

CERTIFICATE FOR ORDER ADOPTING CONSOLIDATED RATE ORDER

THE STATE OF TEXAS §

COUNTY OF FORT BEND §

FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 9 §

I, the undersigned Secretary of the Board of Directors (the "Board") of First Colony Municipal Utility District No. 9 (the "District"), hereby certify as follows:

1. The Board convened in special session, open to the public, on the 29th day of February, 2024, at the regular meeting place thereof, and the roll was called of the members of the Board, to-wit:

Rod Castells	President
Gary P. Perry	Vice President
Marguerite Burton	Secretary/Investment Officer
Randall Grogan	Assistant Secretary/Treasurer
Carl A. Brown	Director

All members of the Board were present except the following: Marguerite Burton, thus constituting a quorum. Whereupon, among other business, the following was transacted at such meeting:

ORDER ADOPTING CONSOLIDATED RATE ORDER

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be adopted; and, after due discussion, such motion, carrying with it the adoption of said Order, prevailed and carried by the following vote:

AYES: 4

NOES: 0

2. A true, full, and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in said Board's minutes of such meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance of the time, place, and purpose of such meeting and that such Order would be introduced and considered for adoption at such meeting and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; such meeting was open to the public, as required by law, and public notice of the time, place and purpose of such meeting

was given as required by Chapter 551, Government Code and Section 49.063, Texas Water Code, as amended.

SIGNED AND SEALED the 29th day of February, 2024.

(SEAL)


Secretary, Board of Directors

ORDER ADOPTING CONSOLIDATED RATE ORDER

THE STATE OF TEXAS §
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FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 9 §

WHEREAS, the Board of Directors (the "Board") of First Colony Municipal Utility District No.9 (the "District") has from time to time adopted certain orders ("Rate Order"), Rules and Regulations establishing the rates and conditions under which water and sanitary sewer service would be provided, as well as a Drought Contingency Plan, Wastewater Control Order, Storm Water Management Plan and Wastewater Services Contract for Commercial Cleaners;

WHEREAS, the Board of the District has determined that it is in the best interest of the District to amend and restate its Rate Order;

IT IS, THEREFORE, ORDERED BY THE BOARD OF DIRECTORS OF FIRST COLONY MUNICIPAL UTILITY DISTRICT NO. 9 THAT:

ARTICLE I
DEFINITIONS

For the purpose of this Order, the following terms shall have the meaning set out hereafter:

A. "Commercial" - shall mean any structure designed for business purposes including office buildings, hotels, retail stores, warehouses, service stations, recreational centers and all other establishments not generally considered as residential structures or defined herein as a residential structure.

B. "Customer" - shall mean any person, partnership, corporation, non-profit corporation, trust or other legal entity served by the District's System with water and/or sewer services to a residence or business establishment owned or occupied by such person, partnership, corporation, non-profit corporation, trust or legal entity.

C. "Delinquent Bill" - shall mean a bill for water and/or sewer service which has not been paid within twentieth (20) days after the date of the bill for the preceding month's service.

D. "Domestic Waste" - shall mean liquid-carried sanitary sewage discharge which is normally discharged from residential food preparation and bathroom facilities.

E. "Engineer" – shall mean the person, company or corporation employed by the District as its consulting civil engineer.

F. "Equivalent Single-Family Connection" or "ESFC" shall mean the amount of capacity allocated to a commercial customer expressed in terms of the amount of capacity used by a single-family residence, as determined by the volume and type of wastewater discharge. Prior to initial connection of any Customer other than a single-family residential Customer, the District's Engineer shall calculate the number of ESFCs for the first year. The determination for the first year may be based on the capacity requested on behalf of the Customer. Following the first year of service, or the next January following the initial connection, the District shall recalculate the number of ESFCs for such Customers based on actual usage. For purposes of this calculation, each 10,000 gallons of water used shall be considered to equal one (1) ESFC. The number of ESFCs will be rounded upwards to the nearest 10,000 gallons. For example, 34,000 gallons equals 4 ESFCs. ESFCs shall be recalculated by the District annually in January of each year based upon actual usage for the prior year.

G. "Irrigation Connection" - shall mean a water system connection serving public right-of-way or other public common areas, or other green space or residential sprinkler systems.

H. "Multi-family Residential Connection" - shall mean all multiplex residential connections which are served by one or more master meters.

I. "Multi-family Units" - shall mean the individual dwelling units served through the Multi-family Residential Connection's master meter and shall include condominiums and all individual dwelling units served by a master meter.

J. "Non-taxable" - shall mean any entity not subject to property taxation pursuant to the provisions of the Texas Property Tax Code, including churches and schools.

K. "Operator" - shall mean the person, company or corporation employed by the District to operate the District's water and sewer system, collect amounts owed to the District for such services, report monthly to the District on the operations of the District's System and perform any additional services set out in its contract with the District.

L. "Rules and Regulations" - shall mean the Amended and Restated Rules and Governing Water and Sanitary Sewer Facilities, Service Lines, and attached to this Order as Appendix "A" and incorporated herein for all purposes.

M. "Separate Connection" - shall mean each residential unit designed for occupancy by a separate family, including each separate unit located within a single multiunit building, and each commercial unit designed for use by a separate business, including separate establishments within a single building.

N. "Single-family Residential" - shall mean any single-family structure within the District designed for occupation as a residence whether by the owner or by a renter or lessee, including any single-family residence, townhouse, multiplex, apartment building, or other structure generally considered to be and used solely for residential purposes and which is separately metered.

O. "System" - shall mean the water and/or sanitary sewer facilities of the District and all extensions and additions thereto, whether now in place or hereafter constructed.

P. "Unacceptable Plumbing Practices" - shall mean practices not accepted by or which or in violation of the plumbing code adopted by the City of Missouri City, Texas (Currently 2006 Edition of the International Plumbing Code), as amended.

Q. "Unauthorized Usage" - shall mean the intentional or unintentional receiving of water and/or sewer service from the District without making prior application, as required herein; or reestablishment of water or sewer service by someone other than a duly authorized District representative.

ARTICLE II TAP FEES AND CONNECTION POLICY

Section 2.01. Initiation of Water and Sanitary Sewer Connections.

Each person desiring a water and sanitary sewer service connection to the District's System shall be required to pay such fees as set forth in this Order. No service shall be established or re-established until such fees are paid. All service connections are subject to the provisions of the District's Rules and Regulations and all other rules, regulations, and policies of the District.

Section 2.02. Policies Governing Initial Connections.

A. Certification of System. Connections shall not be made to the District's System or portions of the System until the District's engineer has certified that the System or applicable portion thereof is operable.

B. Permit Requirement. Before any connection is made to the District's system, or before any reconnection is made, the person requesting such connection shall provide to the District a copy of: (1) a Development Permit from First Colony Levee Improvement District of Fort Bend County, Texas; or (2) a Waiver for the Development Permit from First Colony Levee Improvement District of Fort Bend County, Texas.

C. Availability of Access/Obstructions. By application for connection to the District's System, the Customer shall be deemed to be granting to the District and its representatives a right of ingress and egress to and from the meter or point of service for such installation, maintenance and repair as the District, in its judgment, may deem reasonably necessary. The Customer shall also be deemed to be granting to the District and its representatives a right of ingress and egress to the Customer's property, including the interior and exterior of the Customer's premises, for the purpose of performing the inspections and completing the Customer Service Inspection Certifications required by the District's Rules and Regulations. Taps and connections will not be made when, in the opinion of the District's Engineer or Operator, the work area is obstructed by building materials or other debris or the work area is not completed or finished to grade. When sidewalks, driveways or other improvements have been constructed prior to application for service,

such application shall be construed and accepted as the Customer's waiver of a claim for any damages to such improvements resulting from the reasonable actions of the District's Operator in installation of the connection.

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

Section 2.03. Connections by District Operator.

All connections to the District's sewer system shall be made in accordance with the District's Rules and Regulations. No person except the District's Operator or his authorized agent shall be permitted to tap or make any connection to the mains or distribution piping of the District's water system, except for emergency firefighting purposes, or make any repairs or additions to or alterations in any meter, box, tap, pipe, cock or other fixture connected with the water service or any manhole, main, trunk or appurtenance of the District's sanitary sewer system, unless otherwise specified by the Board of Directors of the District.

Section 2.04. Inspections and Fees.

A. Sewer Inspection and Fees. Sewer connections and house service lines shall be inspected by the District's Operator for compliance with the Rules and Regulations. Connections to the District's water system shall not be allowed prior to an approved sewer inspection. Installations which fail to conform at any time to the Rules and Regulations shall be disconnected. Any Customer whose connection is disconnected for such failure shall be notified as to the basis for such disconnection. After noted deficiencies have been corrected, a final reinspection shall be made upon payment to the District of a reinspection fee of \$100.00 for Single-family Residential connections and \$100.00 for all other connections. Any subsequent reinspections required shall be charged at similar rates.

B. Customer Service Inspection Fees. In the event the District's Operator performs the inspection and completes the Customer Service Inspection Certification required by Article III of the Rules and Regulations, the District shall charge the Customer a fee of \$250.00 for Single-family Residential connections and \$250.00 for all other connections to cover the costs of such inspection and certification.

C. Pre-Facility Inspection. All builders or contractors for property owners within the District must contact the Operator, prior to starting any work on property within the District, to do an inspection to verify District facilities. If any District facility is either damaged or cannot be located, the Operator will make necessary repairs or locate and make visible at the expense of the

District. A copy of the inspection will be given to the builder's or contractor's representative. After the inspection and any necessary work is completed, the builder or contractor will then be responsible for paying the costs of all damages, adjustments, relocations and repairs found during the final site survey. The cost for each commercial pre-facility inspection is \$250.00 and is payable with the tap fees. If construction has commenced prior to contacting the District for the pre-facility inspection, any damages, adjustments, relocations and repairs of District facilities will become the responsibility of the Builder or Contractor.

D. Residential Facility Inspection. The District's Engineer and Operator will conduct a facility inspection before homebuilding begins in a subdivision. After construction has been completed on the property, but before service is initiated, the Operator will conduct a final site survey to re-inspect the water tap, meter and all other District facilities on the property. The property owner, builder or contractor will be held responsible for any damages, relocations or adjustments to District facilities and the cost of repairing, relocating or adjusting the facilities (the "Backcharges") before service shall be initiated. If any re-inspections of the facilities are required to ensure that the District's facilities are repaired, adjusted, or relocated, a fee of \$100.00 shall be charged for each such reinspection before service will be initiated. Payment of the Backcharges, or any re-inspection fees, shall be made on or before the 30th day after the date of the invoice for said charges. The District also may withhold the provision of service to the property or to other property, property owner, builder or contractor who has failed to timely pay the Backcharges or any re-inspection fee, including specifically, the provisions of additional taps; provided, however, the District shall follow the notification procedures set forth herein prior to withholding the provision of service.

E. Commercial Final Facility Inspection. After construction has been completed on the property, but before service is transferred to a Customer, the District's representative shall conduct a final site survey to re-inspect the water tap, meter and all other District facilities on the property for a fee of \$200.00. The fee shall be collected at the time the tap fee is paid. The property owner, builder or contractor will be held responsible for any damages or adjustments to District facilities and the cost of repairing, adjusting or relocating the facilities (the "Backcharges") before service shall be initiated to a user. If any re-inspections of the facilities are required ensuring that the District's facilities are repaired, relocated or adjusted, a fee in the amount of \$100.00 shall be charged for each such re-inspection before service will be transferred to a subsequent Customer. Payment of the Backcharges, or any \$100.00 re-inspection fees, shall be made on or before the 30th day after the date of the invoice for said charges. The District may withhold the provision of service to the property or to other property owned by any user, property owner, builder or contractor who has failed to timely pay for the Backcharges or any inspection or re-inspection fee, including specifically the provision of addition taps; provided, however, the District shall follow the notification procedures set forth in this Order prior to withholding the provision of service.

Section 2.05. Builder's Deposit.

Each builder of a residence, commercial building or other structure shall, at the time a request for a water tap is made, pay a deposit of \$2,500.00. The deposit shall be refunded within sixty (60) days after the builder certifies the sale of its last residence, commercial building or other structure within the District, less any amounts forfeited as provided herein. The District shall

deduct from the deposit the cost to repair any damage caused to the District's property by the builder or the builder's employees, contractors, subcontractors or agents and shall deduct any delinquent water and sewer service bills of the builder. In the event any amounts are so deducted from the builder's deposit, it will be incumbent on the builder to reinstate the original amount of the deposit, and failure to do so will result in the suspension of any additional water taps for the builder.

Section 2.06. Temporary Water Service.

A. Temporary Connections. The District's Operator shall be authorized to make a temporary connection to any fire hydrant or flushing valve upon request for temporary water service. All temporary service shall be metered and billed to the temporary Customer as provided herein. All unauthorized withdrawal of water from flushing valves, fire hydrants, or other appurtenances of the District's System without prior approval of the District, except for emergency fire-fighting purposes, is prohibited.

B. Application and Deposit. Each temporary Customer desiring temporary water service shall be required to execute an application for such temporary service and shall provide a minimum security deposit of \$2,500.00 and a \$100.00 installation/maintenance fee of a temporary water meter and fire hydrant wrench. The deposit shall be made by cashier's check or money order payable to the District. The deposit shall be used by the District to secure the payment for temporary water supplied by the District, the installation fee, and the cost of repair of any damages caused by the temporary Customer. The balance of the security deposit, if any, shall be refunded after disconnection from the District's System.

C. Fees and Rates. The meter will be billed at \$5.00 per day minimum for use of a meter for temporary water service. The rate for the sale of water for each temporary water service connection shall be \$4.00 per each 1,000 gallons used.

Section 2.07. Service to Out-of-District Customers.

All requests for water and sewer service from parties located outside the boundaries of the District shall be considered on a case by case basis and governed by separate agreement. The following monthly rates shall be in effect for water and sewer service for each Separate Connection outside the boundaries of the District from and after the effective date hereof until amended by the Board of the District:

A. Out-of-District Water Service Rates.

The rate for water service charged to all out-of-District customers shall be three times the water rate charged to customers within the District.

B. Out-of-District Sewer Service Rates.

The rate for sewer service to all out-of-District customers shall be three times the rate charged to customers within the District.

Section 2.08. Water Taps.

The following charges for the tap of water lines shall be in effect within the District from and after the effective date hereof until amended by the Board of the District:

- | | | |
|--|---|--------------------------------|
| A. Single-family Residential: | All sizes | 3 times District's actual cost |
| B. Multi-family Residential and Commercial | All sizes | 3 times District's actual cost |
| C. Non-taxable: | The actual cost to the District, plus the user's pro rata share of the costs of all facilities necessary to provide District services to such non-taxable entity where such facilities are financed or to be financed by tax-supported bonds of the District. | |
| D. Irrigation: | All sizes | 3 times District's actual cost |
| E. Fire Line Tap | The actual cost to the District plus 25%, \$1,000 minimum; conditioned upon the installation of a standard water meter tap and copies of all flow rate tests provided to District. | |

Section 2.09. Title to Facilities.

Title to all water meters, water and sewer taps, and all other appurtenances, including meter boxes, shall lie in the District.

ARTICLE III
SERVICE RATES

Section 3.01. Water Service Rates.

The following monthly rates for the sale of water shall be in effect for each Separate Connection within the District from the effective date hereof until such time as the Board of Directors amends said rates:

	TYPE OF CONNECTION	GALLONS USED	RATE
A.	Single-family Residential	Base Fee	\$13.00
		0 -10,000	\$2.25 per 1,000 gallons
		10,001 – 20,000	\$3.35 per 1,000 gallons
		20,001 and above	\$4.70 per 1,000 gallons

B.	Multi-family Residential	Base Fee	\$14.00 per unit
		0 – 10,000	\$2.25 per 1,000 gallons
		10,001 – 20,000	\$3.25 per 1,000 gallons
		20,001 and above	\$3.75 per 1,000 gallons
C.	Commercial	Base Fee	\$50.00
		0 – 10,000	\$3.00 per 1,000 gallons
		10,001 – 20,000	\$4.50 per 1,000 gallons
		20,001 – 30,000	\$5.50 per 1,000 gallons
		30,001 and above	\$6.50 per 1,000 gallons
D.	Non-taxable and irrigation	Base Fee	\$50.00
		0 – 10,000	\$4.00 per 1,000 gallons
		10,001 – 20,000	\$5.00 per 1,000 gallons
		20,001 – 30,000	\$7.00 per 1,000 gallons
		30,001 and above	\$8.00 per 1,000 gallons

Section 3.02. Sewer Service and Garbage Collection Rates.

The following monthly rates for the collection and disposal of sewage and the collection and disposal of garbage (only for Residential Connections) shall be in effect for each Separate Connection within the District from the effective date hereof until such time as the Board amends said rates:

	TYPE OF CONNECTION	GALLONS USED	RATE
A.	Single-family Residential	All usage	\$40.00 flat rate per connection
B.	Multi-family Residential	All Usage	\$21.75 flat rate per unit
C.	Commercial	0 – 10,000	\$53.00 per unit
		10,001 and above	\$4.10 per 1,000 gallons
D.	Non-taxable	0 – 10,000	\$54.00
		10,001 and above	\$4.20 per 1,000 gallons

Section 3.03. Grease, Mud or Lint Traps.

The District shall require the owner of any establishment that discharges certain types of waste into the District's sanitary sewer system to install a trap to prevent the entry of the discharge into the system and a sampling well to allow for periodic sampling of the discharge from the establishment. Discharges requiring a trap and sampling well include, but are not limited to, grease, oil, sand, or flammable waste. Other discharges requiring a trap and sampling well shall be determined by the Operator on a case-by-case basis based on the Operator's conclusion that the discharge in question will harm the District's facilities if allowed to enter the District's system.

Any person responsible for a discharge requiring a trap and sampling well shall provide equipment and facilities of a type and capacity approved by the District, locate the trap in a manner that provides ready and easy access for cleaning and inspection, and maintain the trap in effective operating condition. For restaurants and similar developments, the District will require as a minimum one trap and one sampling well per restaurant. Each trap and sampling well required to be installed hereunder shall be subject to an installation inspection and approval by a District representative. The fee for this installation inspection shall be \$100.00. It shall be the responsibility of the owner of the property to maintain and service the traps. All traps shall be cleaned a minimum of once a month. The Operator may inspect the traps and may take samples and flow measurements from the sampling wells with no limit as to the frequency of the tests. A surcharge of \$75.00 per month will be added to the District's commercial sanitary sewer rates for each grease, mud, and lint trap installed. This surcharge will cover the cost of routine inspection, sampling, and testing. If a grease, mud, or lint trap is found in violation of this Rate Order during a routine inspection, re-inspection, sampling, and testing, the District may, at its sole discretion as to time and frequency bill to the owner of the property charges as follows:

Re-inspection	\$75.00 each trip
Sampling	\$75.00 each time
Lab analysis	Cost + 15%

The District has the right, in its sole discretion, to require the owner to pretreat the discharge at the owner's expense. All discharges from grease/mud/lint traps shall conform to the District's Rules and Regulations and the Wastewater Control Order.

Section 3.04. Backflow Prevention.

All non-residential customers that are required to install a Backflow Prevention Assembly, as defined in the Amended and Restated Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines and Connections, shall be charged an annual fee of \$115.00.

Section 3.05. Regulatory Assessment.

Pursuant to Section 5.701, Texas Water Code, as amended, the District shall pay a regulatory assessment to the Texas Commission on Environmental Quality (the "TCEQ") annually in the amount required by law on the total charges for retail water and sewer service billed to its Customers. At the end of each year, the Operator shall prepare a written statement indicating (i) the total charges for retail water and sewer service for the year and (ii) the regulatory assessment due and payable to the TCEQ.

As required by the Texas Water Code, each Customer of the District's water and sanitary sewer system is hereby assessed a charge of one-half of one percent (1/2%) of the District's charge for water and sewer service. This assessment is reflected in the Customer's monthly bill and will be forwarded to the TCEQ for use in paying costs and expenses incurred in its regulation of water districts.

Section 3.06. Groundwater Reduction Plan Fees.

Pursuant to the Fort Bend Subsidence District's regulatory requirements for the withdrawal of groundwater and the Missouri City (the "City") Joint Groundwater Reduction Plan Participant Agreement, which became effective July 1, 2008, the District shall pay to the City groundwater pumpage fees for water pumped from all nonexempt wells located within the District's boundaries.

Each Customer's billing statement will include a line item reflected as "GRP Fee." Such fee will be calculated based upon the Customer's actual water usage for the previous month multiplied by the current pumpage fee assessed by the City per 1,000 gallons of metered water plus a ten percent (10%) administrative fee.

Section 3.07. No Reduced Rates or Free Service.

All Customers receiving water and/or sewer service from the District shall be subject to the provisions of this Order and shall be charged the rates established in this Order, and no reduced rate or free service shall be furnished to any Customer; provided, however, this provision shall not prohibit the District from establishing reasonable classifications of Customers for which rates differing from the rates stated herein may be adopted.

ARTICLE IV
SERVICE POLICY

Section 4.01. Billing Procedures.

All accounts shall be billed in accordance with the following procedures:

A. Termination for Delinquent Accounts. Charges for water and sewer service shall be billed monthly. All bills shall be payable on the 20th day after the date of the statement for said charges. Unless payment of the monthly bill is received on or before the 21st day after the date of said statement or unless payment of any Backcharges is received on or before the 30th day after the date of the invoice, such account shall be considered delinquent and a one-time late charge equal to ten percent (10%) of the unpaid balance shall be assessed against the account. The District may, in its discretion, disconnect service for failure to pay all charges and backcharges, including interest, by the 30th day after the due date; provided, however, that prior to disconnecting services, the District shall send written notice by United States first class mail to the Customer or entity at the appropriate address and provide the Customer or entity with an opportunity to contest, explain or correct the charges, services, or disconnection, at a meeting of the Board of Directors of the District. The written notice shall inform the Customer or entity of the amount of the delinquent payment, the date service will be disconnected or additional service withheld if payment is not made, the date, time and place of the next scheduled meeting of the Board of Directors, and of the opportunity to contest, explain or correct the charges, services, or disconnection, by presenting in person or in writing such matter to the Board of Directors at the next scheduled meeting as shown on the notice. The date specified for disconnection shall be after the date of the next scheduled meeting of the Board of Directors as shown in the notice and the date for withholding additional service shall be the date of that Board meeting. The notice shall be deposited, postpaid, in a post

office or official depository under the care and custody of the United States Postal Service at least ten (10) days prior to the date of the scheduled meeting of the Board of Directors. A written statement by the District's Operator that the notice was so mailed and a certificate of mailing by the United States Postal Service shall be prima facie evidence of delivery of same. An added fee of \$10.00 will be charged to the Customer's account per delinquency notice sent to customer. If the Customer or entity appears before the Board in person or in writing, the Board shall hear and consider the matter and inform the Customer or entity of the Board's determination by sending written notice by United States first class mail to the Customer or entity at the appropriate address.

B. Termination for Rate Order Violations. Any person, corporation, or other entity who violates any provision of this Rate Order, in addition to being subject to the penalties described in Article VIII, shall be subject to having water and sewer service terminated; provided, however, that prior to disconnecting service for such violation, the District shall give written notice, by first class United States mail or otherwise to such person, corporation, or other entity of the pending disconnection and shall give such person, corporation, or other entity the opportunity to contest, explain, or correct the violation of the Rate Order at a meeting of the Board of Directors of the District. Such disconnection shall be in addition to penalties that may be imposed by the District under Article XI of this Rate Order. District shall consider the existence of a health hazard as identified in Title 30, Texas Administrative Code, Chapter 290.47(i), or other serious threat to the integrity of the water supplied by the District, to be sufficient grounds for immediate termination of water service to consumers who may be vulnerable to possible contamination. If terminated under such circumstances, water service shall be restored by the District when it determines that such a health hazard or other contamination source has been isolated from the District's water supply system in accordance with Title 30, Texas Administrative Code, Chapter 291.44 (h). The District is not required to follow the provisions of Section 84.01(A) & (B) when terminating water service under this Section 4.01(B) of this Rate Order.

C. Reconnection. If service to a Customer is disconnected for any cause, a reconnection fee of \$150.00 shall be collected before service is again commenced to such Customer. Payment of such fee must be in the form of cashier's check, or money order for all amounts, including late charges, and/or reinstatement of security deposit set out herein.

D. Pulled Meters. If payment of all charges due on a Customer's account is not received by the District within seven (7) days after service has been terminated to such Customer, the Customer's meter will be pulled and another \$250.00 fee, in addition to the \$75.00 reconnection fee described above, shall be collected before service is again commenced to such Customer. Payment of such fees and charges under this Section must be in the form of cashier's check or money order.

E. Payment for Services. Payment for all services shall be billed monthly. Payment for all services can be made in the form of personal check, money order, cashier's check, credit card, or electronic funds transfer. No cash payments will be accepted.

F. Convenience Fees. The District may charge a convenience fee for credit card users of up to five percent (5%) of the charge being paid by the customer as provided by Section 49.2121

of the Texas Water Code. If the Customer's payment is returned by the processing financial institution, the District will charge the Customer a return item fee of \$25.00.

G. Returned Checks. A \$30.00 charge will be charged to the Customer's account for any check returned by the bank. Any amounts due on an account which have been paid with a check that has been returned by the bank must be paid in full by cash, cashier's check or money order, including all late charges and returned check charges, within five (5) days from the day the Operator hangs a notice on the Customer's door or otherwise notifies the Customer that the check has been returned by the bank.

H. New Account Fee. A non-refundable new account fee of \$50.00 shall be charged for transferring the name of an account from one Customer to another in order to cover the District's costs of handling.

ARTICLE V DEPOSITS

Section 5.01. Security Deposits.

A. Amount. A deposit of \$200.00 shall be required of all new Customers in the District. Such sums shall be paid on or before the due date of the customer's first monthly bill for water and sewer services and shall be held by the District as a deposit to assure prompt payment of all charges for utility service. No interest will be allowed on such deposits. In addition, such deposits shall be refunded to such Customers within thirty (30) days from the time such Customer applies for a refund of the deposit if such Customer should move or discontinue service, provided that such Customer has paid all water and sewer service charges due to the District.

B. Deposit Transfers.

Security deposits may not be transferred from one Customer to another; provided, however, that a Customer who moves from one address to another within the District may have the security deposit from the account at the previous address transferred to the account at the new address, provided that such Customer has paid all water and sewer service charges due to the District.

ARTICLE VI REQUIREMENTS FOR SERVICE

Section 6.01. Application for Service.

All Customers shall submit to the District a properly completed application for water and sewer service. A copy of the Residential Customer's proof of purchase or lease agreement shall accompany the application before service is commenced. All Customers shall submit with the application for water and sewer service all fees required for the type of service being applied for. New residential (builder) applications shall be accompanied by a site plan.

Section 6.02. Wastewater Services Contract for Commercial Cleaners.

In addition to the application for water and sewer service required under Section 6.01, all Customers proposing to operate a commercial dry-cleaning facility and/or commercial laundry must enter into a Wastewater Services Contract for Commercial Cleaners with the District, a example of which is attached hereto as Appendix "E." The use of perchloroethylene, also known as tetrachloroethene, tetrachloroethylene, perc, and PCE (collectively, "Perc") is strictly prohibited and may not be used or stored at any dry cleaning facility and/or commercial laundry.

Section 6.03. Platting Requirement.

No connection shall be made to the District's System unless the tract, parcel, or lot of land to be served by such connection:

1. was first connected to the District's System prior to September 1, 1987, or
2. is part of an area covered by a development plat duly approved and recorded pursuant to Sections 212.0115 and 212.012 of the Local Government Code, as amended, or
3. is not required to be platted and written certification to that effect, in accordance with Section 212.0115(e), has been presented to the District's Operator.

Prior to initial connection to the District's water, sewer or drainage system, all Customers other than Single Family Residential Customers shall submit to the District proof that the Customer's property has been platted in accordance with the subdivision ordinance of the City of Missouri City. Acceptable proof of platting includes a copy of the recorded plat or a certificate from the City of Missouri City that the property has been platted or that the property is legally exempt from the platting process.

Section 6.04. Approval of Plans.

Prior to any connection (other than Single-family Residential connection) is made to the District's water, sewer or drainage system, or before any reconnection is made, the person requesting such connection shall submit to the District for review and approval the water, sanitary sewer, and drainage plans and specifications for the property for which the connection is sought. Such plans shall clearly show the estimated volumes of water or effluent and the proposed points of connection to the District's system. Any modification of such plans shall require re-approval by the District. The District reserves the right to require removal of any connection made in violation of this Section.

Section 6.05. Required Service.

No service shall be given from the District's water and sewer system unless such Customer agrees to take both water and sewer service.

Section 6.06. Right of Entry.

The District or its duly authorized agent or representative may enter at all reasonable times any lands or premises served or proposed to be served by the District's water and sewer system for the purposes of carrying out and determining compliance with the provisions hereof.

Section 6.07. Entitlement.

Customers are not guaranteed a specific quantity or pressure of water or specific capacity in sewer facilities for any purpose whatsoever; furthermore, in no instance shall the District be liable for failure or refusal to furnish water or any particular amount or pressure of water or to provide capacity in sewer facilities.

Section 6.08. Unauthorized and Extraordinary Waste.

The rates established herein are applicable for Domestic Waste as defined herein. Customers proposing to generate other types of waste will be assessed additional charges as established by the District.

Section 6.09. Damage to District Facilities.

No person other than a duly authorized agent of the District shall open a meter box, tamper with or in any way interfere with a meter, meter box, service line or other water and/or sewer system appurtenance. The District reserves the right, immediately and without notice, to remove the meter or disconnect water service to any Customer whose meter has been tampered with and to assess repair charges to the Customer, plus a damage fee of \$200.00. The District reserves the right to repair any damage to the District's System and appurtenances without prior notice and to assess against any Customer such penalties as are provided by law and such penalties provided for in this Rate Order in addition to those charges necessary to repair the portion of the System so damaged.

Section 6.10 Maintenance and Repair.

It shall be the responsibility of each Customer to maintain the water and sewer lines from the building served to the point of connection to the District's system. Any charges for District's equipment, personnel and materials will be billed to the responsible party at District's rates.

ARTICLE VII
ADOPTION OF RULES AND REGULATIONS CONCERNING
WATERWORKS AND SANITARY SEWER SYSTEM

To preserve the sanitary condition of all water controlled by the District, to prevent waste or the unauthorized use of water controlled by the District, and to secure and maintain safe, sanitary and adequate plumbing installation, connections and appurtenances, the Board of the District hereby adopts the Amended and Restated Rules and Regulations Governing Water and Sanitary

Sewer Facilities, Service Lines, and Connections attached hereto as Appendix "A" and incorporated herein for all purposes.

ARTICLE VIII
ADOPTION OF DROUGHT CONTINGENCY PLAN

The Board of the District hereby adopts the Drought Contingency Plan attached hereto as Appendix "B" and incorporated herein for all purposes.

ARTICLE IX
ADOPTION OF WASTEWATER CONTROL ORDER

The Board of the District hereby adopts the Wastewater Control Order attached hereto as Appendix "C" and incorporated herein for all purposes.

ARTICLE X
ADOPTION OF STORM WATER MANAGEMENT PLAN

The District and its Storm Water Collection System lie wholly within the City of Missouri City and within the City of Missouri City as is now regulated as Phase II municipality under the National Pollutant Discharge Elimination System (NPDES) and Texas Pollutant Discharge Elimination System (TPDES) municipal separate storm systems (MS4) permit requirements, where the City of Missouri City and fifteen (15) other Municipal Utility Districts have implemented a Storm Water Management Plan (SWMP) to address the requirements of the TPDES General Permit No. TXR040000. The Board of the District hereby adopts the applicable portions of the jointly developed Storm Water Management Plan (SWMP) currently in force between the City of Missouri City and Multiple Districts as set forth in the Resolution Adopting Storm Water Management Plan attached hereto as Appendix "D" and incorporated herein for all purposes.

ARTICLE XI
ENFORCEMENT/CIVIL PENALTIES

Section 11.01. Enforcement.

Any and all of the following remedies may be employed by the District to abate and prevent any violation of the provisions of this Order, including unauthorized use of services or facilities, damages to any District facilities, use of any septic tank or holding tank:

- A. Discontinuance of water service.
- B. Disconnection and sealing of sanitary sewer connection.

C. The Board hereby imposes the following civil penalties for breach of any rule or regulation of the District: The violator shall pay the District twice the costs the District has sustained due to the violation up to \$10,000 or the statutory limit. A penalty under this Section is in addition to any other penalty provided by the laws of this State and may be enforced by

complaints filed in the appropriate court of jurisdiction in the county in which the District's principal office or meeting place is located. If the District prevails in any suit to enforce its rules, it may, in the same action, recover any reasonable fees for attorneys, expert witnesses, and other costs incurred by the District before the court. The amount of the attorneys' fees shall be fixed by the court.

D. A Customer found in violation of this Order shall be liable to the District for all expenses borne by the District including laboratory fees, legal fees, engineering fees and other costs incurred by the District in establishing the violation and resolving the cause of the violation.

E. A Customer found in violation of this Order who causes or contributes to a violation by the District's Sanitary Sewer Collection System of effluent parameters shall be liable to the District for all expenses borne by the District, including legal and engineering fees related to any lawsuit filed by federal, state, or local authorities regarding violations by the District of effluent parameters applicable to the District's Sanitary Sewer Collection System.

ARTICLE XII MISCELLANEOUS

Section 12.01. Amendments.

The Board of the District has and specifically reserves the right to change, alter or amend any rate or provision of this Order at any time.

Section 12.02. Severability.

The provisions of this Order are severable, and if any provision or part of this Order or the application thereof to any person or circumstance shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Order and application of such provision or part of this Order shall not be affected thereby.

Section 12.03. Headings.

The section and paragraph headings used herein are for reference only and are not to be construed as part of the text of the section or paragraph.

Section 12.04. Non-waiver.

The failure on the part of the District to enforce any section, clause, sentence, or provision of this Order shall not constitute a waiver of the right of the District later to enforce any section, clause, sentence, or provision of this Order.

Section 12.05. Appeal.

Any determination by the District's Operator or the District's Engineer or any authorized agent of the District of any dispute regarding the terms and provisions of this Order may be

appealed to the Board of the District, which shall conduct a hearing on the matter. The District's Operator and/or attorney shall provide the Customer with information regarding appeals and hearing procedures upon the Customer's request.

ARTICLE XIII
REPEAL OF PREVIOUS ORDERS

All previous orders adopted by the Board of Directors pertaining to the subject matter hereof are each hereby repealed in their entirety as of the effective date hereof.

ARTICLE XIV
EFFECTIVE DATE

This Order shall be effective immediately.

The President or Vice President is authorized to execute and the Secretary or any Assistant Secretary is authorized to attest this Order on behalf of the Board and to do all things necessary and proper to carry out the purpose and intent hereof.

PASSED, ADOPTED, ORDERED and APPROVED as of the 29th day of February, 2024.

/s/ Rod Castells
President, Board of Directors

ATTEST:

/s/ Marguerite Burton
Secretary
Board of Directors

(DISTRICT SEAL)