

# CLL MUNICIPAL UTILITY DISTRICT NO. 1

## ORDER ESTABLISHING WASTEWATER AND DRAINAGE SERVICE RATES, CHARGES, AND FEES, AND ADOPTING POLICIES WITH RESPECT TO THE DISTRICT'S WASTEWATER AND DRAINAGE SYSTEMS

WHEREAS, pursuant to Section 49.212, Texas Water Code, the Board of Directors (the "Board") of CLL Municipal Utility District No. 1 (the "District") is authorized to adopt and enforce all necessary rates, charges, fees and deposits for providing District facilities or services.

IT IS, THEREFORE, ORDERED BY THE BOARD OF DIRECTORS OF CLL Municipal Utility District No. 1 as follows:

### General Policies

- a. Definitions. For purposes of this Order, the following terms shall have the meanings indicated:
  - i. "Connection" shall mean and refer to each residential unit occupied by a separate family, including separate apartments located within a single building, and each business unit occupied by a separate business, including separate establishments within a single building.
  - ii. "District's operator" shall mean and refer to the Crossroads Utility Services, LLC, or such other person or entity authorized to operate facilities and perform billing services for the District.
  - iii. "Rules" shall mean and refer to such rules and regulations as the District may adopt pursuant to Sections 49.212 and 54.205, Texas Water Code.
  - iv. "Systems" shall mean and refer to the District's wastewater and drainage systems.
- b. All Services Charged. At no time shall the District render wastewater services without charge to any person, firm, corporation, organization or entity.
- c. Other Utilities. Prior to installing underground cables in the area of District sanitary sewer collection lines, representatives of utility companies shall meet with the District's operator to file such companies' construction plans and schedules and to review the engineering plans illustrating the location of the District's lines.
- d. Review of Utility and Drainage Construction Plans. Any person desiring to install facilities to be connected to the District's utility system or drainage facilities shall obtain the approval of such plans by the District, upon recommendation of the District's Engineer, prior to construction.

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### Connections to the District's Systems.

- a. Applications for Connections. Any party desiring to make a connection to the District's Systems shall first make an application to the District's operator. All applications for service shall be made in accordance with the rules and regulations promulgated by the District.
  - b. Payment of Fees. Any party desiring to make a connection to the District's wastewater system shall pay the appropriate application, connection, and capacity fees. Application and connection fees shall be paid to the District in care of the District's operator at the time the application for such connection is made. Capacity fees shall be paid by the developer or home builder directly to the District's wholesale supplier. No connection shall be made until such fees are paid.
  - c. Security Deposit. Each customer must pay the security deposit set forth in this Order, or replenish the deposit if the District draws upon it, when the customer initially applies for the service or when the customer applies to reinstate service that have been disconnected for nonpayment of a bill. Security deposits shall not be transferable to another party and shall be held by the District, or the District's representative, or agent, or operator to assure the prompt payment of all bills for water and wastewater services to the customer. The customer's deposit will be returned in full if the customer's account has not been delinquent for 12 consecutive months; provided however, that the District may require the customer to replace the security deposit in the event the customer thereafter makes late payments for two (2) or more consecutive months. The customer's deposit will be returned, less any outstanding balance, within 30 days from the date the customer's account is closed or transferred to another person. In no event shall the security deposit bear interest for the benefit of the customer.
  - d. Additional Charges. Any non-routine charges incurred by the District in connection with any tap and/or inspection shall be the responsibility of the applicant for such connection and shall be payable to the District upon demand. This includes charges incurred by the District under any agreement with the District's operator.
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## Wastewater Service

Application for Service, Application and Connection Fees. Any party desiring to receive service from the District's wastewater systems shall make an application for such service to the District's operator on the form provided by the District's operator. All applications shall be made by the record owner or renter of the property for which service is being requested. Proof of residency shall be furnished to the District's operator upon request. The District's application and connection fees for wastewater service shall be as follows:

Application and Account Set-up Fee	\$ 36.00
Security Deposit	\$100.00
Sewer Tap Inspection Fee*	\$ 70.00
<b>Total Fee</b>	<b>\$206.00</b>

If more than one (1) inspection is required before a tap is approved by the District's operator, the fee for each additional inspection shall be \$70.00.

Sewer Service Rates. The following rates and charges the collection and disposal of sewage shall be in effect for residential customers, including multi-family and apartment, and commercial customers within the District from the effective date of this order.

### Sewer Rates

Monthly Customer Fee      \$20.00 per wastewater LUE

Volume Charges      All Usage      \$7.75 per 1,000 gallons

Volume charges shall be based on the Dec. Jan. Feb. winter average consumption, calculated as a three-month average. Billing for new residential connections or new customers at existing residential connections shall be based on 7,600 gallons per month until a winter average is established. The monthly billing for new connections for other customer classes shall be based on the water connection meter equivalency (as compared to a 5/8" standard meter) times 7,600 gallons until a winter average is established.

Monthly Grinder Pump Maintenance Charge (If a grinder pump is required.)      \$10.00

### Drainage Service.

The following rates and charges the collection and disposal of stormwater shall be in effect from the date of this order for each wastewater customer within the District.

Monthly Drainage Fee      \$15.00

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**Miscellaneous Fees and Charges.** The District will charge each of the following fees and charges when applicable to an account:

Account Transfer Fee	\$25.00
(Move existing customer's service from one location to another within the District)	
Late Charge	10% of billed charges
Returned Check Charge	\$25.00
Disconnect service for nonpayment of bill	\$25.00
Reinstate service that was disconnected	\$25.00
After Hours and Emergency Service Charge	Actual Cost Incurred by District
Grinder Pump Installation Charge	Actual Cost Incurred by District
Grinder Pump Service Calls	Actual Cost Incurred by District

The District shall charge each customer any regulatory assessment required by the Texas Commission on Environmental Quality or other regulatory authority.

### **Delinquent Accounts.**

The District shall bill each customer monthly for all services rendered in the preceding month. All bills shall be due on the due date as specified on the bills and shall become delinquent if not paid as set forth on the bills. The District's operator shall turn all overdue accounts over to a collection agency for appropriate action.

A late charge of ten percent (10%) of the amount of the bill shall be added for each monthly billing date the delinquent amount, including a delinquent stand-by fee, remains unpaid. If a bill remains delinquent for thirty (30) days, water service may be discontinued in accordance with any agreement with the water service provider within the District. Prior to termination, the customer shall be notified of the amount due by letter sent by United States Mail, First Class. A delinquent bill renders the entire account delinquent and the entire account must be paid in full in order to avoid interruption of service.

Water service may be discontinued in accordance with any agreement with the water service provider within the District for any account for which a check for payment has been dishonored by the financial institution. Prior to termination, the customer shall receive a three- (3) day notice of such termination by the District's operator's placing the notice at the customer's service address. Payment by the customer who has presented a dishonored check shall be made by cash, money order or cashier's check. Personal checks will not be accepted.

The District reserves the right to institute suit for the collection of any amounts due and unpaid, together with interest thereon at the maximum legal rate and reasonable attorney's fees.

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The District further reserves the right to charge a customer paying a bill with a check which is dishonored an amount established from time to time by the District's Operator, which amount shall be based on the prevailing or usual charges made for dishonored checks and drafts by other vendors in the same general area as the District.

### **Unauthorized Use of Wastewater System.**

Any person, corporation or other entity that connects to the District's wastewater system or disposes of wastewater into the District's wastewater system without prior authorization of the District violates this Rate Order and shall be subject to a penalty of \$200.00 for each breach of this provision. Each day that a breach of this section continues shall be considered a separate breach. The District shall not allow use or connection to the District's wastewater system until all outstanding penalties assessed have been paid. This penalty shall be in addition to the other penalties provided by the laws of the State and to any other legal rights and remedies of the District as may be allowed by law. Board determination of a violation is required in order to levy a penalty and upon such determination, notice in writing shall be delivered to the person, corporation or entity held in violation providing said person the opportunity to appear before the Board and address the imposition of said penalty.

### **Adoption of City of Jarrell, Texas Rules, Regulations and Ordinances.**

The District hereby adopts by reference, the rules, regulations and ordinances concerning wastewater service promulgated by the City of Jarrell, Texas except to the extent such rules, regulations and ordinances are inconsistent with this Rate Order, and such rules, regulations and ordinances shall be applicable to wastewater service provided by the District.

### **Effective Date and Filing of Order.**

The provisions of this Order shall be effective as of August 1, 2021.

The Secretary of the Board is hereby directed to file a copy of this Order in the principal office of the District.

PASSED AND APPROVED on July 21, 2021.

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Ken Ray, President

ATTEST:

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Mark Ramseur, Secretary