BY - LAWS of the DENNIS WATER DISTRICT

ARTICLE ONE

OFFICERS

Section One: The officers of the District shall be specified and directed by Chapter 277 of the Acts of 1945.

(Adopted April 23, 1946, Amended December 8, 1965)

ARTICLE TWO

MEETINGS

Section One: For the year 2009, and each year thereafter, the annual meeting shall be held on the fourth Tuesday in April. Notwithstanding any general or special law to the contrary, for the year 2009, and each year thereafter, the annual election of the officers and any other matter that may appear on the official ballot shall be held on the fourth Wednesday in April. Commencing at an Annual Town Election to be held no sooner than 2010, or the next annual Dennis Town Election after enactment of special legislation authorizing Dennis Water District Elections to be held in conjunction with the Dennis Town Elections, the Dennis Water District Election shall be held in conjunction with the Dennis Town Election, with full responsibility for the conduct of such election to be vested in the officers of the Town, who shall place on the ballots to be used at said election the election of officers of the Dennis Water District and any question or questions as may be requested of them by the Board of Water Commissioners of the Dennis Water District. (New Version Adopted January 27, 2009)

Section Two: Meetings of the District shall be called by the clerk when requested in writing by a majority of the water commissioners or by ten or more legal voters of the District; and he shall give notice thereof by posting written notifications in two or more public places within the District, which notifications shall briefly state the purpose of the meeting. (Adopted March 18, 1953)

Section Three: No business shall be transacted at any District Meeting, except the election of officers, unless there is a quorum present consisting of at least 25 legal voters of the District. (Adopted March 18, 1953)

ARTICLE THREE FINANCES

Section One: Effective July 1, 1974 the financial year shall commence on July 1, and continue through June 30 of the following year. (Altered and Amended January 24, 1974)

Section Two: No money, except interest and indebtedness authorized by the District shall be paid from the treasury without written approval or order of a majority of the

water commissioners or by a vote of the District and according to its order. (Adopted April 23, 1946)

Section Three: There shall be a Finance Committee, consisting of five registered voters of the District appointed by the Moderator for three year terms, the initial appointments to be for terms as follows: two members for 3 years, two members for 2 years and one for 1 year. The Finance Committee shall consider any and all District questions for the purpose of making reports or recommendations to the District. Members of the Finance Committee shall serve without compensation and no member shall hold any other elective or appointive District position during this term of office. The Moderator shall fill any vacancy for an unexpired term. The Finance Committee shall annually choose a chairman, secretary, and such other officers and it deems necessary. (Adopted April 26, 1977)

ARTICLE FOUR AMENDMENTS

Section One: These bylaws may be altered, amended, repealed and added to at any meeting of the District provided notice of such proposal is set forth in the call of the meeting. (Adopted April 23, 1946)

ARTICLE FIVE WATER USE RESTRICTION

Section One: <u>Authority</u> - This Bylaw is adopted by the Dennis Water District under its home rule powers, its police powers to protect public health and welfare and its power under M.G.L. C.40, §21 <u>et seq.</u> This bylaw implements the District's authority to regulate water use pursuant to C.41, §69B.

Section Two: <u>Purpose</u> - The purpose of this bylaw is to protect, preserve and maintain the public health, safety and welfare whenever there is in force a state of water supply conservation or a state of water supply emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the District or by the Department of Environmental Protection.

Section Three: Definitions

<u>Enforcement Authority</u> shall mean the Dennis Water District Board of Water Commissioners having responsibility for the operation and maintenance of the water supply. The Board of Water Commissioners may also designate any other local body having police powers as an enforcement authority.

<u>Water Supply Emergency</u> shall mean a state of water supply emergency declared by the Department of Environmental Protection under M.G.L. C21G, §15-17.

<u>State of Water Supply Conservation</u> shall mean a state of conservation declared by the District pursuant to section four of this bylaw.

<u>Water Users or Water Consumers</u> shall mean all public and private users of the District's public water system, irrespective of any person's responsibility for billing purposes for water used at any particular facility.

<u>Person</u> shall mean any individual, corporation, trust, partnership or association or other entity.

Public notice of a State of Water Conservation shall be given under section six of this bylaw before it may be enforced.

Section Four: <u>Declaration of a State of Water Conservation</u>

The District through its Board of Water Commissioners may declare a State of Water Conservation upon a determination by a majority vote of the Board that a shortage of water exists, and that conversation of water is necessary to insure adequate supply to all consumers under all conditions.

Section Five: Restricted Water Uses

A declaration of a State of Water Conservation issued by the Board of Water Commissioners may include one or more of the following restrictions, conditions, or requirements restraining the use of water for nonessential purposes as necessary to protect the water supply, which shall be included in the public notice required under section six.

- A) Odd/Even Law Watering Lawn watering at facilities with odd numbered addresses is permitted only on odd numbered days. Lawn watering at facilities with even numbered addresses is permitted only on even numbered days.
- B) <u>Outdoor Watering Ban.</u> Lawn watering, and all other forms of nonessential outdoor water use are prohibited.
- C) <u>Outdoor Watering Hours</u>. Outdoor watering is permitted only during off-peak hours, to be specified in the declaration of a state of water conservation and public notice thereof.
- D) <u>Filling Swimming Pools</u>. Filling of swimming pools is prohibited.
- E) <u>Automatic Lawn Sprinkler Use.</u> The use of automatic lawn sprinkler systems is prohibited.

Section Six: Public Notification of a State of Water Supply Conservation

Notification of any provision, restriction, requirement or condition imposed by the District as part of a State of Water Conservation shall be published in a newspaper of general circulation within the District, or by such other means reasonably calculated to reach and inform all users of water of the state of conservation. Any restriction imposed under section five shall not be effective until such notification is provided.

Section Seven: <u>Termination of a State of Water Supply Conservation; Notice</u>

A state of Water Supply Conservation may be terminated by a majority vote of the Board of Water Commissioners upon a determination that the water supply shortage no longer exists. Notification of the termination of a state of water conservation shall be given in the same manner as notice of the state of water conservation is given.

Section Eight: State of Water Emergency; Restricted Water Use

Upon notification of the public that a declaration of a state of water emergency has been declared by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, condition or order approved or issued by the Department intended to bring about an end to the emergency.

Section Nine: Penalties

Any person violating this bylaw shall be liable to the District in the amount of \$50.00 for the first violation and \$100.00 for each subsequent violation which shall insure to the District for such uses as the Board of Water Commissioners may direct. Fines shall be recovered by indictment, or on complaint before the District Court, or by non-criminal disposition in accordance with Section 21D of Chapter 40 of the general laws. Each separate issuance of a citation pursuant to this section shall constitute a separate violation.

Section Ten: Severability

The invalidity of any portion or provisions of this bylaw shall not invalidate any other portion or provision thereof. (Adopted October 17, 1996)