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

TYPE OF BACKFLOW PREVENTION ASSEMBLY (BPA):			
☐	Reduced Pressure Principle (RPBA)	☐	Reduced Pressure Principle-Detector (RPBA-D) Type II ☐
☐	Double Check Valve (DCVA)	☐	Double Check-Detector (DCVA-D) Type II ☐
☐	Pressure Vacuum Breaker (PVB)	☐	Spill-Resistant Pressure Vacuum Breaker (SVB)

Manufacturer:	Main:	Bypass:	Size:	Main:	Bypass:
Model Number:	Main:	Bypass:	BPA Location:		
Serial Number:	Main:	Bypass:	BPA Serves:		

Reason for test:	New ☐	Existing ☐	Replacement ☐	Old Model/Serial #		
Is the assembly installed in accordance with manufacturer recommendations and/or local codes?					☐ Yes	☐ No
Is the assembly installed on a non-potable water supply (auxiliary)?					☐ Yes	☐ No

TEST RESULT PASS ☐ FAIL ☐	Reduced Pressure Principle Assembly (RPBA)			Type II Assembly	PVB & SVB	
	DCVA		Relief Valve	Bypass Check	Air Inlet	Check Valve
	1st Check	2nd Check***				
Initial Test Date: Time:	Held at ____ psid Closed Tight ☐ Leaked ☐	Held at ____ psid Closed Tight ☐ Leaked ☐	Opened at ____ psid Did not open ☐	Held at ____ psid Closed Tight ☐ Leaked ☐	Opened at ____ psid Did not open ☐ Did it fully open (Yes ☐ /No ☐)	Held at ____ psid Leaked ☐
Repairs and Materials Used**	Main: Bypass:					
Test After Repair Date: Time:	Held at ____ psid Closed Tight ☐	Held at ____ psid Closed Tight ☐	Opened at ____ psid	Held at ____ psid Closed Tight ☐	Opened at ____ psid	Held at ____ psid

*** 2nd check: numeric reading required for DCVA only

Differential pressure gauge used:			Potable: ☐	Non-Potable: ☐	
Make/Model:		SN:		Date tested for accuracy :	

Remarks:

Company Name:		Licensed Tester Name (Print/Type):	
Company Address:		Licensed Tester Name (Signature):	
Company Phone #:		BPAT License #	
		License Expiration Date:	

The above is certified to be true at the time of testing.

* TEST RECORDS MUST BE KEPT FOR AT LEAST THREE YEARS [30 TAC §290.46(B)]

** USE ONLY MANUFACTURER'S REPLACEMENT PARTS

TCEQ-20700 (Revision 04-04-2019) Page 1 of 1

Appendix D
Service Agreement Forms

Form UTL-501 **(Residential)**

CUSTOMER: Last name: First Name: Billing Address: Phone: Driver's license no. (state):	*SERVICE ADDRESS*: *REFERENCE (relative/close friend)* Name & address: Phone:	*ACCOUNT NO.*: Date opened: Date closed: *DEPOSIT:* Amount: $ ( )cashiers ck. or ( )money order Rec'd on: Returned on:

SERVICE AGREEMENT

I. PURPOSE. The Mason Creek Utility District of Harris County, Texas (the "District") is responsible for protecting the drinking water supply from contamination or pollution which could result from improper plumbing practices. The purpose of this service agreement is to notify each customer of the plumbing restrictions which are in place to provide this protection. The utility enforces these restrictions to ensure the public health and welfare. Each customer must sign this agreement before the District will begin service. In addition, when service to an existing connection has been suspended or terminated, the District will not re-establish service unless it has a signed copy of this agreement.

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

- A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.
- B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.
- C. No connection which allows water to be returned to the public drinking water supply is permitted.
- D. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
- E. No solder or flux which contains more than 0.2 percent lead can be used for the installation or repair of plumbing at any connection which provides water for human use.

III. SERVICE AGREEMENT. The following are the terms of the service agreement between the District and Customer.

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

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

CUSTOMER'S SIGNATURE**:_____ DATE SIGNED:_____

IMPORTANT: By signing here, this person agrees to be fully responsible for water and sewer service to the above-listed Service Address, including payment of all fees and charges, maintenance of private service lines or laterals and compliance with: (i) this Service Agreement, (ii) the District's rate order and (iii) other applicable laws, rules and regulations.

REQUEST FOR CONFIDENTIALITY: By checking here ( ) Customer requests confidentiality of the above-listed address, telephone number, and social security number, to the extent provided by law.

Form UTL-502 **(Non-Residential)**

CUSTOMER: Full legal name: DBA or trade name: Billing Address:	*SERVICE ADDRESS:*	*ACCOUNT NO.:* Date opened: Date closed:
Phone: Fax: Federal tax E.I.N:	***STATE SALES TAX DATA:*** Name: Address: Acct no.	***DEPOSIT:*** Amount: $ ( )cashiers ck. or ( )money order Rec'd on: Returned on:

SERVICE AGREEMENT

I. PURPOSE. The Mason Creek Utility District of Harris County, Texas (the "District") is responsible for protecting the drinking water supply from contamination or pollution which could result from improper plumbing practices. The purpose of this service agreement is to notify each customer of the plumbing restrictions which are in place to provide this protection. The utility enforces these restrictions to ensure the public health and welfare. Each customer must sign this agreement before the District will begin service. In addition, when service to an existing connection has been suspended or terminated, the District will not re-establish service unless it has a signed copy of this agreement.

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

A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.

B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.

C. No connection which allows water to be returned to the public drinking water supply is permitted.

D. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.

E. No solder or flux which contains more than 0.2 percent lead can be used for the installation or repair of plumbing at any connection which provides water for human use.

III. SERVICE AGREEMENT. The following are the terms of the service agreement between the District and Customer.

A. The District will maintain a copy of this agreement as long as the Customer and/or the premises is connected to the District.

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

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

D. The Customer shall immediately correct any unacceptable plumbing practice on his 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.

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

CUSTOMER'S SIGNATURE**:_____ DATE SIGNED:_____

*****IMPORTANT: By signing here, this person agrees to be fully responsible for water and sewer service to the above-listed Service Address, including payment of all fees and charges, maintenance of private service lines or laterals and compliance with: (i) this Service Agreement, (ii) the District's rate order and (iii) other applicable laws, rules and regulations.***

REQUEST FOR CONFIDENTIALITY: By checking here ( ) Customer requests confidentiality of the above-listed address, telephone number, and social security number, to the extent provided by law.

Appendix E
Water Rates

As amended June 14, 2023

Tap Fees

The following fee shall be received by the District before any new, enlarged or additional connection is made to the District's water system:

SFR connections	**Tap Fee***
3/4" or 5/8" tap (short tap)	$1,304.60
3/4" or 5/8" tap (long tap, with bore under street)	$1,948.10
(short tap)	$1,491.60
1" (long tap, with bore under street)	$2,145
1" tap (short tap) and dual 5/8 x ¾ meters	$1,852.40
1" tap (long tap, with bore under street) and dual 5/8 x ¾ meters	$2,506.90All taps larger than 1"
Cost to District plus 100%	
Secondary connection to serve pool or irrigation system	Cost to District for the meter only

Commercial connections	**Tap Fee***
All taps	Cost to District plus 100%‡

Back-up connections
(Fee is as provided in the contract with the District.)

For tap fees, "cost" to the District is determined by the rates and charges for District employees and equipment as specified in this order, plus the District's out-of-pocket costs for meters, boxes, valves and other goods and services.

* Indicates that, in addition to the above-described fees, the applicable fees for commercial plan-checking/permits and SFR or commercial inspections must be paid, as prescribed below. An additional charge may be applicable under Section 6 hereof (relating to house and building lines)

‡ Indicates that, with approval of the Board, the tap fee for a public or semi-public institution is $100 per required inspection trip, if the institution: (i) obtains approval by the District's engineer of the plans and specifications for the meter and all related equipment, as provided elsewhere in this order (see plan checking, etc.), (ii) purchases and installs such meter and equipment, at its own expense, and conveys it to the District free and clear of all liens, etc., and (iii) makes the installation available for inspection when requested by the District's operator, before it is covered. In this paragraph, a "public or semi-public institution" means an institution that is owned by a governmental or non-profit entity and that regularly admits members of the public without charge.

Basic Rates (for monthly bills)

(A) SFR Connections: For the first 3,000 gallons of water used per billing period, $23.68 (minimum monthly charge). For each 1,000 gallons of water used over 3,000 gallons during the billing period, the rate is set out in the chart below.

Usage Amount	*Rate per 1,000 gallons**
3,001 to 10,000	$2.28
10,001 to 15,000	$3.47
15,001 to 20,000	$3.81
over 20,000	$5.86

* See (G) below for groundwater reduction fee.

(B) Commercial Connections. The total monthly charge for each customer is the minimum monthly amount determined by the size of the meter, plus the charge for usage over the minimum monthly quantity, plus the groundwater reduction fee prescribed by (G), below.

(i) The minimum monthly charges and minimum monthly quantities are as follows:

Meter Size	Minimum Monthly Charge	Minimum Monthly Quantity
5/8" or 3/4"	$ 32.29	6,000 gallons
1"	41.34	6,000 gallons
1½"	61.35	6,000 gallons
2"	80.72	6,000 gallons
3"	142.07	6,000 gallons
4"	226.03	6,000 gallons
6"	419.75	6,000 gallons
8"	710.36	6,000 gallons

(ii) The charge for usage over the minimum monthly quantity is $3.28 per 1,000 gallons.

(iii) *Exception:* For meters serving exclusively greenspace within public rights of way (by separate meter) or subject to public conservation restrictions, the charge for usage is $2.28 per thousand gallons (no minimum charge or minimum monthly quantity), plus the groundwater reduction fee prescribed by (G), below. Provided further, for water provided to greenspace owned by the District or covered by a conservation easement owned by the District, or provided to other facilities owned by the District, there is no charge, but the operator shall meter the amounts provided and make the information available to the Board upon request.

(C) Back-up Connections; Unmetered Fire Connections

(i)

Meter/Line Size	Minimum Monthly Charge*
4"	$64.78, unless the contract calls for a different rate
6"	$122.62, unless the contract calls for a different rate
8"	$192.03, unless the contract calls for a different rate

* Two-way, or mutual, back-up contracts may call for no minimum monthly charge. For unmetered fire connections equipped with "Detect-A-Chek" or equivalent installation (low flow detection and double check valves), the minimum monthly charge is $31.81 for a 6-inch or smaller connection and $45.82 for all other connections, provided that the District is afforded satisfactory access to the installation.

(ii) Plus $4.05 per 1,000 gallons for all usage, plus the groundwater reduction fee prescribed by (G), below, unless the contract calls for a different rate.

(D) Multiple Meters; Irrigation or "Water Only" Meters. If a connection has more than one water meter, each water meter will be read and billed independently, but failure to pay all charges related to any meter shall be deemed a breach of the contract of service for all of the premises of the customer, thus making all service to the premises, from any and all meters and taps, subject to termination for non-payment. If an SFR customer has specially applied for a secondary water meter to serve non-sewer uses at the same customer's premises which are already served by an existing water meter and sewer tap, the sewer charges do not apply to consumption through the secondary meter, and there is no minimum monthly charge for water service through the secondary meter, but instead all consumption through such a

secondary meter shall be billed at the following water-only rates per 1,000 gallons per billing period, but remaining subject to Paragraph (E) below:

Usage amount	*Rate per 1,000 gallons**
0 to 5,000	$2.28
5,001 to 10,000	$3.47
10,001 to 17,000	$3.81
Over 17,000	$5.86

* See (G) below for groundwater reduction fee.

From and after October 18, 2007: (1) no "water only" meter may be set, and no "water only" account may be opened, except for an SFR customer who has an active primary account (including both a minimum bill and sewer charges) in the same name and serving the same house as the "water only" account, and (2) service through a "water only" meter may not be turned off (at the request of the customer) unless the account is closed.

For billing periods beginning on or after January 18, 2008, special "water only" rates and charges mentioned in this order (e.g., tap fee, deposit, no minimum bill, no sewer charge) do not apply to an SFR customer unless the customer has an active primary account (including a minimum bill and sewer charges) in the same name and serving the same house as the "water only" account.

Connections established to serve non-SFR, permanent water-only users shall be treated the same as SFR water-only secondary meter connections, except as otherwise provided for in the case of service to greenspaces within public rights of way or subject to public conservation restrictions.

(E) Certain Secondary Meter Connections; Additional Charges. If water obtained through a secondary water meter installed to serve non-sewer uses is ever used in such a way that any of the water is returned to the District's sanitary sewer system, the following additional charges shall be immediately due:

(i) the full amount of the District's then current tap, meter, connection and inspection fees for both water and sewer connections, less the amount paid to the District for the original installation of the secondary meter; and

(ii) the full amount of water and sewer charges which would have been payable if the meter were an ordinary primary meter serving an ordinary water and sewer connection, less those amounts paid on account, for the shortest of the following time periods:

((a)) the time since the secondary meter was placed in service;

((b)) the time since the current customer became responsible for payment of charges at the premises involved; or

((c)) two years.

(F) Commencement of Charges. Water service charges commence with the initial tap of the water system.

(G) Groundwater Reduction Fee. In addition to the rates as shown above, there shall be a groundwater reduction fee separately stated on each bill. It shall apply to all usage, including minimum quantities and additional quantities, if any. *Example*: For usage of 6,000 gallons or less with a minimum monthly quantity of 6,000 gallons, the fee would apply to 6,000 gallons. The applicable fee rate is $2.88 per 1,000 gallons.

Amounts collected from this fee shall be accounted for separately and spent only to: (i) pay the District's obligations under contract(s) with the City of Houston for groundwater reduction and/or water supply, or (ii) defray the cost of programs and projects to reduce the use of groundwater, including, but not limited to, water conservation, use of surface water, use of reclaimed or reused water, etc., also including related studies, design, engineering, construction, incidental costs and other program or project costs.[1]

[1] Groundwater reduction fee paragraph as amended June 14, 2023.

Appendix F
Sewer Rates
As amended July 15, 2020

(A) SFR Connections. For the first 3,000 gallons of water used per billing period, $24.11 (minimum monthly charge). For each 1,000 gallons of water used over 3,000 gallons in the billing period, the rate is as follows:

Usage amount	*Rate per 1,000 gallons**
3,001 to 10,000	$ 2.21
10,001 to 15,000	$ 3.10
15,001 to 20,000	$ 3.41
over 20,000	$ 3.41

Water used to fill a swimming pool is not subject to the charge for sewer service if the customer makes advance arrangements for a special reading of the meter before and after the filling and complies with the District's procedures.

(B) Commercial Connections. The minimum monthly charge is $24.11, covering the first 6,000 gallons of water used per billing period. For each 1,000 gallons of water used over 6,000 gallons, the charge is $4.49.

(C) All Connections. Sewer service charges commence with initial tap of the sewer.

Appendix G
Fees of Office & Expenses
As amended through February 12, 2025

Fees Of Office

1. *Statutory Limits.* The statutory limits on fees of office, as amended from time to time, shall always be observed, including both the rate and the monthly or annual maximum set from time to time by state law (currently $7,200). To account for and enforce the annual maximum, the annual period shall be the District's fiscal year, and the accrual method shall be used (such that amounts paid for a fiscal year are determined by the number of days spent performing duties of director during that fiscal year), unless the District's auditor approves a different method.

2. *Fees of Office.* A daily fee of office is payable for each day a director actually spends performing the duties of a director. In this subsection, "performing the duties of a director" means substantive performance of the management or business of the district, including participation in board and committee meetings and other activities involving the substantive deliberation of district business and in pertinent educational programs. The phrase does not include routine or ministerial activities such as the execution of documents, self-preparation for meetings, or other activities requiring a minimal amount of time. A daily fee may be payable only for those days when the services include attendance at a Board meeting, a bid opening, a committee meeting, a conference, a seminar or similar scheduled event at which the Director's attendance is approved by the Board.

3. *Board Approval.* The Board approves fees of office in the amount of $150 per day (increased to $220 on July 13, 2023) , subject to the limitations of this order ($7,200 annual limit).

Expenses

1. *General Criteria.* All expense reimbursements for Directors must meet the following general criteria:

a. Reimbursement is limited to actual expenses reasonably and necessarily incurred while engaging in activities on behalf of the District. They must serve a useful purpose, and they must be appropriate and helpful to the District and the Director who incurs them. Expenses of a spouse or family are not ordinarily appropriate.

b. Expenses of attending or participating in events held in conjunction with a conference or seminar must have a clear relationship to the functions of the District and a direct benefit to the District. The duration of a stay at a conference or seminar should not exceed the minimum necessary for efficient and productive participation in the working sessions (this does not prohibit a Director from staying longer if the Director personally bears the increase in cost).

c. Entertainment expense is not allowable unless there is a clear relationship to the functions of the District, a direct benefit to the District and special approval by the Board.

d. Reimbursements for travel, lodging, etc. may only be made when incurred in connection with a scheduled event outside the District for which a per-diem Director's fee could be payable (see above), and such reimbursements are limited as follows:

---Travel by auto: Reimbursement is limited to the applicable rate per mile published by the IRS as the average cost of operating an automobile, plus actual cost of parking and tolls.

---Travel by common carrier: Reimbursements are limited to the lowest fare reasonably available for the trip in question without cancellation penalty, taking into account the time when plans are made. First class or business class premiums are not reimbursable.

---Lodging and meals: These are normally reimbursable only when there is an overnight stay. The amount should not exceed the average prevailing level for the area where the expenses are incurred. However, meal costs for working sessions of conferences or seminars are reimbursable even if there is no overnight stay, provided the cost is reasonable. Reimbursement for meal costs requires Board approval, except when: (i) the reimbursement amount is supported by receipts, and (ii) the reimbursement for each day is $100 or less.

2. *Claims; When To File.* Expenses do not become eligible for reimbursement until after they are incurred. A claim for reimbursement must be filed within 60 days after the expense is incurred. The claim must indicate the purpose, it must be accompanied by receipts for items over $25, and it must be verified. In case a reimbursement is made which exceeds the actual expense incurred, the excess must be returned to the District within 120 days following the reimbursement. Advances against anticipated expenses are not allowed.

3. *Other Expenses.* Expenses not mentioned herein are reimbursable if they meet the general criteria and are approved by the Board. For good cause, the Board may approve a reimbursement which varies from the provisions of this policy.

Appendix H
Rules For Mason Creek Community Center
As Amended April 16, 2025

General Provisions

1. Reservations, Etc. Any person 25 years of age or older may request to use part of the Mason Creek Community Center ("MCCC") on a first-come, first-reserved basis, after completing a permit form as provided by MCUD. *Exceptions*: Permits are not required for ordinary swimming pool or tennis-pickleball court users who hold keys, key-cards. tags, cards, or other forms of permission, or their permitted guests (as provided below).

a. A fully-signed permit for each use is required, except as provided below. The District's President, Vice-President and a District employee designated by the President are each authorized to sign permits and to prescribe permit provisions (including type of use, time of use, enforcement, additional charges, etc., but no pool-area permits are allowed outside of the pool season or times when lifeguards are available).

b. Deposits and rental amounts must be paid by certified or cashiers check or money order, unless a variance is approved by the President or Vice President. Cash or credit cards may not be used. *Exceptions:* (1) Ordinary pool and tennis fees (without permits) may be paid by regular check payable to the District. (2) Residents of MCUD may pay fees and deposits by regular check payable to the District.

c. Permits are not effective until signed by MCUD and returned to the user. Use fees and the deposit must be paid at the time of permit signing.

2. Keys. The key for a specific permitted part of the MCCC will be available approximately 30 minutes before the beginning of the scheduled use period. Arrangements for obtaining the key must be made with the MCUD office. The key must be returned within 24 hours after the end of the scheduled use period.

3. Unauthorized Uses. A permittee may not admit or allow any group or individual to use the MCCC, other than those mentioned in the permit and approved for use of the MCCC. Occupancy will be limited to maximum capacity posted or prescribed by the District, whichever is lower. The MCCC may not be used or occupied for any purpose which violates any State statute, local or county ordinance or regulation, or administrative rule to which the District is subject. Permits (and other documents) may include requirements that users pay additional fees for any unauthorized or prohibited use or any violation of District rules, regulations, permits or terms of use. Any such additional fees may be deducted from deposits and shall also be personal obligations of the permittee.

4. Fees and Deposits. Fees for use of the MCCC shall be determined by the day and length of use. See "Fee Rates," below. No refunds of fees will be made unless: (i) the District terminates the use or permit, for no fault of the user, or (ii) the user gives the District advance notice of cancellation, in writing and before the beginning of the use period, in which case fees may only be refunded as follows:

Number of days advance notice of cancellation given (in writing)	*Percentage of fees refunded*
60 days or more	100%
30 to 59 days	50%
Fewer than 30 days	0% (no refund)

Exceptions: (1) a non-profit amateur swim league, joined by its local team organization (if a majority of the team members are residents of the District) may reserve and use the MCCC without charge for swim practices and swim meets during swim season, plus once a month for team meetings (limited to one of the smaller meeting rooms); and (2) non-profit organizations, whose memberships are virtually the same as the owners of single-family property within the District, may reserve and use the MCCC without charge once a year for events (for residents of the District only) plus up to three times per month for meetings (limited to Monday through Thursday and, whenever practicable, using only a smaller meeting room) and subject to being preempted in case there is a paying user for the same space at the same time. Such reservations and use are subject to availability, approval of permits, etc. and shall be conditioned upon the organization paying for cleaning, damages, lifeguards, constables, etc.

5. *Condition.* Each permittee agrees to accept the MCCC facilities--with all equipment and decorations---in their condition at the beginning of the use period, unless the permittee contacts the District office and arranges a joint inspection with a District representative at or before the beginning of the use period. No refund is allowed for any condition or circumstance, unless permittee arranges such a joint inspection and brings the condition or circumstance to the attention of the District's representative at that time. Any refund is limited to the portion of the fee that corresponds to the portion of the agreed-upon premises that the permittee cannot use, as a practical matter. If the sound system is found not to be working at the time of the joint inspection, and if it cannot be substantially restored, any refund is limited to the 10% of the fees for the use of the Facility (but there is no refund unless the sound system is integral to the function or event as planned).

6. Damages, etc.; Deposits. All persons using the MCCC must pay applicable deposits (see "Fee Rates," below) and must pay for all damage, lost or stolen items, re-keying, cleanup, higher applicable rates, additional fees, and any other additional charges that they or their guests may cause (or that may be caused by their occupancy or use). The District may apply deposits to defray costs of damage, lost or stolen items, re-keying, cleanup, higher applicable rates, additional fees, and any other additional charges. If such charges exceed a permittee's deposit, the permittee remains liable for the difference. The District may provide a list of common additional charges, but the list does not limit the additional charges that may apply in a given case. *Exceptions*: Deposit requirements do not apply to ordinary swimming pool and tennis-pickleball court users without permits.

7. Delinquencies. No person may use the MCCC if the person is found to be delinquent in either utility payments, taxes, fees, damages or other payments to the District or if the person violated this Order within the past 12 months.

8. Areas Approved; Signs. A permittee may only use the specific area approved for the permittee's use and may not use any other area, including the exterior of the MCCC (but may use MCCC parking areas and walkways for access to the permitted area, unless otherwise indicated in the permit) . Exterior banners or signs are forbidden, except for temporary poster-sized signs placed on an area approved by the District announcing the meeting, with the placement of each sign being at the sole discretion of the District's representative.

9. Evening Curfew. In respect of the neighbors, all uses must end by 10:30 p.m. (or 12:00 midnight in the case of the Main Ballroom), unless a later occupancy is specially approved by the

District's Board or its designated MCCC liaison.

10. Termination by MCUD. MCUD reserves the right to terminate any permit, use, or occupancy at any time, with no liability in excess of fees and deposits paid.

11. Damage, Disturbance. No person may use the MCCC in such a manner as to damage the MCCC or to disturb other users or people in the vicinity..

12. Tennis-Pickleball Regulations.

a) **Generally.** The tennis-pickleball courts (and adjacent areas inside the fences) may only be used for their intended purposes (tennis and pickleball) and in accordance with this Order, including these general rules: (i) non-tennis or pickleball activities (including skateboarding, skating, rollerblading, bicycling, soccer, etc.) are prohibited; (ii) glass, alcohol, animals (except authorized assistance animal), and smoking are prohibited; (iii) appropriate tennis or pickleball attire must be worn at all times, including shirts and court shoes; (iv) non-playing persons are not allowed; (v) profanity and violent activities (including racquet-throwing, hitting curtains or nets, etc.) are forbidden; and (vi) each person must properly dispose of all trash they may bring or generate, and littering of any kind is prohibited; (vii) it is forbidden to prop gates open or otherwise defeat locks on the gates; (viii) upon leaving the area, each key-card holder must either make sure the gates are closed and locked or, if the gates cannot be closed or locked, the key-card holder must report the problem to the District's representative (or by calling 281-578-7272); (ix) persons may use the tennis/pickleball courts only at their own risk, and, by entering or using the court area, they accept the courts and the area as they find them; the District is not liable for accidents, injuries or losses of any kind.

b) **Availability; Reservations.** Courts must be used on a first-come, first-served basis, and only by key-card holders and their allowed guests (as restricted below). A key-card holder is the person who pays the prescribed fees and any deposits, but only during the time period for which the fees and deposits are paid. *Exceptions*: (1)Tennis courts may be reserved in advance for league play as follows: (i) league-reserved courts must be posted at the start of each season, and (ii) at least two courts must be left available for general use at all times. (2) A special event permit, as provided for below, may provide for a reservation of courts and use by non-key-card holders, subject to the provisions below.

c) **Guests.** Only key-card holders may admit or bring guests. A maximum of three guests per key-card holder is allowed at any one time, and all guests must use the same court as the key-card holder. The key-card holder must be present, in person, to bring or admit guests. This rule does not apply when there is a special event permit in effect, as provided below.

d) **Tennis League Rosters & Fees.** At least one member on each tennis team's roster must be a District resident, and at least 25% of all the members on each team's roster must be District residents or key-card holders. Teams must submit complete rosters and schedules to the tennis committee and to the District office before the start of each season, together with all required fees. Fees must be paid by a single cashier's or certified check or money order. Rosters must include each name, address and keyholder status upon a form provided by the tennis committee. Any team submitting no roster (or an incomplete roster, or insufficient fees) before the start of the season may lose the right to use the MCCC for the remainder of the season. Any team submitting a false roster may lose the right to use the MCCC forever.

e) **Tennis Committee.** The District Board may designate the tennis committee from time to time. The committee is responsible for collecting team rosters and fees, transmitting the fees to the District and making recommendations to the Board. It has no other authority.

f) **Restrictions on Use of Key-Cards.** Key-cards authorize only the individual key-card holder (and guests, as restricted above) to use the MCCC courts . Key-cards may not be lent or transferred.

g) **Paid Athletic Services.** Professional instruction or coaching or other paid athletic services may only be provided to the extent authorized by a special permit authorized by the Board. *Exception*: A key-card holder may bring a single professional as a guest to provide one-on-one instruction or coaching on one court, after 5:30 PM

only.

h) **Revocation Of Right To Use Tennis Courts; Return of Key-Card.** The District may suspend or revoke rights to use the tennis-pickleball courts, and any affected key-card holder must return the key-card upon request from the District. If a key-card holder violates this Order or any polices, rules or regulations of the District (or aids or allows another person to violate this Order, or any such policies, rules or regulations) , either the President or Vice-President of the District is authorized to: (i) warn the key-card holder and request full compliance; (ii) suspend the key-card holder's right to use the MCCC or the key-card for a stated time period; (iii) revoke the right to use the MCCC or the key-card and require the key-card to be returned to the District; or (iv) impose more than one of these remedies.

i) **Special Event Permit.** A permit may authorize reservation of multiple courts and use of courts by non-key-holders during a special event, subject to restrictions as follows: (i) the event must be non-commercial, and (ii) at least 25% of the users must be key-card holders; and (iii) a list of users must be provided and enforced by the sponsor.

13. Additional Requirements; Waivers; Amendments.

a) MCUD reserves the right to impose additional requirements and restrictions and the right to refuse to allow particular uses.

b) MCUD may provide constables, lifeguards, etc., at its discretion, and add the cost to the fees otherwise applicable.

c) Any request to amend or waive these regulations should be filed, in writing, at least 15 days before the next regular Board meeting of MCUD.

d) MCUD reserves the right to amend these regulations at its discretion at any time with or without actual notice to those reserving or requesting use of the MCCC.

14. Policy on District's Use of Video Cameras and Recordings. Video cameras and video recordings used by the District must comply with state and federal law. In addition, the following policies of the District shall apply:

a) Video cameras will only be used openly (with the cameras in full view) to observe places and activities that are public, where no one who has a reasonable expectation of privacy. Under no circumstances will District video cameras be used to observe changing rooms or restrooms.

b) No zoom or magnification features will be used to observe people or their belongings to a degree that might be invasive.

c) Video cameras will be used routinely only to observe specific locations or for specific events, not for screening or searching people on an indiscriminate basis.

d) Only visual images will be captured, without sound.

e) Permittees are hereby advised that the video cameras and recordings are in use at MCCC. The Board, in its discretion, may order special notices, posters, signs, etc.

f) Recordings of video images will be routinely kept no longer than required by District's record retention schedule.

g) This policy does not limit the authority of law enforcement agencies to make or view recordings as allowed by law, either separately or with the cooperation of the District.

15. Other Provisions:

a) Political organizations may reserve the Facilities MCCC rooms for meetings.

b) Persons using the MCCC may not throw rice (indoors or outdoors) but--outdoors only--may use birdseed or liquid bubbles in lieu of rice.

c) No firearms are permitted at the MCCC.

d) No smoke machines or pyrotechnical devices are permitted at the MCCC.

e) No animals will be allowed at the MCCC unless authorized by the District in advance, except authorized assistance animals.

f) No smoking is permitted at the MCCC.

g) No commercial or sales activity is allowed at the MCCC. *Exceptions*: This does not prohibit: (i) events that are strictly educational or social (such as for examples: a party for employees, or a seminar); (ii) events that are sponsored by a non-profit organization that may include commercial activities to raise funds for the organization (such as, for example: a silent auction to raise funds for a charity), provided that the permit contains provisions to restrict the activities appropriately; (iii) events that are purely commercial, but which do not include sale or delivery of tangible, moveable property (such as, for example: an investment seminar that includes sale of securities), or (iv) commercial or sales activity during a District-sponsored public festival or "open house," if the activity is arranged and approved in advance and restricted to the specific area designated by the District (which area will be limited so as not to interfere with the main purpose of the event.)

h) Alcohol may not be served or consumed at the MCCC, unless both of the following conditions are satisfied: (i) it is expressly authorized by a permit, and (ii) two or more Constable deputies are present at the MCCC. A permit may not authorize alcohol at any part of the MCCC that has access to the pools or pool area. This section does not apply to District-sponsored and supervised events.

Fee Rates

Houghton Meeting Room (capacity: 35 persons, max.) *or West Room* (capacity: 50 persons, max.)

A. RESIDENTS:

9:00 A.M. THROUGH 4:00 P.M.	$200*
5:00 P.M. THROUGH 10:30 P.M.	$200*
9:00 A.M. THROUGH MIDNIGHT	$400*

ADDITIONAL PROVISIONS

**Extra hours, if authorized by the District or its designee, are $35 each*

*Plus additional charges for violations, etc. authorized by the permit or this order

*A 10% discount will be given for all regular use groups who use and reserve the room in advance for twelve (12) or more times per year.

*Plus actual cost of deputy constables, if required by MCUD for the event in question.

*The deposit for residents is $500.

* A 50% discount from the rates shown in (1) and (2), above, is available for any District resident who signs a permit and arranges for the use of a room by a non-profit organization recognized under Section 501c(3) or 501c(4) of the Internal Revenue Code.

B. NON-RESIDENTS:

9:00 A.M. THROUGH 4:00 P.M.	$350*
5:00 P.M. THROUGH MIDNIGHT	$350*
9:00 A.M. THROUGH MIDNIGHT	$700*

ADDITIONAL PROVISIONS

*Extra hours, if authorized by the permit are $35 each *Plus additional charges for violations, etc. authorized by the permit or this order

*A 10% discount will be given for all regular use groups who use and reserve the room in advance for twelve (12) or more times per year.

*Plus actual cost of deputy constables, if required by MCUD for the event in question.

*The deposit for non-residents is $500.

Main Ballroom *(capacity: 242 persons, max*

A. RESIDENTS:

(1) MONDAY THROUGH SUNDAY: 9:00 A.M. THROUGH 12:00 P.M.

BASE RENTAL (4 HOURS OR LESS) $350†

* EACH ADDITIONAL HOUR. $60†* FULL-DAY OPTION (MAX. 15 HOURS): $600†* *(full-day options apply only if selected in advance, in lieu of base plus additional hours rate)*

(2) ADDITIONAL PROVISIONS

† Rate shown is for groups authorized by permit; add $500 for unauthorized or oversized groups.* Plus additional charges for violations, etc. authorized by the permit or this order.

* Plus actual cost of deputy constables, if required by MCUD for the event in question.

* The deposit for residents is $1,000.

B. NON-RESIDENTS

(1) MONDAY THROUGH SUNDAY: 9:00 A.M. THROUGH 12:00 P.M.

BASE RENTAL (4 HOUR MINIMUM) $450 †*

EACH ADDITIONAL HOUR $75†* FULL-DAY OPTION (MAX. 15 HOURS): $900†* *(full day options apply only if selected in advance, in lieu of base plus additional hours rate)*

(2) ADDITIONAL PROVISIONS

† Rate shown is for groups authorized by permit; add $500 for unauthorized or oversized groups..

* Plus additional charges for violations, etc. authorized by the permit or this order

* Plus actual cost of constables, if required by MCUD for the event in question.

* The deposit for non-residents is $1,200 ($500 for mid-range use).

Swimming Pool Areas (non-public events)

BASIC RATE: $100 for the first two hours or any part thereof, plus $50 per hour thereafter

ADDITIONAL PROVISIONS

* The deposit is $200.

* Plus $500 if the user allows alcohol on the premises.

* Additional provisions apply, as stated in the permit form.

* Lifeguards may be required (at additional cost)

Swimming Memberships (for use during regular public hours)

RESIDENTS: $100 per swimming season per family (or individual).

For new residents of the District, the membership fee for the first season (current or upcoming) is waived. For new residents arriving during a season, but after June 30, the fees for that season and the following season are waived.

NON-RESIDENTS: $250 per swimming season per family (or individual).

GUESTS: Only a member may bring guests, and all guests must be accompanied by the member. A maximum of two guests per family is allowed at any one time, except that, during off–peak hours, the pool manager may allow additional guests, not to exceed a reasonable number.

Tennis Courts (ordinary use; no special permit)

RESIDENTS: $25 key-card deposit only.

NON-RESIDENTS: $500 per year, plus $25 key-card deposit (rates apply to new keys and renewals on or after April 14, 2011; prior rate remains in effect for each existing key-card until it is renewed) . *Exception*: A non-resident duly listed on a team roster may pay $35 per league per season, which will allow play for that particular league and that particular season only (no key-card is issued in this case, and the listed person is not considered a keyholder for bringing guests, or any other purpose).

GUESTS: See "Tennis-Pickleball Court Regulations."

Appendix I
Records Management
As adopted November 15, 2006

WHEREAS, Title 6, Subtitle C, Local Government Code ("Local Government Records Act"), provides that each local government must establish an active and continuing records management program; and

WHEREAS, Mason Creek Utility District ("District") desires to adopt a plan for that purpose and to prescribe policies and procedures consistent with the Local Government Records Act and in the interests of cost-effective and efficient recordkeeping;

NOW THEREFORE:

SECTION 1. DEFINITION OF RECORDS OF THE DISTRICT. All documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other information recording media, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by the District or any of its officers or employees pursuant to law or in the transaction of public business are hereby declared to be the records of the District and shall be created, maintained, and disposed of in accordance with the provisions of this order or procedures authorized by it and in no other manner.

SECTION 2. RECORDS DECLARED PUBLIC PROPERTY. All records as defined in Sec. 1 of this Appendix are hereby declared to be the property of the District. No official or employee of the District has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

SECTION 3. POLICY. It is hereby declared to be the policy of the District to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all records of this office through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Local Government Records Act and accepted records management practice.

SECTION 4. RECORDS MANAGEMENT OFFICER. The Office Manager of the District will serve as records management officer for the District as provided by law and will ensure that the maintenance, destruction, electronic storage, or other disposition of the records of this office are carried out in accordance with the requirements of the Local Government Records Act.

SECTION 5. RECORDS CONTROL SCHEDULES. Appropriate records control schedules issued by the Texas State Library and Archives Commission shall be adopted by the records management officer for use in District, as provided by law. Any destruction of records of the District will be in accordance with these schedules and the Local Government Records Act.

SECTION 6. SUPERCEDING ORDER. This Appendix shall supercede all records retention policies previously adopted. The records control scheduled adopted by the records management officer shall supercede all such schedules previously adopted.

ADOPTED by the Board of Directors of Mason Creek Utility District on the date shown above.

[END]

Appendix J
Certain Personnel Policies
As amended November 20, 2024

The "Human Resources Policies & Procedures Handbook," as revised November 20, 2024 ("Handbook"), is adopted by the District. All previous provisions of this Appendix J, and any other previous motions, resolutions, orders, handbooks, manuals, and minute entries that bear upon the policies or procedures that are subject to the Handbook are repealed and replaced by the Handbook. *Exception*: The District's medical care reimbursement plan originally adopted in 2004 and amended in 2009, and related resolutions, orders, motions, etc., as thereafter amended, are not repealed and shall remain in effect.

The District reserves the right to alter or amend the contents of the Handbook at any time without notice. The contents of the Handbook do not in any way constitute the terms of a contract of employment and should not be construed as a guarantee of continued employment with the District. Employment with the District is on an "at-will" basis. This means that the employment relationship may be terminated at any time by either the District or the employee for any reason not expressly prohibited by law. Any oral or written statements to the contrary (by anyone) are unauthorized and invalid and should not be relied upon by any prospective or existing employee. *Exception*: This would not apply to an individual written employment agreement specifically authorized by the District's Board of Directors and duly executed by the employee and the District.

[END]

Appendix K
"Red Flag" Regulations
As adopted April 15, 2009

Section 1. Policy and Purpose. The Board of Directors (the "Board") for the District has developed this Identity Theft Prevention Program (the "Program") as required by Part 681 of Title 16 of the Code of Federal Regulations (the "Rule"), which implements Sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003. This Program was developed for the District with oversight and approval of the Board. After consideration of the size and complexity of the District's operations and account systems and the nature and scope of the District's activities, the Board determined that the adoption of this Program is necessary to detect, prevent and mitigate identity theft in connection with the opening of or any existing Covered Accounts, as defined herein.

Section 2. Definitions. Unless otherwise noted, the following definitions follow the definitions included in the Rule.

A. Covered Account: Any account the District offers or maintains primarily for personal, family, household or business purposes that involves multiple payments or transactions and any other account the District offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the District from Identity Theft.

B. District Personnel: The District's consultants and/or employees who use, maintain, collect or otherwise access Identifying Information in connection with a Covered Account.

C. Identity Theft: Fraud committed using the identifying information of another person without authority.

D. Identifying Information: Any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including name, address, telephone number, social security number, date of birth, government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, computer's Internet Protocol address, or routing code.

E. Program: The Identity Theft Prevention Program for the District.

F. Program Administrator: The District's Officer Manager is the Program Administrator.

G. Red Flag: A pattern, practice, or specific activity that indicates the possible existence of Identity Theft, as more fully described in this Program.

Section 3. Identification of Red Flags. To identify relevant Red Flags, the District has considered the types of accounts that it offers and maintains, the methods it provides to open its accounts, the methods it provides to access its accounts, and its previous experiences with Identity Theft. The District has identified the following Red Flags:

A. Notifications and Warnings From Consumer Credit Reporting Agencies

1. Report of fraud accompanying a consumer credit report;
2. Active duty alert accompanying a consumer credit report;
3. Notice or report from a consumer credit agency of a credit freeze on a customer or applicant;
4. Notice or report of an address discrepancy from a consumer credit agency; and
5. Indication from a consumer credit report regarding activity that is inconsistent with a customer's usual pattern or activity, including but not limited to:
   - a) Recent and significant increase in volume of inquiries;
   - b) Unusual number of recent credit applications;
   - c) A material change in use of credit; and
   - d) Accounts closed for cause or abuse.

B. Suspicious Documents

1. Documents provided for identification that appear to be forged, altered or inauthentic;
2. Identification document or card containing a person's photograph or physical description that is not consistent with the appearance of the person presenting the document;
3. Other information on a document that is not consistent with information provided by a person opening a new account or existing customer information, such as if a person's signature on a check appears forged; and
4. Application for service that appears to have been altered or forged.

C. Suspicious Personal Identifying Information

1. An address or phone number presented that is the same as that of another customer or account;
2. An address presented that is fictitious, a mail drop or a prison;
3. A phone number that is invalid or associated with a pager or answering service;
4. Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates or phone numbers or lack of correlation between Social Security number range and date of birth);
5. Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
6. Social Security number presented that is the same as one given by another customer;
7. A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law Social Security numbers may not be required) or an applicant cannot provide information requested beyond what could commonly be found in a purse or wallet; and
8. Identifying information that is not consistent with the information that is on file for the customer.

D. Suspicious Account Activity or Unusual Use of Account

1. Change of address for an account followed by a request to change the account holder's name;
2. Request for new/ additional services at multiple addresses:
3. Payments stop on an otherwise consistently up-to-date account;
4. Account used in a way that is not consistent with prior use (example: significant increase in water usage);
5. Mail sent to the account holder is repeatedly returned as undeliverable;
6. Notice to the District that a customer is not receiving mail sent by the District;
7. Notice to the District that an account has unauthorized activity;
8. Breach in the District's computer system security; and
9. Unauthorized access to or use of customer account information.

E. Alerts from Others

1. Notice to the District from a customer, Identity Theft victim, fraud detection service, law enforcement or other person that the District has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

Section 4. Detecting Red Flags.

A. New Accounts. To detect any of the Red Flags identified above associated with the opening of a new account, District Personnel will take one or more of the following steps to obtain and verify the identity of the person opening the account:

1. Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification;
2. Require that a customer service agreement be notarized;
3. Verify the customer's identity (for instance, review a driver's license or other identification card);
4. Review documentation showing the existence of a business entity;
5. Request additional documentation to establish identity; and
6. Independently contact the customer or business.
7.

B. Existing Accounts. To detect any of the Red Flags identified above for an existing account, District Personnel will take one or more of the following steps to monitor transactions with an account:

1. Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email);

2. Verify the validity of requests to close accounts or change billing addresses; and
3. Verify changes in banking information given for billing and payment purposes.

Section 5. Preventing and Mitigating Identity Theft. In the event District Personnel detect any identified Red Flags, they may take one or more of the following steps, depending on the degree of risk posed by the Red Flag. In determining an appropriate response, the District Personnel or Program Administrator will consider the number of Red Flags detected and any other factors that may heighten the risk of Identity Theft.

1. Continue to monitor an account for evidence of Identity Theft;
2. Contact all affected customers, through multiple methods if necessary;
3. Change any passwords or other security devices that permit access to account;
4. Close an existing account;
5. Do not open a new account;
6. Do not close the account, but monitor or contact authorities;
7. Reopen an account with a new number;
8. Do not attempt to collect on the account;
9. Do not sell the account to a debt collector;
10. Notify the Program Administrator for determination of the appropriate steps to take;
11. Notify law enforcement; or
12. Determine that no response is warranted under the particular circumstances.

To further prevent the likelihood of identity theft occurring with respect to District accounts, the District Personnel will execute the following internal operating procedures to protect Identifying Information:

1. Ensure that any website through which or by which an exchange of information may be made is secure or provide clear notice that the website is not secure;
2. As allowed by law, ensure complete and secure destruction of paper documents and computer files containing Identifying Information once identity has been verified;
3. Ensure that office computers on which Covered Account information is stored or may be accessed are password protected and that computer screens lock after a set period of time;
4. Change passwords on office computers on which Covered Account information is stored or may be accessed on a regular basis;
5. Ensure all computers on which Covered Account information is stored or may be accessed are backed up properly and any backup information is secured;
6. Keep offices clear of papers containing customer information;
7. Request only the last 4 digits of social security numbers (if any);
8. Ensure computer virus protection is up to date for any computers on which Covered Account information is stored or may be accessed; and
9. Require and keep only the kinds of customer information that are necessary for District purposes.

Section 6. Program Administration and Oversight. The Board is responsible for developing, implementing and updating this Program. The Program Administrator will be responsible for the Program administration, ensuring appropriate training of District Personnel, reviewing any reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation should be taken in particular circumstances based on the degree of risk posed, and considering periodic updates to the Program.

Section 7. Staff Training. Initially, all District Personnel will be trained either by or under the direction of the Program Administrator in the detection of Red Flags, and the responsive steps to be taken when a Red Flag is detected. Thereafter, all District Personnel will undergo update training not less than annually and all new District Personnel will undergo training.

Section 8. Reports and Program Updates. The Program will be periodically reviewed and updated to reflect changes in risks to customers and to the safety and soundness of the District from Identity Theft. The Program

Administrator will submit a monthly written report to the Board regarding the District's compliance with the Program and a recap of each incident of Identity Theft detection, including any prevention or mitigation steps taken. The Program Administrator will also submit an annual written report evaluating the effectiveness of the Program in addressing Identity Theft risk; significant incidents of Identity Theft detection, including any prevention or mitigation steps taken; and recommendations for changes to the Program. In preparing the annual report, the Program Administrator may consider, among other things, the District's experiences with Identity Theft situations, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, changes in types of accounts the District maintains, changes in the District's business arrangements with other entities, consultations with law enforcement authorities and/or agencies, and consultations with other District Personnel. After considering these factors, the Program Administrator will determine whether changes to the Program, including the list of Red Flags, are warranted. If warranted, the Program Administrator will present the District Board with recommended changes and the District Board will make a determination of whether to accept, modify or reject those changes to the Program.

Section 9. Service Provider Arrangements. In the event the District engages a service provider to perform an activity in connection with one or more Covered Accounts, the District will take steps to ensure that the service provider conducts its activity in accordance with reasonable policies and procedures designed to detect, prevent and mitigate the risk of Identity Theft. Any such service providers will be required to agree by contract or contract amendment to have such policies and procedures in place and to take appropriate steps to prevent or mitigate identity theft.

Section 10. Specific Program Elements and Confidentiality. For the effectiveness of Identity Theft Prevention Programs, the Rule envisions a degree of confidentiality regarding the District's specific practices relating to Identity Theft detection, prevention and mitigation. Therefore, under this Program, knowledge of such specific practices are to be limited to the Board, the Program Administrator and District Personnel who need to know them for purposes of preventing Identity Theft. Because this Program is to be adopted by a public body and thus publicly available, it would be counterproductive to list these specific practices here. Therefore, only the Program's general Red Flag detection, implementation and prevention practices are listed in this document.

[END]

Appendix L
Master Drainage Plan
Adopted August 17, 2011

Section L1. Adoption of MDP, components, key provisions

(a) *Adoption, major components.* The District adopts a master drainage plan ("MDP") composed of this Appendix and the documents shown below (with adaptations), which are incorporated into this Appendix by reference. In case of any conflict, provisions appearing only in this Appendix control.

Component	Description	Adaptations
Storm Sewer Facilities Facilities Plan	As shown in "A Master Development Plan of Mason Creek Utility District, Nottingham Country, Etc." dated February 1977, a true copy of which is on file in the District office.	Sizes shown are minimum sizes. Other criteria may require larger storm Storm sewers to serve areas shown adjacent facilities shall be sized and to be consistent with the storm sewers in such plan document.
Drainage criteria, design and construction standards, Etc.	"REGULATIONS OF HARRIS COUNTY, TEXAS FOR THE APPROVAL AND ACCEPTANCE OF INFRASTRUCTURE" as amended May 1, 2011, including all rules, regulations and other documents referred to in such regulations (pertaining to drainage).	All authority of the County shall be exercisable only by the Board of the except as prescribed in the MDP. Certain reviews are prescribed to be the District engineer.

(b) *Land MDP Applies To (Regulated Area):* This MDP applies to all land located in the District otherwise required to be covered by a subdivision plat approved by a municipality or county ("regulated area"). A replat is a type of subdivision plat. In case of doubt about whether (or when) a plat is required, the Board may require a written ruling by the municipality or county in question.

(c)*When Drainage Report Required (Development).* An approved drainage report is required before any development occurs within or (in connection with) a regulated area and before any new or increased electrical, water, sewer, gas or other utility service is provided to serve the area. In the MDP, "development" includes any work or activity within the scope of the term "development" as defined in either: (i) Subchapter B, Chapter 212, TEX. LOC. GOV'T CODE, or (ii) "Regulations of Harris County, Texas for Flood Plain Management" adopted June 5, 2007.

(d)*General Policy*. To the greatest extent feasible, the MDP shall be interpreted and applied to: (i) preserve the pre-development hydrological characteristics of each regulated area and areas "downstream," and (ii) not increase risks of flooding.

Section L2. Report: submission, approval, etc.

(a) *Submission, Fees, etc*. It shall be the duty of the property developer of each regulated area to have a drainage report: (i) prepared by a licensed or registered professional engineer, (ii) submitted to the District engineer, accompanied by the prescribed fee, (iii) reviewed by the District engineer with assistance of other professionals (if applicable), and (iv) reviewed and approved by motion adopted by the Board of the District. The prescribed fee is $100 plus the cost to the District of professional reviews, as initially estimated by the District engineer. The District's Board may require supplemental fee payments or deposits to make sure the fee covers those costs.

(b) *Contents*. The report must include a map containing a description of the land to be subdivided. The map must show an accurate representation of: (i) any existing drainage features, including drainage channels, streams, flood control improvements, and other facilities ; (ii) any additional drainage facilities or connections to existing drainage facilities proposed by the property developer's plan for the subdivision; and (iii) any other parts of the property developer's plan for the subdivision that may affect drainage.

(c) *Review; Approval; Disapproval*. The District engineer shall review each drainage report submitted (and obtain the assistance of other professionals, if necessary, *e.g.*, surveyor, consulting hydrologist, attorney) and make a recommendation to the Board. The Board shall review the report and approve it if it clearly shows

compliance with both: (i) applicable drainage and detention requirements of the County, the HCFCD, TxDOT and any other agency controlling the outfall or receiving body of water, including any applicable water quality requirements, and (ii) the MDP. Otherwise, the Board shall disapprove it. The Board may request data and other information to assist in making its decision. The Board may require written approvals by other agencies to show compliance with their requirements.

(d) *Certain Conditions*. The Board may require changes and may insert special conditions, if reasonably necessary to achieve compliance with the MDP or other applicable regulations. As a condition of approval, the Board may require permanent, effective provisions for maintenance of detention facilities and other drainage facilities , in accordance with generally accepted engineering criteria (but no such provisions apply to facilities accepted for permanent maintenance by the District, the County or HCFCD). Such provisions may include, for example, recorded notices, covenants and restrictions, supported by assessments if the regulated area is divided into two or more parts.

(e) *Other Provisions*. The Board shall determine whether facilities or real property may be (or must be) dedicated or conveyed to the District, the County, the HCFCD or other agency, based on either: (i) established patterns of ownership and operation of similar facilities , or (ii) location, function and service area of the facilities . For any facilities or real property to be dedicated or conveyed, the Board may require a maintenance bond, to be in effect for one year following acceptance. Only the Board may accept facilities or real property offered for dedication or conveyance to the District.

(f) *Rights of Way, Real Property, etc.* The property developer is responsible for obtaining and dedicating (or conveying) all necessary rights of way, easements and other forms of real property.

(g) *Coordination; Alternative Measures*. It is the policy of the District that reports, plans and specifications required by the MDP be coordinated with similar requirements of other agencies, so that, whenever practicable, a submission under the MDP can also serve as a submission to other agencies. The Board may allow the use of alternative facilities , methods and techniques for achieving compliance with the MDP, if the alternatives will function as well or better than those that would otherwise be required. These can include, for example, "low impact" structures and methods approved by the County.

(h) *Response, Notices.* On or before the 30th day after the date a drainage report is received, the District engineer shall send notice of the District Board's approval or disapproval of the drainage report to the property developer and each municipal or county authority with responsibility for approving the plat of the proposed subdivision. If the District's Board disapproves a drainage report, the notice of disapproval shall include a written statement explaining the reasons for the rejection and recommending changes, if possible, that would make a revised version of the drainage report acceptable for approval.

Section L3. Design, Construction, Maintenance, etc.

(a) *Design, Construction*. If a drainage report is approved, it shall be the duty of the property developer of the regulated area to: (i) have a licensed or registered professional engineer prepare plans and specifications of all facilities required by the report, (ii) submit them to the District engineer, together with the prescribed fee, (iii) obtain the written approval of the District engineer, (iv) notify the District engineer at least 72 hours before construction starts, (v) arrange for the District engineer to observe the work at each stage prescribed by the District engineer, (vi) cause the facilities to be completed in accordance with the drainage report, plans and specifications, as they were approved, and (vii) repair, restore or reconstruct the facilities to correct any defect or deficiency discovered within one year following completion (such correction to be completed within 30 days following the day that the property developer becomes aware of the need for the work). The prescribed fee is $100 plus the cost to the District of engineering review, observation, etc., as estimated by the District engineer. The District engineer may require supplemental fee payments or deposits to make sure the fee covers the cost.

(b) *Maintenance*. It shall be the duty of each person owing or controlling any part of a regulated area to maintain, preserve and operate all facilities required by the approved drainage report so that they function fully as intended by the report in accordance with generally accepted engineering criteria. Any necessary work shall be done within 30 days following the day that such person becomes aware of the need for the work, unless the District's Board grants a time extension.

Section L5. Conduct Unlawful.

It shall be unlawful for any owner, property developer, construction contractor or person in control of a regulated area to divide it into two or more parts, or to cause or permit any development on it, unless there is full compliance with the MDP. It shall be unlawful for any person to fail or refuse to carry out any duty imposed on that person by the MDP. Duties imposed by the MDP on more than one person are joint and several.

[END]

Appendix M
Reimbursement Policy

Section M1. Applications and review by engineer

(a) *Generally.* A person proposing to construct water, sewer or drainage facilities in connection with new development or redevelopment within the District may apply to the District for reimbursement for the costs incurred for such facilities , in accordance with this policy.

(b) *Submission, Fees, etc.* An application for reimbursement must be in writing and include a facilities report prepared by a licensed or registered professional engineer. The report must: (i) be submitted to the District engineer accompanied by the prescribed review fee and (ii) be signed and certified by the applicant, the applicant's engineer and the owner of the affected property (if different). The prescribed fee is $100 plus the cost to the District of professional reviews and reports, as initially estimated by the District engineer. The engineer may require supplemental fee payments or deposits to make sure the fee covers those costs.

(c) *Contents.* The report must include: (i) a complete description of the facilities and the development or redevelopment, (ii) the tax and user fee revenues projected to be generated for the District (projected for 20 years from completion), (iii) a timetable for construction and completion, (iv) maps and drawings showing clearly the affected property, existing facilities to be connected or affected, new or altered facilities proposed and points of connection, (v) an itemized cost estimate of the facilities , including engineering, construction observation, contingencies, etc., and (vi) other information bearing upon feasibility of the project.

(d) *Review, report.* The District engineer shall review each report submitted, obtain the assistance of other professionals, if necessary (*e.g.,* operator, surveyor, attorney) and report to the Board.

Section M2. Determinations, conditions, etc.

(a) The Board shall examine the engineer's report and determine if: (i) the development or redevelopment will be feasible and beneficial to the District and its taxpayers and ratepayers; (ii) the facilities are useful, appropriate and beneficial for the District's existing systems; (iii) the District is authorized to provide the facilities and services requested; and (iv) all applicable rules, regulations and requirements of the District, Harris County, HCFCD, TxDOT, TCEQ and other agencies will be met. The Board may request data and other information to assist in making its determination. The Board may require written approvals by other agencies to show compliance with their requirements.

(b) *Certain Conditions.* The Board may require changes in an application and may insert conditions, if reasonably necessary to achieve compliance with this policy. Such conditions may include, for example, requirements for permanent, effective maintenance of facilities , in accordance with generally accepted engineering and operational criteria. Such provisions may include, for example, recorded notices, covenants and restrictions, supported by assessments if the affected area is divided into two or more parts.

(c) *Other Provisions.* The Board shall determine whether facilities or real property may be (or must be) dedicated or conveyed to the District, the County, the HCFCD or other agency, based on either: (i) established patterns of ownership and operation of similar facilities , or (ii) location, function and service area of the facilities . For any facilities or real property to be dedicated or conveyed, the Board may require a maintenance bond, to be in effect for one year following acceptance. Only the Board may accept facilities or real property offered for dedication or conveyance to the District. The applicant shall be responsible for obtaining and dedicating (or conveying) all necessary rights of way, easements and other property.

(d) If the Board determines that the application should be tentatively granted or granted with conditions, it shall adopt a motion to that effect and request the attorney to prepare a reimbursement agreement, provided that the applicant pays the District's out-of-pocket costs for such preparation in advance. No reimbursement is allowed except as required by reimbursement agreement approved and signed by the District, the applicant and the owner of the property (if different).

Section M3. Key terms and conditions

(a) Unless otherwise expressly provided in a reimbursement agreement, reimbursements are limited to: (i) 100% of the allowable costs of local facilities constructed by or conveyed to the District, up to an agreed-upon maximum level, plus (ii) 100% of the allowable costs of central facilities paid to the District, up to an agreed-upon maximum level. Costs of on-site detention and other privately-owned facilities are not reimbursable. "Allowable costs" means costs which TCEQ and applicable regulations allow to be paid or reimbursed by the District to a developer.

(b) Unless otherwise expressly provided in a reimbursement agreement, reimbursement accrues and shall be paid in annual payments accruing on each March 1 during the term of the agreement and shall be subject to the other terms and conditions of the agreement. The term of the agreement may not exceed 20 years. The amount of each annual payment is determined by the following formula:

[AV minus BV] divided by [$100] multiplied by [Reimbursement Rate]

In this formula:

"AV" is the taxable value, as shown on the most recent District certified appraisal roll from the Harris County Appraisal District, of all property in the development or redevelopment subject to taxation by the District, including any taxable improvements and personal property having situs at that property, for the tax year immediately preceding the year in which the installment comes due.

"BV" is the full market value, as shown on the most recent District certified appraisal roll from the Harris County Appraisal District, of all property in the development or redevelopment subject to taxation by the District, including any taxable improvements and personal property having situs at that property, for the tax year immediately preceding the year in which the agreement is signed. Any special appraisal values and exemptions, including agricultural use, are disregarded.

"Reimbursement Rate" is the greater of: (i) 66.7% of the ad valorem tax rate per $100 levied by the District for debt service purposes for the tax year immediately preceding the year in which the installment comes due, or (ii) 33.3% of the District's total ad valorem tax rate (debt service plus maintenance and operations) for that year.

(c) Notwithstanding anything in this policy to the contrary: (i) the District will only be obligated to make reimbursement payments that come due during the term of an agreement if the corresponding taxes from the development or redevelopment are actually paid, and the District may suspend or reduce payments under an agreement to carry out this provision; and (ii) reimbursement agreements shall contain other terms and conditions which the District may require.

Appendix N
Standard & Continuing Policies

Section N1. Code of Ethics

(a) *Purpose.* The purpose of this Code of Ethics is to set forth the standards of conduct and behavior for the members of the Board of Directors of the District as well as its officers, employees and persons handling investments for the District (collectively referred to as the "District Officials").

(b) *Conflicts of Interest.* The District adopts Chapter 171, Texas Local Government Code as its policy on conflicts of interest, including the provisions of that Chapter requiring District Officials to: (i) disclose conflicts of interest by filing affidavits, and (ii) refrain from participation in matters where there is a conflict of interest.

(c) *Conduct of District Business.* Each District Official will conduct all business of the District in a manner consistent with the requirements of applicable law.

(d) *Acceptance of Gifts.* No District Official shall accept any benefit as consideration for any decision, opinion, recommendation, vote, or other exercise of discretion in carrying out any official act for the District. No District Official shall solicit, accept, or agree to accept any benefit from a person known to be interested in or likely to become interested in any contract, purchase, payment, claim, or transaction involving the exercise of the District Official's discretion. As used herein, "benefit" shall not include:

(1) A fee prescribed by law to be received by a public servant or any other benefit to which the District Official is lawfully entitled or for which he gives legitimate consideration in a capacity other than as a District Official;
(2) A gift or other benefit conferred on account of kinship or a personal, professional, or business relationship independent of the status of the recipient as a District Official;
(3) A political contribution, as defined by the Election Code;
(4) A benefit consisting of food, lodging, transportation, or entertainment accepted as a guest; or
(5) A benefit to a District Official required to file a financial statement
under the Texas Election Code that is derived from a function in honor or appreciation of the recipient if
(A) The benefit and the source of any benefit in excess of $50.00 is reported in the required financial statement;
(B) The benefit is used solely to defray the expenses that accrue in the performance of duties or activities in connection with its official duties for the District which are non-reimbursable by the District; or
(6) An item with a value of less than $50, excluding cash or a negotiable instrument; or
(7) An item issued by a governmental entity that allows the use of property or facilities owned, leased, or operated by the governmental entity.

(e) *Investment Officer.* An investment officer of the District who has a personal business relationship with an entity seeking to sell an investment to the District shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the District shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Board and Texas Ethics Commission.

Section N2. Monitoring, Review & Evaluation of Professionals

(a) *Purpose.* The purpose of this policy is to set guidelines concerning professional consultants, defined as follows: attorney, auditor, bookkeeper, engineer, financial advisor, and tax assessor/collector, and such other consultants other than employees that the District may hereafter engage.

(b) *Selection Process.* Whenever the Board of Directors of the District decides to engage a professional consultant, the Board shall request one or more proposals as required by the Professional Services Procurement Act, Section 2254.001 *et seq.*, Government Code, or other applicable law, and except where selection of a professional consultant is to be conducted by the Board in an open meeting, the Board shall appoint a committee of one or two Directors to review any proposals received by the Board, to interview applicants, and to make a recommendation to the entire Board of Directors concerning the

selection.

(c) *Monitoring of Professional Consultants.* For those professional consultants with annual contracts, the Board of Directors of the District will review the performance of the Professional Consultants for the prior year at the time the contract is renewed. The Board of Directors shall review the performance of its other professional consultants, upon the request of one or more Directors.

Section N3. Use of Management Information

(a) *Annual Budget.* Prior to each fiscal year, the Board of Directors of the District shall adopt an annual budget for the next fiscal year for use in planning and controlling of costs.

(b) *Audit Committee.* The District hereby appoints its Board of Directors as an audit committee to review the annual audit prepared by the District Auditor.

(c) *Accounting Standards.* The District hereby directs its auditor to adopt uniform auditing reporting requirements that use "Audits of State and Local Governmental Units" as a guide on audit working papers and that uses "Governmental Accounting and Financial Reporting Standards" for final audit reports (subject to the standards for audits prescribed by applicable Texas Commission on Environmental Quality). Except as otherwise provided in this Section, all District capital assets with an initial, individual cost of more than $2,500 and an estimated useful life in excess of two years shall be capitalized and depreciated using the straight-line method over the following useful lives:

Buildings	50 years
Water system	50 years
Wastewater system	50 years
Drainage system	40 years
Sewer plant contribution	50 years
Community center	20 years
Machinery and equipment	15 years
Furniture and equipment	20 years
Transportation equipment	5 years

Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation. Expenditures that extend the useful lives of capital assets beyond their initial estimated useful lives (preservation costs) or that improve their efficiencies (improvements) or increase their capacity (additions) shall be capitalized in accordance with this Section unless, in the opinion of the District's engineer, a different useful life is appropriate.

Section N4. Meetings of the Board of Directors

(a) *Regular Meetings.* Regular meetings of the Board are set for the Wednesday next following the tenth day of each month, beginning at 6:30 PM at the District's office located at 847 Dominion, Katy, Texas 77450. *Exceptions*: (i) The Board or the President may reschedule or relocate any regular meeting by notifying each Board member and posting notices under the "Texas Open Meetings Act." The Board or the President may call a special meeting in the same manner.

(b) *Water Bill Notices.* The District's billing service must include on each water or sewer bill to a customer the following notice: "For more information about the district, including information about the district's board and board meetings, please go to [insert appropriate internet address, as required by state law]."

(c) *Public Participation.* Presentations by the public are highly valued and encouraged during those parts of a meeting designated for public participation. However, the "Texas Open Meetings Act" may prevent the Board from considering an item that is not on the agenda. The Board shall allow each member of the public who desires to address the Board regarding an item on an agenda for an open meeting of the Board to address the Board regarding the item at the meeting before or during the Board's consideration of the item, subject to these rules: (1) a member of the public who desires to address the Board must, at the beginning of the meeting, make that desire known to the presiding officer, including the affected item on the agenda, and, if requested by the presiding officer, fill out a written speaker card or request; and (2) the total amount of time that a member of the public may address the Board on a given item is five minutes.

Section N5. Public Information ("Open Records")

(a) *Addresses for requests.* The Board and the District hereby designate the following addresses for receiving written requests for public information:

Mailing address: Records Management Officer
MASON CREEK UTILITY DISTRICT
847 Dominion
Katy, Texas 77450

Electronic mail address: billing@mcud.com

(b) *Coordinator, training, etc.* The Board, the District and each Director hereby designate the District's Records Management Officer as the public information coordinator to satisfy the training requirements of the "Public Information Act" and further designate that such person shall be primarily responsible for administering the responsibilities of the District's public officials or the Board under such Act.

Appendix O
Solid Waste
As adopted August 13, 2014

Generally; Eligible Units. The District will contract for collection of household garbage, including curbside recycling, from eligible units. An eligible unit is an occupiable single-family home (vacant or not) located inside the boundaries of the District that either: (i) abuts a public street or (ii) has a designated collection point approved by the Board of the District that abuts a public street. In approving a designated collection point, the Board shall determine if the point is servable by the District's contractor, with its usual equipment, containers, etc., and if the contractor is willing to provide such service at no more than the average cost for other eligible units.

Times and Conditions of Service. Collection service will be provided on days designated by the Board from time to time, subject to weather conditions and other interruptions. Materials must be prepared and placed at curbside, or such other places as may be approved by the Board and included in the current collection contract. Only household garbage is eligible for collection. Household garbage is defined as waste generated inside the house, exclusive of any construction or remodeling debris or any other waste excluded from the current collection contract. Materials to be collected are limited as follows: (i) all materials must be in approved containers or bags not exceeding 40 gallons or forty 40 pounds; (ii) no more than 5 bags of grass per collection day, (iii) no dirt, rocks, bricks, concrete, tires, batteries, motor oil, cooking oil, waste generated by a private contractor or any materials or items deemed hazardous materials; and (iv) recycling materials are limited by the current contract and must be segregated for separate collection. *Exceptions/conditions:*

(a) Tree, shrubs, brush trimmings and fencing must be bundled in lengths no greater than four feet with no branch diameter exceeding three inches.

(b) Appliances, furniture, carpet (up to one room, rolled up four feet wide and less than fifty pounds), cardboard boxes (flattened), can be collected.

(c) Refrigerators and freezers or any other items containing refrigerants must be drained of refrigerants and have an accompanying bill to validate such service was performed.

Other. Special collection of other than normal amounts of residential refuse, yard trimmings or bulk items must be arranged by the resident directly with the contractor, in advance, and the resident must agree to pay the cost to the contractor.

Appendix P
Drought Contingency Plan
As adopted April 12, 2023, amended June 14, 2023

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 and safety and minimize the adverse impacts of water shortage or other water supply conditions, the District hereby adopts the following regulations and restrictions on the delivery, consumption and use of District water.

Water uses regulated or prohibited under this Drought Contingency Plan (Plan, or this Appendix) are found and determined to be non-essential, and continuation of such uses during drought stages specified in this Plan are is found and shall constitute waste of water subjecting offender(s) to penalties and other sanctions as defined in Section X of this Plan.

This Plan amends and replaces all prior drought contingency plans of the District.

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 means of posting on the District's internet website, https://mcud.com/ (Website).

Section IV: Coordination with Regional Water Planning Groups
The service area of the the District is located within the Region H Water Planning Group (RHWPG), and the District has provided a copy of this Plan to the RHWPG.

Section V: Authorizations, Duties, Notices, Etc.
The Administrator shall monitor water supply and/or demand conditions on at least a weekly basis. The Administrator is hereby authorized and directed to: (i) implement the applicable provisions of this Plan and make the determinations required to initiate or terminate each Stage; and (ii) issue special permits as required by this Plan.

The District's operator, the District's officer manager, and the District's office staff members are each authorized to: (i) provide information about this Plan; (ii) give notices of apparent violations, requests for compliance, inspections, etc.; (iii) perform or arrange inspections, (iv) request the Board to impose civil penalties; (v) collect fees, charges, penalties, etc.; (vi) assist the Administrator; (vii) keep records relating to this Plan; and (viii) post Written Notification for the initiation and termination of Stages of this Plan by the Administrator or the Board and provide additional notices listed below (but failure to give any such additional notice does not affect the initiation, termination, effectiveness, or validity of any Stage or any fees charges, or penalties). Additional notices may be given: (i) to the public, by posting signs, making public statements, issuing press releases, advertisement, publication, or some combination of these methods; and (ii) to the potentially-affected agencies listed below, in writing (including fax and email) or by telephone:

(a) Fire Chief(s);
(b) City and/or County Emergency Management Coordinator(s)
(c) County Judge and Commissioner(s)
(d) State disaster officials / Department of Public Safety
(e) TCEQ (required when mandatory restrictions are imposed)
(f) Major water users
(g) Governmental agencies that have interconnections or other water contracts with the District
(h) Critical water users, i.e. hospitals
(i) Parks/street managers and public facilities managers
(i) homeowner and property owner associations.

User fees for certain enforcement activities, also penalties, are prescribed in Section are prescribed in Section X of this Plan.

Section VI: Application
The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the District or owning or controlling premises receiving water provided by the District. The terms "person" and "customer" as used in the Plan each includes individuals, corporations, partnerships, associations, and all other legal entities. *Exception*: For a wholesale or interconnection customer supplied under an agreement with the District, the application of this Plan shall be limited to the extent provided in such agreement.

Section VII: Definitions
In this Plan, words and phrases specially-defined elsewhere in this order shall have the same meanings in this Plan, unless the context clearly requires a different meaning, and the following words and phrases shall have the meanings given below:

Administrator means: (i) the President of the District or, (ii) when the President is absent from the District or not available to take actions under this Plan, the Vice President of the District.

Aesthetic purposes: ornamental or decorative purposes such as by fountains, reflecting pools, or water gardens, except the water is recirculate and when necessary to support aquatic life.

Alternative water source(s) are other districts and water supply systems, surface water sources, imported water sources, non-municipal water sources, and sources of reclaimed water.

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

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 using water supplied by the District.

Designated watering period: a time period during a Stage, for any given premises where water would be used, that is defined by the address of the premises, the day of the week, and hours of the day in the Stage charts, below.

District water: water provided by or through the District's water system.

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.

District's website: The District's website where it posts meeting notices and other notices required by law.

Even-numbered addresses: premises with street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8, as assigned or recognized by the USPS for mail delivery, and premises without assigned or recognized addresses.

Outdoor area: an area not enclosed within a building, a building porch, or a similar structure, whether publicly or privately owned, including lawns, gardens, earthen areas, golf courses, parks, natural areas, ponds, water courses, and rights-of-way and medians.

Odd-numbered addresses: premises with street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9, as assigned or recognized by the USPS for mail delivery, and premises without assigned or recognized addresses.

Public Notification: written notice posted on the District's Website.

Stage: A time period that begins when the Stage in question is initiated and ends when the Stage is terminated, as provided in Stage charts below.

Supply conditions: Certain conditions that, if present, could adversely affect the District's water supply, as follows:

(a) Total available and usable water storage capacity in the District's system (ground storage plus elevated storage, excluding hydrotanks) is below 2.2 million gallons and will be below that level for 24 hours or longer.

(b) The static water level in any two or more of the District's wells is below 400 feet below natural ground during June, July, August or September of any year.
(c) A water plant in the District's system is not operable and will not become operable within 72 hours.
(d) Two or more water plants in the District's system are not operable and will not become operable within 72 hours.
(e) Total water pumped or received by the District's system is exceeding--and is expected to continue exceeding--either of the following rates: (i) 2.0 million gallons in 24 hours, or (ii) 3.6 million gallons in 72 hours.
(f) Storage tanks, at any District plant site, are not filling above 80% of capacity (aggregate for the plant site) overnight.

Section VIII: Triggers, Targets, Responses, Violations, Etc., for Stage

The triggers (or criteria for initiation) described in the Stage charts, below, are based on experience with the District's water system under drought of record conditions and system design capacity limits. During each Stage, the specified responses (management practices and restrictions on water use, including prohibitions and violations) shall apply, as shown in the Stage charts, below.

Stage 1 (Mild)

<table>
<tr><td>Initiation (triggers)</td><td>Initiation by Administrator. The Administrator shall initiate this Stage. by giving Public Notification of initiation, when the Administrator determines that:
(a) one or two of the Supply Conditions are present; or
(b) because of impairment or damage to District facilities or water supply (including possible contamination), or because of fire, explosion, leaking water, shortage of fuel or electrical power, shortage of chemicals or other supplies, strikes or labor shortages, weather conditions (current or forecasted), environmental conditions, system-related conditions, water demand (current or forecasted), or similar conditions, the supply management and demand reduction responses for this Stage will help to preserve or protect the District's system, the District's water supplies, or public health or safety; or
(c) a law, rule, regulation, or agreement between the District and a governmental entity requires initiation of this Stage.

Initiation by Board. The Board may initiate this Stage, by giving Public Notification of initiation, if it determines that supply management and demand reduction responses for this Stage will help to preserve or protect the District's system or the public health or safety, or that such responses will help the District comply with a law, rule, regulation, or agreement between the District and a governmental entity.</td></tr>
<tr><td>Target</td><td>Achieve a 5% reduction in the daily quantity of water pumped or received by the District.</td></tr>
<tr><td>Supply management responses</td><td>During this Stage, the District will: (1) use reasonable efforts to identify and correct conditions that cause loss of water from the District's system and (2) use reasonable efforts to reduce irrigation of landscaped areas controlled by the District.</td></tr>
<tr><td>Demand reduction responses</td><td>Designated watering periods. During this Stage, the designated watering periods are defined by the address of the premises where the water is used, the days of the week, and hours of the day, as follows:
<table>
<tr><th>Premises where water is used</th><th>Days of the week</th><th>Hours of the day</th></tr>
<tr><td>Even-numbered addresses</td><td>Sundays and Thursdays</td><td>Before 10:00 AM and after 8:00 PM</td></tr>
<tr><td>Odd-numbered addresses</td><td>Saturdays and Wednesdays</td><td>Before 10:00 AM and after 8:00 PM</td></tr>
</table>
Voluntary measures. During this Stage, customers are requested to voluntarily:
(a) Limit Irrigation. Use District water to irrigate outdoor areas only during designated watering periods or irrigate outdoor areas only by means of a hand-held hose, a faucet-filled bucket or can (five gal. or less), or a drip irrigation system.
(b) Conserve water. Practice water conservation and minimize or discontinue water use for non-essential purposes.</td></tr>
<tr><td>Termination</td><td>Termination by Administrator. The Administrator shall terminate this Stage, by giving Public Notification of termination, when the Administrator determines that the condition(s) leading to initiation of this Stage are not present.

Termination by Board. The Board may terminate this Stage, by giving Public Notification of termination, when the Board determines that the condition(s) leading to initiation of this Stage are not present.

Automatic termination. This Stage is automatically terminated when any other Stage is initiated.</td></tr>
</table>

Stage 2 (Moderate)

<table>
<tr><td>Initiation (triggers)</td><td>Initiation by Administrator. The Administrator shall initiate this Stage. by giving Public Notification of initiation, when the Administrator determines that:
(a) three of the Supply Conditions are present; or
(b) because of impairment or damage to District facilities or water supply (including possible contamination), or because</td></tr>
</table>

<table>
<tr><td></td><td>of fire, explosion, leaking water, shortage of fuel or electrical power, shortage of chemicals or other supplies, strikes or labor shortages, weather conditions (current or forecasted), environmental conditions, system-related conditions, water demand (current or forecasted), or similar conditions, the supply management and demand reduction responses for this Stage will help to preserve or protect the District's system, the District's water supplies, or public health or safety; or
(c) a law, rule, regulation, or agreement between the District and a governmental entity requires initiation of this Stage.

Initiation by Board. The Board may initiate this Stage, by giving Public Notification of initiation, if it determines that supply management and demand reduction responses for this Stage will help to preserve or protect the District's system or the public health or safety, or that such responses will help the District comply with a law, rule, regulation, or agreement between the District and a governmental entity.</td></tr>
<tr><td>Target</td><td>Achieve a 10% reduction in the daily quantity of water pumped or received by the District.</td></tr>
<tr><td>Supply management responses</td><td>During this Stage, the District will: (1) increase its efforts to identify and correct conditions that cause loss of water from the District's system and (2) reduce irrigation of landscaped areas controlled by the District.</td></tr>
<tr><td>Demand reduction responses</td><td>Designated watering periods. During this Stage, the designated watering periods are defined by the address of the premises where the water is used, the days of the week, and hours of the day, as follows:
<table>
<tr><th>Premises where water is used</th><th>Days of the week</th><th>Hours of the day</th></tr>
<tr><td>Even-numbered addresses</td><td>Sundays and Thursdays</td><td>Before 10:00 AM and after 8:00 PM</td></tr>
<tr><td>Odd-numbered addresses</td><td>Saturdays and Wednesdays</td><td>Before 10:00 AM and after 8:00 PM</td></tr>
</table>
Prohibitions. During this Stage, the following are all prohibited, and each is a violation of this Plan (but authorization by a special permit or variance shall be an affirmative defense to a violation; see Section X):
(a) Certain irrigation. Using District water to irrigate any outdoor area. Exceptions: (1) During a designated watering period, irrigation though a hose or irrigation system is allowed. (2) At any time, irrigation by means of a hand-held hose, a faucet-filled bucket or can (five gal. or less), or a drip irrigation system is allowed.
(b) Car washing, etc. Using District water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle, except: (1) washing vehicles during a designated watering period by means of a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses; and (2) washing vehicles on the immediate premises of a commercial car wash or commercial service station.
(c) Pool-filling, etc. Using District water to fill, refill, or add to any indoor or outdoor swimming pool, wading pool, or Jacuzzi-type pool, except during a designated watering period.
(d) Aesthetic purposes. Using District water for aesthetic purposes.
(e) Fire hydrants. Using District water from a fire hydrant or flushing valve, except: (1) for firefighting or related activities; (2) as necessary to maintain public health or safety; or (3) for system maintenance or other District operations.
(f) Restaurants. Serving District water to a restaurant patron, unless requested by the patron.
(g) Sidewalks, driveways, etc. Using District water to wash any sidewalk, walkway, driveway, parking area, tennis court, or other hard-surfaced area.
(h) Washing buildings or structures. Using District water to wash the exterior of any building or structure, except for firefighting or fire protection.
(i) Dust control. Using District water for dust control.
(j) Gutters, etc. Using District water to flush gutters or allowing District Water to run or accumulate in any gutter or street area (public or private).
(k) Leaks. Failing or refusing to repair (or otherwise stop) a controllable leak of District water on any premises within a reasonable time after a person controlling the premises becomes aware of the leak.</td></tr>
<tr><td>Termination</td><td>Termination by Administrator. The Administrator shall terminate this Stage, by giving Public Notification of termination, when the Administrator determines that the condition(s) leading to initiation of this Stage are not present.

Termination by Board. The Board may terminate this Stage, by giving Public Notification of termination, when the Board determines that the condition(s) leading to initiation of this Stage are not present.

Automatic termination. This Stage is automatically terminated when any other Stage is initiated.</td></tr>
</table>

Stage 3 (Severe)

<table>
<tr><td>Initiation (triggers)</td><td>Initiation by Administrator. The Administrator shall initiate this Stage. by giving Public Notification of initiation, when the Administrator determines that:
(a) four of the Supply Conditions are present; or
(b) because of impairment or damage to District facilities or water supply (including possible contamination), or because of fire, explosion, leaking water, shortage of fuel or electrical power, shortage of chemicals or other supplies, strikes or labor shortages, weather conditions (current or forecasted), environmental conditions, system-related conditions, water demand (current or forecasted), or similar conditions, the supply management and demand reduction responses for this Stage will help to preserve or protect the District's system, the District's water supplies, or public health or safety; or
(c) a law, rule, regulation, or agreement between the District and a governmental entity requires initiation of this Stage.

Initiation by Board. The Board may initiate this Stage, by giving Public Notification of initiation, if it determines that supply management and demand reduction responses for this Stage will help to preserve or protect the District's system or the public health or safety, or that such responses will help the District comply with a law, rule, regulation, or agreement between the District and a governmental entity.</td></tr>
<tr><td>Target</td><td>Achieve a 15% reduction in the daily quantity of water pumped or received by the District.</td></tr>
<tr><td>Supply management responses</td><td>During this Stage, the District will: (1) increase its efforts to identify and correct conditions that cause loss of water from the District's system, (2) reduce irrigation of landscaped areas controlled by the District; and (3) investigate possible alternative water sources.</td></tr>
<tr><td>Demand reduction responses</td><td>Designated watering periods. During this Stage, the designated watering periods are defined by the address of the premises where the water is used, the days of the week, and hours of the day, as follows:
<table>
<tr><th>Premises where water is used</th><th>Days of the week</th><th>Hours of the day</th></tr>
<tr><td>Even-numbered addresses</td><td>Sundays and Thursdays</td><td>Before 10:00 AM and after 8:00 PM</td></tr>
<tr><td>Odd-numbered addresses</td><td>Saturdays and Wednesdays</td><td>Before 10:00 AM and after 8:00 PM</td></tr>
</table>
Prohibitions. During this Stage, the following are all prohibited, and each is a violation of this Plan (but authorization by a special permit or variance shall be an affirmative defense to a violation; see Section X):
(a) Certain irrigation. Using District water to irrigate any outdoor area. Exception: During a designated watering period only, irrigation by means of a hand-held hose, a faucet-filled bucket or can (five gal. or less), a drip irrigation system or a permanently-installed automatic sprinkler system is allowed.
(b) Car washing, etc. Using District water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle, except: (1) washing vehicles during a designated watering period by means of a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses; and (2) washing vehicles on the immediate premises of a commercial car wash or commercial service station.
(c) Pool-filling, etc. Using District water to fill, refill, or add to any indoor or outdoor swimming pool, wading pool, or Jacuzzi-type pool, except during a designated watering period.
(d) Aesthetic purposes. Using District water for aesthetic purposes.
(e) Fire hydrants. Using District water from a fire hydrant or flushing valve, except: (1) for firefighting or related activities; (2) as necessary to maintain public health or safety; or (3) for system maintenance or other District operations.
(f) Restaurants. Serving District water to a restaurant patron, unless requested by the patron.
(g) Sidewalks, driveways, etc. Using District water to wash any sidewalk, walkway, driveway, parking area, tennis court, or other hard-surfaced area.
(h) Washing buildings or structures. Using District water to wash the exterior of any building or structure, except for firefighting or fire protection.
(i) Dust control. Using District water for dust control.
(j) Gutters, etc. Using District water to flush gutters or allowing District Water to run or accumulate in any gutter or street area (public or private).
(k) Leaks. Failing or refusing to repair (or otherwise stop) a controllable leak of District water on any premises within a reasonable time after a person controlling the premises becomes aware of the leak.</td></tr>
<tr><td>Termination</td><td>Termination by Administrator. The Administrator shall terminate this Stage, by giving Public Notification of termination, when the Administrator determines that the condition(s) leading to initiation of this Stage are not present.

Termination by Board. The Board may terminate this Stage, by giving Public Notification of termination, when the Board determines that the condition(s) leading to initiation of this Stage are not present.

Automatic termination. This Stage is automatically terminated when any other Stage is initiated.</td></tr>
</table>

Stage 4 (Critical)

<table>
<tr><td>Initiation (triggers)</td><td>Initiation by Administrator. The Administrator shall initiate this Stage. by giving Public Notification of initiation, when the Administrator determines that:
(a) five of the Supply Conditions are present; or
(b) because of impairment or damage to District facilities or water supply (including possible contamination), or because of fire, explosion, leaking water, shortage of fuel or electrical power, shortage of chemicals or other supplies, strikes or labor shortages, weather conditions (current or forecasted), environmental conditions, system-related conditions, water demand (current or forecasted), or similar conditions, the supply management and demand reduction responses for this Stage will help to preserve or protect the District's system, the District's water supplies, or public health or safety; or
(c) a law, rule, regulation, or agreement between the District and a governmental entity requires initiation of this Stage.

Initiation by Board. The Board may initiate this Stage, by giving Public Notification of initiation, if it determines that supply management and demand reduction responses for this Stage will help to preserve or protect the District's system or the public health or safety, or that such responses will help the District comply with a law, rule, regulation, or agreement between the District and a governmental entity.</td></tr>
<tr><td>Target</td><td>Achieve a 20% reduction in the daily quantity of water pumped or received by the District.</td></tr>
<tr><td>Supply management responses</td><td>During this Stage, the District will: (1) increase its efforts to identify and correct conditions that cause loss of water from the District's system; (2) reduce irrigation of landscaped areas controlled by the District; (3) begin acquisition of, or arrangements for, alternative water sources, if feasible; and (4) suspend new, additional, expanded, or increased-in-size water connections, meters, service lines, pipeline extensions, mains, and water service facilities .</td></tr>
<tr><td>Demand reduction responses</td><td>Designated watering periods. During this Stage, the designated watering periods are defined by the address of the premises where the water is used, the days of the week, and hours of the day, as follows:
<table>
<tr><th>Premises where water is used</th><th>Days of the week</th><th>Hours of the day</th></tr>
<tr><td>Even-numbered addresses</td><td>Sundays and Thursdays</td><td>From 6:00 AM to 10:00 AM and after 8:00 PM</td></tr>
<tr><td>Odd-numbered addresses</td><td>Saturdays and Wednesdays</td><td>From 6:00 AM to 10:00 AM and after 8:00 PM</td></tr>
</table>
Prohibitions. During this Stage, the following are all prohibited, and each is a violation of this Plan (but authorization by a special permit or variance shall be an affirmative defense to a violation; see Section X):
(a) Certain irrigation. Using District water to irrigate any outdoor area. Exception: During a designated watering period only, irrigation by means of a hand-held hose, a faucet-filled bucket or can (five gal. or less), or a drip irrigation system is allowed.
(b) Car washing, etc. Using District water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle. Exception: Washing vehicles on the immediate premises of a commercial car wash or commercial service station is allowed from 6:00 AM to 10:00 AM or from 6:00 PM to 10:00 PM.
(c) Pool-filling, etc. Using District water to fill, refill, or add to any indoor or outdoor swimming pool, wading pool, or Jacuzzi-type pool.
(d) Aesthetic purposes. Using District water for aesthetic purposes.
(e) Fire hydrants. Fire hydrants. Using District water from a fire hydrant or flushing valve, except: (1) for fire fighting or related activities; (2) as necessary to maintain public health or safety; or (3) for system maintenance or other District operations. Using District water from a fire hydrant for construction purposes as authorized by a special permit is also prohibited and shall be a violation of this Plan.
(f) Restaurants. Serving District water to a restaurant patron, unless requested by the patron.
(g) Sidewalks, driveways, etc. Using District water to wash any sidewalk, walkway, driveway, parking area, tennis court, or other hard-surfaced area.
(h) Washing buildings or structures. Using District water to wash the exterior of any building or structure, except for firefighting or fire protection.
(i) Dust control. Using District water for dust control.
(j) Gutters, etc. Using District water to flush gutters or allowing District Water to run or accumulate in any gutter or street area (public or private).
(k) Leaks. Failing or refusing to repair (or otherwise stop) a controllable leak of District water on any premises as soon as practicable after a person controlling the premises becomes aware of the leak.</td></tr>
<tr><td>Termination</td><td>Termination by Administrator. The Administrator shall terminate this Stage, by giving Public Notification of termination, when the Administrator determines that the condition(s) leading to initiation of this Stage are not present.

Termination by Board. The Board may terminate this Stage, by giving Public Notification of termination, when the Board determines that the condition(s) leading to initiation of this Stage are not present.

Automatic termination. This Stage is automatically terminated when any other Stage is initiated.</td></tr>
</table>

Stage 5 (Emergency)

Initiation (triggers)	**Initiation by Administrator**. The Administrator shall initiate this Stage. by giving Public Notification of initiation, when the Administrator determines that: (a) six or more of the Supply Conditions are present; or (b) because of impairment or damage to District facilities or water supply (including possible contamination), or because of fire, explosion, leaking water, shortage of fuel or electrical power, shortage of chemicals or other supplies, strikes or labor shortages, weather conditions (current or forecasted), environmental conditions, system-related conditions, water demand (current or forecasted), or similar conditions, the supply management and demand reduction responses for this Stage will help to preserve or protect the District's system, the District's water supplies, or public health or safety; or (c) a law, rule, regulation, or agreement between the District and a governmental entity requires initiation of this Stage. **Initiation by Board.** The Board may initiate this Stage, by giving Public Notification of initiation, if it determines that supply management and demand reduction responses for this Stage will help to preserve or protect the District's system or the public health or safety, or that such responses will help the District comply with a law, rule, regulation, or agreement between the District and a governmental entity.
Target	Achieve a 25% reduction in the daily quantity of water pumped or received by the District.
Supply management responses	During this Stage, the District will: (1) increase its efforts to identify and correct conditions that cause loss of water from the District's system; (2) cease irrigation of landscaped areas controlled by the District; and (3) obtain and use water from alternative water sources, if feasible.
Demand reduction responses	**Designated watering periods.** During this Stage, there are no designated watering periods. **Prohibitions.** During this Stage, the following are all prohibited, and each is a violation of this Plan (but authorization by a special permit or variance shall be an affirmative defense to a violation; see Section X): (a) *Irrigation.* Using District water to irrigate any outdoor area. (b) *Car washing, etc.* Using District water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle. (c) *Pool-filling, etc.* Using District water to fill, refill, or add to any indoor or outdoor swimming pool, wading pool, or Jacuzzi-type pool. (d) *Aesthetic purposes.* Using District water for aesthetic purposes. (e) *Fire hydrants.* Using District water from a fire hydrant or flushing valve, except: (1) for firefighting or related activities; (2) as necessary to maintain public health or safety; or (3) for system maintenance or other District operations. Using District water from a fire hydrant for construction purposes as authorized by a special permit is also prohibited and shall be a violation of this Plan. (f) *Restaurants.* Serving District water to a restaurant patron, unless requested by the patron. (g) *Sidewalks, driveways, etc.* Using District water to wash any sidewalk, walkway, driveway, parking area, tennis court, or other hard-surfaced area. (h) *Washing buildings or structures.* Using District water to wash the exterior of any building or structure, except for firefighting or fire protection. (i) *Dust control.* Using District water for dust control. (j) *Gutters, etc.* Using District water to flush gutters or allowing District Water to run or accumulate in any gutter or street area (public or private). (k) *Leaks.* Failing or refusing to repair (or otherwise stop) a controllable leak of District water on any premises as soon as possible after a person controlling the premises becomes aware of the leak.
Termination	**Termination by Administrator**. The Administrator shall terminate this Stage, by giving Public Notification of termination, when the Administrator determines that the condition(s) leading to initiation of this Stage are not present. **Termination by Board.** The Board may terminate this Stage, by giving Public Notification of termination, when the Board determines that the condition(s) leading to initiation of this Stage are not present. **Automatic termination.** This Stage is automatically terminated when any other Stage is initiated.

Section IX: Water Rate Increases

The Board may impose increases in water rates to help manage demand for water and to encourage conservation, either in the amounts shown below or in such different amounts as the Board may prescribe by amendment to this order:

Usage amount (gallons per month, each customer)	Amount of increase (additional charge per 1,000 gallons of usage--added to all other charges)
3,001 to 10,000	$2.00
10,001 to 15,000	$3.00
15,001 to 20,000	$4.00
Over 20,000	$5.00

Unless otherwise ordered by the Board, such increases shall: (i) apply to each customer beginning with the billing period during which the increases are first imposed--and shall apply to all usage during that billing period--and (ii) continue in effect for successive billing periods until the end of the billing period, for each customer, during which the last Stage is terminated (that is, until after no Stage is in effect), and such increases shall apply to all usage until the end of that billing period.

Section X: Enforcement

Authorizations to initiate enforcement actions are specified elsewhere in this Appendix. There are user fees (which are not penalties) for certain actions, as shown in the table, below. Such user fees are additional charges for water service, and: (i) they shall be added to the billings for water service at the affected premises, and (ii) they apply in addition to (not in lieu of) penalties, suspension, discontinuation and other remedies specified in Section 17.

Action	User fee
Giving initial notice of apparent violation(s), request for compliance, etc.	$50 per notice, unless, within the time requested in the notice, a person in control of the premises responds and resolves apparent violation, either by taking effective correction action or by demonstrating that there was no violation in the first instance.
Giving second or later notice of apparent violation(s), request for compliance, etc.	$50 per notice
Inspection (or attempted inspection) following any such notice or request	$75 each

Penalties, suspension, discontinuation and other remedies specified in Section 17 of this order shall apply to violations of this Appendix, except that the following smaller penalties and different times to cure or correct violations (when so required by Section 17) apply to certain violations:

When violation occurs	Maximum penalty (each separate violation)	Time allowed to cure or correct a violation (when required by Sec. 17)
During Stage 1	$50	20 days
During Stage 2	$100	15 days
During Stage 3	$200	10 days
During Stage 4	$500	5 days
During State 5	$750	2 days

Section XI: Special Permits, Variances, Etc.

The Administrator shall grant a special permit, in writing, to authorize, temporarily, a water use otherwise prohibited under this Plan if the Administrator determines that:

(a) the person requesting the permit has applied in writing and paid an application fee of $20.

(b) the authorized use will help to preserve or protect public health or safety, or will prevent significant loss of, or damage to, real or personal property; and

(c) the authorized use will not exceed 500 gallons on any day.

Such permits may contain: (i) conditions to reduce the authorized use to the lowest level practicable, for the shortest time necessary, and (ii) conditions necessary to enable the Administrator to make any of the required determinations. Each such permit shall expire at noon on the 180th day following its issuance, unless an earlier expiration is specified in the permit itself.

Both the granting of a permit and the failure to grant a permit within 35 days following an application are subject to administrative remedies specified elsewhere in this order. The other specified administrative remedies shall also apply, including interpretations and variances and appeals to state agencies, as applicable.