

CERTIFICATE FOR ORDER

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

I, the undersigned officer of the Board of Directors of Fort Bend County Municipal Utility District No. 50, hereby certify as follows:

1. The Board of Directors of Fort Bend County Municipal Utility District No. 50 convened in regular session on November 8, 2016, outside the boundaries of the District, and the roll was called of the members of the Board:

Craig Lewis	President
Brian Dierschke	Vice President
Peter Lajoie	Secretary
Reginald Stubblefield	Assistant Secretary
Jerry Slatton	Assistant Vice President

and all of said persons were present except Director(s) Slatton, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting: a written

AMENDED RATE ORDER

was introduced for the consideration of the Board. It was then duly moved and seconded that the order be adopted, and, after due discussion, the motion, carrying with it the adoption of the order, prevailed and carried unanimously.

2. A true, full, and correct copy of the aforesaid order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; the action approving the order has been duly recorded in the Board's minutes of the meeting; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid meeting, and that the order would be introduced and considered for adoption at the meeting, and each of the officers and members consented, in advance, to the holding of the meeting for such purpose; the meeting was open to the public as required by law; and public notice of the time, place, and subject of the meeting was given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code.

SIGNED AND SEALED on November 8, 2016.

(SEAL)





Secretary, Board of Directors

AMENDED RATE ORDER

THE STATE OF TEXAS §
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WHEREAS, Fort Bend County Municipal Utility District No. 50, Fort Bend County, Texas (the "District"), is in the process of constructing or acquiring a water, sewer and drainage system to provide service to residential and commercial establishments within the District; and

WHEREAS, the Board of Directors deems it necessary to amend the rate order;
Now, Therefore

BE IT ORDERED BY THE BOARD OF DIRECTORS OF FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50 THAT:

Section 1: Definitions. The following words or phrases shall have the meanings indicated below:

- A. "Commercial User" means any user of the District's water and sewer system other than a Single Family Residential User including but not limited to commercial establishments, apartments, recreational facilities, multi-family dwelling units, but specifically excluding tax-exempt entities.
- B. "Irrigation-Only User" means any homeowner association user or commercial property association user of the District's water solely for irrigation purposes.
- C. "Non-Taxable User" means a user that is exempt from ad valorem taxation by the District under the Property Tax Code, including, but not limited to, schools and churches.
- D. "Single Family Residential User" means a user of the District's water and sewer system which consists of one residence designed for use and occupancy by a single family unit.
- E. "Single Family Irrigation-Only User" means a single family residential user of the District's water system solely for irrigation purposes.

Section 2: Tap Fees and Inspection Fees.

The District's operator shall make all taps to the District's water system and install all water meters. Connections to the District's water system shall not be allowed prior to an approved sewer inspection, and all such connections shall be inspected by the District's operator or its subcontractor.

A. Single Family Residential User Water Tap. Prior to connection to the District's water system, a tap fee in the following amount shall be paid to the District:

- (1) In the case of a 5/8 inch water meter, the tap fee shall be \$1,000.00, plus the cost to the District of repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation. Notwithstanding the foregoing, in no event shall the tap fee total more than three (3) times the District's actual cost of installing the tap, meter, and necessary service lines, plus the District's cost of repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation.
- (2) In the case of a 1 inch water meter, the tap fee shall be \$1,350.00, plus the cost to the District of repairing or restoring any yards, sidewalks, or other improvements affected by the installation. Notwithstanding the foregoing, in no event shall the tap fee total more than three (3) times the District's actual cost of installing the tap, meter, and necessary service lines, plus the District's cost of repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation.
- (3) In the case of a water meter larger than 1 inch, a tap fee equal to three (3) times the District's actual cost of installing the tap, meter, and necessary service lines, plus the District's cost of repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation (the "Single Family Installation Costs"). The District's operator will produce an estimate for the Single Family Installation Costs, which will be sent to the Single Family Residential User. The Single Family Residential User shall pay the Single Family Installation Costs, plus 20%, prior to the installation of the tap. If the actual Single Family Installation Costs are greater than the estimated Single Family Installation Costs paid by the Single Family Residential User, the difference must be paid by the Single Family Residential User before the District will provide service to the Single Family Residential User. If the actual Single

Family Installation Costs are less than the estimated Single Family Installation Costs paid by the Single Family, a refund for the difference shall be issued to the Single Family Residential User.

- B. Non-Single Family Residential User Water Tap. Except as provided in Section 2.E. below, prior to connection to the District's water system, Non-Single Family Residential Users shall pay a tap fee equal to three (3) times the District's actual cost of installing the tap, meter, and necessary service lines, plus the District's cost of repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation (the "Non-Single Family Installation Costs"). The District's operator will produce an estimate for the Non-Single Family Installation Costs, which will be sent to the Non-Single Family Residential User. The Non-Single Family Residential User shall pay the Non-Single Family Installation Costs, plus 20%, prior to the installation of the tap. If the actual Non-Single Family Installation Costs are greater than the estimated Non-Single Family Installation Costs paid by the Non-Single Family Residential User, the difference must be paid by the Non-Single Family Residential User before the District will provide service to the Non-Single Family Residential User. If the actual Non-Single Family Installation Costs are less than the estimated Non-Single Family Installation Costs paid by the Non-Single Family Residential User, a refund for the difference shall be issued to the Non-Single Family Residential User.

C. Non-Taxable Users

- (1) Prior to connection to the District's water system, Non-Taxable Users shall pay a tap fee equal to the District's actual cost of installing the tap, meter and any necessary service lines and the cost of repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation (as determined by the District's operator) plus the Non-Taxable User's pro rata share of the District's actual cost of the facilities necessary to provide District services to the Non-Taxable User that are financed or to be fully or partially financed by the District's tax bonds (as determined by the District's consultants and approved by the Board of Directors) (the "Non-Taxable Installation Costs").
- (2) The District's operator will produce an estimate of the Non-Taxable Installation Costs, which will then be approved by the Board of Directors and be sent to the Non-Taxable User. The Non-Taxable User shall pay the estimated Non-Taxable Installation Costs, plus 20%, prior to installation of the tap. If the actual Non-Taxable

Installation Costs are greater than the estimated Non-Taxable Installation Costs paid by the Non-Taxable User, the difference must be paid by the Non-Taxable User before the District will provide service to the Non-Taxable User. If the actual Non-Taxable Installation Costs are less than the estimated Non-Taxable Installation Costs paid by the Non-Taxable User, a refund for the difference shall be issued to the Non-Taxable User.

- D. Irrigation-Only User. Prior to an Irrigation-Only connection being made to the District's water system, all charges of the District's operator for installing the water tap and meter and for the materials shall be paid to the District.
- E. Non-Single Family Residential User Water Tap for Fire Line. Prior to a fire line connection being made by a Non-Single Family Residential User to the District's water system, all charges of the District's operator for installing the water tap and meter and for the materials shall be paid to the District. The tap fee for a Non-Single Family Residential User water tap for a fire line shall be fee equal to the District's actual cost of installing the tap, meter, and necessary service lines, plus the District's cost of repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation.

Section 3: Sewer Connections. All connections to the District's sewer system shall be made in accordance with the provisions of the Rules and Regulations Governing Sewer House Lines and Sewer Connections. All connections to the District's sewer system shall be inspected by the District's operator or its subcontractor prior to being covered in the ground. If a sewer connection fails the inspection, an additional inspection fee at the same rate is to be paid prior to re-inspection. In the event a sewer connection is made and covered without such inspection, water service at such location shall be terminated and shall not be allowed until an approved sewer connection inspection has been performed. An inspection fee of \$55.00 shall be paid to the District to cover the cost of making Single Family Residential User inspections at the time the tap fee is paid. An inspection fee of \$100.00 shall be paid to the District to cover the cost of making Non-Single Family Residential User and Non-Taxable User inspections at the time the tap fee is paid.

Section 4: Pre-Facility Inspection. All builders or contractors for property owners within the District must contact the operator, prior to starting any work on property within the District, to do an inspection to verify District facilities for a fee of \$45.00. The \$45.00 fee shall be collected at the time the tap fee is paid. If any District facility is either damaged or cannot be located, the District's operator will make necessary repairs or locate and make visible at the expense of the District. After the

inspection and any necessary work is completed, the builder or contractor will then be responsible for paying the costs of all damages, adjustments, relocations and repairs found during a final inspection of the property to re-inspect the water tap, meter and all other District facilities. A copy of the inspection will be given to the builder's or contractor's representative.

Section 5: Facility Inspection. After construction has been completed on the property, but before service is transferred to a User, the District's operator will conduct a final inspection of the property to re-inspect the water tap, meter and all other District facilities on the property for a fee of \$45.00. The \$45.00 fee shall be collected at the time the tap fee is paid. The property owner, builder or contractor will be held responsible for any damages or adjustments to District facilities which have occurred since the pre-facility inspection and the cost of repairing, adjusting or relocating the facilities (the "Backcharges") before service shall be initiated to a User. If any re-inspections of the facilities are required to ensure that the District's facilities are repaired, relocated or adjusted, a fee of \$45.00 shall be charged for each such re-inspection before service will be transferred to a subsequent User. Payment of the Backcharges, or any \$45.00 inspection or re-inspection fees, shall be made on or before the 30th day after the date of the invoice for said charges. The District may withhold the provision of service to the property or to other property owned by any User, property owner, builder or contractor who has failed to timely pay the Backcharges or any \$45.00 inspection or re-inspection fee, including specifically the provision of additional taps; provided, however, the District shall follow the notification procedures set forth in Section 27 prior to withholding the provision of service.

Section 6: Drainage System Connection. Before any Non-Single Family Residential User or Non-Taxable User connection is made to the District's water, sewer or drainage systems, or before any reconnection is made, the person requesting such connection shall submit to the District's Engineer for review and approval the drainage plans for the property for which the connection is sought. Such plans shall clearly show the estimated volume of water and the points of connection to the District's drainage system. A copy of such approved drainage plan with the District's Engineer's approval indicated thereon shall be submitted to the District's operator. Any modification of such drainage plan shall require reapproval by the District's Engineer. The District reserves the right to require removal of any connection made in violation of this section.

Section 7: Building Connections. During construction and prior to initial connection of a meter, a builder shall be charged a monthly flat rate of \$41.00 per lot for water service. Prior to occupancy, but once the meter has been connected, a builder shall be charged per lot as set forth below. In addition, a builder shall be billed monthly a fee per 1,000 gallons of water equal to 110% of the fee imposed on the District by the North Fort Bend Water Authority. These rates do not include trash/recycling service, which the District does not provide to builders.

Amount of Payment

Water Usage

\$41.00 (minimum monthly charge)
(per equivalent single family
residential connection as determined
by the District's engineer)
\$1.50 per 1,000 gallons
\$2.00 per 1,000 gallons
\$3.00 per 1,000 gallons
\$4.00 per 1,000 gallons

0 - 10,000 gallons (per meter)

10,001 - 15,000 gallons
15,001 - 20,000 gallons
20,000 - 50,000 gallons
More than 50,000 gallons

Section 8: Platting Requirement. Prior to initially connecting to the District's water, sewer or drainage systems, a Single Family Residential User, a Non-Single Family Residential User, and a Non-Taxable User shall submit to the District's operator proof that the User's property has been platted in accordance with the subdivision ordinances of the City of Houston. Acceptable proof of platting includes a copy of the recorded plat, or a certificate from the City of Houston that the property has been platted or that the property is legally exempt from the platting process.

Section 9: Plumbing Material Restrictions.

- A. Prohibition on Use of Specified Materials. The use of the following plumbing materials are prohibited in any and all improvements connected to the District's water system:
- (1) Any pipe or pipe fitting which contains more than a weighted average of 0.25% lead; and
 - (2) Any solder or flux which contains more than 0.2% lead.
- B. Certification of Compliance with Prohibition. Before the District will provide water and sewer service to any new improvement, a fully executed certificate of compliance, in the form attached as Exhibit "A," signed by a state-licensed plumber must be submitted to the District.

Section 10: Regulatory Assessment. Pursuant to the Texas Water Code, each user of the District's water and sanitary sewer system is hereby assessed a charge of one-half of one percent of the District's charge for water and sewer service. This assessment is included in the rate schedules listed below and will be forwarded to the Texas Commission on Environmental Quality ("TCEQ"), as required by the Texas Water Code, and used to pay costs and expenses incurred in its regulation of water districts.

Section 11: Application Fees. A fee of \$20.00 shall be charged by the District to all users opening an account to cover the expense to the District for establishing water and sewer service for the user.

Section 12: Water and Sewer Rates for Single Family Residential Users. Single Family Residential Users within the District shall be charged for water and sewer service according to the chart below. In addition, Users shall be billed monthly a fee per 1,000 gallons of water equal to 110% of the fee imposed on the District by the North Fort Bend Water Authority. The minimum monthly charge set forth below includes a base fee of \$23.00 related to water service and \$34.00 related to sewer service provided by the District. The rates below include trash/recycling service.

<u>Amount of Payment</u>	<u>Water Usage</u>
\$57.00 (minimum monthly charge) (per equivalent single family residential connection as determined by the District's engineer)	0 - 10,000 gallons (per user)
\$1.50 per 1,000 gallons	10,001 - 15,000 gallons
\$2.00 per 1,000 gallons	15,001 - 20,000 gallons
\$3.00 per 1,000 gallons	20,001 - 50,000 gallons
\$4.00 per 1,000 gallons	More than 50,000 gallons

Section 13: Water Rates for Single Family Irrigation-Only Users. Single Family Irrigation-Only Users (i.e. a single family home with a separate meter for irrigation purposes only) within the District shall be charged a base rate of \$2.50 for service plus a fee for water usage according the chart below. In addition, such Users shall be billed monthly a fee per 1,000 gallons of water equal to 110% of the fee imposed on the District by the North Fort Bend Water Authority. These rates do not include trash/recycling service. However, the rates set forth in Section 12 for Single Family Residential Users do include such services.

<u>Amount of Payment</u>	<u>Water Usage</u>
\$1.50 per 1,000 gallons	0 - 15,000 gallons (per tap)
\$2.00 per 1,000 gallons	15,001 - 20,000 gallons
\$3.00 per 1,000 gallons	20,001 - 50,000 gallons
\$4.00 per 1,000 gallons	More than 50,000 gallons

Section 14: Water and Sewer Rates for Commercial Users with Master Meters. Commercial Users within the District that have a master meter shall be charged for water and sewer service according to the charts below. In addition, Users shall be billed

monthly a fee per 1,000 gallons of water equal to 110% of the fee imposed on the District by the North Fort Bend Water Authority. These rates do not include trash/recycling service, which the District does not provide to Commercial Users.

Water Service Payment

\$20.00 (minimum monthly charge)
 \$2.00 per 1,000 gallons
 \$3.00 per 1,000 gallons
 \$4.00 per 1,000 gallons

Water Usage

0 - 10,000 gallons (per user)
 10,001 - 20,000 gallons
 20,001- 50,000 gallons
 More than 50,000 gallons

Sewer Service Payment

\$15.00 (minimum monthly charge
 per equivalent single family
 connection)
 \$1.50 per 1,000 gallons

Sewer Usage

0 - 10,000 gallons (per user)
 More than 10,000 gallons

Section 15: Water and Sewer Rates for Commercial Users with Individual Meters. Commercial Users within the District that have an individual meter shall be charged for water and sewer service according to the charts below. In addition, Users shall be billed monthly a fee per 1,000 gallons of water equal to 110% of the fee imposed on the District by the North Fort Bend Water Authority. These rates do not include trash/recycling service, which the District does not provide to Commercial Users.

Water Service Payment

\$20.00 (minimum monthly charge)
 \$2.00 per 1,000 gallons
 \$3.00 per 1,000 gallons
 \$4.00 per 1,000 gallons

Water Usage

0 - 10,000 gallons (per user)
 10,001 - 20,000 gallons
 20,001- 50,000 gallons
 More than 50,000 gallons

Sewer Service Payment

\$15.00 (minimum monthly charge)
 \$1.50 per 1,000 gallons

Sewer Usage

0 - 10,000 gallons (per user)
 More than 10,000 gallons

Section 16: Water Rates for Commercial Irrigation-Only Users. Commercial Irrigation-Only Users within the District shall be charged for water usage according the chart below. In addition, such Users shall be billed monthly a fee per 1,000 gallons of water equal to 110% of the fee imposed on the District by the North Fort Bend Water Authority. These rates do not include trash/recycling service, which the District does not provide to Commercial Irrigation-Only Users.

Amount of Payment

\$1.50 per 1,000 gallons
\$2.00 per 1,000 gallons
\$3.00 per 1,000 gallons
\$4.00 per 1,000 gallons

Water Usage

0 - 15,000 gallons (per tap)
15,001 - 20,000 gallons
20,001 - 50,000 gallons
More than 50,000 gallons

Section 17: Water and Sewer Rates for Apartment Complexes with Master Meters. Users that are classified as an apartment complex within the District that has a master meter shall be charged for water and sewer service according to the charts below. In addition, Users shall be billed monthly a fee per 1,000 gallons of water equal to 110% of the fee imposed on the District by the North Fort Bend Water Authority. These rates do not include trash/recycling service, which the District does not provide to apartment complexes.

Water Service Payment

\$10.00 (minimum monthly charge
per unit)
\$2.20 per 1,000 gallons

Water Usage

0 - 5,000 gallons (per meter)
More than 5,000 gallons

Sewer Service Payment

\$15.00 (minimum monthly charge
per unit)
\$2.30 per 1,000 gallons

Sewer Usage

0-5,000 gallons (per meter)
More than 5,000 gallons

Section 18: Water and Sewer Rates for Apartment Complexes with Individual Meters. Users that are classified as apartment complexes within the District that have individual meters shall be charged for water and sewer service according to the charts below. In addition, Users shall be billed monthly a fee per 1,000 gallons of water equal to 110% of the fee imposed on the District by the North Fort Bend Water Authority. These rates do not include trash/recycling service, which the District does not provide to apartment complexes.

Water Service Payment

\$10.00 (minimum monthly charge
per unit)
\$2.20 per 1,000 gallons

Water Usage

0 - 5,000 gallons (per meter)
More than 5,000 gallons

Sewer Service Payment

\$15.00 (minimum monthly charge
per unit)
\$2.30 per 1,000 gallons

Sewer Usage

0-5,000 gallons (per meter)
More than 5,000 gallons

Section 19: Water and Sewer Rates for Homeowner Association and Property Association Recreational Centers. Recreational centers and facilities operated by homeowner associations and property owner associations within the District shall be charged for water and sewer service according to the charts below. In addition, Users shall be billed monthly a fee per 1,000 gallons of water equal to 110% of the fee imposed on the District by the North Fort Bend Water Authority. These rates do not include trash/recycling service, which the District does not provide to recreational centers.

Water Service Payment

\$20.00 (minimum monthly charge)
\$1.50 per 1,000 gallons
\$2.00 per 1,000 gallons
\$3.00 per 1,000 gallons
\$4.00 per 1,000 gallons

Water Usage

0 - 10,000 gallons (per meter)
10,001 - 15,000 gallons
15,001 - 20,000 gallons
20,001 - 50,000 gallons
More than 50,000 gallons

Sewer Service Payment

\$15.00 (minimum monthly charge)
\$1.50 per 1,000 gallons

Sewer Usage

0 - 10,000 gallons (per user)
More than 10,001 gallons

Section 20: Water Rates for Homeowner Association and Property Owner Association Irrigation-Only Users. Homeowner association and property owner association Irrigation-Only Users within the District shall be charged for water usage according the chart below. In addition, such Users shall be billed monthly a fee per 1,000 gallons of water equal to 110% of the fee imposed on the District by the North Fort Bend Water Authority. These rates do not include trash/recycling service, which the District does not provide to recreational centers.

Amount of Payment

\$20.00 (minimum monthly charge)
\$1.50 per 1,000 gallons
\$2.00 per 1,000 gallons
\$3.00 per 1,000 gallons
\$4.00 per 1,000 gallons

Water Usage

0 - 10,000 gallons (per tap)
10,001 - 15,000 gallons
15,001 - 20,000 gallons
20,001 - 50,000 gallons
More than 50,000 gallons

Section 21: Grease Trap Inspection. For each grease trap installed, there shall be charged a monthly flat rate inspection fee of \$50.00. If the District's operator is required to reinspect the grease trap, such reinspection shall be charged at the same \$50.00 rate.

Section 22: Builder Responsibilities.

- A. Street Cleaning. The builder and developer will be responsible for ensuring that the street in front of their lots stays free from the accumulation of trash, sediment, dirt, and all other debris. Street cleaning will be done by street scraping or by using a vacuum sweeper. Washing sediments into the sewer inlets is prohibited by the District and the EPA.
- B. Concrete Wash-Out Site. Each builder will provide a single, dedicated concrete wash-out site on one of the builder's reserved lots, for use during construction. The site selected will be reviewed with the District and developer, and an identification sign must be erected on the site by the builder prior to use.

The builder will clean and maintain the site as necessary and is responsible for the proper and legal disposal of concrete. Silt fencing must be installed along the curb in front of the wash-out site as well as an access pad.

The builder will inform its subcontractors of the location and purpose of the concrete wash-out site.

- C. Other Builder Responsibilities. The builder is responsible for observing all signs and for enforcing the District's Rate Order with all employees, suppliers, and subcontractors. Builders are responsible for conducting regular inspections of their erosion control measures to insure they are functioning properly.
- D. Failure to Comply. Failure of a builder to comply with these builder responsibilities will be considered a violation of this Rate Order and will subject the builder to penalties in Section 38. Further, the District, at its sole option, may perform or have performed any of the builder's responsibilities and backcharge the builder for the cost. Failure to timely pay a backcharge or to comply with these responsibilities will subject the builder to termination of service in accordance with Section 27 or withholding of taps in accordance with Section 5.

Section 23: No Guarantee of Specific Quantity or Pressure of Water. The District does not guarantee any User any specific quantity or pressure of water for any

purpose whatsoever, and all Users understand and agree that the District is not liable for failure or refusal to furnish any particular amount or pressure of water to any User at any time.

Section 24: Swimming Pool Inspections and Fee. Every User who plans to construct or install a swimming pool within the District shall notify the District's operator in writing prior to commencing construction of the pool. Upon notification by the User of the intention to construct or install a swimming pool, the User shall pay an inspection fee of \$50.00. After the notification is received, the District's operator shall ensure that all drains and backwash from the swimming pool are installed and connected to the District's sanitary sewer system as it relates to swimming pools and that the proper backflow prevention devices required by the District are installed. After the drains have been installed, the User shall notify the District's operator, who shall make an inspection of all swimming pool drains to verify that the proper connection is made, before service is authorized for said swimming pool.

Section 25: Quality of Sewage.

- A. Domestic Waste. Only ordinary liquid and water-carried waste from domestic activities that is amenable to biological treatment and that is discharged from sanitary conveniences of buildings connected to a public sanitary sewer system shall be discharged into the District's sanitary sewer lines. Waste resulting from any process of commerce or industry may not be discharged into the District's sanitary sewer lines except as authorized pursuant to subsection (B) below.
- B. Commercial and Industrial Waste. All discharges other than waste described in subsection (A) are prohibited unless the User has applied to and received written authorization from the District for such discharge. The applicant must file a statement with the District containing the following information:
 - (a) Name and address of applicant;
 - (b) Type of industry, business, activity, or other waste-creative process;
 - (c) Quantity of waste to be discharged;
 - (d) Typical analysis of the waste;
 - (e) Type of pretreatment proposed; and
 - (f) Such other information as the District may request in writing.

The District shall have the right to reject any application for discharge of non-domestic waste into the District's sanitary sewer lines if the District determines in its sole discretion that the proposed discharge may be harmful to the District's sanitary sewer system or the environment. The

District also shall have the right in approving any application for the discharge of non-domestic waste to impose any limitations on such discharge that the District determines in its sole discretion to be necessary to protect the District's sanitary sewer system or the environment.

- C. National Categorical Pretreatment Standard. If a User is subject to a national categorical pretreatment standard pursuant to regulations promulgated by the Environmental Protection Agency under Section 307 of the federal Clean Water Act, the User is prohibited from discharging pollutants into the District's sanitary sewer system in violation of applicable categorical pretreatment standards.
- D. District Testing; Pretreatment. The District shall have the right to sample and test any User's discharge at the discretion of the District's operator, with no limit as to the frequency of the tests, and to charge the User for the District's cost of such sampling and testing. The District also shall have the right to require pretreatment, at the User's expense, of any discharge of non-domestic waste if the District determines in its sole discretion that pretreatment of such waste is necessary to protect the District's sanitary sewer system or the environment, even if pretreatment is not otherwise required pursuant to subsection (C) above.

Section 26: Maintenance and Repair. It shall be the responsibility of each User to maintain the water and sewer lines from the point of connection to the District's water and sewer system to the building or house served.

Section 27: Monthly Billing. Charges for water and sewer service shall be billed monthly. All bills shall be payable on the 20th day after the date of the statement for said charges. Unless payment of the monthly bill is received on or before the 20th day after the date of said statement or unless payment of any Backcharges is received on or before the 30th day after the date of the invoice, such account shall be considered delinquent and a one-time late charge equal to ten percent (10%) of the unpaid balance shall be charged. The District may, in its discretion, disconnect service for failure to pay all charges and Backcharges, including interest, by the 30th day after the due date; provided, however, that prior to disconnecting services, the District shall send written notice by United States first class mail to the User or entity at the appropriate address and provide the User or entity with an opportunity to contest, explain or correct the charges, services, or disconnection, at a meeting of the Board of Directors of the District. The written notice shall inform the User or entity of the amount of the delinquent payment, the date service will be disconnected or additional service withheld if payment is not made, the date, time and place of the next scheduled meeting of the Board of Directors, and of the opportunity to contest, explain or correct the charges, services, or disconnection, by presenting in person or in writing such matter to the

Board of Directors at the next scheduled meeting as shown in the notice. The date specified for disconnection shall be at least one day after the date of the next scheduled meeting of the Board of Directors as shown in the notice and the date for withholding additional service shall be the date of that Board meeting. The District will charge a termination letter fee in the amount of \$10.00 per letter sent to each User or entity receiving a written termination notice. The notice shall be deposited, postpaid, in a post office or official depository under the care and custody of the United States Postal Service at least ten (10) days prior to the date of the scheduled meeting of the Board of Directors. A written statement by the District's operator that the notice was so mailed and a certificate of mailing by the United States Postal Service shall be prima facie evidence of delivery of same. If the User or entity appears before the Board in person or in writing, the Board shall hear and consider the matter and inform the User or entity of the Board's determination by sending written notice by United States first class mail to the User or entity at the appropriate address. If service to a User is disconnected for any cause, there shall be charged a reconnection fee of \$50.00 before service is again commenced to such User.

In the event the District's operator is directed by the Board of Directors to remove a User's meter due to unauthorized connection to the District's system an additional \$50.00 shall be charged for the reconnection and reinstallation of such meter.

Section 28: Additional Payment Options. Any User may pay the monthly water and sewer bill via the payment options provided through the District and its operator including but not limited to, online check and credit card payments, check and credit card payments processed over the telephone, and payment through various area retail locations. Certain payment options are made available through service providers who may charge Users a convenience fee in connection with some payment options. Such convenience fees are the sole responsibility of the User and are separate from any amount owed by the User to the District. Non-payment of any such convenience fee shall subject the User to termination of service in accordance with this Order. If any User payment is refused or returned by the processing financial institution, the District will charge the User a return item fee of \$25.00. Acceptable payment methods for delinquent accounts may be restricted as specified elsewhere in this Order.

Section 29: Returned Check Charge. The District will charge a \$25.00 fee to any customer for each check given to the District for payment that must be returned for any reason. Payments attempted to be made by a check which are returned shall be considered delinquent unless cash or certified funds are presented to the District for payment within the time period required by the previous section.

Section 30: Deposit.

- A. When a single family residence is connected to the District's system, a deposit of \$100.00 shall be required of the homeowner, lessee, or tenant. Any required deposit shall be paid prior to the due date of User's first monthly bill for District water and sewer service. Once a User has paid a deposit, such User shall not be required to pay another deposit unless the User is subsequently disconnected. Anytime any User is terminated pursuant to the provisions of Section 27, such User shall pay \$100.00 to the District as an additional deposit. Once any particular User's deposit total exceeds \$400.00, no additional deposit shall be required, unless authorized by the Board.
- B. Before a builder is connected, along with payment of the tap fee, each builder shall pay a deposit of \$250.00 for each lot.
- C. Each Commercial User establishing a commercial account or multi-family residential account, and each Customer re-establishing a commercial account or multi-family residential account that has been terminated for non-payment, shall be required to make a security deposit equal to two (2) times the estimated average monthly bill for such connection, as determined by the District based on typical requirements for similar use. Any required deposit made by a Commercial User shall be paid prior to commencement of service to that Commercial User.
- D. The District shall retain all deposits to assure prompt payment of all charges for service, and shall indicate in its records for each User the amount of deposit paid. The District reserves the right to use any deposit amounts to satisfy any outstanding amounts due on the account. Upon termination of service, the District shall refund the deposit after deducting any amounts outstanding on the account. No interest will be allowed on deposits.

Section 31: Permit Requirement. Before any connection is made to the District's system, the person requesting such connection shall provide to the District a copy of: (1) a Construction Permit from Fort Bend County, Texas; or (2) a Waiver for the Construction Permit from Fort Bend County, Texas.

Section 32: Easements. Before service is begun to any User, the person requesting such service shall grant the District an easement of ingress and egress on the User's property to and from the User's meter for such maintenance and repair as the District, in its judgment, may deem necessary.

Section 33: Required Service. No service shall be given from the District's water and sewer system unless such User agrees to take both water and sewer service, except in the case of Irrigation-Only Users and in those instances where the Board determines that both services are not necessary for the preservation of the sanitary condition of water within the District.

Section 34: No Free Service. No free service shall be provided by the District to any person, organization or institution, including charitable institutions.

Section 35: Service Calls by District Operator. The District has determined that any User who requests a service call to be made by the District's operator shall be charged for such service call and any resulting work performed if the call is subsequently determined by the District to be unrelated to District facilities.

Section 36: Plumbing Regulations; Prohibition against Cross-Connections and Unacceptable Plumbing Practices; Penalty for Violation.

Pursuant to Chapter 290 of the Texas Administrative Code, the District adopts the following plumbing regulations, which apply to all users of the District's potable water distribution system.

- A. Service Agreements. Prior to receiving service from the District to new construction or to buildings containing new plumbing fixtures, or prior to having service reconnected to any building after termination of water service, a User must execute a Service Agreement in the form attached to this Rate Order as Exhibit "C".
- B. Plumbing Fixtures. A User is not permitted to install any plumbing fixture which is not in compliance with a state approved plumbing code and the plumbing code, if any, required by the city in whose jurisdiction the District is located.
- C. Prohibition Against Water Contamination. No direct connection between the District's potable water distribution system and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the District's potable water distribution system by the installation of an air-gap or an appropriate backflow prevention device in accordance with state plumbing regulations. In addition, all pressure relief valves and thermal expansion devices must be in accordance with state plumbing codes and the plumbing code, if any, required by the city in whose jurisdiction the District is located.

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

The User is responsible for insuring that all backflow prevention assemblies are tested upon installation by a recognized backflow prevention assembly tester. A list of certified backflow prevention assembly inspectors can be obtained from the local office of the TCEQ. The User is solely responsible for the cost of this test. If the District requires the installation of a backflow prevention assembly in order to prevent a serious threat to the District's public water supply, then the District, in its sole discretion, may immediately terminate service to the User. In that event, service will not be restored until the backflow prevention assembly has been installed and tested and a signed and dated original of a "Backflow Prevention Assembly Test and Maintenance Report" in the form attached to this Rate Order as Exhibit "B" has been provided to the District's operator.

If the District determines that a backflow prevention assembly must be installed pursuant to this Rate Order for reasons other than to eliminate a serious threat to the District's public water system, the User must install the backflow prevention assembly within five (5) working days after receipt of notice from the District that such installation is required. In addition, the User must provide the District's operator with a signed and dated original of a "Backflow Prevention Assembly Test and Maintenance

Report" in the form attached to this Rate Order as Exhibit "B" within three (3) working days of the installation of the backflow prevention assembly and within three (3) working days of any subsequent repair, maintenance or testing of such assembly. If the User fails to provide the testing certificate within this time, the District, in its discretion, may terminate service to the User pursuant to the terms of this Rate Order. The District's operator will retain such reports for a minimum of three (3) years.

- E. Customer Service Inspections. A customer service inspection is required prior to the time the District (i) provides continuous water service to new construction, (ii) provides water service to private plumbing facilities that have been added to existing construction or materially improved or corrected, or (iii) continues service to a User when the District has reason to believe that cross-connections or other unacceptable plumbing practices exist. The cost of such customer service inspection will be the sole responsibility of the User. For single family residential service, a licensed plumber, a water supply protection specialist licensed by the Texas State Board of Plumbing, or a certified waterworks operator holding an endorsement from the TCEQ may perform this customer service inspection. For all other types of service, a water supply protection specialist licensed by the Texas State Board of Plumbing, or a certified waterworks operator holding an endorsement from the TCEQ may perform the inspection. All fees relating to the customer service inspection shall be paid by the User prior to the inspection, and if the inspection is made in connection with new construction, the fee will be collected with the tap fee.

Prior to initiating service to new construction or buildings containing new plumbing fixtures, the User must provide the District's operator with a signed and dated "Customer Service Inspection Certification" in the form attached to this Rate Order as Exhibit "A". The District's operator will retain such inspection certifications for a minimum of ten (10) years. If the District's operator does not perform the initial customer service inspection, the User will need to obtain a final inspection certificate from the District's operator prior to receiving service. In connection with this final plumbing inspection, the User shall allow its property to be inspected by the District's operator or its subcontractors during normal business hours for possible cross-connections and other unacceptable plumbing practices which violate this Rate Order. The cost of this final plumbing inspection shall be \$45.00 for Single Family Residential Users and will be determined on an individual basis for other Users. The cost of this final inspection shall be paid by the User prior to the final plumbing inspection. Thereafter, the District's operator or its subcontractors may, at

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

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

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

- G. Notice of Unacceptable Plumbing Practices. The District shall notify the User in writing of any cross-connection or other unacceptable plumbing practice which has been identified during the customer's service inspection, the final plumbing inspection, any periodic reinspection, or any other inspection. At its sole cost and expense, the User shall immediately correct any unacceptable plumbing practice on its premises and properly install, test and maintain any backflow prevention device required by the District within two (2) working days of receipt of notice of the improper cross-connection. The User shall provide copies of all testing and maintenance records on such devices to the District within three (3) working days of the testing or maintenance. If the User fails to correct the noted unacceptable plumbing practice, the District may immediately terminate water service or, at the User's sole cost and expense, eliminate the cross-connection or correct the unacceptable plumbing practice.

- H. Penalty for Violation. The failure of a User to comply with the terms of this Section will be considered a violation of this Rate Order. If such a violation occurs, or if the District determines the existence of a serious threat to the integrity of the District's water supply, the District, in its sole option, may, in addition to all other legal remedies available to it, including those remedies set out in Section 38 of this Rate Order, immediately terminate service or, at the User's sole cost and expense, install the plumbing fixtures or assemblies necessary to correct the unacceptable plumbing practice. If the District terminates service in order to preserve the integrity of the District's water supply, service will be restored only when the source of the potential contamination no longer exists or until additional safeguards have been taken. Any and all expenses associated with the enforcement of this Section shall be billed to the User.

Section 37: Prohibitions on District Property. No swimming, wading or entrance into the water by persons shall be allowed in the District's detention ponds. No unauthorized motor-vehicles are allowed in or around the District's detention ponds.

Section 38: Penalties for Violation. Any person, corporation or other entity who:

- A. violates any Section of this Order; or
- B. makes unauthorized use of District services or facilities; or
- C. causes damage to District facilities by using such facilities in a manner or for a purpose contrary to the purpose for which such facilities were designed; or
- D. uses or permits the use of any septic tank or holding tank within the District, or violates the District's Rules and Regulations Governing Sewer Lines and Sewer Connections; or
- E. violates the District's Order Adopting Drought Contingency Plan;
- F. violates the District's Rules and Regulations Governing the Use of the District Detention Facilities; or
- G. violates the District's Stormwater Quality Rules.

shall be subject to a penalty of up to \$10,000.00 and/or disconnection of water service for each breach of the foregoing provisions. Each day that a breach of any provision hereof continues shall be considered a separate breach.

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

Section 39: Applicability of Rate Order: This Amended Rate Order and all of the provisions herein apply only to utility service to land within the District. The Board of Directors shall determine whether to provide any utility service to areas outside of the District and the terms and conditions for such service.

Section 40: Superseding Order. This Amended Rate Order supersedes all prior orders, resolutions and other actions of the Board concerning fees and charges for water and sewer services.

[EXECUTION PAGE FOLLOWS]

ADOPTED on the 8th day of November, 2016.



Secretary, Board of Directors



President, Board of Directors

(SEAL)



LIST OF EXHIBITS

- Exhibit "A" - Customer Service Inspection Certification
- Exhibit "B" - Backflow Prevention Assembly Test and Maintenance Report
- Exhibit "C" - Service Agreement

CERTIFICATION

I, the undersigned officer of the Board of Directors of Fort Bend County Municipal Utility District No. 50, do hereby certify that the foregoing is a true and correct copy of the water and sewer rate order approved by the Board of Directors of said District on November 8, 2016, and said rates and rules are currently in effect.

Witness my hand and seal of the District this 8th day of November, 2016.



Secretary, Board of Directors

(SEAL)



EXHIBIT "A"

Customer Service Inspection Certification

Name of PWS: _____ PWS I.D#: _____

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

- | | | |
|--|--------------------------|--------------------------|
| (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"/> |
| (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 back flow 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 type="checkbox"/> | <input type="checkbox"/> |
| (4) No pipes, pipe fittings, plumbing fittings, and fixtures which contain more than a weighted average of 0.25% lead when used with respect to wetted surfaces exist in private water distribution facilities installed on or after January 4, 2014. | <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. | <input type="checkbox"/> | <input type="checkbox"/> |

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

SERVICE LINES	<input type="checkbox"/> Lead	<input type="checkbox"/> Copper	<input type="checkbox"/> PVC	<input type="checkbox"/> Other
SOLDER	<input type="checkbox"/> Lead	<input type="checkbox"/> Lead Free	<input type="checkbox"/> Solvent Weld	<input type="checkbox"/> 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
Type of Registration

Date

EXHIBIT "B"
Backflow Prevention Assembly Test and Maintenance Report

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

BACKFLOW PREVENTION ASSEMBLY TEST AND MAINTENANCE REPORT

NAME OF PWS: _____

PWS I.D. #: _____

LOCATION OF SERVICE: _____

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

☐ Not needed at this address

TYPE OF ASSEMBLY

☐ Reduced Pressure Principle

☐ Pressure Vacuum Breaker

☐ Double Check Valve

☐ Atmosphere Vacuum Breaker

Manufacturer: _____

Size: _____

Model Number: _____

Located At: _____

Serial Number: _____

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

The above is certified to be true.

Firm name: _____

Certified Tester: _____

Firm Address: _____

Cert. Tester No.: _____

Date: _____

EXHIBIT "C"
SERVICE AGREEMENT

- I. **PURPOSE.** The Fort Bend County Municipal Utility District No. 50 ("District") is responsible for protecting the drinking water supply from contamination or pollution which could result from improper plumbing practices. The purpose of this service agreement is to notify each customer of the plumbing restrictions which are in place to provide this protection. The District enforces these restrictions to ensure the public health and welfare. Each customer must sign this agreement before the District will begin service. In addition, when service to an existing connection has been suspended or terminated, the District will not re-establish service unless it has a signed copy of this agreement.
- II. **PLUMBING RESTRICTIONS.** The following unacceptable plumbing practices are prohibited by State regulations.
- A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.
 - B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.
 - C. No connection which allows water to be returned to the public drinking water supply is permitted.
 - D. No pipe or pipe fitting which contains more than a weighted average of 0.25% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
 - E. No solder or flux which contains more than 0.2 percent lead can be used for the installation or repair of plumbing at any connection which provides water for human use.
- III. **SERVICE AGREEMENT.** The following are the terms of the service agreement between the Fort Bend County Municipal Utility District No. 50 (the "District") and **[NAME OF CUSTOMER]** (the "Customer").
- A. Service shall be provided in accordance with and Customer must adhere to all terms and conditions of the District's Amended Rate Order, as may be amended from time to time (the "Amended Rate Order").
 - B. The District will maintain a copy of this agreement as long as Customer and/or the premises is connected to the District's water system.
 - C. Customer shall allow his/her property to be inspected for possible cross-connections and other unacceptable plumbing practices. These inspections shall be conducted by the District or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections or other unacceptable plumbing practices exist; or after any major changes to the private plumbing facilities. The inspections shall be conducted during the District's normal business hours.

Exhibit C-1

- C. The District shall notify Customer in writing of any cross-connection or other unacceptable plumbing practice which has been identified during the initial inspection or the periodic reinspection.
 - D. Customer shall immediately correct any unacceptable plumbing practice on his/her premises.
 - E. Customer shall, at his/her expense, properly install, test, and maintain any backflow prevention device required by the District. Copies of all testing and maintenance records shall be provided to the District.
 - F. Customer understands and agrees that the District does not guarantee any specific quantity or pressure of water for any purpose whatsoever and that the District is not liable to customer for failure or refusal to furnish any particular amount or pressure of water to Customer at any time.
- IV. **ENFORCEMENT.** If Customer fails to comply with the terms of the Service Agreement and/or the terms of the Amended Rate Order, the District shall, at its option, either terminate service or properly install, test, and maintain an appropriate backflow prevention device at the service connection. Any expenses associated with the enforcement of this Service Agreement shall be billed to Customer.

CUSTOMER'S SIGNATURE: _____

DATE: _____

ADDRESS: _____