

# Nueces County Water Control and Improvement District #3

## Policies and Procedures



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## **SECTION 1 - PURPOSE**

1.1. **PURPOSE:** The purpose of this document is to establish policies and procedures for the operation and maintenance of the Nueces County Water Control and Improvement District #3 (District).

1.2. **REPEAL:** All prior documents, notices, agreements and other published material or correspondence dealing with the subjects herein are herewith repealed. If any portion of this document is found to be legally insupportable, only that portion will be repealed and the remainder of the document shall remain in force. Any and all rights and privileges acquired by the Board of Directors remain reserved for the Board of Directors and are not waived.

1.3. **CHANGES TO THIS MANUAL:** Proposed policy changes should be formally submitted for consideration to the Board of Directors. Board decisions regarding policy changes are final.

1.4. **SERVICE POLICY MANUAL REVIEW:** District staff will review this manual as required and recommend revisions, if necessary. Each revision shall be approved and adopted by the Board of Directors of Nueces County Water Control and Improvement District #3, after which the manual will be updated.

1.5. **EFFECTIVE DATE:** This Manual shall be effective immediately after its passage. It was approved and adopted at the meeting of the Board of Directors of Nueces County Water Control and Improvement District #3 on the 19th day of May 2015.

## SECTION 2 – ORGANIZATION/ADMINISTRATION

2.01. STATEMENT OF ORGANIZATION: Nueces County Water Improvement District #3 was organized under the authority of Section 59 of Article of the Constitution of the State of Texas (page 30-Minute Book 1). Order of Commission Court of Nueces County Texas made and entered on the 13<sup>th</sup> day of September, 1920 – Record Book K, Page 283-284, Deed records of Nueces County---Bond Election---November 19, 1921 Page 18, Minute Book 1.

The Nueces County Water Improvement District #3 of Nueces County, Texas, was converted into the Nueces County Water Control and Improvement District#3 under the provisions of Chapter 3A, Title 128, revised Civil Statutes of Texas, 1925, together with all amendments thereof and additions thereto. The District has and can exercise all the powers, authority, functions and privileges provided in said chapter and title, in the same manner and to the same extent as if same had been organized under the provisions of said chapter and title (Volume 4, Minute Book 4, following Page 58).

The District service area includes the City of Robstown and portions of the City of Corpus Christi, and unincorporated Nueces County. The District is bounded by Certificate of Convenience and Necessity Number 10556. The District TCEQ PWS number is 1780005.

2.02. STATEMENT OF RESPONSIBILITY: The District is responsible for the operation of the potable and raw water systems under its jurisdiction and to ensure that said systems meet requirements established by federal, state, and other regulatory agencies.

2.03. BOARD OF DIRECTORS: The members of the Board of Directors are elected officials who are responsible for providing overall policy and guidance for the District. The Board consists of five Directors who serve four-year terms. Elections are held every two years with three positions up for consideration during one period, and the other two positions two years later. The President, Secretary, and Treasurer are elected by the Directors. Engineering, financial, and legal consultants are available to provide professional advice in their respective areas. The consultants are not voting members. Additionally, the District Manager is a non-voting attendee at all Board meetings.

- a. District Elections - Election of Directors shall be held on the second Saturday in May of even-numbered years, or the date nearest thereto as may be required by State Law. Each qualified voter shall be entitled to vote. Candidates for each seat shall be elected at large.
- b. Regulation of Elections - All District elections shall be conducted in accordance with the applicable provisions of the Texas Election Code and Federal Law. The District Manager, as the District's Elections Officer, shall appoint the clerks, judges and other election officials and shall provide for their compensation and other expenses incurred in holding said election.
- c. Special Elections - The Board of Directors, by resolution, may call such special elections as are authorized by State law, fix the time and place of holding the same, and provide all means for holding such special elections. Every special

election shall be called and held according to the state provisions governing elections.

- d. **Candidates: Filing for Office** - Any qualified person as prescribed by Chapter 55, Texas Water Code (must be 21 years old, a resident of Texas, and either a qualified voter in the district or an owner of taxable land in the District) may apply to be placed on the official ballot for the position of Director. The application shall be made in accordance with all applicable laws and shall state that the candidate agrees to serve if qualified and elected. Each candidate shall execute such oath and other official form, or affidavit as required by the Texas Election Code. The District Manager shall review the application and notify the candidate whether the application satisfies the requirements of Chapter 55, Texas Water Code and the Texas Election Code. If an application is insufficient, the District Manager shall return it within three (3) business days of submission with a written statement of such insufficiency to the candidate. The candidate may file a new application within the regular time for filing applications. The District Manager shall keep on file all applications in accordance with State law.
- e. **Official Ballot** - The District Manager shall determine the order of the names of the candidates on the ballot in accordance with the procedures set out in the Texas Election Code, Section 52.094 which stipulates that a drawing be used to determine order when more than one candidate is running for the same office. The name of each candidate seeking an elective office, except those that have withdrawn, died, or become ineligible prior to the time permitted for withdrawal, shall be printed on the official ballot in the name designated by the candidate in accordance with the Texas Election Code. Early voting shall be conducted pursuant to the Texas Election Code.
- f. **Canvassing and Election Results** - The election judges shall deliver forthwith the returns of every municipal election to the District Manager with a copy being sent to the President of the Board. The Board shall canvass the returns and declare the official results of the election as provided by the Texas Election Code.
- g. **Elections by Majority/Plurality** - A plurality vote for an elected office is that number which is greater than the number cast for any other candidate for the respective position. The candidate who receives a plurality vote shall be declared elected, i.e., if three candidates are running to fill two vacancies, the two candidates receiving the most votes are deemed the winners. In the event of a tie, a run-off election shall be held in accordance with the Texas Election Code.
- h. **Oath of Office** - All Directors elected, and appointed officers shall take and sign the Oath of Office prescribed for state elective and appointed offices, respectively, by the Constitution of the State of Texas. Every officer of the District shall, before entering upon the duties of the office, take and subscribe.

to the following oath or affirmation to be signed, filed and kept in the office of the District Manager.

“I, \_\_\_\_\_, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of Director, Nueces County Water Control and Improvement District #3 of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and the State of Texas, so help me God.”

- i. Budget Requirements - The District Manager will ensure that adequate funds are programmed in the annual budget to finance the election.

2.04. DISTRICT MANAGER: The District Manager is accountable to the Board of Directors and shall exercise general supervision and management over the water system. The District Manager is authorized to implement and monitor all Policies of the District, but shall not modify such policies without the express approval of the Board of Directors. The District Manager shall report violations of the regulations governing the establishment, maintenance, and operations of the District to the Board of Directors if unable to resolve upon discovery.

2.05. SERVICE AREAS: The District’s service area is the area within Nueces County as shown in APPENDIX I. The District service area includes the City of Robstown, and portions of the City of Corpus Christi and unincorporated Nueces County.

2.06. MAPS OF THE WATER SYSTEM: The District shall keep maps and plats of the water system in the District office. Copies of CCN maps are filed with the Texas Commission on Environmental Quality and Nueces County Clerk’s office.

2.07. DROUGHT CONTINGENCY PLAN: The plan designates trigger points at which various and increasingly strict conservation measures are implemented in order to comply with State rules. A complete copy of the plan is located in APPENDIX G.

2.08. CROSS-CONNECTION/BACKFLOW PREVENTION PROGRAM: The District Manager shall oversee a Cross-Connection/Backflow Prevention program. A separate District Cross Connection Control Manual covers the administration of this program and is located in APPENDIX K.

2.09. DEVIATIONS FROM POLICY: The Board of Directors must explicitly approve any deviation from this policy. No member of the staff has the authority to change or deviate from written District policy without approval from the Board of Directors.

## SECTION 3 – DEFINITIONS

3.01. DEFINITIONS: Words, phrases and terms shall be given their usual and customary meaning except where the context clearly indicates a different meaning.

APPLICANT - any Person or entity seeking approval of a Water Tap; any Person or entity seeking a Service Commitment; or any Person or entity seeking another type of approval from the District including but not limited to a Developer.

WATER MAIN – Water line that brings service to the perimeter of the property.

AWWA – The American Water Works Association.

BILL – A periodic statement containing a list of charges due and payable. Bills are mailed out on the last work day of the month.

BILLING PERIOD – The time between regularly scheduled billing dates. Billing date is the last day of the month, regardless of the day it falls on. Bills are mailed on the last business day of the month. There are twelve monthly billing periods in each calendar year.

BORDER MAIN – A waterline which abuts the perimeter of a customer’s property and also abuts adjacent property and which may serve additional customers on such abutting or adjacent properties.

CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) – An authorization granted by the Texas Commission on Environmental Quality (TCEQ) for service within a defined territory. The CCN for the District’s water system is 10556.

CONSTRUCTION COST OF MAINS – construction cost of all mains shall be the costs indicated in the new development policies for the installation of the water system extension, requested by the Developer-customer and signed by the customer and the District. The “cost” shall include all related charges as set forth in the new development policies.

CONSUMER CONFIDENCE REPORT (CCR) – Annual report mandated by US Environmental Protection Agency and TCEQ. The CCR provides general information on the operation of the District and specific information of the contents of the water (minerals, contaminants, pollutants, etc.) we provide to our consumers. A copy of the report is due to every customer no later than June 30 of each year.

CROSS-CONNECTION – Any unprotected actual or potential connection or structural arrangement between a public or consumer’s potable water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas, or substance other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices, and other temporary

or permanent devices through which, or because of which, backflow can or may occur are considered to be a cross-connection.

**CUSTOMER** – a Person or entity to whom the District provides potable water services in accordance with these Rules and Policies.

**DEVELOPMENT** – construction of single family residences, apartment units, condominiums, garden homes, assisted living centers, schools, churches, commercial centers, office parks, buildings, roads, and other structures; construction, excavation, mining, dredging, grading, filling, clearing, or removing vegetation; and/or the deposit of refuse, waste, or fill.

**DIRECT CROSS-CONNECTION** – A cross-connection that is subject to both back-siphonage and back-pressure.

**END OF BUSINESS DAY** – The time at which the District offices are closed for business.

**INDIRECT CROSS-CONNECTION** – A cross-connection which is subject to back-siphonage only.

**CUSTOMER** – Every resident, firm, or corporation connected to the water system of the District.

**DELINQUENT ACCOUNT** – The past due amount that remains unpaid after notice has been sent to the customer. Usually this is an account that remains unpaid 40 days past the billing date.

**DEMARCATION POINT** – The point on a water service line at which maintenance responsibility changes from the District to the customer.

**DEVELOPER-CUSTOMER** – The person, company, or firm subdividing (or platting) a parcel of land and who petitions the District for water service and who has entered into a contract with the District for the extension and installation of certain water distribution facilities.

**DISCONNECTION OF SERVICE** – The turning off, locking, or removal of a meter.

**DISTRICT** – Nueces County Water Control and Improvement District #3.

**EASEMENT** – An interest in land granted to the District for installation or maintaining a water system appurtenances across, over, and under private land, together with the right to enter thereon with machinery and vehicles necessary for maintenance.

**ENGINEER** – A person duly authorized and registered under the provisions of the Texas Engineering Registration Act to practice the profession of engineering.

**FRONTAGE** – The side of the property along which a water main is located. If the main is installed within a street right-of-way, property on both sides of the street shall be considered as having frontage.



LOT – An undivided tract or parcel of land having frontage on a public street and which is, or in the future may be, offered for sale, conveyance, transfer or improvement and which is identified by a tract, lot number or symbol in duly approved subdivision plat which has been properly recorded.

MAIN COVER DEPTH – Vertical distance measured between the finished ground surface and the top of an installed main.

MAPS – Maps located at the District offices depicting line locations, sizes, and other pertinent information.

METER – An instrument and appurtenances thereto used to measure water volume.

METER TESTING – Checking or testing the accuracy of a meter.

NORMAL OFFICE HOURS – Office hours posted on the District offices door, except for legal or posted holidays.

OBSTRUCTION OF METER – Obstruction of meter occurs when the service meter cannot be read or physically reached by the District. Typically this is a result of locked fences, vehicles parked on top of the meter, trash or debris placed on top of meter, etc.

OFF DUTY HOURS – All hours that are not normal hours.

ON-SITE MAIN – A waterline which provides service within the perimeter of a property or along abutting roadways, alleys, utility easements, and/or other rights-of-way and which does not meet the definition of a border main.

OTHER REGULATORY AGENCY – The Texas Department of Health, the Texas Water Commission, the State Board of Insurance, US Environmental Protection Agency and similar agencies as may exercise regulatory authority in the operation of the water systems.

OVERSIZE MAIN – A waterline of larger diameter than that required to provide service to and within the customer's property.

PAVEMENT WIDTH – The portion of the street available for vehicular traffic where curbs are laid, it is the portion between the faces of the curbs.

PERSON – Any individual, association, firm, corporation, entity, political subdivision, or government agency.

PLAT – A complete and exact plan for subdividing a tract of land into lots for building purposes which, if approved, may be submitted to the County Clerk for recording.

PLUMBING CODE – International Plumbing Code of the International Code Council. Adopted by reference as the District's plumbing code.

**POINT OF DELIVERY** – The point at which ownership of the water and service pipelines transfer from the District to the customer. This is the discharge side of the water meter for water service.

**POTABLE WATER CUSTOMER** – Customer of the District that purchases treated potable water.

**PRIVATE FIRE LINE** – A fire line installed and intended to provide fire protection to a building. Private fire lines shall require a backflow preventer installed at the property line. Private Fire lines will be subject to the Readiness to Serve Fee.

**PRIVATE FIRE HYDRANT** – A fire hydrant installed further than 50 ft from the property line. Private hydrants shall be painted silver and will require a backflow preventer installed at the property line. Private Fire Hydrant will be subject to the Readiness to Serve Fee.

**PRESSURE REGULATOR** – An instrument to regulate pressure. If located on the discharge side of a customer’s meter, it is owned and maintained by the customer.

**PUC** – The Public Utilities Commission of Texas, as established under the Public Utility Regulatory Act of 1975, Article 1446C, V.A.C.S.

**RAW WATER CUSTOMER** – Customer that purchases raw water on a contract basis.

**RECORD DRAWINGS** – Drawings showing locations and size of the water systems as near as possible and conforming to District standards.

**RENTER** – A person who rents property from another person.

**RESTORE SERVICE** – To reestablish a disconnected service.

**SERVICE** – The actual delivery of water service to a customer, including all acts done, rendered, or performed in the delivery of these services by the District.

**SERVICE AGREEMENT** – An agreement between the customer and the District outlining the responsibilities of each regarding water service.

**SERVICE AREA** – that area to which the District may lawfully provide water service, whether within or without the area described by the District’s CCNs.

**SERVICE CONTRACT COMMITMENT** – a written agreement between the District and a third party pursuant to which the District agrees to provide a specified quantity and quality of water service.

**SHALL, WILL, and MAY** – The word “shall” and “will” is mandatory. The word “may” is discretionary.

**SINGLE-CUSTOMER** – A person not qualifying as a Developer-Customer who applies for an extension of water service to one property or lot for a single-family dwelling, or other type of establishment, whether existing or to be erected.

**SINGLE FAMILY RESIDENTIAL** – Service supplied from one meter or one connection to a single building designed, built, and used as a single-family residence.

**SUBDIVIDER (DEVELOPER)** – Any person or any agent thereof, dividing or proposing to divide land so as to constitute a subdivision as that term is defined herein. In any event, the term “subdivider” shall be restricted to include only the owner, equitable owner, or authorized agent of such owner or equitable owner of land sought to be subdivided.

**SURVEYOR** – A licensed state land surveyor or registered public surveyor, as authorized by state statutes to practice the profession of surveying.

**SINGLE RESIDENTIAL CUSTOMER** – A customer receiving water to a single-family residence.

**COMMERCIAL CUSTOMER** – A customer receiving potable water at a commercial business establishment.

**TAP FEE** – The fee charged to dig up a waterline, connect to it, install a water service line to the customer’s property line and repair the area to preconstruction state.

**TEMPORARY SERVICE CUSTOMER.** A temporary service customer is a consumer who will receive water service for a limited period. Temporary service may or may not be metered. It is usually provided for the purpose of road or building construction, for seasonal service. When using this category, water service will be provided at a point in the distribution system designated by the District Manager of the District.

**MULTIFAMILY CUSTOMER.** These multiple-residence customers are classified as a single consumer having a single owner and served by one or more meters. The customer may be an entity responsible for building management. No sub-metering or selling of water is allowed. The single owner or management is billed for all service and is responsible for piping to each unit.

**OTHER CUSTOMERS** – Any consumer not specifically identified above.

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** - The State agency designated to regulate water service, water rates, and operation of water systems. The state arm of the Environmental Protection Agency.

**VACANT ACCOUNT.** An account for which we cannot locate the property owner, or the property owner requests that service be completely terminated and the meter removed.

**WATER CONNECTION CHARGES** – Those charges of the District to the customer, for the connection to water mains.

**WATER MAINS** – Waterlines installed to carry water to the customer's property, including all fittings such as tees, crosses, elbows, fire hydrants, valves, etc., needed to operate a proper water system.

## **SECTION 4 –GENERAL SERVICE POLICIES, RULES AND REGULATIONS**

4.01. **WATER DISTRICT'S PRIMARY RESPONSIBILITY:** The District exists for the primary purpose of providing a source of potable water for its customers. The District is not bound to furnish water of any specified amount to any person, firm or corporation for use in the commercial, industrial or agricultural sector or for protection of property against fires. It only undertakes to furnish water for commercial, industrial, and agricultural customers and fire protection in an amount within the capacity of the District's facilities after all domestic potable needs are satisfied.

4.02. **NON-LIABILITY FOR FAILURE TO SUPPLY WATER FOR FIRE-FIGHTING:** The District cooperates with its customers in the establishment of fire-fighting support facilities. However, because of the nature of the supporting facilities, it makes no representation that it is offering fire protection, nor does it contract with its customers to inspect or maintain any privately owned fire hydrants or sprinkler systems.

If for any reason the District may become unable to supply water for the prevention or suppression of fire, the District will not be liable in any manner for damages by reason of any such failure.

4.03. **PRIVATE FIRE HYDRANTS AND FIRE LINES:** Fire hydrants located further than 50 linear feet from the property line shall be designated as private fire hydrants. Private fire hydrants shall be painted silver and shall be maintained by the property owner. Private fire hydrants and fire lines shall be installed with double check valves at the property line. The double check valves shall meet all the requirements of the District Backflow Prevention Manual. Private fire hydrants and fire lines are subject to the readiness to serve fee as outlined in the District Rates and Fees Schedule.

4.04. **TYPES OF WATER SERVICES:** The District will provide water in two forms: Potable water services and raw water services. Raw water services will only be provided on a contract basis.

4.05. **COMMERCIAL USE OF WATER:** The District will permit commercial use of water only after domestic needs of the District's residential customers are satisfied. Water for non-domestic use may be curtailed at the District's discretion when the use adversely affects domestic use customers.

4.06. **RAW WATER SERVICE:** The District may provide raw water service only after domestic needs of the District's residential customers are satisfied. Water for non-domestic use may be curtailed at the District's discretion when the use adversely affects domestic use customers. Raw water services will be provided on a yearly contract. All costs for infrastructure (including but not limited to meters, control valves, piping, construction etc.) shall be provided by the raw water service applicant. The District will not be responsible for any costs associated with extending raw water facilities to any developer site.

4.07. REFUSAL OF SERVICE: The District shall decline to serve an Applicant until such Applicant has complied with Federal, State, and municipal regulations, and these Rules. In addition, service may be denied to an Applicant for the following reasons:

- The Applicant's installation of plumbing is known to be inadequate, or of such character that satisfactory service cannot be given;
- Refusal to pay service initiation fees or refusal to make a deposit, if Applicant is required to make a deposit by the District;
- The property to be served has been subdivided in violation of applicable county subdivision ordinances;
- Serving the property is prohibited by Sections 212.012 or 232.0047 of the Texas Local Government Code, which require certification of compliance with plat requirements prior to connection of water, sewer, electricity, gas, or other utility service;
- More than one Dwelling is connected to a single meter on the property; unless the service location qualifies for master meter service under these Rules;
- The Applicant fails or refuses to have a Customer service inspection performed or fails or refuses to submit a properly completed Customer service inspection certification form as required by TCEQ; and
- The Applicant's septic system or other wastewater system is inadequate or defective.

4.08. TRANSFER OF SERVICE: Transfer of service from customer to customer or to open a new account is made either fax, email, or in person. All new customers/accounts will complete a Potable Water Service Agreement before service is started.

4.09. INTERRUPTIONS OF SERVICE: The District will exercise reasonable efforts to prevent interruptions of service. When interruptions occur, the District will reestablish service within the shortest time possible. The District is not obligated to notify customers of service interruptions but will make a reasonable effort to do so. The District assumes no liability for any inconvenience or monetary or other loss to customers due to any interruptions of service.

Except for momentary interruptions due to automatic equipment operations, the District will keep a complete record of all interruptions, both emergency and scheduled, and will notify the TCEQ in writing of any service interruptions affecting the entire system or major division of the system lasting more than four hours. The notice will explain the cause of the interruptions.

4.10. PRIORITY OF SERVICE: Priority of service will be in the following order: (1) Emergency Main Breaks; (2) Routine Residential service; (3) Routine Commercial service; (4) All others.

4.11. WASTING WATER: No person shall willfully and negligently waste water supplied by the District in any manner whatsoever and any person having knowledge of any conditions

whereby water is being wasted shall at once notify the District office. The refusal or neglect of an owner or occupant to equip and maintain the premises with proper service connections, utilities or fixtures of approved character and quality to prevent waste of water shall be sufficient grounds for the District to refuse to provide water service or to continue water service. In addition, District policies prohibit the waste of water and proscribe fines as outlined by the District Rates and Fees Schedule. Notice of the intention to shut off the water for failure to comply with the above provisions will be made.

4.12. **OBTAINING WATER BY FRAUD:** No person shall resort to any fraudulent device or arrangement for the purpose of procuring water for himself or others from connections that were established contrary to District regulation or action. In addition, District policies prohibit the waste of water and proscribe fines as outlined by the District Rates and Fees Schedule.

4.13. **RESALE OF WATER:** No user receiving water services from the District shall furnish or sell that water to another entity. Any person violating this provision shall be given notice in writing to terminate the practice immediately. If the customer does not comply within five business days, service shall be discontinued without further notice. The practice of apartment management billing individual tenants is not considered a violation of this policy even if the rates they charge are higher than our rates to them.

4.14. **TAMPERING WITH FIRE HYDRANTS AND OTHER DISTRICT PROPERTY:** No person shall open or close any unmetered fire hydrant without the permission of the District Manager, except in the case of fire, and then only under the direction of officers of the Fire Department. No person shall tamper with a service meter. In the event that service is suspended and the service meter is locked out and sealed, the lock shall remain unaltered. If the lock is found to be altered, the service account will be subject to the Tampering Fee as outlined in the District Rates and Fees Schedule.

4.15. **TURNING ON WATER SERVICE AFTER SERVICE HAS BEEN DISCONNECTED:** No person shall turn on the water supply without permission of the District Manager when the District has turned it off. Violators of this policy may be prosecuted to the full extent of the law.

4.16. **AUTHORITY TO TURN WATER ON OR OFF:** Employees of the district are the only individuals who are authorized to turn water on or off at any District valve. No plumber or other person shall turn water on or off at any District valve without specific approval from the District Manager or Field Supervisor.

4.17 **UNAUTHORIZED TAPS, SERVICE PIPES OR CONNECTIONS:** No person, other than those authorized by the District, shall tap any water line, install meter bypass piping or “straight shot hook up”, make connections with mains, or extend service lines from the main to the meter or to place a curb stop and box at that point without written approval of the District. Violators will be prosecuted to the full extent of the law and correspondingservice

accounts will be assessed a Tampering Fee as outlined in the District Rates and Fees Schedule.

4.18. REPAIR AND RENEWAL OF WATER LINES: The District will make all repairs and renewals of water service lines from the main to the meter and it shall be unlawful for any person other than a duly authorized agent of the District to repair or renew any such service line from the main to the meter.

4.19. REPAIRS FOR DAMAGES BY OTHERS: The District will make all repairs to any mains or other portions of the system damaged by others. The cost of such repairs shall be paid by the customer or entity who caused the damage.

4.20. DAMAGE TO CURB STOPS: Customers who damage the district's cutoff valve or curb stop through unauthorized use or tampering will be billed for necessary repairs based on time and materials. The customer will also be required to install a cutoff (hand) valve on the customer's side of the meter or connection at their expense within 30 days if currently connected or prior to restoration of service if the customer has been lawfully disconnected under these rules. Failure to install the valve within 30 days will be grounds for lawful disconnection.

4.21. ADJUSTMENT OF WATER MAINS DUE TO CONSTRUCTION: In the event that District owned facilities must be adjusted to allow for the extension of new facilities or to resolve conflicts created by new facilities, all modifications shall be made by the District. The District is not bound to use any municipal or privately chosen contractor to perform the work. Prior to construction of any modifications, the developer or entity requesting the modification must escrow all project costs (i.e. construction costs, easements, fees, etc.) with the District in full.

4.22. DISCONNECTION OF WATER SERVICE: Water service may be disconnected for any of the following reasons:

- a. When a dangerous condition exists.
- b. Failure to pay a delinquent account.
- c. Violation of the District's rules pertaining to the use of service in a manner which interferes with the service of others. (An attempt shall have been made to notify the customer and the customer will be given a reasonable opportunity to remedy the situation prior to initiation of disconnection of service).
- d. For the unlawful removal of, tampering with, or bypassing of any water meter. When these violations are discovered, the Water District shall take steps to discontinue the improper use and/or remove the meter. Service will thereafter not be restored to the user/customer until such user/customer shall have paid all estimated charges for consumed water together with any damage to the meter or mains, plus a Reconnection Fee. If such illegal action occurs again, the meter will be removed and legal action taken against the user/customer to restrain such activity and recover damages.



4.23. DISCONNECTION ON LAST WORKDAY: Water service to be disconnected shall be scheduled for disconnection on the first day of the month or the next business day if the first day of the month falls on a weekend or holiday.

4.24. OPERATING PRESSURES: Minimum operating service pressure (at the meter) shall not be below 35 pounds per square inch. Maximum pressures may be at the District's discretion. It will be the customer's responsibility to protect plumbing on the customer's side of the water meter against excessive pressures or surges, using individual pressure regulators or other approved devices if required or desired.

4.25. MAINTAINING CONDITION OF PRIVATE CUSTOMER WATER FACILITIES: Customers of the District shall be required to maintain all service lines and associated water system appurtenances in good repair and condition, and protected from freezing, at their own risk and expense, so as to prevent any waste of water. No claim shall be made against the District for excessively high or low pressures caused by breakage of any service pipe or appurtenance, or from any damage by resulting from shutting off the water to repair mains or for any other purpose. In the case of neglect or refusal by the customer to promptly repair any imperfection in the service pipes, lines, stops, or other fixtures on the owner's property, the District may order the water to be turned off.

4.26. SAFEGUARDING OF WATER DISTRICT LINES: The customer is required to safeguard the District's mains crossing his or her property and prevent construction along or over the easement therein, other than as authorized by the terms of the easement.

4.27. POLLUTION OF WATER SUPPLY CAUSED BY CROSS CONNECTIONS: No person shall draw water from any District source and directly connect it to any other facility. This procedure will result in a service disconnection until the cross connection is corrected and measures are taken to assure it will not be reestablished. A backflow prevention assembly and/or air gap shall be provided when boilers, closed chilled/hot water systems, cooling towers, industrial processes, yard automatic sprinkler systems, etc. are utilized in conjunction with water being drawn from the District's supply system. The District has a separate Cross Connection/Backflow Prevention manual, which details the specific requirements of this program. No water other than water furnished by the District shall be used in any line which receives water from the District. This prohibition includes private wells.

4.28. CUSTOMER COMPLAINTS: Any complaint not resolved by the Staff will be referred to the District Manager. If still not resolved, the complainant will be advised they may write a letter to the President of the Board to be presented to the Board at the next regular Board Meeting or that the complainant can attend the Board meeting to present their case.

4.29. LITIGATION - These Rules shall be construed under and in accordance with the laws of the State of Texas. All obligations of the parties created under these Rules shall be performable in Nueces County, Texas. All payments required to be made to the District under these Rules shall be made at the District office at 501 E. Main, Robstown, Texas

78380. Nueces County, Texas shall be the exclusive place of venue for any disputes arising under these Rules. In the event the District is required to retain an attorney to enforce these Rules or collect amounts owed under these Rules, the Customer shall be responsible for all costs incurred by the District, including reasonable attorneys' fees.

4.30. LIMITATION OF LIABILITY - The District shall not be liable for any damages, including without limitation, direct damages, special damages, incidental damages, consequential damages or other service, or loss of profit or revenue, resulting from failures of, or interruptions in service occurring because of required maintenance of the District Systems or that are occasioned by causes beyond the control of the District. The District shall not be liable in any event for consequential damages.

## **SECTION 5 – BILLING, RATES, FEES, AND DEPOSITS**

5.01. **UNIFORM RATES FOR CUSTOMER WITHIN DISTRICT BOUNDARIES:** A uniform monthly water usage rate shall be charged to all water customers within the boundaries of the District.

5.02. **RATE SETTING:** The District is empowered to establish water rates, water charges and special service rates if extenuating circumstances exist. The rates and charges may be revised from time to time. The current District Rates and Fees Schedule is located in Appendix A.

5.03. **BILLING FOR WATER PASSING THROUGH METER:** Customer will be billed for all water that passes through the meter based on the premise that the District has no control over the customer's lines or facilities other than cross-connections rules.

Definition: Nondiscretionary Use – Nondiscretionary use is for all water used that is essential to health and safety of the residents. This is for, but not limited to, water for drinking, cooking, sanitation and bath facilities, laundry and dishwashing and similar traditional domestic uses.

Definition: Discretionary Use –Discretionary use is for all water not included in nondiscretionary use. It consists of irrigation systems, pools and spas, washing of vehicles, sportscraft, etc. As the name implies, this is a nonessential use entirely under the control of the customer.

5.04. **BILLING:** All bills shall be considered rendered when delivered to the United States Post Office with postage prepaid for mailing to the customer. Failure of the customer to receive any such bill shall in no way relieve the customer of the duty and obligation to pay for the services rendered. Payment in full is due to the District by close of business on the fifteenth of the month, or the first business day thereafter if the fifteenth is on a holiday or weekend.

5.05. **BILLING CYCLE:** The billing date is the last day of the month, regardless of when that day falls. No proration of bills will be made for partial month services.

5.06. **SERVICE CONNECTION FEE:** If no meter is located at an existing service tap, any customer requesting new service shall be subject to the Service Connection Fee as outlined in the District Rates and Fee Schedule.

5.07. **SERVICE TAP FEE:** Where no connection to the system is available or for a connection that has been out of service for five (5) years, the District shall install/upgrade a service tap at the rate outlined in the District Rates and Fee Schedule. Any variance to policy will be approved by the District Manager.

5.08. **READINESS TO SERVE FEE:** Upon request, the District will allow any business customer a water service line dedicated solely to fire protection. This line is not metered, and the customer will be charged a flat monthly rate as outlined in the District Rates and Fees Schedule. No customer with an unmetered fire protection service line is allowed to tap

into the line for any other purpose. The fee applies to each connection to District owned facilities.

5.09. **RETURNED PAYMENT FEE:** Payment made to the District that is not honored or is returned unpaid for any reason (including but not limited to: insufficient funds, stop payment, account closed) will incur a returned payment fee as outlined in the District Rates and Fees Schedule. Upon receipt of the returned payment, the District will attempt to notify the account via United States Mail, door tag or any other means deemed appropriate by the District. Non receipt of the notice of returned payment will not excuse the customer from any resulting delinquency / disconnect fees.

Returned payments will remove paid status from the account and the account will be relabeled as unpaid. Unpaid accounts are subject to the Delinquent Payment Fee Policy and Disconnect Policy

5.10. **DELINQUENT PAYMENT FEE:** Payment is due on or before the 15<sup>th</sup> of the month. Accounts will be updated as "Late" on the 16<sup>th</sup> of the month. A notice will be sent out on or about the 16<sup>th</sup> of each month to all late accounts. As of the 23<sup>rd</sup> of the month, any accounts that are late shall be subject to the Delinquent Payment Fee as outlined in the District Rates and Fees Schedule.

5.11. **SERVICE FEE TO TURN OFF WATER AT CURB STOP:** Each customer will have a serviceable shut-off valve installed on the discharge (customer) side of the water meter immediately adjacent to the meter. If the District is required to turn off the curb stop for the customer because their hand valve is not serviceable or there is no valve installed, a service charge will be added to the account as set out in the District Rates and Fees Schedule. The District will advise the customer that a hand valve is required. The District Manager has discretion to waive this fee if the customer installs or repairs the valve.

5.12. **SERVICE SUSPENSION FOR NON-PAYMENT POLICY:** The District will send out service suspension notices to all late accounts on the or around the 16<sup>th</sup> of the month. Accounts that remain unpaid as of the last day of the month will be scheduled for suspension on the next work day. The District will suspend service to the accounts in violation by locking the existing meter thus prohibit water service. Any service suspended for non-payment shall remain suspended until all delinquent amounts, as well as the re-connection fee have been paid in full. Suspended services will also be required to complete a new service application and provide a new deposit per the New Service Policy.

5.13. **SYSTEM DISCONNECTION FOR VIOLATION DISTRICT POLICIES:** The District shall disconnect service in the event of non-compliance with District policies such as but not limited to: Illegal connection to District facilities, use of water service in a manner which interferes with the service of others, operation of non-standard equipment, failure to comply with deposit or guarantee payment arrangements, tampering with District facilities, cross connection of the District water supply with any other supply source, flagrant waste of water,

refusal of reasonable access to property, failure to promptly correct leaks, stealing water, tampering with District facilities, etc.

5.14. **SYSTEM DISCONNECTION FOR NON-PAYMENT POLICY:** Accounts that remain unpaid as of the last day of the month will have their meter locked out and service suspended. At that time, a ten (10) day "Termination of Service" notice will be issued to the delinquent account. If the Customer's account is not paid in full on or before the designated pay date in the "Termination of Service" notice, the meter will be pulled on the next day that is not a Saturday, Sunday, or holiday. Customers requesting water service at a location where no meter is installed will be subject to the Service Connection Fee as outlined in the District Rates and Fee Schedule.

5.15. **CLOSING OUT ACCOUNTS WHEN CUSTOMER MOVES:** When any customer vacates premises to which charges are applicable, the customer is billed at the new address for the final amount due. Final bills are sent out as they are processed and are due upon receipt.

A new account will be established when a customer moves to a different address within the District. In the event the customer does not pay the outstanding balance on the old account and it becomes delinquent, service shall be discontinued at the new address until the final bill from the old account is paid.

5.16. **DEPOSIT REQUIREMENTS:** A deposit is required to establish service for any new customer. A deposit may also be required of any customer prior to reconnection where service has been terminated due to delinquency of the customer in paying previous bills or if the customer has a payment returned. If the District currently maintains a deposit on the account and the actual bill is more than the amount of the deposit collected, a new deposit requirement may be calculated, and an additional deposit shall be required prior to reconnection.

Deposits will not be used to pay current bills. The only time a deposit will be used to pay a bill is to settle a final bill.

5.17. **INTEREST ON DEPOSITS:** The District does not pay interest on deposits.

5.18. **RECORD OF DEPOSIT:** When a deposit is required, the District shall keep records showing the name and address of each depositor, the amount, the date of the deposit, and each transaction concerning the deposit. A receipt will be issued for the deposit if the customer requests one.

5.19. **REFUND OF DEPOSIT:** When processing a final bill, the deposit will be credited to the account first, and any surplus will be mailed to the account holder at their last known address. The District will process deposit refunds at the end of the monthly billing cycle.

5.20. **ACCEPTANCE OF BILL:** If no written formal dispute of the monthly bill is provided prior to the due date of the bill, the customer is fully accepting the bill and releases the District of any liability related to the bill. Disputes to bills shall be limited to the current billing cycle. Any adjustments made shall only affect the current disputed bill.

5.21. **DISPUTING OF BILL:** The customer may request a bill review by the District within 15 days of the issuance of the bill (the due date of the bill). In lieu of paying the disputed bill, the customer may deposit the amount due with the District Manager of Finance and Administration. Upon the receipt of the deposit, the District will review the basis of the billed amount, communicate the results of the review, and make disbursement of the deposit. Service will not be discontinued for nonpayment of the disputed bill when a deposit has been made pending the outcome of the review.

Failure of the customer to make such deposit within 15 days after presentation of the disputed bill and prior to the expiration of the 15 day disconnection of service notice will warrant discontinuance of his service without further notice. If additional bills that the customer wishes to dispute become due, before completion of the District's review, the customer shall deposit with the District the additional amounts due before they become past due. Failure to do so will warrant suspension and ultimately disconnection of service.

5.22. **ESTIMATED BILLINGS DUE TO METER FAILURE:** If a meter fails to register the water actually consumed because the meter is defective, the District shall assess the minimum water bill charges and estimated consumption based on recent history until the defective meter is repaired or replaced.

5.23. **BAD DEBTS:** Any customer found owing a bad debt shall be required to clear the bad debt account prior to any new service being established.

5.24. **THIRD PARTY PAYMENT:** Payments issued by a third-party bill pay service are credited to customer accounts when they are received by the District. Accounts may be subject to Delinquent Fees regardless of when the payment was made to the third party. In example, a customer pays their account on the 21<sup>st</sup> to a third-party bill pay, but the District does not receive payment until the 25<sup>th</sup>.

5.25. **CHANGES TO ACCOUNT INFORMATION:** Changes to a customer service account should be made in writing by the account holder or their authorized representative. Changes over the phone will require verification of customer identification. If the District cannot verify the customer identification over the phone, any changes will be required to be made in person at the District office.

5.26. **HARDSHIP PAYMENT PLANS:** If a current customer cannot pay their bill, the District may upon written request allow for the customer to make payments on their outstanding balance to avoid service suspension or termination. This payment will be in addition to water bills accrued during the repayment term. As a condition of the payment plan, the customer will be required to maintain a clean payment history. No late charges or returned payments will be allowed. In the event the customer fails to make the monthly payment, incurs a late fee, has a returned payment or fails to pay subsequent bills on time, the entire balance of the hardship payment plan will become due. No hardship payment plan will be approved for any customer who has defaulted on any previous hardship payment plan or has previously defaulted on a water bill. Customers that default on a hardship

payment plan will be subject to the District's policies regarding suspension, disconnection, and termination as if no payment or agreement had been made.

Hardship payment plan terms will be calculated at the discretion of the District. Hardship Payment Plans shall be limited to once every twenty-four (24) months. The twenty-four-month period begins the first month of the billing period following the last billing period for which the payment plan was approved. A customer shall not be allowed to have more than one active payment plan.

5.27. **WATER LEAK ADJUSTMENT POLICY:** The District may upon written request adjust a customer's bill in the case of loss of water due to circumstances beyond the reasonable control of the customer, such as a sudden mechanical malfunction, blind leak, theft of water, vandalism, unexplained water loss or other unusual or emergency conditions. A determination of whether an adjustment is granted shall be made at the sole discretion of the District Manager and shall be final. In making this determination, the District will consider the cause of the water loss, the customer's opportunity, if any, to detect the leak, any negligence or fault of the customer in connection therewith, and the promptness with which the water loss was discovered, stopped and repairs made. To qualify for an adjustment, the customer must, when possible, have a licensed plumber identify and repair the leak and provide documentation outlining the leak source and the method of repair.

Adjustments will be calculated at the discretion of the District and will be in the form of a credit on the account. Water leaks prior to the date of approval of this policy are not eligible for adjustment. Water loss adjustments will be limited to two billing periods and will also be limited to one adjustment every twenty-four (24) months. The twenty-four (24) month period begins the first month of the billing period following the last billing period for which the water leak adjustment was approved.

5.28. **DEFERRED SUSPENSION OF WATER SERVICE POLICY:** In the event a customer is unable to pay the bill prior to suspension or termination of service, the customer may apply for a "Deferred Suspension of Water Service". The Deferred Suspension of Water Service will allow the customer to continue water service for 14 calendar days at which time the entire balance on the account will be due. In the event the balance is not paid in full the account will be subject to all District policies regarding suspension, disconnection, and termination as if no payment or agreement had been made. Customers that default on the Deferred Suspension of Water Service will no longer be eligible for the program in the future.

Deferred Suspension of Water Service will be limited to once every twenty-four (24) months. The twenty-four-month period begins the first month of the billing period following the deferment.

## **SECTION 6 – WATER METERS**

6.01. **LOCATION OF WATER METERS:** Water meters shall be placed in public right-of- way or District easement adjacent to the applicant’s property, if possible. The District retains the right to choose the location of water meters. Meters shall not be located at a site not approved by the District.

6.02. **CONNECTING INDIVIDUAL BUILDINGS THROUGH ONE METER:** The connecting of separate buildings through one water meter will not be allowed unless authorized in accordance with this policy. Each meter shall constitute a separate contract.

6.03. **USE OF MORE THAN ONE METER PER BUILDING OR PROPERTY:** Only one meter shall be installed at any single family residential property.

6.04. **EXTENSIONS TO BE MADE ONLY BY WATER DISTRICT PERSONNEL:** After water is introduced into a building or upon any property, it shall not be extended to another property. If additional service is needed, the customer shall apply for service and a new account will be established. If an additional service line is needed to provide the new service, the District shall provide that connection at the customer’s expense.

6.05. **ALL WATER SHALL BE MEASURED BY METERS:** The meter (conforming to District specifications as to size and type) will be furnished by the District and shall measure all water furnished by the District to its customers.

All water meters installed in the system are the property of the District. The District shall keep all meters in repair, without expense to the customer, except that the property owner will be charged for meters, boxes, and materials damaged or destroyed through the act of negligence or carelessness of the owner or occupant and for labor costs incurred in re-establishing service.

6.06. **SINGLE CUSTOMER PER METER:** Not more than one consumer shall purchase water through any single meter without the consent of the District unless the responsibility for payment of all water services for the single meter billing is assumed by the single property owner. In cases where single metering is to be used for more than single unit occupancy and where one of those occupancies requires a higher water use than a single family residence, a meter of sufficient size to meet the total requirements will be required. The District will determine the size of the meter at the time of request of service. Minimum service charges appropriate to the size of meter will be charged.

6.07. **OBSTRUCTION OF ACCESS TO A METER:** If easy access to a water meter is obstructed in any manner whatsoever by a customer, or if entrance to the premises is made dangerous by a vicious animal or otherwise, thereby preventing a meter reader from reading the meter, the charges may be estimated. When the District encounters an obstructed meter, the Customer will be notified and will have 48 hours to remedy the obstruction. In the event the obstruction is not removed, the customer will be subject to an Obstruction of Meter Fee as outlined in the District Rates and Fees Schedule.



6.08. CONNECTION TO THE WATER METER: The customer's service line will not be connected directly to the meter. Each meter will be equipped with a meter nipple to which the customer's service line will be connected. If a direct connection is discovered when replacing a meter, the customer will be responsible for complying with this requirement before service will be reinstated. The customer will install a hand valve adjacent to the nipple so that they have the capability to turn off water in an emergency or when necessary to perform plumbing work on their property without tampering with the meter.

6.09. RELOCATION AND CONVERSION OF METERS: If an existing meter is moved to a location designated by the customer for the customer's convenience, the customer will be charged the actual cost of relocating the meter (time and materials). If the customer requests that an existing meter be replaced with a meter of another size or capacity, the customer will be charged the actual cost (time and materials) of converting the meter including the cost of enlarging the line from the water main to the meter if necessary. The customer will be provided an itemized bill.

6.10. TEMPORARY CONSTRUCTION METERS: Construction water meters are installed on fire hydrants for construction purposes on a temporary basis. Backflow prevention assemblies are required to be installed by the contractor and tested by a certified backflow technician within 48 hours of installation. Fees associated with fire hydrant meters listed on the District Rates and Fees Schedule.

6.11. METER TEST: Upon request of the customer, the District shall test the customer's meter for accuracy and replace the meter. If desired, the test will be made in the presence of the customer or customer's agent. If observation of the test is desired and requested, the test shall be made during the District's normal working hours at a time convenient to the customer and the District. A Meter Test Fee for the test and the actual meter replacement costs will be levied on the account if the test confirms that the meter is performing within industry standards of plus or minus 3%. If the meter is proven to be measuring higher than actual volume, no charges will be imposed on the customer. If the meter is defective, the District shall not be liable for more than one month's charges.

## **SECTION 7 – WATER CONNECTIONS AND SYSTEM IMPROVEMENTS**

7.01. GENERAL POLICY REGARDING CONNECTIONS AND EXTENSIONS: The District shall give full consideration to any application for service. The following policies and procedures will apply to all connections and extensions made to District facilities.

Where existing services taps exist the applicant will be billed only for appropriate meter connection fees as set out in District Rates and Fee Schedule. If services taps do not exist, the site shall be subject to the service tap fee as well.

If the event services of the District Engineer are required, the Engineer will evaluate the request to determine what actions are required to satisfy the applicant's request and report the findings to the District Manager in a written report. The District Manager will forward the findings to the petitioner for their consideration.

The question of adequacy includes a determination as to whether the District has sufficient water quality and quantity to adequately support the applicant's needs. This determination will be made by the District Manager in consultation with the Board and Engineer.

The Applicant must meet the following conditions.

- a. The District shall supply water services to the Applicant through mains owned and controlled by the District.
- b. The District may assess, in addition to the Service Tap and Meter Connection Fee, the actual cost of boring or cutting and replacing pavement necessary to make such connections. Such assessments shall be paid prior to the work being performed. If the actual cost exceeds the amount of the collected assessment, the additional amount will be collected from the customer prior to installing the meter and starting service. If the assessment collected from the applicant exceeds the actual cost of such work performed to establish service, the difference shall be refunded to the applicant upon completion of the work.
- c. The Applicant will be responsible for all expenses (time, manpower, materials, etc.) required to extend water mains from the nearest acceptable existing main to the new service location.
- d. No water service shall be provided unless all required charges are paid in full.

7.2. SERVICE OUTSIDE OF CCN: The District shall provide retail water service within its certificated Service Areas and may extend service to areas located outside of its certificates of convenience and necessity ("CCNs") in accordance with TCEQ regulations. Any extensions of service to areas located outside of the District's CCNs may only be made if such areas are not within the certificated Service Areas of any other retail public utility except by agreement of such retail public utility. The District may require inclusion of an area within its CCN as a condition of service.

7.03. NEW DEVELOPMENT POLICIES: The following Policies apply to new developments within the District's service area:

- a. The Developer of any new development within the District will pay all expenses associated with the development. It includes, but is not limited to, the installation of any new water mains required to extend service from existing mains to the development and for all infrastructure within the development. All improvements will accrue to the District at no expense to the District.
- b. All documents that pertain to the construction of water infrastructure will be reviewed and approved by the District Engineer. All plans for construction of improvements to the water system shall be performed or approved by the District's Engineer. Regardless of the circumstances, the developer will pay for all services rendered by the Engineer at prevailing rates. All improvement to the District system shall be designed by a registered professional engineer in the state of Texas.
- c. It may be necessary for the Texas Commission on Environmental Quality to approve all plans and specifications. The developer will pay all expenses associated with acquiring TCEQ approval.
- d. Prior to authorizing the District's Engineer to proceed with any design work, the Board of Directors will request that the Engineer complete a cost estimate for work to be performed and present his report to the Board for their consideration and action.
- e. Prior to commencement of construction, the Developer will be required to post a construction bond in an amount equal to the cost of the project to guarantee the timely completion of proposed project. The bond will include the estimated construction cost, as well as related design fees, inspection fees, platting fees, and other expected charges. (The purpose of the bond is to assure that utility work, once started, will be completed, regardless of whether or not the development is completed.)
- f. In any new development, the Developer shall acquire, at his expense, all rights-of-way or easements, both on and off the proposed property, needed for the installation of water lines and appurtenances.
- g. All commercial facilities shall require a cross-connection control device of a type commensurate with the degree of hazard on the service lines, and if equipped with a sprinkler fire suppression system, a separate fire line similarly equipped with cross-connection control device.
- h. All facilities shall be individually metered.
- i. All facilities, which utilize water lines of the District, shall have the plumbing installed in accordance with the International Plumbing Code.
- j. All water rates, billing procedures and related accounting shall be in accordance with a separate schedule not a part of these Development Policies.
- k. All water mains constructed as part of line extension or subdivision agreement will conform to the District master plan requirements. In the event the area proposed to be developed is not in the District's master plan, the developer will be expected to prepare a proposed master plan at their earliest convenience. All costs incurred will be borne by the developer of the proposed subdivision.

l. In the event the terms of an agreement relative to subdivision platting and water line construction are not completed within twelve months, the District may, at its option void all, or parts, or change the conditions of the agreement, including developer charges. No refunds of developer expenses for completed work will be made.

m. In the event that the District becomes responsible for any repair or improvement project estimated to cost in excess of \$25,000, the project shall be publicly advertised in accordance with appropriate statutes, and the construction contract awarded to the lowest qualified bidder.

n. The following shall be placed on all final plats in the District Service area:

State of Texas

County of Nueces

All water lines and water system appurtenances have been constructed and dedicated to the Nueces County Water Control and Improvement District #3 (District) in accordance with the policies approved by the District Board of Directors. Easements dedicated to the District on this document shall be exclusive easements meeting the requirements of the District as set forth by District Policies.

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Nueces County Water Control and Improvement District #4  
District Manager

7.4. LINE EXTENSION REQUIREMENTS: The following requirements apply to all extensions of the District water mains:

a. All mains shall meet the design and specifications of the District as determined by the Engineer.

b. Mains shall be placed in exclusive dedicated easements as a second choice.

c. The minimum water main size shall be six inches.

d. All work done by private contractors and developers shall be guaranteed for a period of one year from the date such work is completed and accepted by the District.

e. All Main extensions shall extend up to the maximum limit of the applicant's property, i.e., all the way across the property so as to avoid forcing a subsequent developer to cross or enter upon the current developer's property to extend water utilities to develop adjoining property.

7.5. RESPONSIBILITY FOR PAYMENT OF WATER CONNECTIONS: The person who makes application for water service shall be responsible for payment of all charges provided for in this policy until written notice is given to the District by such person of the intention to disconnect such service.

7.6. UNAUTHORIZED CONNECTIONS: No person shall make, or permit to be made, any connection with or to the water mains or service lines of the water system without first

obtaining approval for a connection from the District. Violations will be subject immediate disconnection. Applications for connections shall be filed with the District on prescribed forms.

7.7. ALL CONNECTIONS SHALL BE MADE BY THE WATER DISTRICT: Upon approval of a service tap and service connection and payment of all required fees, the District shall perform, or coordinate all work associated with the connection.

7.8. ALL PREMISES SHALL HAVE A SEPARATE SERVICE CONNECTION: All premises connected to any water main, or being supplied with water services from the District shall have a separate service connection. Where service to a single meter serving multiple customers exists, service will continue in that mode until such time as the Board of Directors may decide otherwise.

7.9. COMPLIANCE WITH PLUMBING REQUIREMENTS: No connection shall be made or allowed to exist to any customer if the customer's plumbing has been determined to contain an unsafe cross connections, lead hazard, or other violations of the plumbing code. When the District becomes aware of and confirms that the plumbing of any customer already connected to its water system does not comply with the Plumbing code, the District shall have the right, after notice to the customer, and the failure or refusal of such customer to immediately remedy such conditions, to discontinue all or any portion of service provided by the District as may be required or suggested by the situation.

7.10. DISTRICT INSPECTIONS ARE NOT A WARRANTY OR A LIABILITY: Plumbing inspections made by the District in regards to water service connection shall not create any liability or warranty by the District as to the quality or condition of the plumbing on the premises. Such inspections are separate and apart from similar inspections required by other agencies or municipal offices.

7.11. SAFE DRINKING WATER ACT (SDWA): Pursuant to the requirements of the Safe Drinking Water Act and the International Plumbing Code, the installation of lead pipes or the use of any solder containing lead is prohibited in any type of improvements connected to the system.

7.12. QUALIFICATIONS REQUIRED TO INSTALL INFRASTRUCTURE: No one shall be allowed to install or construct water, wastewater, or drainage infrastructure in the District unless he or she has been verified to be qualified by District staff.

For the construction of any District facilities, (water treatment plants, pump stations) or any water line above 4" in diameter or over 500 feet in length, a contractor must be licensed as a contractor and bonded. In addition, contractors must demonstrate that they:

1. Have adequate financial resources to perform the work;
2. Are able to comply with the proposed schedule;
3. Have a satisfactory performance record;
4. Have a satisfactory record of integrity and business ethics;

5. Have the necessary organization, experience, accounting and operational controls, technical expertise, testing and safety programs; and
6. Have the necessary production, construction, and technical equipment to perform the work.

## SECTION 8 – DISTRICT CONSTRUCTION STANDARDS

8.01. GENERAL SCOPE: The following section describes the general conditions and specifications that are relative to the design and construction of water distribution system improvements and/or expansions to the District existing facilities. These standards shall govern the planning and installation of all work. The District reserves the right to change all or part of the rules, regulations and specifications set out herein. After completion and acceptance by the District, all improvements and/or expansions shall become the sole property of the District and subject to its control and management.

8.02. SYSTEM IMPROVEMENT / EXTENSION PROCEDURES: All system improvement and extension projects shall adhere to the following steps with no exception:

### Step 1 - Initial Application Submittal from Developer to District

- Developer completes the NCWCID#3 Development Permit Application and requests a meeting with the District Manager, Water Superintendent and Engineer.
- Developer pays development permit application fee.
- Developer shall provide preliminary layout of proposed improvements.
  - Layout shall show complete build out of subdivision outlining total number of proposed connections, zoning, projected domestic and fire flow rates, etc.

### Step 2 - District Review of Preliminary Layout

- The District determines the impact of the proposed improvements on the distribution system and issues formal water availability / required improvements letter to Developer.

### Step 3 - Submittal of Plans and Specifications

- Developer submits four sets of plans of proposed improvements to District for review.

### Step 4 - District Review of Plans and Specifications

- Plans are reviewed by the District and District Engineer.
- One plan set with comments are returned to the Developer.

### Step 5 – Submittal of Final Plans and Specifications

- Developer submits three sets of revised and corrected plans and specifications to District
- Developer submits original set of reviewed plans and specifications
- Developer submits copies of all required permits
- Developer submits copies of easements

#### Step 6 – Final Review of Plans and Specifications

- Final plans are reviewed
- District issues acceptance of plans letter (assuming all corrections have been addressed. If plan sets are rejected, the Developer will begin improvement process from Step 1.)

#### Step 7 - Bidding and Construction

- Developer receives bids from licensed utility contractors.
- Pre-construction meeting is held.
- Developer submits copy of the Contractor's liability insurance certificate
- District issues Notice to Proceed with Construction to Developer
- Contractor notifies District, One Call and all other appropriate agencies of start of construction 72 hours prior to beginning any mobilization
- Contractor completes project under inspection of District. Any work completed without District inspection or prior to issuance of design approval letter and Notice to Proceed *shall be removed and re-installed* with a District inspector present at no expense to the District.
- System improvements are pressure and disinfection tested
- Formal punch list is prepared by District
- Contractor makes all corrections
- Final inspections made by the District and other agencies as required.
- District accepts Punch List as completed

#### Step 8 – Close out Documents

- Developer submits three engineer sealed original As-Built plan sets and one electronic copy of plan set to the District
- Developer submits three copies of operational and maintenance manuals for any materials that have multiple and/or working parts or that have maintenance requirements.
- Developer submits certification from the design engineer that the project was constructed in accordance with the specifications and Record or "As Built" Drawings.
- Developer submits final easements to District
- Developer submits one year warranty paperwork to District
- Developer pays balance of development permit fees.
- The District issues letter of acceptance of completed project to Developer.

#### Step 9 - One Year Warranty Inspection

- District schedules and performs warranty inspection with Developer within 30 days prior to expiration of warranty period.
- District prepares and delivers to Developer warranty inspection punch list for defects observed during warranty inspection.
- Developer completes punch list items.
- District approves completion of warranty punch list and submits letter to Developer stating warranty period has ended.



8.03. GENERAL PROVISIONS AND REQUIREMENTS: General guidelines for system extensions are as follows:

- a. **Design:** The design, location, material and standards of construction of all water distribution systems shall not conflict with standards developed by the Texas Commission on Environmental Quality. Design issues not addressed in this manual shall be reviewed on a case by case method.
- b. **Capacity:** The design of an extension or improvement shall be based upon best engineering practices and guidelines set forth by TCEQ, AWWA, etc. The District reserves the right to require larger line sizes than specified if in the opinion of the District, larger lines will better meet the present and future requirements of the area to be benefited, improve distribution system operation and efficiency, minimize maintenance requirements and increase anticipated life of such extensions.
- c. **Main Sterilization and Tap Responsibility:** To insure the public health, safety and general welfare of the population served by the District, no new piping shall be accepted as part of the distribution system prior to the time that the new system can be sterilized and has been accepted by the District.
- d. **Water Line Location:** All District water lines shall be located in exclusive dedicated easements unless otherwise specified by the District Manager. Locations of mains in relation to sanitary sewer mains shall be in accordance with the requirement set forth in the "Rules and Regulations for Public Water Systems, Latest Edition" as promulgated by the Texas Commission on Environmental Quality. Easements shall be a minimum of 15 feet in width.
- e. **Variances and Costs:** All costs associated with the installation of new mains and services will be the responsibility of the developer or party who is applying for the service.
- f. **Areas Claimed by Others:** When a proposed subdivision location or potential consumer location is within an area served by a utility other than the District, the Developer shall furnish the District, before submission of the plat, a written statement from the authorized official of such utility to the effect that the utility can or cannot serve the consumer in accordance with the requirements of this standard.
- g. **Canal Crossings:** All canal crossings will be cleared through the District. Bridges over canals will meet specifications as set forth by the District.
- h. **Traffic Control:** During construction or repair of any District waterlines or appurtenances, Utility contractor shall provide approved traffic control systems as required by the Texas Department of Transportation, Nueces County, and/or City of Robstown.
- i. **Materials of Construction:** All materials used to improve or extend the District distribution system shall be NSF 61 approved.

#### 8.04. MINIMUM DESIGN STANDARDS

a. ***Distribution System Piping:*** Extensions will only be made from existing lines with sufficient capacity. Line extensions shall be made of sufficient size and capacity to serve follow-on Customers. Lengthy runs of small pipes to serve one property will generally not be allowed. The District Engineer shall decide the appropriate line size for a particular project, and determine whether capacity is available in a line. The full cost of the Off-site main extensions shall be paid by the Developer/Applicant. This cost includes all necessary expenses, including design and engineering costs, and the cost for any road cut or road bore as well as costs for any required easement. The Developer/Applicant shall pay this cost at such time as payment is requested by the District, but prior to the award of any construction contract. An Applicant may contract for the work himself; however, plans must be submitted to the District for approval, the contractor must be approved by the District, and the work must be inspected by District staff. All system improvements will become property of the District upon written acceptance of the improvements by the District.

b. ***Fire Hydrants:*** The District does not provide nor imply that water for fire protection is available everywhere in the District's existing water distribution system. All hydrants or flush valves are installed to facilitate operation and maintenance of the water distribution system and may only be used for firefighting purposes by authorized fire departments, or for domestic use by authorized bulk water users. The District reserves the right to remove any hydrant or flush valve, due to improper use or detriment to the system, at any time without notice.

All new Developments will be required to install waterlines of sufficient size to meet Fire Flow requirements established by any authority with such jurisdiction. If a new Development requires fire flow of a certain amount of gallons per minute for a specified duration, and the District must construct new facilities to achieve the required fire flow, the Developer(s) will be required to pay for the costs of the new facilities attributable to service to the Development. Fire Hydrants shall be placed as follows:

Hydrants shall be located such that there will be a standard District fire hydrant every 600 feet as measured along dedicated streets in residential areas, including dedicated easements and fire lanes in mobile home parks and travel trailer parks.

Hydrants shall be located such that there will be a standard District fire hydrant every 300 feet as measured along dedicated streets in mercantile and industrial areas.

Each building in the District service area shall be within 500 feet of a fire hydrant.

Fire hydrants within areas containing apartments and apartment houses shall be located in dedicated street or utility easements and be spaced not more than 300 feet distance from fire hydrant to building. No structure shall be built within 15 feet of any portion of District water main, fire hydrants or other appurtenances.

All fire hydrants shall have a six foot clear horizontal radius around fire hydrant free from obstructions. Hydrants shall be located on street corners or side property lines so as to be readily accessible at all times.

Reflectors shall be installed on curbs adjacent to fire hydrants on all new construction.

Fire hydrants located north of CR 46 shall have City of Corpus Christi threads.

Fire hydrants located south of CR 46 shall have City of Robstown threads.

c. **Valves:** Proposed system extensions or additions shall be equipped with a sufficient number of valves and so located such that no case of accident, breakage, or repair to the water distribution mains will necessitate isolation of a length of distribution pipe greater than 600 feet. All valves 16" or less in diameter shall be gate valves. Larger valves must be submitted independently for approval by District Engineer.

Valves shall be installed at the following locations

At three sides of a cross fitting

At two sides of a tee fitting

Every 600 feet of straight run pipe 6" and less in diameter

Every 1,000 feet of straight run pipe 8" in diameter

Every 1,400 feet of straight run pipe 10" – 12" in diameter

Every 1,800 feet of straight run pipe 16" in diameter

On all fire hydrant branches

When there is an existing a valve within 200 feet of a tee or cross intersection in one or more directions and the requirements above would specify a new valve in that direction, the existing valve shall be deemed sufficient and an additional valve in that direction is not required.

d. **Water Services:** Individual water services shall be provided from the main to each water meter for single family residences. Dual service connections may be permitted, whereby a 1" tap and 1" service line serves two 5/8" meters, under the following conditions: (1) on or adjacent to a lot with two or more meters serving two or more buildings or individual units; or (2) along a property line where the developer or builder is providing meters to each of two adjoining lots, provided each meter is on the property being served.

No individual water meter may serve more than one property. No individual service line may serve multiple buildings on the same property except when permitted by the District.

On property where two or more meters are provided to serve more than one building or unit on the same property, each meter shall be located directly in front of the unit or building served, or the meter boxes shall be clearly labeled to describe the address of the unit or building served. If labeling is used, a permanent nameplate with engraving of address shall be permanently secured to the interior wall of each meter box within 3" of the top of the box, of non-corrosive materials. The developer is also responsible for insuring that plans for construction define which meter goes with which unit or building, and that the plumber hired to connect the plumbing to the building or units connects the plumbing to comply with the schedule shown on the plans and labeled on the meter boxes.

All service connections shall be made perpendicular from the main line and shall run straight to the meter which shall be located at the edge of the serviced lot's right-of-way or easement.

All new water meter boxes or vaults shall be located outside the street, sidewalk, or parking areas in residential areas. In non-residential areas, meter location shall be considered on a case-by-case basis.

The size and type of water meter shall be determined by the District based on type of facility receiving service, projected peak water demand, and expected fluctuation in water demand, and shall be selected to insure high standards for accuracy for all service conditions. The size shall be the smallest which is designed for a normal test flow rate covering both the minimum and maximum flow rate expected by the customer.

Tapping saddles will be allowed only for service connections. All other connections shall be accomplished using ductile iron fittings.

Service line pipe shall be copper tubing. Copper water tube shall be manufactured to the requirements of ASTM B 88 – Standard Specification for Seamless Copper Water Tube – TYPE K. Pipe shall be one solid piece from tapping saddle to meter valve. No splicing of tubing is allowed.

e. **Testing and Inspection:** Hydrostatic and disinfection testing of all new distribution improvements or additions is required. Tests shall be made only after the following: Subdivisions –

- All valves are accessible and open

- All fire hydrants are properly set (i.e. plumb, at proper grade and alignment)

- All curb and gutter has been installed

- All base on street has been installed, compacted and accepted by City of Robstown

- All lot grading has been completed

- All sidewalks have been installed

Apartment Complexes, Shopping Centers and Other Commercial-

The area above the water main has been graded five feet on either side of the centerline of the waterline for the entire length of line

The owner signs an agreement to the effect that approval of the system is conditional upon completion of any items found deficient on a second inspection which will be conducted upon final completion of the project. Final completion shall be as defined by Water Superintendent

Other-

Water systems that are not found in one of the above categories shall be tested when the Water Superintendent deems the system complete enough for testing.

f. **Backflow Prevention:** Backflow protection devices shall be installed, tested, and maintained by the customer as required by the Water Policies. Such devices shall be required on all plumbing connections to service lines for irrigation, and to all premises except service to single-family residential dwellings. Such devices shall be installed on the customer's plumbing line beyond the water meter but prior to any branching of plumbing lines from the common line, such that all water passing through the water meter shall also pass through

the protection device. No water shall be permitted at any time to by-pass backflow protection; if the customer requires a by-pass while the backflow device is being tested or repaired, the by-pass line shall include a backflow device of equal design and size as the first.

**g. Easements:** All water distribution system extensions or additions to be owned and maintained by the District shall be within a permanent utility easement dedicated to the District. Waterlines shall be located outside of paved or otherwise improved surfaces with the exception of crossings and shall maintain separations as outlined in these standards. Waterlines that run parallel to TxDOT or Nueces County roads shall be placed in dedicated utility easements. Waterlines shall not be placed in State or County right of way without approval of District Manager and District Engineer.

Permanent utility easements shall be of legal form satisfactory to the attorney for the District and shall reference a plat prepared and sealed by a registered land surveyor in the state of Texas showing the exact location and dimensions of the easement. All permanent utility easements shall exclude the use of the easement for utilities other than water unless authorized as a joint-use utility easement by the District Manager.

For water extensions to new development, sufficient permanent utility easements shall be dedicated to the District to permit future water line extensions to all adjoining property. Private utility easements shall be 15 feet minimum in width.

**h. Separation Distances:** The following separation distances shall be followed during design and construction:

Sanitary Sewer: See TCEQ requirements for separation distances between water and wastewater lines.

Storm Sewer: Waterlines and storm sewer lines shall have a minimum vertical separation of 12 inches when horizontal separation is less than 3 feet unless otherwise approved by the District Engineer.

Natural Gas Mains, Cables, and Other Utilities: Other utilities shall have a minimum horizontal clearance of 2 feet and vertical clearance of 12 inches, to permit proper maintenance of the water main unless otherwise approved by the District Engineer.

**i. Pavement Crossings:** Waterlines that cross paved surfaces shall be placed in steel casing pipes and shall be capped and sealed on both ends. The following outlines District casing pipe requirements

Waterlines that cross State highways must be laid in steel casing pipe meeting the requirements and method of construction of TxDOT.

Waterlines that cross county roads must be laid in steel casing pipe meeting the requirements and method of construction of Nueces County.

Waterlines that cross creeks, drainage canals or irrigation canals must be installed in steel casing pipe with a minimum thickness of  $\frac{1}{4}$ ". A minimum of 4' of cover is required between the top of casing pipe and invert of channel. Casing shall extend past the banks at a distance equivalent to the amount of cover + height of bank.

All other casing pipes shall be reviewed on a case by case method.

***j. Approved Materials List:*** The following is a list of the approved materials that shall be used in the construction of District utilities. Materials not on this list will not be accepted and will have to be removed and replaced prior to establishment on any water service.

- PVC Pipe – J.M. Eagle
- Service Saddles – Ford Meter Box, Smith Blair
- Brass Fittings – Mueller, Ford Meter Box
- Meters – Neptune
- Gate Valves – Mueller
- Fire Hydrant – Mueller Super Centurion
- Backflow preventers – Wilkins, Watts
- Pipe Restraints – Ford, Ebba, Star, Sigma
- Ductile Iron Pipe – US Pipe, McWain
- Ductile Iron Pipe Fittings – Sigma, Tyler, SAP, Star, US Pipe
- Meter Boxes – DFW

#### **8.05. MINIMUM DESIGN DRAWING REQUIREMENTS**

***a. General:***

1. Four physical sets and one CD copy of plans are required for each project. The CD shall contain the drawings in AutoCAD format with CTB plot style or PDF format.
2. All drawings are to be submitted on 11" x 17" or 22" x 34" size sheets.
3. Each plan set will have a cover sheet that includes at a minimum the following:
  - Name of the project.
  - Name of the design firm.
  - Design firm's project number – if applicable.
  - Design firm's telephone number, mailing address and email address.
  - Engineer of Record's Name and Texas Registration Number.
  - Seal and Signature of the Engineer of Record.
  - Date of current version.
  - A general location map showing Nueces County and major roads with the location of the project identified.
4. Plan sets with five or more sheets shall have an index.
5. Plan sheets shall include:
  - Title Block
  - North Arrow oriented to the top or right of the sheet.
  - Engineer of Record's Name and Texas Registration No.
  - Seal and Signature of the Engineer of Record (final set only – Review sets shall be stamped for interim review)
  - Scale, horizontal and vertical (for profiles).
  - Date of current version.

- Match lines on plan and profile sheets
6. The drawing set shall contain an overall project layout with all proposed and existing utilities identified.
  7. All dimensioning shall be in English units.
  8. All applicable NCWCID#3 standard details shall be included in set.
  9. If abbreviations are used, a legend shall be present defining each abbreviation.
  10. Plan sheets shall have a sequential numbering system such that it is obvious that sheets are missing from the set.
  11. Drawings shall have differentiating line weights or line types that allow easy identification of drawing line work.

***b. Piping Plan Views***

1. Horizontal scale to be between 1" = 1' and 1" = 50'.
2. Indicate facilities that are or will be owned by NCWCID#3 verses private or other utilities' facilities.
3. Show the design location of all NCWCID#3 facilities, including distance from rights-of-way lines; property lines; buildings or edge of pavement to each main. Distances need not be shown for water service lines and meters.
4. Each main will be marked with its size and type of material. Each fitting will be marked with its size. Each fitting will be marked with its material if the material is different than the main's material. Valves will be marked with their size and type. Each water service line will be marked with its size. Each water service line and sewer lateral will be marked with its material unless the material is specified in a note or standard detail.
5. Show all main horizontal and vertical deflection points. A deflection point is a change in horizontal or vertical alignment other than the normal minor alignment change associated with a "straight" pipe.
6. Show and label all public and private roadways. Indicate when roadways are private.
7. Show the perimeter boundary property lines of properties contiguous to shown roadways, at the property line - roadway or right-of-way junction. Include the street address, for the property.
8. Show and dimension all rights-of-way and easements and reference as to whether by plat or otherwise.
9. All existing, proposed and to be abandoned utilities will be shown. Line type and/or weight will be used to differentiate between type of utilities and between existing, proposed and to be abandoned. The method of abandonment will be shown.
10. Show all known potential underground conflicts.
11. For developer projects:

- a. Clearly indicate all boundary lines for any property to be served. Show coordinates for boundary property corners and reference one property corner to a section corner.
- b. Indicate the lot and block numbers for any property to be served, and for adjoining lots.
- c. Show the outline of each building to be serviced and the distances from the building to the property lines. Except for single family and multi-family residential buildings, indicate the total gross square footage of each building and its dimensions. For multi-family residential buildings, show the number of units in the building. Show the postal address for each served building. For buildings with multiple postal addresses, show the postal address for each bay, apartment, etc.
- d. Indicate pavement and parking areas, and final pavement and parking area elevations.

**c. Plan and Profiles - Waterlines**

1. Plan and profile sheets are required water lines 12" in diameter and larger.
2. Horizontal scale shall be 1" = 50' or larger.
3. Vertical scale to be between 1" = 1' and 1" = 5'.
4. Profiles shall show waterlines, fittings, existing utilities, etc.
5. Profiles shall be stationed starting at 5+00.
6. Intersecting waterlines shall be stationed such that station numbers are not duplicated.

**8.6. MINIMUM AS-BUILT DRAWING REQUIREMENTS**

**a. As-Built Drawings:** As- Built Drawing sets shall document changes between the design plans and actual construction. All information that is incorrect due to changes during construction will be corrected. Incorrect or no longer relevant information will be erased or struck through. Any District facilities constructed in a horizontal or vertical location materially different (five feet horizontal, one-half foot vertical) than the design location will have their design location struck through and will be redrafted at the constructed location. Design drawing dimensioning to water and sewer facilities will be corrected as necessary.

**b.** As Built set shall include all sheets originally included in the approved design set.

**c.** Show the location of easements used.

**d.** Indicate pipe joint locations where water and sewer piping cross.

**e.** Show all abandoned, demolished or disposed of system appurtenances.

**f.** Show elevations to the nearest tenth of a foot for:

1. Top of pipe for water mains at deflection points and every 200 feet along straight runs.
2. Top of pipe for water main fittings.
3. Top of pipe for connection to existing facilities.
4. Top of operating nut for valves.



5. Top of pipe of water or sewer facilities where they cross all other facilities (drainage, telephone, cable TV, electric, etc.)

***g.*** Horizontal measurements from physical monuments or coordinates will be provided for District maintained facilities, including:

1. Water mains at deflection points and every 200 feet along straight runs.
2. The center of each fitting, valve, hydrant, water meter, etc.
3. The location on the water main of each tap for a service line.
4. The location of each connection to existing facilities.
5. The corners (vertices) of all easements being granted to the District as a part of the project.

## **SECTION 9 – EASEMENTS, ACCESS AND INSPECTIONS**

9.01. **EASEMENTS:** Each District customer will provide any easements required for the purpose of installing, maintaining, and operating any pipelines and appurtenances which may be deemed necessary for the District to provide service to the property owner.

9.02. **RESPONSIBILITY FOR PERMITS AND EASEMENTS:** It shall be the responsibility of the applicant to secure all permits and easements as deemed necessary or required by the District.

9.03. **REFUSED EASEMENT:** Any customer who refuses to grant Easements of Rights-of-Way which are deemed necessary in order to provide requested service, shall be deemed in breach of District policy and water service will not be provided.

9.04. **ACCESS TO CUSTOMER'S PREMISES:** A customer of the District shall give the duly authorized agents of the District permission to enter the customer's property at all times for any purpose incidental to the supplying of water service. Denial of access could result in disconnection/interruption of service.

Any person desiring to obtain or to continue to obtain service from the District shall be required to submit to the inspection of his premises by the District Manager or to his representative(s) when requested to do so.

9.05. **TYPICAL EASEMENT:** The District standard easement is located in District's Website-Forms & Reports-Sample Right of Way Easement.