

Llano County Municipal Utility District #1
SCHEDULE OF SERVICES AND RATES

Index

- 1. Definitions**
- 2. Water Service Rates and Conditions**
 - a. TCEQ Assessment**
 - b. Monthly Rates for Each Active Meter**
 - c. Monthly Rates for Each Inactive Meter**
 - d. Reconnect Charges**
 - e. Flow Test Charges**
 - f. Consumers Not Entitled to Specific Quantity or Pressure of Water**
 - g. Water Tap Charges**
 - h. Water Service Connection to the District's System**
 - i. Meters: Title, Tampering, Maintenance and Setting**
 - j. Meter and Boxes**
 - k. Inactive Service**
 - l. Delinquent Account**
 - m. Customer Service Inspection Certificate**
- 3. Sewer Service Rates and Conditions**
 - a. TCEQ Assessment**
 - b. Monthly Rates for Residential Consumers**
 - c. Sewer Tap Charges**
 - d. Sewer Grinder Charges**
- 4. Application of Installation of Water Meters and Sewer Connections**
 - a. Application for Service**
 - b. In the Event of a Replat of a Lot**
- 5. Payment of District Tap Charges**
 - a. Payment of Tap Charges**
- 6. Property Ownership Changes**
 - a. Ownership Changes**
- 7. Deposit to Secure Payment for Service**
 - a. Security Deposits Required**
- 8. Monthly Rates for Garbage Collection Services**
 - a. Garbage Service**
 - b. State Sales Tax**
 - c. Residential Service**
 - d. Dumpsters**
 - e. Garbage Collection, Services and Policies**
- 9. Roads and Drainage**
 - a. Road Authority**

- b. Construction**
 - c. Road Deposit**
 - d. Drainage**
- 10. Fire Protection**
 - a. Contracted Fire Protection**
- 11. Street Lights**
 - a. Street Light Responsibility**
- 12. No Reduced Rates or Free Service**
 - a. No Reduced Rates or Free Service**
- 13. Discontinuing Service for Failure to Pay Bills When Due or in the Event of Abandonment of Property**
 - a. Discontinuance of Service**
 - b. Abandoned Property**
- 14. Penalties for Delinquent Bills**
 - a. Utilities Due Date**
 - b. Late Charges**
 - c. Termination of Water Service**
 - d. Ad Valorem Taxes**
 - e. Statutory Lien**
 - f. Termination of Water Service due to Delinquent Ad Valorem Taxes**
 - g. District Rights**
- 15. Inspection of Rate Schedule and Open Records Law**
 - a. Availability for Inspection**
 - b. Requested Material**
 - c. Interruption of Regular Work Procedures**
 - d. Attorney General Decision**
 - e. Charge for Copies of Public Records**
 - f. No Charge for Reading Requested Material**
- 16. Out of District Service**
 - a. Out of District Service**
- 17. Enforcement**
 - a. Enforcement**
 - b. Policy and Mission**
 - c. Location**
 - d. Authority**
 - e. Customer Protection**
 - f. Comments and Concerns**
- 18. Customer Service and Protection**
 - a. Policy and Mission**
 - b. Location**
 - c. Authority**
 - d. Customer Protection**

e. Comments and Concerns

19. Internet Web Site

a. Internet Web Site

1. Definitions

For purposes of this Schedule, the following words or terms shall have the following meanings:

"District" as used herein shall mean the Llano County Municipal Utility District #1 of Llano County, whose business office address is 2900 Blue Lake Drive, Horseshoe Bay, Texas 78657-5929, telephone (830) 598-5460 and fax (830) 596-1014, email at lcudone@zeecon.com

"Consumer" shall mean the person or legal entity responsible for paying for services of the District. The customer may be a builder, an owner, or a leasee of a residential or commercial structure.

"Services" shall mean any work or action performed by the District.

"System" as used herein shall mean the facilities of the District and all extensions and additions, whether now in place or hereafter constructed, whether owned or contracted for.

"Sewer Grinder" shall mean the composite of the basin, grinder pump(s), plumbing fittings and electrical controls necessary to enable residential or commercial units to utilize the sanitary sewer facilities of the District. District will be responsible for the maintenance of all grinder assembly components except owner's yard line from the property line to the connection outside the basin.

"Delinquent Bill" shall mean a bill for District services which has not been paid by the due date shown on the monthly bill.

"Residential Unit" shall mean and include all single family residences and all separate living units within a common property or building such as apartments, duplexes, town houses or condominiums which are not defined as commercial or irrigation units.

"Commercial Unit" shall mean and include all units which are defined by the District as commercial including but not limited to, any industry, office building, retail store, clubhouse or other establishment rendering a service or offering products for sale to the public.

"Irrigation Unit Connection" shall mean those connections used exclusively for irrigation which cannot be connected to provide household water.

"Reconnect" shall mean those connections that were previously connected to the water and/or sewer service and subsequently disconnected either: (1) at the request of the customer; (2) for non-payment for District services; or (3) as deemed necessary by the District due to public health related issues; and then reconnected to water and/or sewer service: (1) when requested by the customer; (2) after payment of all fees, charges, and penalties owed; or (3) after resolution of all public health related issues.

"Out of District Service" shall mean District wastewater services beyond the established Llano County MUD #1 official boundary.

"Tap" shall mean the point of connection on the District's main water line and the service line running to the water meter. For wastewater, it is the point of connection on the District's main and the customer's service line.

2. Water Service Rates and Conditions

a. A Texas Commission of Environmental Quality (TCEQ) assessment is applicable to retail water usage charges and is included in the charges below

b. Monthly Rates for Each Active Meter or Unit (Residential, Commercial, and or/Irrigation). The monthly rate includes the Base Monthly Charge – BMC (Minimum Monthly Charge) and the Volumetric Charge (charge per 1,000 gallons).

1. Base Monthly Charge of \$37.13, plus the Volumetric Charge
2. \$0.00 per 1,000 gallons up to 3,000 gallons used (included in BMC);
3. \$3.00 per 1,000 gallons from 3,001 to 10,000 gallons used;
4. \$3.10 per 1,000 gallons from 10,001 to 20,000 gallons used;
5. \$3.20 per 1,000 gallons from 20,001 to 30,000 gallons used;
6. \$3.30 per 1,000 gallons from 30,001 to 40,000 gallons used;
7. \$3.40 per 1,000 gallons from 40,001 gallons and over

The above rates are applicable for builders prior to initial occupancy.

c. Monthly Rates for Each Inactive Water Meter

1. At present there is no charge for inactive meters.

d. Reconnect Charges

1. **Residential and irrigation meters:** **\$75.00**
2. **Commercial meters** **\$75.00**
3. A reconnect charge shall be paid in full prior to reactivation of District Services.
4. The applicable reconnect charge may be made for the temporary cut-off and/or cut-on of water service by the District due to extenuating circumstances such as adverse weather or circumstances beyond the reasonable control of the consumer or the District.

e. Flow Test Charges

1. Meter accuracy will be maintained by the District to the industry standard of five percent (5%). Upon request a customer may have his meter tested, without charge, in his presence or in that of his authorized representative, at a convenient time for the customer and the District, but during the utility's normal working hours. A charge not to exceed \$75.00 may be assessed for an additional requested test within two years of the first test if the additional test shows the meter to be accurate. A Flow Test will determine the variance between one hundred gallons flowed through the district's test meter and the volume of water measured by the customer's meter. If the Flow Test determines that the customer's meter accuracy is greater than five percent (5%) over/under that of the test meter, then customer's bill will be adjusted. If the customer's meter accuracy is within five percent (5%) of test meter, there will be no

adjustment to the customer's water bill. (Policy #16 issued by the Llano County MUD #1 Board of Directors on April 25, 2000 addresses the procedures for determining the under-billing or over-billing of a customer's account. A copy of this policy is on file at the District office and can be viewed upon request).

f. Consumers Not Entitled to Specific Quantity or Pressure of Water

1. Water customers are not guaranteed a specific quantity or pressure of water for any purposes whatsoever, and it is understood that the District is only to furnish a connection with its water system and is in no case to be liable for failure or refusal to furnish water of any particular amount or pressure of water.
2. The District does not install or maintain any pressure-reducing valve (prv) on water connections. Customers will be responsible for monitoring and maintaining adequate pressure levels after the meter to ensure pressure within the customer's plumbing system does not exceed a pressure of eighty pounds per square inch (80psi), in accordance with current Uniform Plumbing Code.
3. The District will inform customers if they reside in a zone of high pressure requiring the installation of a pressure reducing valve, in accordance with Uniform Plumbing code, during the plan review process, or if system pressure increases at their service connection.
4. The District will make every effort to provide an adequate level of water pressure. It is understood that the district is to furnish a connection with its water system, and is not liable for failure or refusal to furnish water of any specific amount or pressure.

g. Water Tap Charges

1. Residential units will be charged \$1500.00 for each ¾ meter connection.
2. An additional fee may be charged to a residential service applicant for tap expenses not normally incurred; for example, any unusual excavation costs due to rock are to be paid by the customer.
3. Service connections requiring meters larger than ¾ inch shall be limited to the actual cost of materials, labor and administrative costs for making the individual service connection and road connection, if applicable. The service applicant shall be given an itemized statement of costs.
4. Within the District, service connection work outside the scope of the stated connection size or requiring the extension of a service line in excess of 200 feet from the existing water main shall be charged for on the basis of the total actual costs of labor, materials and equipment plus overhead. This work, if compliant with District specifications, may also be performed by a utility contractor approved by the District. Outside the District, service connection work outside the scope of the stated connection size or requiring the extension of a service line from the existing sewer main shall be charged for on the total actual costs of labor, materials and equipment plus overhead.

5. The Board of Directors must approve extensions of water services in non-water areas within the District. All related expenses will be the responsibility of the requesting customer. Upon completion of the water extension, a pro rata reimbursement fee will be developed based on related expenses. Pro rata fees will be assessed only to those lots adjacent to the pro rata extension and will be collected upon payment of water tap fees. The District will reimburse the pro rata fees to the customer who initially paid for the extension of the pro rata extension.

h. Water Service Connection to the District's System

1. There must be an individually metered water connection for each residential unit **and** each commercial unit requiring water.
2. Services to living units not tied to main residential structure, i.e. guest house, apartment, etc., will require a separate water meter and service connection.
3. Wastewater facilities on all residential lots within the District are required to be connected to District sewer service. Residential lots with existing septic systems are exempt from this requirement, unless such systems are not in compliance with county and state regulations.
4. No person other than District personnel and properly authorized agents of the District shall be permitted to tap or make any connection with any part of the District system, or make any repairs or alterations to any part of the system. Violators of this section will incur a charge of \$200.00 per violation plus a charge at the current District rates for the estimated water usage. Failure to pay these charges within 30 days will cause the District to deny water, sewer, and garbage services to the property of the entity or person responsible. Additionally, the District may file criminal charges if deemed necessary for tampering with a public water system.
5. All connections to the District water system must have plumbing systems in compliance with the current Uniform Plumbing Code and the District's Cross Connection Control Plan.
6. The provisions of the current Standard Plumbing code shall apply to every plumbing installation, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances, when connected to the District's water or sewage system.
7. A person, firm or corporation shall not install, repair, alter, enlarge, remove, move, improve, convert, or demolish any plumbing system connected to the District's water or sewer system with first obtaining a permit from the District. Ordinary minor repairs may be made with the approval of the District Plumbing Inspector without a permit, provided that such repairs shall not violate any of the provisions of the adopted plumbing code.
8. Each connection must have passed inspection by the District's authorized Plumbing Inspector to be provided water service.
9. Plumbing Inspection Fees are \$75.00 per inspection. The office will determine the number of inspections.

i. Meters: Title, Tampering, Maintenance, Setting

1. Title to all water meters and appurtenances, including the meter boxes enclosing the same, shall vest in the District.
2. No person other than a duly authorized agent of the District shall open the meter box, tamper, or in any way interfere with the meter box. Tampering with any District equipment, assembly or device that provides drinking water to the public is considered a criminal felony offense and will be prosecuted as such if deemed necessary.
3. The District will maintain, repair, and replace all meters and appurtenances in connection therewith at its cost. In the event such repairs are required as a result of damage by entities or persons, other than District personnel, the cost of the repairs will be charged to the responsible party. Failure to pay these charges will cause the District to deny water, sewer, and garbage services to the property of the entity or person responsible or property owner where damage occurred.
4. All meters shall be set by employees or agents of the District.
5. A valve must be installed on the customer side of the meter. Meter valves on the consumer side of the meter may be operated by the customer or their agent. Meter valves on the District side of the meter may only be operated by the District employees. A \$75.00 charge will be invoiced to the customer when the District is requested to turn on or off customer's water valve.

j. Meter and boxes

1. After a meter has been set, the consumer shall at all times keep the space occupied by the meter and the box free from rubbish or obstructions of any kind.

k. Inactive Service

1. Consumers may request water and garbage service to be placed on inactive status in order to reduce monthly charges.
2. Inactive service status will accrue no charges for water and garbage services. There is no inactive status for sewer.
3. Customers requesting that their service be placed on inactive status will be charged \$75.00 when the water is turned off and \$75.00 when the water is turned back on.

l. Delinquent Accounts

1. Any customer whose account is delinquent will be subject to a \$5.00 late charge. Any account that becomes 45 days delinquent will be subject to a discontinuation of service. Service after disconnection will be reinstated only upon payment in full of the account balance and a reconnect fee of \$75.00.

2. Failure of any customer to pay for utility services seriously jeopardizes the District in the filling of its financial obligations and places an unfair burden on those customers who pay for these services. A Resolution by the Board of Directors of Llano County MUD #1 passed on January 27, 1998 states that any account that becomes over 90 days delinquent will be turned over to Small Claims Court for collection. The customer will be responsible for reimbursement to the MUD for all applicable filing fees. A copy of this resolution is on file at the District office and can be viewed upon request.

m. Customer Service Inspection Certification

1. The Texas Commission of Environmental Quality (TCEQ) requires that any construction consisting of plumbing additions or modifications must have a plumbing inspection by a licensed plumbing inspector. To insure enforcement of this rule, a customer service inspection certificate must be filed with the District when construction is completed. Lack of filing this form will result in termination of water service.

3. Sewer Service Rates and Conditions

a. A TCEQ regulatory assessment is applicable to retail sewer service usage charges and is included in the charges shown below:

b. Monthly Rates for Residential Consumers:

1. All residential service inside District	\$55.64
All residential service outside the District	\$56.59

There is no inactive service available for residential consumers, the consumer will be billed the regular monthly rate.

2. The residential rate will prevail for builders **or residents** on the day the final inspection of the grinder pump takes place prior to initial occupancy.

c. Sewer Tap Charges

1. Residential units will be charged a **\$1500.00 tap fee** for each standard grinder pump connection required where the collection line is immediately adjacent to the property to be served. This tap fee includes: road cuts and repairs, inspections as well as the connection to the collection line. An additional fee may be charged to a residential service applicant for tap expenses not normally incurred; for example, any unusual excavation costs due to rock are to be paid by the customer.
2. Within the District, service connection work outside the scope of the stated connection size or requiring the extension of a service line in excess of 200 feet from the existing sewer main shall be charged for on the basis of the total actual costs of labor, materials and equipment plus overhead. This work, if compliant with District specifications, may also be performed by a utility contractor approved by the District. Outside the District, service connection work outside the scope of the stated connection size or requiring the extension of a service line from the existing sewer

main shall be charged for on the total actual costs of labor, materials and equipment plus overhead.

3. The Board of Directors must approve extensions of sewer services in non-sewer areas within the District. All related expenses will be the responsibility of the requesting customer. Upon completion of the sewer extension, a prorata reimbursement fee will be developed based on related expenses. Prorata fees will be assessed only to those lots adjacent to the prorata extension and will be collected upon payment of sewer tap fees. The District will reimburse the prorata fees to the customer who initially paid for the extension of the prorata extension.

d. Sewer Grinder Charges

1. Grinder System Material Charges:
 - (a) Prices effective for each single grinder system E-1
Total Actual Cost + 15%
 - (b) Custom Design
Total Actual Cost + 15%
2. Each residential unit served by the sewage collection system must be equipped with sewer grinder facilities approved, furnished and owned by the district as part of the sanitary sewer system.
 - (a) 1 hp grinder system required for each single family resident and each living unit of a duplex.
 - (b) Custom designed sewer grinder systems and/or grease traps and pre-treatment systems may be required at the discretion of the district based on requirements.
3. Sewer grinder system materials charges are due and payable at the time such material is required for installation. No material will be released until the applicable charges are paid in full.
4. Initial installation of each grinder system is the responsibility of the owner/builder in accordance with the requirements of the district and applicable State and Local codes. Grinder control panels must be located on the exterior of all buildings so it is accessible for service. Final inspection and approval by a District employee or representative is required to obtain sewer collection service. Inspection of grinder systems will be performed by District personnel only after required checklist is returned to the District office. Additional inspections required due to systems not meeting District specifications will be charged at actual cost to the District to ensure compliance.
5. Electrical service for the operation of the sewer grinder (s) shall be provided by the customer through a dedicated 240 volt 30 ampere circuit breaker, that has no other connections either internal or external to the grinder control panel. For safety reasons these electrical service lines to and from the grinder pump must be encased in an

approved and accepted conduit, whether installed above or below ground. Inspectors will insure that this installation is complied with.

6. The District will provide all maintenance and repairs for the sewer grinders after the installation has been approved for service. All costs for maintenance services, including pressure side connection and grinder pump replacements, are included in the monthly rate for sewer service. With the exception of those grinders that are damaged due to negligence of the owner and in those cases the owner will be required to reimburse the District for all related costs. Maintenance of the line from the property line to the grinder and from the grinder into the house is the responsibilities of the property owner. Any grinder system installed that is not in compliance with District standards and specifications is subject to charges required to bring it up to compliance in addition to inspection fees.

4. Application of installation of Water Meters and Sewer Connections

- a. **Application for Service:** Each person or legal entity desiring the installation of a water meter or water meter and sewer connection must execute the District Application/Service Agreement (Attachment # 1). A check or money order in the amount due for the work requested must accompany the application. No water meter or sewer connection shall be granted until all outstanding charges, including taxes owed by the party or contractor desiring service, are paid in full. Said outstanding amounts due the district apply not only to the specific property for which outstanding charges are applicable, but for any and all property in the district owned by the contractor and the owner of the property seeking District services.
- b. **Event of Replat:** In the event of a replat, the owner(s) will be responsible for the relocating of the water/sewer service and/or hold the District harmless for any maintenance of same.

5. Payment of District Tap Charges

- a. **Payment of Tap Charges:** Water and sewer tap charges, as well as any pro rata sewer main charges, are due and payable upon application or on receipt of District's billing for it. In no instance will the District provide water to the premises until water and/or sewer tap and installation charges are paid in full.

6. Property Ownership Changes

- a. **Ownership Changes:** When property changes ownership and has an existing water meter, the new Owner is charged a \$100.00 non-refundable connection fee.

7. Deposit to Secure Payment for Service

- a. **Security Deposits Required:** Certain applications for water and/ or sewer service must be accompanied by a non-interest bearing security deposit as follows:
 1. **Rental Units:** A \$150.00 deposit is required for all residential units except owner occupied units. However, if service is discontinued twice in any twelve-month period for nonpayment of billings, the District may increase the amount of deposit.

2. **Delinquent Customers:** A \$150.00 deposit is required for any owner occupied residential units to which service is discontinued twice in any twelve-month period for non-payment of billings.
3. The required deposit will be returned to the customer in full less any charge due the District for water, sewer or other charges when the customer terminates service. No interest will be paid on deposits.

8. Monthly Rates for Garbage Collection Service:

- a. **Garbage Service:** Each residential unit or commercial unit will be billed for garbage collection service whether or not such service is utilized. Commercial units will be charged consistent with service provided in a manner approved by the District and the customer.
- b. **State Sales Tax:** State sales tax is applicable to garbage collection services. This tax is included in the charges shown below:
- c. **Residential Service:** All living units with one pick up per week is per month.
- d. **Dumpsters:** Dumpsters are located at the Blue Lake Volunteer Fire Station and are available for those residents who desire to use them. If you depart before the regular Tuesday home pick-up, you may put **ordinary household trash in these dumpsters.** Contractors are not permitted to use the dumpsters. A \$100.00 fine will be assessed to anyone dumping illegally. The fine may be assessed against residents who place the illegal items (paint, oil, etc.), construction materials, furniture (including yard furniture) or tree limbs in the dumpsters.
- e. **Garbage Collection, Services and Policies**
 1. When water service commences for a customer (either residential or commercial), garbage collection and assessment for such service, whether used or not, will also be placed into effect. (This provision does not apply to new residential or commercial units such as occupancy, selling, renting, leasing, etc.).
 2. When water service is discontinued, for whatever reason, garbage services also cease. The sewer service charges will continue to be billed monthly.
 3. Rocks, waste scrap, bricks, roofing, building materials, or other trash resulting from construction or major remodeling (including carpeting) will not be removed from the premises by the garbage collector.
 4. Brush and large trimmings cannot exceed three inches (3") in diameter and no more than four feet (4') in length and must be bundled and tied. These bundles must weigh less than 35 pounds and must be placed aside of the trash receptacles for pickup. Leaves, clippings, and small brush are to be placed in bags and then placed in the receptacles.
 5. Illegal Waste (combustible items such as gasoline, oil, paint, chemicals, etc.) will not be picked up. Scrap iron, car motors and heavy metals will not be hauled away. Automobile tires are considered illegal items at the landfill and will not be picked up. These items must not be placed in the dumpsters.

6. When garbage is placed into garbage bags or other similar containers and animals tear open the bags and scatter the refuse before being picked up, the garbage will not be picked up under those circumstances.
7. Any violation of (3), (4), (5), or (6) above will result in a letter from the District advising the consumer that the violations must be corrected or utility services to the consumer will be discontinued.
8. The District has made arrangements with Allied Waste Services for two special collections per year (normally in May and November) as an opportunity to get rid of some of the larger trash items that Allied Waste Services cannot pick up on their normal runs. Customers will be notified in advance of the scheduled dates and can obtain a list from the District office on what items can and cannot be picked up.
9. Tuesday is the scheduled day for pickups in Blue Lake. Please have all trash bagged and placed on the curb for pickup before 8:00 a.m.

9. Roads and Drainage

- a. **Road Authority:** The Texas Legislature passed Senate Bill #746 on April 2, 1987 giving Llano County MUD #1 authority to exercise certain powers and duties and to borrow and spend money, issue bonds and bond and tax anticipation notes, and to levy maintenance taxes with regard to the construction and maintenance of certain roads. Bonds may not be issued by the District under this Act except on approval of not less than two-thirds of the qualified voters of the District voting at an election called and held for that purpose. The total amount of bonds, notes and other obligations of the District issued or incurred under this Act may not exceed one-fourth of the assessed valuation of real property in the District. An election was held on May 7, 1988 approving the proposition that a road maintenance tax not to exceed \$0.15 per \$100 valuation be assessed.
- b. **Construction:** Due to this road authority the District has imposed certain conditions and restrictions on owners and contractors during periods of new construction and/or modifications. Contractors and or/ property owners shall be liable for any damage to the public roadways resulting from construction activities or construction vehicles or equipment. Repair costs in excess of the deposit must be paid before a Certificate of Occupancy is issued.
- c. **Road Deposit:** The Board of Directors may assess a Road Deposit up to amount of \$ \$2,000.00 on any specific project. \$1,000.00 of the road deposit shall be retained by the District and will be used to pay for damages to the roadways caused by heavy vehicles.
- d. **Drainage:** Special attention is given and requirements are imposed to insure adequate and proper drainage is maintained in and around construction sites. These are intended to protect normal drainage patterns, existing roads and the interface between new driveways and existing roads.

10. Fire Protection

- a. **Contracted Fire Protection:** Llano County MUD #1 has a contract with Horseshoe Bay Fire Department, part of The City of Horseshoe Bay to provide fire protection to this District. All personnel are CPR certified and are also Emergency Medical Technicians or Paramedics. Recent improvements to the fire suppression delivery system have resulted in this District receiving (effective May 1, 2004) a Class 4 rating from Insurance Services Office, Inc. (ISO), which is an

improvement over the former Class 6/9 rating. ISO is the leading supplier of statistical, underwriting, and actuarial information for the property/casualty insurance industry.

11. Street Lights

- a. **Street Light Responsibility:** Effective July 1, 2000 Llano County MUD #1 assumed responsibility for the street lights from the Blue Lake Estates Property Owner's Association.

12. No Reduced Rates or Free Service

- a. **No Reduced Rates or Free Service:** All customers receiving services from the District shall be subject to the provisions of Resolution No. 032399, A Resolution by the Board of Directors of Llano County MUD#1 Requiring Mandatory Use of Facilities and No Free Service or Use of the Facility Will Be Permitted was passed on March 23, 1999. A copy of this Resolution can be viewed upon request. No reduced rates or free service shall be furnished to any such customer (profit or non profit) for any service of the District.

13. Discontinuing Service for Failure to Pay Bills When Due or in the Event of Abandonment of Property.

- a. **Discontinuance of Service:** The District shall have the right to discontinue service and cut off the supply of water to a customer after any district charge becomes delinquent. In addition to payment of all delinquent charges a customer shall pay in advance for restoring water and garbage service where such service has been discontinued because of the customer's failure to pay a delinquent bill.
- b. **Abandoned Property:** When a property has been determined by the District to be abandoned, the water and sewer connections will be inactivated. Reactivation requires that the individual or entity requesting service pay all District charges incurred against said property in addition to the appropriate reconnect fee if no change in service configuration is required. If service changes are requested, payment of the tap fee (s) and other related expenses will be required.

14. Penalties for Delinquent Bills

- a. **Utilities Due Date:** Utility bills are mailed within the last three days of the month and are due on the 15th of the next month. The District is not responsible for delays in delivery by the Post Office. Payment for utility service is delinquent if the full payment including any late fees is not received by 5:00 p.m. on the due date of the 15th.
- b. **Late Charges:** A late charge of \$5.00 shall be added to a bill on the day following the due date.
- c. **Termination of Water Service:** If the charges are not paid within 45 days after the delinquent date, then the District's water services shall be terminated on the first working day of the following week; provided however, that 10 days prior to a stated date of disconnection, a proper notice was sent in a separate mailing with the words "termination notice" or similar language prominently displayed on the notice. The notice will list the past due balance.
- d. **Ad Valorem Taxes:** Penalties for late payment of tax and/or standby charges, if applicable, are consistent with Chapter 33 of the Texas Property Tax Code. Therefore, delinquent tax and/or standby charges incur a penalty of six percent (6 %) of the amount of the base charge for the first calendar month it is delinquent plus one percent (1 %) for each additional month or portion of a

month the tax and/or standby charges remains unpaid prior to July 1st of the year in which it became delinquent. However, a tax and/or standby charge delinquent on July 1st incurs a total penalty of twelve percent (12 %) of the delinquent charge without regard to the number of months the charge has been delinquent. Further, a delinquent tax and/or standby charge accrues interest at a rate of one percent (1 %) for each month or portions of a month the charge remains unpaid. All persons receiving tax and/or standby charge billings shall be certified that charges not paid within the time prescribed above shall bear the additional late payment charges for penalty and interest. When the District contracts with an attorney for the collection of delinquent tax and/or standby charges. Fifteen percent (15 %) of the total of base charges penalty and interest will be added to defray costs of collection.

- e. **Statutory Lien:** Pursuant to Sec. 32.01 and sec. 32.05 of the Texas Property Tax Code and Sec 50.056 of the Texas Water Code the taxes, standby charges, penalties and interest due for real property are secured by a lien against the property that attaches on the 1st of January. This statutory lien on real property takes priority over a homestead interest in the property.
- f. **Termination of Water due to Delinquent Ad Valorem Taxes:** If the tax and/or standby charge is not paid within six (6) months after the delinquent date, action will be taken to restrict or terminate the provision of water service in accordance with Sec. 54.204 of the Texas Water Code. Provided however that at least 45 days prior to the date service shall be restricted or terminated. The District shall mail a notice by certified or registered mail to the last known address of the customer notifying such party of the action to be taken and advising the customer to contact the District's General Manager, who may cancel the termination if payment is received or if it is determined the customer's account is not delinquent.
- g. **District Rights:** The District's right and power to sue to collect payment for charges and any late payment charge of penalty or interest due thereon shall be cumulative of all other rights of the District, including particularly, the right to refuse service to any lot or parcel until all such charges and any late payments have been paid in full.

15. Inspection of Rate Schedule and Open Records Law

- a. **Availability for Inspection:** A correct copy of the Schedule of Services and Rates shall be kept in the District's office and made available during regular business hours for inspection by any person.
- b. **Requested Material:** Upon written request, the General Manager, as custodian of public records for the District, will make requested material available under the terms and conditions of the Open Records Act. No original material may leave the office for any purpose.
- c. **Interruption of Regular Work Procedures:** This rate order is enacted after careful consideration and study on the part of the District. In order to limit the interruption in regular work procedures, material requested for use in the office or copies of material will normally be available in 24 hours and not more than three (3) working days, if the amount of material requested is not excessive. The custodian will advise the person making the request, in writing, a day when the requested material will be available. Only items that are completed will be furnished.
- d. **Attorney General Decision:** If the custodian of public records questions whether or

not the material requested is public in nature, he (she) shall have a maximum of ten (10) days after receiving the request in which to request a decision from the Attorney General.

- e. **Charge for Copies of Public Records:** The charge to any person requesting non-certified photographic letter size (legal or standard) copies of public records shall be 50 cents for the first page and 15 cents for each additional page of a specific item. If two or more such items are requested, the first page of each item shall be 50 cents and 15 cents for each additional page for each specific item. The charge for non-certified copies of the districts public nature data in electronic storage shall be 5 cents per property parcel identified in any degree of completeness available from the District's computer system. Charges for copies of any other public nature data not identified above will be developed upon receipt of written request. Payment in full must be made in advance of the making of the first copy.
- f. **No Charge for Reading Requested Material:** There is no charge for reading, studying, or taking notes of material requested in writing and furnished for this purpose in the office, but the previous time schedule for availability does apply.

16. Out of District Service

- a. **Out of District Service:** It is the general policy of the Board of Directors to provide any services to areas outside the current boundaries of the District only by annexation. Annexation will be at the discretion of the Board of Directors and no guarantee of annexation is implied. At the discretion of the Board of Directors, the District may enter into contracts with other political subdivisions of the State of Texas to provide services.

17. Enforcement

- a. **Enforcement:** This rate order is enacted after careful consideration and study on the part of the District to insure that fair, adequate and equitable rates and charges are fixed for the District's facilities and services to all customers. If any portion of this rate order should ever be determined to be invalid or non-enforceable by a court of competent jurisdiction, the District Board declares that the remaining portions shall remain in full force.

18. Customer Service and Protection

- a. **Policy and Mission:** It is the policy and mission of the District to provide quality services on a timely basis at a fair price to all customers. The organization responsible for carrying out this mission is comprised of a five person Board of Directors, two full time office employees and several volunteers. Any of those persons are willing to discuss customer service in the context of their work responsibilities.
- b. **Location:** The physical address and mailing address of the business office is: 2900 Blue Lake Drive, Horseshoe Bay, TX. 78657-5929. The telephone number is (830) 598-5460 and the fax number is (830) 596-1014. Email address is lcmudone@zeecon.com
- c. **Authority:** As a Political Subdivision of the State of Texas and a taxing authority, the District is regulated by the authority and the rules of the Texas Commission of Environmental Quality (TCEQ) and the Comptroller of Public Accounts and, of course, all-applicable Federal, State and County laws. The primarily significant authorities and rules are found in the Texas Administrative Code Title 31, TCEQ title Code 34 Public Finance, and Texas Water Code chapters 50 and 54, and Texas Local Government Code.

- d. **Customer Protection:** All the laws, regulations, and standards applicable to the construction, maintenance and operation of the facilities used in the provision of the District services are for the purpose of protecting the safety, health and well being of the customers, consumers, and general public being served.
- e. **Comments and Concerns:** Comments, concerns, and suggestions are solicited and should be responded to on a timely basis.

20. Internet Web Site

- a. **Web Site:** this and other information regarding the District and its operation maybe seen on the District web page at "bluelaketx.org".