

**BY LAWS**  
ADOPTED MARCH 3, 1953  
Of the  
**WEST BOYLSTON WATER DISTRICT**  
OF  
**WEST BOYLSTON**

**(Preliminary)**

The West Boylston Water District of West Boylston, in the Commonwealth of Massachusetts was established by the acceptance of Chapter 352 of the Acts of 1933. The Act sets forth the corporate Powers and duties of the District. The following By-Laws are Supplementary to the Act.

ARTICLE I

**MEETINGS**

**SECTION 1.** The Annual District Meeting shall be held once annually starting at 7:00 P.M. Any adjournment of this meeting shall be to a subsequent date at 7:00 P.M. prior to the first day of July.

**SECTION 2.** Special Meetings of the District may be called by a majority of the Board of Water Commissioners, or on petition of ten or more legal voters therein.

**SECTION 3.** Warrants for all District meetings shall be posted in two or more places and at the place of meeting seven days, at least, before the time of meeting.

**SECTION 4.** Ten or more legal voters shall constitute a quorum for action under any warrant; provided that a number of less than a quorum may vote an adjournment.

ARTICLE II

**PROCEDURE**

**SECTION 1.** The moderator shall exercise all the powers and duties of moderators in towns and shall conduct the meetings in a manner consistent with the practice in the town which comprises the District.

**SECTION 2.** If the Moderator, or the Meeting by Vote, so orders, only legal voters shall be admitted to a defined portion of the place of meeting, and the checklists shall be used in the enforcement of such order.

**SECTION 3.** The rules of parliamentary practice shall govern the meeting in all cases to which they are applicable, and in which they are not inconsistent with the General Laws and these By-Laws

## ARTICLE III

### OFFICERS

SECTION 1. The Officers of the District shall be elected by ballot at the Annual Meeting. They shall include a Moderator for the term of one year and a Clerk for a term of one year. Commissioners of the West Boylston Water District shall be elected by ballot at the Town of West Boylston Annual town election. Said officers of the Water District shall appear on the same ballot as the elected officers of the Town of West Boylston.

SECTION 2. Any vacancy occurring in an elected position of the Water District may be filled for the remainder of the unexpired term by said District at any legal meeting called for that purpose.

## ARTICLE IV

### FINANCES

SECTION 1. The financial year shall end June Thirtieth.

SECTION 2. At Special Meetings a two-thirds vote shall be required to appropriate money for any purpose.

SECTION 3. The Treasurer shall pay money from the District treasury only by bank check and by authority of a warrant approved by the Board of Water Commissioners.

## ARTICLE V

### REPORTS AND RECORDS

SECTION I. The annual reports of the District shall be issued in printed form by the Board of Water Commissioners. This document shall contain, in addition to the reports required by law; such further information as is designated in the following sections of this article, and other matters, which the Board of Water Commissioners shall consider of interest to the District.

SECTION 2. The District Clerk shall, within one week after the final adjournment, of any District Meeting, submit to the Board of Water Commissioners and the Moderator, a copy of the official record of such meetings. These records shall be published in the Annual report issued by the Board of Water Commissioners.

SECTION 3. The Treasurer shall, in his annual report, furnish a balance sheet showing the assets and liabilities of the District and detailed schedules of receipts and expenditures.

SECTION 4. The essential features of the audit report made by the State Division of Accounts shall be published in the Annual Report of the Board of Water Commissioners.

SECTION 5. All reports, plans, documents, letters, and papers relating to the affairs of the District shall, unless otherwise provided by law, be in the custody or control of the Board of Water Commissioners.

## **SECTION 6: WATER USE RESTRICTION BYLAW**

### **Section 6-1. Authority**

This bylaw is adopted by the West Boylston Water District under its police powers to protect public health and welfare and its powers under chapter 352 p the Acts of 1933 as amended and M.G.L. c. 40, SS21 et seq. This bylaw also implements the Water District's authority under M.G.L. c. 40, S41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection.

### **Section 6- 2. Purpose**

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 of State Water Supply Emergency as defined herein by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the West Boylston Water District or by the Department of Environmental Protection.

### **Section 6-3. Definitions**

For purposes of this bylaw, the following words and phrases shall have the meaning set forth herein:

Outdoor watering shall mean any residential, municipal, industrial, or commercial watering of decorative lawns, trees and shrubbery.

Person shall mean any individual, corporation, trust, partnership or association, or other entity and any officer, employee group or agent of such person.

State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c. 21G, S15-17.

State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the Board of Commissioners of the West Boylston Water District, pursuant to section 4 of this bylaw.

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

### **Section 6. 4. Declaration of a State of Water Supply Conservation**

The Water District, through its Board of Water Commissioners, may declare a State of Water Supply Conservation upon a determination by a majority vote of the Board that a shortage of water exists of such a degree that conservation measures are appropriate to ensure an adequate

supply of water to all water consumers. Public notice of a State of Water Conservation shall be given under section 6 of this bylaw before it may be enforced.

**Section 6. 5. Restricted Water Uses**

A declaration of a State of Water Supply Conservation shall include one or more of the following restrictions, conditions or requirements limiting the use of water as necessary to protect the water supply. The applicable restrictions, conditions or requirements shall be included in the public notice required under section 6.

- a) Odd/Even Day Outdoor Water Usage: Outdoor watering by water users with odd numbered addresses is restricted to odd numbered days. Outdoor watering by water users with even numbered addresses is restricted to even numbered days.
- b) Outdoor Watering Ban: Outdoor watering is prohibited
- c) Outdoor Water Usage Hours: Outdoor watering is permitted only during periods of low demand, to be specified in the declaration of a State of Water Supply Conservation and public notice thereof.
- d) Filling Swimming Pools: Filling swimming pools is prohibited.
- e) Automatic Sprinkler Use: The use of automatic sprinkler systems is prohibited.
- f) Any other restriction on water usage the District finds necessary.

**Section 6-6. Public Notification of Water Supply Conservation: Notification of DEP**

Notification of any provision, restriction, requirement or condition imposed by the West Boylston Water District as part of a State of Water Supply Conservation shall be published in a newspaper of general circulation within the West Boylston Water District or by such other means reasonably calculated to reach and inform all users of water of the State of Water Supply Conservation. Any restrictions imposed under section 5 shall not be effective until such notification is provided. Notification of the State of Water Supply conservation shall also be simultaneously provided to the Massachusetts Department of Environmental Protection.

**Section 6-7. Termination of a State of Water Supply Conservation: Notice**

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. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner required by section 6.

**Section 6- 8. State of Water Supply Emergency; Compliance with DEP Orders.**

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Massachusetts Department of Environmental Protection, no person shall violate any

provision, restriction, requirement, or condition of any order approved or issued by the Department intended to bring about an end to the State of Emergency.

**Section 6-9. Penalties**

The West Boylston Water District Superintendent may enforce this bylaw. Any person violating this by-law (ordinance) shall be liable to the Water District in the amount of \$50.00 for the first violation and \$100.00 for each subsequent violation. 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 or any other authority of the District.

**Section 6-10. Sever ability**

The invalidity of any portion or provision of this bylaw shall not invalidate any other portion or provision thereof.

**WEST BOYLSTON DROUGHT MANAGEMENT PLAN**    Adopted November 19, 2002

Being prepared for water shortages caused by drought or extreme circumstances is an important component of West Boylston’s Water Resources Management Program. This plan sets what levels of dry or drought conditions indicate a water supply shortage or emergency and establishes the prudent response for each level. The Drought Management Plan may be implemented for municipally supplied water to conserve a naturally stressed water supply during a drought or to replenish water supplies diminished by peak demand in non–drought years.

**WATER USE RESTRICTIONS**

These restrictions allow the Board of Commissioners to limit consumption through increasingly severe restrictions based on indicators that correspond to the specific drought stages for West Boylston’s water supply.

**OUTDOOR WATER USE RESTRICTIONS**

- Even number houses may use water outdoors on even numbered days.**
- Odd number houses may use water outdoors on odd numbered days.**
- No outdoor water use on Mondays to allow system to replenish.**
- No lawn watering between 7am – 7pm.**

**GRADUATED DROUGHT RESTRICTION MEASURES**

Graduated water use restrictions will be implemented to correspond with the severity of the drought stage to assure a sufficient and predictable response to excessive water use and drought conditions.

## **Restrictions for DROUGHT ADVISORY**

Voluntary conservation, on an alternate day schedule, for outdoor water use for irrigation of lawns and gardens, car washing and sprinklers. No swimming pool filling from municipal water supply.

### **Restrictions for DROUGHT WATCH\***

Mandatory water conservation, on an alternate day schedule, for outdoor water use for irrigation of lawns and gardens, car washing and sprinklers. Use of sprinklers is limited to two (2) hours per each scheduled watering day. No swimming pool filling from municipal water supply.

### **Restriction for DROUGHT WARNING\***

Mandatory water conservation, on an alternate day schedule for outdoor water use. No watering of lawn and no outdoor sprinklers allowed. Manual watering of gardens and trees with hose or watering can allowed. Car washing allowed.

### **Restrictions for DROUGHT EMERGENCY\***

Mandatory ban on all outdoor water use: Sprinklers, car washing, swimming pool filling and lawn and garden irrigation.

\*Residents may request a two-week watering permit from the District for new lawns.

\*Residents may request a one-day watering permit from the District for specific activities (pressure washing.)

\*Residents may request permission from the District to top off their swimming pools.

## ARTICLE VI

### AMENDMENTS

These By-Laws may be amended only at an Annual Meeting of the District by a majority of the legal voters present and voting upon an article in the warrant for that purpose.

AMENDED: May 20, 1999

AMENDED: May 30, 2000

AMENDED: May 28, 2003

AMENDED: June 2, 2008 (Meetings Sect.4. quorum changed from 20 to 10)

AMENDED: June 18, 2012 (Meetings Sect.1. annual meeting date changed)