



BexarMet
Water District
"The Water Resource People"

WATER SERVICE REGULATIONS

February 24, 2010

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1 INTRODUCTION AND INTENT

1.1 INTRODUCTION

These Water Service Regulations (“WSR” or “Regulations”) implement the Bexar Metropolitan Water District’s (BMWD) continuing commitment to ensure a stable supply of excellent water and to provide extraordinary service to our customers while conserving the water resource assets. This document amends the 2003 consolidated practices, procedures, policies and requirements formerly contained in BMWD’s Water Service Regulations.

1.2 INTENT

It is the intent of the WSR is to establish the policies governing service extension to BMWD water customers for water services. This includes providing mechanisms for the extension of service to new customers and for the funding of the main extensions for use by the new customer.

All utility extensions must conform to the established engineering design standards developed by BMWD for that utility, to BMWD’s Water Infrastructure Master Plan and to these WSRs. The Regulations are adopted by the BMWD Board of Directors (“Board”) to promote the general health, safety and welfare of the residents of the BMWD’s certificated service areas.

1.3 WSR AUTHORITY

These Regulations are enacted pursuant to the laws and Regulations conferred upon by the Board, by Article 8280-126 of Vernon’s Texas Code Annotated Civil Statutes, and any and all laws heretofore enacted or which may hereafter be enacted by the Legislature of the State of Texas, giving and granting or investing authority of whatever nature in said Board and BMWD.

1.4 SEVERABILITY

If any part of these Regulations is for any reason held to be invalid, the remainder of these Regulations shall remain effective and valid as if they had been enacted without the portion held to be invalid.

1.5 REVISION OF REGULATIONS

From time to time, it may be necessary to revise these Regulations. Revisions that require the expenditure of BMWD funds or that change any regulation other than the design standards require approval by BMWD’s Board. Revisions to the design standards may be made administratively, pursuant to procedures established by BMWD’s General Manager, unless the President of the Board determines that a particular revision to the design standards involves a policy matter that requires consideration and approval by the Board.

1.6 CHARGE SCHEDULES

The charge schedules are those in effect at the time the WSRs are adopted. The Board may revise these charge schedules in a manner provided by law at any time to keep them current with the costs of the services provided.

2 DEFINITIONS

2.1 GENERAL TERMS

Additional Construction Costs

Those costs exceeding the normal costs of labor and materials for installing BMWD facilities. These costs include, but are not limited to, excess labor and material costs for repaving for streets, highways and railroad crossing borings, or because of other special conditions caused by physical obstructions or drainage facilities to be paid by the customer and/or BMWD.

Affidavit - Developer's and Contractor's Payment and Receipt Affidavit

The affidavit required to be signed by a developer and the developer's contractor prior to BMWD's acceptance of ownership of facilities.

Agreement –Utility Service (“USA”)

An agreement between BMWD and a customer whereby the customer obtains water service for development of a specific tract or project.

Air Gap Separation

A physical break between a water supply pipe and a receiving vessel.

Area – Service

The area within the boundaries defined by a Certificate of Convenience and Necessity (“CCN”).

AWWA shall mean American Water Works Association.

Backflow

The undesirable reversal of the flow of water in the mains of the potable water systems, or the introduction of a mixture of water and other substances into the mains.

Benefit - General

An element of the water system infrastructure that supports service to multiple customers which include water production, storage, transmission and distribution facilities.

Benefit - Local

An element of the water, system infrastructure that supports the provision of service to individual customers.

Bexar Metropolitan Water District (BMWD)

A governmental agency, a body politic and corporate, and a municipal corporation, vested with all the authority as such under the constitution and laws of the State of Texas; and shall have and be empowered to exercise all the rights, privileges, functions, and powers of such governmental agency and body politic and corporate as authorized or implied by the provisions of Article 16, Section 59 of the Constitution and as have been or may be conferred by General Law upon conservation districts and as authorized or implied by the provisions of this Act.

Board

The Board of Directors of Bexar Metropolitan Water District.

Computer Aided Draft Design (“CADD”) File

A computer aided drafting design file used to produce plans for construction and to document the project record drawings in a computer file format for storage and retrieval.

Capital Improvement

Any BMWD water supply, production, storage, pumping, transmission or distribution facility, with a life expectancy of three or more years.

Certificate of Convenience and Necessity (“CCN”)

The authorization issued by the Texas Commission on Environmental Quality (“TCEQ”) for an agency such as BMWD to furnish retail water service directly or indirectly to the public.

Cross-Connection

An unprotected actual or potential connection, mechanical or hydraulic union between a potable water system and other nonpotable water system that would allow non-potable water to pass into the potable water supply.

Customer

Any individual or developer eligible for water service in accordance with BMWD Regulations.

Customer Service Inspection

A requirement of the Environmental Protection Agency (“EPA”) and TCEQ to verify water service materials and piping on the customers side of the meter. This is developed as part of the Lead/Copper Rule.

Customer - Single

An individual customer requesting water service and extension of existing water main or a water service line to a single platted lot or tract of land.

Customer –Wholesale

Publicly or privately owned water utility that has a supply contract with BMWD for specified amounts of wholesale water service. Wholesale customers include private water companies, nonprofit water companies or corporations, Water Control and Improvement Districts and Municipal Utility Districts providing retail water service to the public.

Design Standards

The engineering design standards and specifications for BMWD adopted in accordance with TCEQ criteria.

Developer

A property owner who requests water service by way of the extension or construction of BMWD infrastructure to serve new development, including the property owner’s agent and subsequent

purchasers, successors and assigns. A developer plats, replats or otherwise develops lots or tracts of land for sale, lease or development.

Discharge

The release of water from one point to another, such as through a pipe from an organized system.

Double Valving

The placement of a water main valve immediately on each side of a service line to minimize the risk of a service interruption due to water main failure.

Dwelling - Duplex

A detached residential use building that has two separate, individual living quarters with separate exterior entrances.

Dwelling – Multi-Family

A residential use building or group of buildings that has five or more separate, individual living quarters.

Dwelling – Quadruplex

A residential use building that has four separate, individual living quarters with separate exterior entrances.

Dwelling – Single-Family

A residential use building designed to be occupied by a single household living together and sharing common kitchen and bathroom facilities.

Dwelling – Triplex

A residential use building that has three separate, individual living quarters with separate exterior entrances.

Equivalent Dwelling Unit (“EDU”)

A standardized measure of the consumption, use, generation, or discharge of water attributable to a single-family residence, calculated in accordance with generally accepted engineering and planning standards for capital improvements and facilities expansion to serve new development (360 GPD avg.; 900 GPD peak).

Extension Charge

A charge assessed to a single customer on a unit price per linear foot basis as an advance on the estimated cost of a local benefit main extension that BMWD or a BMWD contractor will construct from the nearest adequate main to the farthest point fronting the customer’s property.

Front Footage

The length in feet of the side of a single or developer’s property that is adjacent to an existing or proposed main.

General Manager

The General Manager of BMWD. This term includes the management of BMWD in the exercise of administrative and managerial decision-making and in acts under authority delegated by the Board to the General Manager and staff.

Guaranteed Capacity

Capacity in BMWD water systems that is achieved through the construction or extension of infrastructure required in the Utility Service Agreement and payment of all associated impact fees. Guaranteed Capacity does not have a termination date.

Impact Fee

A charge or assessment levied on new development in order to generate revenue to fund the costs of general benefit facilities necessitated by and attributable to that new development as specified in the Capital Improvements Plan.

Impact Fee Credit

A dollar value earned pursuant to these Regulations and credited against the payment of water impact fees.

Letter - Availability

A letter from BMWD describing the nearest water and water mains that may be available to serve a specific tract or project.

Line – Private Fire Protection Service

A connection to BMWD's water distribution system designed solely to provide fire protection to a particular customer.

Line – Service

A pipe maintained by BMWD, extending from a water distribution main to a water meter at the property line, which delivers water to a customer.

Line – Temporary Service

A service line installed for a period of time not to exceed twelve (12) months to supply water temporarily to a construction site or temporary structure.

Main – Approach

A local or general benefit water main that connects between BMWD's existing water distribution system and the perimeter of a new development in order to serve a developer.

Main – Border

A local benefit or general benefit water main that is adjacent to a boundary of a developer's property.

Main – Distribution

In the context of the potable water system, a local or general benefit facility designed to transport water within a pressure zone between the transmission mains and on-site mains and service lines.

All transmission and distribution mains that BMWD accepts become BMWD property.

Main –Transmission

In the context of the potable water system, a general benefit facility designed to transport water between pressure zones, or from a well field to particular distribution mains within the same pressure zone, or between the pumps and reservoirs within the same pressure zone.

Main Extension

An extension from an existing BMWD main to a point at or on a single or developer’s property.

New Development

The subdivision of land; the construction, reconstruction, redevelopment, conversion, structural alteration, relocation or enlargement of any structure; or any use or extension of land; any of which increases the number of EDUs.

Off-Site

Outside developer boundary.

On-Site

Property within developer boundary.

Oversize

A local or general benefit water facility or water distribution main exceeding the BMWD required size necessary to serve a particular development in order to serve other properties, as well as the designated development.

Oversizing Cost

The differential cost, reimbursable to the developer, between the cost of the facility required to serve a particular development and the cost of an oversize facility that BMWD requires a developer to install in accordance with the Water Infrastructure Master Plan.

Owner

The holder of the legal title to a property, including the owner’s agents, successors and assigns.

Peak Daily Flow

For purposes of modeling, peak daily flow is .75 gal./min./EDU.

Peak Hourly Flow

For purposes of modeling, peak hourly flow is 1.5 gal./min./EDU.

Plan Approval

Approval of a set of water plans and an authorization by BMWD for a developer to install water system infrastructure in a new development and related on-site facilities. The permit applicant developer is solely responsible for payment of agreed charges by the developer's contractor.

Plan – Conservation

A conservation plan shall include a listing and an annual water budget for all end uses of water to be found in the development. The plan shall include a drought management plan and may describe any water conservation methods such as rainwater harvesting, or preservation through deed restrictions of native, non-irrigated land.

Plan – Water Infrastructure Master

The Master Plan for Water Infrastructure of BMWD, as adopted and amended from time to time by the Board of Directors.

Plan – Water Master

The plan submitted by a developer detailing the layout of the water system infrastructure within a new development project and specifying the applicable EDU for the development.

Pressure Zone

An operationally and topographically distinct area within the water distribution system that involves particular pressure and storage considerations.

Pro-Rata Charge

The proportionate cost of local benefit facilities needed to provide retail service to a single customer. This charge is a fixed sum calculated on the front footage of the property served that is contiguous to the public rights-of-way containing the mains that BMWD would use to provide service.

Project Record Drawings

Engineering drawings submitted to BMWD showing water mains and related facilities as constructed or modified.

Regulations

These Water Service Regulations adopted by the Board.

Request for Review

A formal approval on the Request for Review Form to the Owner or Owner’s representative stating that the submitted plat has met all the requirements of the respective reviewing agency and noting any exceptions.

Specifications

The BMWD engineering material and construction specifications may be obtained on the BMWD website. These documents as well as the general notes on the construction plans shall be part of the construction documents for water utility construction.

Unauthorized Straight Connect

Shall mean any person or entity (to include builders and contractors) connecting into BMWD’s water system without obtaining the appropriate authorization and paying the applicable fees.

Water Supply Development Fee

The portion of BMWD's water fee structure that enables BMWD to fund or recover its investment in new water supply projects needed to support new customers.

Yard Piping

The water piping maintained by the customer, extending from BMWD's water meter to the private internal water distribution system at a customer's building or facility.

3 PROCEDURAL AND GENERAL SERVICE PROVISIONS

3.1 ACCESS TO SERVICES

BMWD will provide access to its general benefit facilities and extend service to any customer applicant provided the customer pays all required fees and deposits and complies with the requirements contained in these Regulations.

As provided by law, BMWD may elect to serve those customers not within the certificated service area of another water service purveyor but outside of BMWD's certificated service area.

3.2 RIGHT TO REFUSE SERVICE

BMWD may refuse to enter into a USA for service, to extend any of its utility systems, or to install water connections for any person, firm, or corporation against whom it has an unsatisfied claim pending with BMWD until the claim is settled or otherwise resolved.

3.3 SYSTEM OPERATING CONTRACTS

BMWD may contract with governmental water agencies, a private water company, or any other water purveyor to operate the systems owned by those entities.

3.4 AVAILABILITY OF SERVICES

A customer may request information concerning the availability of water service to a tract of land by a letter addressed to BMWD. The letter requesting this information must identify the location of the tract, the type of service requested and the number of equivalent dwelling units ("EDU") to be served. BMWD will respond with an availability letter describing the location of the closest water mains that may be available to serve the tract. This letter does not constitute an agreement by BMWD to serve the development.

3.5 ADVANCE OF PLAN SCHEDULES

Provided funds are available, BMWD, at its sole discretion, may advance its construction schedule for water transmission mains if this action is warranted by accelerated growth in the area or by changes to BMWD's Water Infrastructure Master Plan.

3.6 BMWD's OBLIGATION TO PROCEED

Unless required by law, BMWD is not obligated to proceed with an extension of any of its mains or other facilities if: (i) the development in an area does not occur at predicted rates, (ii) sufficient funds are not available in the appropriate system extension fund, or (iii) BMWD determines that the extension is not in the public interest.

3.8 COMPETITIVE BIDS REQUIRED

If a customer contract requires the expenditure of BMWD funds, including reimbursements or potential refunds, and impact fee credits, competitive bids are required. These bids must be taken in accordance with state law and BMWD policies.

3.9 CONTRACTOR QUALIFICATIONS AND BONDING

For customer contracts requiring BMWD expenditures and water related permits, the contractor must furnish an instrument in favor of BMWD in the total amount of contract construction cost

to ensure satisfactory construction. The contract must provide for completion of the entire project in accordance with the approved plans and specifications and must provide a two (2)-year guarantee against defects in workmanship and materials after the work is accepted.

3.10 ADMINISTRATION OF REGULATIONS

These Regulations are to be administered and executed by the BMWD administrative and management staff. The decision of the General Manager in the administration and execution of the Regulations is presumed to be the decision of the Board.

4 GENERAL PROVISIONS ON BMWD INFRASTRUCTURE

4.1 REQUIREMENTS FOR PLAT REVIEW AND APPROVAL

In accordance with the City of San Antonio's Unified Development Code ("UDC"), or other cities' applicable Code, BMWD reviews and approves subdivision plat submittals to verify that all subdivisions within BMWD's CCN and within the City and its extraterritorial jurisdiction are provided with adequate water systems. BMWD will review a plat submittal only upon receipt of a complete plat submittal package. Upon request, a checklist describing the BMWD current plat submittal requirements will be made available.

4.2 MAIN LOCATIONS

BMWD must approve the location of all water main installations. Mains may be installed only in streets, alleys, public rights-of-way or utility easements dedicated to BMWD for the use and benefit of BMWD. In residential areas, water service must be provided from a main located in a public street, planned unit development street or manufactured home street as defined in the City of San Antonio's Unified Development Code or applicable city regulation. In commercial and industrial areas with multiple customers, water service shall be provided from a main located in a public street or from a looped main in an easement dedicated to BMWD for the use and benefit of BMWD. The easement must be open and accessible to traffic and/or construction equipment. All main locations and sizes must be in accordance with BMWD's current Water Infrastructure Master Plan and the approved Water Master Plan for the development.

4.3 INSTALLATIONS IN NEW STREETS

When water mains are to be constructed in the rights-of-way of newly constructed streets, the developer's construction plans and specifications must stipulate that all water service lines and water distribution mains, including service to all platted lots in the subdivision, will be installed by the contractor and be approved by BMWD prior to street paving. BMWD may allow casings, stub-outs or services for future commercial development in accordance with an approved Water Master Plan.

4.4 MODIFICATION OF EXISTING FACILITIES

BMWD will oversee the removal or adjustment of any water facility required by replatting or changes in land use. The owner or developer must furnish a dedicated easement or right-of-way across the property as necessary to construct the changes and must pay the cost of the removal or adjustment. If BMWD requires an oversizing of a customer's main and/or additional facility, BMWD will bear the proportionate cost for the added expense.

All facilities must be constructed in accordance with the AWWA, TCEQ and BMWD requirements. BMWD will discontinue service to any customer with any unapproved connection or cross-connection. When BMWD relocates a service line on private property, BMWD will obtain a right of entry from the property owner for the water service line installation.

4.5 OTHER CHARGEABLE COSTS

Chargeable costs includes: (i) costs associated with damage to BMWD infrastructure for which a customer or the customer's contractor is responsible, (ii) costs incurred by relocations or plan revisions necessitated by other construction, and (iii) costs required by development

modifications. These costs will be charged to the customer. Service to the customer's project will be withheld or discontinued until these charges are paid.

4.6 INFRASTRUCTURE OWNERSHIP

All infrastructure that is necessary to serve new development, including access roads, must be built on public property or within dedicated easements or rights-of-way provided by the developer. The required property or easement must be granted to BMWD by a Deed filed with the county clerk at the customer's expense. Whether a customer installs the infrastructure at the customer's cost or BMWD installs it under a contract, upon inspection and written acceptance for maintenance by BMWD, title to all water mains and production facilities must be granted to BMWD.

4.7 AFFIDAVITS REQUIRED

The developer and the developer's contractor must execute a Developer's and Contractor's Payment and Receipt Affidavit declaring that all debts for labor, materials, supplies, services and claims in conjunction with the construction of all water mains or other facilities have been paid in full before BMWD will accept ownership of any mains or other facilities and allow connections to its existing systems.

4.8 BMWD ACCEPTANCE OF INFRASTRUCTURE

BMWD will issue a final acceptance certificate within fourteen (14) days after construction is complete according to BMWD's requirements, provided that the developer has paid all other construction costs and all charges due BMWD under these Regulations, the developer has submitted the required affidavits, warranties, project record drawings, and all final plats and recordation of surveys for easements have been approved and filed of record as required by law. Following issuance of the final acceptance certificate, the facilities become BMWD's property free and clear of all liens, claims and encumbrances. BMWD will not accept partially complete facilities or infrastructure.

5 UTILITY SERVICE AGREEMENTS (“USA”)

5.1 GENERAL PROCEDURES

A developer must submit a written request for water service for the development of a specific tract or project. The developer’s engineer must prepare an engineering study consistent with current methods used for establishing the service demands and the impact of these demands on BMWD’s water service capacity. As part of the engineering study, the developer’s engineer may be required to perform a flow study to determine the capacity of existing water mains that the developer intends to connect. Upon BMWD approval of the engineering study, BMWD will prepare a Utility Service Agreement (“USA”) specifying the conditions under which service will be made available to the tract and any costs associated with serving the property. During the effective term of the USA, capacity in BMWD water systems will be reserved. The developer is not guaranteed capacity until all required off-site infrastructure is built by the developer and accepted by BMWD and all impact fees are paid.

5.2 CONDITIONS REQUIRING A UTILITY SERVICE AGREEMENT

A USA may be required under the following conditions:

- Service to the property requires construction of off-site facilities;
- The development has a capacity requirement greater than 50 EDUs;
- Impact fee credits will be earned for the construction of water facilities;
- BMWD will provide oversize reimbursements for construction of water facilities;
- The development is multi-phased;
- Pro-rata refunds will be granted for construction of a water facility;
- The development is located over the Edwards Aquifer Recharge Zone; or
- Other conditions as determined by BMWD.

5.3 UTILITY SERVICE AGREEMENT REQUIRED OUTSIDE CCN SERVICE AREA

A USA is required for any water service provided outside BMWD’s certificated service area. Such agreements must be approved by the Board, except that the Board may delegate to the staff the authority to approve agreements. A developer may be required to prepare a feasibility study in connection with the requested agreement.

5.4 WATER MASTER PLAN REQUIREMENTS (“WMP”)

WMP must detail the water systems (as applicable) for the tract or project. A professional engineer licensed in the State of Texas must prepare the WMP and it must be submitted to BMWD digitally with state plane X-Y coordinates. The WMP must include all items required in the USA. The WMP must detail the layout of the streets (including street names, if known),

easements, development units, lot configurations, and the location and size of all water mains planned to serve, existing on, or passing through the tract. The WMP must also show the boundary of the water system, water main locations and sizes, contour elevations, service lines, valves and fire hydrant locations. For properties that have areas of unplanned use, the demand must be calculated at four (4) EDUs per acre unless the engineering report specifies otherwise.

5.5 PHASED WATER MASTER PLANS

If the developer's water system is to be installed in phases or units, the developer must submit an overall WMP to BMWD for review and approval.

The overall WMP must be submitted before the first construction phase is submitted for plat approval. The overall utility master plan must show the development phases or units including the sequence and a timetable for build-out. The developer must also provide BMWD with a digital version of the proposed recorded plat, as submitted for plat recordation and in a format acceptable to BMWD, for each phase or unit of the development project.

5.6 CONFORMANCE OF PLANS TO WATER MASTER PLAN

All water system facilities to serve a proposed development must be designed and constructed in conformance with the BMWD approved WMP. Changes in the water system design must be resubmitted to BMWD for approval.

5.7 TIMING REQUIREMENTS FOR SUBMISSION OF PLANS

Upon approval by BMWD of a USA, the developer has pursuant to the terms of the USA thirty-six (36) months to complete the required WMP and to start construction. If the developer fails to complete these requirements within the thirty-six (36)-month period, the USA will automatically expire and a request for a new agreement must be submitted to BMWD. If approved, BMWD will enter into a new USA which will be based upon then-current Regulations.

5.8 UTILITY SERVICE AGREEMENT REVIEW AND MAXIMUM TERM

Upon the initiation of construction of local or general benefit facilities, the USA will remain in effect for the time period designated in the agreement provided that by the end of the seventh (7th) year, a revised WMP must be submitted to BMWD identifying any increase or decrease in planned EDUs within the project. If the revised WMP indicates a substantial increase in the EDUs for the tract, the developer must agree to develop the project in accordance with the then-current Water Service Regulations or else the USA will terminate. For purposes of this section, a substantial increase in EDUs shall mean an increase in pipe size, the construction of a parallel main, and/or the development of additional production facilities in order to adequately service the development and not as a result of BMWD's borrowing of capacity designated for the developer's tract pursuant to the original approved utility master plan. If the developer meets the requirements set out herein and any additional requirements set out in the USA, the agreement will extend beyond the seven (7) year period for a total period not to exceed fifteen (15) years from the effective date of the USA.

5.9 PROVISION OF SERVICE AFTER EXPIRATION OF 15-YEAR TERM

In order for certain conditions to survive the expiration of the fifteen (15)-year term, the developer must pay all impact fees for the total number of EDUs required for the development, at the then-current rate, and complete all the requirements set forth in the USA and all of the

infrastructure required under the agreement, including off-site extensions. If the developer has completed these requirements prior to the expiration of the USA's fifteen (15)-year term, the following conditions will survive the expiration of that term:

- BMWD will recognize the EDUs of capacity required for the development as guaranteed capacity;
- BMWD will provide water service as provided in the USA to retail customers located in the tract, so long as those customers pay for the services and comply with the Regulations applicable to individual customers.

If the developer does not meet the requirements of this section, and desires to complete the development project, the developer must enter into a new USA, pursuant to the then-current Water Service Regulations.

5.10 DEVELOPMENT LARGER THAN 1000 ACRES REQUIRING MORE THAN 15 YEARS TO DEVELOP

For developments greater than 1000 acres requiring more than fifteen (15) years to develop, the expiration date of the USA can be extended beyond fifteen (15) years which will be determined prior to the issuance of the USA.

5.11 WATER COMMITMENTS WITHOUT EXPIRATION DATES

Water commitments and USAs issued prior to the effective date of these Regulations that do not have an expiration date remain valid for a period of fifteen (15) years from the effective date of these Regulations.

6 PROCEDURES FOR WATER SERVICE

6.1 SERVICE REQUIREMENTS

The customer's contractor must install new water service lines and lateral connections. A customer requesting water service must:

1. Obtain a BMWD connection or permit and execute an agreement for meter and service line installation.
2. Provide BMWD documentation acceptable to BMWD that the property is a properly platted lot.
3. Pay a pro-rata charge, if applicable.
4. Pay all applicable impact fees.
5. Pay a customer account deposit, if applicable.
6. Pay all development fees.
7. Pay other fees as required.

6.2 AUTHORIZED APPLICANTS

The property owner, or the owner's authorized agent, may submit applications for installation or relocation of a water service line or private fire protection service line. A tenant, not acting as an agent for the owner of the property, will only be allowed to contract for water service.

6.3 REQUIRED INFORMATION ON CUSTOMER APPLICATION

The customer must provide the service address, street name, legal description of the property to be served, the purpose for which the service is required, the service requirements, the desired size of the service line connection and meter, the projected water demand and such other information as BMWD may reasonably require.

6.4 CUSTOMER'S RESPONSIBILITIES

BMWD will consider the information from the customer in the application for service as reliable. If there is an error in the application that causes improper size or location of a service line connection or improper meter installation, the customer shall bear all associated costs. As a condition of receiving service, the customer shall reimburse BMWD for any expenses incurred resulting from incorrect information received from the customer.

6.5 CONNECTION OR ADJUSTMENT PERMITS

Upon issuance of a construction or adjustment permit, a customer may retain a private contractor meeting BMWD's insurance requirements to install or relocate a water service line, private fire protection service line and related appurtenances. The permit is conditioned upon the customer's compliance with all applicable service conditions and payment of all applicable fees.

6.6 RESPONSIBILITIES

BMWD will maintain, repair and replace water service lines and meters from the distribution main to the outlet side of the meter, including the outlet side meter coupling. The customer is responsible for maintenance, repair and replacement of the yard piping extending from the outlet side of the meter coupling throughout the remainder of the customer's property.

6.7 USE OF FIRE HYDRANTS PROHIBITED

Use of water from fire hydrants is prohibited except for the following:

- Fire protection;
- City of San Antonio street sweepers;
- Contractors working directly for BMWD and authorized by BMWD; or
- Customers and their contractors who have obtained a fire hydrant meter prior to water usage as provided in Section 8.9.

7 WATER SERVICE LINES

7.1 INSTALLATION AND LOCATION

In new residential subdivisions, each lot shall be provided with a water service line when the subdivision's water system is constructed. Installation of service lines may be delayed for nonresidential lots until development occurs. BMWD must approve the location of all service lines.

Unless BMWD determines that no other line routing is feasible, service lines may not be extended to lots on the opposite side of the street from a water distribution main if the street right-of-way exceeds eighty-six (86) feet. In this case, a main extension may be required across the street before the service line starts.

7.2 SERVICE LINES ON LARGE DIAMETER MAINS

A customer service line smaller than six (6) inches in diameter shall not be connected to a transmission or distribution main exceeding twenty (20) inches in diameter. The customer must pay the cost of any local benefit main extension that is required to connect the service line to a main of an appropriate size. BMWD will determine the main from which service may be extended and whether the local benefit main will be extended from the transmission main or from the nearest existing local benefit main. If BMWD determines that unusual conditions, use, or location make extending a local benefit main infeasible, BMWD may approval an exception to this requirement; however, any exceptions must be in writing and approved by both parties.

7.3 REQUIREMENT FOR MAIN EXTENSIONS

In order to provide water service to a property, the customer is required to construct an approach main from the nearest available main to their property, and a border main across the entire frontage of their property if:

1. The property is not fully fronted by an existing water distribution main sixteen (16) inches or less in diameter, or
2. The nearest water main is on the opposite side of the street and the street right-of-way exceeds eighty-six (86) feet.

BMWD may waive the requirement for a border main across the entire frontage of the tract if the customer can provide sufficient documentation that extension of the main is not required to serve future customers beyond the customer's property. Border mains on the front of the property are required to be eight (8) inches unless the project requires a portion to be a larger main.

7.4 VALVE REQUIREMENTS FOR LARGE SERVICE LINES

Where the water main diameter is sixteen (16) inches or less, all service lines four (4) inches in diameter and larger and all fire-flow metered service lines must have a valve in the water main on each side of the service outlet in order to permit uninterrupted service from either direction in the event of a main break or shutdown. Valve requirements for four (4)-inch and larger service lines on mains twenty (20) inches and larger will be determined by BMWD on a case-by-case basis.

7.5 EFFECT OF CHANGED USE CONDITIONS

BMWD may review changed circumstances pertaining to the use, occupancy, or ownership at any time after service lines are installed. After reviewing the changes, BMWD will determine if one or more additional service lines are required. The customer must pay the cost to install the additional line(s) or appurtenances required by the changes.

7.6 CHARGES FOR SERVICE LINE INSTALLATION

Service line charges are according to BMWD's charge schedule unless the service line is installed by a private contractor. The customer shall pay all charges at the time the application for service line application is made.

7.7 CHARGES FOR ADDITION OR REMOVAL OF SERVICE LINES

If a property owner requests additional service lines, BMWD may issue a water connection permit for the work. If the property owner requires fewer service lines than what presently exist, then BMWD may disconnect the unused lines without cost or impact fee credit to the property owner. All requests to disconnect a service line must be submitted to BMWD in writing.

7.8 REQUESTS FOR LARGER SERVICE LINES

A customer may request a permit to replace a service line if a larger size service line is necessary to serve the customer. BMWD will review such requests prior to installation to determine if the requested revised service line size meets the requirements. The customer's contractor may install the new service lines upon the customer's payment of applicable impact fees. BMWD may relocate or install a larger service line for any customer, as BMWD deems necessary to provide service.

7.9 PRIVATE FIRE PROTECTION SERVICE LINES

A contractor approved by BMWD may install a private fire protection service line pursuant to a water connection permit. A customer may request a connection for a private fire protection service line to a BMWD main smaller than twelve (12) inches in diameter, subject to BMWD's discretion. The diameter of the private fire protection service line may be determined by the customer to serve the fire protection requirements of the customer's property, subject to BMWD approval. The backflow prevention assembly must be installed, maintained and tested annually at the customer's expense. A customer's request to install a combination domestic and fire protection service line with a fire-flow type meter may be approved at BMWD's discretion.

7.10 TEMPORARY SERVICE LINES

The procedures, rules and rates for temporary service lines are the same as those for permanent service lines, except that temporary service is for a maximum of one (1) year. BMWD will determine, at its discretion, whether a temporary service line may be installed and will evaluate all applications for temporary service lines as to the need for backflow prevention protection. The customer is responsible for installation and removal of temporary services.

7.11 SERVICE LINE RECONNECTION TO NEW MAINS

If BMWD replaces or relocates a water main, or if street reconstruction requires replacement or relocation of a water main, existing service lines will be extended and reconnected by BMWD:

7.12 IRRIGATION SERVICE LINES

Pursuant to HB 1656, all irrigation service lines will require a permit prior to installation. All irrigation services lines must have a backflow prevention assembly on the customer side of the meter which shall be installed, maintained and tested at the customer's expense. The customer is responsible for payment of the applicable charges and fees and must have an irrigation contractor confirm the required service line size. A customer may request that an existing service line be branched for an irrigation line. BMWD may allow installation of dual meters on a single service line. Allowable service lines for dual metering are one (1) 1-inch lines with two (2) ¾-inch branches or one (1) ½-inch lines with two (2) 1-inch branches.

7.13 CROSS-CONNECTION AND BACKFLOW PREVENTION

No water may be returned to BMWD's potable water distribution system. BMWD will immediately discontinue service to any customer with an unapproved connection or a cross-connection, and service will not be re-established until BMWD determines that the condition is corrected.

7.13.1 INDIVIDUAL CUSTOMERS

To protect BMWD's distribution system from contaminants associated with cross-connections and backflows, a connection between BMWD's distribution system and a customer's service line is not allowed if an unprotected cross-connection exists. A BMWD-approved backflow prevention assembly must be installed, maintained and tested annually by the customer before a connection is made to BMWD's distribution system. Customers residing outside the City of San Antonio or in areas not under the control of a plumbing inspection process must have a TCEQ-approved Customer Service Inspection performed before a meter is set or water service is provided. BMWD-approved backflow protection must be installed on all internal cross-connection hazards. Additionally, BMWD may require containment backflow protection on designated facilities.

7.13.2 WHOLESALE WATER CUSTOMERS

Wholesale water customers must have approved backflow prevention assemblies installed at all BMWD service connections. Any required air gap separation must be at least two (2) times the diameter of the supply pipe, measured vertically above the top rim of the vessel, and in no case less than one (1) inch.

7.13.3 TYPE OF PROTECTIVE DEVICES

The selection of an appropriate backflow protection device will be based on the degree of hazard involved. BMWD will make the final decision on a case-by-case basis. Backflow protection devices for residential customers shall be a below ground connection within an approved meter box, unless specifically requested by the customers.

7.14 PRESSURE REDUCING VALVE ("PRV") MAINTENANCE AND INSTALLATION

The customer is responsible for all maintenance and installation of the PRV on the customer's side of the meter. Developer shall give written notification to any contractor or builder who is

constructing homes or commercial properties in the development to install PRVs on the customer's side of the meter where static pressures exceed 80 psi.

8 WATER METERS

8.1 SEPARATE METERED SERVICE REQUIRED

Each parcel, lot, tract, or separate property to be served by BMWD shall have an individually metered service line connection from a public water main. These services shall not cross private lot lines.

8.2 WATER METERS FOR SINGLE-FAMILY RESIDENTIAL CUSTOMERS

Each single-family residential lot may be provided with up to two (2) meters, located inside of the right-of-way or in a minimum five (5)-foot by five (5)-foot water easement.

8.3 WATER METERS FOR MULTI-FAMILY AND OTHER CUSTOMERS

1. Each individual dwelling unit in a new duplex, triplex, quadraplex must have a separate meter. BMWD staff may approve an exception to this rule if it is warranted by unusual conditions and necessary to provide efficient service to the end users. A secondary irrigation meter may also be used.
 - A. BMWD will allow additional meters to be installed at duplexes, triplexes and quadraplexes that have been served by one (1) master meter with no additional impact fees charged under the following conditions:
 - The master meter has been in place for at least five (5) years.
 - The average amount of water used at the residence for the previous twelve assigned (12) months does not exceed the number of EDUs assigned to the master meter size.
 - The customer is responsible for funding all requested changes.
 - Multiple meters cannot be connected to a single tap if the number of EDUs assigned to the meters exceed the number of EDUs assigned to the tap size.
2. In every new multi-family residential development, separate meters must be used for the common areas, irrigation systems and any other outdoor uses of water.
3. All new non-residential buildings that have a floor area of more than 10,000 square feet must have separate meters for irrigation and any other outdoor use of water.
4. All new multi-family residential developments, manufactured home rental communities, and multiple-use facilities must provide for the measurement of the quantity of water consumed by the occupants of each dwelling unit or rental unit through the installation of either a separate BMWD water meter for each unit or a sub-meter for each unit, owned by the property owner or facility manager. Water meters owned by BMWD must be located inside of the right-of-way.

5. Service size and meter size shall be determined by the number of units for each building. Guidelines for the service/meter sizes are shown in the table below specific requirements should be verified by BMWD:

**BMWD Water District
Service/Meter Size for Multi-Family Apartment Buildings**

Note: These numbers are based on Standard Engineering Practices, Uniform Plumbing Code fixture unit count, TCEQ Regulations, and Flow Rate Tables:

No. of Units	Required Service Line Size	Required Meter Size
6	2"	1 ½ "
8	2"	1 ½ "
10	2"	1 ½ "
12	4"	2"
16	4"	2"
20	4"	2"
24	4"	2"
28	4"	2"

Combination domestic and fire protection service line and fire-flow meters may be used when a private fire protection service line is required and the domestic meter size is two (2) inches or larger.

8.4 WHOLESALE MASTER METERING

BMWD staff will determine whether master metering may be permitted for a wholesale water customer in order to provide the most efficient service to the end users.

8.5 LOCATION OF WATER METERS

Water meters must be located in areas with easy access and with protection from traffic and within or adjacent to public rights-of-way whenever possible. Meters may not be located in areas enclosed by fences. Meters two (2) inches and smaller must be located in a public right-of-way, or a minimum five (5)-foot by five(5)-foot separate water meter easement. Meters three (3) inches and larger must be located at least one (1) foot, but not more than fifty (50) feet, outside of the public right-of-way or a minimum ten (10)-foot by twelve (12)-foot water meter easement, and is subject to approval by BMWD. Developer shall ensure that no meter boxes or fire hydrants in the development are set in driveways or sidewalks. Developer shall give written notification to any contractor or builder of this provision. Any meters or fire hydrants set in driveways or sidewalks will be relocated at developer’s, contractor’s and/or builder’s expense. Also refer to Section 11.7 entitled, “Water Meters.”

8.6 REQUESTS FOR LARGER METERS

BMWD will replace a meter at a customer’s request if it is determined that a larger meter is necessary to serve the customer and the requested meter installation meets the revised requirement. BMWD will install the larger meter if the size of the existing service line can

accommodate the new meter and the customer's use warrants the replacement. Thereafter, the customer shall be responsible for paying the water rates associated with the larger meter. BMWD may also install a larger or a different type of meter. The customer shall pay all applicable charges and fees, including additional impact fees.

8.7 REQUESTS FOR SMALLER METERS

A customer may request a smaller meter if the customer's use is not expected to cause excessive wear on the new meter. BMWD will install the smaller meter at BMWD's cost provided that the size of the existing service line can accommodate the new meter. However, if excessive wear is detected, the meter will be replaced with a larger one. The customer will be informed and billed the cost for making the second replacement. BMWD may, at its initiative and expense, replace an existing meter with a smaller one if the current meter exceeds the customer's demand. If the customer's water needs subsequently increase, and if the size of the existing service line can accommodate the larger meter, BMWD will install an adequate size meter at BMWD's cost.

8.8 TEMPORARY CONSTRUCTION METERS

Upon a customer's request, BMWD temporary will install a smaller construction meter on a permanent service line of one inch or larger. The customer must pay the cost of the temporary meter installation according to the charge schedule at the time the customer makes this request. BMWD will render water bills in accordance with the established rate for the smaller meter until the permanent meter is installed. BMWD will install the permanent meter upon the request of the customer or the customer's contractor. The customer may have a contractor install the permanent meter under a service adjustment permit. The property must meet all City platting requirements, where applicable, and all impact fees and installation charges for the larger service line shall be paid prior to installation of the permanent meter. Water bills will then reflect the rate for the permanent meter.

8.9 FIRE HYDRANT METERS

BMWD may authorize a meter to be connected temporarily to a fire hydrant during construction operations in lieu of installing a temporary service line provided the customer:

- Executes a contract for a meter on a fire hydrant;
- Pays a customer account deposit;
- Assumes responsibility for the safekeeping of the meter, fitting and fire hydrant;
- Pays the charges set out in the charge schedules; and
- Complies with BMWD backflow prevention requirements.

8.10 METER BILLING OF DOMESTIC AND IRRIGATION SERVICE LINES

8.10.1 RESIDENTIAL CUSTOMERS WITH ONE (1) METER

A residential customer with one (1) meter serving both domestic use and an in-ground

irrigation system will have one billing statement. All water consumption, including the in-ground irrigation system, will be billed at the Residential Class rate for water.

8.10.2 RESIDENTIAL CUSTOMERS WITH TWO (2) METERS

A residential customer with two (2) meters where one is domestic and one is for irrigation will have two billing statements. Both meters will be charged the Residential Class water rate.

8.10.3 COMMERCIAL CLASS CUSTOMERS WITH ONE (1) METER

A commercial class customer with one (1) meter serving both domestic use and an in-ground irrigation system will have one billing statement. All water consumption, including the in-ground irrigation system, will be billed at the Commercial Class rate for water.

8.10.4 COMMERCIAL CLASS CUSTOMERS WITH TWO (2) METERS

A commercial class customer with two (2) meters, where one is domestic and one is for irrigation, will have two billing statements. Both meters will be charged the Commercial Class water rate.

8.11 ILLEGAL WATER CONNECTIONS

Developer or customer shall be responsible to BMWD for any unauthorized straight connects. BMWD shall be paid all fees and/or penalties within ten (10) business days after the notice of violation and/or bill is sent.

9 DESIGN STANDARDS FOR WATER SYSTEM FACILITIES

9.1 MATERIAL AND CONSTRUCTION PROCEDURE REQUIRMENTS

Requirements for materials to be used and construction procedures to be followed for water line projects can be found in the document entitled “BMWD Water District Drawing Details, General and Material Specifications” and in the document entitled “BMWD General Notes,” both of which are available on CD and BMWD’s website.

9.2 FIRE FLOW REQUIREMENTS

Fire flows required for sizing of distribution mains are as follows.

1. Single family residential developments with an average house size of not more than 3,600 square feet and with 400 or fewer lots: 1000 gpm.
2. Single family residential developments with an average house size of more than 3,600 square feet or with more than 400 lots: 1500 gpm.
3. All other developments: 2,000 gpm or more as determined by the developer’s engineer in accordance with the International Fire Code.
4. The minimum residual pressure at any point in the affected pressure zone at peak hourly plus fire flow may not be less than 25 psi.
5. The maximum allowable velocity in a main may not exceed ten (10) feet per second during the combined flow of peak hourly flow and fire flow.

9.3 SIZING OF WATER MAINS

BMWD may require that the developer use computer modeling to size on-site and off-site water mains. All modeling will be reviewed by BMWD. When modeling water mains, BMWD shall determine the static gradient. Hazen Williams coefficient for PVC pipe will be 120; Hazen Williams coefficient for DI pipe will be 100. The main size will be the largest size as determined by comparing the service area’s peak hour demand at five (5) feet per second and peak hour demand plus fire flow at 10 feet per second. For transmission mains only (mains exceeding sixteen (16) inches in diameter), the main size will be determined by peak daily flow with a velocity of three (3) feet per second as provided by the chart indicated below.

WATER SERVICE REGULATIONS
PIPE SIZE PER SECTIONS 9.2 AND 9.3
FOR RESIDENTIAL SUBDIVISIONS

PIPE NOMINAL SIZE IN INCHES	NORMAL FLOWS		FIRE FLOWS	
	PIPE VELOCITY	PIPE CAPACITY GPM	PIPE VELOCITY	PIPE CAPACITY GPM
54	3.0	21,414	8.0	57,103
48	3.0	16,919	8.0	45,118
42	3.0	12,954	8.0	34,544
36	3.0	9,517	8.0	25,379
30	3.0	6,609	8.0	17,624
24	3.0	4,230	8.0	11,280
20	3.0	3,917	9.0	8,812
16	5.0	3,133	10.0	6,266
12	5.0	1,762	10.0	3,525
8	5.0	783	10.0	1,567
6	5.0	441	10.0	881

9.4 SIZING OF PRODUCTION FACILITIES

Sizing of Production Facilities will be done in accordance with BMWD standard requirements and TCEQ requirements and must be sized to meet peak demand for areas being served; the minimum pressure tank capacity shall be 5,000 gallons and the minimum ground storage tank capacity shall be 50,000 gallons. Ground storage tanks will be sized at no less than 160 gallons per connection. Elevated storage tanks will be sized at no less than 160 gallons per connection.

9.5 STANDARD AND MINIMUM MAIN SIZES

Standard size water mains have diameters of eight (8) inches, twelve (12) inches, sixteen (16) inches, twenty (20) inches, twenty-four (24) inches and six (6) inch multiples thereafter. Six (6)-inch diameter pipe may be used only in cul-de-sacs less than 500 feet long and with the installation of a fire hydrant or an automatic flushing device at the end. The minimum size of any water main in any street type, however, will be governed by various factors including fire protection requirements, density of land use, and considerations of general grid system layout, future transmission mains, and neighboring developments and area configuration. BMWD will determine the sizes of transmission mains on a case-by-case basis.

9.6 GRID SYSTEM REQUIREMENTS

Grid system requirements for single or dual feed are provided for below. BMWD may allow exceptions to these requirements, upon its sole discretion, in which engineering documentation and certification are presented for review and has been approved by BMWD. An automatic flushing device is required at the end of each dead-end main.

Subdivisions in BMWD’s CCNs can be served by a single approach main provided that the proposed pipe diameter is of sufficient size to deliver the required minimum domestic flow plus the required fire flow.

**MINIMUM MAIN SIZE REQUIREMENTS FOR
SINGLE AND DUAL FEED TO SUBDIVISIONS**

All new and/or extensions of existing subdivisions within BMWD’s CCNs with a maximum lot count/growth of 0-100 lots, and a maximum required water demand of 700 gallons per minute (gpm) may be served by a single 8” diameter water main.

All new and/or extensions of existing subdivisions within BMWD’s CCNs with a lot count/growth in excess of 100 lots and/or an excess of 700 gpm, will require more than one (1) feed and the sizes of feeds will be determined by the maximum required domestic water demand (to include the maximum required fire flow demands).

The chart below dictates pipe diameter size requirements for a single/dual feed system:

NUMBER LOTS (each)	MINIMUM DOMESTIC SUPPLY (gpm)	FIRE FLOW (gpm)	SINGLE FEED PIPE SIZE (inches)	DUAL FEED PIPE SIZE (inches)
0 - 100	300	500	8”	8”
101 -200	400	1000	8”	8”/8”
201 – 400	600	1500	12”	8”/12”
401 – 900	1350	2000	12”	8”/12”
901 – 1500	2250	2500	16”	12”/12”
1501 – 3200	3200	3000	20”	16”/16”
>3200	Coordinate with BMWD			

9.7 VALVE REQUIREMENTS

1. All valves in the potable water distribution system must open “left.”
2. Valves must be located at the intersection of two or more mains and must be spaced so that no more than thirty (30) customers and no more than two (2) hydrants will be out of service at any one time.
3. In mains smaller than sixteen (16) inches, valves may be no more than 1000 feet apart. In mains twenty (20) inches and larger, the distance between valves may not exceed 2000 feet. For mains thirty-six (36) inches and larger, the location and frequency of required valves may vary depending on BMWD’s engineering design considerations.
4. The number of valves at each intersection shall be one less than the number of pipe extensions.
5. At dead ends, gate valves must be located one pipe length or a minimum of ten (10) feet from the end points of the main. The customer’s engineer must provide drawings showing complete restraint for all such valves, pipe extensions and end caps.

6. Branch piping for both new and future branches must be separated from the water main by gate valves.
7. Valves at intersections must be placed at the point of curvature of the curb line.
8. In water mains sixteen (16) inches and smaller, all valves must be resilient seated gate valves.
9. In water mains sixteen (16) inches in diameter and larger, automatic combination air/vacuum valves must be placed at all high points.
10. In water mains greater than sixteen (16) inches in diameter, butterfly valves must be used.
11. All butterfly valves must have actuators enclosed in a valve box.
12. Valves at pressure zone boundaries must be equipped with a locking type debris cap.
13. Valves in fire hydrants must be resilient seated gate valves and must be restrained to the main.
14. All valves shall be mechanically restrained.

9.8 FIRE HYDRANT REQUIREMENTS

Fire hydrants must be installed in accordance with the local fire prevention authority or as outlined below, whichever is more stringent.

Fire hydrants must be located along public rights-of-way, preferably at street intersections. A six-inch gate valve must be installed between the water main and each hydrant. Fire hydrants must be the dry barrel type and must comply with the BMWD's current material specifications.

In single-family residential developments, fire hydrants must be located so that every building site is within 500 feet of a hydrant and so that there is no more than 800 feet distance between hydrants. In all other developments, the distance between hydrants may not exceed 300 feet or as required by the applicable Fire Code. If the type of development is unknown, the distance between fire hydrants shall be 1,000 feet. Hydrants should preferably be installed at the intersection of two (2) streets, and normally should be installed three (3) feet behind the face of curb or projected future curb and outside of the sidewalk area.

Fire hydrants must be designed to have a four (4)-foot bury where possible. As a normal policy, bends or offsets in fire hydrant branches will not be allowed. Bends may be used to maintain a four (4)-foot bury or to maintain a two (2)-foot setback from a curb with prior approval by BMWD.

9.9 ADDITIONAL FIRE HYDRANTS

A customer may request the installation of a fire hydrant on an existing main of adequate diameter to provide fire protection service in excess of established criteria. BMWD will install the fire hydrant when the customer agrees to pay the actual cost of the installation. A fire hydrant providing supplemental fire protection may also be installed by a contractor approved by BMWD under a water connection/adjustment permit.

**9.10 WATER MAIN PROTECTION AT WASTEWATER AND
RECYCLED WATER CROSSINGS**

All water mains must be protected at wastewater main crossings and recycled water crossings, as required by TCEQ.

10 SINGLE CUSTOMER WATER MAIN EXTENSIONS CONSTRUCTED BY BMWD

10.1 APPLICATION

An applicant for a single customer water main extension must meet the following requirements and pay the applicable fees, charges and deposits:

- Provide a plat or Certificate of Determination of the platted property to be served.
- Provide a dedicated right-of-way or easement in which the main will be located.
- Provide the location of the service and the water and wastewater requirements to determine the size of the service line and meter.
- Provide such other information, as BMWD reasonably requires.

10.2 EXTENSION CHARGES

The applicant for a single customer water main extension that is to be constructed by BMWD must execute an agreement with BMWD for the main extension and must pay the extension charges plus the applicable impact fees. The extension charge will include all costs of the extension installation exclusive of oversizing. The main extension charge will be assessed according to the charge schedules.

10.3 PRO-RATA COLLECTION AND REFUND OF MAIN EXTENSION CHARGES

A single customer who contracts with BMWD for a main extension will receive an annual refund for ten (10) years from the date of the contract for the main extension. These pro-rata refunds will be paid from the proceeds of the pro-rata charges collected from other customers who connect to the main extension as their sole source of service, according to the charge schedule in effect at the time of the original agreement. The total refund may not exceed the total amount of the customer's extension charge.

BMWD collects pro-rata charges as a courtesy to the single customer and receives no financial benefit. BMWD shall not be held liable for errors or omissions in the collection and payment of pro-rata fees.

11 DEVELOPER EXTENSIONS OF WATER FACILITIES

11.1 APPLICATION AND COMPLIANCE REQUIRED

A developer must apply for service according to these Regulations before BMWD will extend its local and/or general benefit facilities to serve the new development. BMWD is not obligated to permit the connection of any main to an existing main, or to provide service, or to reimburse any oversizing cost until a developer complies fully with these Regulations.

11.2 DEVELOPER'S OBLIGATIONS

A developer's engineer must prepare detailed plans and cost estimates for water systems according to BMWD's design standards. The developer's engineer must be licensed as a professional engineer in the State of Texas. BMWD must approve the plans and cost estimates before it will issue a water connection or adjustment permit, a general construction permit or a trilateral contract. The developer's engineer must also prepare the contract documents if the project is to be constructed under a trilateral contract. The developer must furnish all necessary labor, materials, and equipment for construction of the local benefit facilities according to the plans approved by BMWD.

11.3 WATER FACILITY DRAWINGS REQUIRED

Before a water system may be constructed and a permit issued, all construction drawings must be reviewed and approved by BMWD. These drawings must meet the following requirements:

1. Plans must be drawn on (22-inch by 34-inch) drawing paper.
2. All subdivision water plans must include a cover sheet with location map, identification block, applicable general construction notes, an overall water layout sheet, and detail sheets if applicable.
3. After construction, a set of project record drawings (along with electronic backup), in accordance with BMWD current requirements, sealed by the consultant engineer, must be submitted prior to acceptance by BMWD.
4. The plan scale must be 1 inch = 50 feet.
5. The plan must show all existing and proposed street rights-of-way, lot lines, easements, utilities, and property lines. Recorded easements must be referenced with volume and page numbers. All data must be referenced with applicable names or numbers.
6. Each plan sheet must have an identification block, north arrow and scale callout.
7. All water mains must be properly identified as to size, material, class, and other pertinent data, and all appurtenances must be described and enclosed in a rectangular box.
8. The plan must show all existing and proposed utility crossings of the proposed water lines.

9. The plan must show dimensions of each water main off of a right-of-way or property line and show all lengths from fitting to fitting/appurtenance.
10. The plan must show all bores, street cuts, and sidewalk cuts.
11. Details or cross-sections, such as culvert crossings, must be shown on the same sheet if practical or referenced to the applicable sheet.
12. Plans must indicate a match-line from one sheet to the next, showing stationing and sheet number.
13. Plans must show all water service lines and describe them as to size, whether dual or single meters, domestic or irrigation use, and other pertinent information.
14. Plans must describe chlorination requirements and tie-ins. Developer shall chlorinate all water mains.
15. Plans must have the engineer's seal and dated signature, the date of the plans, and dated revision notes on each plan sheet.
16. Survey and coordinate system shall be in accordance with the applicable County and City grid system.
17. Protection requirements for water line and line crossings shall be in accordance with the most recent TCEQ requirements.

11.4 QUALITY ASSURANCE

Recordable plats and metes-and-bounds descriptions of easements must be prepared under the direction of a professional surveyor. The surveyor must seal, sign and date all documents prepared under his supervision.

11.5 PLAT REQUIREMENTS

BMWD must review and approve all easements to be recorded on a subdivision plat with the original engineering drawings. Where easements are to be dedicated outside the plat boundary or on property under different ownership, the following procedures must be followed:

1. Submittal of metes and bounds descriptions, survey plats, computer closure reports, and documents showing ownership of property.
2. Preparation of easement documents by BMWD.
3. Execution of easement documents by the owners and BMWD.
4. Recordation of easement and delivery of executed easement document to BMWD.

All off-site easements necessary to serve a proposed development must be shown on the face of the plat, or an acceptable tie must be established between the plat and the easements.

Easements required for construction of a proposed project must be approved and accepted prior to issuance of a permit for the proposed construction. All easements must be recorded before BMWD accepts the facility.

Unless otherwise noted, all recorded easements by metes and bounds must be labeled, “water and utility easement.”

11.6 WATER MAINS

When water mains are located outside a street right-of-way or overlapping public utility easement, they must be centered within easements dedicated and restricted for water facilities only.

For water mains located outside of the street right-of-way, the easement must have a minimum width of ten (10) feet and it should be contiguous to the street right-of-way or contiguous to a public utility easement. Where the easement cannot be located contiguous to the street right-of-way or a public utility easement, it must have a minimum width of twenty (20) feet. For new residential developments only, water easements along side lot lines must be a minimum of twenty (20) feet in width and located on one lot. Water easements may not be located along rear lot lines unless twenty-four (24)-hour paved access is provided.

For water mains located less than five (5) feet within right-of-way lines, a five (5)-foot water easement must be located adjacent to the right-of-way line.

The centerline of any water main may be no closer than twenty (20) feet to a commercial building, foundation or building slab.

11.7 WATER METERS

Two (2)-inch and smaller meters must be set within public rights-of-way if possible. Otherwise, they must be set in minimum five (5)-foot by five(5)-foot water meter easements.

Three (3)-inch and larger meters must be set in minimum ten (10)-foot by twelve (12)-foot water meter easements. Meters must be located one (1) foot inside the property line and one (1) foot outside of the easement inside the property line.

Water meter easements must be located contiguous with public rights-of-way unless approved by BMWD. An access easement with a minimum width of fifteen (15) feet is required when the meter is not contiguous with a public right-of-way.

11.8 PLAN APPROVAL

Prior to any construction, BMWD must issue an approval of the water plan to the developer, or a connection or adjustment permit to a developer’s contractor. A plan approval, or connection/adjustment permit becomes void if construction does not begin within twelve (12) months from the date the plan is approved or a permit is issued. Thereafter, the developer must submit a new set of plans to acquire a new permit or approval. BMWD must review the plans again before issuing a new permit or approval.

11.9 DISINFECTING OF NEW WATER MAINS REQUIRED

All newly constructed water mains must be disinfected in accordance with the AWWA C651-92 Standard. BMWD will collect samples for bacteriological testing in accordance with the AWWA Standard. All new water mains must produce a negative bacteriological sample before being connected to a BMWD water main and placed into service for potable water use.

11.10 INSPECTIONS AND ACCEPTANCE OF FACILITIES

The developer must notify BMWD at least three (3) working days prior to initiating construction. BMWD approved sets of the construction plans will be utilized and presented at the pre-construction meeting. Construction and testing observation is the responsibility of BMWD.

Once the work is completed, the developer's engineer must certify that the work was completed in general conformance to the BMWD-approved plans, BMWD specifications and cost estimates and applicable Regulations. BMWD will accept ownership of the developer's facilities after receiving and approving the final project completion documentation, including the water acceptance certificate, copies of all testing reports, the final project record drawings, warranties and affidavits. The developer must submit all of the project completion documentation within forty-five (45) days after the completion of construction. BMWD will issue its approval within fourteen (14) days of receipt of all required documentation. However, failure to submit complete documentation for one project will result in denial of approvals for future projects or meters until all earlier documentation is complete.

11.11 COMPLETE PROJECT RECORD DRAWINGS REQUIRED

The developer must furnish BMWD one set of project record drawings in both reproducible and CADD file digital form, according to current BMWD mapping standards, certified and approved by the customer's engineer, within forty-five (45) days after completion of construction. The project record drawings must be in accordance with BMWD standards and must completely detail main installations, service lines and all related appurtenances. BMWD has thirty (30) days to make comments to the submitted record drawings.

11.12 PROJECT RECORD DRAWINGS FOR PHASED CONSTRUCTION

If construction of the facilities is to be accomplished in phases, BMWD will receive project record drawings covering each phase of the project as that phase is completed. The documentation for subsequent phases of a project will not be accepted until the project record drawings for the preceding phases have been completed and accepted by BMWD.

11.13 PRO-RATA COLLECTION AND REFUND OF MAIN EXTENSION CHARGES

A developer who obtains a general construction permit from BMWD for the construction of an approach or border main is eligible to receive annual pro-rata refunds of pro-rata charges for ten (10) years from the date the contract or permit for the main extension is executed. Refunds will be paid from the proceeds of the pro-rata charges collected from other single customer and developers who connect to the main extension as their sole source of service. The total refund will be in accordance with the charge schedules and may not exceed the total amount of the developer's expense, after subtracting any oversizing reimbursement and impact fee credits, for the main extension. Pro-rata charges are due prior to execution of a USA for customers requiring a USA, and prior to permit issuance for all other customers. BMWD collects pro-rata

charges as a courtesy to the developer and receives no financial benefit. BMWD shall not be held liable for errors or omissions in the collection and payment of pro-rata fees.

12 OVERSIZING OF WATER FACILITIES

12.1 OVERSIZE FACILITY REQUIREMENTS

A developer must pay for all mains and other facilities needed to serve a proposed development. BMWD may require the installation of oversized water mains. BMWD requirements for oversizing will be included in the USA. BMWD will execute a trilateral contract with the developer and a contractor for the construction of the oversize project facilities. Oversize projects must be competitively bid by BMWD. BMWD will reimburse the developer for the oversize construction cost differential upon completion of the approved project installation and BMWD's acceptance of the system. BMWD will determine whether to provide such reimbursement in the form of a cash reimbursement or in credit to be applied to impact fees. Where BMWD's share exceeds fifty percent (50%) of the construction costs, provisions shall be made whereby BMWD shall pay their proportionate share of the construction costs on a monthly basis as part of the normal construction invoicing process.

12.2 OVERSIZE WATER SYSTEM REIMBURSEMENT

12.2.1 OVERSIZE WATER MAINS

BMWD's reimbursement to the developer for oversize water main construction costs will be calculated based on the incremental cost of the oversize construction. The developer's cost sharing will be a proportional share of BMWD's required capacity versus the installed mains actual capacity. The developer's pro-rated share will be based on the ratio of the pipe area using the nominal diameter of the required standard size main to the pipe area using the nominal diameter of the oversized main installed.

If construction of a parallel main is required to conform to these Regulations, the oversize area of the main will be the sum of the areas of the parallel mains. The total costs of the mains constructed will include the cost of the parallel mains.

12.2.2 OTHER OVERSIZE WATER SYSTEM FACILITIES

Water system facilities that may require oversizing include ground and elevated storage tanks, permanent booster stations, high service pumps, and associated production equipment. BMWD will reimburse the developer for the differential in the cost of the oversize installation that is the result of the required oversizing. This differential will be calculated by dividing the total cost of the oversize facility between the customer and BMWD in proportion to the capacity required by the customer and the oversize capacity required by BMWD. BMWD will determine reimbursable oversizing costs on a case-by-case basis.

12.3 LIMITATION OF ENGINEERING FEE REIMBURSEMENTS

The developer's reimbursement for engineering design fees is limited to ten percent (10%) of BMWD's proportionate share of the oversize construction costs. Design fees include the cost associated with design, construction inspection, observation, surveying and environmental review.

12.4 BMWD-SUPPLIED PIPE IN LIEU OF REIMBURSEMENTS

If the developer agrees, BMWD may elect to participate in the oversize project by providing the oversize pipe instead of financial reimbursement. In such cases, BMWD's obligation will be limited to the supply and delivery of the required oversize pipe. The developer will then be responsible for all remaining project costs, including fixed construction costs, labor, mobilization, engineering costs, and materials such as valves and fittings. No trilateral agreement or public bid is required when BMWD supplies pipe in lieu of reimbursement. Impact fee credits cannot be earned when there is no public bid or trilateral agreement.

13 IMPACT FEES

13.1 IMPACT FEES

Impact fees may be used only to fund or recoup the cost of water distribution mains and related facilities installed or expanded to serve new development transmission mains and production and storage facilities.

13.2 MUST BE PAID PRIOR TO SERVICE CONNECTION

Impact fees must be assessed at the of plat recordation. Impact fees as assessed must be paid prior to the first meter being set. This shall apply to all EDUs proposed for the particular unit(s) being built. Under rare circumstances, as determined by BMWD, a customer, either single or developer, may desire service without payment in full of impact fees. That customer must pay a portion of the impact fees due and execute a development agreement with BMWD detailing when impact fees will be paid, as well as the reason(s) for seeking an exception to the requirement that impact fees be paid in advance. Such development agreement shall include interest payable to BMWD which shall not exceed the maximum allowed by law.

13.3 TIMING OF IMPACT FEE PAYMENT

The customer will be required to pay all required impact fees due prior to setting of the water meter. At the time a customer submits a plat application to BMWD, the customer must state in writing on the plat application whether the customer elects to pay impact fees either (i) before the plat is recorded, or (ii) at the time the water meter is set.

13.3.1 PAYMENT AT TIME OF RECORDATION

If the impact fees are to be paid at the time of platting, the Letter of Certification issued by BMWD will state both the current impact fees and the number of EDUs to be used. The impact fees to be paid will be those in effect at the time of plat recordation and may be different from the fees shown in the Letter of Certification. BMWD will not approve the release of a plat for recordation unless all required impact fees have been paid and either (a) all required improvements have been constructed and accepted by BMWD or (b) a performance guarantee has been provided to and accepted by BMWD.

13.3.2 PAYMENT AT TIME OF APPLICATION FOR WATER METER SET

BMWD will approve the release of the plat for recordation after either (a) all required improvements are constructed and accepted by BMWD, or (b) a performance guarantee in a form acceptable to BMWD that guarantees the cost of completing the required improvements. In the event that, the following notation must be stated on the plat:

IMPACT FEE PAYMENT DUE: WATER IMPACT FEES WERE NOT PAID AT THE TIME OF PLATTING FOR THIS PLAT. ALL IMPACT FEES MUST BE PAID PRIOR TO WATER METER SET.

13.4 DETERMINATION OF IMPACT FEES AND EDUs

The number of EDUs for assessment of water impact fees are based upon water meter size. As set forth in Impact Fee Table 1. The impact fee per EDU is set forth in Impact Fee Table 2.

Impact Fee Table 1

Meter Size (in inches)	EDUs
5/8 to ¾	1
1	2
1 ½	5
2	8
3	18
4	32
6	70
8	120
10	190

Impact Fee Table 2

Service Area	Impact Fee
Hill Country	\$4,488
Northwest	\$3,612
Southside	\$1,390
Southeast	\$1,291
Northeast	\$666

13.5 INCREASE IN WATER DEMAND

Following impact fee assessment, additional development that increases the number of EDUs on a property will result in additional impact fee assessment. Such assessment may be made at any time during the development or building process, and will be limited to assessment for increased service units being developed.

13.6 RECOGNITION OF COMMITMENT TO PROVIDE WATER CAPACITY

For a customer who has a utility service agreement, BMWD will recognize its commitment to set-aside water system capacity in infrastructure servicing the tract for the time period the agreement is in effect. System capacity is guaranteed if the developer has paid the associated impact fees at the appropriate impact fee rate either in the form of a direct payment to BMWD or by previously earning impact fee credits pursuant to Section 13.10 of these regulations.. In addition to impact fee payments, the customer must have paid all water development fees, completed construction of all infrastructure (excluding on-site mains not required to be oversized) required in the utility service agreement and the infrastructure must have been accepted by BMWD.

13.7 USE OF WATER CAPACITY

BMWD reserves the right to use set-aside water system capacity in on-site and off-site water supply systems that service existing developments regardless of whether such water supply was oversized.

13.8 MAINTAIN RECORDS

BMWD will maintain records regarding a developer's capacity in on-site and off-site systems. In the event the developer exceeds the amount of set-aside capacity as a result of any subsequent development of the property, the developer will be required to obtain a new utility service agreement reflecting the additional EDUs required for the development or request an amendment to the developer's existing utility service agreement.

13.9 EXCLUSIVE OWNERSHIP OF CAPACITY

BMWD retains exclusive ownership of the capacity in all facilities under its control. However, BMWD will continue to serve a development for which capacity has been guaranteed and all requirements of the utility service agreement are being met. A development will not be denied service solely on the basis that the remaining capacity for such development is insufficient to accommodate anticipated flows to be generated by the development when such insufficiency is the result of BMWD connecting another development's flows to the system serving the initial development for which capacity was committed.

13.10 AWARD OF IMPACT FEE CREDITS

A developer is eligible for impact fee credits for funding a project or a portion of a project included in the Impact Fee Capital Improvement Plan or based on oversizing requirements by BMWD. Credits for oversizing will be earned based on the incremental cost of oversizing as indicated in Section 12.2.1 including engineering fees up to ten percent (10%) as provided for in Section 12.3. In no event may the sum of the dollar value of the impact fee credit and the dollar value of any reimbursement be greater than the total as-built construction cost for that portion of the project. To be awarded credits under this section, construction projects must be competitively bid in coordination with BMWD and in accordance with state law and BMWD policies. Impact Fee credits earned under this section will not have an expiration date and may be transferred to another development owned by the same developer. For credits earned under this section, there is not a minimum number of credits that must remain with the property. Impact fee credits must be used at the time of platting or first meter set.

13.11 IMPACT FEES FOR SCHOOL DISTRICTS

In accordance with Section 3.95 of the Texas Local Government, a school district is not required to pay impact fees to BMWD unless the board of trustees of the school district consents to the payment of impact fees by entering into a contract with BMWD.

13.12 IMPACT FEE REDUCTION OF WAIVER FOR AFFORDABLE HOUSING

In accordance with Section 395.016(g) of the Texas Local Government Code, the BMWD Board of Directors may, at its sole discretion, reduce or waive an impact fee for any EDU that would qualify as affordable housing as defined by 42 U.S.C. Section 12745, as amended, once the EDU is constructed. If affordable housing as defined by 42 U.S.C. Section 12745, as amended, is not constructed, the BMWD Board of Directors may reverse its decision to waive or reduce the impact fee, and BMWD may assess an impact fee at any time during the development approval or building process or after the building process if an impact fee was not already assessed.

13.13 VARIANCES

Any customer may request a variance from the payment of impact fees by submitting a written request for a variance to the BMWD General Manager on or before the 30th day after the assessment of the impact fees. Within thirty (30) days of receipt of the written request for variance, the General Manager shall forward the variance request along with a recommendation to the BMWD Board of Directors. After the variance request and recommendation are sent to the BMWD Board of Directors, the variance request shall be placed on the agenda for the earliest available regularly scheduled meeting of the BMWD Board of Directors.

13.14 UPDATES

BMWD shall update the land use assumptions and capital improvements plan at least every five (5) years, commencing from the date of adoption of such plans, and shall recalculate the impact fees based thereon with the procedures set forth in Chapter 395 of the Texas Local Government Code.

13.15 ADVISORY COMMITTEE

The BMWD Board of Directors shall appoint an Advisory Committee to perform the functions of an advisory committee as set forth in Section 395.058 of the Texas Local Government Code. The BMWD Board of Directors shall set the terms for the committee members and shall adopt other procedural rules for the Advisory Committee to follow in carrying out its duties.

13.16 IMPACT FEE ACCOUNT

BMWD shall establish and maintain an account for impact fees. All impact fees will be deposited in interest-bearing accounts. The interest earned is a fund of the account and is subject to all use restrictions placed on the balance asset set out herein. The impact fees collected may be used to finance or recoup the costs of any capital improvements or facility expansion identified in the capital improvements plan.

14. WATER SUPPLY DEVELOPMENT FEE

14.1 WATER SUPPLY DEVELOPMENT FEE

Water supply development fees may only be used to fund or recoup BMWD's cost of new water supply projects developed or expanded to serve a new development.

14.2 MUST BE PAID AT PLAN APPROVAL

Developer shall be required to pay a Water Development Fee per each EDU for each Phase and the whole of the development in the amount approved and adopted by the BMWD Board and is in effect at the time BMWD approves the developer's Water Utility Plans for that phase of the development.

15. PERMIT REQUIRED FOR DRILLING OF NEW WELLS

15.1 PERMIT REQUIRED FOR DRILLING OF NEW WELLS

In order to protect the area's water resources, it is unlawful for anyone to drill, maintain, or otherwise construct or have constructed any new water well, or any injection well or the purpose of an earth-coupled heat exchange system, or to undertake any artificial excavation to explore for or produce groundwater within BMWD's service area without first applying for and obtaining a well drilling permit from BMWD. All drilling or construction of water wells and injection wells for the purpose of an earth-coupled heat exchange system must be done in strict compliance with the terms of the well drilling permit and the BMWD water well permitting procedures.