

**BY-LAWS**  
**Of**  
**ORLAND-ARTOIS WATER DISTRICT**  
**(Amended October 17th, 2023)**

**ARTICLE I**

The office of the ORLAND-ARTOIS WATER DISTRICT shall be at the intersection of County Road 27 and 99W, county of Glenn, State of California, but the location of said office may be changed by resolution entered on the minutes of the Board not less than thirty (30) days before such change becomes effective.

**ARTICLE II**

The Board of Directors shall meet in regular session on the third Tuesday of each month, at the hour of 1:30 P.M., at the office of said District, or at such other place in or near the District as the Board shall, by resolution, designate, provided, however, that the date and hour of holding such regular monthly meeting may be changed at any time by resolution of the Board of Directors entered on its minutes not less than thirty (30) days prior to such change becoming effective.

Special meetings may be called or held as provided by law.

Every regular meeting and every special meeting may be adjourned from time to time and said adjourned meeting is constituted a regular meeting or special meeting, as the case may be.

**ARTICLE III**

The By-Laws of the ORLAND-ARTOIS WATER DISTRICT may be amended or repealed or new By-Laws adopted in accordance with the provisions of Section 35305 of the Water Code of the State of California.

**ARTICLE IV**

Each Director shall hold office for a term of 4 years, unless appointed due to a vacancy, in which case the term shall be for the time authorized by Section 1780 of the California

Government Code. In accordance with Government Code sections 34700 and 34030, a Director must be one of the following: (1) a holder of title to land within the District; (2) the legal representative of a holder of title to land within the District that is either (a) a duly appointed and acting guardian, executor, or administrator of the estate of a holder of title to land, or (b) a person duly authorized to act for, and on behalf of, a holder of title to land that is not a natural person (including without limitation, a trustee of a trust, a duly appointed officer of a corporation, or manager of a limited liability company); or (3) a representative designated by a holder of title to land within the District according to a written designation filed with the District by the title holder.

#### **ARTICLE V**

The duties and powers of the Board of Directors and Officers of said District shall be those specified or necessarily implied and set out by pertinent provisions of the California Water District Law within the Water Code of the State of California, and all amendments thereto, including the determination and fixing of penalties for the violation of the By-Laws not to exceed in any one case Two Hundred Dollars (\$200.00) for any one offense. In levying such penalty, a unanimous vote of the Board of Directors favoring the levying of such penalty and establishing the amount shall be necessary.

#### **ARTICLE VI**

The Board of Directors shall choose from among its members a President, who shall preside at all meetings of the Board and shall perform all other duties usually incumbent on such officer, and all duties required of them by law or order of the Board of Directors. In the President's absence or inability to act, their duties shall devolve upon the Vice-President, who shall be selected from their own number by the Board of Directors. The terms of office of the President and Vice-President shall be for one (1) year.

## **ARTICLE VII**

The Board of Directors shall appoint a Secretary of the District to hold office at the pleasure of the Board. The Secretary shall keep a full and correct record of all the Proceedings had at all meetings of the Board of Directors and shall have charge of all books, maps, papers, contracts, records and other documents pertaining to the affairs of the District, except those required by the Tax Collector, Treasurer, Assessor or Manager. The Secretary shall perform all duties usually pertaining to such office and those required by law or the order of the Board. The Secretary need not be a resident or holder of title to land in the District, and their salary, if any, shall be fixed by resolution of the Board.

## **ARTICLE VIII**

The office of Tax Collector, Treasurer and Assessor of the District shall be consolidated into one office, which shall perform all duties prescribed by the Water Code of the State of California as it may from time to time be amended. The salary for the consolidated office of Tax Collector, Treasurer and Assessor shall be fixed by resolution of the Board.

## **ARTICLE IX**

The Board of Directors may also employ a manager of the District, who shall attend to the maintenance and operation of the works of the District and the distribution of water and such other duties as may be delegated to them by the Board. The Board of Directors may consolidate the offices of Secretary and Manager into one office. The Board may employ such other officers, attorneys, agents, and employees as it deems necessary and shall fix their compensation.

## **ARTICLE X**

The Board of Directors, in addition to the powers conferred by law, shall have full power and authority to do any and all things necessary to affect the work of irrigation of lands in the District and for the management and control of the irrigation works and of the business and affairs of the District.

The Board of Directors shall have such powers as are now, or may be hereafter, conferred on them by law. Each Director shall receive a sum established from time to time by Resolution of the Board for each meeting they attend and for each day actually engaged in the business of the District on order of the Board and in addition for necessary actual expenses when on business for the District, but no mileage shall be paid for traveling to or from the Board meetings.

Prior to February 1<sup>st</sup> of each year, the Board of Directors may by resolution adopt rules and regulations, not inconsistent herewith, for the operation of the District and sale and distribution of water, and fix the rates to be charged for water for that year. The prior year's Rules and Regulations shall continue in effect from year to year until amended.

#### **ARTICLE XI**

All claims against the District of any kind or nature must be submitted as provided by law.

#### **ARTICLE XII**

If any office of the District shall become vacant by forfeiture, death, resignation or from any other cause, the same shall be filled by appointment by a majority of the Board of Directors, in accordance with the provisions and requirements of the Government and Water Codes of California and these By-Laws.

#### **ARTICLE XIII**

Elections in the District shall be called by the Board of Directors, and may be conducted by the District or the Glenn County Elections Official. Polling places within the District shall be established as deemed necessary by the Board. The time for elections, the manner of conducting elections and the manner of contesting elections shall be in accordance with pertinent provisions of the Elections and Water Codes of the State of California.

#### **ARTICLE XIV**

Landowners entitled to vote at any elections shall cast one vote for each dollar's worth of land standing in the name of the landowner upon the District assessment roll. Voting may be

done by written proxy where the proxy is acknowledged and specifically states the name of the person entitled to cast the vote as proxy, the name of the landowner, the election for which the proxy is given and otherwise complies with the provisions of Section 35005 of the Water Code of the State of California.

Voting for the several types of land ownership shall be as follows: Where ownership is in joint tenancy the total assessed valuation of the land shall be divided by the number of joint tenants who shall each be entitled to cast the quotient of this division. The same rule shall apply where ownership is in tenancy in common. Corporate landowners may cast their vote through any officer of the corporation. Land owned by a partnership may be voted by any member of the partnership. Land held in trust by a trustee may be voted by the trustees. Land under lease shall be voted by the owner of the land. Land held solely as community property shall be voted by either the husband or wife. Land held under a deed of trust shall be voted by the trustor. In the event that there is any discrepancy in the list of persons entitled to vote at any election, or any controversy as to the persons actually entitled to vote, the books and records of the District shall be conclusive.

#### **ARTICLE XV**

Annually, and before the time fixed for the making of any contract between the District and the United States concerning the delivery of water to the District by the Bureau of Reclamation, landowners in the District shall enter into a written contract, referred to as a Water Application, with the District setting forth, among other things, the quantity of District water which the landowner agrees to use for the year. Payment for the water ordered pursuant to the application shall be in accordance with the District's Rules and Regulations.

An irrigation period or season shall be defined as the water year in which the irrigation deliveries are made.

Refunds for water applied for, but not used, will only be considered at the discretion of the Board of Directors, and none will be granted unless application is made within one year following the irrigation season in which irrigation credit was established.

The District shall not deliver water to any landowner who is delinquent in the payment of any assessment, taxes, or other lawful charge of the District irrespective of any deposit that may be made to the District.

#### **ARTICLE XVI**

As to all matters concerning the affairs and business of the District, not herein specifically set forth or provided, pertinent provisions of the Water Code of the State of California as existing, and from time to time amended, shall govern.