

WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 9

Rule No. 2

A RULE PROVIDING FOR THE SAFEGUARD OF THE WATER SUPPLY SYSTEM, SANITARY SEWER COLLECTION SYSTEM, AND STORM DRAINAGE SYSTEM INCLUDING A PROHIBITION AGAINST THE UNAUTHORIZED DRILLING AND INSTALLATION OF UNDERGROUND UTILITY PIPES WITHIN THE BOUNDARIES OF WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 9; PROVIDING PENALTIES; AUTHORIZING PUBLICATION; ESTABLISHING AN EFFECTIVE DATE AND CONTAINING OTHER PROVISIONS.

Section 1. The Williamson County Municipal Utility District No. 9 (hereinafter "District") pursuant to Texas Water Code § 54.205 is authorized to adopt and enforce reasonable rules and regulations. In accordance with such provisions, the Board of Directors hereby adopts a rule with regard to the unauthorized drilling and installation of underground utility pipes within the boundaries of Williamson County Municipal Utility District No. 9 to safeguard the District's water supply system, sanitary sewer collection system, and storm drainage system. The Board of Directors of the District, based on the foregoing, finds and determines that the adoption of and implementation of this Rule shall serve to:

- (1) secure and maintain safe, sanitary, and adequate plumbing installations, connections, and appurtenances as subsidiary parts of its sanitary sewer system;
- (2) preserve the sanitary condition of all water controlled by the district;
- (3) prevent waste or the unauthorized use of water controlled by the district;
- (4) regulate privileges on any land or any easement owned or controlled by the district; and
- (5) provide and regulate a safe and adequate freshwater distribution system.

Section 2. UNAUTHORIZED DRILLING AND INSTALLATION OF
 UNDERGROUND UTILITY PIPES

All persons, partnerships, corporations, non-profit corporations, trusts or other legal entities are prohibited from the unauthorized drilling and installation of underground utility pipes within the boundaries of Williamson County Municipal Utility District No. 9.

Section 3. SAFEGUARD OF THE WATER SUPPLY SYSTEM,
SANITARY SEWER COLLECTION SYSTEM, AND STORM
DRAINAGE SYSTEM

(A) It shall be unlawful for any person, partnership, corporation, non-profit corporation, trust or other legal entity, unless authorized in writing by the District's Operator, to tamper or interfere with, obstruct access to, or as a result of willful action injure deface, or destroy any facilities that are a part of the District's Water Supply System, Sanitary Sewer Collection System, or Storm Drainage System including, with respect to the waterworks system, water plants, flushing valves, valve boxes, and water lines up to the meter box and including meters; provided, however, that duly authorized members of the local fire department shall have the right to use such flushing valves for fire protection purposes.

(B) It shall be unlawful for any person, partnership, corporation, non-profit corporation, trust or other legal entity, to install water, wastewater, or storm drainage pipes and related appurtenances unless the construction plans and specifications for such installation has been previously reviewed and approved by the District's Engineer.

(C) Any costs associated with review and approval of drilling or construction plans and specifications for underground utility pipes shall be paid for by the entity requesting such approval.

Section 4. VIOLATIONS

Each violation of this Rule shall be punished by a fine of \$1,000 per day.

Section 5. ENFORCEMENT

(A) The President of the Board of Directors is authorized to seek other judicial resources including, but not limited to, filing complaints in the appropriate Court of jurisdiction in Williamson County to enforce the provisions of this Rule. If the District prevails in any suit to enforce this rule, it may, in the same action, recover any reasonable fees for attorneys, expert witnesses, or other costs incurred by the District before the court.

(B) A person, partnership, corporation non-profit corporation, trust or other legal entity found in violation of this Rule shall be liable to the District for all expenses borne by the District including laboratory fees, legal fees, engineering fees and other costs incurred by the District in establishing the violation and resolving the cause of the violation.

(C) A person, partnership, corporation non-profit corporation, trust or other legal entity found in violation of this Rule who causes or contributes to a violation by the District's Water Supply System, Sanitary Sewer Collection System, or Storm Drainage System shall be liable to the District for all expenses borne by the District including legal and engineering fees related to any lawsuit filed by federal, state, or local authorities

regarding violations by the District of effluent parameters applicable to the District's System.

(D) The Board of Directors of the District may employ its own peace officers in accordance with the provisions of Section 49.216, Texas Water Code, as amended, to enforce this Rule.

Section 6. EXECUTION, SUBMISSION FOR APPROVAL AND PUBLICATION NOTICE

The effective date of this Rule shall be five days after publication of notice of the Rule in accordance with Sections 54.207 and 54.208, Texas Water Code, as amended. The attorneys for this District are authorized to publish notice of this Rule in accordance with Section 54.207, Texas Water Code, as amended, and do all other things proper and necessary to carry out the intent hereof, including the submission of said rules to the Executive Director of the Texas Commission on Environmental Quality for approval.


PASSED, ADOPTED, AND APPROVED the 9th day of May, 2005.

WILLIAMSON COUNTY MUNICIPAL
UTILITY DISTRICT NO. 9

By: 

Rainer Ficken, President

ATTEST:



J.P. Kirksey, Secretary