



Tiverton Wastewater District Bylaws

Effective Date

These Bylaws are effective upon approval until another policy is enacted.

Approval

These Bylaws have been approved by the Tiverton Wastewater District Board at their regular meeting on March 3, 2026.

Article I Name and Purposes

Section 1. Creation of Tiverton Wastewater District

The Tiverton Wastewater District (TWWD) was created by the Rhode Island General Assembly in the 2014 January Session: S2805, as amended, and H7801, as amended, known as the “Tiverton Wastewater District Act”. The territorial limits of TWWD shall be consistent with Tiverton’s census designated place as defined by the 2010 United States Census Bureau and shall include those areas of Tiverton depicted on the Tiverton Sewer District construction program layout.

Section 2. Purposes of TWWD

The purposes of the TWWD are to, a.) provide and maintain a sewer system for those lots depicted in the construction program layout and, b.) expand the sewer system as future needs are determined.

TWWD is authorized to acquire, own, develop, operate, maintain, repair, improve, enlarge and extend the wastewater collection, treatment, and disposal facilities within and without the borders of the district.

Section 3. Consistency with Enabling Legislation

These Bylaws shall govern the Tiverton Wastewater District (TWWD) and shall be consistent with the provisions of the General Assembly Act S2805, as amended, and H7801, as amended as well as any other applicable State Laws and Regulations.

Section 4. Changes to Bylaws

Changes to these Bylaws shall be made by a majority vote at a regularly scheduled meeting where the item was placed on the agenda according to the RI open meetings act.



Article II Electors

Section 1. Board of Directors

There shall be a TWWD Board of Directors, with at least five (5) no more than seven (7) members with a Chairman, a Vice-Chairman, a Treasurer, and a Recording Secretary, as well as at-large members.

Section 2. Board Member terms

The members of the TWWD Board initially shall serve one (1) additional year beyond his or her current term as a member of the Tiverton Wastewater Management Commission. Subsequent Board members shall be elected by a vote of the district voters of the TWWD to staggered three (3) year terms.

Section 3. Removal of Board Members

Removal of a member of the TWWD Board shall be done by a majority vote at a regularly scheduled meeting where the item was placed on the agenda according to the RI open meetings act. If a member is at the end of a term, the board member's term may be allowed to expire without renewal.

Section 4. Conflicts of Interest

Conflicts of interest shall be addressed by the procedures outlined in the Conflict-of-Interest Policy adopted by the TWWD at their regular board meeting on 04/22/2019.

Article III Meetings of the Board of Directors

Section 1. Meeting frequency

The Board of Directors shall conduct monthly and annual meetings and special meetings as necessary.

Section 2. Meeting agendas

The agenda for all meetings shall be posted in accordance with the Rhode Island Open Meeting law: Title 42 Chapter 46 of the general laws of Rhode Island, "The Rhode Island Open Meetings Act", as the same may be amended from time to time.

Section 3. Emergency meetings

If an emergency meeting is necessary TWWD may, in accordance with the open meetings act, hold an emergency meeting for urgent, unforeseen matters, bypassing the standard 48-hour notice rule.



These meetings require filing a notice with the Secretary of State as soon as possible, stating the reasons for the emergency, and restricting discussions only to the urgent issue.

Article IV Powers of the Board of Directors

Section 1. Powers of the Board of Directors

To sue and be sued, complain and defend, in its corporate name.

To have a seal which may be altered at pleasure and to use the same by causing it, or a facsimile thereof, to be impressed or affixed or in any other manner reproduced.

To purchase, take, receive, lease or otherwise acquire, own, hold, improve, operate, maintain and repair, use or otherwise deal in and with both real and personal property, or any interest therein, wherever situated.

To sell, convey, mortgage, pledge, lease, exchange, transfer, and otherwise dispose of, all or any part of its real and personal property and assets for such consideration and upon such terms and conditions as the district shall determine.

To collect, pump, and treat wastewater within or without its authorized areas as specified in Sections 5 and 6 of this act.

To fix rates, make assessments and collect charges for the use of its wastewater collection facilities, or for services rendered by, or any commodities furnished by, the district.

To make use of such contracts and guarantees, to incur liabilities, and to borrow money at such rates of interest as the district may determine.

To acquire, or contract to acquire, from any person, firm, corporation, municipality, the federal government or the state, or any agency of either the federal government or state by grant, purchase, lease, gift, condemnation or otherwise, or to obtain options for the acquisition of any property, real or personal, improved or unimproved, and interests in land less the fee thereof, and to own, hold, clear, develop, maintain, operate and rehabilitate, sell, assign, exchange, transfer, convey, lease, mortgage, or otherwise dispose or encumber the same for the purposes of carrying out the provisions and intent of this act for such consideration as the district shall determine.

To apply for, receive, accept, administer, expend and comply with the conditions, obligations and requirements respecting any grant, gift, loan, including without limitation any grant, gift or loan from agencies of local, state and federal governments, donation or appropriation of any property or money in aid of the purposes of the district and to accept contributions of money, property, labor or other things of value.



To accept wastewater and to contract for same outside of the district and from outside the state of Rhode Island.

To continue serving all existing customers within the town of Tiverton and the city of Fall River, Massachusetts.

To conduct its activities, carry on its operations and have offices and exercise the powers granted by this act within and without the State of Rhode Island.

To elect or appoint officers and agents of the district, to hire employees and independent contractors, and to define their duties and fix their compensation, and to enter into contracts with the town of Tiverton to do the same, and with the city of Fall River, and neighboring municipalities, except as otherwise expressly limited herein.

To make and alter bylaws not inconsistent with this act, for the administration and regulation of the affairs of the district, including the annual and special meetings of the district, and the election of directors. Such bylaws may contain provisions which authorize the indemnification of any person who is or was a director, officer, employee or agent of the district, or who is or was serving at the request of the district as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, provided said indemnification conforms with Rhode Island law.

To be a promoter, partner, member, associate or manager of any partnership, enterprise or venture.

To enter into a possible contract with the Town of Tiverton to manage the Town's on-site wastewater management program.

To enter into cooperative agreements with cities, counties, towns or wastewater companies within or without the state for interconnection of wastewater facilities or for any other lawful corporate purpose necessary or desirable to effect the purposes of this act.

To establish rules, regulations, policies and procedures regarding extensions to the sewer system, including but not limited to, financing and construction standards, sanitary sewer and service connection standards, inspection programs, discharge and pre-treatment standards, wastewater discharge permitting, and metals discharge limits.

To establish collection systems service districts, and to conduct referenda within these districts, to determine sewer extensions and cost-based assessments.

To have and exercise all powers generally incident to quasi-governmental corporations or which are necessary or convenient to affect the purposes of this act.

To make and execute agreements of lease, conditional sales contracts, installment sales contracts, loan agreements, mortgages, construction contracts, operation contracts and other



contracts and instruments necessary or convenient in the exercise of the powers and functions of the district granted by this act.

To lend money for its purposes, invest and reinvest its funds and at its option to take and hold real and personal property as security for the funds so loaned or invested.

To conduct the business and affairs of the district as approved at Board meetings by a majority vote of members in attendance.

To adopt and amend budgets for revenues, reserves, expenditures, and to collect assessments.

To make contracts and incur liabilities.

To regulate the use, maintenance, repair, replacement and modification of sewer system elements.

To file liens and/or usage fees on lots of record for nonpayment of assessments and/or usage fees.

To approve new construction within the district subject to the provisions of the Act.

To expend and disperse monies as needed to accomplish the purposes of the Act.

To acquire by purchase, lease, or gift, property required for any district purpose subject to the provisions of the Act.

To lease or convey any real property or to grant easements or liens with respect to such property, on such terms and conditions as the Board may determine, subject to the provisions of the Act.

To accept gifts of money and property by grant, gift or bequest.

To hire whatever employees, advisors and consultants who are deemed required from time to time or to delegate hiring to appropriate staff

To manage and control the property of the district.

To place upon the ballot at any annual or special election any proposition which must be approved by the Board pursuant to the Act.

To purchase and maintain insurance to indemnify Board members and employees of the district, provided, however, any such member and employee shall be indemnified only if such officer at the time the claim or cause of action arose or damages were sustained, was acting in the discharge of or within the scope of his or her authorized duties and that such claim or cause of action or damages sustained did no result from the intentional wrongdoing or gross negligence of such person.



To acquire real property by purchase at prices or amounts authorized and approved by the Board.

To sell, transfer or permanently dispose of any real property, on such terms and conditions and at such prices as shall be authorized and approved by the Board.

Section 2. Officers of the Board of Directors:

The Chairman shall be the presiding officer of the Board.

The Vice-Chairman shall serve in the absence of the Chairman and shall serve as chair of the nominating committee for the incumbent slate of offices.

The Recording Secretary shall keep and maintain the minutes of all meetings of the Board, shall maintain a current roster of the names and addresses of Board members and shall serve as custodian of the TWWD Bylaws.

The Treasurer shall be the Chief Fiscal Officer. The Board shall place custody of the finances and property under the supervision of the Treasurer. A designee of the Treasurer shall receive, account for and deposit all funds and make disbursements as may be directed by the Board. Records of all receipts, disbursements and other fiscal transactions of property, assets, and liabilities shall be maintained. The records of the Treasurer shall be open to the Board at all times.

Section 3. Committees

The Board may establish committees as necessary to promote the purposes of the district. Members of such committees shall be residents who volunteer unless otherwise allowed by committee rules.

Section 4. Committee Chairs

The chairpersons of committees shall be appointed by the Board and such committees shall report regularly to the Board.

Section 5. Rules, Regulations, and Policies

The Board may adopt any rules of procedure it deems necessary or appropriate for the proper discharge of its duties and shall publish all such rules of procedure as adopted or amended. Meetings of the Board shall be conducted in accordance with Title 42 Chapter 46 of the general laws of Rhode Island, "The Rhode Island Open Meetings Act", as the same may be amended from time to time.

Article V Assessments

Section 1. Collection of Assessments

The Board shall have the power to order the imposition and collection of such monetary assessments upon lots of record within the district, as they deem necessary, for the payment of common expenses incurred or to be incurred in fulfillment of the purposes of the district.

Section 2. Assessments for each lot

Assessments shall be determined for each lot of record equally along each separate sewer construction project.

Section 3. Amount of Assessments

The amount of assessments shall be determined by the Board and in consideration of the Treasurer's annual report.

Section 4. Penalties

Notwithstanding the foregoing, any common expense incurred by the district as the result of misconduct by an individual lot owner or owners may be assessed exclusively against the offending lot owner or owners.

Article VI Fiscal Year End Finances

Section 1. Fiscal Year

The fiscal year shall be from July 1 through June 30 of each year. The budget for the upcoming year will be first approved by a majority of the Board of Directors at a regular meeting, and subsequently approved by a majority of the residents within the district that attend the annual meeting. A quorum for the annual meeting will consist of a minimum of 7 people who have residence within the district.

Section 2. Financial Audit

A Certified Public Accountant selected according to TWWD's purchasing policy and approved by a majority of the Board of directors at a regular meeting shall conduct a review of the TWWD's financial records annually.