



Massachusetts
Department
of
ENVIRONMENTAL
PROTECTION

f a c t s h e e t

Water District Checklist

The following is a list of organizational documents a water district should have on file. This is for reference purposes only and does not have to be submitted to DEP.

- 1. Petition of election to create district
- 2. Boundary definition – map, legal description, area, surveyors’ verification
- 3. Census of initial residents – eligible voters
- 4. County (or state) board minutes (or record of hearing) in response to petition
- 5. Election notice, sample ballot and results of election
- 6. Certificate of incorporation (or minutes of board meeting) from state (or county) identifying:
 - Legal name
 - Official address
 - Date incorporation became effective
- 7. Notice and ballot of first board election (or appointment)
- 8. Names and terms of first board of directors (trustees, commissioners)
- 9. Correspondence files concerning organization process from:
 - County board and/or attorney
 - District’s attorney
 - Engineer/surveyor
 - State water/wastewater agency
 - Funding agency (FmHA, EPA, state, bonding co., etc.)

District Bylaw Checklist

The following checklist is for water and/or sewer districts, and user associations. It is also applicable for municipal departments (i.e. utility commission).

- 1. Official (legal) name
- 2. Official address (may include registered agent name)
- 3. Legal citation identifying state law under which the district (association, commission) is organized
- 4. Date incorporation (organization) became official
- 5. Purpose of district (may quote from statutes)
- 6. Powers of district (may quote from statutes; may include or be referred to as powers of the board)
- 7. Limitation of powers (as defined by law and/or chosen by electorate of district)
- 8. Boundaries of district (by legal description and map)
 - a) Original
 - b) Procedure for annexation
 - c) Procedure for exclusion (withdrawal)
 - d) Procedure for consolidation (merger)
 - e) Procedure for dissolution
- 9. Board of directors (trustees, commissioners) the following may be partially quoted from statutes:
 - a) Number
 - b) Term of office
 - c) Date of election (for each position)
 - d) Qualification of voters and board members
 - e) Nomination
 - f) Election procedure
 - g) Officers – selection duties

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Kerry Healey
Lieutenant Governor

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Ellen Roy Herzfelder, Secretary

Department of
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Robert W. Gollodge, Jr.
Commissioner

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- h) Vacancies
- i) Quorum
- j) Compensation & expenses
- k) Recall
- l) Conflict of interest
- m) Method of action (resolution and ordinances)

10. Meetings of district (association) membership (electorate) may not be required or allowed by statute other than election of board

- a) Procedure to call meeting
- b) Notice
- c) Location
- d) Quorum & voting
- e) Initiative & referendum

11. Meetings of board

- a) Regular meetings – date, time, location
- b) Special meetings – procedure to call meeting, agenda
- c) Notice
- d) Quorum & voting
- e) Proceedings (minutes; publication)
- f) Open (public) meetings
- g) Meeting rules (procedures)

12. Records

- a) Type
- b) Location – submission to other agencies
- c) Accessibility

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- __13. Personnel
 - __a) Designation, employment, compensation
 - __b) Contract for services (operation, maintenance, management, engineering, attorney, etc.)
- __14. Ordinances, rules, regulations, orders, policies, rates, charges procedures, standards
 - __a) Definition
 - __b) Method of adoption (and amendment)
 - __c) Public (customer) notification
- __15. Bylaw amendment procedure
- __16. Bylaw adoption