

**RESOLUTION OF KINGSLAND MUNICIPAL UTILITY DISTRICT
ADOPTING A RULE PROHIBITING CERTAIN ON-SITE SEPTIC FACILITIES**

Whereas, Kingsland Municipal Utility District operates a wastewater collection and treatment system for the benefit of all land and inhabitants within its boundaries; and

Whereas, Texas Water Code Section 49.234 and Texas Commission on Environmental Quality Rule 293.113 authorize the District to prohibit by rule the installation of private on-site wastewater holding or treatment facilities on land within the District that is not served by the District's wastewater collection system; and

Whereas, under the aforementioned authorities, a district that has not received funding under Texas Water Code, Chapter 17, Subchapter K, may not require a property owner who has installed an on-site wastewater holding or treatment facility before the adoption of the rule to connect to the district's wastewater collection system; and

Whereas, Kingsland Municipal Utility District has not received funding under Texas Water Code, Chapter 17, Subchapter K; and

Whereas, the Board of Directors of the District has found and determined that the prohibition of certain on-site septic facilities within the District will benefit the health, safety and welfare of District residents.

Now, Therefore

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF KINGSLAND MUNICIPAL
UTILITY DISTRICT:**

Section 1. Findings

The statements contained in the preamble of this Resolution are true and correct and are adopted as findings of fact and operative provisions hereof.

Section 2. Rule Adopted

The following Rule is hereby adopted:

- a. The installation of private on-site wastewater holding or treatment facilities on land within the District that is not served by the District's wastewater collection system is prohibited;
- b. The District will not require a property owner who has installed an on-site wastewater holding or treatment facility prior to the adoption of this rule to connect to the District's wastewater collection system;

- c. Per the requirements of Texas Water Code Section 49.234, the District shall reimburse the owner of a residence the costs (engineering and construction) of extending its wastewater collection system to a residence tract if the distance along a public right-of-way or utility easement from the nearest point of the District's wastewater collection system to the boundary line of the tract requiring wastewater collection services is 300 feet or more; and
- d. The engineering and construction cost reimbursement for the connection of a residential tract to the District's wastewater collection system provided by (c) above shall not be construed to apply to the development of two or more contiguous residential tracts within the District for the purpose of resale, as such developments shall be subject to a Utility Development Agreement to be reached between the developer and the District.

PASSED, APPROVED AND EFFECTIVE this 21st day of November, 2011.


Mary Ann Hefner
President, Board of Directors
Kingsland Municipal Utility District

ATTEST:


Frank Willingham
Secretary, Board of Directors
Kingsland Municipal Utility District

[DISTRICT SEAL]