The changes enclosed in this draft of San Antonio Water System's (SAWS) Utility Service Regulations are proposed only. They are not final and are still subject to change. Updates to this draft may be made in light of customer and community feedback to this draft. Any changes to the Utility Service Regulations must be approved by the SAWS Board of Trustees.

Sections 4 and 5 are entirely new. Material changes in other sections are reflected by highlighted text.

San Antonio Water System
Utility Service Regulations

[FINAL DRAFT – April 28, 2024]

1 INTRODUCTION AND INTENT

1.1 INTRODUCTION

These Utility Service Regulations implement the San Antonio Water System's (SAWS') continuing commitment to provide quality service to its customers while meeting its obligations to its bondholders and the greater community it serves. This document consolidates all practices, procedures, policies and requirements formerly contained in SAWS' Regulations for Water Service, SAWS' Criteria for Water Supply and Distribution in the City of San Antonio and Its Extraterritorial Jurisdiction, Regulations for Wastewater Service Criteria for Wastewater Transportation and Treatment Facilities in the City of San Antonio and its Extraterritorial Jurisdiction, and the City Code of the City of San Antonio.

1.2 INTENT

It is the intent of these regulations to establish the policies governing provision of water, wastewater and recycled water service by SAWS to Customers, and those rules and regulations SAWS Customers agree to abide by in exchange for service. These include environmental and drought management regulations as well as mechanisms and standards for the extension of service to new customers and for the funding of the extensions by the new customer. These regulations are applicable to all customer service locations regardless of whether the service location is within or without the City of San Antonio's City Limits or Extraterritorial Jurisdiction.

All utility extensions must conform to all design standards developed by SAWS for that utility, to SAWS' Utility Infrastructure Master Plans and to these regulations. The regulations are adopted by reference in the City Code of the City of San Antonio. The regulations are adopted to promote the general health, safety and welfare of the residents of the City of San Antonio, its extraterritorial jurisdiction and SAWS' certificated service areas.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.)

1.3 AUTHORITY

Enacting Legislation

These regulations are enacted pursuant to the laws and regulations of the State of Texas and the City of San Antonio, including the authority granted by the Texas Local Government Code, Title 13, Water and Wastewater Utilities, the Texas Water Code Annotated, Title 2, Water Administration, the City Charter of the City of San Antonio, and Ordinance No. 75686, dated April 30, 1992, and other ordinances adopted by the City Council of San Antonio.

(This section amended by SAWS Board Resolution #12-514, approved December 4, 2012, entitled Amendment #9.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

1.4 SEVERABILITY

If any part of these Utility Service 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 Utility Service Regulations (USR). Revisions that require the expenditure of San Antonio Water System funds or that change any regulation other than the design standards require approval by the San Antonio Water System Board of Trustees. Revisions to the design standards may be made administratively, pursuant to procedures established by the President/Chief Executive Officer of the San Antonio Water System, unless the Chair of the Board of Trustees determines that a particular revision to the design standards involves a policy matter that requires consideration and approval by the Board of Trustees.

SAWS will provide at least six months' advance notice on a publicly available website of changes to the SAWS USR before the effective date of implementation. In addition, SAWS will provide 60 days' notice of any design standards revisions made administratively unless such changes are a result of regulations implemented due to health and safety issues, or requirements from outside regulatory agencies such as the EPA, TCEQ, and the City of San Antonio. Courtesy notification of changes may also be sent to applicable stakeholders. SAWS reserves the right to interpret, apply and enforce any existing regulation or specification.

Changes to SAWS USR apply to projects approved after the effective date. However, the new requirements will apply to projects approved before the effective date if the project requires re-submittal and approval because of project changes, or regulations implemented due to health and safety issues, or requirements from outside regulatory agencies such as the EPA, TCEQ, and the City of San Antonio.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.)

1.6 REVISION OF CHARGE SCHEDULES

The charge schedules appended to these regulations are those in effect at the time the regulations are initially adopted. The SAWS Board of Trustees may revise these charge schedules in the 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 cost exceeding the normal costs of labor and materials for installing SAWS facilities. These include but are not limited to excess labor and material costs for repaving for street, highway and railroad crossing borings, or on account of other special conditions caused by physical obstructions or drainage facilities to be paid by the customer.
Affidavit – /Developer Customer's and Contractor's Payment and Receipt Affidavit	The affidavit required to be signed by a developer customer and the developer customer's contractor prior to SAWS' acceptance of ownership of facilities.
Agreement – Recycled Water	An agreement between SAWS and a developer customer whereby the customer obtains recycled water for development of a specific tract or project.
Air Gap Separation	A physical break between a water supply pipe and a receiving vessel.
Area – Local Benefit Impact Fee	A developed area previously without water or wastewater services that is designated by City Council to be provided with water or wastewater service through the Local Benefit Impact Fee Program.
Area – Service	The area within the boundaries defined by a Certificate of Convenience and Necessity.
Backflow	The undesirable reversal of the flow of water in the mains of the potable or recycled water systems, or the introduction of a mixture of water and other substances into the mains. (Please reference the Cross Connection Control and Backflow Prevention Program Manual on SAWS Website).
Benefit – General	An element of the water, recycled water or wastewater system infrastructure that supports service to multiple customers. General benefit facilities include water production, storage, treatment, transmission and distribution facilities, permanent wastewater lift stations, force mains, outfall lines and treatment facilities, and recycled water storage and transmission facilities.
Benefit – Local	An element of the water, recycled water, or wastewater system infrastructure that supports the provision of service to individual customers.

Board, or Board of Trustees	The Water System Board of Trustees of San Antonio created pursuant to Ordinance No. 75686 of the City Council of the City of San Antonio, Texas adopted on April 30, 1992.
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 SAWS water supply, production, treatment, storage, pumping, transmission or distribution facility, or wastewater collection or treatment facility, with a life expectancy of three or more years.
Capital Improvements Advisory Committee	The committee appointed by the City Council in accordance with Chapter 395 of the Local Government Code to oversee the development of proposed impact fees for the water and wastewater systems.
Capital Improvements Program (CIP)	The multi-year plan for implementing projects that support water supply and delivery, wastewater collection and treatment, and cooling requirements in the SAWS service area. The CIP is a financial planning and management tool which identifies facility and equipment requirements and schedules them for funding and implementation.
Certificate of Convenience and Necessity (CCN)	The authorization issued by the Texas Commission on Environmental Quality for an agency such as SAWS to furnish retail water or wastewater service directly or indirectly to the public.
Certificate of Determination	A determination/ruling by the Development Services Department of the City of San Antonio which acknowledges that a certain tract of land does not require any platting by the Owner in order to be served by public utility companies.
City	The City of San Antonio, Texas.
City Council	The City Council of the City of San Antonio, Texas.
COSA	The City of San Antonio, Texas.
Cross-Connection	An unprotected actual or potential connection, mechanical or hydraulic union between a potable water system and a recycled or other non-potable water system that would allow non-potable water to pass into the potable water supply.
Customer	Any individual, account holder, business, institution, builder, developer, property owner, or other retail end user eligible for utility

	service in accordance with these regulations.
Customer Service Inspection	In 1996 Texas Commission on Environmental Quality required that a Customer Service Inspection be done prior to continuous water service being provided.
Customer – Developer	A property owner who requests water, wastewater, or recycled water service by way of the extension of SAWS infrastructure to serve new development, including the property owner's agent and subsequent purchasers, successors and assigns. A developer customer plats, re-plats or otherwise develops lots or tracts of land for sale, lease or development.
Customer - Single	An individual customer requesting water, recycled water or wastewater service and extension of existing water, recycled water or wastewater main or a water service line or wastewater lateral to a single platted lot or tract of land.
Customer Wholesale	Publicly or privately owned water utility that has a supply contract with SAWS for specified amounts of wholesale water or wastewater service. Wholesale customers include private water companies, nonprofit water companies or corporations, Water Control and Improvement Districts and Municipal Utility Districts providing retail water and wastewater service to the public.
Dedicatory Instrument	As used within the Texas Property Code, "dedicatory instrument" means a governing instrument for the establishment, maintenance, and operation of a residential subdivision, planned unit development, condominium, townhouse regime, or any similar planned development. Texas Real Property Code, § 202.007(1).
Design Standards	The engineering design standards and specifications for the San Antonio Water System's utilities, adopted in accordance with TCEQ criteria.
Developer	A developer customer as defined herein.
Discharge	The release of water, treated wastewater, or recycled water from one point to another, such as through a pipe from an organized system.
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 – Quadraplex	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 or wastewater 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, as defined in the "Report on 2019-2023 Land Use Assumptions Plan, Capital Improvements Plan and Maximum Water and Wastewater Impact Fees" as approved by the City Council May 2019, or as amended.
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 SAWS or a SAWS contractor will construct from the nearest adequate main to the farthest point fronting the customer's property.
Extraterritorial Jurisdiction (ETJ)	The un-incorporated area contiguous to corporate boundaries of the city where the city has regulatory control as determined by State law and the Texas Local Government Code, which may be amended from time to time.
Facility	Any structure, excluding on-site mains, pertaining to a water or wastewater system for the production, treatment, distribution, or collection of water and wastewater, including, without limitation, wells, reservoirs, elevated tanks and hydro-pneumatic tanks, pumping stations, master pressure reducing valves, water, recycled water and wastewater treatment facilities, and sewer lift stations, inverted siphons and force mains.
Frontage Footage	The length in feet of the side of a single or developer customer's property that is adjacent to an existing or proposed main.
Groundwater Availability Model (GAM)	Groundwater availability modeling is the process of developing and using computer programs to estimate future trends in the amount of water available in an aquifer and is based on hydrogeologic principles, actual aquifer measurements, and stakeholder guidance.
Guaranteed Capacity	Capacity in SAWS water and wastewater systems that is achieved through the construction 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 for Water, Water Supply and Wastewater Improvements.

Impact Fee – Collection	That portion of SAWS' wastewater impact fee structure that enables SAWS to fund or recover its investment in wastewater collection and outfall mains, permanent lift stations, force mains and related facilities installed to serve new customers.
Impact Fee - Flow	That portion of SAWS' water impact fee structure that enables SAWS to fund or recover its investment in water distribution mains and related facilities installed to serve new customers.
Impact Fee - Local Benefit	That portion of SAWS' water impact fee structure that enables SAWS to fund or recover its investment in local benefit water distribution mains and related facilities installed to serve new customers within a particular developed area that was previously without water service, and that portion of SAWS' wastewater impact fee structure that enables SAWS to fund or recover its investment in local benefit wastewater mains and related facilities installed to serve new customers in a particular developed area that was previously without wastewater service.
Impact Fee - System Development	That portion of SAWS' water impact fee structure that enables SAWS to fund or recover its investment in production, pumping, storage, and major transmission main facilities installed to serve new customers within a particular water pressure zone.
Impact Fee - Treatment	That portion of SAWS' wastewater impact fee structure that enables SAWS to fund or recover its investment in wastewater treatment facilities installed to serve new customers.
Impact Fee – Water Supply	The portion of SAWS' water impact fee structure that enables SAWS to fund or recover its investment in new water supply projects needed to support new customers.
Impact Fee Credit	A dollar value earned pursuant to section 15.9 of these regulations and credited against the payment of water and wastewater impact fees.
Irrigation system	A system of fixed pipes and emitters, drip lines, or heads that apply water to landscape plants or turf grass, including, but not limited to, in-ground and permanent irrigation systems.
Landscape Irrigation Plan	The plan will include the type of irrigation system installed, zones, and square footage irrigated. It may also include a description of performance standards such as a calculated distribution uniformity, rain sensors, moisture meters, and other systems that increase the efficiency of the overall system, identification, location and dimensions of plant materials, description of plant materials shown on the plan, including names (common and botanical) or other information the customer would like to submit supporting their claim. Landscape Irrigation Plans must be completed pursuant to all local, state, and federal laws.
Letter of Availability	A letter from SAWS describing the nearest water, wastewater, and/or recycled water mains that may be available to serve a specific tract or

	project.
Letter of Certification (LOC)	A formal approval in the form of a letter 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.
Line – Private Fire Protection Service	A connection to SAWS' water distribution system designed solely to provide fire protection to a particular customer.
Line – Service	A pipe maintained by SAWS, extending from a water distribution main to a water meter at the property line, that delivers water to a customer.
Line – Temporary Service	A service line installed for a period of time not to exceed 12 months to supply water temporarily to a construction site or temporary structure.
Main – Approach	A local benefit or general benefit water main that connects between SAWS' existing water distribution system and the perimeter of a new development in order to serve a developer customer.
Main – Border	A local benefit or general benefit water main that is adjacent to a boundary of a developer customer'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. In the context of the recycled water system, an off-site main, constructed at the customer's expense, connecting one or more customers with a recycled water transmission main. Recycled water distribution mains terminate at the connection points between customers' recycled water meters and SAWS' transmission mains. All transmission and distribution mains that SAWS accepts, including all meters, become SAWS 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. In the context of the recycled water system, a main designed to deliver recycled water to the distribution mains leading to individual customers' properties. Normally defined as 24 inches in diameter or larger.
Main Extension	An extension from an existing SAWS main to a point at or on a single or developer customer's property.
New Development	Means 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 service units.
Off-Site	Any structure, facility, equipment or installation that delivers water or recycled water from SAWS' production, storage, transmission and

	distribution systems to a developer customer's or recycled water customer's on-site system, or that receives wastewater from a developer customer's on-site collection system and transports, treats, and ultimately discharges that wastewater into a receiving stream at a permanent location determined by SAWS.
On-Site	Any structure, facility, equipment or installation that collects and transports wastewater from within a developer customer's development to the off-site wastewater system or that delivers water or recycled water within the project from the off-site system. When referring to the recycled water system, "on-site" facilities include all of the customer's non-potable water facilities downstream from the recycled water meter.
Oversize	A local or general benefit water or wastewater facility or a recycled water distribution main exceeding the minimum 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 SAWS requires a developer to install in accordance with the Utility Infrastructure Master Plan, or the differential cost, reimbursable to the customer, between the cost of the recycled water distribution main required to serve a recycled water customer and the cost of the oversize main that SAWS requires the customer to install as a condition of receiving recycled water service.
Owner	The holder of the legal title to a property, including the owner's agents, successors and assigns.
Permit – Connection/ Adjustment	An authorization by SAWS for a contractor to install a water service line or a wastewater lateral and remove existing services as warranted or to adjust or extend certain water or wastewater mains. The permit applicant is solely responsible for payment of agreed charges to the contractor and related SAWS fees.
Permit – General Construction	An authorization by SAWS for a developer customer to install water or wastewater system infrastructure in a new development or for a recycled water customer to install a recycled water distribution main 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 will include a drought management plan and may describe any water conservation methods such as rainwater harvesting, preservation through deed restrictions of native, non-irrigated land.

Plan – Impact Fee Capital Improvement	The plan required by Chapter 395, Local Government Code, that identifies capital improvements or facilities expansions for which impact fees may be assessed and that includes a plan for awarding credit as defined in Section 395.014 of the Local Government Code.
Plan – Utility Infrastructure Master	The Master Plan for Water and Wastewater Infrastructure of the San Antonio Water System, as adopted and amended from time to time by the Board of Trustees.
Plan – Utility Master	The plan submitted by a developer detailing the layout of the water, wastewater, and recycled water system infrastructure within a new development project and specifying the EDU demand as applicable for each utility.
Plat	A complete and exact map representing a tract of land, showing the boundaries and location of individual lots, easements, and streets which will be submitted for approval by the planning commission or director.
President/CEO	The President/Chief Executive Officer of SAWS. This term includes the management of SAWS in the exercise of administrative and managerial decision-making and in acts under authority delegated by the Board of Trustees to the President/Chief Executive Officer and staff.
Pressure Reducing Valve (PRV)	A valve which automatically reduces inlet water pressure to a specified value at its outlet under static cold water conditions.
Pressure Zone	An operationally and topographically distinct area within the water distribution system that involves particular pressure and storage considerations.
Private Service Lateral (PSL)	The onsite extension from the wastewater lateral beginning at the property line and extending to the structure.
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 SAWS would use to provide service.
Project Record Drawings	Engineering drawings submitted to SAWS showing water, wastewater and recycled water mains and related facilities as constructed or modified.
Recycled Water (Reclaimed Water)	Domestic or municipal wastewater which has been treated to a quality suitable for a beneficial use, pursuant to the provisions of TCEQ Chapter 210 of TAC 30 and other applicable rules and permits. Reference the SAWS Recycle Water User's Handbook for additional information.

Regulations	These Utility Service Regulations adopted by the San Antonio Water System Board of Trustees and incorporated by reference into the City Code of the City of San Antonio and as amended.
Reserved Capacity	Capacity in SAWS water and wastewater systems that becomes available upon the effective date of the Utility Service Agreement and terminates upon the expiration date of the Utility Service Agreement unless it meets the criteria for Guaranteed Capacity.
SAWS	The San Antonio Water System, a water, wastewater and recycled water agency of the City of San Antonio, established pursuant to Ordinance No. 75686, dated April 30, 1992, and Texas Revised Civil Statutes Annotated, Article 1115.
Soil Organic Matter	The organic component of soil, consisting of three (3) primary parts including small (fresh) plant residues and small living soil organisms, decomposing (active) organic matter, and stable organic matter (humus). Soil organic matter serves as a reservoir of nutrients for crops, trees, shrubs, and vegetation, and provides soil aggregation, increases nutrient exchange, retains moisture, reduces compaction, reduces surface crusting, and increases water infiltration into soil.
Start of Construction	The date a construction project begins after receiving a SAWS construction permit or trilateral contract for a water or wastewater project to serve a particular property. The project must be completed by the developer and accepted by SAWS.
Subdivision	As defined in the City of San Antonio Unified Development Code, a division of any tract of land into two (2) or more parts for the purpose of laying out any subdivision of any tract of land or any addition to the city, or for laying out suburban, building, or other lots, or streets, alleys, or parks or other portions intended for public use, or the use of purchasers or owners of lots fronting thereon or adjacent thereto. A subdivision includes a resubdivision (replat).
TCEQ	Texas Commission on Environmental Quality
Utility Service Agreement (USA)	An agreement between SAWS and a developer customer whereby the customer obtains water or wastewater service, or any combination of these services, for development of a specific tract or project.
Violation	Any violation of section 4, Conservation and Drought, of these utility service regulations.
Waste	Water used without obtaining maximum beneficial use thereof. "Waste" shall also include, but not be limited to, causing, suffering, or permitting a flow of water used for landscape watering to run into any river, creek or other natural water course or drain, superficial or underground channel, bayou, or unto any sanitary or storm sewer, any street, road or highway or other impervious surface, or upon the lands of another person or upon public lands; any discharge of water used for

	commercial, industrial, municipal or domestic purposes to any storm, sanitary sewer, or septic system without the user first having obtained maximum beneficial use thereof; and failure to repair any controllable leak.
Water Supply	Surface or ground water sources to serve new or existing customers.
Wastewater Lateral	A pipe maintained by SAWS, extending from a wastewater collection main or manhole to the customer's property line, which collects wastewater from a customer.
Yard Piping	The water piping maintained by the customer, extending from SAWS' water meter to the private internal water distribution system at a customer's building or facility, or the wastewater piping maintained by the customer, extending from the SAWS wastewater lateral at the customer's property line or easement line to the private wastewater collection system at the customer's building.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

3 PROCEDURAL AND GENERAL SERVICE PROVISIONS

3.1 ACCESS TO SERVICES

SAWS will provide access to its general benefit facilities and serve any customer applicant provided the customer pays all required fees and deposits and complies with the requirements contained in these regulations. SAWS may elect to serve customers outside its certificated service areas provided that the customer is not within the certificated service area of another water or wastewater service purveyor.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.)

3.2 RIGHT TO REFUSE AN AGREEMENT AND RENDER SERVICE

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

3.3 SYSTEM OPERATING CONTRACTS

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

3.4 AVAILABILITY OF SERVICES

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

3.5 ADVANCE OF PLAN SCHEDULES

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

3.6 SAWS' OBLIGATION TO PROCEED

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

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.)

3.7 TRILATERAL CONTRACTS REQUIRED

A trilateral contract is required between SAWS, a developer customer and a construction contractor for a project in which SAWS participates with a developer customer pursuant to these regulations.

The developer customer must provide SAWS with a SAWS approved performance guarantee for the developer customer's share of the project, based on the construction contractor's proposal at the time the developer customer signs the trilateral contract. Should the developer customer's delay in providing the required performance guarantee or delay in signing the trilateral contract result in any postponement of the project or price escalation charges, the developer customer will be responsible for l00% of any additional costs incurred. Should the developer customer default on the developer customer's share of the project cost, SAWS may, without limitation and at its discretion perform any or all of the following actions: deny the developer customer impact fee credits for their share of the project, if applicable, deny the use or transfer of existing impact fee credits by the developer customer, deny the issuance of new services to the developer customer, deny the issuance of new connections or services to the infrastructure and/or exercise the performance guarantee.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

3.8 COMPETITIVE BIDS REQUIRED

If a developer customer contract requires the expenditure of SAWS funds, including reimbursements or potential refunds, SAWS will require publicly procured competitive bids for the overall project. The competitive bidding will be in accordance with state law, applicable City ordinances and SAWS policies.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

3.9 CONTRACTOR ADHERENCE TO SAWS REQUIREMENTS

For contracts funded in whole or part by SAWS, the contractor must adhere to SAWS contracting requirements that may include but are not limited to:

- Executing a SAWS Trilateral Agreement;
- Providing Performance and Payment Bonds for the total amount of the project;
- Providing the Certificate of Insurance coverages as specified in the bidding documents;
- Complying with SAWS' Small, Minority, Woman, and Veteran-Owned Business program;
- Complying with prevailing wage requirements;
- Completion of the entire project in accordance to the approved plans and specifications and specified construction days allocated to the project; and
- Guaranteeing the project against defects in workmanship and materials for a 24-month period after the work is accepted.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

3.10 CUSTOMER SERVICE AGREEMENT

Purpose

The requirements of this section protect the drinking water supply from contamination or pollution that could result from improper private water distribution system construction or configuration, and preserve the drinking water supply by encourage the efficient use of water and reducing discretionary use during periods of drought. They also remind customers that SAWS may communicate about service By accepting service from SAWS the Customer agrees to the restrictions in these Regulations to provide this protection. SAWS enforces these restrictions to ensure the public health and welfare.

Restrictions

The following practices are prohibited by SAWS and by State regulations:

- No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air gap or appropriate backflow prevention device.
- No cross-connection between the public drinking water supply and private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air gap or a reduced pressure-zone backflow prevention device.
- No connection which allows water to be returned to the public drinking water supply is permitted.
- No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
- No solder or flux that contains more than 0.2% lead can be used for the installation or repair of plumbing at any connection that provides water for human use.

Customer agrees that, as a condition to service from SAWS, Customer will not permit any practice prohibited by this Section to occur on Customer's property and that Customer will perform any action required to correct a prohibited practice.

Service Agreement

The following are the terms of service between SAWS and the Customer.

- Customer shall perform a Customer Service Inspection that complies with TCEQ requirements and shall perform all other actions required to comply with State and Local Requirements for service. Customer shall submit a Customer Service Inspection Certificate that complies with TCEQ requirements to SAWS before an account for continuous water service is established and after any material improvement, correction, or addition to Customer's water distribution facilities.
- The Customer shall allow SAWS to inspect Customer's property for possible cross-connections and other potential contamination hazards. SAWS or its designated agent, may conduct an inspection prior to initiating new water service; when there is reason to believe that cross-connections or other potential contamination hazards exist; or after any major changes to the private water distribution facilities. The inspections shall be conducted during the SAWS normal business hours.
- SAWS shall notify the Customer in writing of any cross-connection or other potential contamination hazard which has been identified during an inspection.

- The Customer shall immediately remove or adequately isolate any potential cross-connections or other potential contamination hazards on Customer's premises. Customer shall provide SAWS with a Customer Service Inspection Certificate that complies with TCEQ requirements immediately after Customer's corrective action.
- The Customer shall, at Customer's expense, properly install, test, and maintain any backflow prevention device required by SAWS. Copies of all testing and maintenance records shall be provided to SAWS.

Enforcement
If a customer fails to comply with the terms of this section, SAWS may, at its option terminate service, install necessary backflow devices, perform Customer Service Inspections and related testing and take any other measures necessary to comply with State and Local Requirements for service. Any expenses that are incurred by SAWS that are associated with the performance of any of these options, or with the enforcement of this agreement shall be billed to the Customer. Customer agrees to pay all such expenses.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

3.11 ADMINISTRATION AND APPEAL OF REGULATIONS

These regulations are to be administered and executed by the SAWS administrative and management staff. The decision of the President/Chief Executive Officer in the administration and execution of the regulations is presumed to be the decision of the Board of Trustees unless a customer appeals to the Board and the Board grants review of the decision as provided below.

Except where an alternative resolution process is specifically noted in subsequent sections, a customer may appeal to the President/Chief Executive Officer for relief from these regulations by submitting a written request setting out the requirements from which relief is sought, the relief that is requested, and the customer's case for granting the relief. The President/Chief Executive Officer must respond to the customer's appeal in writing within 60 days of receipt of the appeal. If the President/Chief Executive Officer grants the requested relief, that decision is final. Appeals of impact fee matters shall be brought under section 17.12 and subject to deadlines therein.

3.12 APPEALS TO THE BOARD

If the President/Chief Executive Officer or other staff designated in subsequent sections does not grant the requested relief within 60 days of receipt of the appeal (or 30 days in an appeal brought under section 17.12), the customer may appeal the denial of relief to the Board. The appeal must be in writing, addressed to the Chair of the SAWS Board of Trustees, in care of the Assistant to the Board, and it must involve the creation of new policy, the amendment of existing policy, or the waiver of existing policy.

Within 45 days of receipt of this appeal, SAWS staff will either schedule the appeal for public hearing and consideration by the Board or notify the customer in writing that the appeal does not involve a policy matter and will not be scheduled before the Board. If the customer is notified that the appeal will not be scheduled before the Board, the action of the President/Chief Executive Officer is final.

Public hearing and consideration of the appeal may be scheduled at either a regular or a special meeting of the Board. At the public hearing the customer or the customer's counsel and the President/Chief Executive Officer or appropriate staff including counsel may present such evidence as they wish. The time allotted to the parties must be reasonable as the circumstances may require in the Board's discretion. The Board must make its decision by a majority vote of the Board membership and must record its decision by formal resolution within a reasonable time following such hearing, but in no event later than the next regularly scheduled Board meeting. The decision of the Board is final.

4 CONSERVATION AND DROUGHT

4.1 DEFINITIONS

For purposes of this Section 4, any term not defined in these Utility Service Regulations shall have the meaning ascribed to it in Chapter 34 of the San Antonio City Code.

4.2 MANAGING USE

Regardless of water source used, all customers are subject to the provisions of this Section 4 Conservation and Drought Plan, applicable provisions of Title 30 Texas Administrative Code, Chapter 344, and applicable provisions of Chapter 34 of the San Antonio City Code. No Customer shall make, cause, use or permit the use of water in a manner contrary to these rules.

4.3 LANDSCAPE

4.3.1 XERISCAPE.

Homebuilders and/or developers subdividing lots and/or constructing new single family residential homes shall offer a xeriscape option in any series of landscaping options offered to prospective home buyers.

4.3.2 MODEL HOMES.

Homebuilders and/or developers who construct model homes for a designated subdivision shall have at least one model home per subdivision landscaped according to a xeriscape design.

4.3.3 TURFGRASS SOIL SUPPORT.

Turfgrass installed during or associated with new construction shall have a minimum of four (4) inches of soil including a minimum 0.25 inches of Soil Organic Matter (SOM) laid, or equivalent amount blended with the balance of soil, under the turfgrass after sod is installed. A contractors mix, enriched topsoil, or other enriched and finely screened landscaping material should be applied to meet the SOM requirement. Drainage utility projects, water and power utility projects, public property maintenance or repair, and those governmental activities necessary to NPDES/TPDES compliance with federal or state rules and regulations implementing the federal Clean Water Act; or governmental actions to comply with the Americans with Disabilities Act, shall not be deemed new construction for purposes of this subsection.

4.3.4 TURFGRASS DORMANCY QUALITIES.

Turfgrass shall have summer dormancy capabilities. A requirement to irrigate turfgrass that has summer dormancy capabilities is not allowed.

4.3.5 TURF GRASS.

No Developer Customer or other person may require or enforce a requirement that a specific percentage of a landscaped area have turf grass, or that a species of turf grass that does not have summer dormancy capabilities be used in a landscaped area, or that irrigation systems be installed, or that irrigation systems operate on a certain schedule, except that restrictions and requirements that are provided by ordinances adopted by the City of San Antonio will

be required and enforced.

4.3.6 DEDICATORY INSTRUMENTS.

In accordance with chapter 34 of the San Antonio City Code, a dedicatory instrument may not require turfgrass be planted or irrigated, nor may it require the installation of an irrigation system. Additionally, per V.T.C.A., Property Code chapter 202, § 202.007, a property owner's association (POA) may not prohibit or restrict a property owner from implementing certain efficient irrigation systems, however, a POA may restrict the type of turf used in order to encourage conservation or require water conserving turf. Last, under V.T.C.A., Property Code chapter 202, § 202.007, a property owners' association cannot prohibit drought-tolerant landscaping.

4.4 IRRIGATION SYSTEMS

4.4.1 IRRIGATION SYSTEM STANDARDS.

All irrigation systems served by SAWS shall meet all applicable legal requirements including those in the San Antonio City Code, the Texas Local Government Code, the Texas Water Code, the Texas Occupations Code, and the Texas Commission on Environmental Quality. SAWS reserves the right to enforce irrigation standards on all Customers whether imposed by local, state, or federal law.

All irrigation systems must conform to State standards unless otherwise specified here. The following requirements apply to SAWS customers:

(i) Minimum irrigation area and flow direction. Newly installed irrigation systems using pop-up spray or rotor technology shall not be used in landscaped areas which have both: Dimensions less than five (5) feet in length and/or width; and Impervious pedestrian or vehicular traffic surfaces along two (2) or more perimeters.

(ii) Pop-up sprays. Where pop-up sprays and rotor heads are allowed in newly installed irrigation systems: They must direct flow away from any adjacent impervious surface; and shall not be placed within four (4) inches from an impervious surface;

(iii) Rain sensors. Rain sensors shall be installed and maintained in good working order on all irrigation systems equipped with automatic irrigation controllers.

4.4.2 ZONAL SYSTEMS.

In-ground irrigation systems shall be zonal irrigation systems.

4.4.3 IRRIGABLE AREA.

Irrigation systems may not be installed for areas of greater than 10,000 square feet per residential property.

4.4.4 LANDSCAPE IRRIGATION PLANS.

All properties served by SAWS and having an irrigation system shall have a property-specific landscape irrigation plan as defined in this USR. In order to transfer an account from a builder's name to a homeowner or business proprietor, builder must evidence to

SAWS Conservation that a landscape irrigation plan as defined in this USR was completed.

4.4.5 IRRIGATION SYSTEM USE, SETTING AND SCHEDULE RECOMMENDATIONS.
All irrigators installing irrigation systems permitted by the city or on property subject to this article shall provide to the irrigation system owner in writing a recommended seasonal irrigation schedule and instructions on how to use the irrigation system and set the controller. Seasonal schedules provided will be approved by the President/CEO's designee in Conservation or their designee. The schedule will be affixed to the irrigation controller or an adjacent wall.

4.4.6 ANNUAL IRRIGATION SYSTEM EVALUATION FOR LARGE USE AND LARGE PROPERTIES.
An annual irrigation system evaluation shall be required for all athletic fields, golf courses, large use and large properties and shall be submitted in writing to the SAWS Conservation Department on or before May 1st of each year. Golf courses, athletic fields, homeowner and property owner associations, and large properties or and large use properties regardless of size including residential properties must have a licensed Landscape Irrigator in good standing TCEQ sign-off on the annual irrigation system evaluation to document that the system does not have ongoing leaks, that any leaks found in the course of the audit have been repaired and that its operation does not result in water waste. Golf courses, other than those utilizing recycled water for irrigation in accordance with an agreement with SAWS, shall comply with residential irrigation requirements on areas other than tee boxes, fairways and greens. The enforcement provisions of Section 4.8 apply to this provision.

4.4.7 INSTALLATION OF IRRIGATION SYSTEMS.
All irrigation systems served by SAWS must be installed in accordance with local and state professional licensing requirements. If an irrigation system is found to be installed by an unlicensed individual or company, other than a homeowner working on their or her own residence, or if installation is not properly supervised by an on-site licensed irrigator or licensed irrigation technician, SAWS may take enforcement action. SAWS may pursue enforcement either through the enforcement provisions in Section 4.8 of these Utility Service Regulations, and/or, where applicable, in Chapter 34 Division 2 of the San Antonio City Code and the City's unified development code.

4.4.8 COMMERCIAL DEDICATED IRRIGATION.
All customers that are installing an in-ground landscape irrigation system and seeking application for water service for new non-residential accounts shall be required to install a separate irrigation meter. All non-residential accounts receiving new service will be required to install a dedicated irrigation meter when the new in-ground irrigation system is installed. Existing non-residential customers that have an irrigation system and do not have a separate irrigation meter may choose to install a separate meter for irrigation purposes. If an existing non-residential customer that has an irrigation system chooses not to install an irrigation meter the customer has two options:

Option One: i. SAWS will estimate for the non-residential customer through the use of surveys, meter sizes, past use or other methods the amount of water used for irrigation purposes. SAWS will notify in writing the resulting finding and apply the appropriate rate schedule. ii. SAWS at its own discretion reserves the right to install irrigation meters on existing non- residential

accounts SAWS determines would be beneficial for SAWS to install.

Option Two: If an existing non-residential customer chooses Option Two they must submit a Potable Water End-Use Report that at a minimum calculates the volume of potable water from a single meter that is used separately for irrigation and non-irrigation purposes. The Potable Water End-Use Report must be prepared by a registered professional engineer, licensed landscape irrigation auditor or licensed master plumber. The Potable Water End-Use Report must include the findings of a flow study, a description of potable water end-use categories found on site, a landscape plan and any other information the customer would like to include as supporting documentation in the report. The completed Potable Water End-Use Report must be submitted to the director of customer service of the San Antonio Water System. If the director of customer service approves the Potable Water End-Use Report, the San Antonio Water System shall mail notice of this action to the customer and shall make adjustments to the customer's bills retroactive to the date the Potable Water End-Use Report was received in the office of the director of customer service.

New and existing residential accounts. Both new and existing residential customers may choose to install a separate irrigation meter.

4.4.9 IRRIGATION SYSTEM LINES.

Irrigation system lines may not cross property lines. Each irrigation system serving a commercial parcel, lot, tract, or separate property shall have its own meter, either domestic or commercial as required by section 4.4.8.

4.4.10 CITY PERMITS.

Where irrigation permits are required by the City of San Antonio, it is the responsibility of the licensed irrigator to ensure permits are secured.

4.5 OTHER REGULATED ACTIVITIES

4.5.1 POWER WASHING.

A person who uses a power washer in any commercial manner or for compensation shall register with the president/CEO or their designee of the San Antonio Water System the director of conservation, and obtain a certificate for such use. Holders of NPDES/TPDES permits are deemed certified. Exempted from this requirement are persons who use power washers for personal use at their own home and homebuilders who are performing a one-time clean up at a newly constructed house.

4.5.2 COOLING TOWERS.

Cooling towers, not utilizing recycled water, shall operate a minimum of four (4) cycles of concentration. Newly constructed cooling towers shall be operated with conductivity controllers, as well as make-up and blowdown meters. Cooling tower owners of existing cooling towers shall register their cooling tower with the SAWS Conservation Department by May 1, 2025. New cooling towers shall be registered with the SAWS Conservation Department prior to the start of operation.

4.5.3 ICE MACHINES.

Newly installed ice machines shall not be single pass water-cooled.

4.5.4 COMMERCIAL DINING FACILITIES.

Commercial dining facilities shall: Serve water only upon request. Utilize positive shut-offs for hand-held dish-rinsing wands. Utilize water flow restrictors for all garbage disposals.

4.5.5 VEHICLE WASH FACILITIES.

i. Vehicle wash facilities using conveyorized, touchless, and/or rollover in-bay technology shall reuse a minimum of fifty (50) percent of water from previous vehicle rinses in subsequent washes.

ii. Vehicle wash facilities using reverse osmosis to produce water rinse with a lower mineral content, shall incorporate the unused concentrate in subsequent vehicle washes.

iii. Self-service spray wands used shall emit no more than three (3) gallons of water per minute.

iv. Vehicle wash facilities shall utilize self-service, rollover in-bay or conveyor washing technology with catchment systems and oil-water separators that are intended to treat wastewater prior to entering the sanitary sewer. Such systems shall be designed and maintained to prevent runoff into streets, storm drains and/or local creeks and tributaries.

4.5.6 VEHICLE WASH FUNDRAISERS.

Any vehicle wash fundraiser shall be conducted at a vehicle wash facility using such facility's equipment.

4.5.7 VACUUM SYSTEMS.

Vacuum systems shall not be water-cooled with single-pass potable water when alternative systems are available.

4.5.8 CERTAIN PLUMBING FIXTURES.

When installing certain plumbing fixtures (gravity flush toilets, bathroom aerators, showerheads, urinals) in any location, residential, commercial, industrial, or institutional, the fixtures will meet or exceed the following performance standards; and where the Environmental Protection Agency has accepted that specific plumbing fixtures by make and model, meet or exceed the WaterSense standards, such fixtures installed will be from the most current listing available at the time of installation:

i. Gravity flush toilets shall have a maximum average water use of no more than one and twenty-eight hundredths (1.28) gallons per flush.

ii. Faucet aerators for bathrooms shall have a maximum water flow of one and one-half (1.5) gallons per minute.

iii. Showerheads shall have a maximum water flow of two (2.0) gallons per minute. All associated valves must be appropriate to the flows.

iv. Urinals shall have a maximum water use of one-half (0.5) gallons per flush.

4.5.9 COIN OPERATED WASHING MACHINES.

All newly installed, leased or released coin/card operated washing machines, including but not limited to those that might be found in laundry-mats, apartment houses, dorms or communal use situations shall be selected from Consortium for Energy Efficiency (CEE) that meet or exceed the most current highest water and energy standards as determined by the CEE. In any case all coin/card operated washing machines must meet or exceed the most current highest water and energy standards as determined by the CEE.

4.5.10 HOT WATER LINES.

Buildings without dedicated hot-water return lines with runs exceeding twenty (20) feet between the heating element and the end use fixture shall be insulated with R-4 sleeve insulation.

4.5.11 POOL CONSTRUCTION REQUIREMENTS.

i. Private residential swimming pools shall not be installed with sand media filters.
ii. Pool water features installed with public swimming pools or private residential swimming pools must be designed so that the water feature can be turned off without affecting the filtering capabilities of the pool.
iii. Pools with shared water between the pool and a spa shall be designed so that water can be shared without the necessity of an above ground water feature that cannot be turned off. If a water feature between the spa and the pool exists, the default setting will be for it to be turned off.
iv. Automatic pool fill features must be designed so that they may be turned off in both public swimming pools and private residential swimming pools.
v. Automatic pool fill features must include an automatic pool shut-off feature.
vi. Vanishing or negative edge pools must be designed with catch basins large enough to prevent splashing that leads to increased water use.
vii. Backwash systems must be designed so they may be turned off.
viii. Pool skimmers should be managed in such a way as to minimize water consumption. The range of allowable water within the skimmer fill range should allow for several inches of evaporative loss prior to filling.
ix. All residential swimming pools shall have a hose end timer installed at the nearest hose bib location. In addition, a hose bib back-flow prevention device will be connected to the hose bib fixture nearest to the pool.
x. Pool companies that provide installation and/or maintenance services within the jurisdiction of this code must provide in writing to every customer specific information on maintenance requirements that include an emphasis on preventative measures for keeping pool water quality high and alternatives to draining pools to correct water quality problems unless draining is needed for physical repair.

4.5.12 NON-POTABLE TANK REGISTRATION.

All non-residential non-potable tank owners shall register tanks if combined storage on a single property is over five thousand (5,000) gallons or there is potable water back-up, with the SAWS Conservation Department. Tanks that are utilized in industrial processing are exempt from this requirement. All residential non-potable tank owners with potable water back-up, or in excess of one thousand (1,000) gallons in size shall register their tanks with

the SAWS Conservation Department.

4.5.13 NON-RESIDENTIAL WATER FEATURES.

Non-residential water features installed are required to be separately metered or sub-metered. Customers who fail to separately meter or sub-meter will be ineligible for leak repair bill adjustments.

4.5.14 CONDENSATE COLLECTION.

Newly constructed commercial buildings installing air conditioning systems shall have a single and independent condensate wastewater line to collect condensate wastewater to provide for future utilization as:

i. Process water and cooling tower make-up, and/or
ii. Landscape irrigation water.
iii. Any other beneficial on-site use.
iv. Condensate wastewater shall not be allowed to drain into a storm sewer, roof drain overflow piping system, public way, or impervious surface.

4.6 DROUGHT MANAGEMENT STAGES

4.6.1 APPLICABILITY.

The drought management plan, including the water use reduction measures and associated implementation conditions set out herein, is applicable to all water customers of the San Antonio Water System.

4.6.2 USE REDUCTION.

Water use reduction. Reduction measures shall be based on the aquifer stage conditions or other condition considerations identified in this section. The aquifer stage conditions shall be based on the Edwards Aquifer water levels in well AY-68-37-203 in the city (also known as "Dodd Field Test Well" or “J-17”, or on aquifer water quality or other aquifer, seasonal or weather conditions not based on water levels in J-17.

4.6.3 DESIGNATED LANDSCAPE IRRIGATION TIMES AND DAYS.

No Drought Conditions. When not in a declared drought stage, watering with an irrigation system or hose end sprinkler is allowed between the hours of 12:00 a.m. to 10:00 a.m. and 9:00 p.m. to midnight. When the aquifer falls to six hundred sixty-five (665) feet above msl, city and SAWS staff shall begin preparations for public awareness, education and enforcement of the respective stage provisions. Assigned Watering Days. While in any declared drought stage landscape irrigation for all customers is allowed according to the street address of the irrigating location:

0 or 1 the irrigation day is Monday
2 or 3 the irrigation day is Tuesday
4 or 5 the irrigation day is Wednesday,
6 or 7 the irrigation day id Thursday,
8 or 9 the irrigation day is Friday.

If there is no street address associated with the property such as a parkway or if there is

more than one street address associated with a single contiguous property the irrigation day is Wednesday.

4.6.4 DROUGHT-INDUCED USE RESTRICTIONS.

(i) Stage I Watering Restrictions. Stage I landscape irrigation times and methods. For Stage I the following times and associated irrigation methods apply: Irrigation with a soaker hose, hose-end sprinkler or in-ground irrigation system is allowed on the day specified in subsection (1) between the hours of 12:00 a.m. to 10:00 a.m. and 9:00 p.m. to midnight. Landscape irrigation with a handheld hose and drip irrigation for vegetable gardens is allowed at any time on any day.

(ii) Stage II Watering Restrictions. Stage II landscape irrigation times and methods. For Stage II the following times and associated irrigation methods apply: Irrigation with a soaker hose, hose-end sprinkler or in- ground irrigation system is allowed on the day specified in subsection (1) between the hours of 5:00 a.m. to 10:00 a.m. and 9:00 p.m. to midnight. Landscape irrigation with a handheld hose and drip irrigation for vegetable gardens is allowed at any time on any day.

(iii) Stage III Watering Restrictions. Stage II landscape irrigation restrictions remain in effect. In addition, a drought surcharge is assessed on all water accounts of SAWS, in accordance with section 34-128 of the San Antonio City Code. Landscape irrigation with a handheld hose and drip irrigation for vegetable gardens is allowed at any time on any day.

(iv) Stage IV Watering Restrictions. Irrigation with a soaker hose, hose-end sprinkler or in- ground irrigation system is allowed on the day specified in subsection (1) every other week beginning on the second Monday after Stage III has been declared, between the hours of 5:00 a.m. to 10:00 a.m. and 9:00 p.m. to midnight. In addition, a drought surcharge is assessed on all water accounts of SAWS, in accordance with section 34-128 of the San Antonio City Code. Additional restrictions on water use may be established at the discretion of the city council.

4.6.5 USE REDUCTION THRESHOLDS.

(i) Stage I. Use reduction measures shall be declared to be in effect when the aquifer level at J-17 drops to six hundred sixty (665) feet msl based on a ten-day rolling average calculated and determined by the Edwards Aquifer Authority the SAWS.

(ii) Stage II. Use reduction measures shall be declared to be in effect when the aquifer level in the index well J-17 falls to six hundred fifty (650) feet above msl based on a ten-day rolling average calculated and determined by the Edwards Aquifer Authority.

(iii) Stage III. Stage III water use reduction measures shall be implemented when well J-17 falls to six hundred forty (640) feet above msl. based on a ten-day rolling average calculated and determined by the Edwards Aquifer Authority.

(iv) Stage IV. Once Stage III is declared, and due consideration of all of the conditions described below in subsection (b), the city manager, or designee, in consultation with SAWS president/CEO or designee, may declare or delay Stage IV. Specific water use reduction measures are set out in section 34-332 and shall cover the categories of regulated uses, applicable stages and corresponding required water use reduction measures. Stage IV water

use reduction measures may be implemented when well J-17 falls to six hundred thirty (630) feet above msl. based on a ten-day rolling average calculated and determined by the Edwards Aquifer Authority. Alternatively, Stage III may be implemented before or after the J-17 levels described above based on the following conditions set forth in Section 4.6.6.

4.6.6 DECLARING STAGES.

One or more of the following conditions may trigger the implementation of water use reduction measures by the city manager or designee, in consultation with SAWS president/CEO or designee:

(i) The review of conditions to determine whether SAWS is able to comply with the applicable regulations governing water supply withdrawals based upon consideration of water supplies, pumping trends, seasonal adjustments and current and forecast precipitation.

(ii) Consideration of water resource water quality or other seasonal or weather conditions not based on water levels in J-17, or other conditions as determined by the city.

(iii) Whenever Edwards aquifer quality measures thirty (30) percent TDS above historical average and above the maximum TDS value for any public supply water well warrant additional measures to protect the aquifer.

(iv) City council may determine that other aquifer, water resource, seasonal, or weather conditions not based on water levels in J-17 warrant additional restrictions. The city council may declare the city impose additional restrictions for all water uses including a prohibition of sprinkler irrigation.

4.6.7 TERMINATION OF MANDATORY WATER USE REDUCTION MEASURES.

(i) Stage I termination. When the aquifer level at J-17 rises to six hundred sixty (660) feet msl SAWS shall monitor the consistency and conditions of Edwards aquifer levels for the next fifteen (15) days to determine if termination of water use reductions measures is warranted, unless conditions significantly change to warrant an earlier or later review for stage termination or extension. After this monitoring period, the city manager, or designee, in consultation with SAWS president/CEO, or designee, may declare the measures terminated.

(ii) Stage II termination. When the aquifer level at J-17 rises to six hundred fifty (650) feet msl SAWS shall monitor the consistency and conditions of Edwards aquifer levels for the next fifteen (15) days to determine if termination of water use reductions measures is warranted, unless conditions significantly change to warrant an earlier or later review for stage termination or extension. After this monitoring period, the city manager, or designee, in consultation with SAWS president/CEO, or designee, may declare the measures terminated.

(iii) Stage III termination. When the Edwards aquifer levels remain above six hundred forty (640) msl for fifteen (15) consecutive days conditions will determine if all restrictions are terminated or extended or if a previous less restrictive stage will apply.

(iv) Stage IV termination. When Stage III is terminated then termination of Stage IV will occur at the

end of the current billing cycle in which the termination takes place.

4.6.8 NOTICE OF DECLARATION OF DROUGHT AND TERMINATION OF WATER USE REDUCTION MEASURES.

(i) Declaration of Drought. The San Antonio city manager, in consultation with SAWS, is hereby authorized to declare that each "trigger level" or other condition has been reached and that the water use reduction measures and each respective stage are in effect.

(ii) Notice. Notices of the implementation and termination of the water use reduction measures and each of the various stages, as appropriate, shall be publicly announced and published in a daily newspaper for a minimum of one day. The implementation or termination of the measures and each of the stages shall become effective immediately upon publication of the respective notice.

4.6.9 STAGE BASED USE RESTRICTIONS.

Stage based use restrictions apply everywhere that designated landscape irrigation times and days are in place.

(i) Table A – Stage I Restrictions

Stage	**Measures For**	**Scope of Restrictions**
I	Essential Services	Fire-fighting and medical uses-no restrictions. Reductions in fire hydrant and sewer line flushing encouraged.
I	Water Utility Use	Water utilities are encouraged to implement voluntary measures, such as improving leak detection surveys and repair programs and stabilizing and equalizing system pressure.
I	Power Production	Water used for power production shall be voluntarily reduced.
I	Military	Compliance with mandatory reduction measures for those uses in the outdoor, essential and utility categories.
I	Agriculture	The escape of irrigation tailwater, as that term is commonly used in the agricultural community, is prohibited. Water loss through percolation in transmission canals is prohibited.
I	Livestock Use	Reduction of water use by any means available is encouraged.
I	Industrial, Commercial, and Other	A. Reduction of water use by any means available is encouraged. Compliance with the mandatory demand reduction measures is required for those uses in the outdoor category, including landscape watering, swimming pools, hot tubs and similar facilities, golf courses, aesthetic uses such as water features; such restrictions specifically include industrial users, as well as all others.
		B. Use of gray water, treated wastewater or reuse water, cooling tower blow down, condensate water is a defense to prosecution. Alternate on-site reclaimed sources may be approved through variance on a case-by-case basis.
		C. If one hundred (100) percent use of treated wastewater (recycled water), reuse water, reclaimed water, gray water, condensate, or

		cooling tower blow down will be used, signs identifying this property as using recycled or reclaimed water source must be posted on site at a location where the general public can view it.
I	Hotels, Motels, Bed and Breakfasts	Hotels, motels, and B&B's encouraged to voluntarily offer the option of a "no linen/towel change" program.
I	Households	Reduction of water use by any means available is encouraged. Compliance with the mandatory demand reduction measures shall be achieved for those uses in the outdoor category, such as landscape watering, swimming pools, hot tubs, pressure washing and similar facilities.
I	Water Features	A. Residential: All residential water features are allowed without prohibition.
		B. Non-Residential: SAWS Conservation department may verify the condition of a water feature to determine if it is in good working order.
		1) All indoor water features in good working order allowed without prohibition.
		2) All water features that meet the definition of wildlife habitat water features section 34-271 of this City Code in good working order allowed without prohibition with basic variance approved by SAWS Conservation.
		3) All outdoor water features that have a water surface area of less than one thousand (1,000) square feet prior to Stage I declarations and in good working order with an approved basic variance from SAWS Conservation are allowed without prohibition. Customers who fail to separately meter or sub-meter will be ineligible for leak repair bill adjustments.
		4) All water features confirmed by SAWS to be using one hundred (100) percent treated wastewater (recycled water), reuse water, reclaimed water, gray water, condensate, or cooling tower blow down or other on-site reclaim water and in good working order with a basic variance approved by SAWS Conservation are allowed without prohibition. Signs identifying this property as using recycled or reclaimed water source must be posted on site at a location where the general public can view it.
		A. Residential: All residential water features are allowed without prohibition.
		B. Non-Residential: SAWS Conservation department may verify the condition of a water feature to determine if it is in good working order.
		1) All indoor water features in good working order allowed without prohibition.
		5) All outdoor water features that do not meet the conditions described in B.1)—4) above must have a Basic variance and outdoor water feature conservation plan approved by SAWS Conservation that includes limiting hours of operation to a maximum of eight (8) hours of 24- hour period before they are allowed to operate in Stage I or Stage II.

		6) Outdoor water features that do not meet the conditions described in B.1)—4) and would like to be considered for expanded operated hours from eight (8) hours in a 24-hour period to twelve (12) hours of operation in a 24-hour period during Stage I and II may apply for an advanced variance to the SAWS Conservation department prior to implementation of the extended hours.
I	Pressure or Power Washing	Residential: Residential property owners may personally pressure wash their property without a variance for health and safety or in preparation of maintenance such as for house painting if they perform the work themselves. Water is never allowed to run into the street or otherwise off the property.
		Non-Residential: Pressure washing of non-residential property allowed for health and safety by a properly registered employee or a pressure washing company (4.5.1). A variance from the SAWS Conservation department is required prior to work and all conditions of the variance must be followed.
I	Vehicle and Equipment Washing	A. Citizens are encouraged to wash their vehicles no more than twice a month.
		B. Residential: washing of vehicles and mobile equipment (e.g., washing vehicle at a residence) is permitted only on Saturday or Sunday with a pressure washer, hand-held hose equipped with an automatic shut-off nozzle, or bucket of five (5) gallons or less, without waste.
		C. Fleet managers are encouraged to only wash those vehicles as is necessary for health and safety.
		D. Use of treated wastewater (recycled water), reuse water, reclaimed water, gray water, condensate, or cooling tower blow down is a defense to prosecution and may be use for vehicle washing any day. Alternate on-site reclaimed sources may be approved through variance for the SAWS Conservation department on a case-by-case basis.
I	Landscape Irrigation for Existing Plants	A. Landscape watering using sprinkler or irrigation systems is permitted only on designated landscape watering days (4.6.3). For Stage I the following times and associated irrigation methods apply: Irrigation with a hose-end sprinkler or in-ground irrigation system is allowed on the day specified in section 4.6.3 between the hours of 12:00 a.m. to 10:00 a.m. and 9:00 p.m. to midnight. Landscape irrigation with a soaker hose, or handheld hose, is allowed at any time on any day.
		B. A user may file with SAWS a request for a variance to the designated days and times. The request must include: (1) a statement indicating compelling reasons why the user is unable to meet the specific designated watering times and days; (2) a water conservation plan demonstrating a significant overall reduction of water use, and (3) evidence of having filed with SAWS the annual irrigation checkup required for properties that are five (5) acres or more and have in-ground irrigation (section 4.6.4(i)). The water conservation plan must also include proof of irrigation efficiency of

		sixty (60) percent or greater and demonstrate specific measures to be taken to reduce consumption to meet the reduction goal established for Stage I, II, III, and IV. SAWS may, on a case-by-case basis, waive the requirements for irrigation efficiency and/or submission of a water conservation plan. Upon the approval of the water conservation plan as set forth herein, the user may be granted a variance.
		C. The one hundred (100) percent use of treated wastewater (recycled water), reuse water, reclaimed water, gray water, condensate, or cooling tower blow down is a defense to prosecution and may be used to irrigate any day without waste, that include allowing water to run down the street, parking lot, or adjacent property. Alternate on-site reclaimed sources may be approved through variance from the SAWS Conservation department on a case-by-case basis.
		D. If one hundred (100) percent use of treated wastewater (recycled water), reuse water, reclaimed water, gray water, condensate, or cooling tower blow down will be used during additional days allowed in subsections 4.6.3 and 4.6.4 signs identifying this property as using recycled or reclaimed water source must be posted on site at a location where the general public can view it.
I	Landscape Irrigation for New Landscapes	A. Installation of new landscapes is permitted with a variance which shall only be granted if all applicable provisions including sections 4.3 through 4.5 systems if a permanent irrigation system is installed, a minimum of four (4) inches of soil under turf, model home with xeriscape and xeriscape option offered by builder on file with SAWS Conservation department.
		B. Landscape watering permitted to maintain adequate growth until established on newly installed landscapes for a period of time to be determined in keeping with seasonal and varying weather conditions. Property owners should submit electronically on-line at www.saws.org to the SAWS Conservation department their name, address where the new landscape is to be installed and the date of installation in order to receive a confirmation electronic email from SAWS. A copy of the confirmation must be posted at a place visible from the street at the property the variance was received at. Thereafter, landscape watering using sprinkler or irrigation systems for landscaping plants is permitted only on the day and times associated with the current stage in effect at the termination of the variance.
		C. The one hundred (100) percent use of gray water, treated wastewater or reuse water, condensate water, cooling tower blow down may be used to irrigate any day between the hours of 7:00 p.m. and 11:00 a.m. without waste, that include allowing water to run down the street, parking lot, or adjacent property. Alternate on-site reclaimed sources may be approved through variance from the SAWS Conservation department on a case-by-case basis.
		D. If one hundred (100) percent use of treated wastewater (recycled water), reuse water, reclaimed water, gray water, condensate, or cooling tower blow down will be used during additional days allowed

		in subsections 4.6.3 and 4.6.4 signs identifying this property as using recycled or reclaimed water source must be posted on site at a location where the public can view it.
I	Golf Courses	Golf courses shall be required to submit a water conservation plan and shall have on file with SAWS the annual irrigation check Up as described in section 4.6.4(i) and shall be defined as "conforming" or "non-conforming" and shall reduce water usage under the following terms:
		A. All landscape out-of—play areas such as may be found around a club house or entryway shall follow general landscape irrigation restrictions (subsections 4.6.3 and 4.6.4(i-ii).
		B. All in-play areas may be irrigated with a sprinkler or irrigation system between the hours of 12:00 a.m. to 10:00 a.m. and 9:00 p.m. to midnight.
		C. Conforming golf courses shall implement a ten (10) percent reduction in the replacement of daily evapotranspiration rate ("ET rate") or soils daily water holding capacity, achieved by use of an existing and properly operating CCIS (as defined) capable of achieving such water conservation goals.
		D. A non-conforming golf course shall not use more than 1.8 times the base usage. If not separately metered an irrigation audit showing precipitation rates and run times along with a conservation plan shall be submitted and approved by SAWS for the purpose of establishing acceptable irrigation run times and days as approved by SAWS.
		E. The one hundred (100) percent use of treated wastewater (recycled water), reuse water, reclaimed water, gray water, condensate, or cooling tower blow down, gray water, treated wastewater or reuse water, condensate water, cooling tower blow down is a defense to prosecution and may be used to irrigate any day without waste. Alternate on-site reclaimed sources may be approved through variance from the SAWS Conservation department on a case-by-case basis.
		F. If one hundred (100) percent use of treated wastewater (recycled water), reuse water, reclaimed water, gray water, condensate, or cooling tower blow down, gray water, treated wastewater or reuse water, condensate water, cooling tower blow will be used during additional days or hours allowed in subsections 4.6.3 and 4.6.4 signs identifying this property as using recycled or reclaimed water source must be posted on site at a location where the general public can view it.
I	Public Parks	A. Public park owner/operators shall be required to submit a water conservation plan and have on file with the SAWS Conservation department an irrigation checkup as required by subsection4.6.4(i).
		B. Public parks shall limit irrigation with an irrigation system to those days and times required by subsections 4.6.3 and 4.6.4(1-2)).

		C. The one hundred (100) percent use of treated wastewater (recycled water), reuse water, reclaimed water, gray water, condensate, or cooling tower blow down is a defense to prosecution and may be used to irrigate any day between the house of 7:00 p.m. and 11:00 a.m. without waste, that include allowing water to run down the street, parking lot, or adjacent property. Alternate on- site reclaimed sources may be approved through variance from the SAWS Conservation department on a case-by-case basis.
		D. If one hundred (100) percent use of treated wastewater (recycled water), reuse water, reclaimed water, gray water, condensate, or cooling tower blow down will be used during additional days allowed in subsections 4.6.3 and 4.6.4(i-ii) signs identifying this property as using recycled or reclaimed water source must be posted on site at a location where the general public can view it.
I	Athletic Fields	A. An athletic field shall either irrigate according to a basic plan or an advanced plan. Plans shall be on file and approved by SAWS in advance of use. The advanced plan showing precipitation rates and run times along with a conservation plan shall be submitted and approved by SAWS for the purpose of establishing acceptable irrigation run times and days as approved by SAWS. A basic plan outlines which day of the week (Monday—Friday) which athletic field would be irrigated.
		B. All landscape out-of-play areas such as may be found around a club house or entryway shall follow general landscape irrigation restrictions (subsections 4.6.3 and 4.6.4).

(ii) Table B – Stage II Restrictions

Stage	**Measures For**	**Scope of Restrictions**
II	In General	Stage I restrictions remain the same except as added to or replaced below.
II	Hotels, Motels, Bed and Breakfasts	Hotels, motels and B&B's must offer and clearly notify guests of a "no linen/towel change" program.
II	Swimming Pools, Hot Tubs	A. Draining permitted only onto pervious surface, or onto pool deck where the water is transmitted directly to a previous surface, only if:
		1. Draining excess water from pool due to rain in order to lower water to maintenance level;
		2. Repairing, maintaining or replacing pool component that has become hazardous; or
		3. Repairing pool leak
		Refilling of public swimming pool permitted only if pool has been drained for the repairs, maintenance or replacement set out in items 2 or 3 above.
II	Landscape	Landscape watering using sprinkler or irrigation systems is permitted only on designated landscape watering days

	Irrigation for Existing Landscapes	(subsection 4.6.3). For Stage II the following times and associated irrigation methods apply: Irrigation with a soaker hose, hose-end sprinkler or in-ground irrigation system is allowed on the day specified in subsection 4.6.4(i) between the hours of 5:00 a.m. to 10:00 a.m. and 9:00 p.m. to midnight. Landscape irrigation with a handheld hose is allowed at any time on any day.
II	Landscape Irrigation for New Landscapes	A. Installation of new landscapes is permitted with a variance which shall only be granted if all applicable provisions including sections 4.3 through 4.5 are verified by SAWS, including zonal irrigation systems if a permanent irrigation system is installed, a minimum of four (4) inches of soil under turf, model home with xeriscape and xeriscape option offered by builder on file with SAWS Conservation department.
		B. Landscape watering may be permitted by variance to maintain adequate growth until established on newly installed landscapes for a period of time to be determined in keeping with seasonal and varying weather conditions. Property owners should submit electronically on-line at www.saws.org to the SAWS Conservation department their name, address where the new landscape is to be installed and the date of installation in order to receive a confirmation electronic email from SAWS. A copy of the confirmation must be posted at a place visible from the street at the property the variance was received at. Thereafter, landscape watering using sprinkler or irrigation systems for landscaping plants, or bubblers for tress, are permitted only on the day and times associated with the current stage in effect at the termination of the variance.
		C. The one hundred (100) percent use of gray water, treated wastewater or reuse water, condensate water, cooling tower blow down is a defense to prosecution and may be used to irrigate any day without waste. Alternate on-site reclaimed sources may be approved through variance from the SAWS Conservation department on a case-by-case basis.
		D. If one hundred (100) percent use of treated wastewater (recycled water), reuse water, reclaimed water, gray water, condensate, or cooling tower blow down will be used during additional days or hours allowed in subsections 4.6.3 and 4.6.4 signs identifying this property as using recycled or reclaimed water source must be posted on site at a location where the general public can view it.
II	Golf Courses	Golf courses shall be required to submit a water conservation plan and shall have on file with SAWS the annual irrigation checkup as described in section 4.4.1 and shall be defined as "conforming" or "non-conforming" and

		shall reduce water usage under the following terms:
		A. All landscape out-of-play areas such as may be found around a club house or entryway shall follow general landscape irrigation restrictions (subsections 4.6.3 and 4.6.4(i-ii).
		B. All in-play areas may be irrigated with a sprinkler or irrigation system between the hours of 5:00 a.m. to 10:00 a.m. and 9:00 p.m. midnight.
		C. Conforming golf courses shall implement a twenty (20) percent reduction in the replacement of daily evapotranspiration rate ("ET rate") or daily soil-holding capacity, achieved by use of an existing and properly operating CCIS (as defined) capable of achieving such water conservation goals.
		E. The one hundred (100) percent use of treated wastewater (recycled water), reuse water, reclaimed water, gray water, condensate, or cooling tower blow down is a defense to prosecution and may be used to irrigate any day between the hours of 7:00 p.m. and 11:00 a.m. and without waste. Alternate on-site reclaimed sources may be approved through variance from the SAWS Conservation department on a case-by-case basis.
		F. If one hundred (100) percent use of treated wastewater (recycled water), reuse water, reclaimed water, gray water, condensate, or cooling tower blow down will be used during additional days allowed in subsections 4.6.3 and 4.6.4(i-iii) signs identifying this property as using recycled or reclaimed water source must be posted on site at a location where the general public can view it.

(iii) Table C – Stage III Restrictions

Stage	**Measures For**	**Scope of Restrictions**
III	In General	Stage I, II restrictions remain the same except as added to or replaced below.
III	Hotels, Motels, Bed and Breakfasts	Hotels, motels, B&B's must limit linen/towel changes to once every three (3) nights or for the entire stay, whichever is shorter, except for health and safety.
III	Vehicle and Equipment Washing	During Stage III any vehicle wash facility that is not certified as a SAWS certified vehicle wash facility will not be able to operate. Upon receiving certification vehicle wash facilities may resume operating hours.
III	Landscape Irrigation for	Landscape watering using sprinkler or irrigation systems is permitted only on designated landscape watering days

	Existing Landscapes	(subsection 4.6.3). For Stage III, the same rules as in Stage II apply. In addition, a drought surcharge is assessed on all water accounts of SAWS, in accordance with section 34-128 of the San Antonio City Code. Landscape irrigation with a handheld hose is allowed at any time on any day.
III	Landscape Irrigation for New Landscapes	A. Installation of new landscapes is permitted only if less than fifty (50) percent of the available landscape area is planted with turf, complies with all application provisions of this Section 4 of the USR, horticultural practices such as the use of mulch and zonal irrigation systems if a permanent irrigation system is installed and a minimum of four (4) inches of soil under turf after installation of sod.
		B. A user may file with SAWS a request to install more than fifty (50) percent turf. The request must include: (1) a statement or plan describing the landscaping plan; and (2) a statement indicating how the landscaping plan will achieve the goals of this chapter. Upon the approval of the alternate landscaping plan as set forth herein, the user may be granted a variance.
III	Water Features	1) Water features that are required to have a basic variance and outdoor water feature conservation plan approved by SAWS Conservation must reduce their hours of operation to a maximum of four (4) hours a day in Stage III.
		2) Outdoor water features that would like to be considered for expanded operated hours from four (4) hours in a 24-hour period to eight (8) hours of operation in a 24-hour period during Stage III may apply for an advanced variance to the SAWS Conservation department prior to implementation of the extended hours.
III	Golf Courses	A. A conforming golf courses shall implement a thirty (30) percent reduction (or twenty (20) percent reduction, if the conforming golf course is an ISP participant) in replacement of daily ET rate or soils daily water holding capacity, achieved by use of an existing and properly operating CCIS (as defined) capable of achieving such water conservation goals.
		B. A non-conforming golf course shall not use more than one and one-fourth (1.4) times the base usage. If not separately metered an irrigation audit showing precipitation rates and run times along with a conservation plan shall be submitted and approved by SAWS for the purpose of establishing acceptable irrigation run times and days as approved by SAWS.
III	Commercial Surcharge	A surcharge is assessed on all irrigation accounts and assumed irrigation (section 34-124 of the City Code) of the San Antonio Water System as described in section 34-128 of the City Code. The surcharge is to remain in effect for a

		minimum of one complete billing month. The surcharge shall remain in effect if Stage III is still in effect at the beginning of the next billing month.
III	Residential Surcharge	A surcharge is assessed on all water accounts of the San Antonio Water System as described in section 34-128 of the City Code. Surcharge is to remain in effect for a minimum of one complete billing month. The surcharge shall remain in effect if Stage III is still in effect at the beginning of the next billing month.

(iv) Table D – Stage IV Restrictions

Stage	Measures For	Scope of Restrictions
IV	In General	The most restrictive requirements of either Stage I, II or III restrictions remain the same except as added to or replaced below.
IV	Commercial Surcharge	A surcharge is assessed on all irrigation accounts and assumed irrigation (section 34-124 of the City Code) of the San Antonio Water System as described in section 34-128 of the City Code. Surcharge is to remain in effect for a minimum of one complete billing month. The surcharge shall remain in effect if Stage IV is still in effect at the beginning of the next billing month.
IV	Residential Surcharge	A surcharge is assessed on all water accounts of the San Antonio Water System as described in section 34-128 of the City Code. Surcharge is to remain in effect for a minimum of one complete billing month. The surcharge shall remain in effect if Stage IV is still in effect at the beginning of the next billing month.
IV	Additional Restrictions	Additional restrictions including but not limited to a ban on lawn watering with irrigation systems or hose end sprinklers may be established at the discretion of the President/CEO in consultation with the City Manager.

4.7 VARIANCE FROM REGULATED ACTIVITY

4.7.1 VARIANCE.

A Customer that is affected by the use provisions of this Section may seek a variance in the manner set out herein. A request for variance shall be made within thirty (30) days of the date a provision becomes apparently applicable to that person's activities and/or properties.

4.7.2 TIMING OF VARIANCE REQUEST

A Customer seeking a variance under these provisions shall make such request in writing to the Conservation Department. Such request shall be reviewed by the department. If the application, on its face, warrants a variance, the department may grant the request without hearing.

4.7.3 VARIANCE QUALIFICATIONS.

Variances to the regulated activities in this Section may be issued through the Department of Conservation provided that the general intent of this Section has been met, and compliance with this Section is proven to be impracticable to accomplish and to cause unnecessary hardship. There are variance applications for some regulated activities available on the SAWS website. For any activity for which a form does not exist, Customers should prepare a written submission that includes:

a) Name(es) and address(es) of the Customer(s)
b) Account Number(s)
c) Customer contact information
d) Specific provision(s) from which the Customer is requesting a variance
e) A detailed statement as to: how the specific provision(s) as written adversely affects the Customer, any extenuating circumstances that prevent compliance, a showing that the level of capital outlay, technical complexity, time and effort required to accomplish compliance in relation to conservation benefit to be derived is marginal, and/or any mitigating efforts made on the part of the Customer to comply
f) Other pertinent information documents, photographs, etc.

4.7.4 SPECIFIC CRITERIA TO BE USED FOR THE GRANTING OF VARIANCES.

The President/CEO designee in Conservation shall also develop specific criteria to be used for the granting of variances from the provisions of this Section, which are appropriate to the provision for which a variance is being sought. Such criteria shall be applied equally to each request for variance under a particular provision. A requestor shall be furnished with the criteria to be utilized by the department and/or director prior to his/her variance application and/or appeal being heard.

4.7.5 APPEAL OF VARIANCE DETERMINATION.

In the event the variance is granted, the decision of the department shall be final. Should the variance be denied, the requestor shall have ten (10) days from receipt of the denial of the variance to seek an appeal in writing. Within thirty (30) days of the written request for an appeal from the denial of a variance, the President/CEO's designee in Conservation shall hear the appeal. The requestor shall be informed in writing of the time, date and place where such appeal shall be heard. The requestor and/or their authorized representatives may present evidence to the President/CEO's designee in Conservation why such appeal should be granted. The President/CEO's designee in Conservation shall inform the requestor within thirty (30) days of the date of the hearing of the appeal whether the appeal has been granted or denied. The determination of the President/CEO's designee in Conservation shall be final and shall be in writing.

4.8 ENFORCEMENT

4.8.1 ENFORCEMENT.

The President/CEO or their designee of the San Antonio Water System may enforce this Section.

4.8.2 RESPONSIBLE PARTY.

For purposes of this Section the Customer, property owner, occupant, or resident, of the property where a violation is observed shall be the responsible party for a violation of the provisions of this Section unless an alternate person is designated by the named meter holder and accepts responsibility, and it is documented in writing by both the alternate individual and the meter holder. If there is no meter, the property owner, occupant, property manager or resident, shall be the responsible party.

The responsible party for violations of section 4.8.3 Access to Premises, may be the Customer, property owner, property manager, occupant, or resident associated with the site for which access is denied.

4.8.3 ACCESS TO PREMISES.

All SAWS personnel, agents, or contractors shall have free access to access the right of way to the premises, including, to any neighborhood or subdivision wherein SAWS provides water service to perform maintenance, make repairs, and conduct inspections, including inspections to determine whether provisions of the water conservation and reuse article IV have been, and are being, complied with in all respects. This includes within gated and/or guarded subdivisions. Any person or entity refusing permission or barring or obstructing access will be in violation of this Division and may be subject to consequences in this Division.

4.8.4 WATER WASTE.

It is a violation for any San Antonio Water System water and/or wastewater service customer, property owner, occupant, resident, or other Responsible Party, to intentionally, knowingly, recklessly, or negligently allow or cause water waste, to allow or cause landscape watering outside the prescribed hours for landscape watering, or to allow or cause any violation of any provision of this Section 4 of the Utility Service Regulations. Violators are subject to consequences of this Section.

4.8.5 EDUCATION AND ENFORCEMENT.

As the success of conservation generally depends largely on public cooperation, SAWS will maintain customer education programs and a water conservation "hot line," so that the public may provide the San Antonio Water System with information relating to violators.

4.8.6 EXEMPTIONS.

Watering performed on any plant or seed planted in or transplanted to an area with a valid new landscape variance from SAWS may be exempted from violations. Landscape watering performed by a commercial enterprise in the business of growing or maintaining plants for sale, such as plant nurseries may be exempt provided that such landscape watering shall be performed solely for the establishment, growth, and maintenance of such plants and without waste as defined herein.

4.8.7 TERMINATION OF SERVICE FOR REPEATED OR CONTINUED VIOLATIONS.

At locations of repeated or continued violations, the president/CEO of the San Antonio Water System or their designee may discontinue the supply of potable water to the registered meter holder.

4.8.8 INSTALLATION OF FLOW RESTRICTORS FOR CONTINUED VIOLATIONS.

At locations of repeated or continued violations the San Antonio Water System may install flow restrictors.

4.8.9 NON-COMPLIANCE CHARGE.

For purposes of Section 4, a Non-Compliance charge is an additional charge applied to a customer's bill as a result of a documented violation of a Section 4 rule. The Non-Compliance charge is not related to the volume of water used, but to the misuse of water in a drought stage as described throughout section 4. All Customers may be subject to a Non-Compliance Charge. Charge shall be incurred. Non-Compliance Charges accrue at a rate set out in Chapter 34 of the San Antonio City Code and shall be applied to the customer bill.

Customers incurring a first-time violation may elect to take a water education class in lieu of the non-compliance charge. The water education class may be taken one time in the life of the account.

4.8.10 DROUGHT SURCHARGE.

For purposes of Section 4, a Drought Surcharge is a charge applied to a customer's bill as a result of a high use during drought Stages III and IV as set out in Chapter 34 of the San Antonio City Code. A Drought Surcharge is directly related to the volume of water used and is unrelated to adherence to the rules of Section 4. All Customers may be subject to a drought surcharge as stated in Chapter 34 of the San Antonio City Code.

4.8.11 ANNUAL IRRIGATION SYSTEM EVALUATION COMPLIANCE FEE.

Failure to comply with the annual irrigation system evaluation in section 4.4.6 shall result in the assessment of the Annual Irrigation System Evaluation compliance fees set out in Chapter 34 of the San Antonio City Code.

4.8.12 ADDITIONAL ENFORCEMENT REMEDIES.

The president/CEO or their designee is authorized and instructed to commence any action, in law or in equity, including the filing of criminal charges, deemed necessary for the purpose of enforcing this Section. The SAWS president/CEO or the designee may seek civil penalties and any other legal or equitable relief available under common law, V.T.C.A., Local Government Code chapter 54 or any other applicable city, state or federal code or statute.

4.9 APPEALS OF ENFORCEMENT ACTION RESULTING IN NON-COMPLIANCE CHARGE.

4.9.1 REQUEST FOR REVIEW.

The regulations of this Section 4 are to be administered and executed by SAWS. If a Customer believes an enforcement action occurred in error, they may request the review of an enforcement action resulting in a Non-Compliance Charge being applied to the Customer's account. The Customer must submit the following information in writing to SAWS Conservation within fourteen (14) days of the date of the notice of violation:

a) Name and address of the Customer
b) Account Number

c) Customer's contact information
d) Specific provision(s) from which the Customer is requesting relief.
e) Detailed statement as to how the specific provision(s) was misapplied or adversely affects the Customer, extenuating circumstances that prevent(ed) compliance, or mitigating efforts made on the part of the Customer.
f) Other pertinent information related to the dispute.

4.9.2 REQUEST FOR REVIEW BY PRESIDENT'S DESIGNEE.

A Customer may appeal the determination of an enforcement action Review performed by Conservation Staff. If the Customer's appeal is denied by Conservation Staff, the Customer may request in writing that a secondary review be performed. The secondary review will be performed by either the President/CEO's designee in SAWS Conservation or the VP of Conservation's designee. This request must be made within five (5) working days of the Customer being provided the results of the enforcement action Review. In addition to the items stated in 4.9.1, the request for appeal should include an explanation of the insufficiency of the Conservation Department's review.

4.9.3 REVIEW BY COMMITTEE.

A Customer may appeal the determination of an enforcement action Review performed by the President's Designee in Conservation. If the Customer's appeal is denied after review in accordance with Section 4.9.2 the Customer may request in writing that a tertiary review be managed by a Review Committee. The request for this review must be made within five (5) working days of the Customer being provided the results of the enforcement action Review. In addition to the items stated in 4.9.1, the request for appeal should include an explanation of the insufficiency of the previous rounds of review. Determinations made by Committee Review are final.

4.9.4 ITEMS EXCLUDED FROM REVIEW.

The following are not eligible for review available under this Section 4.9:

- Dissatisfaction with a SAWS policy or regulation
- The non-compliance charge amount or structure as stated in Chapter 34 of the San Antonio City Code and approved by City Council
- A customer's inability to pay and/or other billing disputes regarding the amount of the non-compliance fee

5 SERVICE NOTIFICATIONS

SAWS makes an effort to notify Customers of information that is closely related to the utility service as efficiently as possible. Some, but not all, topics that are closely related to service are:

- Billing or account related information
- Health and safety information;
- Health and safety requirements;
- Planned or unplanned service outages, updates about service outages or service restoration, ask for confirmation of service restoration or information about lack of service;
- Notification of meter work or other field work that directly affects the customer's utility service. This may include inability to access a service.
- Information about potential brown-outs due to heavy energy usage;
- Use reduction requests due to operational emergencies;
- Announcements concerning changes in drought stages and/or use reduction requests due to drought;
- High use and/or leak detection;
- Any environmental emergencies, natural hazards, or weather conditions that may impact the provision of service;
- Eligibility notices for discounted services, payment programs, or other forms of payment or service assistance; and
- Discontinued service warnings for failure to make payment and/or for failure to comply with these Utility Service Regulations.

SAWS may communicate with Customers through any means of contact information that has been provided by the customer to SAWS, including but not limited to phone, text, email, automated messaging, etc. Customers who provide their wireless telephone number when they initially sign up for service, subsequently supply the wireless telephone number, or later update their contact information, shall be deemed to have given their express consent to be contacted by SAWS at that number with messages that are closely related to the utility service. Standard text and data rates may apply for notifications sent by call or text to a Customer's mobile phone numbers. In addition, SAWS may send notice by mail, leave door hangers or flyers at pertinent service locations, or provide other physical forms of notice.

6 GENERAL PROVISIONS FOR SAWS INFRASTRUCTURE

6.1 REQUIREMENTS FOR PLAT REVIEW AND APPROVAL

In accordance with the City of San Antonio's Unified Development Code, SAWS reviews and approves subdivision plat submittals to verify that all subdivisions within the City and its extraterritorial jurisdiction are provided with adequate water and wastewater systems. SAWS will review a plat submittal only upon receipt of a complete plat submittal package. A checklist describing the SAWS current plat submittal requirements is available from SAWS or through the web site, (http://www.saws.org/business_center/Developer/). SAWS will not approve the release of a major plat for recordation unless (a) all required improvements have been constructed and accepted by SAWS or (b) a performance guarantee has been provided to and accepted by the City of San Antonio Development Services Department.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

6.2 MAIN LOCATIONS

SAWS must approve the location of all water, wastewater, and recycled water main installations. Mains may be installed only in streets, alleys, utility easements dedicated to the City of San Antonio for the use and benefit of SAWS or public rights-of-way, with the exception of TxDot right-of-way. Installation within TxDot right-of-way is prohibited unless approved by SAWS Vice President. In residential areas, water service must be provided from a looped main located in a public street, planned unit development street, or manufactured home street as defined in the City of San Antonio Unified Development Code. In commercial and industrial areas with multiple customers, water service must be provided from a main located in a public street or from a looped main in an easement dedicated to the City of San Antonio for the use and benefit of SAWS. The easement must be open and accessible to traffic and/or construction equipment. Existing vegetation, trees, and private improvements may be removed without notice or compensation. All main locations and sizes must be in accordance with SAWS' current Utility Infrastructure Master Plan and the approved utility master plan for the development. Looped mains are to be installed in accordance with requirements outlined in Section 9.3 of these regulations.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

6.3 INSTALLATIONS IN NEW STREETS

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

6.4 MODIFICATION OF EXISTING FACILITIES

SAWS will observe the removal or adjustment of any water, wastewater or recycled 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 SAWS chooses to install a larger main or additional facility that is beyond the existing customer's requirements, SAWS will bear the proportionate added expense.

All facilities must be maintained according to American Water Works Association requirements and the provisions of the current Fire and Plumbing Codes with local amendments adopted by the City of San Antonio. SAWS will discontinue service to any customer with any unapproved connection or a cross-connection. When SAWS relocates a service line or wastewater lateral on private property, SAWS will obtain a right of entry for the water service line or wastewater lateral installation.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.)

6.5 OTHER CHARGEABLE COSTS

Costs associated with damage to SAWS infrastructure for which a customer or the customer's contractor is responsible, costs incurred by relocations or plan revisions necessitated by other construction, and costs required by development modifications will be charged to the customer. Service to the customer or the developer's project will be withheld or discontinued until these charges are paid.

6.6 INFRASTRUCTURE OWNERSHIP

All infrastructure that is necessary to serve new development, including access roads, wastewater lift stations, force mains and treatment plants, must be built on public property or within dedicated easements or rights-of-way provided by the developer customer. The required property or easement must be granted to SAWS by an appropriate written instrument filed with the county clerk at the developer customer's expense. Whether a developer installs the infrastructure at the developer's cost or SAWS installs it under a developer contract, upon inspection and written acceptance for maintenance by SAWS, title to all water and wastewater mains, reservoirs, pump stations, wells, lift stations, force mains and wastewater treatment plants must be granted to SAWS.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.)

6.7 AFFIDAVITS REQUIRED

The developer customer and the developer customer's contractor must execute a Developer Customer'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, wastewater or recycled water mains or other facilities have been paid in full, before SAWS will accept ownership of any mains or other facilities and allow connections to its existing systems.

6.8 SAWS ACCEPTANCE OF INFRASTRUCTURE

SAWS will issue a final acceptance certificate when construction is complete according to SAWS' requirements, the developer has paid all construction costs and all charges due to SAWS under these regulations, the developer has submitted the required affidavits, warranties, project record drawings, O and M manuals, 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 SAWS property free and clear of all liens, claims and encumbrances. After final acceptance, the developer may use the infrastructure for its intended purpose. SAWS will not accept partially complete facilities or infrastructure.

In areas served by water purveyors other than SAWS and where the plat has been released for recordation, wastewater infrastructure will not be accepted until the wastewater impact fees associated with the project have been paid, unless the water purveyor, or authorized entity, provides an acceptable instrument that guarantees fees will be paid prior to service connection.

(This section amended by SAWS Board Resolution #04-243, approved June 22, 2004, entitled Amendment #4)

6.9 COMPLIANCE WITH THE CITY OF SAN ANTONIO TREE PRESERVATION ORDINANCE

The policy of the San Antonio Water System is to comply with the requirements of the City of San Antonio ordinance regulating the preservation of trees for all projects located within the extraterritorial jurisdiction (ETJ) of the City of San Antonio. All construction projects by SAWS, for SAWS or to be dedicated to SAWS must be built in conformance with the requirements of the San Antonio tree ordinance. This requirement applies to all projects located within the San Antonio ETJ.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.)

6.10 COMPLIANCE WITH THE CITY OF SAN ANTONIO 5-MILE AWARENESS ZONE AROUND CAMP BULLIS FOR LIGHTING

Consistent with the City of San Antonio's Resolution No. 2008-08-07-0034R, which adopted a 5-mile Awareness Zone around the United States Army's Camp Bullis property, and as may be amended from time to time, it is the policy of the San Antonio Water System to inform Developers of, and seek their commitment to comply with, the requirements of local governmental authorities relating to down-lighting or dark sky lighting for projects that receive water, or wastewater services from SAWS. To obtain a Utility Service Agreement from SAWS, all developments or individual customers must agree to comply with the down-lighting or dark sky lighting requirements as adopted by local governmental authorities.

(This section amended by SAWS Board Resolution #09-024, approved January 6, 2009 entitled Amendment #7.)

6.11 COMPLIANCE WITH THE CITY OF SAN ANTONIO 5-MILE AWARENESS ZONE AROUND CAMP BULLIS FOR PROTECTION OF THE ENVIRONMENT AND ENDANGERED SPECIES

Consistent with the City of San Antonio's Resolution No. 2008-08-07-0034R, which adopted a 5-mile Awareness Zone around the United States Army's Camp Bullis property, and as may be amended from time to time, it is the policy of the San Antonio Water System to inform Developers of, and seek their commitment to comply with any local, state or federal law, rule or regulation related to the protection of the environment or endangered species. To obtain a Utility Service Agreement from SAWS, all developments or individual customers must agree to comply with any local, state, or federal law, rule or regulation related to the protection of the environment or endangered species. This compliance includes, but is not limited to any site assessments, surveys and notice to the United States Fish and Wildlife Service when required by law, rule or regulation. Any required assessment, survey or notice shall be current or updated as may be required by law, rule or regulation.

(This section amended by SAWS Board Resolution #09-024, approved January 6, 2009 entitled Amendment #7.)

7 UTILITY SERVICE AGREEMENTS

7.1 GENERAL PROCEDURES

A developer customer may submit a written request for water or wastewater service or a combination of these services for the development of a specific tract or project. The developer customer must provide an engineering study signed and sealed by a professional engineer licensed in the State of Texas establishing the service demands and the impact of these demands on SAWS' water and wastewater service capacity. SAWS may approve exceptions to this requirement. As part of the engineering study, the developer customer's engineer may be required to perform a flow study to determine the capacity of existing water and wastewater mains that the developer customer intends to connect. Upon approval of the engineering study, SAWS will prepare a Utility Service Agreement 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 Utility Service Agreement, capacity in SAWS water and wastewater systems will be reserved. The developer customer is not guaranteed capacity until all required off-site infrastructure is built by the developer, accepted by SAWS and all impact fees are paid.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

7.2 CONDITIONS REQUIRING A UTILITY SERVICE AGREEMENT

A Utility Service Agreement is required under the following conditions:

- Service to the property requires construction of any on-site and off-site SAWS facility
- The development has a capacity requirement greater than 100 EDU's
- The development is over 50 acres
- The development requires an off-site main extension, including approach and/or border mains, of 300 linear feet or more
- Impact fee credits will be earned for the construction of water or wastewater facilities
- SAWS will provide oversize reimbursements for construction of water or wastewater facilities
- The development is multi-phased
- Pro-rata refunds will be granted for construction of water or wastewater mains.
- The development is located over the Edwards Aquifer Recharge Zone or Contributing Zone
- Other conditions as determined by SAWS.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

7.3 UTILITY SERVICE AGREEMENT REQUIRED OUTSIDE CCN SERVICE AREA

A Utility Service Agreement is required for any water or wastewater service provided outside SAWS' certificated service area. Such agreements must be approved by the Board of Trustees, except that the Board may delegate to the staff the authority to approve agreements that meet conditions set out by the Board. A developer customer may be required to prepare a feasibility study in connection with the requested agreement.

7.4 UTILITY MASTER PLAN REQUIREMENTS

The utility master plan must detail the water or wastewater systems (as applicable) for the tract or project. A professional engineer licensed in the state of Texas must prepare the utility master plan and it must be submitted to SAWS digitally in NAD 83 Texas South Central FIPS Zone: 4204 Feet coordinate system. The plan must include all items required in the Utility Service Agreement. The plan must detail the layout of the streets (including street names, if known), easements, development units, lot configurations, and the location and size of all other utilities planned to serve, existing on, or passing through the tract. For tracts greater than 200 acres, reduced detail can be acceptable pending SAWS approval. For water, the utility master plan must also show the boundary of the water system, water main locations and sizes and contour elevations. If known, also include service lines, valves and fire hydrant locations. For wastewater, the utility master plan must also show the boundary of the wastewater system, wastewater main locations and sizes, external collection system mains, other wastewater facilities as required, elevation contours and the wastewater service area.

For properties that have areas of unplanned use, the demand must be calculated at four EDU's per acre unless the engineering report specifies otherwise.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

7.5 PHASED UTILITY MASTER PLANS

If the developer customer's water or wastewater system is to be installed in phases or units, the developer customer must submit an overall utility master plan to SAWS for review and approval. The overall utility master plan 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 customer applicant must also provide SAWS with a digital version of the proposed recorded plat, as submitted for plat recordation and in a format acceptable to SAWS, for each phase or unit of the development project.

7.6 CONFORMANCE OF PLANS TO UTILITY MASTER PLAN

All water and wastewater system facilities to serve a proposed development must be designed and constructed in conformance with the approved utility master plan. Changes in the water and wastewater system design must be resubmitted to SAWS for approval.

7.7 TIMING REQUIREMENTS FOR SUBMISSION OF PLANS

Upon approval by SAWS of a Utility Service Agreement, the developer customer has 36 months to complete the required utility master plan and to start construction. If the developer customer fails to complete these requirements within the 36-month period, the Utility Service Agreement expires and a request for a new agreement must be submitted to SAWS. SAWS will enter into a new Utility Service Agreement based on current regulations.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.)

7.8 UTILITY SERVICE AGREEMENT REVIEW AND MAXIMUM TERM

A Utility Service Agreement is initially valid for three years from the date the agreement is executed by SAWS and issued. However, upon initiation of construction of one or more of the following items the Utility Service Agreement will remain in effect for seven years from the date the agreement was issued:

- Construction of local or general benefit facilities which result in a billable domestic water and/or sewer service to one or more SAWS customers within the tract

- Construction of any one or more complete components of the infrastructure requirements as called out in the Utility Service Agreement (for example, if one requirement is to construct a 24-inch main from point A to point B, the entire length of main from point A to point B must be constructed to satisfy this term extension requirement)

No earlier than the fifth year and by the end of the seventh year, a revised utility master plan must be submitted to SAWS including any increase or decrease in planned EDU's within the project. SAWS must approve the master plan to extend the term beyond seven years.

If the revised utility master plan indicates a substantial increase in the EDUs for the tract, the developer must agree to develop the project in accordance with the current Utility Service Regulations or else the Utility Service Agreement terminates. A substantial increase in EDUs is an amount that requires an increase in pipe size, the construction of a parallel main, the use of unanticipated package wastewater treatment plants or the development of additional production facilities, provided that these consequences are not the result of SAWS' borrowing of capacity designated for the developer customer's tract pursuant to the original approved utility master plan.

If the developer customer meets the requirements set out herein and any additional requirements set out in the Utility Service Agreement, the Utility Service Agreement will extend beyond the seven-year period for a total period not to exceed 15 years from the effective date of the Utility Service Agreement.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

7.9 PROVISION OF SERVICE AFTER EXPIRATION OF 15-YEAR TERM

In order for certain conditions to survive the expiration of the 15-year term, the developer customer must pay all impact fees for the total number of EDUs required for the development, at the current rate, and complete all the requirements of the Utility Service Agreement 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 Utility Service Agreement's 15-year term, the following conditions will survive the expiration of that term:

- SAWS will recognize the EDUs of capacity required for the development as guaranteed capacity.

- SAWS will continue to recognize impact fee credits previously earned by the developer in accordance with sections 17.8 and 17.9 herein.

- SAWS will provide the utility services that were the subject of the Utility Service Agreement 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 the developer desires to complete the development project, the developer must enter into a new Utility Service Agreement, pursuant to the then current Utility Service Regulations.

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

For developments greater than 1000 acres requiring more than 15 years to develop, the expiration date of the Utility Service Agreement can be extended to a maximum of 20 years. Phased construction plan submittal will be subject to all SAWS requirements and provisions in effect at the time of construction plan approval.

The expiration date of the Utility Service Agreement for those qualifying as large developments will be determined prior to the issuance of the Utility Service Agreement.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

7.11 WATER COMMITMENTS AND SEWER CONTRACTS WITHOUT EXPIRATION DATES

Water commitments and sewer contracts issued prior to the effective date of these regulations that do not have an expiration date remain valid for a period of 15 years from February 18, 2003. As of February 18, 2018, all water commitments and sewer contracts have expired. Water commitments and sewer contracts will be subject to all SAWS requirements and provisions in effect at the time of construction plan approval.

7.12 IRRIGATION SERVICE LINES

All irrigation service lines must have a backflow prevention assembly on the customer side of the meter, 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 residential customer may request that an existing domestic service line be branched for an irrigation line. SAWS may allow installation of dual meters on a single service line. Allowable service lines for dual metering are 1-inch lines with two ¾ inch branches with 5/8-inch meters or 1½ inch lines with two 1-inch branches with 1-inch meters, or other ratios as approved by SAWS Director. The branched service lines cannot exceed two meters and the sum of EDUs cannot exceed the number of EDUs of the existing service line. Each irrigation line serving a commercial parcel, lot, tract, or separate property shall have an individually metered irrigation service line connection from a public water main. Each individual parcel must have a separate service line. The irrigation service lines cannot cross property lines. Assumed irrigation customers requesting a change from a single meter providing indoor/outdoor use to two meters receiving service from the existing single service line, will not be charged an impact fee for the second meter. This non-charge of the impact fee will only apply under the following conditions. a. The policy applies only to services that have been active for the full period between January 1, 2006 and December 31, 2010. Any exceptions must be approved by SAWS Director. b. The existing irrigation system will not be increased in size without prior approval from SAWS Director. An increase in size may result in the payment of additional impact fees. c. The irrigation meter and service location will not be relocated in the future without prior approval from SAWS Director.

(This section amended by SAWS Board Resolution #09-024, approved January 6, 2009 entitled Amendment #7.) (This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

7.13 CROSS-CONNECTION AND BACKFLOW PREVENTION

No water may be returned to SAWS' potable water distribution system. SAWS will immediately discontinue service to any customer with an unapproved connection or a cross-connection, and service will not be re-established until SAWS determines that the condition is corrected. Individual Customers To protect SAWS' distribution system from contaminants associated with cross-connections and backflows, a connection between SAWS' distribution system and a customer's service line is not allowed if an unprotected cross-connection exists. A SAWS-approved backflow prevention assembly must be installed, maintained and tested annually by the customer before a connection is made to SAWS' distribution system.

Each property owner is responsible for the maintenance and repair of each backflow prevention assembly that is located on the property owner's property. Each property owner shall have each backflow prevention assembly located on a property owner's property inspected and tested annually by a state licensed backflow assembly tester. The licensed tester performing the inspection and testing shall complete a report of each inspection and testing on a form approved by SAWS.

Each property owner shall repair or replace a backflow prevention assembly that fails a test before returning the backflow prevention assembly to service. Each property owner or the property owner's representative shall deliver the annual report of testing and inspection that is required to be performed by this section to SAWS no later than the 30th day of June every year.

A backflow prevention assembly test and maintenance form must be completed by a certified backflow prevention assembly tester for each assembly tested. The signed and dated form must be submitted to SAWS within ten (10) days after the completed test. Only San Antonio Water System or an approved TCEQ backflow prevention assembly test and maintenance form will be accepted. All test and maintenance reports shall be retained by the owner of the property where the backflow prevention assembly is located for at least three (3) years after the date of any such test.

If a property owner fails to submit or deliver the annual report of backflow testing and inspection, SAWS may assess a cost recovery fee to the property owner upon notice of the violation. Failure to pay the cost recovery fee in a timely manner shall subject the property owner to suspension of service and/or bar the reconnection or resumption of service until such time as the fee is paid.

Should SAWS give written notice to a property owner that an annual report of inspection and testing of a backflow prevention device has not been received by SAWS and the property owner fails to submit such a report within ninety (90) days after the date of the notice, then in that event SAWS may terminate water and/or sewer service to the location where the violation occurred.

Customers shall have a Customer Service Inspection performed in accordance with TCEQ requirements and shall perform all action necessary to comply with State and Local requirements for service. Customers must submit a Customer Service Inspection that complies with TCEQ requirements to SAWS before an account for continuous water service is established and as otherwise required by section 3.10 of these Regulations.

If a Customer fails to provide a Customer Service Inspection Certificate to SAWS as required by these Regulations, then SAWS may notify a Customer in writing delivered by mail or hand delivery that water service will be terminated on a date that is sixty (60) days after the date that the notice is mailed or hand delivered to the Customer, unless the Customer delivers to SAWS a completed Customer Service Inspection Certificate that complies with TCEQ requirements. The notice to the Customer shall include a statement of all reconnection charges or fees that will be required to restore water service if service is disconnected. SAWS may terminate water service to the Customer if a Customer Service Inspection Certificate in not provided to SAWS by the date that is stated in the notice to the Customer.

SAWS-approved backflow protection devices must be installed on all internal cross-connection hazards. Additionally, containment backflow protection will be required on designated facilities when necessary, in the judgment of SAWS staff.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Wholesale Water Customers Wholesale water customers must have approved backflow prevention assemblies installed at all SAWS service connections. Any required air gap separation must be at least two times the diameter of the supply pipe, measured vertically above the top rim of the vessel, and in no case less than one inch. Type of Protective Devices The selection of an appropriate backflow protection device will be based on the degree of hazard involved. SAWS will make the final decision in individual cases.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.)

7.14 PRESSURE REDUCING VALVE REQUIREMENT AND MAINTENANCE

PRV Requirement Consistent with the current plumbing code and local amendments adopted by the City of San Antonio, any tract whose pressure may normally exceed 80 psi or as required by SAWS, a Pressure Reducing Valve (PRV), including expansion tank, rated for a maximum working pressure of no less than 300 psi must be installed on the customer side of the meter prior to a SAWS meter being installed. Installation of the PRV shall be the responsibility of the developer, builder, customer or an agent thereof. Language addressing this PRV requirement shall be included in the Utility Service Agreement (USA). This provision applies to all SAWS customers regardless of location.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

PRV Maintenance The customer is responsible for all maintenance of the PRV on the customer's side of the meter. PRVs on Dual Service Lines PRVs are not allowed on dual service lines and therefore must be used in conjunction with single service lines.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.

7.14 BILLING AND WATER SERVICE ACCOUNTS

The Builder or Developer named on the account prior to the first retail customer to start service shall be responsible for any and all charges to the account including the standard billed amount and any non-compliance charges, drought surcharges, or other charges incurred by the account prior to the first retail customer receiving service.

8 PROCEDURES FOR WATER SERVICE AND WASTEWATER LATERAL CONNECTIONS

8.1 SERVICE REQUIREMENTS

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

1. Obtain a SAWS connection or adjustment permit and execute an agreement for meter and service line installation or wastewater lateral connection;
2. Execute and pay for all necessary locates and connections;
3. Have a platted lot in accordance with the City of San Antonio Unified Development Code or applicable jurisdiction or, obtain a Certificate of Determination or equivalent for the property;
4. Pay a pro-rata charge, if applicable;
5. Pay all applicable impact fees;
6. Pay a customer account deposit when required; and
7. Pay other fees as required.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

8.2 AUTHORIZED APPLICANTS

The property owner or the owner's authorized agent may make the application for installation or relocation of a water service line or private fire protection service line or installation or relocation of a wastewater lateral connection. A tenant, not acting as an agent for the owner of the property, may sign a contract for water or wastewater service only.

8.3 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 size of the service line or wastewater lateral connection desired, the size of the meter desired, the projected water demand and/or wastewater discharge, and such other information as SAWS may reasonably require.

8.4 CUSTOMER'S RESPONSIBILITIES

SAWS will consider the information received 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 wastewater lateral or improper meter installation, the customer must bear the cost of all required changes. As a condition of receiving service, the customer must pay any expense incurred by SAWS as a result of incorrect information received from the customer.

8.5 CONNECTION OR ADJUSTMENT PERMITS

A private contractor who meets SAWS insurance requirements may install or relocate a water service line, private fire protection service line or wastewater lateral and related appurtenances if SAWS approves the customer's request for a permit. The permit is conditioned upon the customer's compliance with all applicable service conditions and payment of all applicable fees. SAWS reserves the right to remove contractors from the authorized list or refuse issuance of a permit for failure to comply with these regulations.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

8.6 RESPONSIBILITIES FOR CUSTOMER YARD PIPING

SAWS 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. SAWS will maintain, repair and replace the wastewater laterals from the wastewater main to the property line or wastewater easement line. The customer is responsible for installation, maintenance, repair and replacement of the PRV, backflow device, yard piping and any on site infrastructure extending from the outlet side of the meter coupling and from the property line or wastewater easement line throughout the remainder of the customer's property in accordance with the current plumbing code.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

8.7 USE OF FIRE HYDRANTS PROHIBITED

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

- Fire protection
- Contractors working directly for SAWS, when the exception is part of the contract.
- Customers and their contractors who have obtained a fire hydrant meter as provided in section 8.10.

Water being used from fire hydrants is metered and invoiced, however customers and their contractors will not be charged if they are engaged in a direct contract with SAWS.

(This section amended by SAWS Board Resolution #09-024, approved January 6, 2009 entitled Amendment #7.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

9 WATER SERVICE LINES

9.1 INSTALLATION AND LOCATION

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

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 86 feet unless SAWS determines that no other line routing is feasible. In this case, a main extension may be required across the street before the service line starts.

Service lines may not be connected to new water mains located within a right-of-way less than 30 feet.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

9.2 SERVICE LINES ON LARGE DIAMETER MAINS

A customer service line smaller than six inches in diameter may not be connected to a distribution main exceeding 20 inches in diameter. No customer service line may be connected directly to a transmission main.

The customer must pay the cost of any main extension that is required to connect the service line to a main of appropriate size. SAWS will determine the main from which service may be extended.

SAWS Director may approve an exception to this policy if it is determined that unusual conditions, use, or location make extending a local benefit main infeasible. Any exceptions must be in writing and approved by both parties.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

9.3 REQUIREMENT FOR MAIN EXTENSIONS

In order to provide water service to a property, the customer is required to construct a water main extension to include the full frontage of their property if:

1. The property is not fully fronted by an existing looped water distribution main 20 inches or less in diameter, or;
2. The nearest looped water distribution main is on the opposite side of the street and the street right-of-way exceeds 86 feet.

Water main extensions shall be looped to provide dual direction supply and system flexibility.

SAWS may waive the requirement for a border main across the entire frontage of the tract if the extension of the main beyond the customer's property will not be required to serve future customers and is not required for looping of the water system. SAWS may waive the requirement for dual direction supply if it is determined by SAWS that contiguous development could occur to facilitate future main extensions.

Dead end mains are prohibited unless they are part of a phased development which has a valid Utility Service Agreement and masterplan indicating the eventual looping of the main. Also, connections may be considered prior to looping of the main through the variance process as specified in section 3.10 of these regulations if looping the main requires an extension across an adjacent property with existing SAWS water service.

Connection to a transmission main is not allowed, unless approved by SAWS Director.

Residential developments which have cul-de-sacs with an eight-inch diameter water main extending from a looped system may be considered if the eight-inch water main terminates with a two-inch diameter HDPE water loop extending the circumference of the cul-de-sac. No more than seven residential services may be connected to the two-inch diameter HDPE water loop.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

9.4 VALVE REQUIREMENTS FOR LARGE SERVICE LINES

In the Central Business District as defined by the City Code, where the water main diameter is 16 inches or less, all service lines four 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 in the Central Business District for four-inch and larger service lines on mains 20 inches and larger will be determined by SAWS on a case-by-case basis.

Outside the Central Business District, where the water main diameter is 16 inches or less, all service lines four inches in diameter and larger must have a valve in the water main on each side of the service outlet.

Valve requirements outside the Central Business District for four-inch and larger service lines on mains 20 inches and larger will be determined by SAWS on a case-by-case basis.

To meet the requirements of this section, valves will be placed in the water main on each side of the service outlet whenever service lines are being installed, re-laid or reconnected. If there is an existing valve that adequately isolates the service, then it can be used in lieu of installing a new valve.

SAWS valves must be operated in accordance with Item No. 840 Water Tie-Ins of the SAWS Construction Specifications.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

9.5 EFFECT OF CHANGED USE CONDITIONS

SAWS may review changed circumstances pertaining to the use, occupancy, or ownership at any time after service lines are installed. After reviewing the changes SAWS 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.

9.6 CHARGES FOR SERVICE LINE INSTALLATION

SAWS normally does not install service lines. In the event that SAWS does install a service line, service line charges are assessed according to SAWS' charge schedule unless the service line is installed by a private contractor under a water connection permit. The customer must pay all charges and applicable impact fees at the time the application for service line installation is made. A customer may request a particular size of service line and meter with appropriate documentation, but SAWS will make the final determination of the size of the service line and meter required for each customer.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.)

9.7 CHARGES FOR ADDITION OR REMOVAL OF SERVICE LINES

If a property owner requests additional service lines, SAWS may issue a water connection permit for the customer's contractor to install new service. If the property owner requires fewer service lines than presently exist, SAWS may issue a permit for the customer's contractor to remove the unused service line. If applicable, impact fee credit may be utilized within the boundaries of the same lot. Impact fee credit earned from the removal of service lines may not be refunded or transferred to another lot. The request to disconnect a service line must be submitted in writing by the owner of the property at the time of permitting.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

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

9.9 PRIVATE FIRE PROTECTION SERVICE LINES

A contractor approved by SAWS may install a private fire protection service line under a water connection permit. Approval of an application for connection of a private fire protection service line to a SAWS main smaller than 12 inches in diameter is discretionary to SAWS. 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 SAWS approval. Depending upon the fire protection requirement, a backflow prevention assembly may be required. The backflow prevention assembly must be installed, maintained and tested annually at the customer's expense. Each parcel, lot, tract, or separate property to be served by a SAWS fire line shall have an individual fire service line connection from a public water main. The fire service lines cannot cross property lines.

A customer's request to install a combination domestic and fire protection service line with a fire flow type meter may be approved at SAWS' discretion. If approved, the customer must bear the cost of the fire flow type meter and installation. A customer may obtain a larger fire flow meter at the customer's expense if the meter is not provided by SAWS.

(This section amended by SAWS Board Resolution #09-024, approved January 6, 2009 entitled Amendment #7.) (This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

9.10 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 year. SAWS will determine at its discretion whether a temporary service line may be installed. SAWS will evaluate all applications for temporary service lines as to the need for backflow prevention protection. For temporary services resulting from a plat deferral, only ¾-inch services will be allowed. The customer is responsible for installation and removal of temporary services. Impact fees to establish the temporary service are not eligible for refund but will be applied to the permanent service to the same property. All temporary services will be required to comply with the TCEQ Customer Service Inspection requirements.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

9.11 SERVICE LINE RECONNECTION TO NEW MAINS

If SAWS 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 SAWS without expense to the property owner.

9.12 IRRIGATION SERVICE LINES

All irrigation service lines must have a backflow prevention assembly on the customer side of the meter, 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 residential customer may request that an existing domestic service line be branched for an irrigation line. SAWS may allow installation of dual meters on a single service line. Allowable service lines for dual metering are 1-inch lines with two ¾ inch branches with 5/8-inch meters or 1½ inch lines with two 1-inch branches with 1-inch meters, or other ratios as approved by SAWS Director. The branched service lines cannot exceed two meters and the sum of EDUs cannot exceed the number of EDUs of the existing service line. Each irrigation line serving a commercial parcel, lot, tract, or separate property shall have an individually metered irrigation service line connection from a public water main. Each individual parcel must have a separate service line. The irrigation service lines cannot cross property lines.

Assumed irrigation customers requesting a change from a single meter providing indoor/outdoor use to two meters receiving service from the existing single service line, will not be charged an impact fee for the second meter. This non-charge of the impact fee will only apply under the following conditions.

a. The policy applies only to services that have been active for the full period between January 1, 2006 and December 31, 2010. Any exceptions must be approved by SAWS Director.

b. The existing irrigation system will not be increased in size without prior approval from SAWS Director. An increase in size may result in the payment of additional impact fees.

c. The irrigation meter and service location will not be relocated in the future without prior approval from SAWS Director.

(This section amended by SAWS Board Resolution #09-024, approved January 6, 2009 entitled Amendment #7.) (This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

9.13 CROSS-CONNECTION AND BACKFLOW PREVENTION

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

Individual Customers

To protect SAWS' distribution system from contaminants associated with cross-connections and backflows, a connection between SAWS' distribution system and a customer's service line is not allowed if an unprotected cross-connection exists. A SAWS-approved backflow prevention assembly must be installed, maintained and tested annually by the customer before a connection is made to SAWS' distribution system.

Each property owner is responsible for the maintenance and repair of each backflow prevention assembly that is located on the property owner's property.

Each property owner shall have each backflow prevention assembly located on a property owner's property inspected and tested annually by a state licensed backflow assembly tester. The licensed tester performing the inspection and testing shall complete a report of each inspection and testing on a form approved by SAWS. Each property owner shall repair or replace a backflow prevention assembly that fails a test before returning the backflow prevention assembly to service.

Each property owner or the property owner's representative shall deliver the annual report of testing and inspection that is required to be performed by this section to SAWS no later than the 30th day of June every year.

A backflow prevention assembly test and maintenance form must be completed by a certified backflow prevention assembly tester for each assembly tested. The signed and dated form must be submitted to SAWS within ten (10) days after the completed test. Only San Antonio Water System or an approved TCEQ backflow prevention assembly test and maintenance form will be accepted. All test and maintenance reports shall be retained by the owner of the property where the backflow prevention assembly is located for at least three (3) years after the date of any such test.

If a property owner fails to submit or deliver the annual report of backflow testing and inspection, SAWS may discontinue service to the account and assess a cost recovery fee to the property owner upon notice of the violation. Failure to pay the cost recovery fee in a timely manner shall subject the property owner to suspension of service and/or bar the reconnection or resumption of service until such time as the fee is paid. Service will be temporarily restored when notice is provided to SAWS that an inspection has been scheduled to have all non-compliant Backflow assemblies to be tested; service will be permanently restored when a passing Test and Maintenance (T&M) Reports are submitted to SAWS.

Should SAWS give written notice to a property owner that an annual report of inspection and testing of a backflow prevention device has not been received by SAWS and the property owner fails to submit such a report within ninety (90) days after the date of the notice, then in that event SAWS may terminate water and/or sewer service to the location where the violation occurred.

Customers shall have a Customer Service Inspection performed in accordance with TCEQ requirements and shall perform all action necessary to comply with State and Local requirements for service. Customers must submit a Customer Service Inspection that complies with TCEQ requirements to SAWS before an account for continuous water service is established and as otherwise required by section 3.10 of these Regulations. If a Customer Service Inspection is not provided SAWS may discontinue service to the account. Service will be temporarily restored when notice is provided to SAWS that an inspection has been scheduled to have all non-compliant connections inspected. Service will be permanently restored when an inspection is submitted to SAWS.

If a Customer fails to provide a Customer Service Inspection Certificate to SAWS as required by these Regulations, then SAWS may notify a Customer in writing delivered by mail or hand delivery that water service will be terminated on a date that is sixty (60) days after the date that the notice is mailed or hand delivered to the Customer, unless the Customer delivers to SAWS a completed Customer Service Inspection Certificate that complies with TCEQ requirements. The notice to the Customer shall include a statement of all reconnection charges or fees that will be required to restore water service if service is disconnected. SAWS may terminate water service to the Customer if a Customer Service Inspection Certificate in not provided to SAWS by the date that is stated in the notice to the Customer.

SAWS-approved backflow protection devices must be installed on all internal cross-connection hazards. Additionally, containment backflow protection will be required on designated facilities when necessary, in the judgment of SAWS staff.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

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

Type of Protective Devices
The selection of an appropriate backflow protection device will be based on the degree of hazard involved. SAWS will make the final decision in individual cases.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.)

9.14 PRESSURE REDUCING VALVE REQUIREMENT AND MAINTENANCE

PRV Requirement
Consistent with the current plumbing code and local amendments adopted by the City of San Antonio, any tract whose pressure may normally exceed 80 psi or as required by SAWS, a Pressure Reducing Valve (PRV), including expansion tank, rated for a maximum working pressure of no less than 300 psi must be installed on the customer side of the meter prior to a SAWS meter being installed. Installation of the PRV shall be the responsibility of the developer, builder, customer or an agent thereof. Language addressing this PRV requirement shall be included in the Utility Service Agreement (USA). This provision applies to all SAWS customers regardless of location.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

PRV Maintenance
The customer is responsible for all maintenance of the PRV on the customer's side of the meter.

PRVs on Dual Service Lines
PRVs are not allowed on dual service lines and therefore must be used in conjunction with single service lines.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.)

9.15 LEAD AND COPPER RULE SERVICE LINE ACCESS

Under federal law SAWS must perform certain work to reduce lead exposure to customers, including exposure through customer owned service lines. Therefore, any water customers of SAWS shall allow SAWS personnel, agents, or contractors, to access the property being served in order to perform this work. Work may include service line material verification, sampling, service line replacement work that may be conducted by SAWS on behalf of the property owner, and any other work that may be required in order to comply with federal lead and copper rules.

10 WATER METERS

10.1 SEPARATE METERED SERVICE REQUIRED

Each parcel, lot, tract, or separate property to be served by SAWS shall have an individually metered service line connection from a public water main. These services cannot cross private lot lines, except if approved by SAWS Director for private lines within irrevocable private easements to be owned and maintained by the applicable Property Owners Association under certain conditions such as plats approved within an Infill Development Zone (IDZ) district by the City of San Antonio.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

10.2 WATER METERS FOR SINGLE-FAMILY RESIDENTIAL CUSTOMERS

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

10.3 WATER METERS FOR MULTI-FAMILY AND OTHER CUSTOMERS

1. Each individual dwelling unit in a new duplex, triplex, or quadraplex must have a separate meter. SAWS 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.

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 SAWS water meter for each unit or a sub-meter for each unit, owned by the property owner or facility manager. Water meters owned by SAWS must be located within the right- of-way, water line easement or separate water meter easement.

5. 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 inches or larger.
6. Residential developments built on single lots with combined access and utility easements or right-of-way less than 50 feet wide must be served by a single master meter. Meter banks will be considered on a case-by-case basis provided the services are located inside a public right of way, except apartments which must be master metered.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

10.4 REQUESTS TO CHANGE FROM ONE MASTER METER TO MULTIPLE METERS FOR DUPLEXES, TRIPLEXES AND QUADRAPLEXES

SAWS will allow additional meters to be installed at duplexes, triplexes and quadraplexes that have been served by one master meter with no additional impact fees charged under the following conditions:

- The master meter has been in place for at least 10 years.
- The average amount of water used at the residence for the previous 24 months does not exceed the number of EDU's assigned to the master meter size.
- The customer is responsible for funding any taps to the system infrastructure and on-site yard-piping.
- Multiple meters cannot be connected to single tap if the number of EDU's assigned to the meters exceeds the number of EDU's assigned to the tap size.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

10.5 WHOLESALE MASTER METERING

SAWS 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.

10.6 LOCATION OF WATER METERS

Water meters must be located outside of the fence line and accessible at all times with protection from traffic. Meters must be within or adjacent to public rights-of-way whenever possible.
Meters may not be located in areas enclosed by fences. Meters two inches and smaller must be located in a public right-of-way, a water line easement, or a minimum five-foot by five-foot separate water meter easement. Meters three inches and larger must be located at least one foot, but not more than 50 feet, outside of the public right-of-way, in a water line easement or a minimum ten-foot by twelve-foot water meter easement and is subject to approval by SAWS.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

10.7 REQUESTS FOR LARGER METERS

SAWS will replace a meter at a customer's request if a larger meter is necessary to serve the customer. SAWS will review such requests to determine if the requested meter installation meets the revised requirement. SAWS will install the larger meter at no charge to the customer if the size of the existing service line can accommodate the new meter and the customer's use warrants the replacement. Thereafter the customer must pay the water rates associated with the larger meter. SAWS may also install a larger or a different type of meter at SAWS' initiative and expense. The customer must pay all applicable charges and fees including additional impact fees.

10.8 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. SAWS will install the smaller meter at SAWS' cost. 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. SAWS 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, SAWS will install an adequate size meter at SAWS' cost.

10.9 TEMPORARY CONSTRUCTION METERS

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

10.10 FIRE HYDRANT METERS

SAWS 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 SAWS backflow prevention requirements.

10.11 METERED BILLING OF DOMESTIC AND IRRIGATION SERVICE LINES

General Class Customers with One Meter

A General Class customer with one meter serving both domestic and in-ground irrigation systems will have separate line items on the billing statement for domestic and irrigation use. The domestic use will be billed at the General Class rate and the in-ground irrigation system will be billed at the Irrigation Class rate. Billing will be based on a system-wide average for each of those classes using available SAWS historical data.

General Class Customers with Two Meters

A General Class customer with two meters where one is domestic and one is for irrigation will have separate billing statements for each meter. The domestic meter account will be billed at the General Class water rate with wastewater charges based on 100% of the water consumption. The irrigation account will be billed at the Irrigation Class water rate with no wastewater charge.

Residential Customers with One Meter

A residential customer with one-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. Wastewater charges will be billed at the Residential Class rate for wastewater service, based on the average water consumption during the winter months through the domestic meter.

Residential Customers with Two Meters
A residential customer with two meters where one is domestic and one is for irrigation will have a separate billing statement for each meter. The domestic meter water use will be charged the Residential Class water rate. The irrigation meter water use will be charged the Irrigation Class rate. Wastewater charges will be billed at the Residential Class rate for wastewater service, based on the average water consumption during the winter months through the domestic meter.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

10.12 ILLEGAL WATER CONNECTIONS

Any person connecting into SAWS' water system without paying all applicable fees and charges is in violation of these Regulations, the City of San Antonio's Unified Development Code and the Texas Penal Code. Any water used from the connection is an illegal use of SAWS' water distribution system, sufficient evidence to constitute a violation and is punishable by a fine under the Unified Development Code and / or criminal charges through the Texas Penal Code, including theft or any other applicable provisions.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

11 DESIGN STANDARDS FOR WATER SYSTEM FACILITIES

11.1 DETERMINATION OF WATER REQUIREMENTS

All water system infrastructures must be designed according to the following assumptions and requirements.

1. The San Antonio Water System employs the factor "Equivalent Dwelling Unit" (EDU) to determine the water demands for its water mains. An EDU, for purposes of water system design, is 290 gallons average daily flow (or .2 gpm).
2. Hazen Williams Friction Coefficient C=120 for PVC and HDPE pipe and C=100 for ductile iron pipe. A higher C factor may be used for new mains only upon approval by SAWS with sufficient documentation to show the effects of long-term use.
3. Average daily flow = .2 gpm per EDU
4. Peak daily flow = .4 gpm per EDU
5. Peak hourly flow = 1.5 gpm per EDU
6. Pressure zones are established to provide static pressures of 56 psi to 150 psi, depending on area geography and elevations.
7. If maximum static pressure exceeds 80 psi at the proposed meter location, a Pressure Reducing Valve (PRV) rated for a maximum working pressure of no less than 300 psi must be installed on the customer side of the meter, in conformance with the current plumbing code with local amendments adopted by the City of San Antonio, prior to a SAWS meter being installed. The PRV(s) must have the ability to reduce the operating pressure to no greater than 80 psi. The PRV's proper settings must be performed and confirmed by the contractor.
8. Minimum operating pressure shall be 40 psi at the highest elevation meter location using peak hourly flow.
9. The velocity in a distribution main may not exceed 5 feet per second during peak hourly flow.
10. The velocity in transmission mains as designated by SAWS may not exceed 3 feet per second during peak daily flow.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

11.2 FIRE FLOW REQUIREMENTS

1. Fire flow requirements for sizing of distribution mains and production facilities must comply with State and local regulations, specifically the current Fire Code with local amendments adopted by the City of San Antonio.
2. Fire flows shall be calculated according to the type of development, for the intended individual uses shown on the project master plan, and as determined by the developer's engineer and supported by the engineer's water system analysis. Fire flow requirements/available fire flows shall be calculated at 25 psi.
3. The minimum residual pressure at any point in a pressure zone, at peak hourly plus fire flow, may not be less than 25 psi.
4. The maximum velocity in a distribution main, at peak hourly plus 25 psi fire flow, may not exceed 10 feet per second.
5. When sizing production facilities, fire flow demands shall be as shown above with a fire duration of at least two hours.
6. Every residential plat will be required to include the following note which indicates the fire flow demand that the public water main system has been designed to support. The note on the plat shall read as follows:

"The public water system was designed to sustain a fire flow of _____gallons per minute, at peak hour demand and 25 psi static pressure residual, to serve the lots shown on this plat."

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.)

11.3 SIZING OF WATER MAINS

A developer customer may use computer modeling to size on-site and off-site water mains. All modeling shall be reviewed by SAWS. When modeling water mains, the initial static gradient shall be 15 feet below the static gradient of the pressure zone or as determined by SAWS.

1. A distribution main size may range from 8 to 16 inches in diameter and the size shall be determined by comparing the service area's peak hour demand at 5 feet per second, and peak hour demand plus 25 psi fire flow at 10 feet per second.

2. For transmission mains, the main size shall be determined by peak daily flow with a velocity of 3 feet per second.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

11.4 SIZING OF PRODUCTION FACILITIES

Sizing of production facilities will be done in accordance with TCEQ requirements, in addition to the fire flow requirements stated in section 11.2; except as follows:

1. Minimum pressure tank capacity will be 5,000 gallons

2. Minimum ground storage capacity will be 50,000 gallons

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.)

11.5 SATELLITE SYSTEMS

If SAWS approves a system which is not hydraulically connected to SAWS existing infrastructure, the following requirements regarding the water supply shall apply.

1. Supply: If the Developer Customer chooses to construct a public water supply well to provide water to the development, the following procedures shall be required:
    a. Drill a test well and run appropriate hydraulic and chemical tests per all state and local requirements for public supply wells. The results shall include a turbidity analysis which shall be submitted to SAWS.
    b. The Developer will be required to develop a Groundwater Availability Model (GAM) which shall be reviewed and approved by SAWS. At a minimum this availability model shall include:
        1. Drought of Record analysis
        2. Identification of Existing well and demands
        3. Evaluation of future demand on water supply
        4. Establish regional drawdown contours
        5. Sustainability analysis

2. Establish Mitigation Plan:
    a. The mitigation plan must meet the requirements of 30 TAC 288 and shall be in accordance with SAWS policies and mitigation plans adopted by SAWS.
    b. Mitigation shall be executed and funded by the developer by establishing a bond for estimated mitigation costs.

3. Well Capacity:
    a. Two or more wells which have a firm capacity (largest well out of service) of 0.6 gpm per EDU.
    b. The capacity of each well shall be based upon anticipated drawdown during drought of record including 20 years of future growth as determined by the GAM.

4. Total Storage shall meet TCEQ requirements plus fire flow as stated in Section 11.2.

5. Ground Storage
    a. Without Elevated Storage: TCEQ requirements plus fire flow as stated in Section 11.2.
    b. With Elevated Storage: Ground Storage shall be adequate to provide 4-log virus removal as required by TCEQ regulations with a minimum capacity of 50,000 gallons.

6. Elevated/Hydropneumatic Tank Capacity
    a. Elevated: When service is provided to 2,500 or more connections as defined by TCEQ, elevated storage is required in accordance with TCEQ regulations.

b. Hydropneumatic Capacity: Shall be a minimum of 5,000 gallons and meet TCEQ requirements.

7. High Service Pump Capacity
    a. For less than 1,500 connections, firm capacity shall be 1.5 gpm/EDU plus fire flow as stated in Section 11.2.
    b. For 1,500 to 3,000 connections firm capacity shall be 1.0 gpm/EDU plus fire flow as stated in Section 11.2.
    c. For greater than 3,000 connections firm capacity shall be 0.75 gpm/EDU plus fire flow as stated in Section 11.2.

8. Design requirements shall meet SAWS current pump station design guidelines.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

11.6 OOSTER STATIONS

If the Developer Customer is required to provide a Booster Station to provide water to a Development and the supply may be obtained from an existing SAWS water main or a tank, the following design requirements shall apply.

1. Elevated/Hydropneumatic Tank Capacity
    a. Elevated: When service is provided to 2,500 or more connections as defined by TCEQ, elevated storage is required in accordance with TCEQ regulations.
    b. Hydropneumatic Capacity – Shall be a minimum of 5,000 gallons and meet TCEQ requirements.
2. High Service Pump Capacity
    a. For less than 1,500 connections, firm capacity shall be 1.5 gpm/EDU plus fire flow as stated in Section 11.2.
    b. For 1,500 to 3,000 connection firm capacity shall be 1.0 gpm/EDU plus fire flow as stated in Section 11.2.
    c. For greater than 3,000 connections firm capacity shall be 0.75 gpm/EDU plus fire flow as stated in Section 11.2.
3. Design requirements shall meet SAWS current pump station design guidelines.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

11.7 INDIVIDUAL BOOSTER PUMPS

SAWS may allow individual booster pumps to be installed if SAWS determines that it is in the best interest of the customer. However, this must be approved by SAWS Executive Management. If a Developer Customer is allowed to install an individual booster pump then the individual booster pump must be equipped with an automatic shutoff if the suction pressure drops below 25 psi.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.)

11.8 STANDARD AND MINIMUM MAIN SIZES

Standard size water mains have diameters of 8 inches, 12 inches, 16 inches, 24 inches and 6-inch multiples thereafter. 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. SAWS will determine the need for, and sizes of, transmission mains on a case-by-case basis.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

11.9 GRID SYSTEM REQUIREMENTS

Interconnections of water mains to form a grid system are preferred so that all individual water customers will have two or more potential sources. All subdivisions greater than 125 EDU's must have a dual feed system, and provisions for future interconnections. However, a developer customer may provide, for consideration by SAWS, engineering documentation certifying that adequate water supply, and pressure for domestic and fire flow will be available, and that water quality will not be compromised if a single connection to the SAWS distribution system is used for a subdivision or commercial project. Approval of single connections shall be at the discretion of SAWS Director. A fire hydrant or blow-off assembly shall be installed at the end of each dead-end main, for mitigation of potential water quality issues and shall be subject to approval by SAWS. Mains for future connections must be extended to the boundary of the tract.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

11.10 VALVE REQUIREMENTS

1. All valves in the potable water system must open "right (clockwise)." For recycled water and pump stations, valves will open "left (counterclockwise)".
2. Valves must be located at the intersection of two or more mains and must be spaced so that no more than 30 customers will be without water during a shutdown.
3. On mains less than 36 inches in diameter, valves may be no more than 1000 feet apart. For mains 36 inches and larger, the location and frequency of required valves may vary depending on SAWS' engineering design considerations.
4. The number of valves at each intersection shall be the same as the number of pipe extensions, or reduced by one as approved by SAWS to minimize the number of customers out-of-service during a "shut-down".
5. At dead ends, gate valves must be located one pipe length or a minimum of 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. Future branch valves must have proper restraints and caps.
7. Valves at intersections must be placed at the point of curvature of the curb line.
8. On water mains 16 inches and smaller, valves must be resilient seated gate valves.
9. On water mains 16 inches in diameter and larger, automatic combination air/vacuum valves must be placed at all high points.
10. On water mains greater than 16 inches in diameter, butterfly valves must be used.
11. All butterfly valves must have actuators enclosed in a valve box.
12. Valves separating pressure zones, (Division valves, or pressure zone boundaries) must be equipped with a locking type debris cap. The valve box lid must state Division Valve.
13. Fire hydrant valves must be resilient seated gate valves and must be restrained to the main.
14. All valves shall be mechanically restrained.
15. Valves (minimum Pressure Class 200 psi rated) shall be class 250 lb., with 150 lb. bolt pattern (class 'E' flanges). The 250 lb. valve with the 150 lb. bolt pattern provides the 200 psi.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

11.11 FIRE HYDRANT REQUIREMENTS

Fire hydrants must be installed in accordance with the current Fire Code with local amendments adopted by the City of San Antonio or the local fire protection authority having jurisdiction, and according to the provisions outlined below.

Fire hydrants shall be located along public rights-of-way, preferably at the intersection of two streets; normally two feet behind the curb (as per SAWS Standard Specification 834) or projected future curb, and outside the sidewalk area. A 6-inch gate valve must be installed between the water main and each hydrant. Fire hydrants must be of the dry barrel type and must comply with SAWS' current material specifications. All fire hydrants must be lead free.

For residential and commercial developments, the spacing between fire hydrants shall be as dictated by the current Fire Code and local amendments adopted by the City of San Antonio or the local fire protection authority having jurisdiction. If the type of development is unknown, the distance between fire hydrants shall be as required by the fire protection authority having jurisdiction but no greater than 1000 feet.

Fire hydrants must be designed to have a four-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-foot bury or to maintain a two-foot setback from a curb with prior approval by SAWS.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

11.12 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. Customer must hire a SAWS authorized contactor to install the fire hydrant through a counter permit and ensure adequate fire flow supply. A fire hydrant providing supplemental fire protection may also be installed by a contractor approved by SAWS under a water connection/adjustment permit.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

11.13 WATER MAIN PROTECTION

1. All water mains must be protected at wastewater main crossings and recycled water crossings as required by the Texas Commission on Environmental Quality, Texas Administrative Code (TAC) Section 290.44(e)(4)(B).
2. Water mains crossing structures greater than 42" in width, or crossing structures otherwise determined to be significant by SAWS (such as retaining walls) must be installed within a steel casing extending at least two (2) feet to either side of the object being crossed.
3. Where the water main is located within or crossing the five-year floodplain of a drainage-way, the water main must be encased with 2000 psi concrete with a minimum thickness of six inches.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

12 PROCEDURES FOR WASTEWATER SERVICE

12.1 GENERAL SERVICE PROVISIONS

SAWS will approve the extension of wastewater service to customers under the following provisions:

- If an existing wastewater main with sufficient capacity to serve the property is available immediately adjacent to the property, service may be granted to the developer upon approval of a subdivision plat and payment of the applicable fees.

- If an existing wastewater main with sufficient capacity is not available adjacent to the property, service may be extended to a customer after construction and acceptance by SAWS of the required on-site and off-site wastewater main extensions according to SAWS' regulations. All applicable fees must be paid before the wastewater lateral is connected.

- A customer must connect to SAWS' wastewater system in lieu of installing a septic system if the property being developed is inside the San Antonio city limits and within 200 feet of an existing wastewater main with sufficient capacity, or if the property is outside the city limits and within 300 feet of an existing main with sufficient capacity. SAWS may approve exceptions to this requirement. Property owners with an existing septic system that meets all local authority requirements will not be required to connect to SAWS' system. Septic systems must be approved by Bexar County Infrastructure Services or the authority having jurisdiction. Septic systems over the recharge must be the spray aerobic type system or other approved.

All wastewater construction must conform to TCEQ requirements and SAWS' Standard Specifications for Water and Wastewater Construction.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

12.2 WASTEWATER LATERALS AND PRIVATE SERVICE LATERALS

A SAWS wastewater lateral is defined as the section of lateral from the wastewater main to the property line. A private service lateral (PSL) is the onsite extension from the wastewater lateral beginning at the property line and extending to the structure.

Regulatory Compliance Requirements

1. Wastewater lateral connections must meet SAWS and TCEQ requirements.
2. Private service lateral (PSL) connections to platted lots inside the San Antonio City limits must comply with the City's plumbing and building codes, applicable chapters of the Unified Development Code and the requirements of these regulations.

3. PSL connections to platted lots within the City of San Antonio's extraterritorial jurisdiction must comply with applicable chapters of the Unified Development Code and the requirements of these regulations.
4. PSL connections to platted lots outside the San Antonio City limits and the City of San Antonio's extraterritorial jurisdiction must comply with all local authority plumbing and building codes and the requirements of these regulations.
5. PSL connections over the Edwards Aquifer Recharge Zone within the City of San Antonio's extraterritorial jurisdiction must also comply with Section 213.5 of 30 Texas Administrative Code, Chapter 213, Edwards Aquifer, as amended.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Permit Requirements
Prior to connecting a wastewater lateral to SAWS' wastewater system, a SAWS authorized contractor under contract to the customer must obtain a connection/adjustment permit from SAWS.

As part of the permit application, the permit applicant must submit a drawing showing the scope of work and the location of the wastewater lateral. Where practical, this drawing must be digitally drawn to scale and geo-referenced.

A permit for connection of a wastewater lateral is valid for six months from the date of issue. If the work is not begun within six months, or if the work is suspended or abandoned for a period of six months after it is started, the permit will expire.

For Private Service Lateral (PSL) requirements, see Section 18.4 of these regulations.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Installation and Inspection
All wastewater laterals must be installed in strict compliance with these regulations. Prior to connecting to an existing SAWS wastewater main, a wastewater lateral to a platted lot must be permitted by SAWS. Laterals may not be connected to new wastewater mains located in right-of-way less than 30 feet. SAWS must inspect all wastewater laterals from the wastewater main to the property line after they are installed but before they are backfilled. The City of San Antonio or other appropriate local authority will do inspection from the property line to the structure. The permit applicant must provide SAWS 72 hours advance notice when a wastewater lateral is ready for inspection. If the SAWS inspector finds that the wastewater lateral is improperly installed, the plumbing contractor must make the necessary corrections and resubmit the work for inspection. Upon satisfactory completion and inspection of a wastewater lateral, SAWS will certify that it was constructed according to these regulations. SAWS will provide a copy of the certification to the applicant.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Correction of Substandard Work
Any authorized contractor whose work does not conform to these regulations, or whose workmanship or materials are substandard, must make the necessary changes or corrections within 10 days of notification of the deficiencies. If the work has not been corrected after that time, SAWS will refuse to issue additional permits to the plumber or contractor of that person until the corrections are made. SAWS may revoke a permit if the application or plans include a false statement or misrepresentation.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

12.3 PUMP AND HAUL OPERATIONS

The following regulations are requirements for developer customers conducting pump and haul operations.

1. Adequate documentation submitted to indicate that pump-and-haul operation is a short-term interim wastewater service while permanent off-site facilities are being constructed.
2. SAWS may prohibit the transfer of water and sewer accounts from the Developer to another party until such time as the sewer main permit is complete.
3. A TCEQ and SAWS licensed wastewater disposal company to monitor and remove wastewater, twice a day, once no later than noon and again no later than 6:00 p.m., will conduct pump-and haul operation. **The developer customer shall provide to SAWS in advance of discharge proof of contract with such licensed contractor.**
4. A monthly report of the pump-and-haul operation shall be provided to SAWS by the 10th day of each following month. The report must include:
   a. The volume of wastewater pumped at noon
   b. The volume of wastewater pumped at 6:00 p.m.
   c. The total volume of wastewater pumped each month
   d. Verification of proper disposal
5. A final report totaling the items above is due within 10 days of the final inspection conducted by SAWS.
6. Immediately upon completion of pump-and-haul operation by the developer customer, the developer customer is required to clean the sanitary sewer main due to solid build up.
7. Prior to starting the pump-and-haul operation, a Texas Licensed Professional Engineer must provide certification to SAWS that the subject manhole and wastewater collection system have been tested as required in 30 TAC 213.5(c)(3)(A) and (D). Pump and Haul operations are not permitted over the Edwards Aquifer Recharge Zone per 30 TAC 213.
8. Detailed plans signed and sealed by a Texas Licensed Professional Engineer must be submitted and approved by SAWS. Plans shall include:
   a. All weather access road to final collection site
   b. Calculations of projected flow
   c. Calculations of storage capacity during peak wet weather flow
   d. Plan and profile of wet well/holding tank and sewer main(s), include maximum design level elevation on profile
   e. Location of temporary plug(s), as applicable
9. Compute maximum number of sewer lateral connections during pump and haul operations.

Installation of a watertight wet well/holding tank as per TCEQ requirement is mandatory.

10. The wet well/holding tank shall be placed below grade and the excavation lined with an impervious geomembrane liner to act as a containment should there be a tank leakage.
11. The wet well/holding tank shall be backfilled with select granular backfill as specified for SAWS main installation.
12. The storage system shall be designed for 200% of daily peak wet weather flow with the level reaching no closer than 5 feet from the top of lowest manhole or opening in system.
13. No discharge shall be allowed until installation of the wet well/holding tank is complete and verified by the developer customer's engineer.
14. The developer customer shall furnish a performance guarantee that shall: (1) guarantee 12 months of the pump-and-haul operation should developer customer fail to provide acceptable service and (2) guarantee that a permanent off-site main connecting to the nearest existing wastewater main with available capacity shall be designed, constructed in accordance with all applicable SAWS requirements, and accepted by SAWS within 12 months of commencing pump-and-haul operation. The developer customer must provide a suitable performance guarantee in one of the following forms:
    a. A Performance Bond in favor of SAWS in the amount equal to 100% of the total operation cost for pump-and-haul for 12 months and design and construction costs for any permanent off-site main required to connect to the nearest existing wastewater main with available capacity. SAWS may exercise the Performance Bond if construction has not commenced within six months of starting pump-and-haul operation. The bond shall have corporate Sureties that are licensed to conduct business in Texas. If the amount exceeds $100,000, the surety must also:
        (1) Hold a certificate of authority from the United States secretary of the treasury to qualify as a surety on obligations permitted or required under federal law; or
        (2) Have obtained reinsurance for liability in excess of $100,000 from a reinsurer that is authorized and admitted as a reinsurer in this state and is the holder of a certificate of authority from the United States secretary of the treasury to qualify as a surety or reinsurer on obligations permitted or required under federal law.

        If the surety on any bond furnished by the developer customer to the Board is declared bankrupt or becomes insolvent, or has its right to do business revoked in the State of Texas, then the developer customer will have ten (10) days to substitute another bond and surety therefore which shall be acceptable to SAWS and which shall be at the expense of the developer customer.
    b. Cash or cashier's check in the full amount of the uncompleted off-site construction and pump-and-haul operation deposited with SAWS.
    c. An irrevocable letter of credit, meeting the requirements above, in an amount equal to the cost estimated, as approved by SAWS, of the uncompleted off-site construction and pump-and-haul operation.
15. If the provisions outlined above are not met in its entirety, SAWS has the right to terminate a pump-and-haul operation.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #09-024, approved January 6, 2009 entitled Amendment #7.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

12.4 INDUSTRIAL WASTE

Any industrial waste discharge into the wastewater system must comply with all requirements of the San Antonio City Code and with all applicable SAWS regulations as outlined in Chapter 34, Article V, division 3. An Industrial User (as defined by City Code) shall submit an Industrial wastewater survey / application as applicable.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

12.5 ILLEGAL WASTEWATER CONNECTIONS

Any person discharging or transporting wastewater flows into SAWS' wastewater system without paying all applicable fees and charges is in violation of these Regulations and of the City of San Antonio's Unified Development Code and the Texas Penal Code. Any wastewater connection or an increase in wastewater flows that results in the illegal use of SAWS' wastewater collection system is sufficient evidence to constitute a violation and is punishable by a fine under the Unified Development Code and / or criminal charges through the Texas Penal Code, including theft or any other applicable provisions.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

13 DESIGN STANDARDS FOR WASTEWATER SYSTEM FACILITIES

13.1 WASTEWATER LATERALS

1. An individual wastewater lateral from the wastewater main to the property line must be installed to serve each lot or tract within a proposed development, in a location approved by SAWS.
2. Wastewater laterals from single-family lots should normally discharge into a wastewater main. At the end of a dead-end line, SAWS may allow up to two wastewater laterals from single-family lots to be connected to a manhole, except on the Edwards Recharge Zone. Wastewater laterals from commercial developments with flows of more than 20,000 gallons per day must discharge into a proposed or existing manhole. Where the flow line of any service lead is 24 inches or more above the flow line of the manhole, a standard drop manhole must be installed per 30 TAC 217.55 (k)(2)(G)- (H) and current SAWS standard construction specifications.
3. Wastewater laterals must be a minimum of six inches in diameter and must minimize the use of bends. The use of 90-degree bends is prohibited.
4. Wastewater laterals with a diameter of six inches must use full body fittings, extruded or factory-fabricated, for connection to a proposed SAWS wastewater main or an approved saddle-type connector for connection to an existing SAWS wastewater main.
5. Wastewater laterals must be a minimum of five feet below the finished grade at the property line, exceptions may be approved by SAWS Director.
6. Wastewater laterals shall not be connected to wastewater mains greater than twenty feet deep, exceptions may be approved by SAWS Director.
7. Wastewater laterals should have a standard 2.0 percent slope but may have a minimum 1.0 percent slope if approved by SAWS.
8. Wastewater laterals may not be connected to mains larger than 21 inches in diameter unless approved by SAWS Director. Any connection to larger mains must have a private wastewater flapper valve inside the property line and adequate on-site venting of wastewater gases at or near the building site.
9. Wastewater laterals shall not exceed 86 feet from the wastewater main to the property line. Wastewater laterals that will exceed 86 feet will be required to extend an 8-inch sewer main and manhole from the wastewater main to the property line.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

13.2 MANHOLES

Type

Within paved areas, manholes must be either fiberglass or pre-cast concrete, per SAWS Standard Details, unless the developer's engineer submits a cast-in-place manhole design for review and approval by SAWS Director. Variances will be considered for interior drops on existing manholes pending SAWS Director approval.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.

Location

Manholes must be placed at the ends of mains, changes in main alignment, changes in grade, junction points, and either at street, alley, or easement intersections as designs may require. SAWS wastewater mains must terminate in a manhole. Clean-outs may not be used except at the end of a wastewater lateral. If a manhole is to be placed within an existing pipeline, wastewater flows will have to be properly managed during construction. By-pass pumping will be required. Reference section 13.3.3 below. Manholes shall not be located within the five-year floodplain and avoided within the 100-year FEMA floodplain unless approved by SAWS.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Maximum Spacing

The following table specifies the maximum distance between manholes for eight-inch through 48-inch wastewater mains. SAWS will determine the spacing for manholes on mains larger than 48-inches, whether installed by tunneling or open-cut methods, on a case-by-case basis.

MAXIMUM DISTANCE BETWEEN WASTEWATER MANHOLES

INSIDE PIPE DIAMETER IN INCHES	MAXIMUM SPACING IN FEET
8-15	500
18-30	800
36-48	1000
More than 48	As approved by SAWS

13.3 WASTEWATER MAINS AND OTHER FACILITIES

The flow capacities of wastewater mains are determined in accordance with applicable chapters and sections of the current edition of the Texas Commission on Environmental Quality (TCEQ) Design Criteria for Sewerage Systems.

All wastewater system infrastructures must be designed in accordance with the following assumptions and requirements.

(This section amended by SAWS Board Resolution #09-024, approved January 6, 2009 entitled Amendment #7.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Determination of Wastewater Flows

1. For the purpose of pipe sizing, an equivalent dwelling unit (EDU) is assumed to produce an average wastewater flow of 200 gallons per day.
2. SAWS will evaluate commercial and industrial wastewater flows on a case-by-case basis. Use of SAWS Infrastructure Planning EDU calculation sheet is recommended.

3. Strict attention must be given to minimizing inflow and infiltration. In sizing wastewater mains, external contributions must be accounted for by including 600 gallons per acre served for inflow and infiltration. Wastewater mains in the Edwards Aquifer Recharge Zone must meet the requirements of the Texas Commission on Environmental Quality.
4. The peak dry weather flow is 2.5 times the average flow. In designing for an existing facility, flows must be measured in lieu of calculations for the preexisting developed area.
5. The peak wet weather flow is obtained by adding inflow and infiltration to the peak dry weather flow.
6. Determination of peak dry and wet-weather flow on an existing pipe segment will be required if by-pass pumping is involved. It is the responsibility of the developer customer to monitor and control existing flows during construction to prevent overflows from occurring. Flow measuring equipment shall be utilized as required. Reference section 13.3.3 below.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Determination of Pipe Size

1. All gravity wastewater mains must have a minimum diameter of eight inches.
2. For wastewater mains 15 inches in diameter or smaller, the main must be designed so that the peak wet weather flow will not exceed 90% of the capacity of the pipe flowing full. For wastewater mains 18 inches in diameter or larger, the main must be designed so that the peak wet weather flow will not exceed 95% of the capacity of the pipe flowing full.
3. The maximum design velocity calculated using the peak wet weather flow may not exceed 10 feet per second unless special conditions make no other option available. In such cases, proper consideration must be given to pipe material, abrasive characteristics of the wastewater flows, turbulence and displacement by erosion or shock.
4. Design of wastewater mains must employ the Manning's Equation with a minimum "n" factor of 0.013 or as required by TCEQ.
5. The Manning Formula is: $V = (1.49/n) \times R_h^{0.67} \times \sqrt{s}$

(This section amended by SAWS Board Resolution #09-024, approved January 6, 2009 entitled Amendment #7.)

Wastewater Main Location and Design

1. No physical connection may be made between a drinking water supply and any appurtenance of the wastewater system. An air gap separation must be provided with a minimum of two inlet pipe diameters between the potable water supply and the overflow level connected to the wastewater.
2. All materials and appurtenances must conform to SAWS' Specifications for Water and Sanitary Sewer Construction and SAWS' Material Specifications. PVC wastewater mains must be a minimum SDR 26 (ASTM D3034).
3. Wastewater mains must be laid at a size and depth to facilitate an orderly expansion of SAWS' wastewater system and to avoid a duplication of mains in the future. SAWS will be the final authority as to sizes and depths required.

4. Wastewater mains should be laid with the top of the pipe at a minimum of three feet below the surface of the ground. Where this minimum cover is not possible or where the wastewater main is located within or crossing the five-year floodplain of a drainage-way, the wastewater main must be encased with 2000 psi concrete with a minimum thickness of six inches.
5. Wastewater mains laid in the right-of-way of streets with curbs and gutters must have a minimum cover of four feet from the top of the pipe to the top of the curb.
6. Wastewater mains laid in the right-of-way of streets with crowned roads and side ditches must have a minimum cover of five feet from the average ground line of the street right-of- way to the top of the pipe.
7. Wastewater mains may not be deeper than 25 feet from the finished ground elevation to the pipe invert. SAWS may approve depths greater than 25 feet if justified for site-specific reasons during the preliminary engineering phase of the project design.
8. Wastewater main installation may include modification to the existing infrastructure. If such modification includes main replacement, or the construction of a manhole or structure, by-pass pumping and a by-pass pumping plan will be required. By-pass pumping and the by-pass pumping plan shall conform to SAWS Specifications For Water and Sanitary Sewer Construction. Reference section 15.4.4 regarding the by-pass pumping plan.
9. Wastewater mains crossing structures greater than 42" in width, or crossing structures otherwise determined to be significant by SAWS (such as retaining walls) must be installed within a steel casing extending at least two (2) feet to either side of the object being crossed.
10. Prior to plan or change order approval, the design engineer must provide a signed and sealed letter describing the project, affirming that the design is in substantial compliance with TCEQ standards and lists any variances requested.
11. Prior to final acceptance of the project, the design engineer must provide a signed and sealed letter describing the project, affirming that the construction is in substantial compliance with TCEQ standards and lists any approved variances.
12. SAWS will not maintain wastewater mains within apartment complexes and single lot developments with access easements or right-of-way less than 50 feet wide.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #09-024, approved January 6, 2009 entitled Amendment #7.) (This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Minimum Wastewater Main Grades

The following table specifies the minimum grades required for SAWS wastewater mains from eight through 27-inch diameters. The minimum grade is based on a minimum full pipe velocity of 2.25 feet per second. The Manning Formula is used with an "n" coefficient of 0.013 regardless of the pipe materials.

MINIMUM GRADES FOR WASTEWATER LINES

NOMINAL INTERNAL PIPE DIAMETER (INCHES)	MINIMUM GRADE TO DEVELOP V = 2.25 FPS (PERCENT)
8	.40
12	.24
15	.17
18	.14
21	.11
24	.09
27	.08

For wastewater mains larger than 27 inches in diameter, the consulting engineer of record must determine the appropriate minimum grade utilizing the Manning Formula with "n" = 0.013 and a full pipe velocity of 3.0 feet per second.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Gravity Wastewater Main Alignment

Gravity wastewater mains must be straight in alignment and must have a uniform grade between manholes. Deviations from straight alignment must be justified by complying with TCEQ requirements and approved by SAWS Director. Deviations from uniform grade without manholes will not be allowed.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Wastewater Main Intersections

Wastewater mains with the same or approximately the same flow-line elevation should intersect each other at a 90-degree angle. However, where a true perpendicular intersection cannot be obtained, and where the entering wastewater main intersects the receiving wastewater main at or about the same flow-line elevation, one or more manholes must be located so that a minimum angle of 80 degrees is achieved at the point of intersection of the wastewater mains. When the entering wastewater main is on the upstream side of the manhole, the minimum angle between the wastewater mains may be reduced to a 45-degree angle provided:

- A distinct flow channel can be maintained within the manhole when the flow-line elevations of the wastewater mains are at or within one pipe diameter of the smaller pipe; or

- The flow-line elevation of the entering main is above the crown of the primary wastewater main and clearance can be provided between the wastewater mains.

Wastewater Main Connections at Manholes
Connections between wastewater mains at the manhole must meet the following requirements:

1. A difference of 0.1 foot from the discharging wastewater main to the receiving wastewater main must be used for head losses through the manholes.
2. When wastewater mains of different sizes intersect, the elevation of the crown of the discharging wastewater main must match the elevation of the crown of the receiving wastewater main unless SAWS approves an exception due to special conditions.
3. A standard drop connection must be used when the difference in elevation between the discharging wastewater main flow-line and the receiving wastewater main flow-line is more than 24 inches.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.)

Wastewater Lateral Connections at Manholes
When connecting a wastewater lateral to a manhole, the penetration of the manhole wall may not be more than six inches in diameter and must be sealed using a grout approved by SAWS.

When connecting a wastewater lateral to an existing manhole with an invert elevation more than 24 inches lower, the connection must use a drop and must meet the following requirements:

1. The drop must be a minimum of six inches in diameter and must be constructed of SDR 26 PVC pipe (ASTM D 3034).
2. The drop must be located 45 degrees from the upstream side of the receiving wastewater main.
3. SAWS will consider uses of an internal drop on a case-by-case basis. A minimum of 48 inches of clear space must be maintained inside the manhole and the drop must be affixed to the manhole wall using stainless steel bands and anchor bolts.
4. An internal drop must terminate with a 45-degree bend. This bend may not extend below the top-of-pipe elevation of the receiving wastewater main.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.)

13.4 LIFT STATIONS AND FORCE MAINS

General Requirements
Lift stations and force mains are discouraged due to their higher risk of causing a sanitary sewer overflow and will be allowed only where gravity wastewater mains are not practical or economically feasible as determined by SAWS. The developer customer must fund the entire cost to design and construct the lift station/force main system and pay applicable Lift Station Maintenance Fees, unless this requirement is modified by the Utility Service Agreement. The design of the lift station shall incorporate a wet well sized for the ultimate capacity of the watershed, as directed by SAWS, and the developer must provide on-site easements for the future gravity main alignment to eliminate the proposed lift station. Design of each lift station must

adhere to the standard design requirements of SAWS and TCEQ. Public lift stations will only be permitted when serving more than one customer; otherwise lift stations will be privately owned and operated. Lift stations and force mains are not eligible for pro-rata refunds.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.)

Force Main Material
All force mains shall be constructed of High-Density Polyethylene pipe (HDPE). The HDPE force mains shall consist of fused joints; no flanged or slip-on joints will be accepted.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Analysis Required
A developer customer who proposes to construct a public lift station and force main system must prepare a present value analysis comparing the cost of constructing gravity mains compared with the cost of constructing plus ten years of operating the lift station/force main system. In order for SAWS to consider the lift station option, the analysis must show that the cost of the gravity main option, including off-site easements, is more than three (3) times the cost of the lift station/force main system designed according to SAWS' Lift Station Guidelines including the applicable Lift Station Maintenance Fee in effect. The estimates used in the analysis must be signed and sealed by a Professional Engineer licensed in the State of Texas and include an estimate of off-site easement costs. The analysis must be submitted with the Engineering Report required for USA requests and again with the construction plan submittal. However, in situations where the cost of the off-site easement is the determining factor for assessing financial feasibility, the estimates for off-site easement costs must be contained in a written report from a Texas state certified appraiser (this report is not required at the time of the USA request) prior to or with the construction plan submittal. Analyses older than one (1) year at time of submittal must be updated to reflect current estimates and infrastructure.

If the forgoing analysis leads to the requirement that a gravity main be constructed, the developer customer shall use best efforts to obtain the necessary off-site easement(s) and SAWS Corporate Real Estate may assist in communicating with the property owner in an attempt to facilitate an amicable, voluntary agreement. However, if a developer customer, despite best efforts, cannot obtain the necessary off-site easement(s) for a cost that preserves the three-to-one ratio set forth above or if a property owner refuses to negotiate in good faith with the developer, then developer customer shall notify SAWS Corporate Real Estate department in writing, and provide a description and evidence of developer's attempts to acquire the easements, which shall include the offers made by the developer, appraisals made by state certified appraiser, written communications with property owners or any other relevant information that SAWS Corporate Real Estate may require. SAWS Corporate Real Estate shall reasonably promptly upon receipt of such notice acknowledge to developer such receipt. SAWS will, within sixty (60) days following the date of SAWS acknowledgment of receipt of developer's notice, make a determination as to whether to attempt to obtain the easements, and if affirmative, will attempt to obtain the easement(s) via voluntary means at the developer customer's expense.

If SAWS elects to attempt to acquire the easement but the easement is unobtainable through voluntary negotiations with the land owner, SAWS may either, at its discretion, and subject to a determination of public necessity for public use of such easements and further subject to all necessary approvals by the SAWS Board of Trustees and the San Antonio City Council, attempt to acquire the easement through condemnation at the developer customer's expense, or allow the lift station/force main. In the event of such condemnation, SAWS and the developer customer will enter into a funding agreement in form and substance acceptable to SAWS whereby developer customer agrees to pay for all costs of litigation, including attorneys' fees, and all awards/judgements arising out of the litigation, unless otherwise agreed to by the SAWS Board. If SAWS is oversizing the developer's gravity outfall, SAWS will pay SAWS' proportionate share of the off-site easement costs in accordance with section 16.7.

If SAWS elects not to attempt to acquire the easement after developer has provided sufficient evidence of its best efforts to acquire the easements for a cost that preserves the three-to-one ratio set forth above, or if a property owner refuses to negotiate in good faith and SAWS ultimately decides not to recommend pursuit of condemnation after attempting to acquire the easement through voluntary negotiations, the lift station/force main will be allowed.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Content of Engineering Report

The developer customer's engineer must prepare an engineering report, which includes all necessary information to determine the feasibility and operational requirements of the lift station and force main. The report must include the following:

- Construction feasibility and site analysis.
- Present value analysis with detailed cost estimate.
- Flow development under present and future conditions.
- Wet well design and detention times.
- Hydraulics of the pumps and force main.
- Buoyancy calculations.
- Sulfide generation potential.
- Site development.
- Pump and lift station curves.
- Energy calculations.
- Physical radio path study.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

13.5 TREATMENT PLANT REQUIREMENTS

SAWS will designate the location to which on-site flows may be transferred. If a treatment plant is required to serve a development, the developer customer must provide, at the developer customer's cost, all engineering design, permitting and construction of the treatment plant, an all-weather access road, a power supply, a telemetry system, a storage reservoir to be used in conjunction with the treatment plant and all other costs associated with a working wastewater treatment plant, all built to standards approved by SAWS. The developer customer must reimburse SAWS for all costs associated with any additional treatment if SAWS is required to provide more than secondary treatment and for all costs associated with any main extensions if SAWS is required to pipe the effluent beyond the discharge point of the treatment plant.

14 SINGLE CUSTOMER WATER AND WASTEWATER MAIN EXTENSIONS CONSTRUCTED BY SAWS

14.1 APPLICATION

An applicant for a single customer water or wastewater 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, meter and wastewater lateral.
- Provide such other information, as SAWS reasonably requires.

14.2 EXTENSION CHARGES

The applicant for a single customer water or wastewater main extension that is to be constructed by SAWS must execute an agreement with SAWS 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 and fire hydrants. The main extension charge will be assessed according to the charge schedules.

14.3 PRO-RATA COLLECTION AND REFUND OF MAIN EXTENSION CHARGES

A single customer who contracts with SAWS for a main extension is eligible to receive semi-annual refunds for ten years from the date of the contract for the main extension. If SAWS approves the concept of providing pro-rata reimbursement for the main then documentation of the pro-rata main must be submitted to SAWS Development Engineering – Credit Dept as described in section 15.11 of these regulations. 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.

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

(This section amended by SAWS Board Resolution #09-024, approved January 6, 2009 entitled Amendment #7.)

14.4 SINGLE CUSTOMER EXTENSION PAYMENT PLAN

Payment Plan Outline

The Single Customer Extension Payment Plan assists individual customers with the costs for SAWS' extension of water and wastewater services to their residence or small business. This payment plan applies only to single-family residential or small business commercial lots within SAWS' water and wastewater certificated service areas where the customer will live or own and operate a small business on the property upon the connection of water or wastewater service. The petitioner is limited to one active Single Customer Extension Payment Plan. The petitioner must own the property to be served and all property taxes must be paid up to date or verifiable arrangements made to pay back taxes. SAWS' assistance under this payment plan is in the form of an installment payment agreement. The costs of any pre-installed main extension and service line connection incurred by SAWS, (including impact fees, pro-rata charges, and the extension charges), with interest equal to SAWS' costs, may be paid monthly over a period not to exceed five years. No other costs, including the customer's construction costs, may be included in the payment plan. A lien in favor of SAWS will be placed on the property until the balance is paid in full. In the event the customer installs a pro-rata eligible main extension, any refunds from the proceeds of the pro-rata charges collected from other customers who connect to the main extension will be credited to the assisted customer's monthly payment. A customer account charge, if required, and a lien recording fee may not be financed through this payment plan.

Procedures

An applicant for assistance under this payment plan must submit a letter to SAWS documenting the nature of the applicant's request. SAWS staff will determine the costs of the service extension and develop a proposed monthly payment plan. Applications will be approved administratively if the cost to the single customer is less than the dollar amount for which Board approval is required. In order for a small business to qualify for this payment plan, the small business must: i) be certified as a small business by the South-Central Texas Regional Certification Agency; ii) currently obtain service via a private septic or water well system; and
iii) disconnect from a private septic or water well system immediately upon connection to the SAWS' system.

(This section amended by SAWS Board Resolution #18-125, approved June 5, 2018, entitled Amendment 11)

14.5 LOCAL BENEFIT EXTENSION PROGRAM

Program Outline

The Local Benefit Extension Program is a mechanism for subdivisions with existing residences without an organized water or wastewater system to receive these services from SAWS. This program applies only to subdivisions within the SAWS water and wastewater certificated service areas. Once a subdivision is designated as a Local Benefit Extension Area, individual customers within the subdivision may receive service by paying the local benefit reimbursement fee plus all other applicable impact fees and charges, and by following the procedures provided below.

Procedure for Designation

In order to be designated as a Local Benefit Extension Area, the subdivision must meet the following requirements:

- The subdivision must be located within the SAWS water or wastewater certificated service area;
- SAWS has received a written request from one or more property owners requesting service from SAWS;
- SAWS has evaluated the request to determine requirements and costs associated with providing service;
- SAWS has determined that service is feasible, that the property owners have expressed sufficient interest in receiving service, and that adequate funding is available;
- The area has been designated by the San Antonio Water System Board of Trustees as a Local Benefit Extension Area.

Calculation of Local Benefit Reimbursement Fee
The local benefit reimbursement fee is determined by:

- Calculating the total costs to extend water or wastewater service to the local benefit extension area;
- Determining the number of individual lots to be served in the local benefit extension area;
- Dividing the total costs by the total number of lots. This calculation determines the local benefit reimbursement fee.

Recalculated local benefit reimbursement fee

- If the local benefit extension fee has not been verified within the previous six month period, prior to the date of acceptance of a local benefit reimbursement fee, the fee must be recalculated and the recalculated fee will become the updated local benefit reimbursement fee.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.)

Requirements to Receive Service
To receive water or wastewater service in a Local Benefit Extension Area, a property owner must:

- Pay the local benefit reimbursement fee approved by the SAWS Board of Trustees;
- Pay all other applicable impact fees and charges;
- Construct all facilities on the owner's property required to receive service. All facilities must be constructed in accordance with SAWS criteria and regulations.

Timing of Construction for Local Benefit Extension Area Mains

Prior to the start of construction of a local benefit extension area main, SAWS must receive the local benefit reimbursement fee from the owners of at least 50 percent of the lots within the particular local benefit extension area. Local benefit reimbursement fees paid by the individual lot owners will be held in separate accounts until 50 percent of the total reimbursement fees have been paid. If SAWS does not receive local benefit reimbursement fees for 50 percent of the lots, the funds will be refunded to the property owners that originally paid the fees. SAWS will schedule construction of the local benefit extension mains as soon as feasible after receipt of 50 percent of the local benefit reimbursement fees for a particular Local Benefit Extension Area.

SAWS must receive all required impact fees prior to water or wastewater service being provided to a particular lot.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.)

15 DEVELOPER EXTENSIONS OF WATER AND WASTEWATER FACILITIES

15.1 APPLICATION AND COMPLIANCE REQUIRED

A developer customer must apply for service according to these regulations before SAWS will extend its local and/or general benefit facilities to serve new development. SAWS 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 customer complies fully with these regulations.

15.2 DEVELOPER'S OBLIGATIONS

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

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.)

15.3 WATER FACILITY DRAWINGS REQUIRED

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

1. Plans must be drawn on 24-inch by 36-inch drawing paper.
2. All subdivision water plans must include a cover sheet with location map, SAWS job number, 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 SAWS current requirements, sealed by the consultant engineer, must be submitted prior to acceptance by SAWS.
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 dimension each water main off 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. Normally, SAWS will machine chlorinate new water mains longer than 750 feet and the contractor will chlorinate by HTH mains of 750 feet or less.
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 NAD 83 Texas South Central FIPS Zone: 4204 Feet.
17. Protection requirements for water line and wastewater line crossings shall be in accordance with the most recent TCEQ requirements.
18. Plan and profile are required for 20-inch and larger mains.
19. Plans must show locations of all pressure reducing valves (where applicable).
20. Plans must show contour lines with a maximum interval of 10 feet.
21. Plans for residential developments shall include the following note: "The public water system can sustain a fire flow of _____gallons per minute, at peak hour demand and with a 25 psi static pressure residual, to serve the lots shown on this plat."

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.)

15.4 WASTEWATER FACILITY DRAWINGS REQUIRED

Before a wastewater main may be constructed and a permit issued, all construction drawings must be reviewed and approved by SAWS. These drawings must meet the following requirements.

General Requirements

1. Plans must be drawn on (24-inch by 36-inch) paper.
2. All subdivision wastewater system plans must include an overall wastewater system layout sheet with the applicable construction notes, plan and profile sheets, and detail sheets. Each sheet must have an identification block with all pertinent information.
3. Wastewater mains must be identified by number, letter, or other identification as shown on the wastewater system layout sheet and manholes must be identified by letter or number.
4. The plans must show all other underground and surface utilities and facilities at crossings, the size and grade of the proposed main, the elevations of the proposed main to hundredths of a foot at manholes, changes of grade and dead ends, the five-year and 100-year flood elevations within the project area, major landscaping and structures affecting construction, and proposed finished grade over the wastewater main. Where fill or cut is proposed, the proposed new ground line must be shown as a separate line from the actual ground line.
5. General Construction Notes as may be required and updated by TCEQ and SAWS must be displayed on a separate sheet or on the layout sheet.
6. Plans must have the engineer's seal and dated signature, the date of the plans, and dated revision notes on each plan sheet.

Layout Plans for Wastewater Systems

1. Wastewater system layout plans for residential subdivisions must use a scale of 100 feet or less per inch, except that a scale of 200 feet per inch may be used on larger projects.
2. All wastewater system layout plans must show the following information on the layout sheet(s):
    - Topographic information, benchmarks, special construction notes, north arrow, scale, and location map;
    - Wastewater main alignments, accurately reflecting the relative location of the wastewater main as shown on the detailed plan view;
    - Wastewater main sizes, shown at points of size changes;
    - Manhole locations;
    - The size and direction of flow for existing and proposed wastewater mains;
    - All easements containing or buffering wastewater mains shown and labeled both as to width and type; and
    - Wastewater laterals that cross street pavement or serve adjacent property.

3. The number and size of the lots depicted on both the overall wastewater layout sheet and the individual plan-and-profile sheets must match the number and size of the lots depicted on the final plat after recordation.

Plan-and-Profile Views of Wastewater Systems

1. Detailed plan views of proposed wastewater systems must show, at a minimum, the following information for the project area:
    - A north arrow on each sheet;
    - Street names, right-of-way widths, lot numbers, and block numbers;
    - Stationing at each manhole and at every 100 feet;
    - Existing utilities on the site;
    - Any significant landscaping or other structures that might impact construction-related activities;
    - The width and type of existing and proposed easements, with volume and page numbers of recorded easements;
    - Proposed wastewater laterals, with length and stationing;
    - The limits of bores or tunnels;
    - Size and location of mains with respect to the easements or rights-of-way;
    - The limits of the 5-year and 100-year floodplain, if applicable.

2. Profile views of proposed wastewater systems must be drawn from left to right, low point to high point. These views must show, at a minimum, the following information for the project area:
    - Underground and surface utilities or facilities that will cross the proposed wastewater main, showing known elevations of all existing utilities;
    - The proposed wastewater main's diameter, length, grade, and type of pipe;
    - The flow-line elevation of wastewater mains at each manhole and every 50-foot station;
    - The rim elevation of existing and proposed manholes;
    - The flow-line elevation at each sheet break from one sheet to another;

- The existing ground line at the centerline of the proposed wastewater main where the wastewater main is to be placed within an existing easement;
- The finished grade for existing and proposed pavement, showing the proposed new ground line as a separate line from the existing ground line where cut and fill are proposed;
- The limits of bores or tunnels;
- The locations and callouts of pressure pipe that is to be installed for water line crossings;
- The locations of special backfill and proposed stacks, identified by stations indicated on the design plans; and
- The location and description of casings, encasements, and concrete retards, if applicable.

3. Acceptable horizontal scales for the detailed plan-and-profile views are 10 feet, 20 feet, 40 feet, and not more than 50 feet maximum per inch.

4. Acceptable vertical scales for detailed profile views are two feet, four feet, and not more than five feet maximum per inch unless otherwise approved by SAWS.

By-Pass Pumping Plan
In the event by-pass pumping is required, the contractor shall provide to SAWS for approval a bypass pumping plan in accordance with SAWS Standard Specifications for Construction Item No. 864 and No. 865, Bypass Pumping. Determination of flows for by-pass pumping is the responsibility of the developer customer.

The contractor shall be responsible for all necessary cleanup or reporting efforts due to failure of equipment, or activities associated with the bypass pumping operations contributing to either a surcharge or SSO. Any effort by SAWS or other third parties to mitigate damages resulting from any surcharging or SSOs shall be the direct and sole responsibility of the Contractor. This includes any related fines, penalties, or damages.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

15.5 EASEMENT REQUIREMENTS

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 their supervision.

Plat Requirements
SAWS 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 procedure must be followed:

1. Submit to SAWS the metes and bounds descriptions, survey plats, computer closure reports, title report, and documents showing ownership of property.
2. Preparation of easement documents by SAWS.
3. Execution of easement documents by the owners and SAWS.
4. Recordation of easement and delivery of executed easement document to SAWS.
5. For easements not located adjacent and parallel to a public ROW, the access easement note must be added to the plat. The access easement note reads:

"The San Antonio Water System Board of Trustees ("SAWS") is granted a nonexclusive right of ingress and egress over the property platted herein for access to public water/recycled water/wastewater improvements to construct, reconstruct, realign, patrol, add, repair, inspect, operate, maintain, improve, remove, and/or replace public water/recycled water and/or sewer facilities. SAWS shall use reasonable efforts to utilize any existing drives located on the property to access the public water/recycled water/wastewater facilities."

For easements titled "Variable Width Utility Easement" the easement must specify which utilities are covered within the easement. For example, "Variable Width Easement (Water, Sewer, Gas, Electric…)"

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 which are not on a plat must be approved and recorded prior to issuance of a permit for the proposed construction.

Unless otherwise noted, all recorded easements by metes and bounds must be labeled.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Easement Location and Design Requirements

13.5.1.1 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. SAWS will not maintain water mains within apartment complexes and single lot developments with access easements or right of way less than 50 feet wide.

For water mains 16-inch and less located outside of the street right-of-way, the easement must have a minimum width of 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 16 feet. For water mains greater than 16 inches located outside of the street right-of-way, the easement must have a minimum width of 16 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 24 feet. For water main depths greater than 8 feet SAWS may require additional easement width. Final easement requirements will be determined by SAWS during project review. In new residential developments only, water easements alongside lot lines must be a minimum of 10 feet in width located on one lot and allow 24-hour access. Water easements may not be located along rear lot lines unless 24-hour paved access is provided.

Water easements must be fully connected at both ends to existing or proposed street rights-of-way, SAWS facility, and public utility easements of adequate size for maintenance access. Where the access to the easement is not feasible, due to elevation change or obstruction, an access easement must be included.

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

The centerline of any water main may be no closer than 12 feet to a commercial building, foundation building slab, or retaining walls.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

13.5.1.2 Water Meters

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

Three-inch and larger meters must be set in minimum 10-foot by 12-foot exclusive water meter easements. Meters must be located one foot inside the property line or one foot outside of the easement inside the property line.

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

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

13.5.1.3 Wastewater Mains

Easements for wastewater mains 10 inches or less in diameter must have a minimum width of 16 feet up to a maximum width of 40 feet at the maximum depth of 20 feet. Final easement width

requirements will be determined by SAWS during project review.

Easements for wastewater mains 12 inches through 24 inches in diameter must have a minimum width of 20 feet up to a maximum width of 50 feet at the maximum depth of 20 feet. Final easement width requirements will be determined by SAWS during project review.

SAWS will determine the required width of easements for wastewater mains 27 inches or more in diameter on a case-by-case basis.

Wastewater mains that cannot be located in the center of an easement must be located a minimum distance of half the depth of the sewer main from the nearest side of the easement.

Sewer easements must be extended if necessary and must be fully connected at both ends to existing or proposed street rights-of-way, wastewater treatment plant sites, wastewater pump station sites, and public utility easements of adequate size for maintenance access. Wastewater easements with only one point of access shall have a minimum 25-foot by 25-foot easement to allow for vehicle turnaround. Where the access to the easement is not feasible due to elevation change or obstruction, a permanent access easement must be included.

Force mains of all sizes that are not adjacent to a public right-of-way must be located in an easement with a minimum width of 12 feet for a single line. Force mains adjacent to public rights-of-way must be located in an easement with a minimum width of 10 feet, unless SAWS determines that greater width is required because of the location and depth of the force main or where dual force mains are required.

The centerline of any wastewater main may be no closer than 12 feet to a commercial building, foundation building slab, or retaining walls.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

15.6 PERMIT OR TRILATERAL CONTRACT REQUIRED

Prior to any construction, SAWS must issue a general construction permit or trilateral contract to the developer customer, or a connection or adjustment permit to a developer customer's contractor. A general construction permit, connection or adjustment permit or trilateral contract becomes void if construction does not begin within 12 months from the date the permit is issued or the trilateral contract approved. Thereafter the developer customer must submit a new set of plans to acquire a new permit or contract. SAWS must review the plans again before issuing a new permit or contract. When construction begins pursuant to a general construction permit, connection or adjustment permit or trilateral contract prior to expiration of the permit, it must receive Field Acceptance from the SAWS Inspector within 18 months from the date the permit is issued or trilateral contract approved, unless approved by SAWS due to extenuating circumstances, or it will be required to meet all current SAWS requirements and specifications at the Developer or Contractor's cost in order to obtain field acceptance from SAWS.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled

Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

15.7 DISINFECTING OF NEW WATER MAINS REQUIRED

All newly constructed water mains must be disinfected in accordance with the ANSI/AWWA C651-92 Standard. SAWS will machine-chlorinate all newly constructed potable water mains 750 feet or more in length using the continuous feed method and will collect samples for bacteriological testing in accordance with the American Water Works Association's standard. Developer customers may opt to disinfect water mains less than 750 feet long using an approved AWWA method. However, SAWS' chlorination crew will perform the sampling and SAWS laboratory will perform the bacteriological analysis. All new water mains must produce a negative bacteriological sample before being connected to a SAWS water main and placed into service for potable water use.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

15.8 INSPECTIONS AND ACCEPTANCE OF FACILITIES

The developer customer or the developer customer's engineer must notify SAWS at least three working days prior to initiating construction. Construction and testing observation is the responsibility of the developer customer's engineer. Once the work is completed, the developer customer's engineer must certify that the work complies with SAWS-approved plans, SAWS specifications and cost estimates and applicable regulations. SAWS will accept ownership of the developer customer's facilities after receiving and approving the final project completion documentation, including the water/wastewater acceptance certificate, copies of all testing reports, the final project record drawings, O & M manuals, and warranties and affidavits. The developer customer and the developer customer's engineer must submit all project completion documentation within 45 days after the completion of construction. 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.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

15.9 COMPLETE PROJECT RECORD DRAWINGS REQUIRED

The developer customer must furnish SAWS one set of project record drawings in both reproducible and CADD file digital form according to current SAWS mapping standards, certified correct by the developer customer's engineer, within 45 days after completion of construction. The project record drawings must be in accordance with SAWS standards and must completely detail main installations, service lines and wastewater laterals, and all related appurtenances.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

15.10 PROJECT RECORD DRAWINGS FOR PHASED CONSTRUCTION

If construction of the facilities is to be accomplished in phases, SAWS 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 SAWS.

15.11 PRO-RATA COLLECTION AND REFUND OF MAIN EXTENSION CHARGES

A customer who designs and constructs an off-site water or wastewater main entirely at customer expense may be eligible to receive semi-annual refunds for ten years from date of SAWS acceptance of the main under the following conditions:

The main must provide capacity greater than that required by the customer's tract.

The sizing and alignment of the main and its identification as a pro-rata main must be reviewed and approved by SAWS prior to its construction.

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 expense after subtracting the cost of the portion of capacity required to serve the customer's tract.

The customer is required to notify SAWS Development Engineering in writing of customer's request to receive pro-rata refunds. The written request must include a Pro-Rata Request Form "A", map exhibit and/or plans clearly showing location and length of the main, and documentation of the actual cost of construction of the eligible main (after the main is accepted by SAWS and the final construction costs are known).

Pro-rata charges are due prior to execution of a Utility Service Agreement for customers requiring a Utility Service Agreement, and prior to permit issuance for all other customers. SAWS collects pro-rata charges as a courtesy to the developer customer and receives no financial benefit. SAWS shall not be held liable for errors or omissions in the collection and payment of pro-rata fees.

(This section amended by SAWS Board Resolution #09-024, approved January 6, 2009 entitled Amendment #7.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

16 OVERSIZING OF WATER AND WASTEWATER FACILITIES

16.1 OVERSIZE FACILITY REQUIREMENTS

A developer customer must pay for all mains and other facilities needed to serve a proposed development. SAWS may require the installation of oversized water mains and wastewater mains and related facilities. SAWS requirements for oversizing will be included in the Utility Service Agreement. SAWS will execute a trilateral contract with the developer customer and a contractor for the construction of the oversize project facilities. A developer must first select the most qualified engineer on the basis of demonstrated competence and qualifications, then negotiate a contract at a fair and reasonable price. SAWS will also require a Professional Services Agreement between the developer's engineer and SAWS. SAWS will not be obligated to pay its proportionate share of engineering costs until a trilateral contract has been approved and executed and the professional services have been performed to SAWS' satisfaction. Phased plan submittals will be required for trilateral projects related to the oversizing of facilities.
Trilateral projects involving only water mains and wastewater mains may not require phased plan submittals unless required by SAWS. Oversize projects must be competitively bid by SAWS. SAWS will determine whether to provide such reimbursement in the form of a cash reimbursement or in credit to be applied to impact fees. Further information regarding the trilateral process can be found in the Trilateral Guide posted on the SAWS website.

The developer customer must provide SAWS the developer customer's proportionate share of the oversize cost based on the lowest responsible bidder's bid proposal prior to signing the trilateral contract. Should the developer customer's delay in providing their required proportionate share of the cost result in any delay of project or price escalation charges, the developer customer will be responsible for 100% of these costs. Should the developer customer default on payment of the developer customer's share of the oversize cost, SAWS may at its discretion implement any or all of the following: deny the developer customer impact fee credits for their share of the oversize if applicable, deny the use or transfer of existing impact fee credits by the developer customer, deny the issuance of new services to the developer customer, deny the issuance of new connections or services to the oversized infrastructure and/or exercise the performance guarantee.

The developer customer must provide SAWS the developer customer's proportionate share of cost of any change orders that occur which increase the cost of the project at time of developer customer's engineer's approval of the change order. Should the developer customer's delay in providing their required proportionate share of the change order result in any delay of project or price escalation charges, the developer customer will be responsible for 100% of these costs.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

16.2 OVERSIZE WATER SYSTEM REIMBURSEMENT

Oversize Water Mains

SAWS' participation with the developer customer for oversize water main construction costs will be calculated based on the incremental cost of the oversize construction. The developer customer's cost sharing will be the greater of either (a) $80.00 per linear foot or (b) the developer customer's prorated share of the cost of the oversize main, excluding costs related to service connections. The developer customer's proportionate 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.

Example 1:

Required Standard Size Main: 8-inch	Area : 50.27 $in.^2$
Oversize Main Constructed: 16-inch	Area : 201.06 $in.^2$
Total Cost of Main Constructed	$158,400
Length of Main Constructed	1,980 ft
Cost per Linear Foot	$80.00
Minimum Charge Per Linear Foot	$60.00

Proportionate Developer Customer Share of Main Cost:

50.27 $in.^2$/ 201.06 $in.^2$= 0.25

0.25 x $80.00 = $20.00 per linear foot Developer customer pays $60.00 per linear foot

Example 2:

Required Standard Size Main: 24-inch	Area : 452.39 $in.^2$
Oversized Main Constructed: 30-inch	Area : 706.85 $in.^2$
Total Cost of Main Constructed	$301,950
Length of Main Constructed	2,013 ft
Cost per Linear Foot	$150.00
Minimum Charge Per Linear Foot	$60.00

Proportionate Developer Customer Share of Main Cost:

452.39 $in.^2$ /706.85 $in.^{2=}$ 0.64

0.64 x $150.00 = $96.00 per linear foot Developer customer pays $96.00 per linear foot.

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.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

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. SAWS will reimburse the developer customer 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 SAWS in proportion to the capacity required by the customer and the oversize capacity required by SAWS. SAWS will determine reimbursable oversizing costs on a case-by-case basis.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.)

16.3 OVERSIZE WASTEWATER SYSTEM REIMBURSEMENT

Oversize Wastewater Mains

SAWS participation with a developer customer for oversize wastewater main construction will be calculated based upon the incremental cost of the oversize construction. The developer customer's cost sharing will be the greater of either (a) $80.00 per linear foot or (b) the developer's proportionate share of the cost of the oversize main, excluding costs related to service connections. That proportionate share will be based upon the ratio of the pipe area using nominal diameter of the required standard size main to the pipe area using the nominal diameter of the oversize main installed.

Example 1:

Required Standard Size Main: 8-inch	Area: 50.27 $in.^2$
Oversized Main Constructed: 16-inch	Area: 201.06 $in.^2$
Total Cost of Main Constructed	$ 158,400
Length of Main Constructed	1980 ft
Cost per Linear Foot	$100.00
Minimum Charge Per Linear Foot	$ 80.00

Proportionate Developer Customer Share of Main Cost:

50.27 $in.^2$ / 201.06 $in.^2$ = 25

$80.00 / LF X 25% = $20.00 per linear foot

Developer customer pays $ 80.00 per linear foot.

Example 2:

Required Standard Size Main: 24-inch	Area : 452.39 $in.^2$
Oversized Main Constructed: 30-inch	Area : 706.85 $in.^2$
Total Cost of Main Constructed	$ 301,950
Length of Main Constructed	2013 ft
Cost per Linear Foot	$ 150.00
Minimum Charge Per Linear Foot	$ 80.00

Proportionate Developer Customer Share of Main Cost:

452.39 $in.^2$/ 706.85 $in.^2$ = 64

$150.00 / LF x 64% = $96.00 per linear foot

Developer customer pays $80.00 per linear foot.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Lift Station/Force Main Systems

The oversize reimbursement to a developer customer for lift stations and force main systems will be calculated based upon the incremental cost of the oversize construction. The developer customer's cost sharing will be the greater of either (a) 15% of the EDU capacity, or (b) the proportionate share of the flow capacity required by the developer customer. An example calculation follows.

Example 1

Customer Flow Requirement	500 EDU's
SAWS Oversize Requirement	2,000 EDU's
Firm Capacity of Lift Station	2,500 EDU's
Constructed Cost of Lift Station/Force Main System	$1,000,000

Proportionate Developer Customer Share of Project Cost:

500 EDU/ 2,500 EDU = 0.2

0.2 x $1,000,000 = $ 200,000

Developer customer pays $ 200,000.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

16.4 LIMITATION OF ENGINEERING FEE REIMBURSEMENTS

The developer customer's reimbursement for engineering design fees is limited to 10 percent of SAWS' proportionate share of the oversize construction costs. Design fees include but not limited to all costs associated with design, construction inspection or observation, surveying and environmental review.

16.5 SAWS-SUPPLIED PIPE IN LIEU OF REIMBURSEMENTS

If the developer customer agrees, SAWS may elect to participate in the oversize project by providing the oversize pipe instead of financial reimbursement. In such cases, SAWS' obligation will be limited to the supply and delivery of the required oversize pipe. The developer customer 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 SAWS supplies pipe in lieu of reimbursement. Impact fee credits cannot be earned when there is no public bid or trilateral agreement. However, impact fee credits may be earned for the applicable installation costs when the project is publicly bid.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.)

16.6 DEVELOPER OVERSIZING OF EXISTING SAWS MAINS

SAWS existing infrastructure was designed in accordance with the regulations and customer requirements in effect at the time of installation. If a developer customer requires larger infrastructure to accommodate current design requirements, such as developer customer specific fire flow, the developer may oversize the existing SAWS main as warranted. If SAWS staff determine that the oversize main will provide a general benefit to other SAWS customers, SAWS will pay the incremental share of the oversize costs based on the diameter of the existing main.

The developer customer's cost sharing will be the greater of either (a) $80.00 per linear foot or (b) the developer customer's proportionate share of the cost of the oversize main, excluding costs related to the developer's service connections. The developer customer's proportionate share will be based on the ratio of the pipe area using the nominal diameter of the developer customer's required standard size main to the pipe area using the nominal diameter of the existing main.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

16.7 LIMITATION OF OFF-SITE EASEMENT ACQUISITION REIMBURSEMENTS

The developer customer's reimbursement for the acquisition of off-site easements for oversize projects is limited to 5 percent of SAWS' proportionate share of the oversize construction costs. Easement costs include but are not limited to all costs associated with the off-site easement acquisition including property appraisals, payments to property owners, title commitments, and condemnation. Documentation of expenses must be provided by the developer customer to SAWS. On-site easements are not eligible for reimbursement.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

16.8 LIMITED REIMBURSEMENT FOR FEE SIMPLE DEDICATIONS

If the developer customer dedicates land to SAWS in fee simple for oversized projects for above-ground facilities (storage tanks, water pump stations and wells), whether such land is on-site or off-site, and if such land is "oversized" above the acreage sufficient for the infrastructure necessary solely to serve developer's tract, as determined by SAWS, then such excess acreage shall be subject to reimbursement to the developer in a proportionate amount to the oversized project based on the fair market value of the land at the time of dedication, such amount to be determined by SAWS in its good faith discretion utilizing the sales price for the subject property, comparable sales and tax assessed values, together with, if the land in question is off-site, a proportionate reimbursement of the developer customer's actual and reasonable out-of-pocket costs for

appraisals, surveys and title policies in connection with such acquisition. Documentation of expenses must be provided by the developer customer to SAWS.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

17 IMPACT FEES

17.1 IMPACT FEE FUND ACCOUNTING

Funds Created Within the Renewal and Replacement Fund
SAWS will maintain separate fund accounts for water and wastewater impact fees within the Renewal and Replacement Fund established under Ordinance No. 75686.

Service Recovery Account
The Service Recovery Account is a separate account within the Renewal and Replacement Fund designated for funds collected through SAWS wastewater impact fees. All funds accruing to SAWS from collection impact fees, treatment impact fees and local benefit wastewater impact fees are credited to separate sub-accounts within the Service Recovery Account.

Developer Customer Fund
The Developer Customer Fund is a separate account within the Renewal and Replacement Fund designated for funds collected through SAWS water impact fees. All funds accruing to SAWS from flow impact fees, local benefit water impact fees, system development impact fees and water supply impact fees are credited to separate sub-accounts within the Developer Customer Fund.

Interest on Funds
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 as set out herein.

17.2 WATER IMPACT FEE FUND RESTRICTIONS

Flow Impact Fees
Flow 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.

System Development Impact Fees
System development impact fees may be used only to fund or recoup the cost of transmission mains and production and storage facilities installed or expanded to serve new development.

Water Supply Impact Fees
Water supply impact fees may only be used to fund or recoup SAWS' cost of new water supply projects developed or expanded to serve new development.

Local Benefit Impact Fees
Local benefit impact fees may be used only to fund or recoup the cost of local benefit and related facilities installed to serve new customers within a developed area previously without service that is designated by City Council as a Local Benefit Impact Fee Area.

17.3 WASTEWATER IMPACT FEE FUND RESTRICTIONS

Collection Impact Fees
Collection impact fees may be used only to fund or recoup the cost of wastewater collection and outfall mains, permanent lift stations, force mains and related facilities installed or expanded to serve new development.

Treatment Impact Fees
Treatment impact fees may be used only to fund or recoup the cost of wastewater treatment facilities installed or expanded to serve new development.

Local Benefit Impact Fees
Local benefit impact fees may be used only to fund or recoup the cost of local benefit wastewater mains and related facilities installed to serve new customers within a developed area previously without service that is designated by City Council as a Local Benefit Impact Fee Area.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.)

17.4 ASSESSMENT AND PAYMENT OF IMPACT FEES

Additional Requirement
Impact fees are additional and supplemental to and in substitution of any other requirements imposed by SAWS or the City on the development of land or provisions of water or wastewater service. Impact fees will be assessed either on the day of plat recordation or application for meter connection in accordance with Chapter 395 of the Local Government Code.

Paid by New Development
Impact fees shall be paid by new development as new development is defined in Chapter 2 of these Regulations and Section 395.001 of the Local Government Code or its successor statute.

Must be paid prior to Service Connection
Impact fees as assessed must be paid prior to service connection. Any exceptions must be in accordance with Section 14.4 Single Customer Extension Payment Plan or Section 17.12 Variances From The Payment Of Impact Fees.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Where land is not being platted or was platted prior to new development:
For land on which new development occurs or is proposed to occur without platting, impact fees will be assessed at the time of application for meter connection or application for wastewater service. Impact fees shall be paid at the time of connection to the water or wastewater system.

Development occurring on land previously platted in accordance with Chapter 212 of the Local Government Code on which impact fees have not been assessed and paid shall be new

development to the extent permitted by Chapter 395 of the Local Government Code.

Where land is being platted:
For land which is being platted in accordance with Chapter 212 or 232 of the Local Government Code, impact fees shall be assessed at the time of plat recordation or the latest time allowed under law and collected as follows:

17.4.1 Election to be Made at Plat Application

At the time a developer customer submits a plat application to SAWS, 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 or the wastewater service is connected.

In areas that SAWS is not the water purveyor, all applicable wastewater impact fees must be paid prior to plat recordation, unless the water purveyor, or authorized entity, provides an acceptable instrument that guarantees fees will be paid prior to service connection.

(This section amended by SAWS Board Resolution #04-243, approved June 22, 2004, entitled Amendment #4)

17.4.2 Fees Paid at Time of Platting

If the impact fees are to be assessed and paid at the time of plat recordation, the total number of equivalent dwelling units (EDUs) intended for the plat must be paid in full at the time of plat recordation. The number of EDUs paid for the plat are kept on file under the plat number by the San Antonio Water System.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

17.4.3 Fees Paid Prior to Impact Fee Update and Plat Recordation

If impact fees are to be paid prior to an impact fee update and plat recordation, the plat must have City of San Antonio Development Services Director approval or Planning Commission approval. All water and sewer EDUs associated with the plat must be paid in full.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

17.4.4. Fees Paid at Time of Application for Water Meter Set or Wastewater Connection

The customer will be required to pay all required impact fees due prior to setting of the water meter or connection of wastewater service.

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

IMPACT FEE PAYMENT DUE: WATER AND WASTEWATER IMPACT

FEES WERE NOT PAID AT THE TIME OF PLATTING FOR THIS PLAT. ALL IMPACT FEES MUST BE PAID PRIOR TO WATER METER SET AND/OR WASTEWATER SERVICE CONNECTION.

17.4.5 Determination of EDUs

The number of EDUs for assessment of water impact fees are based upon water meter size, except for Impact Fees for Combination Meters (see next section).

17.4.5.1.1 Apartments are assessed 0.5 EDUs per unit when master metered.

17.4.5.1.2 Individually metered apartments, condominiums, and townhomes will pay impact fees based on meter size.

The number of EDUs for sewer impact fee assessment will be determined as follows:

17.4.5.1.3 Each individual service connection will be assessed a minimum of 1 EDU.

17.4.5.1.4 Each single-family residential unit will be assessed a minimum of 1 EDU.

17.4.5.1.5 Each dwelling unit in a duplex, triplex, quadraplex, townhome, condominium or multi-family residential development will be assessed the same number of collection and treatment EDUs as the number of water EDUs per unit, for collection, and treatment impact fees.

17.4.5.1.6 The number of EDUs for all other land uses will be based on projected demand, as calculated by SAWS staff or by an independent engineering study. The engineering study will determine the number of EDUs by dividing the average daily water consumption for similar facilities, using at least two years of historical data, by the number of gallons per day currently defined as an EDU.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.)

17.4.6 IMPACT FEES FOR COMBINATION METERS

Due to the limitations on the available sizes of combination meters, customers requesting meters that provide both fire flow and domestic/commercial uses will be assessed impact fees based on historical or similar uses by other facilities or on an engineering report by a professional engineer registered in Texas.

17.4.6.1.1 In this situation, impact fees will be based on the meter size of the domestic/commercial side of the combination meter or the calculated EDUs, whichever is greater. The customer requesting the combination meter must provide supporting documentation showing water use from similar facilities or the calculations from the engineering study. SAWS must approve the final number of EDUs assigned to the combination meter.

17.4.6.1.2 Impact fees for combination meters must be paid prior to the issuance of the General Construction Permit.

(This section amended by SAWS Board Resolution #12-514, approved December 4, 2012, entitled Amendment #9.) (This section amended by SAWS Board Resolution #2023-075 approved April 4,

2023, entitled Amendment #12.)

17.5 INCREASE IN WATER AND WASTEWATER DEMAND

Following impact fee assessment, additional development that increases the number of service units 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.

17.6 RECOGNITION OF COMMITMENT TO PROVIDE WATER OR WASTEWATER CAPACITY

For a customer who has a Utility Service Agreement, SAWS will recognize its commitment to set-aside water and wastewater 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 SAWS or by previously earning impact fee credits pursuant to sections 17.8 and 17.9 of these regulations. In addition to impact fee payments, the customer must have 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 SAWS.

17.7 USE OF WATER OR WASTEWATER CAPACITY

SAWS reserves the right to use set-aside water and wastewater system capacity in on-site and off-site water supply and wastewater collection systems that service existing developments regardless of whether such water supply and wastewater collection systems were oversized.
However, in order to preserve the capacity that has been designated for a particular tract, SAWS will do the following:

Maintain Records
SAWS will maintain records regarding a developer customer's capacity in on-site and off-site systems. In the event the developer customer exceeds the amount of set-aside capacity as a result of any subsequent development of the property, the developer customer will be required to obtain a new Utility Service Agreement reflecting the additional EDUs required for the development.

Exclusive Ownership of Capacity
SAWS retains exclusive ownership of the capacity in all facilities under its control. However, SAWS 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 SAWS connecting another development's flows to the system serving the initial development for which capacity was committed.

Assignment of Wastewater System Capacity
Wastewater system capacity may be assigned only as part of a real estate transaction in which the property being served is itself transferred. An assignment of wastewater system capacity may

not reduce the available capacity to the remaining tract to less than four EDUs per acre unless an engineering report justifies that less than four EDUs per acre is adequate to serve the property.

17.7.1.1 Assignment of Wastewater System Capacity Relating to Multi-family Units

For assignments of wastewater system capacity relating to multi-family units, each unit is considered ½ EDU.

17.8 WASTEWATER IMPACT FEE CREDITS

Expiration of Wastewater Impact Fee Credits

Wastewater impact fee credits earned prior to February 1, 2003, will continue to be recognized by SAWS through December 31, 2012. This time limitation is applicable to wastewater impact fee credits that may be applied to the original development as well as excess credits. This section specifically supersedes Section 35-5029 of the previous Unified Development Code and any reference to that section in the Unified Development Code adopted May 3, 2001, and as amended. Impact fee credits specifically addressed pursuant to a court-approved or court- ordered settlement agreement will be honored in accordance with the settlement agreement.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.)

Transfer and Assignment of Excess Impact Fee Credits

Impact fee credits in excess of those required for the full development of a tract based on a minimum of four EDUs per acre may be transferred to another development that is situated within the same wastewater service area and owned by the same developer, provided an existing off-site wastewater main and existing treatment facilities with adequate capacity are immediately available to service the new development. The above notwithstanding, excess credits may be transferred only for their dollar amount value. This section refers to impact fee credits described in Section 17.8.1.

Termination of Wastewater Impact Fee Credits

After the effective date of these regulations, wastewater impact fee credits may not be earned by a developer in the amount of the as-built construction costs for the off-site facilities that the developer built to serve their property, unless earned pursuant to Section 17.9.

17.9 AWARD OF IMPACT FEE CREDITS

A developer customer is eligible for impact fee credits for funding a project or portion of a project included in the Impact Fee Capital Improvement Plan. These credits will be earned based upon the portion of the total as-built construction cost of the project funded by the developer customer including engineering fees up to ten percent, and off-site easement acquisition costs up to five percent. These credits will also be earned for the fair market value of the fee simple dedication, such amount to be determined by SAWS, of property funded by the developer customer. The dollar value of these credits excludes the dollar value of any reimbursement for oversizing received by the developer customer pursuant to sections 16.2, 16.3 and 16.8 of these regulations. In no event may the sum of the dollar value of the impact fee credit and the dollar value of any reimbursement for oversizing be greater than the total as-built construction cost or the fair market value of the fee simple dedication for that portion of the project. To be awarded credits under this

section, construction projects must be competitively bid by SAWS in accordance with SAWS' bid process. 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, or to another developer. Impact fee credits earned in conjunction with a Trilateral contract will be eligible for 80% issuance upon commencement of construction with the remainder issued at time of final project closeout.

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 issuance of a permit for a service line installation. Water impact fee credits can only be used to pay for water impact fees and wastewater impact fees credits can only be used to pay for wastewater impact fees.

(This section amended by SAWS Board Resolution #04-160, approved April 20, 2004, entitled Amendment #3) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

17.10 RECOGNITION OF SEWER COMMITMENTS BY THE LACKLAND CITY WATER COMPANY

Lackland City Water Company Asset Purchase Agreement
The City of San Antonio entered into an Asset Purchase Agreement with the Lackland City Water Company pursuant to Ordinance No. 74492, dated October 3, 1991. This purchase was completed December 3, 1991. The City and subsequently the Board assumed certain obligations to provide sewer service under the following contracts:

- Contract between Lackland City Water Company and J.H. Uptmore and Associates Inc. for construction and conveyance of water and sanitary sewer facilities and for provision of water and sewage service, dated May 8, 1981.
- Contract between Lackland City Water Company and Southwest Ranch, Ltd. for construction and dedication of sanitary sewer facilities and for provision of sewage services, dated July 19, 1983.
- Contract between Lackland City Water Company and Westcreek Utility Company, Inc. to provide wastewater treatment service, dated August 24, 1984.
- Contract between Lackland City Water Company and Homecraft Land Development Inc. and Oak Creek Environmental Management Inc. as Developer, for construction and conveyance of sanitary sewer facilities and provision of sewage services, dated August 8, 1985.
- Wastewater utility service contract between Lackland City Water Company and United States Air Force Lackland Air Force Base Training Annex, dated August 1, 1988, as amended.

Criteria for Recognition
SAWS will recognize the sewer collection and treatment commitments granted by the Lackland City Water Company subject to the following requirements:

17.10.1.1 Location

The property is located within the area that was included within the Lackland City Water

Company Certificate of Convenience and Necessity No. 20274 issued by the Texas Water Commission and Texas Water Commission Permit No. 10827-03.

17.10.1.2 Contract with Lackland City Water Company

The property was covered by a contract with the Lackland City Water Company that was subsequently assumed in part by the City of San Antonio pursuant to the Asset Purchase Agreement between the City of San Antonio and the Lackland City Water Company. The property was designated to receive a certain amount of committed capacity in an off-site main pursuant to an assumed contract and the off-site main was constructed, completed and accepted (for exemption from collection impact fees) and/or was designated to receive a certain amount of committed treatment capacity from Lackland City Water Company through the purchase of treatment certificates (for exemption from treatment impact fees). In order to receive an impact fee exemption the developer must provide the appropriate documentation establishing ownership of both the property and the accompanying capacity described in the contracts and certificates.

Records of Committed Capacity

SAWS will determine and keep records of the properties eligible for exemptions under this section. SAWS' records will reflect the amount of collection and/or treatment capacity committed to the property for which impact fees are not required. These exemptions may be used at the time of either platting or replatting of the property. If the developer of the property disagrees with SAWS' records, the developer may examine SAWS' records pursuant to the Public Information Act and supply additional information to the President/Chief Executive Officer to show evidence that an exemption for additional capacity should be granted. If the President/Chief Executive Officer does not find such evidence sufficient to grant an additional exemption, the developer may apply for a variance as provided in section 17.12.

17.11 SERVICE UNDER COMMITMENTS THAT DO NOT ADDRESS IMPACT FEES

If an applicant requests water service under a previous water commitment issued prior to the effective date of these regulations, the applicant will be assessed the maximum impact fees authorized by Ordinance No. 93883 or any successor ordinance, these Regulations, and Chapter 395 of the Local Government Code.

If an applicant requests wastewater service under a previous wastewater contract issued prior to the effective date of these regulations, the applicant will be assessed the maximum impact fees authorized by Ordinance No. 93883 or any successor ordinance, these Regulations, and Chapter 395 of the Local Government Code.

If an applicant requests water service pursuant to a commitment, issued prior to the effective date of these Regulations, and SAWS is required under law to assess impact fees, or components thereof, at rates less than the current rates SAWS will assess impact fees or components thereof at such lesser rates. Such credits and/or reductions should be requested through the impact fee variance process as detailed in 17.12, below.

If an applicant requests wastewater service pursuant to a wastewater contract, issued prior to the effective date of these Regulations, and SAWS is required under law to assess impact fees, or components thereof, at rates less than the current rates SAWS will assess impact fees or components thereof at such lesser rates. Such credits and/or reductions should be requested through the impact fee variance process as detailed in 17.12, below.

17.12 VARIANCES FROM THE PAYMENT OF IMPACT FEES

17.12.1 Submittal of Request

Any customer may request a variance from the assessment and determination of impact fees by submitting a written request for a variance to the San Antonio Water System ("SAWS"), Vice President of Engineering and Construction on or before the 30th day after the assessment of the impact fees. The Vice President of Engineering and Construction may, at his/her discretion, schedule an informal hearing at which the customer or their designated representative shall be present and state reasons why such variance request should be granted. Within thirty (30) days of receipt of the written request for variance, the Vice President of Engineering and Construction shall forward the variance request along with a recommendation to the President/Chief Executive Officer. The Vice President of Engineering and Construction may, at his/her discretion, extend the timeframe for making a recommendation by fifteen (15 days) by notifying the customer in writing. In the event the Vice President of Engineering and Construction fails to make a recommendation upon the expiration of such time periods, the variance request shall be automatically forwarded to the President/Chief Executive Officer. Such lack of recommendation by the Vice President of Engineering and Construction shall not be considered as either an automatic approval or disapproval of the variance request. A request for variance from the assessment and determination of impact fees under this section does not include requests for impact fee payment reductions or waivers (all such requests for reductions or waivers shall be determined by the City of San Antonio).

(This section amended by SAWS Board Resolution #03-437, approved December 16, 2003, entitled Amendment #1) (This section amended by SAWS Board Resolution # 04-287, approved July 20, 2004, entitled Amendment #5) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

17.12.2 Scheduling of Request

The President/Chief Executive Officer shall, within twenty (20) days of receiving the variance request from the Vice President of Engineering and Construction, issue a decision in writing to the customer. In the event the variance request is granted, the decision of the President/Chief Executive Officer shall be final. Should the request for variance be denied, the customer may appeal the decision of the President/Chief Executive Officer in the manner set out in Section 17.12.3. In the event the President/Chief Executive Officer fails to render a decision by the expiration of such twenty (20) day period the variance request shall automatically be forwarded to the Board Administrator of the San Antonio Water System Board of Trustees for consideration in the manner set out in Section 17.12.3. Such lack of decision by the President/Chief Executive Officer shall not be considered as either an automatic approval or disapproval of the variance request.

(This section amended by SAWS Board Resolution #03-437, approved December 16, 2003, entitled Amendment #1) (This section amended by SAWS Board Resolution # 04-287, approved July 20, 2004, entitled Amendment #5)
(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

17.12.3 Appeal from Denial of Variance Request by President/Chief Executive Officer Any customer aggrieved by the decision of the President/Chief Executive Officer to deny a variance may request an appeal to the SAWS Board of Trustees in writing on or before the 10th day following receipt of a written a decision from the President/Chief Executive Officer. Such request for an appeal shall be in writing and addressed to the Board Administrator of the San Antonio Water System Board of Trustees. Upon receipt of such request, the Board Administrator shall notify the Chairman of the Board, the current members of the Board's Variance Committee to hear and consider impact fee variance requests and appropriate SAWS' staff. The Board Administrator, in consultation with the Variance Committee members, shall set a time, place, and date for the Variance Committee to hear the request for appeal. The Variance Committee will attempt to meet within thirty (30) days of the Board Administrator's receipt of the request for appeal. The Variance Committee shall hear from both the customer and SAWS staff as to why the variance should be granted or denied. The Variance Committee may ask questions of both the customer and SAWS staff. The Variance Committee Chairman shall inform the customer that the Board Administrator shall be directed to timely contact the customer in writing of the earliest available regularly scheduled Board meeting at which the Variance Committee's report and recommendations shall be considered.

(This section amended by SAWS Board Resolution #03-437, approved December 16, 2003, entitled Amendment #1) (This section amended by SAWS Board Resolution # 04-287, approved July 20, 2004, entitled Amendment #5)

17.12.4 Board Consideration of Committee Recommendation
At the earliest available regularly scheduled Board meeting after the Committee hearing, the Board shall act upon the recommendation of the Committee. A decision of the Board shall be final.

(This section amended by SAWS Board Resolution #03-437, approved December 16, 2003, entitled Amendment #1) (This section amended by SAWS Board Resolution # 04-287, approved July 20, 2004, entitled Amendment #5)

17.12.5 Requirement to Make Finding of Fact
Both the Committee and the Board are required to make findings of fact setting out their reasons for granting or denying a variance request. Such findings of fact shall include but not be limited to the following:

17.12.5.1 The property subject to the variance request [was/was not] processed in the same manner as properties requiring similar utility service.

17.12.5.2 The appropriate numbers of equivalent dwelling units [were/were not] assigned to the property in question.

17.12.5.3 Mathematical and/or engineering errors [were/were not] found in a review of the impact fees required for the property in question at the time the variance request was made.

(This section amended by SAWS Board Resolution #03-437, approved December 16, 2003,

entitled Amendment #1) (This section amended by SAWS Board Resolution # 04-287, approved July 20, 2004, entitled Amendment #5)

17.13 IMPACT FEE POLICY FOR ECONOMIC DEVELOPMENT

Intent of Section
It is the intent of SAWS and the City of San Antonio (COSA) to support policies that promote responsible development with a focus on affordable housing, economic development, and historic rehabilitation, as described in the Fee Wavier Program Guideline. This section replaces the former sections 17.13, Impact Fee Policy for Economic Development, and 17.14, Impact Fee Reductions For Certain Policy Goals. Detailed policies governing impact fee waivers can be found at https://www.sanantonio.gov/NHSD/Programs/COSA FeeWaivers .

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Impact Fee Waiver Goals
The award and distribution of SAWS impact fee waiver incentives will follow the general and specific goals outlined below.

17.13.1.1 General Goals

The City of San Antonio Fee Waiver Program provides financial assistance, such as City and SAWS fee waivers, and staff support in navigating regulatory processes. The program encourages affordable housing, historic preservation, supports legacy businesses and existing homeowners, and promotes the expansion of small and minority businesses in San Antonio.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

17.13.1.2 Specific Goals

SAWS provides financial support to the City of San Antonio Fee Waiver Program contingent upon the annual approved budget. If the funds are not used in the City's budget year (October 1 to September 30), the remaining amount will be carried as a rollover, up to $5 million. It is the City's intent to distribute this available incentive fund in a manner that provides greater focus to priority project types, including affordable/workforce housing, historic preservation, small and legacy businesses, and industry development.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

17.14 IMPACT FEE REDUCTIONS FOR CERTAIN POLICY GOALS

Community Revitalization Action Group (CRAG) Target Area
Pursuant to Ordinance 93883 and upon recommendation of the Housing Task Force, the City

Council may waive the impact fees that would otherwise be due for projects located within the Community Revitalization Action Group (CRAG) target area and related to the goals published in the CRAG Reports.

Areas of Significant Public Health Risk
Pursuant to Ordinance 93883, impact fees may be waived for areas that are declared to be a significant public health risk by the Director of the San Antonio Metropolitan Health District.

Appropriations to Offset Reductions
If the waiver or reduction results in the reduction of an impact fee otherwise due for new development under these regulations, the amount of the reduction must be appropriated in accordance with Chapter 395 of the Local Government Code, which allows such appropriations from any lawful source. The appropriation and transfer of funds to SAWS must be accomplished in a timely manner.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.)

17.15 LOCAL BENEFIT IMPACT FEE AREAS

Local benefit impact fees are charged to customers connecting with SAWS water and wastewater systems that are in areas designated by the San Antonio City Council as Local Benefit Impact Fee Areas. Local Benefit Impact Fee Areas are areas where residents have decided to relinquish the responsibility of providing their own water and wastewater service and SAWS has agreed to provide that service under the Local Benefit Impact Fee Program.

18 EDWARDS AQUIFER RECHARGE ZONE PROTECTION

18.10 ENFORCEMENT AUTHORITY

The City of San Antonio has designated SAWS as its enforcement agent for protection of the Edwards Aquifer and for watershed management over the Edwards Aquifer Recharge Zone. SAWS' President/Chief Executive Officer is further authorized to appoint qualified SAWS personnel to assure compliance with the applicable provisions of the City Code of the City of San Antonio. These individuals may take all necessary actions to file complaints with the San Antonio City Prosecutor's Office or other prosecuting authority for violations of those sections of the City Code pertaining to the Edwards Aquifer Recharge Zone.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

18.11 AQUIFER PROTECTION IN GENERAL

The provisions of the City of San Antonio's Aquifer Protection Program (City Code Chapter 34, Article 6, Division 6, as amended) are hereby incorporated into these regulations by reference insofar as they apply to the San Antonio Water System and to SAWS' roles in protection of the Edwards Aquifer and in watershed management over the Edwards Aquifer Recharge Zone.
SAWS will review proposed subdivision plats according to the requirements of City Code Chapter 34, Article 6, Division 6, as amended.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

18.12 UTILITY SERVICE AGREEMENTS

A Utility Service Agreement between SAWS and a developer customer pursuant to Section 7.1 specifies the manner in which the developer may acquire sufficient EDUs of capacity in SAWS' water and wastewater systems. Executing the agreement does not constitute a valid permit for purposes of obtaining Category I status pursuant to the Aquifer Protection Ordinance.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

18.13 INSTALLATION AND INSPECTION OF WASTEWATER SERVICE LATERALS

Authority
The following procedures shall apply to all private service lateral connections to the City of San Antonio's sanitary sewer system within that portion of the Edwards Recharge Zone outside the city limit.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

License, Bond and Insurance requirement
Before any person may apply for a permit as specified below, he or she shall comply with the license, bond and insurance requirements.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

18.13.1.1 License Required

Before any person shall engage in the business of plumbing within the city and its extra- territorial jurisdiction, said person shall be qualified as set forth in this regulation and shall have a current master plumber's license obtained from the state board of plumbing examiners. The license shall be registered with the city by submitting the appropriate fee as set forth in the fee schedule adopted by the City of San Antonio. Where any plumbing work is being done, a master or journeyman plumber shall, at all times, be present on the job and in actual control and in charge of the work being done.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

18.13.1.2 Bond and Insurance

Before any person shall engage in the business of plumbing within the city and its extra- territorial jurisdiction, such person shall either: (1) deposit with the city a certificate of insurance from an insurance company authorized and permitted to do business in the state of Texas, certifying that the applicant is insured to the amount of at least $100,000 public liability per occurrence, $100,000 property damage liability insurance per occurrence and product/completed operations coverage. The applicant must be approved by the Director and present a good and sufficient bond in the sum of $5000 conditioned that the person engaged in the plumbing business will faithfully observe all the laws pertaining to plumbing and main laying, or (2) the applicant shall provide a certificate of insurance issued by an insurance company authorized and permitted to do business in the state of Texas for commercial general liability insurance and products/ completed operations coverage for the master plumber for claims for property damage or bodily injury, regardless of whether the claim arises from a negligence claim or on a contract claim, and shall be in a coverage amount of not less than $300,000 for all claims arising in any one-year period. Further, any persons engaged in the business of plumbing shall indemnify and hold harmless the city and SAWS from any and all damages, claims, liens or losses, including, but not limited to personal injury or death and property damage, arising from any acts or omission of any character whatsoever caused by such person, their agents or employees, engaged in the plumbing business.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Private Service Lateral (PSL) - Permit Required

18.13.1.3 Application

A permit is required prior to connecting a private service lateral (PSL) which is located outside the city limits and within the Edwards Recharge Zone to the city's sanitary sewer system. A licensed master plumber shall submit a completed application form to the San Antonio Water System (SAWS) Development Engineering Department. At the time the application is submitted, the applicant shall pay to the San Antonio Water System the permit fee of $ 40.00. Such fee is nonrefundable.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

18.13.1.4 Payment of Impact Fees as a Condition to Connection of Private Service Laterals

Prior to issuing a permit for construction and connection of a private sewer lateral to the SAWS system on the EARZ, SAWS requires the payment of sewer impact fees.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

18.13.1.5 Drawings and Specifications

Drawings and specifications, as determined by the Director of SAWS Development Engineering Department or their authorized representative, may be required from the applicant that show the connection to the system.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

18.13.1.6 Approval

The San Antonio Water System Development Engineering Department shall review the data submitted by the applicant within ten (10) working days. If it is determined that the application data do not conform with the requirements of this chapter, the applicant may revise any nonconforming aspects; however, the department shall have an additional five (5) working days from the latest date of submission to act upon the application. A permit issued shall be construed as authorization to proceed with the work.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

18.13.1.7 Validity

A permit shall be valid for a period of six (6) months from the date of issuance. If the work authorized by the permit is not commenced within six (6) months or if the work is suspended or abandoned for a period of six (6) months after the work is begun, then the permit shall become void. A new application and permit shall be required to complete the work. Any installation completed without a valid permit or not being inspected and accepted by the San Antonio Water System Development Engineering Department will be considered an illegal wastewater connection to the SAWS wastewater collection system and is punishable by a fine under the Unified Development Code and / or criminal charges through the Texas Penal Code, including theft or any other applicable provisions.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Installation and inspection

18.13.1.8 Construction

All private service laterals shall be installed in strict accordance with the requirements specified in Figures 1-4B as applicable.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

18.13.1.9 Grinder Pump/Lift Station

SAWS jurisdiction for installation requirements includes grinder pump/lift stations in a private residence on the Edwards Aquifer Recharge Zone (EARZ) and not located on right-of-way for public use.

SAWS discourages the use of grinder pump/lift stations on the EARZ, although installation of grinder pump/lift stations in some circumstances are required. In order to meet the installation requirement to connect the grinder pump/lift station to the SAWS sanitary sewer collection system the following conditions must be completed:

18.13.1.9.1 The pump size and discharge line size (minimum 2” diameter pipe) to be used at the private residence shall be according to manufacturer’s recommendations (based on number of fixtures at the residence and/or other calculation criteria) and plans. Specifications and installation requirements of the system shall be verified by the Master Plumber installing the equipment.

18.13.1.9.2 The pump size and discharge line size calculations, criteria and specifications shall be submitted for review by SAWS. The engineering report shall be prepared, signed, and sealed by a Professional Engineer licensed in Texas.

18.13.1.9.3 Pump must be installed in a watertight pit with removable watertight lid.

18.13.1.9.4 The vent must be installed as part of the house vent system.

18.13.1.9.5 Installation of a 4" Back Water-Swing Check Valve on the discharge line is required.

18.13.1.9.6 The 2" minimum sized discharge line must be painted grey or marked "Sanitary Sewer" the entire length of line.

18.13.1.9.7 At all locations where the sewer lateral line (either 2" or 4") is installed, if the trench is less than 18" inches deeper than the existing natural grade, the sewer line must have a 4" thick concrete cap (min. 2,500 psi concrete) the entire width of the trench. The length of the concrete cap shall be the entire portion that is less than 18" below the existing natural grade.

18.13.1.9.8 The 2" pipe must be increased to 4" schedule 40 pipe at the point where flows can travel by gravity.

18.13.1.9.9 An overflow alarm or a back-up pump must be installed in the watertight pit accommodating the primary pump.

18.13.1.9.10 The licensed plumber/installer is required to provide the builder with maintenance information to be ultimately submitted to the homeowner. A formal maintenance agreement is not required. However, the homeowner must be informed about operation and maintenance requirements in regard to owning/operating the grinder pump system located on the EARZ.

18.13.1.9.11 All other rules, regulations or requirements pertaining to EARZ sewer lateral regulations must be met.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

18.13.1.10 Inspection

After installation, but prior to covering, all private service laterals shall be inspected by the San Antonio Water System. The construction must be in accordance with applicable portions of Figures 1 to 4B. It shall be the duty of the permit applicant to provide reasonable advanced notice to the San Antonio Water System when a lateral is ready for inspection.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2) (This section amended by SAWS Board Resolution #2023-075 approved April 4,

2023, entitled Amendment #12.)

18.13.1.11 Re-inspection

If the SAWS inspector finds that the installation of a private service lateral is not in accordance with the applicable portions of Figures 1 to 4B, the plumber shall be required to make the necessary corrections. When the corrections have been completed, a request for re-inspection shall be submitted. Each re-inspection will be charged a fee of $50.00. Such fee is nonrefundable.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

18.13.1.12 Certification

Upon satisfactory completion and inspection of a private service lateral, the San Antonio Water System Development Engineering Department shall certify the construction to be in conformity with the applicable provisions of this regulation. The department shall provide a copy of this certification to the permit applicant. Any submittal to the Texas Commission on Environmental Quality (TCEQ) shall be a requirement of the permit applicant.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Penalties

18.13.1.13 Nonconforming work

Any plumber whose work does not conform to the requirements of this chapter, shall, on notice from SAWS, make the necessary changes or corrections. If the work has not been corrected after ten (10) days, the director shall refuse to issue any additional permits to such person until the work has fully complied with these requirements.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

18.13.1.14 Permit revocation

SAWS may revoke a permit in event there has been any false statement or misrepresentation as to a material fact in the application or plans upon which the permit approval was based. No permit fees shall be refunded in such event.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

18.13.1.15 Illegal Wastewater Connections

Any person discharging or transporting wastewater flows into SAWS wastewater system without paying applicable fees is in violation of these regulations and of the City of San Antonio's Unified Development Code. A wastewater connection or an increase in wastewater flows that results in the illegal use of SAWS wastewater collection system is sufficient evidence to constitute a violation and is punishable by a fine under the Unified Development Code and / or criminal charges through the Texas Penal Code, including theft or any other applicable provisions.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Lateral layout

18.13.1.16 Installation of Private Service Laterals

The installation of private service laterals within the Edwards Recharge Zone shall be as depicted in Figures 1 to 4B as applicable.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

18.13.1.17 Flexible Pipe

All flexible pipe shall conform to a minimum of ASTM Designation D-3034 (Schedule 40 or better for four (4) inch laterals and SDR-26 or better for six (6) inch laterals) with compression joint gaskets or solvent joints.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2) (This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.)

18.13.1.18 Construction Specifications

Construction specifications shall apply to the service lateral from the existing main, wye, saddle or stub-out to the building wall, and shall include the building drain outside the wall and the building sewer. In the event of conflicting specifications and regulations, SAWS' construction specifications have precedence over Utility Service Regulations.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

18.13.1.19 Blasting

No blasting shall be permitted.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Backfill
Refer to SAWS Construction Specifications for specifications on backfill materials and cover.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.)

Lateral connection to existing main

18.13.1.20 Illustrations

Figures 4A and 4B illustrate the acceptable manner in which to connect a lateral to an existing sanitary sewer main.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

18.13.1.21 Existing wye or stub-out available

If an existing wye or stub-out is available, the service lateral shall be connected into the sanitary sewer system as shown in Figure 4A.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

18.13.1.22 Wye or stub-out is not available

If a wye or stub-out is not available, the service lateral shall be connected as shown in Figure 4B. The saddle shall be permanently bonded to the existing main by the use of compounds and clamps as recommended by the manufacturer and approved by SAWS.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

18.13.1.23 Connection at existing manhole

Breaking into an existing manhole shall not be allowed as a method of connecting a private service lateral to the public sanitary sewer main.

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

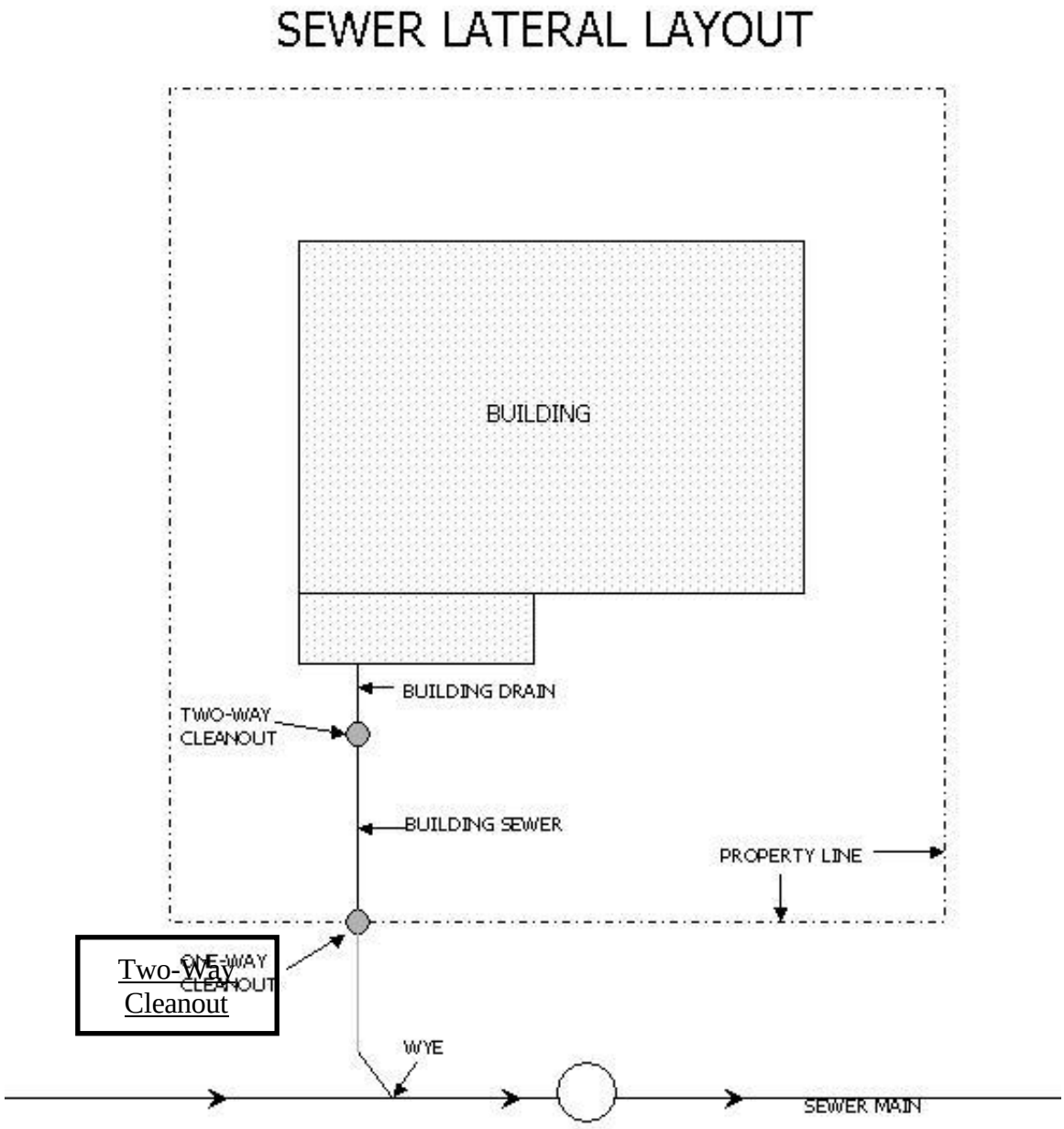


FIGURE 1

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

SEWER LATERAL CROSS-SECTION

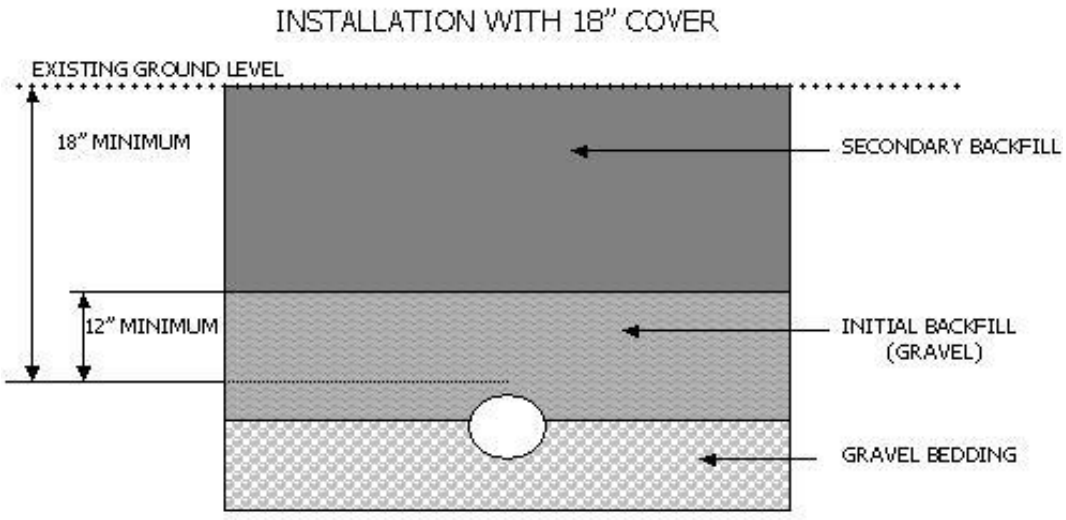


Figure 2

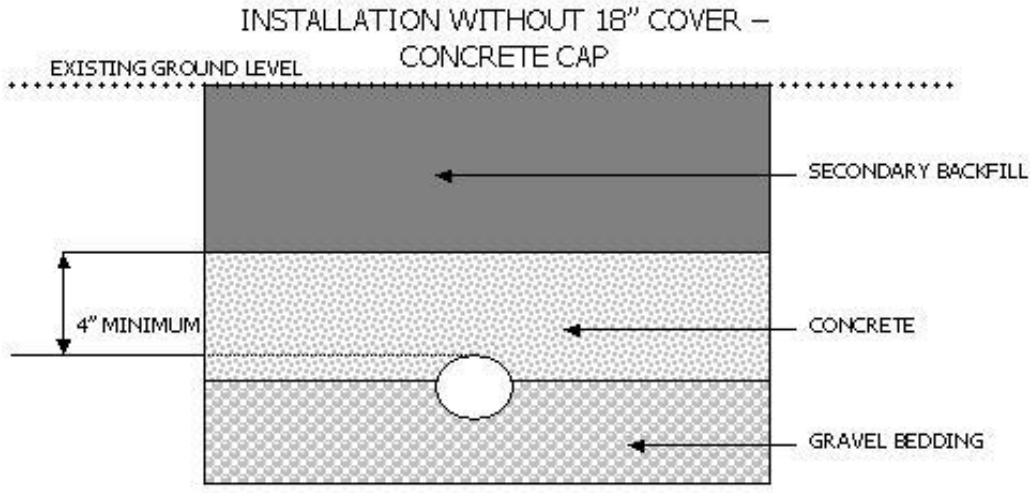


Figure 3

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

SEWER LATERAL CONNECTION TO EXISTING MAIN WITH WYE OR STUB-OUT

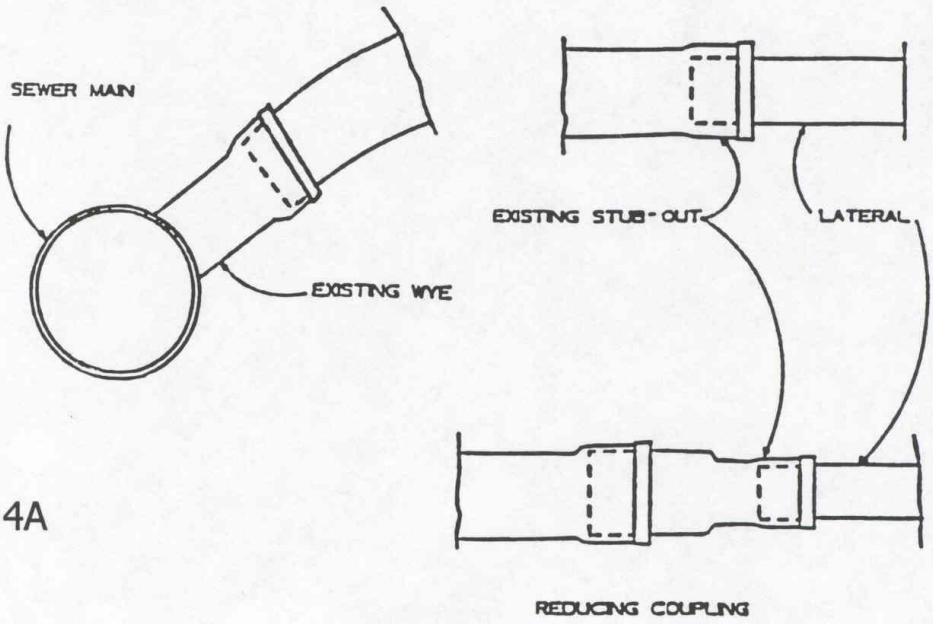


Figure 4A

SEWER LATERAL CONNECTION TO EXISTING MAIN WITHOUT WYE OR STUB-OUT

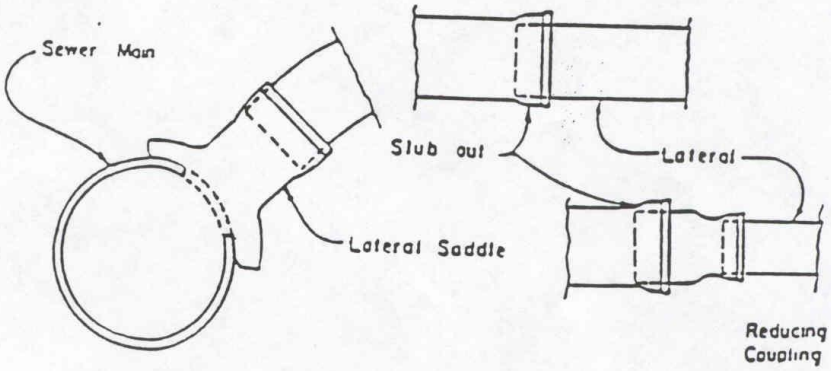


Figure 4B

(This section amended by SAWS Board Resolution #04-105, approved March 16, 2004, entitled Amendment #2)

19 WATER WELLS

19.1 AUTHORITY

SAWS is the City of San Antonio's regulatory agent to enforce City Code Chapter 34, Article VI, Water Quality Control and Pollution Prevention, Div. 2, Wells.

19.2 CHAPTER 34-566 POWERS AND DUTIES OF THE SAWS BOARD OF TRUSTEES

The San Antonio Water System Board of Trustees or its duly authorized representative has the following powers:

1. To make or have made examinations of all wells, privately owned or otherwise, within the limits of the City of San Antonio or within the SAWS water service area;
2. To make or have made at any time the necessary analyses or tests of water from such wells;
3. To go upon the land and property of the owner of a well for any purpose allowed in the City Code;
4. To require the owner to furnish all information requested concerning a well, including all new or existing wells, complete logs of the well showing depth to depth through all geologic formations encountered, casing records, cement records, well modifications; and
5. To supervise the construction, repair and plugging of wells and the operation of wells. The SAWS Board or its duly authorized agent must keep a register of all wells within the limits of the City of San Antonio or within SAWS water service area. The register must show for each well its location, date of construction, depth and diameter, the purpose for which the well was constructed, and, if applicable, date of plugging.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.)

19.3 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 for the purpose of an earth-coupled heat exchange system, or to undertake any artificial excavation to explore for or produce groundwater, within the City of San Antonio or SAWS' service area, without first applying for and obtaining a well drilling permit from SAWS. 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 SAWS water well permitting procedures.

19.4 GENERAL GROUNDS FOR DENIAL OF PERMIT

SAWS will inspect the property where any well subject to its enforcement authority is proposed to be drilled, sunk, dug, or bored. SAWS will refuse to issue a well permit when:

- The location or manner of construction of the proposed well is not acceptable to SAWS because of drainage and other sanitary conditions surrounding the well; or
- The proposed well would be located on property to which water service is currently available from SAWS or from any other water purveyor with an appropriate Certificate of Convenience and Necessity; or

- Water service from existing SAWS water mains or service lines could be established to the property on which the proposed well is located at a cost equal to or less than the cost of drilling the proposed well.

19.5 WELL PERMIT FEES

Well permit fees are set out in the City Code, section 34-572 as amended.

19.6 ABANDONED WELLS REQUIRED TO BE PLUGGED

19.6.1 Authority to Regulate Abandoned Wells

Abandoned wells pose a threat of pollution to the City's water supply and the area's groundwater resources because they are direct conduits for contamination to enter the water supply.
Abandoned wells also pose a safety hazard to children and animals. SAWS is the regulatory agent for enforcing City Code Chapter 34 with regard to abandoned wells. Therefore, SAWS aggressively pursues the closure of all abandoned wells within the city limits and SAWS' service area.

19.6.2 Definition of Abandoned Wells

A well is considered abandoned if it has not been used for a period of six consecutive months or longer and it is not connected to an active power source. All abandoned wells must be plugged under a permit from SAWS and in accordance with SAWS permitting procedures.

19.6.3 Abandoned Wells on Newly Surveyed Plats

All abandoned wells that are located on newly surveyed plats must be plugged under SAWS permit prior to the release of the plat. When an abandoned well is located the owner shall be required to place a 50' radius protective barrier (i.e. construction fence or barricades with caution tape) as soon as possible and this area shall be designated a no disturbance area. The barricade shall remain in place until the well plugging is complete.

19.6.4 Delineating Plugged Wells on Plats

Plugged wells must be delineated with an obvious symbol and a label on plats. GPS coordinates must also be listed using NAD 83 Texas South Central FIPS Zone: 4204 Feet coordinate system.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.)

19.7 PERMIT REQUIRED FOR REPAIR OR CLOSURE OF EXISTING WELLS

It is unlawful for any person to reconstruct, repair, correct, or plug a well or injection well within the City of San Antonio or SAWS service area without first applying for and obtaining a permit from SAWS.

19.8 FAILURE TO ABATE A NUISANCE

If a well is determined by SAWS to be a defective or a contaminating well and if the owner, operator, or agent responsible for the well declared to be such a nuisance fails to abate the nuisance within the prescribed time from the date of issuance of notice from SAWS, SAWS may go onto the property upon which the well is situated and take such action as is necessary to abate the nuisance. The owner will be liable to SAWS for the cost of such work and must pay the cost upon demand, and SAWS may file a lien on the property to secure the payment of the costs of such work.

20 RECYCLED WATER

20.1 ALLOWED USES

Recycled water may be used only for commercial, industrial, irrigation, landscape maintenance, and other specific uses described in the recycled water contract between SAWS and the customer. All uses must comply with Texas Commission on Environmental Quality (TCEQ), Title 30 Texas Administrative Code, Chapter 210, Use of Reclaimed Water, with San Antonio City Code, Chapter 34, Recycled Water Service and Rates, and with SAWS Recycled Water User Handbook.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

20.2 PROHIBITED USES

Recycled water may not be used for drinking, food preparation, health services, domestic purposes (except for toilet and urinal flushing), or any type of human or animal consumption. It is unlawful for any purchaser of recycled water to resell the recycled water for any purpose or to sell to anyone a product not complying with the requirements for recycled water established by the San Antonio City Code. A violation of this section is grounds for immediate termination of the recycled water contract. Recycled water may not be used over the Edwards Aquifer Recharge Zone and it may not be discharged into or adjacent to the waters of the State without express written authorization of the TCEQ. There may be no nuisance conditions resulting from the distribution, storage or use of recycled water.

20.3 CUSTOMER CONTRACTS REQUIRED

A recycled water customer must execute a written contractual agreement with SAWS delineating service terms and conditions. SAWS will not issue a construction permit for the customer's on-site recycled water facilities until this contract is approved. SAWS' recycled water commitment is valid for the term of the contract.

20.4 SAWS' OBLIGATION TO EXTEND THE RECYCLED WATER SYSTEM

SAWS' extensions of the recycled water system are based upon SAWS' determination of the system's capacity and the economic feasibility of the extension. The decision of the President/Chief Executive Officer will be final in determining main sizes, oversizing requirements, and fund availability for system extensions.

20.5 RECYCLED WATER QUALITY

All recycled water treated, supplied and distributed by SAWS will comply with applicable TCEQ rules. SAWS will provide Type I recycled water quality with minimum quality as follows:

BOD_5 or $CBOD_5$	5mg/L
Turbidity	3NTU

Fecal Coliform*	20 CFU/100ml
Fecal Coliform**	75 CFU/100ml

*geometric mean (the n^{th} root, usually the positive n^{th} root, of a product of n factors)

**single grab sample (not to exceed)

SAWS will provide recycled water quality data to all recycled water customers upon request. Additional recycled water quality issues and treatment requirements unique to a particular customer will be addressed on a case-by-case basis in the SAWS recycled water contract.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

20.6 SAWS QUALITY MONITORING

SAWS will monitor the recycled water's quality at the water recycling centers.

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

20.7 DESIGN AND CONSTRUCTION OF RECYCLED WATER FACILITIES

Compliance with TCEQ Requirements
SAWS will design and construct all transmission mains, treatment and pumping facilities needed to provide recycled water service to SAWS' recycled water customers in accordance with TCEQ, Title 30 Texas Administrative Code, Chapter 210, Use of Reclaimed Water.

Distribution Mains
The customer must extend the recycled water service distribution main from the transmission main to the customer's property line, through a contractor of the customer's choice who is approved by SAWS. SAWS will determine the size of the distribution main based on the customer's expected recycled water purchases.

Valves
For recycled water mains and pump stations, all valves must open "left (counterclockwise)."

Permit and Certification Required
SAWS must review and approve the plans and specifications for recycled water distribution mains, pumps, monitoring devices and storage facilities before it will issue a general construction permit for the work. The customer's distribution main and on-site facilities must be constructed and installed in accordance with TCEQ, Title 30 Texas Administrative Code, Chapter 210, Use of Reclaimed Water, and must be certified as such by a professional engineer registered in Texas.

20.8 CROSS-CONNECTIONS WITH POTABLE WATER FACILITIES PROHIBITED

It is unlawful for anyone to make or to maintain a cross-connection between a recycled water facility and a potable water facility. The recycled water customer's on-site system must be constructed to prevent backflow of recycled water into the potable water system. A recycled water customer's cross-connection and backflow prevention system must conform to Title 30 Texas Administrative Code, Chapters 210 and 290 et seq., the SAWS Cross Connection and Backflow Protection Manual, the SAWS Recycled Water Operation and Maintenance Manual and applicable local plumbing codes. The recycled water customer must agree to install, operate, test and maintain approved backflow prevention assemblies as required herein and as required by SAWS' Cross Connection Control and Backflow Prevention Program and Chapters 210 and 290 of Title 30 of the Texas Administrative Code, as each may be amended. SAWS will immediately discontinue service to any customer with an unapproved connection or a cross- connection, and service will not be reestablished until SAWS determines that the condition is corrected.

20.9 INSPECTIONS REQUIRED

To insure the absence of cross-connections, the recycled water customer's internal piping system must be inspected by SAWS, a local plumbing inspector, a state-licensed Water Protection Specialist or a TCEQ Customer Service Inspector before service is initiated. Re-inspections will follow every three to five years or as needed in SAWS' discretion. The recycled water customer must maintain accurate records of tests and repairs made to backflow prevention assemblies and must provide SAWS with copies of such records via the SAWS Test & Maintenance Report form within 10 days of the inspection, test or maintenance. Repiping and relocation of any assembly requires prior written approval of SAWS. SAWS may perform periodic tests on backflow prevention assemblies on the recycled water customer's site.

20.10 CONSTRUCTION PERFORMANCE BONDS

The contractor constructing a customer's recycled water distribution main must furnish a performance bond payable to SAWS covering the total estimated construction cost. The bond must be executed by a corporate security authorized to do business in Texas and maintaining an agent in Bexar County. The bond must assure:

- Completion of all construction required under the contract according to the plans and specifications approved by SAWS;
- Maintenance for a 90-day period after SAWS accepts the facilities; and
- Payment in full by the contractor of all subcontractors and suppliers.

All construction work on the distribution main must be open and subject to inspection by the City of San Antonio and SAWS. In no event may any portion of a distribution main in an excavation be covered over until it has been inspected and approved by SAWS.

20.11 COMPLETION AND ACCEPTANCE OF DISTRIBUTION MAINS

When construction is complete and approved by SAWS, all costs and fees have been paid and all liens released, SAWS will issue the customer a written certificate of acceptance of the distribution main. The customer must warranty the main for a one-year period after SAWS accepts it.

20.12 REQUIREMENTS FOR OVERSIZE RECYCLED WATER MAINS

SAWS may require a distribution main to be increased to a diameter larger than usually necessary to serve the customer's property. Upon completion and acceptance of the oversize main, SAWS will reimburse the customer the reasonable differential cost of construction of the larger main.

20.13 COMPETITIVE BIDS FOR OVERSIZE MAIN CONSTRUCTION

Any distribution main construction that includes oversizing must be advertised for bids as generally required for SAWS construction. All qualified bids must be publicly opened and let in the same manner as other SAWS construction contracts. The construction contract will be between the customer and the contractor.

20.14 OVERSIZING REIMBURSEMENTS

SAWS will pay computed oversizing reimbursements to the customer unless other arrangements are made, in accordance with Section 16.2, Oversize Water Main Reimbursement. The payment will be made within 30 days of SAWS' final acceptance of the oversize distribution main. The customer and SAWS may agree in writing that the customer may apply the reimbursement as a dollar-for-dollar credit against 20 percent of the monthly recycled water bill until the reimbursement is exhausted.

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.)

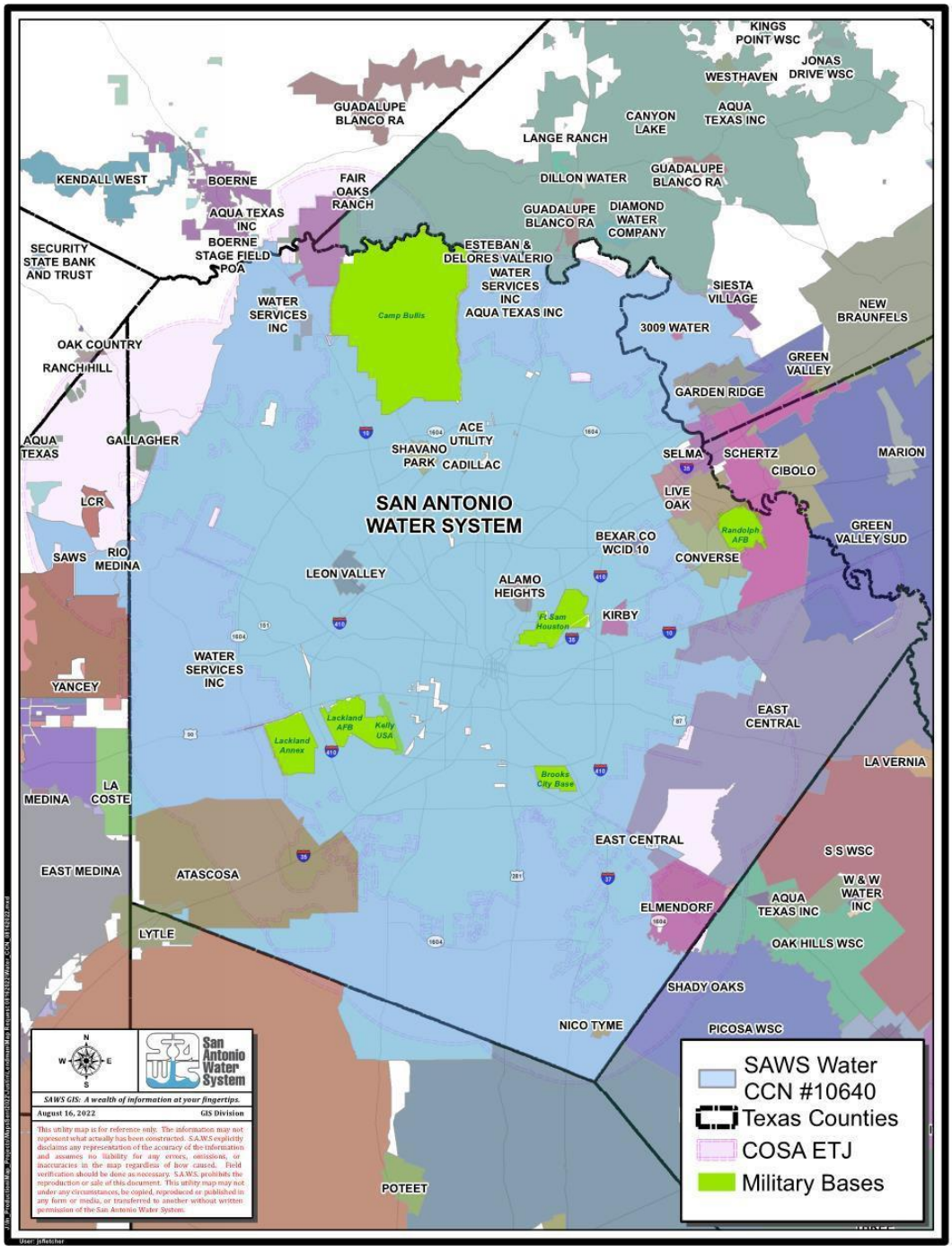
20.15 PAYMENT OF PRO-RATA SHARE

A customer wishing to connect to an oversized recycled water main must pay a pro rata share of the oversizing costs.

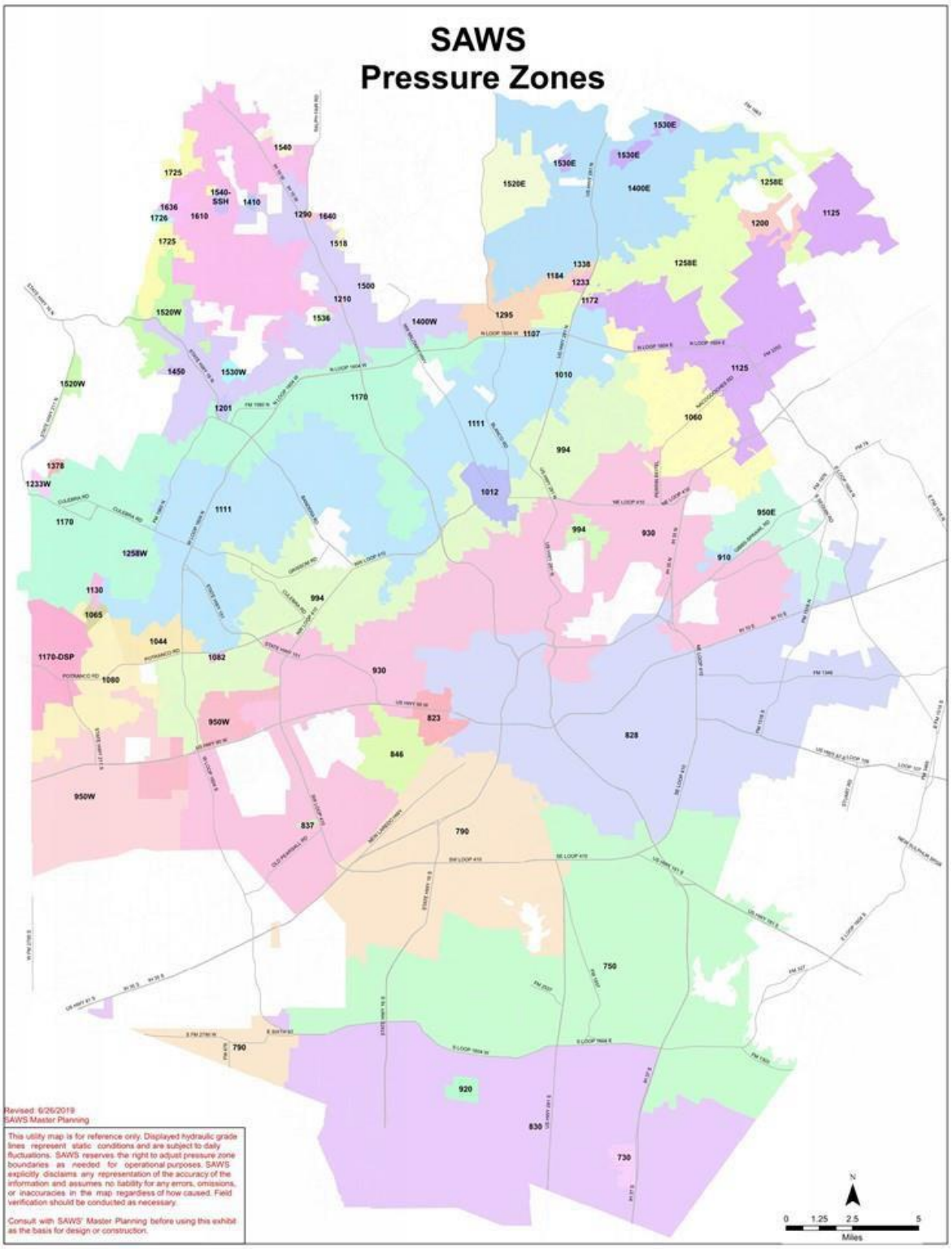
21 REFERENCE DIAGRAMS

(This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

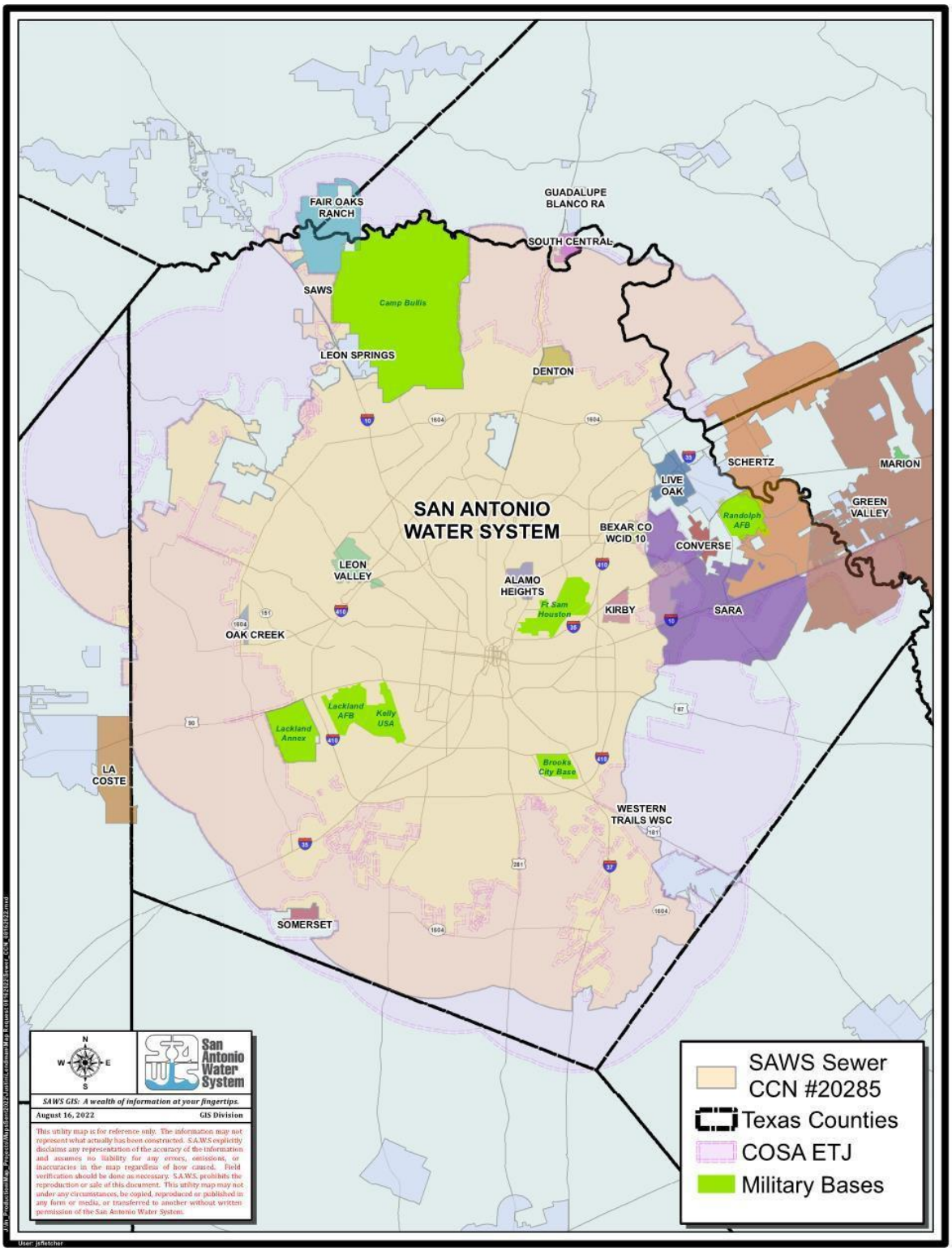
21.1 WATER CCN (AS OF AUGUST 2022)



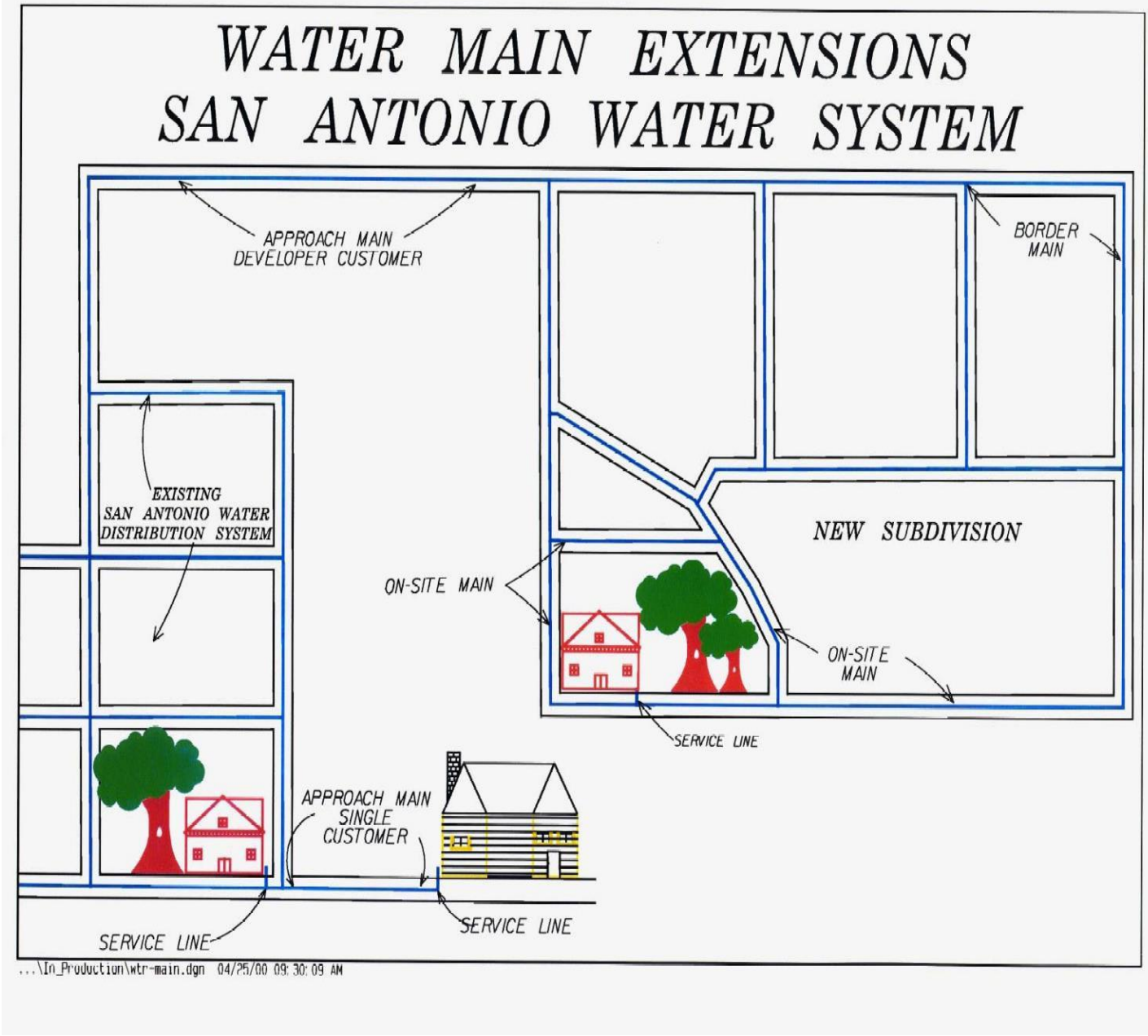
21.2 WATER PRESSURE ZONES (AS OF AUGUST 2019)



21.3 WASTEWATER CCN (AS OF AUGUST 2022)



21.4 SUBDIVISION DIAGRAM



22 APPENDICES

22.1 CHARGE SCHEDULES

Schedule "A" - Pro-Rata Charges

Connections to water or wastewater mains installed after 2/18/03: Water Service:

Pro-Rata charges will be collected from customers connecting to existing pro-rata water mains fronting their tracts by multiplying the entire length of frontage of the connecting tract along the main by ½ (or multiply by 1 if only one side of main is available to serve tracts) of the actual cost per linear foot of the project.

Wastewater Service:

Pro-Rata charges will be collected from customers connecting to certain existing off-site wastewater mains based upon the greater of either:

A. Multiplying the entire length of frontage of the connecting tract along the main by ½ (or multiply by 1 if only one side of main is available to serve tracts) of the actual cost per linear foot of the project , or

B. Multiplying the number of EDU's from the connecting tract by the unit cost per EDU [Unit cost shall be equal to: total project cost divided by the total number of EDU's of constructed capacity (peak EDUs which can flow through lowest flow segment of main) or the total project cost divided by the SAWS approved EDU requirements of the sewer shed, whichever is less].

(This section amended by SAWS Board Resolution #09-024, approved January 6, 2009 entitled Amendment #7.)

Connection to water mains installed before 2/18/03

$10.00 per foot for residential property
$13.50 per foot for commercial property

Schedule "B" - Service Line Installation Cost Estimates
Final charge to customer will be based on the time and materials costs.

Size of Water Service Line	**Cost** *1 , *3 (Short Service)	**Cost** *2 , *3 (Long Service)
¾"	$ 1,400.00	$ 2,100.00
1"	$ 1,700.00	$ 2,200.00
1 ½"	$ 2,200.00	$ 2,500.00
2"	$ 2,300.00	$ 2,700.00
Greater than 2"	Quoted Charge	Quoted Charge

(This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Size of Wastewater Service Line	Cost
6” Lateral	$ 2,300.00
Greater than 6”	Quoted Charge

*1 Short Service - Installation and connection of service line on same side of street.

*2 Long Service - Installation and connection of service on line in the middle or opposite side of street.

*3 An additional $500.00 fee will be charged if tapping into a concrete steel cylinder main.

(This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

Schedule “C” - Single Customer Main Extension Cost Estimates
Final charge to customer will be based on the time and material costs. The following costs are estimates. The final cost to the customer will be based on actual time and material costs.

Water Mains:	Cost
8” main	$120.00
12” main	$180.00

Wastewater Mains:	Cost
8” main	$120.00

Note: Above costs are contingent upon SAWS obtaining a street cut permit from the City of San Antonio that does not require extensive re-paving making the costs prohibitive.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #11-227, approved August 2, 2011, entitled Amendment # 8.)

Schedule “D” - Meter on Fire Hydrant Charge

Standard SAWS usage rates apply at the time of application for the meter. These rates, deposit amount, and other fees and charges can be found on the SAWS website under fire hydrant meters.

(This section amended by SAWS Board Resolution #07-257, approved August 7, 2007, entitled Amendment #6.) (This section amended by SAWS Board Resolution #16-049, approved February 9, 2016, entitled Amendment #10.) (This section amended by SAWS Board Resolution #2023-075 approved April 4, 2023, entitled Amendment #12.)

22.2 REFERENCES FOR WATER AND WASTEWATER SYSTEM DESIGN

The following references (latest revision) should be reviewed in conjunction with these **regulations**:

A. City of San Antonio, Unified Development Code (UDC), Chapter 35 of the Code of Ordinances.

B. Texas Accessibility Standards (TAS) of the Architectural Barriers Act, Article 9102, Texas Civil Statutes.

C. San Antonio Water System, Specifications for Water and Sanitary Sewer Construction.

D. San Antonio Water System, Material Specifications.

E. San Antonio Water System, CADD Standards.

F. San Antonio Water System, Cross Connection Control and Backflow Prevention Program.

G. Rules and Regulations published by Texas Natural Resource Conservation Commission (TNRCC) and its successor Texas Commission on Environmental Quality:

1. TCEQ, Water Utilities Division, Rules and Regulations for Public Water Systems.
2. TCEQ, Design Criteria for Sewage Systems, Texas Administrative Code (TAC).
3. 30 TAC, Chapter 213, Edwards Aquifer.

H. State of Texas Engineering Practice Act.

I. State of Texas Professional Land Surveying Practice Act.

J. City of San Antonio, Right of Way Management Ordinance Number 93319, or as amended.

22.3 SAWS BOARD OF TRUSTEES RESOLUTION

Resolution #03-083, Approving Utility Service Regulations

RESOLUTION NO. 03-083

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING THE SAN ANTONIO WATER SYSTEM UTILITY SERVICE REGULATIONS BY APPROVING A COMBINED DOCUMENT WHICH INCORPORATES WATER, WASTEWATER AND RECYCLED WATER POLICIES; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on May 19, 1992, the San Antonio City Council approved the consolidation of three water entities, the City Water Board, the City of San Antonio's Department of Wastewater Management and the Alamo Water Conservation and Reuse District; and

WHEREAS, the former City Water Board was governed by the Regulations for Water Service dated 1984; and

WHEREAS, the former Department of Wastewater Management was governed by wastewater regulations contained within the City of San Antonio City Code; and

WHEREAS, the former Alamo Water Conservation and Reuse District had no formal governing regulations pertaining to infrastructure development; and

WHEREAS, it is advantageous to the San Antonio Water System and its customers to consolidate all utility service regulations into one formal document to comprehensively administer the expansion of utility infrastructure; and

WHEREAS, these Utility Service Regulations have been presented to and reviewed by neighborhood groups, local developers and various professional organizations; and

WHEREAS, it is the desire of the San Antonio Water System to adopt these Utility Service Regulations; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That the San Antonio Water System Utility Service Regulations are approved and implemented by the consolidation of all former regulations governing the expansion of infrastructure development. The San Antonio Water System Utility Service Regulations are attached hereto as Attachment I and incorporated herein for all purposes.

2. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of

the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

3. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

4. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this the 18th day of February 2003.

James M. Mayor, Chairman

ATTEST:

J.J. Amaro, Secretary

RESOLUTION NO. 03-437

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AMENDING THE UTILITY SERVICE REGULATIONS, WATER, WASTEWATER AND RECYCLED WATER, SECTION 15.12 IN ORDER TO MODIFY THE VARIANCE PROCESS FROM THE PAYMENT OF IMPACT FEES; FINDING THIS RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the San Antonio Water System Board of Trustees (Board) approved the Utility Service Regulations, Water, Wastewater, and Recycled Water on February 18, 2003, pursuant to Board Resolution No. 03-033; and

WHEREAS, in March, 2003, the Board created a Special Committee comprised of Messrs. Amaro, Leonhard and Mitchell to hear specific variance requests and submit their recommendation to the full Board; and

WHEREAS, the Special Committee was formed to allow the requestor the opportunity to fully present his position in a less formal setting; and

WHEREAS, on October 21, 2003 the Board, pursuant to Board Resolution No. 03-354 created a permanent Variance Committee of the Board comprised of Messrs. Amaro, Leonhard, and Mitchell; and

WHEREAS, during its first meeting held November 20, 2003, the Variance Committee reviewed proposed changes to the Variance process from the payment of impact fees; and

WHEREAS, the San Antonio Water System Board of Trustees desires to amend the Utility Service Regulations, Water, Wastewater, and Recycled Water Section 15.12 in order to modify the Variance process from the payment of impact fees; now therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That Section 15.12 of the Utility Service Regulations are hereby amended to modify the variance process from the payment of impact fees. Such amendments are attached hereto and incorporated herein verbatim for all purposes as Attachment I.

2. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

3. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

4. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 16th day of December, 2003.

James M Mayor, Chairman

ATTEST:

J.J. Amaro, Secretary

RESOLUTION NO. 04-105

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AMENDING THE UTILITY SERVICE REGULATIONS, WATER, WASTEWATER AND RECYCLED WATER, SECTION 16 IN ORDER TO INCORPORATE THE PROCEDURES RELATING TO SEWER LATERAL INSPECTION ON THE EDWARDS AQUIFER RECHARGE ZONE; FINDING THIS RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the San Antonio Water System Board of Trustees (Board) approved the Utility Service Regulations, Water, Wastewater, and Recycled Water on February 18, 2003, pursuant to Board Resolution No. 03-033; and

WHEREAS, the City of San Antonio is revising and updating the Unified Development Code (UDC); and

WHEREAS, as the UDC has been revised, portions of code have been incorporated into the San Antonio Water System Utility Service Regulations; and

WHEREAS, the Edwards Aquifer Recharge Zone (EARZ) sewer lateral inspection program procedures have been a part of the UDC; and

WHEREAS, it is appropriate that the EARZ sewer lateral inspection program be incorporated into the Utility Service Regulations; and

WHEREAS, the incorporation of the EARZ sewer lateral inspection program into the Utility Service Regulations does not change the procedures of the program; and

WHEREAS, the San Antonio Water System Board of Trustees desires to amend the Utility Service Regulations, Water, Wastewater, and Recycled Water Section 16 in order to incorporate the EARZ sewer lateral inspection program into the Regulations; now therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That Section 16 of the Utility Service Regulations is hereby amended to incorporate the EARZ sewer lateral inspection program. Such amendments are attached hereto and incorporated herein verbatim for all purposes as Attachment I.

2. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

3. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

4. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 16th day of March, 2004.

James M Mayor, Chairman

ATTEST:

Secretary

RESOLUTION NO. 04-160

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AMENDING THE UTILITY SERVICE REGULATIONS, CHAPTER 15, SECTION 15.9 TO CLARIFY THE TRANSFER AND USE OF IMPACT FEE CREDITS; FINDING THIS RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the San Antonio Water System Board of Trustees (Board) approved the Utility Service Regulations on February 18, 2003, pursuant to Board Resolution No. 03-033; and

WHEREAS, amendments to the Utility Service Regulations other than those relating to design standards require approval by the Board of Trustees; and

WHEREAS, the Utility Service Regulations in Chapter 15, Section 15.9 describe the allowable transfer and use of impact fee credits; and

WHEREAS, it is necessary to clarify in the Utility Service Regulations that impact fee credits earned for the construction of infrastructure specifically identified in the Capital Improvements Plan can be transferred to another developer and that impact fee credits may be used during the issuance of a permit for a service line installation; and

WHEREAS, the proposed amendment to the Utility Service Regulations (attachment I) clarifies that impact fee credits so earned can be transferred to another developer and that impact fee credits may be used during the issuance of a permit for a service line installation; and

WHEREAS, the San Antonio Water System Board of Trustees desires to amend the Utility Service Regulations Chapter 15, Section 15.9 in order clarify that impact fee credits so earned can be transferred to another developer and that impact fee credits may be used during the issuance of a permit for a service line installation; now therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That Chapter 15, Section 15.9 of the Utility Service Regulations is hereby amended to clarify that impact fee credits earned for the construction of infrastructure specifically identified in the Capital Improvements Plan can be transferred to another developer and that impact fee credits may be used during the issuance of a permit for a service line installation. Such amendments are attached hereto and incorporated herein verbatim for all purposes as Attachment I.

2. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

3. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

4. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 20th day of April, 2004.

James M Mayor

James M Mayor, Chairman

ATTEST:

Salvadore M. Hernández, Secretary

RESOLUTION NO. 04-243

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AUTHORIZING THE SAN ANTONIO WATER SYSTEM TO AMEND CHAPTER 15 SECTION 15.4.5.1 OF THE UTILITY SERVICE REGULATIONS TO ALLOW THE SAN ANTONIO WATER SYSTEM TO COLLECT WASTEWATER IMPACT FEES PRIOR TO PLAT RECORDATION IN THOSE AREAS WHERE THE SAN ANTONIO WATER SYSTEM IS NOT THE WATER PURVEYOR; FURTHER AUTHORIZING THE AMENDMENT OF CHAPTER 4, SECTION 4.8 OF THE UTILITY SERVICE REGULATIONS TO REQUIRE THE PAYMENT OF WASTEWATER IMPACT FEES PRIOR TO THE ACCEPTANCE OF WASTEWATER INFRASTRUCTURE IN THOSE AREAS WHERE THE SAN ANTONIO WATER SYSTEM IS NOT THE WATER PURVEYOR; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, V.T.C.A., Local Government Code § 395 *et. seq.*, and San Antonio, Texas, Ordinance No. 94650, approved by the San Antonio City Council on September 27, 2001, allow a Developer Customer to pay impact fees at the time a building permit is issued, or at the time application is filed for an individual meter connection; and

WHEREAS, in accordance with such statute and ordinance, Chapter 15 Section 15.4.5.1 of the Utility Service Regulations (USR) of the San Antonio Water System (the "System") allows a Developer Customer to elect to pay impact fees either before a plat is recorded, or at the time application is filed for individual meter connection; and

WHEREAS, the System provides sanitary sewer service in areas where water service is provided by other water purveyors; and

WHEREAS, based on the current Utility Service Regulations, the System has been unable to effectively collect wastewater impact fees in areas where the System is not the water purveyor; and

WHEREAS, the System's Board of Trustees ("Board") is charged with meeting all the requirements of Chapter 35 of the Local Government Code which includes both charging impact fees in a fair and equitable manner throughout its service areas as well as to allow a Developer Customer the opportunity to pay impact fees at the time application is filed for individual meter connection; and

WHEREAS, the Board finds that the proposed amendments which are the subject of this resolution meet such requirements; and

WHEREAS, it is necessary to amend Chapter 15 Section 15.4.5.1 of the System's Utility Service Regulations to require payment of wastewater impact fees prior to plat recordation for properties where the System is not the water purveyor, unless the System is provided an acceptable instrument that guarantees fees will be paid prior to service connection; and

WHEREAS, the proposed amendment (attachment I) amends Chapter 15 Section 15.4.5.1 of the System's Utility Service Regulations to require payment of wastewater impact fees prior to plat recordation for properties where the System is not the water purveyor, unless the System is provided an acceptable instrument that guarantees fees will be paid prior to service connection; and

WHEREAS, there are currently approximately 40 wastewater projects planned or under construction, in areas where the System is not the water purveyor, with approximately 3,216 equivalent dwelling units (EDUs), and the System has released the plats for recordation based on deferring the impact fees until the time of service connection; and

WHEREAS, this resolution amends Chapter 4 Section 4.8 of the Utility Service Regulations to require payment of wastewater impact fees prior to the System acceptance of the sewer system infrastructure for projects where the plat has been released for recordation and the System is not the water purveyor, unless the System is provided an acceptable instrument that guarantees fees will be paid prior to service connection; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to amend the Chapter 15 Section 15.4.5.1 of the Utility Service Regulations to require payment of wastewater impact fees prior to plat recordation for properties where the System is not the water purveyor or provide an acceptable instrument that guarantees fees will be paid prior to service connection; (ii) to amend Chapter 4 Section 4.8 of the Utility Service Regulations to require payment of wastewater impact fees prior to System acceptance of applicable infrastructure projects for plats released for recordation in those areas where System is not the water purveyor unless the System is provided an acceptable instrument that the impact fees will be paid; and (iii) to make the effective date of these amendments to the Utility Service Regulations to be August 2, 2004; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That Chapter 15 Section 15.4.5.1 of the Utility Service Regulations is hereby amended (attachment I) to require payment of wastewater impact fees prior to plat recordation for properties where the System is not the water purveyor, unless the System is provided an acceptable instrument that guarantees fees will be paid prior to service connection.

4. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

5. This resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED this 22 day of June, 2004.

James M. Mayor, Chairman

ATTEST

Salvadore M. Hernández, Secretary

RESOLUTION NO. 04-287

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AMENDING THE UTILITY SERVICE REGULATIONS, WATER, WASTEWATER AND RECYCLED WATER, SECTION 15.12 IN ORDER TO FURTHER MODIFY THE VARIANCE PROCESS FROM THE PAYMENT OF IMPACT FEES; FINDING THIS RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the San Antonio Water System Board of Trustees (Board) approved the Utility Service Regulations, Water, Wastewater, and Recycled Water on February 18, 2003, pursuant to Board Resolution No. 03-033; and

WHEREAS, on December 16, 2003 the Board modified Section 15.12 "Variances from the Payment of Impact Fees" to include review and recommendation to the Board by the Variance Sub-Committee of the Board for requests that are denied by the President/Chief Executive Officer and are appealed to the Board of Trustees; and

WHEREAS, the amendments adopted December 16, 2003 included a permissive appeal to the denial of a variance by the Board to the City Council of the City of San Antonio; and

WHEREAS, the types of variances reviewed by the Variance Sub-Committee and the Board are technical in nature and do not involve the application of formal City policies such as affordable housing and economic development; the Sub-Committee and Board are the most informed City officials to consider technical variances; and

WHEREAS, the deletion of the permissive language allowing a further appeal from the Board to the City Council would shorten both the process and the time period for a final determination; and

WHEREAS, the amendments adopted December 16, 2003 also included language setting out findings of fact to be made by the Variance Sub-Committee and the Board of Trustees; and

WHEREAS, it is appropriate that the findings reflect the nature of the facts upon which variances are to be granted; and

WHEREAS, the proposed amendments clarify the time period in which a variance can be requested, as well as the time period in which the variance will be heard by the Board; the term "full Board" is further clarified to read "Board"; and

WHEREAS, the San Antonio Water System Board of Trustees desires to amend the

Utility Service Regulations, Water, Wastewater, and Recycled Water Section 15.12 in order to further modify the variance process from the payment of impact fees; now therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That Section 15.12 of the Utility Service Regulations is hereby amended to further modify the variance process from the payment of impact fees. Such amendment is attached hereto and incorporated herein verbatim for all purposes as Attachment I.

2. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

3. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

4. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 20th day of July, 2004.

James M Mayor, Chairman

ATTEST:

Salvadore M. Hernández, Secretary

Resolution #07-257, Approving Amendment No. 6, Approved 8/7/07

RESOLUTION NO. 07-257

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING REVISIONS TO THE EXISTING UTILITY SERVICE REGULATIONS; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the San Antonio Water System Board of Trustees (Board) approved the Utility Service Regulations, Water, Wastewater, and Recycled Water on February 18, 2003, pursuant to Board Resolution No. 03-033; and

WHEREAS, the Regulations have previously been amended on five occasions in relation to impact fee variances, credits and deferments, and protection of the Edwards Aquifer Recharge Zone; and

WHEREAS, the June 2006 update to the impact fee program necessitate change within the regulations; and

WHEREAS, major changes to the regulations include:

- Updating the value for an equivalent dwelling unit
  - Water - 360 gal/day to 313gal/day
  - Sewer - 300 gal/day to 240 gal/day
- Changing the local benefit impact fee program to a local benefit extension program
- Not requiring the payment of additional impact fees when changing from a master meter to multiple meters for established duplexes, triplexes and quadraplexes. Establishing criteria for satellite systems that address adequate water supply, fire flow, mitigation plans, and adequate well, storage and pump capacity.
- Affirming that all San Antonio Water System (the "System") projects must comply with the COSA tree ordinance.
- Setting a definite effective date for water commitments and sewer contracts issued prior to Feb 18, 2003.
- Clarifying the customer's responsibility concerning pressure reducing valves on water lines.
- Revising Pump and Haul requirements for wastewater.
- Specifying the State Plane Coordinate System for water facility drawings.
- Updating requirements for plugging abandoned wells.

WHEREAS, these Utility Service Regulations have been presented to and reviewed by local Developers, engineers and various professional organizations; and

WHEREAS, the System received more that forty comments on the proposed revisions to the Regulations that, where feasible, were incorporated into the update; and

WHEREAS, it is the desire of the San Antonio Water System Board of Trustees to adopt these revisions to the Utility Service Regulations; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That these revisions to the San Antonio Water System Utility Service Regulations are approved and implemented. The San Antonio Water System Utility Service Regulations are attached hereto as Attachment 1 and incorporated herein for all purposes.

2. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

3. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

4. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this the 7th day of August 2007.

Alexander E. Briseño, Chairman

ATTEST:

Salvadore M. Hernández, Secretary

RESOLUTION NO. 09-024

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING REVISIONS TO THE EXISTING UTILITY SERVICE REGULATIONS TO INCORPORATE CLARIFICATIONS AND UPDATES RELATING TO FIRE AND IRRIGATION LINES CROSSING PROPERTY LINES, PUMP AND HAUL OPERATIONS OVER THE EDWARDS AQUIFER RECHARGE ZONE, THE EFFECTIVE DATE FOR TEXAS COMMISSION ON ENVIRONMENTAL QUALITY DESIGN CRITERIA FOR SEWERAGE SYSTEMS, PIPE THICKNESS SPECIFICATIONS TO REFLECT CHANGES IN SYSTEM CONSTRUCTION SPECIFICATIONS, PRO-RATA COLLECTION AND REFUNDS FOR MAIN EXTENSION CHARGES, AND CHARGE SCHEDULES TO REFLECT THE CHANGES TO THE PRO-RATA MAIN EXTENSIONS; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the San Antonio Water System Board of Trustees approved the Utility Service Regulations (USR), Water, Wastewater, and Recycled Water on February 18, 2003, pursuant to Board Resolution No. 03-033; and

WHEREAS, the Regulations have previously been amended on seven occasions in relation to impact fee variances, credits and deferments, protection of the Edwards Aquifer Recharge Zone, and recognition of the special requirements associated with the Camp Bullis Awareness Zone; and

WHEREAS, the proposed changes to the USR include:

- Section 7.9, Private Fire Protection Service Lines, clarifies that each property required to install a private fire protection service line, must have a separate service line tap.

- Section 7.12, Irrigation Service Lines, clarifies that each property wanting an irrigation service, must have a separate service line tap, clarifies the number of meters allowed on a branched service line, and restricts the number of equivalent dwelling units EDU's on the branched line to not exceed the number of EDU's designated to the original service.

- Section 10.3.6 is revised to state that Pump and Haul Operations are prohibited over the Edwards Aquifer Recharge Zone per 30 TAC 213.

- Section 11.3 is revised to update the effective date for TCEQ Design Criteria for Sewerage Systems to September 2008.

- Section 11.3.2.5 is revised to include the Manning Formula.

- Section 11.3.3.2 is revised to change the minimum thickness for PVC pipe from SDR 35 to the thicker SDR 26 throughout the San Antonio Water System (the "System") service area.

- Sections 12.3 and 13.11 are revised to clarify the pro-rata collection and refund of main extension charges.

- Section 20.1 is revised to update charge schedules to reflect changes in sections 12.3 and 13.11, and

WHEREAS, the proposed changes to the USR have been submitted to stakeholder organizations and posted on the System website for comment. Comments received were incorporated into the proposed changes where possible; and

WHEREAS, it is the desire of the San Antonio Water System Board of Trustees desires (i) to adopt these changes to the Utility Service Regulations, and (ii) to authorize the President/Chief Executive Officer to adopt these changes to the Utility Service Regulations; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That these changes to the San Antonio Water System Utility Service Regulations are approved and implemented. The changes to the San Antonio Water System Utility Service Regulations are attached hereto as Attachment I and incorporated herein for all purposes.

2. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

3. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

4. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 6th day of January, 2009.

Alexander E. Briseño, Chairman

ATTEST:

Salvadore M. Hernández, Secretary

Resolution #11-227, Approving Amendment No. 8, Approved 8/02/11

4. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 2nd day of August, 2011.

Alexander E. Briseño, Chairman

ATTEST:

Roberto Anguiano, Secretary

RESOLUTION NO. 12-514

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AMENDING RESOLUTION NO. 03-083 TO APPROVE REVISIONS TO THE UTILITY SERVICE REGULATIONS; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the San Antonio Water System Board of Trustees ("Board of Trustees") approved the Utility Service Regulations (USR), Water, Wastewater, and Recycled Water on February 18, 2003, pursuant to Board Resolution No. 03-033; and

WHEREAS, the Board of Trustees have previously approved amendments to the Regulations on nine occasions; and

WHEREAS, the San Antonio Water System staff has proposed amendments to the USR that are outlined in Attachment I and include:

- Section 4.2, Authority. This proposed amendment states that the policies and procedures in the Utility Service Regulations apply to current and future customers of the District Special Project.

- Section 4.12, Landscape and Irrigation Restrictions. This proposed amendment states that no Developer Customer or other person may require or enforce a requirement that a specific percentage of a landscaped area have turf grass, or that a species of turf grass that does not have summer dormancy capabilities be used in a landscaped area, or that irrigation systems be installed, or that irrigation systems operate on a certain schedule, except that restrictions and requirements that are provided by ordinances adopted by the City of San Antonio will be required and enforced.

- Section 15.4.5.5, Impact Fees for Combination Meters. This proposed amendment states that due to the limitations on the available sizes of combination meters, customers requesting meters that provide both fire flow and domestic/commercial uses will be assessed impact fees based on historical or similar uses by other facilities, or on an engineering report by a professional engineer registered in Texas.

WHEREAS, it is the desire of the San Antonio Water System Board of Trustees to amend Resolution No. 03-083 to adopt the changes to the Utility Service Regulations that are outlined in Attachment I; now, therefore:

12-514

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That Resolution No. 08-082 is hereby amended to approve and implement the changes to the San Antonio Water System Utility Service Regulations. The changes to the San Antonio Water System Utility Service Regulations are attached hereto as Attachment I and incorporated herein for all purposes.

2. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

3. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

4. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 4th day of December, 2012.

Berto Guerra, Jr., Chairman

ATTEST:

Roberto Anguiano, Secretary

Attachment:
1. USR with proposed changes

RESOLUTION NO. 16-049

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AMENDING RESOLUTION NO. 03-083 BY APPROVING REVISIONS TO THE UTILITY SERVICE REGULATIONS; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the San Antonio Water System Board of Trustees (the "Board of Trustees") approved the Utility Service Regulations (USR), Water, Wastewater, and Recycled Water on February 18, 2003, pursuant to Board Resolution No. 03-083; and

WHEREAS, the Board of Trustees have previously approved amendments to the Regulations on ten occasions; and

WHEREAS, it is the desire of the San Antonio Water System Board of Trustees to adopt these changes to the Utility Service Regulations; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That these changes to the San Antonio Water System Utility Service Regulations are hereby approved and implemented. The changes to the San Antonio Water System Utility Service Regulations are attached hereto as Attachment I and incorporated herein for all purposes.

2. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

3. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

4. This resolution becomes effective immediately upon its passage.

16-049

PASSED AND APPROVED this 9th day of February, 2016.

Berto Guerra, Jr., Chairman

ATTEST:

Ernesto Arrellano, Jr., Secretary

Resolution # 18-125, Approving Amendment No. 11, Approved 6/5/2018

RESOLUTION NO. 18-125

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AMENDING RESOLUTION NO. 03-083 BY APPROVING AMENDMENTS TO THE UTILITY SERVICE REGULATIONS; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the San Antonio Water System Board of Trustees (the "Board of Trustees") approved the Utility Service Regulations (USR), Water, Wastewater, and Recycled Water on February 18, 2003, pursuant to Board Resolution No. 03-083; and

WHEREAS, the Board of Trustees have previously approved amendments to the USR on eleven occasions; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to adopt these changes to the Utility Service Regulations; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That these amendments to the San Antonio Water System Utility Service Regulations are hereby approved and implemented and are attached hereto as Attachment I and incorporated herein for all purposes.

2. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

3. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

4. This resolution becomes effective immediately upon its passage.

18-125

PASSED AND APPROVED this 5th day of June, 2018.

Berto Guerra, Jr., Chairman

ATTEST:

Amy Hardberger, Secretary

Attachment:
1. Amendments to Utility Service Regulations

RESOLUTION NO. 2023-075

OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES AMENDING RESOLUTION NO. 03-083 BY APPROVING REVISIONS TO THE UTILITY SERVICE REGULATIONS; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the San Antonio Water System Board of Trustees (the "Board of Trustees") approved the Utility Service Regulations (USR), Water, Wastewater, and Recycled Water on February 18, 2003, pursuant to Board Resolution No. 03-083; and

WHEREAS, the Board of Trustees have previously approved amendments to the Regulations on eleven occasions; and

WHEREAS, it is the desire of the San Antonio Water System Board of Trustees to adopt these changes to the Utility Service Regulations; now, therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

1. That these changes to the San Antonio Water System Utility Service Regulations are hereby approved and implemented. The changes to the San Antonio Water System Utility Service Regulations are attached hereto as Attachment I and incorporated herein for all purposes.

2. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

3. If any part, section, paragraph, sentence, phrase, or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

4. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 4th day of April, 2023.

Jelynne LeBlanc Jamison, Chairwoman

ATTEST:

Eduardo Parra, Secretary

Attachment I: San Antonio Water System Utility Service Regulations