

**CERTIFICATE FOR ORDER**

We, the undersigned officers of the Board of Directors of **CHATEAU WOODS MUNICIPAL UTILITY DISTRICT**, Montgomery County, Texas, hereby certify as follows:

The Board of Directors of CHATEAU WOODS MUNICIPAL UTILITY DISTRICT convened on 18<sup>th</sup> day of November 2021 at the regular meeting place thereof, and the roll was called for the duly constituted officers and members of the Board.

David Schoop	President
Steve Mitschke	Vice-President
Cassandra Merceri	Secretary
Alanna Hardage	Treasurer
Shane Ramsour	Member

and all of said persons were present, thus constituting a quorum.

Whereupon among other business, the following was transacted at the meeting: amending the “**ORDER BY CHATEAU WOODS MUNICIPAL DISTRICT AMENDING ITS UTILITY RATES AND ADOPTING AMENDED RULES AND REGULATIONS RELATING TO THE ADMINISTRATION OF ITS UTILITY SERVICES AND IMPLEMENTATION OF ITS IMPACTS FEES; AND ESTABLISHING PENALTIES FOR VIOLATION OF THOSE RULES AND REGULATIONS**” was introduced for the consideration of the Board. It was then duly moved and seconded that the Order be adopted, effective January 1, , 2022; and, after due discussion, the motion, carrying with it the adoption of the Order, prevailed **and carried unanimously**.

That a true, full and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; and that the Order has been duly recorded in the Board’s minutes of the meeting; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Board as indicated therein; that each of the officers and members consented, in advance, to the holding of the meeting for such purpose; that the meeting was open to the public as required by law; and that public notice of the time, place and subject of the meeting was given as required by Chapter 551 of the Texas Government Code and Chapters 49 and 54 of the Texas Water Code.

**SIGNED AND SEALED** the-\_\_\_\_\_ day of November 2021

\_\_\_\_\_  
Secretary of the Board

\_\_\_\_\_  
President of the Board

**AS AMENDED NOVEMBER 18, 2021**

**ORDER BY CHATEAU WOODS MUNICIPAL UTILITY DISTRICT AMENDING ITS UTILITY RATES AND ADOPTING AMENDED RULES AND REGULATIONS RELATING TO THE ADMINISTRATION OF ITS UTILITY SERVICES AND IMPLEMENTATION OF ITS IMPACT FEES; AND ESTABLISHING PENALTIES FOR VIOLATION OF THOSE RULES AND REGULATIONS**

**WHEREAS**, Chateau Woods Municipal Utility District of Montgomery County, Texas (hereafter “District”), owns a water and sewer system; and

**WHEREAS**, Section 49.212 Texas Water Code, authorizes the District to adopt and enforce all necessary charges, fees, or rentals, in addition to taxes, for providing the District facilities or service, as well as a deposit for any service or facilities furnished by the District; and

**WHEREAS**, Section 54.205, Texas Water Code, authorizes the District to adopt and enforce reasonable rules and regulations concerning the administration of its utility facilities; and

**WHEREAS**, the District Board of Directors believes that **Appendix “F”** of this Order, entitled the Drought Contingency Plan for Chateau Woods MUD, should be updated and amended to provide better water conservation policies; and

**WHEREAS**, the District has been paying a monthly rate assessment per 1000 gallons of water consumed for residential and commercial accounts by the Lone Star Groundwater Conservation District (“Lone Star”) for its “Water Use Fee” which the District has been assessing its residential and commercial customers pursuant to its Amended Rate Order, dated May 27, 2010; and

**WHEREAS**, pursuant to its Amended Rate Order dated May 27, 2010, the District has been collecting a “Water Use Pumpage Fee” per 1000 gallons of water consumed since August 1, 2010 for residential and commercial accounts as imposed by the Lone Star Groundwater Conservation District on all Large Volume Groundwater Users (“LVGU”) in Montgomery County, Texas; and

**WHEREAS**, the Board of Directors has terminated its previous GRP Participation Agreement with Porter Special Utility District; and

**WHEREAS**, the Board of Directors of the District believes it is in the best interest of the District and its customers that the monthly “Water Use Pumpage Fee” assessed to the District by the Lone Star Groundwater Conservation District be passed through to the individual In-District and Out-of-District residential and commercial customers on the basis of the amount of water consumed monthly by each customer, and

**WHEREAS**, the Board of Directors further believe that it is in the best interest of the District and its customers that the District set service deposits for its out-of-District customers at two times the customer's average bill; and

**WHEREAS**, on April 22, 2016, the Texas Commission on Environmental Quality (TCEQ) issued "An Order Authorizing Chateau Woods Municipal Utility District of Montgomery County to Impose an Impact Fee;" and

**WHEREAS**, pursuant to such TCEQ order, the District has levied impact fees of \$1,406 per equivalent single-family connections to its water supply distribution system and \$2,127 per equivalent single-family connection for new connections to its wastewater treatment and collection system (\$3,533 total); and

**WHEREAS**, Section 49.004, Texas Water Code, authorizes the District to set reasonable penalties for the breach of any rule of the District, which shall not exceed the jurisdictional limits of \$20,000.00 of a justice court as provided by Section 27.031 of the Texas Government Code; and

**WHEREAS**, Section 54.206, Texas Water Code, states that after the required publication, these rules shall be recognized by the courts; and,

**WHEREAS**, the Board of Directors has carefully considered the matter and is of the opinion that the following fees, charges, rules, regulations, and penalties are necessary for the safe and efficient management of the District's utility facilities.

**NOW THEREFORE, BE IT ORDERED** by the Board of Directors of Chateau Woods Municipal Utility District of Montgomery County, Texas that this Order shall be and remain in full force and effect after its passage from the **effective date of January 1, 2022**.

## TABLE OF CONTENTS

Section 1	Definitions	6
Section 2	Petitions for Annexation	9
Section 3	Platting Requirement	10
Section 4.	Approval of Plans and Specifications for new developments	10
Section 5.	Enforcement of Deed Restrictions	11
Section 6.	Water & Sewer Connections System: District Operator to Design Extension; District Operator to Make System Connections	11
Section 7	Separate Water Meters Required	13
Section 8	Drainage Requirements	13
Section 9	Water and Sewer Tap Fees	14
Section 10	Installation	14
Section 11	Water and Sewer Tap Procedures Inspections	15
Section 12	Temporary Water Service – For New Construction	19
Section 13	Maintenance and Repair	19
Section 14	Trap Inspections	19
Section 15	Deposits	20
Section 16	Water, Sewer and Trash Rates	20
Section 17	Disconnection	21
Section 18	Collection and Write-off Final Billing	21
Section 19	Utility Easements	21
Section 20	Plumbing Codes	21
Section 21	Customer Service Inspection Certificate	21
Section 22	Prohibited Connections	22
Section 23	Backflow Prevention Assemblies	22
Section 24	Customer Service Agreements	24
Section 25	No Free Service	24
Section 26	Returned Checks	25
Section 27	Regulatory Assessment Fee	25
Section 28	Water Conservation Plan & Drought Contingency Plan	25
Section 29	Impact Fees	25
Section 30	Penalties for Violations	25
Section 31	Supersede Order	26
Section 32	Severability	26

Section 33	Compliance with Open Meetings Act	26
Appendix "A"	Deposits, Charges, Fees & Rentals	28
Appendix "B"	Certificate of Inspection	34
Appendix "C"	Customer Service Inspection Certification	35
Appendix "D"	Test and Maintenance Report	36
Appendix "E"	Customer Service Agreement	37
Appendix "F"	Drought Contingency Plan	38
Appendix "G"	Lake Chateau Woods Deed Restrictions	44

The following fees, charges, rules, regulations, and penalties are hereby adopted as amended pursuant to Article XVI, Section 59, Texas Constitution and Chapters 49 and 54, Texas Water Code, **effective January 1, 2022**:

**Section 1. Definitions** As used in this Order special terms shall be defined as stated below.

**“Approving authority”** means the Board of Directors or its duly authorized representative.

**“Board”** means the Board of Directors of Chateau Woods Municipal District.

**“Building sewer”** means the extension from the building drain to the public sewer or other place of disposal (also called the house lateral and house connection).

**“Certificate of Convenience and Necessity”** or **“CCN”** means a certificate issued by Texas Public Utility Commission (PUC) granting the District authority to operate public water and sanitary sewer systems.

**“Commercial connection”** or **“commercial service”** is any connection other than a “residential connection” as defined below. This includes any assisted living facility or group housing which furnishes food and shelter to four or more persons who are unrelated to the proprietor of the facility.

**“Developer”** means any person, company or other legal entity that develops for profit a tract of property for residential or commercial use.

**“District”** means Chateau Woods Municipal Utility District, Montgomery County, Texas, a political subdivision of the State of Texas, or any authorized person acting on its behalf.

**“District Engineer”** means the person, company or corporation which is under contract with the District to design the District’s Water Supply System and Sanitary Sewer Collection System and performs any additional service as set forth in the contract with the District.

**“District Operator”** means the Water and Wastewater Operator of Chateau Woods Municipal Utility District, or its duly authorized deputy, agent or representative.

**“Impact Fee”** means a charge or assessment imposed by the District against new connections and development in the District’s CCN or service area in order to generate revenue for funding or recouping the cost of capital improvements or facility expansions necessitated by and attributable to such new development. Such impact fees were authorized by the Texas Commission on Environmental Quality (TCEQ) on April 22, 2016.

**“Industrial waste”** means waste resulting from any process of industry, manufacturing, trade, or business from the development of any natural resource, or any mixture of the waste with water or normal wastewater, or distinct from normal domestic wastewater.

**“Normal domestic wastewater”** means wastewater excluding industrial wastewater discharged by a person into sanitary sewers and in which the average concentration of total suspended solids is not more than 250 mg/l and B.O.D. is not more than 250 mg/l.

**“Out of District Service or Connection”** means a connection where the structure fed by such connection is outside the District boundary.

**“Person”** means any individual and includes any corporation, organization, government or governmental subdivision or agency, business trust, estate, trust, partnership association, or other legal entity.

**“pH”** means the logarithm (base 10) of the reciprocal of the hydrogen ion concentration.

**“Plot Plan”** means a site plan for improvements showing the improvements on a boundary survey, to scale, with all applicable dimensions labeled to show the distance of improvements from property lines on all sides. The boundary survey on which the improvements are shown is required to be prepared by a Registered Public Land Surveyor in the State of Texas, but single lot residential improvements may be drawn to scale by the applicant on said survey.

**“Permanent service”** means a Connection or Service authorized by the District that does not meet the definition of a Temporary Service and for which all requirements of the District have been satisfied, the occupant of the property is the named customer, and no remaining balances are due from the associated Temporary Service.

**“Public sewer”** means pipe or conduit carrying unpolluted wastewater in which owners of abutting properties shall have the use, subject to control by Chateau Woods Municipal Utility District.

**“Rate Order”** means the District’s Rules and Regulations which may be amended from time to time.

**“Residential connection” or “residential service”** is a permanent service, which serves a single-family residence for ordinary domestic service.

**“Sanitary sewer”** means a public sewer that conveys wastewater, and into which storm water, surface water, groundwater, and other unpolluted waters are not intentionally passed.

**“Sanitary sewer collection system”** constitutes the underground sanitary sewer lines owned or leased and operated by the District. This system is composed of all interconnection laterals, mains, and trunk lines with manholes, clean-outs, stacks, tees,

and wyes located within the publicly dedicated utility easements within the District. This system is maintained by the District.

**“Sanitary sewer service line”** is any line from a residential dwelling or commercial building which connects with the District’s sanitary sewer collection system, including any grease traps or other facilities constructed to prevent non-domestic waste from being introduced into the District’s sanitary sewer collection system. This service line is owned and maintained by the property owner of the residential dwelling or commercial building.

**“Slug”** means any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four hour concentration or flows during operation.

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

**“Storm water”** means a rainfall or any other forms of precipitation.

**“Tap fee”** is the fee paid to the District to obtain a water meter for any service connection. The amount of the “tap fee” shall be established in the District’s Rate Order and may be modified or changed at any time.

**“Temporary service” or “temporary connection”** means any water or sewer service for a building that has not received a certificate of occupancy from the Fire Marshal (if commercial), a passing Customer Service Inspection, and a passing final inspection including drainage; or that is in the name of a builder or construction company that is not occupying the premises. Temporary service may also refer to any temporary meter installation or other interim need and be classified as such by the District Operator.

**“To discharge”** includes to deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions.

**“Trap”** means a device designed to skim, settle, or otherwise remove grease, oil, sand, flammable wastes, or other harmful substances.

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



**“Unpolluted wastewater”** means water containing no free or emulsified grease or oil; no acids or alkalis; no phenols or other substances producing taste or odor in receiving water; no toxic or poisonous substances in suspension, colloidal state, or solution; no noxious or otherwise obnoxious or odorous gases; and color not exceeding fifty (50) units as measured by the Platinum-Cobalt method of determination as specified in Standard Methods.

**“Waste”** means rejected, unutilized or superfluous substances in liquid, gaseous, or solid form resulting from domestic, agricultural, or industrial activities.

**“Wastewater”** means a combination of water carried waste from residences, business buildings, institutions, and industrial establishments, through conventional sanitary sewer plumbing and infrastructure.

**“Wastewater facilities”** include all facilities for collection, pumping, treating, and disposing of wastewater.

**“Wastewater treatment plant”** means any District owned facilities, devices, and structures used for receiving, processing and treating wastewater and sludge from the sanitary sewers.

**“Water Supply System”** is composed of all water lines, valves, valve boxes, flush valves, blow off valves, water meters, water meter service lines, and meter boxes located within public rights-of-way or easements owner or leased and operated by the District. This system is maintained by the District.

**“Water meter”** is the recording device that registers the amounts of water consumed by each customer of the District. This meter is owned and maintained by the District.

**“Water service line”** is any line from a residential dwelling or commercial building, which connects to the District’s water supply system. This service line is owned and maintained by the property owner of the residential dwelling or commercial structure.

**“Water tap”** is the physical connection of water service line to the District’s water supply system. Such connection will be made only by the District’s Operator.

## **Section 2. Petitions for Annexation**

Anyone who desires to have land annexed into the District will be required to follow the procedures outlined below:

1. The landowner must request in writing at the District office that his property be considered for annexation to the District.
2. If the request is received at least ten days prior to the next Board meeting, the request will be placed on the agenda.

3. The landowner/developer must attend the Board meeting at which the request is considered. He should bring the following items: map or plat showing location of the property; a legal description of the property prepared by a licensed surveyor; architectural renderings of the proposed development; cost estimate of the buildings and facilities and taxable value of development; and construction timetable.
4. If the property considered for annexation lies within the extraterritorial jurisdiction of a municipality, the District must receive a written consent to annexation by ordinance or resolution as required by Section 54.0165 of the Texas Water Code.
5. The Board may direct the District Engineer to prepare a feasibility study on the project. The Board will review the feasibility study after it is completed.
6. Prior to preparing the feasibility study, the landowner/developer must deposit funds with the District for the engineering and legal costs involved in the annexation request according to the schedule set forth in **Appendix "A"** hereto. If the District's cost of processing the annexation exceeds the deposit, then the landowner/developer must pay the balance of those costs before the annexation is approved by the District.
7. If the applicant wishes to proceed with the annexation process, he/she shall file a valid Petition for Annexation prepared in accordance with Section 49.301 or 49.302, Texas Water Code. Petitions under Section 49.301 must be signed by all landowners and all lien holders of the Property. All petitions must be accompanied by evidence of the petitioner's ownership (deed, etc.) of the land petitioned for annexation, certification as to whether they are any registered voters living on the property to be annexed, and a certificate from the Central Appraisal District stating that the property to be annexed is on the tax rolls in the name of the petitioner for annexation. All petitions shall provide that the applicant will underwrite the cost of the facilities for the project as determined by the District Engineer, and that the property will be subject to District taxation after annexation for all outstanding District debt and the District's maintenance tax, and that the petitioner agrees to the issuance of any voted but unissued bonds of the District.

The Petition for Annexation will then be scheduled for a hearing before the Board pursuant to Section 49.301 or Section 49.302, Texas Water Code.

### **Section 3. Platting Requirement**

No connection shall be made to the District's water supply system or sanitary sewer collection system unless the tract, parcel, or lot of land to be served by such connection:

1. was first connected to the District's water supply system or sanitary sewer collection system prior to September 1, 1987, or
2. is part of an area covered by a development plat duly approved and recorded pursuant to Sections 212.0115 and 212.012 of the Local Government Code, as amended, or

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

#### **Section 4. Approval of Plans and Specification for new developments**

Prior to any connection to the District's water supply system or sanitary sewer collection system, the plans and specifications for the wastewater facilities, water facilities, and drainage plans must be submitted to the District engineer for review and approval. All reviewed facilities must conform to the current standards of City of Conroe for water and wastewater and to the current standards of Montgomery County for drainage. These reference standards may be applied, supplemented, or modified with approval from or at the direction of the District Engineer.

#### **Section 5. Enforcement of Deed Restrictions.**

A. Pursuant to Section 54.237 of the Texas Water Code, the District has the authority to enforce the properly recorded Deed Restrictions, effective April 25, 1994, found at Clerk's File No. 9517212, in the Real Property Records of Montgomery County, Texas. The District has the right to review all proposed building plans to ensure that such plans comply with the Covenants, Conditions, and Restrictions imposed upon property in Lake Chateau Woods Subdivision. A copy of the Deed Restrictions is attached hereto as Appendix "G."

B. In order to ensure compliance with Deed Restrictions, all new construction plans will be reviewed by the District and must be approved prior to construction of any permanent structure on any lots included in the Deed Restrictions.

C. The District may take all actions necessary to enforce a deed restriction, including the initiation, the defense, or intervention in litigation or an administrative proceeding to enjoin or abate the violation of a restriction when, in the reasonable judgment of the Board of Directors of the District, enforcement of a restriction is necessary to sustain taxable property values in the District.

D. In addition to damages which the District may be entitled to recover, the District is entitled to recover its costs and reasonable attorney's fees when the District is the prevailing party in litigation or an administrative proceeding to enforce a deed restriction.

#### **Section 6. Water & Sewer Connections; District Engineer to Design System Extension; District Operator to Make System Connection.**

Cross connections between the District's utility systems and any well, septic tank, or private system, are prohibited.

The District Engineer will be responsible for the design of all public water and sanitary sewer facilities planned that are to be owned or maintained by the District. Developers

are required to submit the design of paving and drainage systems to the District Engineer and the Montgomery County Engineer's Office for approvals. Such approvals do not supplant the District's approval of those systems. The cost for any water or sewer extensions must be borne by the developer, including engineering fees, without reimbursement from the District. The developer shall make a request for extension of the District's utilities with the District Board of Directors. This request shall include preliminary sketches of layouts of the proposed improvements and shall review the proposed extensions for adequacy of design with respect to the District's existing utilities.

The District Engineer shall prepare a written report to be presented to the District Board of Directors within 30 days of the notice to extend utilities. This written report shall include preliminary cost estimates of the proposed design and a recommended course of action to be taken by the Board of Directors. Should the Board decide it is not feasible to extend the District's utilities, then the District Engineer shall be compensated by the developer according to his contract with the District on an hourly basis set out in his contract with the District by the developer. To accomplish this, developer shall deposit an amount established by the Board based on the Engineer's estimate. Developer shall be permitted to enter into contract and make deposit directly with the District Engineer. Such deposits shall be made before the District Engineer begins the work.

Should the Board of Directors decide that it is feasible to extend the District's utilities for a particular project, then the Engineer shall prepare a preliminary summary of anticipated engineering fees associated with the project. The developer shall be advised of these fees, as outlined in the Engineer's contract with the District, which fees shall include an estimate of the required surveying costs associated with the project. The developer shall deposit with the District or Engineer 40% of the estimated engineering fees, including surveying costs. Upon receipt of this amount, the District Operator or Engineer shall notify the Board President, in writing, of receipt of these fees. The District Engineer shall be instructed to begin design of these utility extensions and shall coordinate his design with the design of the developer's paving and storm sewer improvements. The remaining 60% of all engineering and surveying fees shall be billed according to the Engineer's contract with the District and collected from the developer before service to the property commences.

The District Engineer shall be responsible for obtaining approvals only on those items designed by him. He shall also be responsible for advertisement and bidding of these projects involving District facilities.

All connections to the District's water and sanitary sewer systems shall be made in accordance with this Order and the District's Rules and Regulations, and current Montgomery County building permit and subdivision platting requirements. No permanent District services may be initiated (as in actual turning on of the meter) to any lot or parcel of land, until the owner or the developer of the land provides documentation to the District establishing that, prior to the sale of the land and or any land requiring right-of-way dedication, the owner or the developer of the land has obtained a plat to the extent required by statute which has been duly recorded in the Map and Plat Records of

Montgomery County, Texas, and otherwise complies with the rules and regulations of Montgomery County. Services may not be provided to any lot or parcel of land except through public water lines and sanitary sewers duly approved by the Texas Commission on Environmental Quality.

Connections to the District's water and sanitary sewer systems shall be made by the District Operator unless specified otherwise by the Board of Directors of the District. No person, other than the properly authorized agents of the District, shall be permitted to tap or make any repairs or additions to or alterations in any meter, box, tap, pipe, cock, or other fixture appurtenance of the District's sanitary sewer system except by the written permission of the Board of Directors of the District. Only unpolluted wastewater shall be allowed to enter a sanitary sewer service connection.

Temporary connections are required where such connections meet the definition defined earlier in this document.

### **Section 7. Separate Water Meters Required**

Each single-family home shall have a separate meter and shall be considered a separate connection for the purposes of determining connection and inspection fees. All others shall have at least one master meter per building or project and the owner of said building or project shall be billed at the commercial rates set forth in **Appendix "A"** hereto.

A commercial customer of the District may, upon specific written authorization from the District, install a commercial fire protection system connected directly to the District's water distribution system with an appropriate backflow prevention assembly valve within a box and a meter, provided, however, that the commercial customer must advise the District in writing within ten (10) days of each instance in which the commercial fire protection system is activated.

Water meters are the property of the District and shall be placed within the public right-of-way or within a suitable easement adjacent to a public right-of-way in front of the unit to be served, located as directed by the District Operator. . Customers are responsible for the cost of the water meter installation for services that are not otherwise a transfer of services.

### **Section 8. Drainage Requirements**

**Structure Finished Floor** – No structure shall have a finished slab elevation lower than either (a) twelve (12) inches above the highest adjacent grade within 5 feet of the building, or (b) twelve (12) inches above the base flood elevation, whichever is higher. The lowest finished slab elevation of any structure shall be above that elevation required to be above any flooding due to sheet flow conditions. Builders of structures within a delineated 100-year floodplain are required to supply the elevation certificates certifying appropriate finished floor elevation has been obtained.

**Culverts** – Culverts shall be constructed in accordance with Montgomery County requirements and in a fashion that does not restrict or change the drainage characteristics of the existing drainage facilities. District shall not initiate permanent service until District Operator approves the installation of culverts, if any.

**Drainage Plans** – Drainage plans are required for any new development within the District or areas serviced by the District. A drainage plan must be submitted to and approved by the Board of Directors prior to the construction of any structure, residence, commercial project, or driveway. All drainage plans must show the property legal description, address, elevations of the lot corners and house first level corners relative to the highest adjacent grade. Lot drainage must be indicated on the plan. When the development is non-residential or greater than one residence in size, the plan shall be prepared by licensed Civil Engineer. Plans shall indicate the existing and proposed structures and improvements. The plans shall ensure compliance with the Texas Water Code Sections 49.211 and 54.201, the Montgomery County Drainage Criteria Manual, and shall demonstrate positive drainage to the most appropriate right-of-way or easement. All lot drainage shall not be harmful, destructive, or a nuisance to the adjacent lots. Driveways shall permit the free flow of water in the street ditches. Where possible all drainage must flow toward the street. The District Engineer shall review all such plans and make a recommendation to the Board for approval or denial.

### **Section 9. Water and Sewer Tap Fees**

Tap fees as set forth in **Appendix “A”** of this Order shall be received by the District before any connection is initially made to the District’s water or sanitary sewer system.

In addition to the tap fees described above, if a previous developer has been required to construct an oversized utility line, an additional tap fee (line access fee) will be charged equal to the applicant’s pro-rata share of the over sizing, plus interest per annum as provided in the developer’s contract with the District so that reimbursement can be made to the developer in accordance with the terms of the contract between the District and the developer. The applicant’s pro-rata share will be based upon the District Engineer’s capacity calculations.

### **Section 10. Installation**

1. Prior to the installation of a water tap, a customer must make proper application with the District; must pay to the District all tap fees, inspection fees and deposits, as described in **Appendix “A”**
2. All water taps to the District’s water supply system shall be installed only by the District Operator.
3. The District’s operator shall install water taps and set meters at a location on adjoining property lines whenever possible, with the meter box being located in the easement adjacent to the property line and with two meters per box, where necessary.
4. The District Operator shall be responsible for all repairs to water taps.

5. After installation of the water tap, the connection of the water service line shall be made at the expense of the customer. (Note: This line shall be tested for leaks since all water recorded through the meter will be charged to the customer.)
6. After connection to the District's Water Supply System, the water service line should be thoroughly flushed as to prevent foreign matter from entering the household system.

## **Section 11. Water and Sewer Tap Procedures and Sewer Installation Inspections For New Construction**

All connections to the District's sewer system shall be made in accordance with the District's Rules and Regulations. No water or sewer service will be provided to any lot without a Residential connection as defined in Section 1 of this document. No water or sewer service will be provided to any garage unless there is a home on the same lot or connected to the structure on an adjoining lot.

No sewer plumbing shall be covered in the ground before a representative of the District has inspected the connection. A sewer inspection fee, payable with the water and sewer tap fee, must be paid in accordance with the schedule set forth in **Appendix "A"** attached hereto. If the connection or house lead is covered before the District's inspection, then it must be uncovered for the District's inspector before the connection can be authorized.

Expansions of service lines after the original inspections are completed require additional permits and inspections.

### **A. Procedure for Obtaining Water and Sewer Taps.**

1. For taps within the District, the owner shall submit two (2) sets each of the following: floor plans, elevations, plumbing plans, plot plans, drainage plans to the District for distribution and approval. Additionally, plans will require approval from all other governmental entities having jurisdiction over the project, including a building permit from Montgomery County. Out-of-District residential taps in developments with a District-approved overall drainage plan and Development or Utility Service Agreement do not require drainage plans or elevations to be submitted. Some sort of automatic approval
2. For taps outside the District without an Approved Overall Drainage and Utility Plan, the owner shall submit two (2) sets each of the following: floor plans, elevations, plumbing plans, plot plans, drainage plans to the District for distribution and approval. Additionally, plans will require approval from all other governmental entities having jurisdiction over the project, including a building permit from Montgomery County.

3. For residential taps outside the District with a District-approved overall drainage plan and Development or Utility Service Agreement: Only a plot plan indicating the home will correlate with the approved overall utility and drainage plan is required to accompany the utility application. Taps conforming to the current approved drawings shall be allowed to be approved by the District Engineer without a District Board action. District Engineer shall, at his discretion, require any submission to go to the Board for approval.
4. Upon approval of the floor plans, plot plan, drainage plan (see Section 8 “Drainage Requirements”) specifications or other required documents, the owner or his representative will complete and submit the required water and wastewater request forms along with the required amount for the Tap Fees, Installation, service Deposit, Connection Fee, Inspection and Damage Deposit, as outlined in “A” hereto, made payable to the District.
5. Approved plans will be approved for a 60-day timeframe before a permit is obtained. If permit is not obtained during that timeframe, plans will no longer be “approved” and will be discarded.
6. For any connection other than a single-family service connection, the District Engineer will calculate the required tap based on applicant’s capacity requirement, determining equivalent single-family connections, and review construction plans (plans shall be submitted and reviewed meeting the requirements of the District Engineer). The Operator shall calculate the installation fees, deposits, and inspection fees and notify the owner or representative of the amounts. Additionally, prior to commencement of site construction, the District Engineer will schedule an on the ground survey of adjacent District facilities with the owner’s contractor and the District Operator. The purpose of this survey will be to document the location and condition of all District facilities adjacent to the job site. The owner’s contractor will be responsible for maintaining these facilities in the condition found at the time of this inspection. Property owners will pay all associated expenses.
7. Upon receipt of all fees and deposits, the District operator will schedule the required inspections or items after receiving 24 hours’ notice from the contractor that he is ready for said inspection. Inspection fees (or damages?) may be deducted from any deposits held by the District.
  - a. Inspection of forms and underground plumbing. A form survey is required to be provided to the District by the permittee prior to underground plumbing inspection. It shall be separately prepared by a Registered Public Land Surveyor in the State of Texas which indicates that the finished floor elevation is compliant with “Section



8 Drainage Requirements” and that forms are located properly in relation to all boundaries, setback lines, and easements.

- a. Inspection of rough in plumbing.
- b. Inspection of water and wastewater lines to District taps.
- c. Final inspection (by District) including water, wastewater and drainage.
- d. Customer Service Inspection (as outlined in Section 21)

**B. Residential Water and Sewer Inspection Procedure for sprinklers, swimming pools and home improvements**

1. A permit must be obtained from the District office and prior to the beginning of construction or modification of sewer or water service lines. A plot plan showing the structure location must be submitted at time of permit application.
2. At the time the service line is complete and ready for inspection, the owner will contact the District office to schedule an inspection.
3. The permit fee will include one inspection. If additional inspections are needed, they will be charges in accordance with **Appendix “A”**.
4. No water or sewer lines shall be backfilled until inspected. Infiltration tests on service lines are subject to the same test as main lines at the District’s discretion.
5. Swimming Pools: Prior to construction, a permit for swimming pool connections must be obtained from the District office. Pools may not be drained into the sanitary sewer system. A Plot Plan showing the proposed pool should be included. Any pool with a direct fill line must be fitted with an approved back-flow prevention assembly and a test report filed within 7 days of installation. The District requires a re-test of the system every three (3) years.
6. Home Improvements: Prior to construction of home improvements that include additional plumbing connections, a permit must be obtained from the District office. If the improvements include an addition, a Plot Plan showing the proposed improvements should be included.
7. Sprinklers: Prior to installation, a permit must be obtained from the District Office and a Plot Plan of the property should be included showing the location of all connections and backflow prevention assemblies.

**C. Commercial Water and Sewer Inspection Procedure**

1. A permit and a Commitment Letter must be obtained from the District office prior to starting construction of any commercial building.
2. A Service Agreement must be filled out by the owner prior to starting any commercial construction. This application will be used by the District for planning purposes. Commercial establishments starting construction without a Commitment Letter will be denied service.
3. Inspection of forms and underground plumbing. A form survey is required to be provided to the District by the permittee. It shall be prepared by a Registered Public Land Surveyor in the State of Texas which indicates that the finished floor elevation is compliant with "Section 8 Drainage Requirements".
4. Two sets of the plans and specifications showing all plumbing shall be submitted to the District office and approval obtained prior to starting construction. Any changes in the plumbing plans or specifications shall be submitted to the District office and approval obtained prior to making changes. Plans and specifications shall be submitted in quintuplicate. Both sets will be marked as required and one set will be returned to the owner for corrections and compliance. The other set will be kept on file in the District office and will be used during inspections. A permit will not be issued until the plans and specifications have been properly submitted and approved by the District and a Commitment Letter has been issued.

#### **D. Prohibited Materials**

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

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

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

#### **E. Violation of Prohibited Materials**

Private plumbing facilities in violation of this section herein, shall constitute an unacceptable plumbing practice and violation of these rules and regulations. If an unacceptable plumbing practice is discovered, the customer shall promptly eliminate the unacceptable plumbing practice to prevent possible contamination of the District's Water

Supply System. The existence of a serious threat to the integrity of the District's Water Supply System shall be considered sufficient grounds for immediate termination of water service. Service can be restored only when the source of potential contamination no longer exists, or until sufficient additional safeguards have been taken.

### **Section 12. Temporary Water Service – For New Construction or Temporary Service Only**

The District Operator is authorized to make a temporary connection to any flushing valve or install other metered connection upon request for temporary water service for new construction and commercial construction within the service area of the District. Such temporary service shall be supplied only through a District meter installed by the District Operator.

The applicant for temporary water service shall be required to post a deposit as set forth in **Appendix "A"** hereto, which shall secure the payment for water supplied by the District, the installation fee, the safe return of the District's meter and flushing valve wrench, and the cost of repair of any damage by a user of the valve. No temporary water service shall be supplied outside the area of the District except by written permission of the Board of Directors of the District.

Temporary Service associated with approved building plans shall be terminated (or shut off) when building permit is expired.

### **Section 13. Maintenance and Repair**

All persons or entities connecting to the District's water or sewer lines shall maintain at their own expense all service lines to the point of connection to the District's water and sewer system. Should said lines not be properly maintained, the District, after giving notice, shall have the right to enter upon the property, repair said lines, and invoice the cost of the repairs to the person or entity connecting to the District's water or sewer system.

### **Section 14. Trap Inspections**

Where a trap is required pursuant to a District-approved plumbing code, the District Operator will conduct regular inspections of the trap monthly until the customer has passed the inspection criteria for three months in succession. Once the customer has achieved compliance, regular inspections will be conducted on a bi-monthly basis until the trap has passed all inspections for a period of one year. Once the trap has achieved full compliance for one year, the District may extend the regular inspection interval to three months in its discretion upon application by such customer.

Customers will be responsible for maintaining records or manifests for the hauling of the trap waste and will make those records available to the District Operator during each inspection. Failure to provide said records constitutes an inspection failure.

In addition to the regular inspections described above, the District reserves the right to make unscheduled inspections, and there shall be no charge to the customer for unscheduled inspections. Failure to allow an unscheduled inspection constitutes an inspection failure.

After an inspection failure, the District Operator will re-inspect at least once each week until compliance is achieved, then return to a regular monthly inspection schedule until the subject trap complies with inspection criteria for twelve (12) months in succession.

For each regular inspection and re-inspection, there will be a charge at the rate set forth in **Appendix “A”** of the District’s Rules and Regulations.

### **Section 15. Deposits**

Deposits as set forth in **Appendix “A”** attached hereto shall be required of all connections to the District’s system before service to the connection begins.

Homeowner Service Deposits may be returned after twelve (12) consecutive months of timely payments. Service Deposits will be returned by the District Operator upon written request from the customer, if eligible. If after service deposit has been returned, the customer’s service is disconnected for any cause, an updated service deposit will be required before service is again commenced to such user.

Residential and Commercial Deposits – a minimum amount as set forth in **Appendix “A”** attached hereto, or two (2) times the average monthly bill for out-of-District customers. No interest will be paid on deposits.

Inspection/ Damage Deposits – per the fee schedule in **Appendix “A”**. These Deposits shall be returned upon permanent service initiation, satisfactorily completion of all construction, and compliance with plumbing requirements with applicable deductions for inspections, repairs and damages due to work that is missing or does not pass District inspection.

### **Section 16. Water, Sewer and Trash Rates**

Charges for water, sewer, and trash service shall be billed monthly. Unless payment is received before the twentieth (20<sup>th</sup>) day after the date of the statement, such account shall be considered delinquent and the penalty charge as set forth in **Appendix “A”** attached hereto shall be assessed against the account. On the 24<sup>th</sup> day a notice will be placed on the door at the residence, notifying the customer that service will be terminated if the bill is not paid within 24 hours. If mailing address is different from the residence, a notice will be mailed giving them a seven (7)-day notice to pay before disconnecting service. Monthly rates for water and sewer, along with the “Water Use Pumpage Fee” assessed the District by the Lone Star Groundwater Conservation District and is hereby established

as set forth in **Appendix “A”** attached hereto. The District reserves the right to alter such rates from time to time as permitted by Section 49.212, Texas Water Code.

New customers will be required to pay a deposit, connection fee, first month trash service fee, and unpaid taxes before receiving water service.

### **Section 17. Disconnection**

Failure to pay all charges when due or violation of any provision of this Order may be deemed by the District as a breach of the contract for water, sewer and trash service, and the District may, in its discretion, disconnect service until any such breach is remedied. Prior to disconnection, the District shall notify the customer of the breach and the proposed termination date. If water and/or sewer service to a user is disconnected for any cause, there shall be charged a reconnection fee as set forth in **Appendix “A”** attached hereto, plus the delinquent bills, if any; and the deposit must be updated to the current amount required of all new residents or commercial users before service is again commenced to such user.

### **Section 18. Collection and Write-off Final Billings**

When service to a District customer has been terminated due to such customer’s moving from or otherwise vacating his residence or place of business, a final billing for such service has been rendered, and such final billing has been outstanding and unpaid for ninety (90) days, the District Board shall determine whether such delinquent final billing shall be submitted to a responsible agency for collection or written off.

### **Section 19. Utility Easements**

A condition of receiving utility service from the District is that the owner of the property receiving the service shall be deemed to have granted a utility easement of ingress and egress to and from the meter and any other District fixtures, pipelines, or other property, for maintenance and repair as the District, in its judgment, may deem necessary.

### **Section 20. Plumbing Codes**

The District hereby accepts the state-approved plumbing codes set forth in International Code Council (ICC) Plumbing Code, latest edition, except for the following provision; the District will require PVC Schedule 40 pipe to be used underground and PVC Schedule 40 or better to be used above ground for waste water and vents.

### **Section 21. Customer Service Inspection Certifications**

A. A Customer Service Inspection Certification, as described in **Appendix “C”** hereto, shall be completed prior to providing permanent water service to any new construction, on any existing service where the District has reason to believe that cross-connections or other unacceptable plumbing practices exist, and after any material

improvement, correction, or addition to private plumbing facilities. Copies of properly completed Customer Service Inspection Certifications shall be kept on file by the District and made available, upon request, for Texas Commission on Environmental Quality (“TCEQ”) review. Inspection Certifications shall be retained for a minimum of ten (10) years. Failure to provide a Customer Service Inspection Certification in accordance with this section shall constitute a violation of these rules and regulations and such violation shall be subject to the enforcement provisions set forth in Section 30 herein.

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

1. Plumbing inspectors and water supply protection specialists licensed by the Texas State Board of Plumbing Examiners; and
2. Individuals who have completed a training course, passed an examination administered by the TCEQ or its designated agent, and hold a license granted by the TCEQ or its designated agent.

C. The Customer Service Inspection Certification shall certify that: the plumbing complies with 30 TAC 290.46(j)(4) using form in **Appendix “C”** or TCEQ approved equivalent form

## **Section 22. Prohibited Connections**

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

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

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

## **Section 23. Backflow Prevention Assemblies**

A. Backflow prevention assemblies shall be installed on any connection which poses a high health hazard and any other connection which the District or the District Operator reasonably believe poses a threat to the District’s Water Supply System. Water service

provided for lawn sprinklers, swimming pool supply, reflection pool supply, all commercial service connections or other such applications must incorporate a backflow prevention assembly approved by the District Operator for the particular designated use. No permanent water service will be provided or continued to any connection in the District which requires a backflow prevention assembly, unless the customer provides the District with a backflow prevention assembly test and maintenance report (the "Test Report"), as described in **Appendix "D"** attached hereto. At the request of the customer, the District's operator may install the backflow prevention assembly and complete the Test Report at the customer's cost.

B. Effective January 1, 1996, all backflow prevention assemblies shall be tested upon installation by a recognized backflow prevention assembly tester and certified to be operating within specifications. The Test Report, as described in **Appendix "D"** attached hereto, shall be retained for a minimum of three (3) years. The District shall provide these records to the TCEQ for inspection upon request. Backflow prevention assemblies which are installed to provide protection against high health hazards must also be tested and certified to be operating with specifications at least annually by a recognized backflow prevention device tester.

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

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

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

E. A Test Report must be completed by the recognized backflow prevention assembly tester for each assembly tested. The signed and dated original must be submitted to the District for record keeping purposes.

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

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

#### **Section 24. Customer Service Agreements**

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

B. The customer shall allow his/her property to be inspected for possible cross-connections and other unacceptable plumbing practices. These inspections shall be conducted by the District or its designated agent prior to initiating new water service; when there is reason to believe that neither cross-connections nor other unacceptable plumbing practices exist; or after any major changes to the private plumbing facilities. Inspections shall be conducted during the District's normal business hours.

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

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

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

F. If a customer fails to comply with the terms of the Customer Service Agreement, the District shall, at its option, terminate service or properly install, test, and maintain an appropriate backflow prevention assembly at the service connection. Any expenses associated with the enforcement of the Customer Service Agreement shall be billed to the customer.

#### **Section 25. No Free Service**

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



## **Section 26. Returned Checks**

A charge as set forth in **Appendix “A”** attached hereto shall be made on all returned checks.

## **Section 27. Regulatory Assessment Fee**

All users of the District’s water and sewer system will be billed as set forth in **Appendix “A”** attached hereto. This fee is based on the total water and sewer usage for the month. This is required by the Texas Commission on Environmental Quality.

## **Section 28. Water Conservation Plan and Drought Contingency Plan**

The District has implemented a Water Conservation Plan and Drought Contingency Plan in accordance with the mandates of the Texas Commission on Environmental Quality (TCEQ). All District customers and wholesale purchasers of water must comply with the Plan or be subject to penalties set out in Section 30 below. A copy of the Plan is attached hereto as **Appendix “F”**.

## **Section 29. Impact Fees**

Pursuant to TCEQ Order, issued April 22, 2016, the District shall levy an impact fee on new development within the District in the amount of \$1406.00 per equivalent single-family connection for new connections to its water supply distribution system and \$2,127.00 per equivalent single-family connection for new connections to its wastewater treatment and collection System for a total of \$3,533.00.

## **Section 30. Penalties for Violations**

A. Civil Penalties: Pursuant to Section 49.004 of the Texas Water Code, the District has the authority to set a reasonable civil penalty for the violation of any rule found in this Amended Rate Order.

Accordingly, any user, person, corporation, or other entity who:

1. violates any section of this Order; or
2. makes unauthorized use of District services or facilities; or
3. causes damage to District facilities by using such facilities in a manner or for a purpose contrary to the purpose for which such facilities were designed; or
4. reconnects to the District’s system after termination of service by the District without having paid all outstanding charges due to the District; or
5. uses or permits the use of any septic tank within the District; or
6. violates the District’s Order adopting a Water Conservation and Drought Contingency Plan; or
7. violates the Lake Chateau Woods Deed Restrictions (**Appendix “G”**) enforced by the District,

shall be subject to a penalty of up to \$1,000 for each breach of the foregoing provisions. Each day that a breach of any provision hereof continues shall be considered a separate breach.

B. Criminal Penalties: The District has the right to file a criminal complaint for Theft of Service as provided under Section 31.04 of the Texas Penal Code against any person, or persons who steal or divert the use of District water for unauthorized purposes as described in Chapter 31 of the Texas Penal Code.

C. Right to Appeal: Any person, corporation or entity who has been assessed a civil penalty shall have the right to appeal the civil penalty to the District Board of Directors by a written notice within 30 days of the assessed penalty. The Board shall consider the appeal at its next meeting.

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

### **Section 31. Supersede Order**

To the extent this Order modifies any prior orders and resolutions of the Board concerning rules, regulations, fees, and charges for water and sewer services, this Order modifies the prior and shall be effective notice when published by law. To the extent this Order does not modify the prior orders and resolutions of the Board concerning rules, regulations, fees and charges for water and sewer services, they are hereby reaffirmed.

### **Section 32. Severability**

If any provision of this Order or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Order are declared to be severable.

### **Section 33. Compliance with Open Meetings Act**

The Board officially finds, determines, and declares that this Order was adopted at a duly called regular meeting of the Board and that sufficient written notice of the date, hour, place, and subject of this meeting was posted at a place readily accessible and convenient to the public within the District and on a bulletin board located at a place convenient to the public in the Montgomery County Courthouse for the time required by law preceding this meeting, as required by the Open Meetings Law, V.T.C.A., Government Code, Title 5, Subtitle A, Chapter 551, as amended, and that this meeting has been open to the public as required by law at all times during which this Order and the subject matter hereof has been discussed, considered, and acted upon. The Board further ratifies, approves, and confirms such written notice and the contents and posting thereof.

**PASSED AND APPROVED** this 18<sup>th</sup> day of November 2021.

\_\_\_\_\_  
President, Board of Directors

\_\_\_\_\_  
Vice President, Board of Directors

**ATTEST:**

\_\_\_\_\_  
Secretary, Board of Directors

**THE STATE OF TEXAS           §**

**COUNTY OF MONTGOMERY   §**

BEFORE ME, the undersigned authority, on this day personally appeared DAVID SCHOOP, STEVE MITSCHKE, and CASSANDRA MERCERI, known to me to be the persons and authorized agents whose names are subscribed to the foregoing instrument. They acknowledged to me that they executed and are duly authorized to execute the foregoing instrument in the name of and on behalf of Chateau Woods MUD, for the purposes and consideration therein expressed therein.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Notary Public State of Texas

**AS AMENDED ON NOVEMBER 18, 2021**

**APPENDIX "A"  
DEPOSITS, CHARGES, FEES, AND RENTALS**

Refer to the applicable corresponding sections found in the Amended Rate Order.

**SECTION 2. – Petitions for Annexation and Feasibility Study**

Annexation and feasibility study review fee: Cost to District, with \$5,000.00 deposit paid when annexation petition is filed with District, and balance as required by District.

**SECTION 9. – Water and Sewer Tap Fees (including Temporary Connections)**

Single Family Residential Tap Fees – In District

Below, short-side and long-side taps refer to the service location being on the same side of the street or across the street, respectively.

Water: \$400.00, plus installation costs including labor and materials which start at \$740 for a short-side ¾" tap and \$920 for a long-side ¾" tap.

Sewer: \$1,500.00, plus installation costs including labor and materials which start at \$1000 for a short-side 4" tap and \$2500 for a long-side 4" tap.

(See Section 11 of the Rate Order for inspection fees)

Single Family Residential Tap Fees – Out of District

Water: \$800.00, plus installation costs including labor and materials which start at \$740 for a short-side ¾" tap and \$920 for a long-side ¾" tap.

Sewer: \$3,000.00, plus installation costs including labor and materials which start at \$1000 for a short-side 4" tap and \$2500 for a long-side 4" tap.

(See Section 11 of the Rate Order for inspection fees)

Commercial Tap Fees – In District (for up to a ¾" water meter)

Water: \$400.00, plus installation costs including labor and materials

Sewer: \$1,925.00, plus installation costs including labor and materials

(See Section 11 of the Rate Order for inspection fees)

Commercial Tap Fees – Out of District

Water: \$800.00, plus installation costs including labor and materials

Sewer: \$3,850.00, plus installation costs including labor and materials  
(See Section 11 of the Rate Order for inspection fees)

**SECTION 10. - Residential and Commercial Water and Sewer Inspection Fees and Procedures**

A. One Hundred Dollars (\$100.00) residential inspection fee and a Two Hundred Fifty Dollar (\$250.00) commercial inspection fee shall be required, payable with the water and sewer tap fee. Expansions of exterior service lines after the original inspections are completed require an additional permit and inspection. A fee of Fifty Dollars (\$50.00) is required for each exterior re-inspection, payable in advance. Original permits are valid for six months. If the construction is not completed, the petitioner must appear before the Board for a renewal. Any construction being done with an expired permit will be subject to penalties of up to \$200.00 per day.

Form Inspection Fee	\$90 (1 <sup>st</sup> Inspection), \$150 (Subsequent Inspections)
Pool Permit:	\$25.00
Pool Inspection:	\$40.00
Sprinkler System Permits:	\$25.00
Sprinkler System Inspections:	\$40.00
Home Improvement Permit:	\$25.00
Home Improvement Inspection:	\$40.00
Culvert Inspection Fee	\$75.00
Drainage Inspection Fee	\$90 (1 <sup>st</sup> Inspection), \$150 (Subsequent Inspections)
Plumbing Fee per Inspection	\$150.00

**SECTION 11. – Temporary Water Service:**

Monthly water charges	Use Commercial Rates
Monthly sewer charges	Use Commercial Rates if Sewer Service is Connected
Deposits/Damage Deposits	As stated for commercial connections.

Utilize Water and Sewer Tap fees in Section 9 of this Appendix where no flush valve or fire hydrant meter is required. For flush valve or fire hydrant-mounted meter, the installation fees are as follows for installation.

**Temporary Meter (Hydrant or Flush Valve Meter)**

Installation Fee:	\$50.00
Additional deposit:	\$750.00

Standard Meter (meter and meter box):

Installation Fee: Refer to Appendix A, Section 9 “Water and Sewer Tap Fees”

Deposit: \$75  
 Monthly water charges: Charge equal to commercial rates.

**SECTION 13. – Trap Inspections**

For each regular inspection, there will be a charge of \$10.00. For each re-inspection after failure of a regular inspection or after failure of a previous re-inspection, there will be a charge of \$60.00.

**SECTION 14. – Deposits**

Inspection/Damage Deposit: A deposit, as determined by the District Operator (with a \$500.00 minimum) shall be made at the time a request for service is made per the schedule below. Return of this deposit shall be made upon receipt by the District Operator’s Certificate of Occupancy of the project.

Inspection/Damage Deposit Schedule:

New In-District Single-Family Residence (for culvert, drainage and connections):	\$2500
New Out-of-District Single-Family Residence (for connections):	\$500
Addition or swimming pool not requiring a culvert:	\$500
New Commercial (for culvert, drainage and utilities):	\$3500
New Out-of-District Commercial (for connections):	\$1000
Culvert Only (New or Replacement):	\$1500
Other (to be determined by Board), minimum fee	\$500

**Service Deposit:**

Single Family Residential—In District: A deposit of Seventy-Five Dollars (\$75.00) shall be required for Homeowners and One Hundred and Fifty Dollars (\$150.00) for Renters of each single-family home connected to the District’s system.

Single Family Residential—Out of District: A deposit of two (2) times the average monthly bill with a minimum deposit One Hundred eighty dollars (\$180.00)

Commercial: A deposit of two (2) times the average monthly bill with a minimum deposit of Three Hundred Dollars (\$300.00) shall be required of each commercial user.

**SECTION 16. – Water, Sewer and Trash Rates**

**WATER RATES:**

**In District Single-Family Homes:**

After the initial tap and installation of the water meter, each In-District single-family home shall be billed monthly for its water consumption during each monthly period as follows:

First 3,000 gallons	\$10.00 (minimum)
Next 3,000 gallons	\$1.50/per 1,000 gallons
Next 3,000 gallons	\$1.75/per 1,000 gallons
Next 3,000 gallons	\$2.00/per 1,000 gallons
Next 3,000 gallons	\$2.25 per 1,000 gallons
Each 1,000 gallons thereafter	\$2.50

**In District Commercial:**

After the initial tap and installation of the water meter, each In-District commercial customer shall be billed for its water consumption during each monthly period as follows:

First 3,000 gallons	\$24.00 (minimum)
Next 3,000 gallons	\$3.00/per 1,000 gallons
Next 3,000 gallons	\$3.50/per 1,000 gallons
Next 3,000 gallons	\$4.00/per 1,000 gallons
Next 3,000 gallons	\$4.50 per 1,000 gallons
Each 1,000 gallons thereafter	\$5.00

**Out of District Single-Family Homes:**

Unless established by a separate contract, two (2) times the rate shall be billed monthly for Out-of-District customers for comparable single-family customers inside the District.

**Out of District Commercial:**

Unless established by a separate contract, two (2) times the rate shall be billed monthly for Out-of-District customers for comparable commercial customers inside the District.

**Lone Star Groundwater Conservation District “Water Use Fee”**

In addition to the above rates, the Lone Star Groundwater Conservation District fee which on August 1, 2010 was \$0.06 per 1000 gallons of water consumed for residential and commercial accounts in the District shall be an additional charge assessed to all In-District and Out-of-District residential and commercial customers. It is further ordered that these rates and surcharge will automatically increase consistent with the increase in the fees, rates and charges assessed to the District by the Rate Order of the Lone Star Groundwater Conservation District.

**SEWER RATES:**

**Single-Family Homes:**

After the initial tap and inspection, each single-family home or unit in a multi-family building, duplex, RV Park or townhome complex shall be billed a flat monthly rate for the sewer:

\$25.00 (flat rate per unit or home)

**Commercial:**

Sewer rates for commercial buildings with meters, using water served by Chateau Woods MUD:

Each business unit and each rental unit shall be billed monthly. A school, club, or church shall be considered a single business unit. Each unit shall be billed monthly for its sewer service based upon its monthly water consumption as follows:

First 3,000 gallons	\$15.00 (minimum)
Next 3,000 gallons	\$1.00/per 1,000 gallons
Next 3,000 gallons	\$1.25/per 1,000 gallons
Next 3,000 gallons	\$1.50/per 1,000 gallons
Next 3,000 gallons	\$1.75 per 1,000 gallons
Each 1,000 gallons thereafter	\$2.10 per 1,000 gallons

**Sewer rates for in District commercial buildings not using water served by Chateau Woods MUD:**

Each business unit and each rental unit in a multi-family building shall be billed monthly. A school, club, or church shall have each calculated Equivalent Single-Family Connection be a unit. Each business or rental unit shall be considered one unit and be billed monthly for its sewer service at a flat rate of \$15.00 per unit.

**Out of District Single-Family Homes:**

Unless established by a separate contract, two (2) times the rate for a comparable customer inside the District.

**Out of District Commercial:**

Unless established by a separate contract, two (2) times the rate for a comparable customer inside the District.

**Water and Sewer Rates by Contract:**

Old Tamina Water Supply Corporation	
0-100,000 gallons	@ \$1.75 per 1,000 gallons
101,000-201,000 gallons	@ \$2.00 per 1,000 gallons



202,000-502,000 gallons @ \$2.50 per 1,000 gallons  
All Remaining Usage @ \$2.75 per 1,000 gallons

Hanna Business Park  
In District Sewer Only \$179.10 flat charge per month

Woodson Business Park #1  
In District Sewer Only \$620.90 flat charge per month

**TRASH RATES:**

**Solid Waste Collection (Trash):**

At district cost (flat rate residential)  
Out of District – per negotiated contract

**Late Charge:**

Any balance remaining on a customer account after the 20<sup>th</sup> of the month that the bill is issued will be subject to a late charge of 10%.

**SECTION 17. – Disconnection**

Reconnect fee after water has been disconnected: \$50.00

**SECTION 26. – Returned Checks**

Returned check fee - \$40.00

**SECTION 27. – "Regulatory Assessment Fee" for Water and Sewer Usage charged to the District by the Texas Commission on Environmental Quality (TCEQ)**

½ of 1 percent (.005)

**Section 29. – "Impact Fees" for New Development in the District**

\$1,406.00 per equivalent single-family connection for new connections to the District's water supply system

\$2,127.00 per equivalent single-family connection for new connections to the District's wastewater treatment and collection system

**Appendix B**

**Chateau Woods M.U.D.**

---

Water Billing Office  
27351 Blueberry Hill Drive, Suite 36  
Conroe, Texas 77385-8969

Phone (281) 367-0935

**CERTIFICATE OF INSPECTION**

DATE: \_\_\_\_\_

By virtue of the provisions of the rules and regulations of the  
Chateau Woods Municipal Utility District,

**Name**  
**Address**

Occupancy Classification: Residential

Having made application in due form, and having met the requirements  
of the regulations, authority is hereby given, and this certificate is  
**GRANTED**

This certificate is issued and accepted on condition that all regulations  
now adopted, or that may hereafter, shall be complied with.

\_\_\_\_\_  
District Inspector

## Appendix C

### Texas Commission on Environmental Quality - Customer Service Inspection Certificate

Name of PWS:	Chateau Woods Municipal Utility District
PWS ID #:	TX 1700008
Location of Service:	

Reason for Inspection:

- New construction .....
- Existing service where contaminant hazards are suspected .....
- Major renovation 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		
<input type="checkbox"/>	<input type="checkbox"/>	(1)	No direct connection between the public drinking water supply and a potential source of contamination exists. Potential sources of contamination are isolated from the public water system by an air gap or an appropriate backflow prevention assembly in accordance with Commission regulations.
<input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>	(2)	No cross-connection between the public drinking water supply and a private water system exists. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure- zone backflow prevention assembly is properly installed and a service agreement exists for annual inspection and testing by a certified backflow prevention assembly tester.
<input type="checkbox"/>	<input type="checkbox"/>	(3)	No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the public water supply.
<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	(4)	No pipe or pipe fitting which contains more than 0.25% lead exists in private water distribution facilities installed on or after January 4, 2014.
<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>	(5)	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

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

Remarks:	

Signature of Inspector:	Registration Number:	
Title:	Type of Registration:	
Date:		

**Appendix D**

**Chateau Woods M.U.D.**

---

Water Billing Office  
27351 Blueberry Hill Drive, Suite 36  
Conroe, Texas 77385-8969

Phone (281) 367-0935

**Meter Flow Test Report**

Date of Test: \_\_\_\_\_

Address: \_\_\_\_\_

Test Conducted By: \_\_\_\_\_

**Test #1**

Gallons run through test meter \_\_\_\_\_

Gallons registered on customer meter \_\_\_\_\_

Difference between test meter/customer meter \_\_\_\_\_ = \_\_\_\_\_ %

**Test #2**

Gallons run through test meter \_\_\_\_\_

Gallons registered on customer meter \_\_\_\_\_

Difference between test meter/customer meter \_\_\_\_\_ = \_\_\_\_\_ %

Results **are / are not** within the accuracy standards established by the American Water Works Association which allow meters with accuracies between 95% and 105%.

## Appendix E

Chateau Woods M.U.D.

27351 Blueberry Hill Dr. #36  
Conroe, Texas 77385  
Phone (281)367-0935  
Fax (281)367-5044

### SERVICE AGREEMENT

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

II. Plumbing Restrictions The following undesirable plumbing practices are prohibited by state regulations:

- A. No direct connection between public drinking 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 a reduced pressure-zone 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 of a reduced pressure-zone backflow prevention device.
- C. No connection which allows water to be returned to the public drinking supply is permitted.
- D. No pipe or pipe fitting which contains more than 0.25% lead may be used for the installation of repairs of plumbing at any connection which provides water for humans.
- E. No solder or flux which contains more than 0.2% lead may 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 Chateau Woods Municipal Utility District (The Water System) and X \_\_\_\_\_ (the customer)

- A. The District will maintain a copy of this agreement as long as the customer and/or Premises is connected to the Water System.
- B. The customer shall allow his property to be inspected for the possible cross-connections and other undesirable plumbing practices. These inspections shall be conducted by the district or its designated agent prior to initiating service and periodically thereafter. The inspections shall be conducted during the Water Systems normal business hours.
- C. The District shall notify the Customer in writing of any cross-connections or other undesirable plumbing practices which has been identified during the initial inspection or periodic re-inspections.
- D. The Customer shall immediately correct any undesirable plumbing practices on his premises.
- E. The Customer, at his expense, properly install, test, and maintain any backflow prevention devices required by the District. Copies of all testing and maintenance records shall be provided to the Water System.

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 Signature X \_\_\_\_\_ Date \_\_\_\_\_

## **Appendix F**

### **DROUGHT CONTINGENCY PLAN**

**FOR:**

**Chateau Woods MUD**

**10224 Fairview Dr. Conroe, TX 77385**

**CCN# 10351 and 20937**

Amended \_\_\_\_\_, 2020

#### **1. INTRODUCTION**

The goal of this plan is to cause a reduction in water use in response to drought or emergency conditions so that the water availability can be preserved. Since emergency conditions can occur rapidly, responses must also be enacted quickly. This plan has been prepared in advance considering conditions that will initiate and terminate the rationing program.

A Drought/Emergency Management Committee consisting of two Board Members appointed by the Board and the System Manager will monitor usage patterns and public education efforts and will make recommendations to the Board on future conservation efforts, demand management procedures or any changes to this plan. The Committee will develop public awareness notices, bill stuffers, and other methods that will begin and continue as a constant type of reminder that water should be conserved at all times, not just during a drought or emergency. This Committee will also review and evaluate any needed amendments or major changes due to changes in the MUD service area population, distribution system or supply. This review and evaluation will be done on an annual basis unless conditions necessitate more frequent amendments.

The plan will be implemented according to the three stages of rationing as imposed by the Board. Section 6 describes the conditions that will trigger these stages.

#### **2. PUBLIC INVOLVEMENT**

Opportunity for the public to provide input into the preparation of the Plan was provided by the Board by scheduling and providing public notice of a public meeting to accept input on the Plan. Notice of the meeting was provided to all customers. In the adoption of this plan, the Board considered all comments from customers.

#### **3. PUBLIC EDUCATION**

The Chateau Woods MUD 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. The Committee will develop public awareness notices, bill stuffers, and other methods that will begin and continue as a constant type of reminder that water should be conserved at all times, not just during a drought or emergency.

#### **4. COORDINATION WITH REGIONAL WATER PLANNING GROUP**

Being located within Region H, a copy of this Plan has been provided to that Regional Water Planning Group and the Lone Star Groundwater Conservation District.

## 5. NOTICE REQUIREMENTS

Immediate notification of decision to initiate water restriction will be provided by public posting notice(s) on website, notices on monthly water bills, and a written notice by mail 72 hours prior to the start of the water restriction. At the initiation of each stage, notice of the proposed water allocation measure shall be noted on monthly billing statements and posted in public places. In addition, upon adoption of Stage II or Stage III, a notice will be placed at the entrances of the community. The customer notice shall contain the following information:

1. The date restrictions will begin.
2. The circumstances that triggered the restrictions.
3. The stages of response and explanation of the restrictions to be implemented, and,
4. An explanation of the consequences for violations.

## 6. TRIGGER CONDITIONS

The Drought Emergency Management Committee is responsible for monitoring water supply and demand conditions on a monthly basis (or more frequently if conditions warrant) and shall determine when conditions warrant initiation or termination of each stage of the plan, that is, when the specified triggers are reached. The Committee will monitor monthly operating reports, water supply or storage tank levels and/or rainfall as needed to determine when trigger conditions are reached. The triggering conditions described below take into consideration: the vulnerability of the water source under drought of record conditions; the production, treatment and distribution capacities of the system, and member usage based upon historical patterns.

**a. Stage I - Mild Condition:** Stage I water allocation measures may be implemented when one or more of the following conditions exist:

- 1) Water consumption has reached 80 percent of daily maximum supply for three (3) consecutive days.
- 2) There is an extended period [at least eight (8) weeks] of low rainfall and daily use has risen 20 percent above the use for the same period during the previous year.
- 3) Response for Stage II – Moderate Condition: Target is achieving a 15% reduction in daily maximum supply.

**b. Stage II - Moderate Conditions:** Stage II water allocation measures may be implemented when one of the following conditions exist:

- 1) Water consumption has reached 80 percent of the amount available for three (3) consecutive days.
- 2) The water level in any of the water storage tanks cannot be replenished for three (3) consecutive days. Example: The highest recorded water level drops ten (10) feet or more for three (3) consecutive days.
- 3) Response for Stage II – Moderate Condition: Target is achieving a 15% reduction in daily maximum supply.

**c. Stage III - Severe Conditions:** Stage III water allocation measures may be implemented when one of the following five conditions exist:

- 1) Failure of a major component of the system or an event which reduces the minimum residual pressure in the system below 25 psi for a period of 24 hours or longer.

- 2) Water consumption of 90 percent or more of the maximum available for three (3) consecutive days.
- 3) Water consumption of 100 percent of the maximum available and the water storage levels in the system drop during one 24-hour period.
- 4) Natural or man-made contamination of the water supply source(s).
- 5) The declaration of a state of disaster due to drought conditions in a county or counties served by the District
- 6) Reduction of wholesale water supply due to drought conditions.
- 7) Other unforeseen events which could cause imminent health or safety risks to the public.
- 8) Response for Stage III – Sever Condition: Target is achieving a 25% reduction in daily maximum supply.

## **7. STAGE LEVELS OF WATER ALLOCATIONS**

The stage levels of water allocations are to be placed in effect by the triggers in Section 6. The System shall institute monitoring and enforce penalties for violations of the Drought Plan for each of the Stages listed below. The water allocation measures are summarized below.

### **a. Stage I - Mild Conditions**

- 1) Outdoor watering for even numbered addresses will be Monday, Wednesday & Saturday only. Outdoor watering for odd numbered addresses can water Tuesday, Thursday & Sunday only.
- 2) Outdoor watering between 10:00AM and 6:00 PM will be discouraged.
- 3) The system will reduce flushing operations.
- 4) Reduction of customers' water use will be encouraged through notices on monthly bills, social media, and on the bulletin board at the MUD building, in addition to signs posted at entrances to the community.

### **b. Stage II - Moderate Conditions**

- 1) Outdoor watering at even numbered addresses will be restricted to Wednesday & Saturday only. Odd numbered addresses will be restricted to Thursday & Sunday only. Outdoor watering will be allowed anytime if it is by means of a faucet filled bucket or watering can of five (5) gallons or less.
- 2) Outdoor water use will be restricted to midnight to 10:00 AM and 6:00 PM to midnight on the designated days.
- 3) All non-essential outdoor water use (washing of sidewalks or driveways, vehicle washing, filling of swimming pools, failure to repair a controllable leak within a reasonable period, etc.) will be prohibited.
- 4) Customers will be notified by signs posted at entrances to the community, the bulletin board at the MUD Building, social media, and notices on monthly bills.

### **c. Stage III - Severe Conditions**

- 1) All outside watering prohibited.
- 2) District shall continue enforcement and educational efforts.

### **NOTE:**

There may be additional restrictions imposed by Governmental Entities.



Meters will be read as often as necessary to ensure compliance with this program for the benefit of all the customers.

## **8. PRO ACTIVE CURTAILMENT**

In the event that the triggering criteria specified in Section 6 for Stage III – Severe Water Conditions have been met, the designated official is hereby authorized to initiate allocating of water supplies on a pro rata basis in accordance with Texas Water Code Section 11.039.

Chateau Woods MUD will include a provision in every wholesale water contract entered into or renewed after adoption of the plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed will be divided in accordance with Texas Water Code Section 11.039. Utilization of other water sources of Chateau Woods MUD is an interconnect with White Oak WSC, CCN No. 12839.

## **9. INITIATION AND TERMINATION PROCEDURES**

Once a trigger condition occurs, the District, or its designated responsible representative, shall, based on recommendation from the Chairperson of the Drought/Emergency Management Committee, decide if the appropriate stage of rationing shall be initiated. The initiation may be delayed if there is a reasonable possibility the water system performance will not be compromised by the condition. If water allocation is to be instituted, customers will be notified by public posting, notice(w) on website, notices on monthly water bills, and will be provided with a written notice by mail 72 hours prior to the start of the water restriction. Notice of the proposed water allocation measure shall be noted on monthly billing statements and posted in public places at the initiation of each stage. In addition, upon adoption of Stage II or Stage III, a notice will be placed at the entrances of the community. The customer notice shall contain the following information:

1. The date restrictions will begin.
2. The circumstances that triggered the restrictions.
3. The stages of restrictions to be implemented, and,
4. An explanation of the consequences for violations.

If the water allocation program extends 30 days, then the Chairperson of the Drought/Emergency Management Committee or manager shall present the reasons for the allocations at the next scheduled Board Meeting and shall request the concurrence of the Board to extend the allocation period. When the trigger condition no longer exists then the Committee Chair with the approval of MUD Board president may terminate the water allocations provided that such an action is based on sound judgment. Written notice of the end of allocations shall be by the same method as initiation notice. A water allocation period may not exceed 60 days without extension by action of the Board.

## **10. PENALTIES FOR VIOLATIONS**

**a. First Violation** – The customer will be notified by a written notice of their specific violation and the penalty to be assessed for continued violations.

**b. Second Violation** – The District will assess a \$50.00 fine.

**c. Third Violation** – The District will assess a \$100.00 fine.

- d. Each subsequent violation** – The District will assess a \$200.00 fine per violation.
- e. After the fifth (5<sup>th</sup>) violation water service will be terminated.**

**These provisions apply to all customers of the District.**

### **11. EXEMPTIONS OR WAIVERS**

The Drought/Emergency Management Committee may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan, if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health or sanitation for the public or the person requesting such variance.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the Drought/Emergency Management Committee within 5 days after the Plan or a particular drought response stage has been invoked or after a condition justifying the variance first occurs. All petitions for variances shall be reviewed by the Committee and shall include the following:

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

Any variance for a subsequent water allocation must be petitioned again. The fact that a variance has been granted in response to a petition will have no relevance to the Committee’s decision on any subsequent petition. No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

### **12. IMPLEMENTATION**

The Board establishes a Drought/Emergency Management Committee by Resolution, the Chairperson of which will be the responsible representative to make Drought and Emergency Water Management actions. This Committee will review the procedures in this plan annually or sooner, as needed. Modifications may be required to accommodate system growth, changes in water use demand, available water supply and/or other circumstances.

This Plan, as amended, was adopted by the Board at a properly noticed meeting held on November 19, 2020.

## **Drought/Emergency Management Committee**

Committee Chairman

David Schoop

Board President

Steve Mitschke

Board Vice-President

Derrick Dickman

District Operator's System Manager

281-367-9419

## Appendix G

### *Deed Restrictions*

#### THE COVENANTS, CONDITIONS AND RESTRICTIONS TO BE IMPOSED UPON PROPERTY IN LAKE CHATEAU WOODS SUBDIVISION ARE AS FOLLOWS:

1. All lots shall be used for residential purposes only, and no building shall be erected, altered, placed or permitted to remain on any lot than one detached single-family dwelling not to exceed two stories in height and a private garage for not more than three automobiles.
2. Each residence constructed on said lots shall have a minimum floor area in square feet equal to the number obtained by multiplying the front lot line width in feet by 20, or 1,600 square feet. Whichever is less, exclusive of open or screened porches, terraces, patios, driveways, carports and detached garages. Exterior front walls of a residence shall consist of full brick or cedar veneer construction. All foundations constructed shall have a solid concrete slab reinforced with screen mesh and ½ inch rebar in accordance with sound building practices. The electrical service installation and internal wiring must be in accordance with the National Electrical Code. All construction must follow the procedures and codes of the Uniform Building Code.
3. No structure of a temporary character, mobile home, tent, shack, or other outbuilding shall be used on any lot at any time. No garage may be erected except simultaneously with or subsequent to construction of the residence.
4. None of said lots shall be re-subdivided in any fashion except that any person owning two or more adjoining lots may subdivide or consolidate such lots into building sites provided that such subdivision or consolidation does not result any building site having a front lot line of less than fifty feet.
5. No building, structure or improvement shall be erected in any lot within twenty-five feet of the front property line, nor within five feet of side property line nor within five feet of rear property line. No corner lots shall have buildings, structures or improvements within ten feet of the side property line adjacent to a street.
6. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
7. No residential structure shall be inhabited unless and until the exterior of such structure is completed, the construction site is cleared of expended construction material and electrical, water and sewage disposal services are being provided.
8. No individual sewage disposal system shall be permitted on any lot.
9. No individual water supply system shall be permitted on any lot.
10. No oil well drilling, development, quarrying or mining operations of any kind shall be permitted on any lot nor shall wells, tanks, tunnels, excavations or shafts be permitted on any lot.
11. No animals, livestock or poultry of any kind shall be raised, bred or kept upon any lot except in the furtherance of activities or projects sponsored by, or conducted pursuant to membership in the, F.F.A., 4/H, or other officially sanctioned educational programs. Dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for commercial purpose.
12. No lot shall be used or maintained as a dumping ground or storage area for rubbish, trash, or salvage, and no garbage or other waste shall be kept except in sanitary containers.

13. Easements for the installation and maintenance of utilities are reserved as shown on the recorded plats of the subdivision. No utility company, water district, political subdivision or other authorized entity using the easements herein referred to shall be liable for any damage done by them or their assigns, agents, employees or servants to shrubbery, trees, flowers, or other property of any lot owner situated within any such easement.

14. No fence or wall shall be placed, or permitted to remain on any lot nearer to the street or streets adjoining such lot than is permitted for the main residence of such lot.

15. No professional, business or commercial activity to which the general public is invited shall be conducted on any lot.

16. Invalidation of any one of these covenants or restrictions by judgement or court order shall in no way affect any other provisions, and all of the provisions shall remain in full force and effect.

17. These covenants, conditions and restrictions shall run with and bind the land and shall insure to the benefit of and be enforceable by the owner of any lot subject hereto and their respective legal representatives, heirs, successors, and assigns, and shall be effective for a term of twenty (20) years from the date this instrument is recorded, after which time such covenants, conditions, and restrictions shall be automatically extended for successive periods of ten (10) years. The covenants, conditions, and restrictions herein may be amended by an instrument signed by not less than seventy-five percent (75%) of the lot owners of the Lake Chateau Woods Subdivision.

18. No signs of any character shall be allowed upon any lot except one sign or not more than 15 square feet advertising the property for sale or rent.

Date: April 25, 1994

Chateau Woods Petition Committee  
P.O. Box 851  
Spring, TX 77383      Phone (281)363-2590