

# **SAN LEON MUNICIPAL UTILITY DISTRICT COUNTY OF GALVESTON**

Revised: August 21, 2019

## **WATER AND SEWER RATE ORDER**

### **SECTION I - DEFINITIONS:**

District - San Leon Municipal Utility District; the District is statutorily bound by Texas Water Code provisions governing Water Control and Improvement District.

City - Texas City ETJ (Extra Territorial Jurisdiction)

Tap - connection to the District's main water or sewer line.

Unit - single family residential unit, or each commercial or industrial establishment to which drinking water is supplied from the system.

Residential Unit - shall mean a unit which has both bathroom and kitchen facilities.

Multi-Residential Unit - any residential unit containing a maximum of two (2) connections at one address where the residential units are not rented, leased or used in any way to generate profit.

Multi-Commercial Unit - any motel, hotel, mobile home park, RV park, or apartment complex with multiple residential units rented, leased or generating profit.

Commercial - any office building, retail store, clubhouse, warehouse, service station, or other establishment rendering a service or offering a product for sale to the public and any establishment not generally considered a single-family residence.

Industrial – Any business processing raw materials into saleable commodities, specifically including rail yards, petrochemical operations (including upstream, midstream and downstream operations), and entities manufacturing any hazardous materials, including pesticides, poisons or explosives.

Non-taxable - shall mean any entity not subject to property taxation pursuant to the provisions of the Texas Property Tax Code.

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

Industrial Waste - shall mean all discharges other than waste described in the preceding definition (Domestic Waste) are prohibited unless the user has applied to and received written authorization from the District for such discharge.

Rules and Regulations - shall mean the Rules and Regulations Governing Water and Sanitary Sewer Facilities, Service Lines and Connections.

Services Area - shall mean the physical location where utilities are existing or may be available to customers within the District.

Irrigation - shall mean water used solely for sustaining the growth of plant(s), grass, and/or livestock and not used for drinking, bathing or other human consumption.

## II. PLUMBING CODE

The District hereby adopts the 2015 International Plumbing Code and all future revisions to same as the standard for plumbing installations in the San Leon Municipal Utility District. The District will approve PEX material for exterior and interior plumbing.

## III. CONNECTION TO WATER AND/OR SEWER SYSTEM

### A. TAP FEES:

Prior to connection to the District's water and/or sewer system, a tap fee per unit shall be paid to the District for making said connection. The fees shall be paid as follows:

#### TAPPING FEES:

Standard ¾" or 5/8" tap with 4" sewer tap....	\$3,000.00
1" water tap with 6" sewer tap.....	\$3,550.00
2" water tap with 6" sewer tap.....	\$4,650.00
4" water tap .....	\$4,000.00
6" sewer tap .....	\$3,000.00
Properties with multiple connections .....	\$1,000.00 per space

#### INDUSTRIAL TAPPING FEES:

All taps.....	\$8,500.00
Plus costs for line upsizing and any additional equipment/ facilities necessary for service.	

Tapping fees other than listed above may be determined by the Board of Directors. Approval of taps, tapping fees, and sizes for any Business, Commercial or Industrial connection, which would require more demand on the system other than a normal single-family unit, may be determined by the Board of Directors.

An Applicant, at the time of applying for taps, must complete an Application for Water and/or Sewer Tap; supply, if applicable, the District with a Galveston County Building Permit, and a plot plan or diagram of the proposed unit(s). Failure to construct the facilities in accordance with approved drawings shall constitute a basis for denial of District services. Payment of all fees must be paid to the District prior to approval. Payment of tap fees to the District prior to the approval of plans shall not be considered approval of said plans or approval for connection to the District's system. If payment has not been made or the applicant is not ready for the taps within 90 days, the application approval is void and the application process must begin again. Tap requests will be held no longer than 90 days. The taps shall be installed by the District within eight weeks of approval. Once a tap has been installed, the meter will be locked until deposits and any fees owed the District have been paid in full. The tap application form may be amended by the District from time to time, as deemed appropriate, without the necessity of an amendment to this Order.

Plans for developments must also be approved by the city which has the ETJ (Extra Territorial Jurisdiction) over the District. Applicants for service will be required to furnish written proof of acceptance. All commercial developments must have lines appropriately sized for service, and all will be required to install fire hydrants as required at the Developer's expense. All installations must meet standards established by the Texas Fire Marshall's Office.

Separate water and sewer taps will be required for each unit as per Section 291.89(a) (4) of the Texas Administration Code (30 TAC). In addition, if a unit that has been supplied by an existing tap is permanently capped and removed from the District's water and/or sewer system, another unit could utilize the existing tap as long as only one unit is being supplied by a single tap.

If the District determines that individual taps are not feasible for a multi-family complex, an appropriately sized single water and sewer tap may be installed and a capacity fee of \$1,000.00 would be charged for each unit connected to the tap. Monthly rates for each unit would be charged according to Section IV (D).

In all cases, specifically including subdivisions or residences constructed for resale, the customer will be responsible for the cost of construction of any portion of a water and/or sewer line, including fire hydrants and manholes, required to be extended from the District's water and/or sewer line to the point of connection with the customer's lines. An estimation of costs will be given to the customer before work has begun and said customer shall pay to the District the estimated amount. If actual costs are less than the estimation, the District shall refund to the customer the amount of the overpayment. If the actual costs are more than the estimate, the customer shall pay to the District the amount of the under payment. All plans for line extensions must be presented to the District for approval prior to construction and are subject to the District engineer's approval. After installation, all water and sewer main lines shall be the property of the District, and customer shall grant any necessary easement with the installation of said lines. Should the extension of the District's lines to the customer require boring under on existing road, such costs shall be determined by the Board of Directors and included in the estimated amount given to the customer before work has begun. The District may participate in the costs of extensions if the Board in its sole discretion finds it economically feasible to do so. Exceptions to the requirements of this paragraph may be granted by a majority vote of the Board of Directors in a posted meeting of the Board.

The tapping of main lines shall only be done by representatives of the District or contractors of the District. All meters, fittings, boxes, valves and materials installed shall remain the property of the District.

Prior to connection of Water and Sewer service, all inspections, fees, damages to the property and deposits must be paid in full and all District rules must be complied with. In addition, for new construction or units moved into the District, county building permits are required. RV permits obtained from Galveston County must be maintained during the entire term of service or the taps will be subject to disconnection.

#### **B. EASEMENTS:**

The District will not install water meters on private property. Water meters and sewer lines will only be placed in public right of ways. Private Roads are considered Private Property.

If an easement is required, the customer must obtain any easements at his own expense.

#### **C. LINE SIZES**

Lines shall be sized in an appropriate manner subject to the guidelines listed on Exhibit "B" of this Order.

#### **IV. WATER & SEWER SERVICE APPLICATION & RATES:**

##### **A. APPLICATION/SERVICE AGREEMENTS/CONFIDENTIAL REQUEST/ADDENDUM**

An Application for Water and Sewer Service must be completed and signed by a legally responsible adult. The signing party will be responsible for all fees and charges at said location. If it is determined that an applicant has prior arrearage with the District, said arrearage must be paid in full prior to connection of service. The application must be accompanied with a U.S. government issued identification or other means of identification acceptable to the District for the signing party. The applicant must complete an application for a New Service Agreement.

##### **B. SERVICE AGREEMENTS:**

In addition to the Application for Water and Sewer Service, a customer must execute and deliver to the District a Service Agreement supplied by the District.

##### **C. CONFIDENTIALITY REQUEST:**

If the Customer desires confidentiality of his/her records with the District, the customer must indicate this in the appropriate space on the application.

##### **D. WATER & SEWER RATES:**

**SEE CHART ATTACHED TO THIS RATE ORDER AS EXHIBIT "A"**

Fire Department Fee is charged \$10.00 per living unit or pad site available for direct connection to the District's lines, \$20.00 per commercial unit and \$5.00 per occupied unit for multi-commercial customers. This fee may be adjusted by the District with the approval of the Texas Commission of Environmental Quality.

Reduction in Multi-Unit charges may be allowed under the following conditions:

- A. A vacant building may be removed from the District's billing, provided the water line to the building is physically disconnected and plugged on the exterior of the building in a manner acceptable to the District's Water/Sewer System Inspector. Individual family units do not qualify for this exemption.
- B. Trailer, mobile home and R.V. spaces must be vacant, and the water service line must have all faucets removed and the water and sewer lines permanently disconnected to the satisfaction of the District's Water/Sewer Inspector.
- C. Multiple houses on same water meter must be vacant. The water service line must be physically disconnected and plugged on the exterior of the building in a manner acceptable by the District's Water/Sewer System Inspector and said disconnection must be visible at all times to the Water/Sewer Inspector.
- D. If a water or sewer line is disconnected from the District's system, capped and covered by an impermeable surface, any reconnection will be treated as a new connection for the purposes of tap fees and inspection requirements.

Any application for reduction in number of units must be made in person at the water district office.

#### **E. ADJUSTMENTS:**

Sewer adjustments will be made for filling of swimming pools upon customer notifying the District prior to filling their pool. Sewer adjustments shall only be made on leaks that have been verified by a representative of the District. A repair must be inspected by the District's Inspector prior to a sewer adjustment being considered. A onetime adjustment may be made for watering of lawns at the discretion of the office manager.

#### **F. VACATION**

A customer may request a vacation rate for a single-family residence. If granted, the customer's meter will be locked for a minimum of three (3) months and a Ten and No/100 (\$10.00) Dollar fee assessed. The customer will only be charged with fire department and streetlight fees if in vacation status.

#### **V. INSPECTIONS:**

All inspections must be made by the District's Water/Sewer Inspector and requests should be made to the District's office twenty-four hours in advance of inspection. Inspections are necessary to determine compatibility with the District's Plumbing Code. Failure to secure inspections required by the District may result in refusal of water and sewer service. Inspections shall be charged as stated in the District's Plumbing Code.

**CUSTOMER SERVICE INSPECTIONS** - Customer Service Inspections must be completed and delivered to the District: (1) prior to the time the District's operator provides sanitary sewer service or permanent water service to a new connection in the District, (2) within 5 days after an existing customer receives notice from the District that it has a reason to believe that cross-connections or other unacceptable plumbing practices exist at his/her establishment, or (3) within 30 days after any material improvement, correction or addition is made to the private plumbing facilities of any connection. Failure to provide such certification is a violation of these rules. If the customer requests the District to complete the Service Inspection Certification and the time is available, a fee of \$45.00 will be charged for this service.

#### **VI. DEPOSITS:**

- A. A deposit of \$50.00 per meter for residential use property owners must be made prior to connection to the water system. Proof of ownership, duly recorded in the records of Galveston County, Texas, must be submitted with application to apply for owner deposit. Deposits paid by owners for service to owner-occupied single family residences will be returned by the District upon request by the owner following the completion of two (2) years continuous service of water and/or sewer service, so long as all fees, charges, and bills with respect to such service have been paid in full and water has not been disconnected due to non-payment of a bill and no late payment charges have been added to the Customer's bill. If owner of property accepts responsibility for water and sewer bills at his rental property, then a property owner deposit will be required if owner signs the Application for Water and Sewer Service and the bill is mailed directly to the owner.
- B. A deposit of \$150.00 per meter for residential non-property owners must be made prior to connection to the water system. Deposits paid by non-property owners will be returned at the termination of service to said residence.
- C. A deposit of \$200.00 per meter must be made for commercial and multi-unit dwelling owners before connection to the water system.

- D. A deposit of \$300 per meter must be made for all industrial owners before connection to the water system.
- E. No interest shall be payable to the customer for any deposit made.
- F. Customer Deposits may be used as payment in conjunction with amounts due upon final billing.

#### **VII. PAYMENTS:**

All payments for water and sewer services must be made to the District office at 443 24th Street, San Leon, Texas or mail payments to the District at said address. For the convenience of customers, payments may be made at the District's office either in the 24 hour drop box by the door of the water office or at the payment box located in the parking lot of the District's office. No payments will be accepted at any other location. Accepted methods of payment include cash, check or money order. Debit or credit cards may only be used for online payments at no charge on the District's website at [www.slmud.org](http://www.slmud.org).

#### **VIII. ADDITIONAL CHARGES:**

- A. A late payment charge of 10% of the prior month water and sewer billing unpaid balance will be due the District for any monthly water and/or sewer bill which is not paid on or before the 20th day of the month. If the due date falls on a holiday or weekend, the due date for payment purposes shall be the next workday after the due date.
- B. A mandatory fee of \$10.00 per living unit or pad site available for direct connection to the District's lines shall be added to the customer's bill and paid to the San Leon Volunteer Fire Department. A mandatory fee of \$20.00 per commercial unit and \$5.00 per occupied unit for multi-commercial customers for direct connection to the District's lines shall be added to the customer's bill and paid to the San Leon Volunteer Fire Department. Failure to pay the Fire Department Fee of \$10.00 will result in an interruption of water supply until paid. This fee may be adjusted by the District with the approval of the Texas Commission of Environmental Quality.
- C. A regulatory assessment fee of .005% imposed by the Texas Commission on Environmental Quality (TCEQ) is applied to the customer's bill as provided by Section 5.701(n)(1)(c), Texas Water Code, as amended for use in paying costs and expenses incurred in its regulation of water districts.
- D. A fee of \$3.95 will be added to the customer's bill for street lighting in San Leon.
- E. A mandatory fee will be added to the customer's bill for solid waste collection, with the amount of the monthly fee based on the District's contract at any given time.
- F. Damages - The customer will be charged the replacement cost of any District property that is damaged or destroyed by the customer or the contractors working on behalf of the customer. In addition, all repairs to the District's facilities shall be made by the District at the property owner's expense. The District reserves the right to delay or terminate water and sewer service until restitution has been made.

- G. Obstructions - Water meters must be accessible to District personnel at all times. After a water meter has been set, the Customer shall at all times keep the area in, around and upon the meter and box and District's easements and property under the customer's control free from rubbish or obstructions of any kind. Failure to keep the meter and box and District easements and property under Customer's control free from rubbish or obstructions may result in disconnection of water services and/or the assessment of charges necessary to remove said obstructions.
- H. Any customer who removes or damages a lock or turns on water supply once water has been turned off by the District may have their water meter removed and will be charged \$75.00.

## **IX. TERMINATION AND REINSTATEMENT OF SERVICE:**

### **A. TERMINATION:**

The District reserves the right to terminate service at any time to any customer whose account is not paid before the 27th day of the month. The customer wishing to contest his/her bill must inform the District in writing on or before the 10th day of the month prior to the due date of the bill and may appear before the Board of Directors at the next regular board meeting in person or by written correspondence, and the Board shall hear and consider the matter and inform the customer of the Board's determination.

The District reserves the right to terminate service to customers who violate San Leon M.U.D.'s rules. Service will not be reinstated until compliance with rules and all fees are met.

The District reserves the right to terminate services to customers who fail to keep Galveston County RV permits current. Services will not be reinstated until the required permit is issued and presented to the District.

If water and/or sewer service have been terminated and the premises continue to be occupied, a cutoff valve will be placed on the sewer line and the Galveston County Health District will be notified.

If it is determined that a possible health issue exists, the Galveston County Health District may be contacted.

Upon notice of a customer's request for a disconnection of service, the District will read the meter and deduct any amounts owed to the District from the customer's deposit. If additional amounts are owed in addition to the deposit, the customer will be billed for those charges. If there is a remainder left from the deposit, the District will refund the amount remaining to the customer providing the customer leaves a forwarding address with the District.

### **B. RECONNECTION:**

If service to a customer is disconnected, a reconnection fee of \$25.00 shall be collected for such location. Service shall not be reinstated until all fees and charges have been paid in full.

If service is reconnected after regular office hours, an additional fee of \$25.00 shall be collected for such location.

### C. RETURNED CHECK POLICY:

Any check returned to the District will be assessed a charge of \$30.00. The amount of the check and the fee shall be paid to the District in cash, cashier's check or money order.

The District will attempt to contact the person by phone and/or hang a door notice and service will be terminated after three (3) working days if restitution is not made for current and active accounts. Customers who have three (3) returned checks within a one-year period will be required to pay future payments in cash, cashier's check or money order, unless determined to be a bank error. This requirement may be waived after twenty-four (24) months if the customer has no late charges or disconnections within the twenty-four (24) month time period.

Any check returned for fees associated with reconnection of service will waive notice requirements. Service will be immediately disconnected upon notification by the bank that a check has been returned. Service will remain off until proper restitution is made in accordance with the above paragraph.

### D. MISCELLANEOUS PROVISIONS:

#### 1) PROPERTY ADDRESSES:

All residential and commercial buildings in the District are required to have the property address for the building posted on the building. Letters and numbers used to mark addresses should be at least three (3) inches high and should be placed on the building so they are visible from the street. The District shall send a notice of non-compliance of this provision to the owner and/or occupant of said building as listed on the District's records. Any building remaining in non-compliance for a period of thirty (30) days after notice of non-compliance is sent by the District, the District may terminate water and sewer service to the non-compliance building until the address is properly posted. Any such cut-off will be subject to any rates and penalties for reconnection charged by the District.

#### 2) CUSTOMER CLEANOUTS:

Customers are required to keep all wastewater line cleanouts in good condition with properly installed caps. The District reserves the right to inspect and require or execute repairs at the customer's expense as necessary to prevent storm water infiltration into the District's lines.

#### 3) FREE SERVICE:

No reduced rates or Free Service. All customers receiving services 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.

#### 4) ENTITLEMENT:

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

#### 5) WATER WELLS:

User and/or owner of such water well shall be liable for any and all permits required for use of such well in addition to any fines, fees or reprimands which may occur from non-compliance with permits. A inter-connect of any kind with the District's water service system by a user of a well is prohibited. All current owners of operational well must register with the district.

##### Water Wells Used for Irrigation Purposes Only:

Water wells used for irrigation purposes only and are not connected to the District's water and/or sewer system will be required to install a backflow prevention device at the District meter. The devices are required to protect the integrity of the District's water supply. For additional information on Backflow Devices, refer to the District's Plumbing Requirements.

#### 6) FIRE PROTECTION:

Fire protection services are provided to the District customers through a contract with the San Leon Volunteer Fire Department. The San Leon Volunteer Fire Department is not an agent, subdivision, subsidiary or subcontractor of the District, and the District is not responsible in any way for the acts of commission or omission, either voluntary or involuntary, of the San Leon Volunteer Fire Department.

#### 7) PENALTIES FOR VIOLATION:

The Board hereby imposes the following civil penalties for breach of any rule of the District. A violation of any rule or regulation of the District may result in a fine to be determined by the Board based on (1) the severity of the violation; (2) whether such violation was knowing or reckless or inadvertent, (3) the history of offenses by such person and, (4) damages sustained by the District. The maximum fine per violation is \$5,000. Each day's violation of a rule or regulation of the District is a separate offense.

A penalty under this Section is in addition to any other penalty provided by the laws of the 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 attorney's fees shall be fixed by the Court.

The District reserves the right to discontinue any or all facilities or services to prevent abuse or to enforce payment.

#### 8) TEMPORARY SERVICES:

At the District's discretion can allow temporary connections to the District's water and sewer system for an extra unit for a period not to exceed 30 days. The account will be billed water and sewer charges for the extra unit according to Section III. D. After 30 days, the unit needs to be moved or an additional tap fee will be required.

9 ) AMENDMENTS:

The District's Board of Directors has and specifically reserves the right to change, alter or amend any rate or provision of this Order at any time. This Order, with all provisions, policies, etc., supersedes any and all orders preceding.

10 ) 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 circumstances 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.

11 ) EFFECTIVENESS:

This Order, with all provisions, policies, etc., supersedes any and all orders, ordinances or rules preceding.

Approved this 21st day of August, 2019.



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President, Board of Directors

Attest:   
\_\_\_\_\_  
Secretary, Board of Directors

**WATER AND SEWER RATE ORDER  
EXHIBIT "A"**

**Residential & Irrigation Water Rates:**

Gallons	
0 to 2,000	Base Rate \$20.00
Over 2,000 Gallons = Base Rate \$20.00 <i>plus</i>	
3,000 to 4,999	\$5.50 per 1000
5,000 to 7,999	\$5.75 per 1000
8,000 to 10,999	\$6.00 per 1000
11,000 to 24,999	\$6.25 per 1000
25,000 to 44,999	\$6.50 per 1000
45,000 to 75,999	\$6.75 per 1000
Over 75,000	\$7.00 per 1000

**Residential Sewer Rates:**

Gallons	
0 to 2,000	Base Rate \$20.00
Over 2,000 Gallons = Base Rate \$20.00 <i>plus</i>	
3,000 to 4,999	\$4.50 per 1000
5,000 to 7,999	\$4.75 per 1000
8,000 to 10,999	\$5.00 per 1000
Over 11,000	\$5.25 per 1000

**Commercial Water Rates:**

Gallons	
0 to 2,000	Base Rate \$25.00
Over 2,000 Gallons = Base Rate \$25.00 <i>plus</i>	
3,000 to 4,999	\$6.75 per 1000
5,000 to 7,999	\$7.00 per 1000
8,000 to 10,999	\$7.25 per 1000
11,000 to 24,999	\$7.50 per 1000
25,000 to 44,999	\$7.75 per 1000
45,000 to 75,999	\$8.00 per 1000
Over 75,000	\$8.25 per 1000

**Commercial Sewer Rates:**

Gallons	
0 to 2,000	Base Rate \$20.00
Over 2,000 Gallons = Base Rate \$20.00 <i>plus</i>	
3,000 to 4,999	\$4.50 per 1000
5,000 to 7,999	\$5.00 per 1000
8,000 to 10,999	\$5.50 per 1000
Over 11,000	\$6.00 per 1000

The Board of Directors of the District have approved an annual 4.5% increase in the posted rate beginning on August 1, 2019.

**WATER AND SEWER RATE ORDER  
EXHIBIT "B"**

**MINIMUM WATERLINE SIZES AS MANDATED BY STATE REGULATIONS.**

The minimum waterline sizes are for domestic flows only and do not consider fire flows. Larger pipe sizes shall be used when the licensed professional engineer deems it necessary. It should be noted that the required sizes are based strictly on the number of customers to be served and not on the distances between the connections or differences in elevation or the type of pipe. No new waterline less than two inches in diameter will be allowed to be installed in a public water system distribution system. These minimum line sizes do not apply to individual customer service lines.

<b>Maximum Number of Connections</b>	<b>Minimum Line Size (inches)</b>
10	2
25	3
50	3
100	4
150	5
250	6
>250	8 and larger

**THE DISTRICT WILL NOT INSTALL OR EXTEND ANY WATER LINE WITH  
LESS THAN A 6" DIAMETER.**