

4100558

BY-LAWS OF THE CHEHALEM VALLEY WATER ASSOCIATION

Adopted July 29, 1946

Revised January 16, 1964

Revised April 21, 1977

Revised April 19, 1984

Revised April 21, 1988

Revised April 23, 1998

1. The name of this organization shall be the Chehalem Valley Water Association.
11. This association exists for the purpose of obtaining for its members sanitary drinking water from the City of Newberg through a system of pipes owned and maintained by the association.

The property of the association originates with a master meter situated at the Northwest corner of Columbia and N. Main St. From that point a four inch main extends on the North side of Columbia Drive to Chehalem Drive. Smaller laterals extend:

1. North on North Main to and including 2007 N. Main.
2. South on Chehalem Drive to and including 1519 Chehalem.
3. North on Chehalem Drive to and including 2605 Chehalem Drive.

111. Membership

- A. Membership in the association is open only to owners in fee simple of property adjoining and adjacent to said water system, who have been considered and accepted by the executive board of the association.
 - B. A membership fee shall be the same fee that applies in the City of Newberg at the time of the hook up. This fee will be paid in advance to the treasurer of the association for each residence using water running through the association's main.
 - C. In the event that a member sells his property, his membership shall automatically be transferred to the new owner and no additional fee shall be exacted. A copy of the By-Laws will be given each new member who will be informed of his/her rights and responsibilities. A signed copy will remain with the association.
 - D. Members mutually agree to waive and do hereby waive any and all claims or demands against the association or its officers, members or agents for compensation or damages to person or property incurred while accepting water service, or any other damages arising from the operation of said water system.
 - E. Members hereby agree to pay their share of the monthly bill levied against the association by the City of Newberg as it is determined by the treasurer of the association, after each member's individual meter has been read by the association meter reader.
 - F. In the event that a member has tenants on his/her property, bills for water service may be sent to the tenants, but the member is ultimately responsible for the payment of all indebtedness to the association.
 - G. In the event an owner or tenant's account becomes delinquent, water can be turned off ten days after the second billing, or anytime thereafter. A \$10.00 turn on fee shall be levied when the past due balance has been paid.
 - H. All monies held by the treasurer are to be used solely for the maintenance and operation of the water system. A fund may be maintained for emergency repairs to, or replacement of, parts of the system.
- IV. Officers of the association shall be president, vice president, secretary/treasurer and three trustees, who shall be elected by a majority vote of members in good standing, present at the annual meeting. Officers shall serve for a period of one

year or until such time as their successors shall be elected. One trustee shall be elected each year to serve a three (3) years term.

- B. The president shall preside at the annual meeting and at all meetings of the executive board.
 - C. The vice president shall preside in the absence of the president.
 - D. The duties of the secretary/treasurer shall be to collect and give receipts for the dues provided herein, to keep a record of the membership of this organization, and of the finances and affairs thereof. He/she shall keep the funds of the association and shall pay all bills or indebtedness incurred thereby. He/she shall make a regular inspection of the general condition of the water system and give a statement as to repairs needed. He/she shall read the individual member's meter, send out monthly statements to water users, and keep a record of payments. He/she will turn off the water service of delinquent accounts. He/she may request an officer or a trustee to accompany him/her for this duty.
- V. A. The annual meeting shall be held the third Thursday in April unless otherwise ordered by the association or the executive board. The association fiscal year shall be April 1- March 31.
 - B. Special meetings may be called at the discretion of the executive board. Members must be notified of any special meeting to be held. A report of all meetings shall be made at the annual meeting.
- VI. A. The executive board shall consist of the president, vice president, secretary/treasurer and three trustees. This board is authorized by the members to make any decisions of an emergency nature that may be deemed necessary to the maintenance of the water system. A full report of all activities of the board shall be made at the annual meeting.
 - B. The executive board shall make such contracts and agreements as may be necessary for the repair and maintenance of the water system.
- VII. These By-Laws may be amended at any meeting of the association by an affirmative vote of two thirds of the members, in good standing, attending the meeting. Notification of proposed changes in By-Laws must be made to the association members, prior to the meeting upon which they are to be voted.
 - VIII. This association shall endure until it is dissolved by the affirmative vote of at least two thirds of the members in good standing. Upon the dissolution of the association all monies shall go to charities, selected by officers and membership, in good standing, at the time of dissolution.

AMMENDMENT I

All meters are the property of the association and repair or replacement of meters is the responsibility of the association, provided that the property owner or resident has exercised reasonable care.

AMMENDMENT II

This association has the authority to discontinue water service to premises for failure to install an approved backflow device or conduct a required annual test on a backflow device, at the member's expense.

I have read the By-Laws of the Chehalem Valley Water Association and agree to be bound by them.

Association member/property owner signature