

A RESOLUTION ADOPTING PUBLIC SERVICE BOARD RULES AND REGULATIONS NO. 4 GOVERNING THE MANDATORY SEWER CONNECTION BY WATER SERVICE CUSTOMERS; AND PROVIDING AN EFFECTIVE DATE.

RULES AND REGULATIONS NO. 4

**RULES AND REGULATIONS
GOVERNING THE MANDATORY SEWER CONNECTION BY
WATER SERVICE CUSTOMERS**

BY THE AUTHORITY GRANTED TO THE PUBLIC SERVICE BOARD BY VIRTUE OF ARTICLES 1111-1118, REVISED CIVIL STATUTES OF TEXAS, SECTION 214.013 OF THE LOCAL GOVERNMENT CODE, REVISED CIVIL STATUTES OF TEXAS, AND ORDINANCE 752, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS ON MAY 22, 1952, AND AS THEREAFTER AMENDED, NOW THEREFORE BE IT RESOLVED BY THE PUBLIC SERVICE BOARD OF EL PASO:

SECTION 1. That Public Service Board Rules and Regulations No. 4, establishing various deposits and charges for furnishing of water and/or sewer service by the El Paso Water Utilities Public Service Board, is hereby established as follows:

Section 1. Purpose and Policy

The PSB, as the Regional Water and Wastewater Planner for the area pursuant to Senate Bill 450, 74th Texas Legislature, has a primary responsibility to protect El Paso's groundwater resources for the benefit of all users. The purpose of this Rule is to protect the public health by ensuring proper treatment of sewage, to prevent contamination of groundwater and subsurface soil, and to conserve potable water supplies by treating wastewater and making it available for reuse.

Section 2. Connection to Sewer System Required

All real property located within the City of El Paso or its extraterritorial jurisdiction that receives water service from El Paso Water Utilities must be connected to the City's sanitary sewer system if:

- a. use of the property generates any sewage;
- b. the property abuts on an easement or street with a sewer line capable of providing service; and,

- c. the distance from the building to the sewer line does not exceed 150 feet measured perpendicular to the sewer line.

Connection to the sewer system shall be at the expense of the owner and in accordance with applicable Rules and Regulations of the Public Service Board.

Section 3. Notice of Violation, Termination of Water Service

Whenever the PSB finds that any owner has violated or is violating these Mandatory Sewer Connection Rules, the PSB will serve upon said owner, by U.S. mail, certified/return receipt requested, written notice of the violation. Within 180 days of the receipt of the notice, the owner shall provide evidence that connection to the City's sewage system has been completed. Failure to connect after notice shall be grounds for termination of water service.

Section 4. Nuisance

Use of any property with the City of El Paso or its extraterritorial jurisdiction that generates any sewage without connection to the City's sewage system, where connection is required by this rule, is declared to be a nuisance.

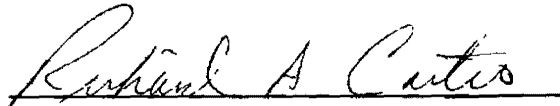
SECTION 2. These rules and regulations are a part of the other rules and regulations of the Public Service Board. Persons accepting service agree to comply with the appropriate provisions and conditions of all the rules and regulations. If any provision, section, subsection, sentence, clause, or phrase of these rules and regulations, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of these rules and regulations shall not be affected and all provisions of the rules and regulations are declared to be severable for that purpose.

SECTION 3. These rules and regulations are a part of the other rules and regulations of the Public Service Board and save, except as amended hereby, the remaining provisions, sections, sentences, and paragraphs of the remaining Public Service Board's rules and regulations shall remain in full force and effect.

SECTION 4. This Rules and Regulations No. 4 shall become effective March 1, 1997, and shall remain in effect until amended or changed by the Public Service Board.

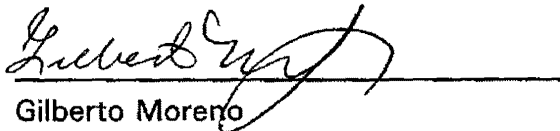
PASSED AND APPROVED at regular meeting of the **Public Service Board** of the City of El Paso Texas, this 11th day of December, 1996, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Sections 551.001 et. seq.

PUBLIC SERVICE BOARD



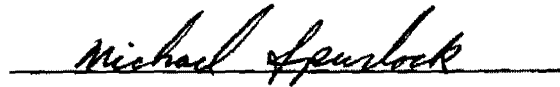
Richard A. Castro
Chair

ATTEST:



Gilberto Moreno
Secretary-Treasurer

APPROVED AS TO FORM:



Michael Spurlock
General Counsel

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