Mason Creek Utility District
Harris County, Texas

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

Including Amendments Adopted Through
October 15, 2014

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

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

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

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

Section 1: Definitions. In this order:

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

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

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

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

Section 1A: Utility Capacity Letters.

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

require it.

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

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

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

(e) *Board Determination; Criteria.* The Board shall determine if the application can be approved by applying the following criteria: (1) whether sufficient unused and unreserved central water and sewer plant capacity exists to serve the applicant, after making a reasonable allowance for future service to the remainder of the District, (2) whether sufficient water, sewer and drainage lines and facilities exist to serve the applicant, taking into account the remainder of the area to be served by such lines and facilities, (3) whether the proposed buildings or structures will impose any unreasonable burdens on the District's systems, in terms of quality of effluent, flooding, peak demands or other demand or use characteristics, and (4) whether the applicant has the readiness, willingness and ability, in a timely manner, to carry out the project and discharge all obligations to the District, including the payment of charges, fees, taxes, etc. With respect to criteria (1) and (2), above, the standard reference level of service for all unserved land in the district is established at a level equivalent to three SFR connections per acre, and this reference level shall be used unless specific circumstances indicate that it is not feasible to provide such level to any specific tract or that conditions on other tracts call for a different base level of service. However, this does not prohibit higher levels of service where capacity is actually available and not likely to be used for other tracts, taking into account costs, feasibility and revenues. Neither this rate order nor any capacity study or allocation shall ever be construed to create any entitlement to a specific level of service, except to the extent actually written down in a standard utility response letter approved in accordance with this section, and subject to all conditions and limitations of such a letter.

(f) *Letters.* If the application is approved, the District shall cause a standard utility response letter to be sent to the applicant, including the particular features of the application approved by the Board, any special provisions and standard utility connection policies and procedures. All fees required by this rate order must be paid, in addition to the non-refundable application fee. All response letters shall expire on the 180th day following the date of issuance, unless actual construction of all the covered buildings and facilities is started on or before such 180th day and prosecuted diligently to completion thereafter. Construction is not deemed to start until the foundations are actually poured or constructed.

Section 2: Tap Fees (Water System Only). The following fee shall be received by the District before any new or additional connection is made to the District's water system:

Single-Family Residences	Fee*
3/4" or 5/8" tap (short tap)	$560
3/4" or 5/8" tap (long tap, with bore under street)	$800
1" (short tap)	$1,200
1" (long tap, with bore under street)	$1,500
All taps larger than 1"	Out-of-pocket cost to District plus 100%‡

Commercial Connections	Fee*
All taps	Out-of-pocket cost to District plus 100%‡

Secondary Water Meters and Taps Fee*

Any water taps made to serve non-sewer uses at premises already served by an existing water and sewer tap, pursuant to Exhibit E, part (D): $175 for a 3/4" or 5/8" tap; larger taps are charged at the actual out-of-pocket cost to District, but not less than $175

Back-up Connections

(Fee is as provided in the contract with the District.)

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

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

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

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

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

Circumstances	Plan-checking (plans must win approval)	Inspections (must be passed)	Re-Inspections (must be passed)	Service Agreement (must be signed)	Fees (must be paid)
New connection (before connection is made)	All except SFR (and approval)	All		All	Tap, plan checking (except SFR) and inspection
New construction (before being served by the water or sewer system)	All except SFR	All		All	Plan checking (except SFR) and inspection
Material improvement, correction or addition to or change in private plumbing facilities; or change in occupant or operator of any food preparation or service premises or other commercial premises (before being placed in service and before operation begins)	All except SFR	All		All	Plan checking (except SFR) and inspection
Change in name or transfer of existing account	None	None		All	Transfer
There is reason to believe that cross- connections or other unacceptable plumbing practices exist	All	All		None	Inspection (only if unacceptable practice found)
A required inspection indicates violation or non-compliance, or access to inspect is prevented, or information is missing, or other circumstances prevent an inspection from being passed..			All except SFR		Re-inspection(s) required until inspection is passed. A separate re-inspection fee applies to each re-inspection.

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

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

(d) *Inspections.* In the indicated circumstances, inspections and re-inspections of all affected plumbing facilities are required, including private or internal plumbing, both water and wastewater. Each inspection shall be performed by an inspector selected by the District and having the credentials required by state regulations. Unless otherwise prescribed by the District's operator, the times for plumbing inspections are as follows:

(1) Before the slab or foundation is poured or affixed and before underground facilities are covered.

(2) After rough-in, and before facilities are covered by building materials.

(3) After completion

For customer service inspections, the inspector must file a certification with the District office containing all of the information and certifications shown in the sample certification form attached as Appendix "A." When a backflow prevention assembly is required by 30 TAC 290.44(h), or other law, rule or regulation, there must be a test of the backflow prevention assembly by a recognized tester having the credentials required by applicable regulations, and the tester must file a test and

maintenance report with the District office containing all of the information and certification shown in the sample certification form attached as Appendix "C." The District shall retain inspection and test certifications and reports for at least 10 years. The fees for inspections and tests (if applicable) are specified elsewhere in this order, and such fees are additional charges for water service.

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

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

Section 5: Other Fees and Inspections.

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

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

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

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

(1) the plumbing shall be designed and constructed so that the chance for backflow or cross-connection is minimized;

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

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

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

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

an additional charge for sewer service payable by the customer at the premises where the discharge originates.

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

Section 6: House and Building Lines.

(a) *User/Owner Responsibilities.* It shall be the joint and several responsibility of each user and property owner to install and maintain the water and sewer lines, including connection devices and incidental work, from the point of connection into the District's water and sewer system to the building or premises served (referred to hereinafter as "house lines").

(b) *Disconnection or Repair.* If a house line is not properly installed or maintained, and if it appears that the District's system is being adversely affected, the District may, subject to the notice procedures of the next subsection:

(i) disconnect the house line involved, or

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

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

(d) *Payment of Cost.* When a house line is disconnected in accordance with this section, it shall not be reconnected until the District's actual cost incurred is paid, except upon order of the Board for good cause shown. When the District corrects a deficiency in accordance with this section, the District's actual cost incurred shall be paid as follows:

(i) If there is a current user at such premises, the cost shall be added to the next monthly bill as an additional charge for utility service. If the Board finds that the corrected house line will benefit not only the owner but also future users at the premises involved, the Board may allow payment of the charge in installments (including any carrying costs) upon request of the user and upon such reasonable conditions as the Board may prescribe.

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

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

(f) *Prior Work.* This section applies to work done prior to this time, if it was done in substantial compliance with this section.

Section 6A: Private Plumbing, Inspections, Repairs, Etc.

(a) *General Responsibilities.* It shall be the responsibility of each person controlling a

site to:

(1) provide, operate and maintain private plumbing for the site in compliance with the Plumbing Code and the other provisions of this order;

(2) provide access for authorized representatives of the District to inspect all private plumbing, at reasonable times as may be requested by the District's representative (Note: The District's utility operator is authorized to perform such inspections and to authorize other representatives to perform such inspections); and

(3) maintain all private plumbing for the site in good repair, free of breaks, leaks, cross-connections and similar defects.

(If two or more persons control a site, their responsibilities are joint and several.)

(b) *Compliance Schedule; Special Permits.* When a new or different private plumbing facility, fixture or installation is first required for an existing site, and whenever an existing site must be "retrofitted," the Board may grant a special permit to extend the time for coming into compliance with this rate order, if a person in control of the site: (i) applies for the permit in writing, and (ii) demonstrates that measures are being taken to mitigate the impact of the noncompliance. The permit may contain conditions designed to achieve compliance within a stated period of time, or upon stated events. The permit must allow periodic inspection by the District, require an additional monthly water or sewer fee, and be signed and acknowledged by the owner of the property, in recordable form. The amount of the fee shall be prescribed by the Board and designed to recover the costs to the District of enforcement, monitoring the non-compliance (and mitigation), handling any additional flows or other results of the non-compliance, etc. Compliance with such a special permit is a defense to violating this rate order (with respect to the authorized delay in achieving compliance).

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

(1) erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, operate or maintain any plumbing that is connected to or served by the District's water or sanitary sewer system, or permit the same to be done, if the plumbing or the premises do not comply with the Plumbing Code; or

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

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

(d) *Disconnection or Repair.* If private plumbing (including, but not limited to, a grease trap, sampling well, grit chamber or other facility) is not properly installed, maintained, cleaned, emptied or operated (or not installed at all), and if it appears that the District's facilities are being adversely affected, the District may, subject to the notice procedures prescribed below: (i) disconnect the private plumbing involved, or (ii) if it appears that a substantial savings in cost will occur if the deficiency is corrected in the first instance (rather than being disconnected and then corrected by a separate operation), the District may proceed to correct the deficiency, but only if such work can be accomplished upon public right of way or easement (or if appropriate access is otherwise provided). Prior to taking any such action, the District (or its President or Vice President) shall take reasonable steps to notify the current user (if any) and owner of the premises involved and provide them an opportunity to show cause why the action should not be taken and a reasonable time within which they may correct any deficiencies at their own expense (subject to the District's right to inspect the work and payment by them of the normal inspection fees). However, in case of imminent peril to

health or safety caused by private plumbing, the District may take immediate action to disconnect the house line or to correct the deficiency. The District shall make reasonable efforts to notify the user and owner thereafter.

(e) *Payment of Cost.* When private plumbing is disconnected in accordance with this section, it shall not be reconnected until the District's actual cost incurred (plus 40% to cover administration and oversight, in the case of contracted work) is paid, except upon order of the Board for good cause shown. When the District corrects a deficiency in accordance with this section, the District's actual cost incurred (plus 40% to cover administration and oversight, in the case of contracted work) shall be paid as follows:

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

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

(f) *Deed Record Notices.* The President or Vice President of the District is authorized to place in the Real Property Records of Harris County a formal statement of the nature and amount of the charges claimed by the District under this section as well as the requirement that the same be paid before reconnection or extension of service is allowed. Either officer may also give such other notice as the officer may deem advisable.

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

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

Section 8: Water and Sewer Rates.

(a) *In General.* Charges for water and sewer service shall be billed monthly. All bills shall be due and payable upon receipt. Payment must be physically delivered to the District office or, except as provided below, to the District's depository bank (if the bank has been designated by the Board of Directors to receive such payments directly) on or before the 15th day of the calendar month which immediately follows the calendar month in which the billing period for the payment in question ended. Payments for dishonored or returned checks (including the additional charge therefor) and payments of delinquencies and reconnection charges after service has been disconnected must be made at the District's office by cashier's check, certified check or money order.

(b) *Due Date; Additional Charge.* If any payment is not so made in full on or before such 15th day, an additional charge accrues, but only if the amount unpaid as of such 15th day is $5.00 or more. If the unpaid amount is $5.00 or more, the additional charge is 10% of the charges for the preceding calendar month (i.e., the current month bill).

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

(d) *Waiver of 10% Charge.* If a user demonstrates to the satisfaction of the District's

designated billing officer, or to the satisfaction of the Board of Directors, that the user did not receive a bill in time to make payment on or before such 15th day for some reason not within the user's control, the 10% additional charge for such payment may be waived.

(e) *Basic Rates.* The rates for water and sewer service shall depend upon the type of connection and, in the case of water service for commercial connections, upon the size of the meter serving the connection. Additional charges under Section 6 hereof (relating to house and building lines) may also apply. Monthly rates for water and sewer service are hereby established as set out in Appendix E and F, attached. Charges for work provided by the District, or by the District operator at District expense, shall be billed at the following unit rates:

Category	*Rate*
Large backhoe with operator	$250 per hour, $375/hr. overtime
Small backhoe with operator	$125 per hour, $187.50/hr. overtime
Pull truck and trailer with driver	$35 per hour, $52.50/hr. overtime
Service truck	$20 per hour
Dump truck with driver	$75 per hour, $125/hr. overtime
Two-inch pump	$5.75 per hour
Sewer jet machine, with operator and pull truck	$125 per hour, $200/hr. overtime
Equipment operator	$45 per hour, $67.50/hr. overtime
Supervisor	$60 per hour, $90/hr. overtime
All other labor	$45 per hour,$67,50/hr. overtime
Materials, rentals, subcontract items, etc.	Cost plus 20%

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

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

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

Section 8A: Plumbing Code, Inspections, Etc.

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

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

(c) *Service Intervals & Records For Traps*. Each trap must be serviced and completely cleaned at least once during each 31-day time interval. *Exception*: The District's operator may approve a

longer interval, not to exceed 62 days, if the customer demonstrates that the trap is not likely to need service or cleaning more often than the approved interval, taking into account the records of prior cleanings, the current use of the premises and the loading of the trap likely to occur. Each customer with a trap must maintain complete records to show: (i) contracts or arrangements for cleaning currently and for the past 12 months, (ii) when the trap is cleaned and serviced, and (iii) and where the grease is taken and disposed of. All grease and other trapped substances must be transported and disposed of in a lawful manner. A trap will not pass an inspection if any such records are missing.

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

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

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

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

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

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

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

Section 9: Disconnection.

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

(b) *Payments; Reconnection Charge.* After a hearing notice is sent: (i) an additional charge in the amount of $9.00 per addressee (for costs of notice) accrues, and (ii) any payments must be made by cashier's or certified check, or other method that assures good funds. If service is disconnected, an additional charge of $50.00 accrues. If the District also removes a water meter, after indications that there was unauthorized use of water at the premises (actual or attempted) within the preceding 12 months, there is an additional charge of $100.00. Additional charges under Section 6 hereof (relating to house and building lines) may also apply. The District will require full payment of all accrued charges, plus a deposit in the amount then-required (see below; the deposit amount will likely be more than the amount previously required), before a reconnection is made, unless otherwise ordered by the hearing official.

Section 9A: Deposits.

(a) *In General.* A deposit is required to: (i) establish new service, (ii) reconnect service disconnected under Section 9 and (iii) continue service to any ratepayer if the ratepayer gives two or more "bad checks" to the District in any 18-month period. (A "bad check" is a check or other order for payment that is dishonored for insufficient funds or otherwise returned unpaid.) Deposits are subject to the following regulations:

(1) The minimum deposit shall be the estimated billing for two months's utility service for each account (peak months), but not less than $200 for each account. *Exception*: The deposit for a secondary, "water only" account for an SFR customer who has a primary account in the same name serving the same house is $50.

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

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

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

(b) *Modifications and Waivers*. The Board has the authority to modify, reduce or waive the deposit, in whole or in part, for good cause shown. The deposit for new service (not a reconnection following non-payment) is waived if: (i) the applicant owns the premises, and the premises are the applicant's residence homestead, according to records of the Harris County Appraisal District, or (ii) the applicant is a licensed real estate agent for a firm that has a written listing agreement for the premises and has no record of non-payment to the District.

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

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

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

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

specific approval by the Board of Directors.

Section 13: Certain Recreational Facilities. (a) The Board of the District has found that the Nottingham Country Park (on Rennie Drive, in the District), including its size and location, were established in consideration of municipal and county recreational facilities, whether or existing or proposed, that serve or will serve the area in which the District is located. The standards for recreational facilities to be developed and maintained by the District at or near the park are as follows: (i) they shall be at least equal to the facilities previously in existence in the area, and (ii) they shall meet or exceed prevailing standards for similar facilities in western Harris County. Funds for improvements for the park have been and shall be allocated from accumulated system funds and maintenance tax proceeds not pledged for other purposes. All such findings, standards and allocation are confirmed and re-adopted.

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

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

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

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

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

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

Section 14: Administrative Remedies.

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

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

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

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

(2) a determination by the Board that there is good and sufficient cause and that failure to grant the variance would result in unusual hardship to the applicant; and

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

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

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

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

Section 15: Other Provisions. The following are approved, adopted and incorporated into this order by the Board of Directors:

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

Appendix N	Standard & Continuing Policies
Appendix O	Solid Waste

Section 16: Superseding Order. This order supersedes all prior orders, resolutions and other actions of the Board concerning fees and charges for water and sewer service and the other matters prescribed by this order, and it is to be effective from and after its passage and approval. Unless a different effective date is specified by the Board, changes in periodic water or sewer rates shall apply to each customer from and after the first day of the customer's first billing period that begins after the date this order is adopted (and the rates in effect at the time this order is adopted shall continue in effect until such changes apply).

PASSED, APPROVED AND ADOPTED October 15, 2014.

/s/ Len Forsyth, President

ATTEST (SEAL):

/s/ Brian C. Connolly, Secretary

Appendix A
Service Inspection Certification Form

MASON CREEK UTILITY DISTRICT
Service Inspection Certification

Name of PWS _____ Type Of Inspection
New Construction o
PWS I.D.# _____ Addition to Private Plumbing o
Suspected Previous Violations o
Location of Service _____ in existing Plumbing

I _____ , upon inspection of the private plumbing 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 state plumbing regulations. Additionally, all pressure relief valves and thermal expansion devices are in compliance with state plumbing codes.	D	D
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 device tester.	D	D
3	No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the public water supply.	D	D
4	No pipe or pipe fitting which contains more than 8.0% lead exists in private plumbing facilities installed on or after July 1, 1988.	D	D
5	No solder or flux which contains more than 0.2% lead exists in private plumbing facilities installed on or after July 1, 1988.	D	D

Water service shall not be provided or restored to the private plumbing facilities until the above conditions are determined to be in compliance.

I further certify that the following materials were used in the installation of the plumbing facilities:

Service lines Lead D Copper D PVC D Other D
Solder Lead D Lead Free D Solvent Weld D Other D

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.

Signature of Inspector_____ Registration Number_____

Title_____ Type of Registration_____

Date:_____

Appendix B
Plumbing Code
As adopted 6-16-93

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

I. BUILDING SERVICE LINES

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

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

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

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

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

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

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

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

B. Water pipe material shall be:

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

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

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

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

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

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

C. Diameter of Service Lines:

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

2. Commercial service lines shall be sized according to City of Houston Plumbing Code and in no case shall be smaller than 1 inch for water or 6 inch for waste.

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

II. GRADE (WASTE LINES)

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

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

III. CONNECTION OF BUILDING STUB-OUTS TO SERVICE LINES

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

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

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

IV. FITTINGS AND CLEANOUTS

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

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

C. Each cleanout shall be installed so that it opens in a direction opposite to the flow of the waste and, except in the case of "wye" branch and end-of-line cleanouts, cleanouts shall be installed vertically above the flow line of the pipe.

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

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

> IT IS UNLAWFUL TO DISCHARGE CHEMICALS OR HAZARDOUS WASTE INTO FLOOR DRAIN OR ANY OTHER CONNECTION TO THE SANITARY SEWER SYSTEM. Report violations to Mason Creek Utility District, [insert current phone number]
>
> *ES ILEGAL DESCARGAR PRODUCTOS QUÍMICOS O LOS DESECHOS PELIGROSOS EN DREN DEL PISO O CUALQUIER OTRA CONEXIÓN AL SISTEMA DE ALCANTARILLA SANITARIO.* Divulgue las violaciones a Distrito de Servicios Publico de Mason Creek, [numero de telefono]

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

V. UNDER SLAB PLUMBING

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

VI. COMPLIANCE WITH EXISTING AUTHORITY

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

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

natural outlet;

watercourse;

storm sewer;

other area within the jurisdiction of the District.

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

VII. APPROVING AUTHORITY REQUIREMENTS

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

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

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

---create a public nuisance;

the Approving Authority shall require---

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

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

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

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

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

VIII. APPROVING AUTHORITY REVIEW AND APPROVAL

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

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

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

IX. REQUIREMENTS FOR TRAPS

A. Discharges requiring a trap include

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

2. oil;

3. sand;

4. flammable wastes; and

5. other harmful ingredients.

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

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

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

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

X. REQUIREMENTS FOR BUILDING SEWERS

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

1. install an accessible control manhole;

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

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

4. maintain the equipment and facilities.

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

XI. SAMPLING AND TESTING

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

(NOTE: The particular analysis involved will determine whether a twenty-four (24) hour composite sample from all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls. Where applicable, 16-hour, 8-hour or some other period may be required. Periodic grab samples are used to determine pH and oil and grease.)

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

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

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

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

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

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

XII. PROHIBITED DISCHARGES

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

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

2. constitute a hazard to humans or animals, or

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

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

XIII. CHEMICAL DISCHARGES

A. No discharge to public sewers may contain:

1. cyanide greater than .01 mg/l;

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

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

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

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

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

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

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

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

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

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

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

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

XIV. HAZARDOUS METALS AND TOXIC MATERIALS

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

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

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

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

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

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

XV. PARTICULATE SIZE

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

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

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

XVI. STORM WATER AND OTHER UNPOLLUTED DRAINAGE

A. No person may discharge to public sanitary sewers

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

2. unpolluted cooling water;

3. unpolluted industrial process waters;

4. other unpolluted drainage;

or make new connections from inflow sources.

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

XVII. TEMPERATURE

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

XVIII. RADIOACTIVE WASTES

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

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

XIX. IMPAIRMENT OF FACILITIES

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

1. obstruction to the flow in sewers;

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

3. excessive loading of treatment facilities.

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

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

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

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

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

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

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

2. overload skimming and grease handling equipment;

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

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

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

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

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

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

1. impair the treatment process;

2. cause damage to collection facilities;

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

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

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

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

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

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

XXI. EXCEPTIONS

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

Appendix C
Backflow Prevention Form

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

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 TNRCC regulations and is certified to be operating within acceptable parameters.

TYPE OF ASSEMBLY

____ Reduced Pressure Principle
____ Double Check Valve
____ Pressure Vacuum Breaker
____ Atmosphere Vacuum Breaker

Manufacturer _____ Size _____

Model Number _____ Located At _____

Serial Number _____

	Reduced Pressure Principle Assembly			Pressure Vacuum Breaker	
	Double Check Valve Assembly			Air Inlet	Check Valve
	1st Check	2nd Check	Relief Valve	Opened at ___ paid	___ paid
Initial Test	DC-Closed Tight RP___paid Leaked	Closed Tight Leaked	Opened at ___ paid		
Repairs and Materials Used					

Appendix D
Service Agreement Forms

Form UTL-501 **(Residential)**

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

SERVICE AGREEMENT

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

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

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

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

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

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

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

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

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

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

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

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

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

IV. ENFORCEMENT. If the Customer fails to comply with the terms of the Service Agreement, the District shall, at its option, either terminate service or properly install, test, and maintain an appropriate backflow prevention device at the service

connection. Any expenses associated with the enforcement of this agreement shall be billed to the Customer.

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

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

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

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

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

SERVICE AGREEMENT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Appendix E
Water Rates
As amended November 13, 2013

(A) SFR Connections: For first 3,000 gallons of water used per billing period, $20.00 (minimum monthly charge). For each 1,000 gallons of water used over 3,000 gallons during the billing period, the rate is set out in the chart below.

Usage Amount	*Rate per 1,000 gallons**
3,001 to 10,000	$1.95
10,001 to 15,000	$2.95
15,001 to 20,000	$3.25
over 20,000	$5.00

* See (G) below for groundwater reduction fee.

(B) Commercial Connections. The minimum monthly charge for each meter is the amount determined by the size of the meter:

(i)

Meter Size	Minimum Monthly Charge
5/8" or 3/4"	$ 27.50
1"	35.20
1½"	52.25
2"	68.75
3"	121.00
4"	192.50
6"	357.50
8"	605.00

(ii) Plus $2.80 per 1,000 gallons [See (G) below for groundwater reduction fee] for all usage over the minimum monthly quantity. The minimum monthly quantity is 6,000 gallons.

(iii) *Exception:* For meters serving exclusively greenspace within public rights of way (by separate meter) or subject to public conservation restrictions, the charge for usage is $0.75 per thousand gallons (no minimum charge or minimum monthly quantity). See (G), below, for groundwater reduction fee. Provided further, for water provided to greenspace owned by the District or covered by a conservation easement owned by the District, or provided to other facilities owned by the District, there is no charge, but the operator shall meter the amounts provided and make the information available to the Board upon request.

(C) Back-up Connections; Unmetered Fire Connections

(i)

Meter/Line Size	Minimum Monthly Charge*
4"	$56, unless the contract calls for a different rate
6"	$106, unless the contract calls for a different rate
8"	$166, unless the contract calls for a different rate

* Two-way, or mutual, back-up contracts may call for no minimum monthly charge. For unmetered fire connections equipped with "Detect-A-Chek" or equivalent installation (low flow detection and double check valves), the minimum monthly charge is $27.50 for a 6-inch or smaller connection and $39.60 for all other connections, provided that the District is afforded satisfactory access to the installation.

(ii) Plus $4.50 per 1,000 gallons for all usage, unless the contract calls for a different rate.

(D) Multiple Meters; Irrigation or "Water Only" Meters. If a connection has more than one water meter, each water meter will be read and billed independently, but failure to pay all charges related to any meter shall be deemed a breach of the contract of service for all of the premises of the customer, thus making all service to the premises, from any and all meters and taps, subject to termination for non-payment. If an SFR customer has specially applied for a secondary water meter to serve non-sewer uses at the same customer's premises which are already served by an existing water meter and sewer tap, the sewer charges do not apply to consumption through the secondary meter, and there is no minimum monthly charge for water service through the secondary meter, but instead all consumption through such a secondary meter shall be billed at the following water-only rates per 1,000 gallons per billing period, but remaining subject to Paragraph (E) below:

Usage amount	*Rate per 1,000 gallons**
0 to 5,000	$1.95
5,001 to 10,000	$2.95
10,001 to 17,000	$3.25
Over 17,000	$5.00

* See (G) below for groundwater reduction fee.

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

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

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

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

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

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

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

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

((c)) two years.

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

(G) Groundwater Reduction Fee. In addition to the rates for SFR and Commercial connections, as shown

above, there shall be a groundwater reduction fee separately stated on each bill. It shall be $1.00 per thousand gallons, including minimum quantities and additional quantities, if any. *Example*: For usage of 6,000 gallons or less with a minimum monthly quantity of 6,000 gallons, the fee would be $6.00. Amounts collected from this fee shall be accounted for separately and spent only to pay the District's obligations under contract(s) with the City of Houston for groundwater reduction and/or water supply.

Appendix F
Sewer Rates
As amended November 13, 2013

(A) SFR Connections. For the first 3,000 gallons of water used per billing period, $20.00 (minimum monthly charge). For each 1,000 gallons of water used over 3,000 gallons in the billing period, the rate is as follows:

Usage amount	*Rate per 1,000*
3,001 to 10,000	$1.85
10,001 to 15,000	$2.60
15,001 to 20,000	$2.85
over 20,000	$2.85

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

(B) Commercial Connections. The minimum monthly charge is $20.00. For each 1,000 gallons of water used over 6,000 gallons, the charge is $3.75.

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

Appendix G
Fees of Office & Expenses
As amended through May 25, 2011

Fees Of Office

1. Statutory Limits. The statutory limits on fees of office, as amended from time to time, shall always be observed, including both the rate and the monthly or annual maximum (currently $7,200).

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

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

Expenses

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

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

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

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

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

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

(2) Travel by common carrier: Reimbursements are limited to the lowest fare

reasonably available for the trip in question without cancellation penalty, taking into account the time when plans are made. First class or business class premiums are not reimbursable.

(3) Lodging and meals: These are normally reimbursable only when there is an overnight stay. The amount should not exceed the average prevailing level for the area where the expenses are incurred. However, meal costs for working sessions of conferences or seminars are reimbursable even if there is no overnight stay, provided the cost is reasonable. Reimbursement for meal costs requires Board approval, except when: (i) the reimbursement amount is supported by receipts, and (ii) the reimbursement for each day is $60 or less.

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

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

Appendix H
Rules For Mason Creek Community Center
As Amended December 11, 2013

General Provisions

1. *Reservations, Etc.* Any group or individual may request to use part of the Facilities, on a first-come, first-reserved basis, after completing a permit form as provided by MCUD. A permit for each use is required. Such permit must be signed by a MCUD resident over 25 years of age who agrees to be ultimately responsible for the Facilities used and to be present during the use of the Facilities. Permits are not effective until signed by MCUD and returned to the user. Use fees and the deposit must be paid at the time of signing. *Exceptions*: This does not apply to ordinary swimming pool and tennis court users without permits.

2. *Keys.* The key will be available approximately 30 minutes before the beginning of the scheduled use period. Arrangements for obtaining the key must be made with the MCUD office. The key must be returned within 24 hours after the end of the scheduled rental. *Exceptions*: This paragraph does not apply to ordinary swimming pool and tennis court users without permits.

3. *Unauthorized Uses.* No user shall allow any group or individual to use the Facilities during the user's occupancy, other than those mentioned in the permit and approved for use of the Facilities. Occupancy will be limited to maximum capacity posted or prescribed by the District, whichever is lower. The Facilities are not to be used for any purpose which violates any State statute, local or county ordinance or regulation, or administrative rule to which the District is subject. Use permits (and other documents) may include requirements that users pay additional fees for any unauthorized or prohibited use or any violation of District rules, regulations, permits or terms of use. Any such additional fees may be deducted from the deposit and shall also be personal obligations of the user.

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

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

Fees and deposits must be paid by certified or cashier's check or money order payable to the District; cash will not be accepted. *Exceptions:* (1) Ordinary pool and tennis fees (without permits) may be paid by regular check payable to the District. (2) Residents of MCUD may pay fees and deposits by regular check payable to the District.

Each permittee agrees to accept the Facilities--with all equipment and decorations---as the permittee finds them at the beginning of the term of the permit, unless the permittee contacts the District office and arranges a joint inspection with a District representative at or before the beginning of the term of the permit. No refund is allowed for any condition or circumstance, unless permittee

arranges such a joint inspection and brings the condition or circumstance to the attention of the District's representative at that time. Any refund is limited to the portion of the fee that corresponds to the portion of the agreed-upon Facility that the permittee cannot use, as a practical matter. If the sound system is found not to be working at the time of the joint inspection, and if it cannot be substantially restored, any refund is limited to the 10% of the fees for the use of the Facility (but there is no refund unless the sound system is integral to the function or event as planned).

5. Deposit. Users must pay deposits as provided below. See "Fee Rates." The District may apply the deposit to cover damage, lost or stolen items, re-keying, cleanup, higher applicable rates, additional fees and any other additional charges. If such additional charges exceed the deposit, the user will be responsible for the total amount, less the deposit. The District may provide a list of common additional charges, but the list does not limit the additional charges that may apply in a given case. *Exceptions*: Deposit requirements do does not apply to ordinary swimming pool and tennis court users without permits.

6. Delinquencies. No user may use the Facilities if user is found to be delinquent in either utility payments, taxes, fees, damages or other payments to the District.

7. Areas Approved; Signs. All users are limited to the specific area approved for their use and may not use any other area, including the exterior of the Facilities. Exterior banners or signs are forbidden, except for temporary poster-sized signs placed on an area approved by the District announcing the meeting, with the placement of each sign being at the sole discretion of the District

8. Evening Curfew. In respect of the neighbors, all use must end by 10:30 p.m. (or 12:00 midnight in the case of the Main Ballroom), unless a later occupancy is specially approved by the District's Board or its designee.

9. Termination by MCUD. MCUD reserves the right to terminate any user's occupancy at any time, with no liability in excess of fees and deposits paid.

10. Damage, Disturbance. Users shall not use the buildings in such a manner as to damage the buildings or to disturb other users or people in the vicinity of the building.

11. Tennis Court Regulations.

a) **Availability; Reservations.** Tennis courts are available on a first-come, first-served basis to keyholders only, except that courts may be reserved in advance for league play as follows: (i) league-reserved courts must be posted at the start of each season, and (ii) at least two courts must be left available for general use at all times. A keyholder is the person who pays the prescribed fees and deposits, but only during the time period for which the fee is paid.

b) **Guests.** Only keyholders may bring guests. A maximum of three guests per keyholder is allowed at any one time, and all guests must use the same court as the keyholder. The keyholder must be present.

c) **League Rosters & Fees.** At least one member on each team's roster must be a District resident, and at least 25% of all the members on each team's roster must be District residents or keyholders. Teams must submit complete rosters to the tennis

committee before the start of each season, together with all required fees. Rosters must include each name, address and keyholder status upon a form provided by the tennis committee. Any team submitting no roster (or an incomplete roster, or insufficient fees) before the start of the season may lose the right to use the Facilities for the remainder of the season. Any team submitting a false roster may lose the right to use the Facilities forever.

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

e) **Restrictions on Use of Keys**. Keys authorize only the indvidual keyholder (and guests, as restricted above) to use the Facilities. Keys may not be lent or transferred.

f) **Professional Instruction**. Professional instruction may only be provided to keyholders. A keyholder may bring an instructor as a guest.

g) **Revocation Of Right To Use Tennis Courts; Return of Key.** The District may suspend or revoke rights to use the tennis courts, and any affected keyholder shall return the key upon request from the District. If a keyholder violates this rate order or any polices, rules or regulations of the District, either the President or Vice-President of the District is authorized to: (i) warn the keyholder and request full compliance; (ii) suspend the keyholder's right to use the key for a stated time period; (iii) revoke the right to use the key and require the key to be returned to the District; or (iv) impose more than one of these remedies.

12. Additional Requirements; Waivers; Amendments.

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

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

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

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

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

a) Video cameras will only be used openly (with the cameras in full view) to observe places and activities that are public, where no one who has a reasonable expectation of

privacy. Under no circumstances will District video cameras be used to observe changing rooms or restrooms.

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

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

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

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

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

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

14. Other Provisions:

a) Political organizations may reserve the Facilities for meetings.

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

c) No firearms will be permitted in the Facilities.

d) No smoke machines or pyrotechnical devices will be permitted in the Facilities.

e) No animals will be allowed at the Facilities unless authorized by the District in advance, except seeing-eye dogs.

f) No smoking permitted at the Facilities.

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

with the main purpose of the event.)

Fee Rates

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

A. RESIDENTS:

(1) MONDAY THROUGH THURSDAY

9:00 A.M. THROUGH 4:00 P.M.	$85*
5:00 P.M. THROUGH 10:30 P.M.	$125*

(2) FRIDAY THROUGH SUNDAY

9:00 A.M. THROUGH 4:00 P.M.	$125*
5:00 P.M. THROUGH 10:30 P.M.	$125*

(3) ADDITIONAL PROVISIONS

*Extra hours, if authorized by the District or its designee, are $10 each
*Plus $500 if the user allows alcohol on the premises when not authorized by the permit.
*A 10% discount will be given for all regular use groups who use and reserve the room in advance for twelve (12) or more times per year.
*Plus actual cost of constables, if required by MCUD for the event in question.
*The deposit for residents is $100.
* A 50% discount from the rates shown in (1) and (2), above, is available for any District resident who signs a permit and arranges for the use of a room by a non-profit organization recognized under Section 501c(3) or 501c(4) of the Internal Revenue Code.

B. NON-RESIDENTS:

(1) MONDAY THROUGH THURSDAY

9:00 A.M. THROUGH 4:00 P.M.	$110*
5:00 P.M. THROUGH 10:30 P.M.	$150*

(2) FRIDAY THROUGH SUNDAY

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

(3) ADDITIONAL PROVISIONS

*Extra hours, if authorized by the District or its designee, are $15 each on Monday through Thursday or $30 each on other days.
*Plus $500 if the user allows alcohol on the premises when not authorized by the permit.
*A 10% discount will be given for all regular use groups who use and reserve the room in advance for twelve (12) or more times per year.
*Plus actual cost of constables, if required by MCUD for the event in question.
*The deposit for non-residents is $250.

Main Ballroom (capacity: 242 persons, max.; the term "mid-range use" refers to occupancy by no more than 100 persons.)

A. RESIDENTS:

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

BASE RENTAL (3 HOURS OR LESS)	$575†* ($375* for mid-range use)
EACH ADDITIONAL HOUR .	$100†* ($50* for mid-range use)

FULL-DAY OPTION (MAX. 15 HOURS): $1,175†* or $800* for mid-range use *(full-day options apply only if selected in advance, in lieu of base plus additional hours rate)*

(2) ADDITIONAL PROVISIONS

† Rate shown is for groups over 100 authorized by permit; add $500 for unauthorized groups over 100.
* Extra hours, if authorized by the District or its designee, are $100 ($50 for mid-range use).
* Plus $500 if the user allows alcohol on the premises when not authorized by the permit.
* Plus actual cost of constables, if required by MCUD for the event in question.
* The deposit for residents is $500.

B. NON-RESIDENTS

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

BASE RENTAL (3 HOUR MINIMUM) $725 †* ($475* for mid-range use)
EACH ADDITIONAL HOUR $150†* ($100* for mid-range use)
FULL-DAY OPTION (MAX. 15 HOURS): $1,675†* or $950* for mid-range use *(full day options apply only if selected in advance, in lieu of base plus additional hours rate)*

(2) ADDITIONAL PROVISIONS

† Rate shown is for groups over 100 authorized by permit; add $500 for unauthorized groups over 100.
* Extra hours, if authorized by the District or its designee, are $150 ($100 for mid-range use)
* Plus $500 if the user allows alcohol on the premises when not authorized by the permit.
* Plus actual cost of constables, if required by MCUD for the event in question.
* The deposit for non-residents is $1,000 ($500 for mid-range use).

Swimming Pool Areas (non-public events)

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

ADDITIONAL PROVISIONS

* The deposit is $200.
* Plus $500 if the user allows alcohol on the premises when not authorized by the permit.
* Additional provisions apply, as stated in the permit form.
* Lifeguards may be required (at additional cost)

Swimming Memberships (for use during regular public hours)

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

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

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

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

Tennis Courts (ordinary use; no special permit)

RESIDENTS: $25 key deposit only.

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

GUESTS: See "Tennis Court Regulations."

Appendix I
Records Management
As adopted November 15, 2006

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

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

NOW THEREFORE:

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

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

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

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

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

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

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

[END]

Appendix J
Certain Personnel Policies
As amended July 11, 2012

Full-time vs. other employees. Only full-time employees are allowed benefits such as sick time, holiday time, retirement plan, medical insurance, etc. Full-time employees are those regularly scheduled to work 35 or more hours each week (disregarding any specially-requested additional hours worked from time to time). All employees who are not full-time employees shall be paid on an hourly basis for actual hours worked.

Retirement. The Board will determine, each year, the percentage of salary to be paid into the retirement account for each full-time employee.

Holidays. The Board shall specify the exact holidays to be observed each year, which may include, in the discretion of the Board: New Year's Day (or day after), Presidents Day (observed), Good Friday, Memorial Day (observed), July 4, Labor Day, Columbus Day (observed), day before Thanksgiving (at noon), Thanksgiving Day, day after Thanksgiving, day before Christmas, Christmas Day, day after Christmas.

Vacations:

---Two weeks (ten working days) after the first year of employment to be effective as of the anniversary date of the employee and to continue through the fifth year of service.

---Three weeks (fifteen working days) after five years of service through ten years of service with the option to take pay as opposed to time off for the third week of vacation.

---Four weeks (twenty working days) after ten years employment with the option to take pay as opposed to time off for the fourth week of vacation.

Bereavement Leave: Three paid days maximum, for death in immediate family (spouse, mother, father, sister, brother, child or grandparent), unless otherwise specifically approved by the Board of Directors. With approval by the President or Vice-President, vacation days may be used for additional bereavement time off.

Personal Leave. Personal leave, upon approval, is for eligible employees who need to take time off from work duties to fulfill personal obligations. Personal leave is unpaid. A regular full-time employee is eligible to request personal leave only: (i) after the employee has successfully completed a probationary period to the satisfaction of the Board, and (ii) if the employee has been in good standing for the preceding 12-month period. As soon as an eligible employee becomes aware of the need for personal leave, the employee should request leave from the President or Vice-President.

Requests for personal leave will be evaluated based on relevant factors, including anticipated workload requirements and staffing considerations. The President or Vice-President may grant personal leave, subject to these limits: (1) not more than seven calendar days during any 30-calendar-day period, and (2) not more than 30 calendar days, cumulative, during any 365-calendar-day period. If the requestor has other available leave time (*e.g.*, paid vacation), it must be used first, and that time counts toward the limits on personal leave time when taken in conjunction with personal leave. The Board may approve longer or different personal leave periods, based on need and relevant factors.

Other benefits (such as paid holidays) are suspended during unpaid personal leave and will resume upon return to active employment. When a personal leave period ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar position for which the employee is qualified, if one is available. However, the District cannot guarantee reinstatement in all cases. If an employee fails to return to work upon expiration of an approved leave period, that failure will be treated as a resignation, unless the failure is excused by the Board for good cause shown. [END]

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

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

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

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

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

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

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

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

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

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

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

A. Notifications and Warnings From Consumer Credit Reporting Agencies

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

B. Suspicious Documents

1. Documents provided for identification that appear to be forged, altered or inauthentic;
2. Identification document or card containing a person's photograph

or physical description that is not consistent with the appearance of the person presenting the document;

3. Other information on a document that is not consistent with information provided by a person opening a new account or existing customer information, such as if a person's signature on a check appears forged; and

4. Application for service that appears to have been altered or forged.

C. Suspicious Personal Identifying Information

1. An address or phone number presented that is the same as that of another customer or account;

2. An address presented that is fictitious, a mail drop or a prison;

3. A phone number that is invalid or associated with a pager or answering service;

4. Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates or phone numbers or lack of correlation between Social Security number range and date of birth);

5. Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;

6. Social Security number presented that is the same as one given by another customer;

7. A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law Social Security numbers may not be required) or an applicant cannot provide information requested beyond what could commonly be found in a purse or wallet; and

8. Identifying information that is not consistent with the information that is on file for the customer.

D. Suspicious Account Activity or Unusual Use of Account

1. Change of address for an account followed by a request to change the account holder's name;

2. Request for new/ additional services at multiple addresses:

3. Payments stop on an otherwise consistently up-to-date account;

4. Account used in a way that is not consistent with prior use (example: significant increase in water usage);

5. Mail sent to the account holder is repeatedly returned as undeliverable;

6. Notice to the District that a customer is not receiving mail sent by the District;

7. Notice to the District that an account has unauthorized activity;

8. Breach in the District's computer system security; and

9. Unauthorized access to or use of customer account information.

E. Alerts from Others

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

Section 4. Detecting Red Flags.

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

1. Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification;

2. Require that a customer service agreement be notarized;

3. Verify the customer's identity (for instance, review a driver's license or other identification card);

4. Review documentation showing the existence of a business entity;
5. Request additional documentation to establish identity; and
6. Independently contact the customer or business.
7.

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

1. Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email);
2. Verify the validity of requests to close accounts or change billing addresses; and
3. Verify changes in banking information given for billing and payment purposes.

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

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

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

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

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

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

Section 8. Reports and Program Updates. The Program will be periodically reviewed and updated to reflect changes in risks to customers and to the safety and soundness of the District from Identity Theft. The Program Administrator will submit a monthly written report to the Board regarding the District's compliance with the Program and a recap of each incident of Identity Theft detection, including any prevention or mitigation steps taken. The Program Administrator will also submit an annual written report evaluating the effectiveness of the Program in addressing Identity Theft risk; significant incidents of Identity Theft detection, including any prevention or mitigation steps taken; and recommendations for changes to the Program. In preparing the annual report, the Program Administrator may consider, among other things, the District's experiences with Identity Theft situations, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, changes in types of accounts the District maintains, changes in the District's business arrangements with other entities, consultations with law enforcement authorities and/or agencies, and consultations with other District Personnel. After considering these factors, the Program Administrator will determine whether changes to the Program, including the list of Red Flags, are warranted. If warranted, the Program Administrator will present the District Board with recommended changes and the District Board will make a determination of whether to accept, modify or reject those changes to the Program.

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

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

[END]

Appendix L
Master Drainage Plan
Adopted August 17, 2011

Section L1. Adoption of MDP, components, key provisions

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

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

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

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

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

Section L2. Report: submission, approval, etc.

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

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

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

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

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

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

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

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

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

Section L3. Design, Construction, Maintenance, etc.

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

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

Section L5. Conduct Unlawful.

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

[END]

Appendix M
Reimbursement Policy

Section M1. Applications and review by engineer

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

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

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

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

Section M2. Determinations, conditions, etc.

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

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

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

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

Section M3. Key terms and conditions

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

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

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

In this formula:

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

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

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

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

Appendix N
Standard & Continuing Policies

Section N1. Code of Ethics

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

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

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

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

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

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

Section N2. Monitoring, Review & Evaluation of Professionals

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

(b) *Selection Process*. Whenever the Board of Directors of the District decides to engage a professional consultant, the Board shall request one or more proposals as required by the Professional Services Procurement Act, Section 2254,001 *et seq*., Government Code, or other applicable law, and except where selection of a professional consultant is to be conducted by the Board in an open meeting, the Board shall appoint a committee of one or two Directors to review any proposals received by the Board, to interview applicants, and to make a recommendation to the entire Board of Directors concerning the selection.

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

Section N3. Use of Management Information

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

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

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

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

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

Appendix O
Solid Waste
As adopted August 13, 2014

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

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

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

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

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

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