

BY- LAWS OF AVONDALE IRRIGATION DISTRICT

REVISED April 2023

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AVONDALE IRRIGATION DISTRICT
BY- LAWS

HAYDEN, IDAHO

MAY 5, 2024

BOARD OF DIRECTORS
ALAN GRIFFITTS, CHAIRMAN
RON RENO, VICE CHAIRMAN
RON MCINTIRE, DIRECTOR

ARTICLE 1

BOARD OF DIRECTORS

- A. The Board of Directors, as provided for in Idaho code, title 43, shall consist of three (3) Directors elected for a term of three (3) calendar years, beginning the first meeting in January, following the November election.
- B. The Directors shall elect one of their numbers, Chairman of the Board, and shall appoint a Secretary/Treasurer at the first annual regular meeting.
- C. The Board shall set the salaries or wages of all employees and hours of operation for the office.
- D. The Board must approve all bills or expenditures over \$5,000 prior to purchase or payment.
- E. A nomination petition for office of Director will be made available at the District office sixty (60) days prior to the election each year. The election of the Director to the Board shall be held in accordance with Section 34-106 IC.
- F. The Board of Directors shall levy assessments and charges for domestic and irrigation purposes.
- G. Regular and special meetings of the District are open to the public. The regular monthly meeting is held on the first Tuesday of each month. A special meeting may be called if two or more Board members request, the Chairman of the Board deems it necessary to properly transact business of the District, or at the written request of ten (10) or more property owners.
- H. The Fiscal year for the District starts on the first (1st) day of January and ends on the thirty-first (31st) day of December.

ARTICLE 2

DISTRICT MANAGER AND EMPLOYEES

- A. The District Manager serves at the pleasure of the Board, acts as chief administrative officer, and is responsible to the Board of Directors for efficient administration of the affairs of the District.
 - 1. The District Manager shall be responsible for District compliance with

IDAPA 58.01.08, (Idaho Rules for Public Drinking Water System) system classification, and license requirements.

2. The District Manager directly supervises the operations, conduct, affairs, and performance of the District office and operations staff. The District Manager shall oversee training, qualification, and annual performance evaluations of all District employees.
3. The District Manager plans and coordinates services, maintenance, and operations of all District facilities, equipment and projects.
4. The District Manager coordinates with all Federal, State, County and local regulatory agencies.
5. The District Manager shall be responsible for establishing both long and short term goals, system enhancements, and capital improvements, and upon approval of the Board of Directors, shall manage implementation of all District projects.
6. The hiring, discharge and training of all District employees shall be the responsibility of the District Manager, as well as executing Board policies, directives, and programs as approved by the Board.
7. The District Manager shall act as the principle spokesperson and primary public point of contact for the District, and also be responsible for maintaining the District web-site.
8. The District Manager shall be responsible for reviewing monthly payables and purchase orders, preparing a yearly budget and reviewing all expenditures prior to submission to the Board of Directors.

B. The Board shall also hire a Secretary/Treasurer who shall serve at the pleasure of the board and is responsible for most office duties.

1. The Secretary/Treasurer shall maintain accurate records of both accounting and correspondence, keep an up to date mailing list of all District patrons and take minutes of all regular and special meetings held by the District.
2. The Secretary/Treasurer is responsible for preparing the financial reports, preparing agendas, and regular and special board meeting notices.
3. The Secretary/Treasurer is responsible for compiling assessment notices, mailing notices, and accurately posting to each account as they are paid.
4. The Secretary/Treasurer shall deposit all received monies, prepare checks and relay to District Manager for approval.
5. It will be the responsibility of the Secretary/Treasurer to answer the phone, respond to or direct District email, compute accurate payroll records and tax reports, as well as keep an accurate filing system for both accounts payable and accounts receivable.
6. The Secretary/Treasurer shall be responsible for uploading/downloading the proper handheld/laptop devices for meter reading.

C. The District Manager shall appoint a Field Supervisor who is responsible for day-to-day field operations and scheduling.

1. The Field Supervisor shall keep the District Manager updated on all daily District activities and get approval on all expenditures and project management decisions.

2. The Field Supervisor shall work closely with the District Manager to ensure that all day to day field operations are completed efficiently, on time, and in a manner satisfactory to the Board of Directors.
 3. The Field Supervisor shall direct “on call” procedures and be responsible for such.
- D. The District Manager shall hire additional employees to work in the field or office as needed and approved by the Board of Directors.
1. Each field employee will have two (2) years to complete training, testing and acquire a valid State of Idaho Water Distribution license.
 2. Field employees will train under the Field Supervisor and work as directed.

ARTICLE 3

YEARLY ASSESSMENTS AND MONTHLY BILLINGS

- A. The District shall levy an annual assessment against property owners for all yearly District patrons, as determined at the annual budget hearing, against each irrigable acre and fraction thereof.
1. Yearly Assessments are mailed to patrons no later than the first week of December each year and are payable six (6) months in advance. The first one-half payment is due on or before December 20th of the year in which the assessment is mailed. The second one-half payment is due on or before June 20th of the following year. Mid-year assessment reminders will be mailed within 30 days of the second half due date.
 2. Assessments not paid are subject to interest that will be added thereto from January 1st. If payment is not made on or before the due date shown on the assessment notice, the account becomes delinquent and a 2% penalty, plus interest at 1% per month, plus filing fee will be charged according to Idaho code.
 3. Property Owners shall be responsible for all charges of assessments. The District will not bill renters.
 4. No postdated checks are accepted. Failure to receive the assessment notices does not relieve the owner of its terms. Insufficient fund checks will be deposited one time, after which, a fee set by Idaho code will be charged with any additional interest due. These checks may only be redeemed by cash, money order, credit card, debit card, or cashier’s check.
 5. All notice of changes for owner assessment mailing address shall be reported to the Secretary/Treasurer.
 6. All transfer of ownerships with the District shall be reported to the Secretary/Treasurer along with copies of recorded paperwork, warranty deeds and such.
 7. New owners shall promptly notify the Secretary/Treasurer of changes, whereas all delinquent assessments will be against the property owner.
 8. Water allotments will be calculated on a 1 acre-foot per acre on a prorated

basis for yearly customers.

9. All fees for hookups and water assessments or other charges must be paid before any certificates for loans will be forwarded to the proper loaning agency. Water will not be delivered until all fees have been paid.
- B. Monthly water customers shall receive monthly statements of amount due. Monthly amounts due are based on the current annual assessment levied by the District on yearly irrigation patrons.
1. Monthly customers receive 10,000 gallons of water at the current base rate, and are then charged the current overage rate per 1,000 gallons.
 2. No postdated checks are accepted. Failure to receive the monthly statement does not relieve the owner of its terms. Insufficient fund checks will be deposited one time, after which, a fee set by Idaho code will be charged with any additional interest due. These checks may only be redeemed by cash, money order, credit card, debit card, or cashier's check.
 3. All notice of changes for owner statement mailing address shall be reported to the Secretary/Treasurer.
 4. All transfer of ownerships with the District shall be reported to the Secretary/Treasurer along with copies of recorded paperwork, warranty deeds and such.
 5. New owners shall promptly notify the Secretary/Treasurer of changes, whereas all delinquent statements will be against the property owner.
- C. Bulk water customers are charged for water used, when it is used, at the current overage rate per every 1,000 gallons used. Overage rates increase 5% annually.
- D. Customers with fire service connections shall be charged an annual fee per fire service line. The fee will be evaluated by the board each year and adjusted if necessary.

ARTICLE 4

NON-PAID ACCOUNTS

- A. The Board of Directors may refuse to deliver water for use on any land upon which assessments or other charges are unpaid for more than ninety (90) days per Idaho code.
- B. Disconnected service will require an additional \$125.00 fee to reconnect the service.

ARTICLE 5

IRRIGATION SEASON AND WATER DELIVERY

- A. The irrigation season shall open April 15 and close September 15, each year, unless the Board of Directors, due to the weather conditions, arrange for the delivery of water before or after those dates.
- B. The delivery of irrigation water will be made by the District to existing irrigation meters. Many properties have meters that serve both irrigation and domestic water.

- C. No unmetered water will be allowed.
- D. Open hoses and ditches are not permitted.
- E. No water will be delivered to any user who fails to make beneficial use of such water. The District reserves the right to minimize irrigation allotments to actual irrigation areas on commercial accounts.
- F. No one shall be permitted to tap onto any District waterline.
- G. No water shall be used or delivered outside the boundaries of the District except for fire or upon approval of the Board of Directors.
- H. The District reserves the right to shut off water for the purpose of making repairs or connections as may be required, or when a water user is in default of payment to the District or violates regulations of the District.
- I. No patron shall turn on/off their water by use of the District's water meter or District's valves without District approval.
- J. Any unauthorized person shutting off or turning on water, tampering with or causing damage to Avondale Irrigation District lines shall be liable for all costs incurred by the District for repair of the damage. A penalty of \$2,500.00 may be imposed at the Board of Directors discretion.
- K. Assessments must be paid in advance before any irrigation allotment is allowed.

ARTICLE 6

IRRIGATION, DOMESTIC WATER AND FIRE SERVICE CONNECTIONS

- A. The tap for a water hookup can be made only by District personnel and all excavation must be under the supervision of District personnel.
- B. Hookup fees are to be paid in advance prior to meters being set. Costs for water hookups are for hookup only, additional fees for material costs are extra including but not limited to the cost of pipe, road bores, crossings, excavation and backfilling.
- C. Hookup fees are as follows and increase 3% annually.

IRRIGATION & DOMESTIC WATER CONNECTION FEES

1. 5/8 x " 3/4"	\$4,285.00 + Cost of Materials
2. 1"	\$4,643.00 + Cost of Materials
3. 1 1/2"	\$5,479.00 + Cost of Materials
4. 2"	\$6,196.00 + Cost of Materials
5. 4"	\$7,867.00 + Cost of Materials
6. 6"	\$10,256.00 + Cost of Materials
7. 8"	\$12,645.00 + Cost of Materials

FIRE SERVICE CONNECTION FEES

1. 3" and Smaller	\$1,200.00 + Cost of Materials
2. 4"	\$2,400.00 + Cost of Materials
3. 6"	\$4,800.00 + Cost of Materials
4. 8"	\$7,200.00 + Cost of Materials
5. 10"	\$9,600.00 + Cost of Materials
6. 12"	\$12,000.00 + Cost of Materials

- D. All new meters shall be ground vault installation.
- E. The District will be responsible only for water lines to the property line, or the meter, whichever comes first.
- F. Service line piping from the main to the meter must comply with District Standards.
- G. No hookup will be granted, nor connection made to existing dead-end lines within the district until such lines are looped and deeded, together with easements, to the District.
- H. The landowner shall be responsible for protecting the meter against freezing or any other damage at all times.
- I. All broken meter boxes and lids must be replaced by the owner or by the District at owner expense.
- J. The water meter must be accessible at all times to personnel of the District. Any debris (dirt, hay, straw, leaves, insulation, shrubs, foliage, etc) that must be removed by District personnel, or any obstruction over the meter box that must be removed in order to read the meter, will be charged to the landowner at \$45.00 per hour, one hour minimum.
- K. Patrons having dogs must have dogs chained or penned away from the meter or meter readout during the meter reading dates, the first week of the month, January thru December. Those patrons who do not comply will be charged an additional \$45.00 for the return trip to read the meter.
- L. Meters will be read monthly January thru December. Inaccessible meters will be estimated for usage.
- M. All units of apartment buildings, duplexes, motel units used as apartments, and each unit of a business complex shall be assessed the regular monthly farmstead rate per unit.

ARTICLE 7

CROSS CONNECTION

- A. All properties within the boundaries of the District must comply with the minimum state requirements on cross connection IDAPA 58.01.08
- B. Any property in non-compliance 30 days after the start of the irrigation season will be subject to water termination.
- C. All properties that require testable backflow assemblies must submit proof of backflow testing results to the District office in writing with the signature of the licensed tester that performed the test by July 1st.
- D. Any filling of bulk water tanks, trucks, or use of bulk water for construction purposes shall do so from a dedicated hydrant meter and shall provide the proper backflow prevention for that selected circumstance.

ARTICLE 8

SUBDIVISION REQUIREMENTS

- A. All proposed subdivisions requiring extension of District mainlines must submit detailed plans showing water lines, streets, lot size in acreage, etc. to the District.
- B. All water system work performed must be in accordance with established District standards.
- C. Owners of subdivisions must deed water main lines and appurtenances up to the water meters to the District, and easements are required prior to written approval being sent to proper agencies

- D. Landowners will be back charged for all engineer or legal fees associated with approval or construction of the sub divided lands.
- E. No subdivisions will be allowed on land where an assessment or other charges are owed until paid in full.
- F. Each unit to be served farmstead (domestic) water must have a paid hook-up before water will be delivered. All farmstead (domestic) water must be paid in advance.
- G. Sub-division maps must be presented to the District Manager two weeks prior to the regular meeting held on the first Tuesday of each month. Any changes in original plat plan must have the approval of the District Manager.
- H. All costs incurred by the District for construction and connecting to the main lines will be charged to the landowner.
- I. All taps must be under the supervision of authorized District personnel.
- J. Permits for construction must be signed by the District Manager, and 48 hours advance notice of construction is required.
- K. Prior to any construction, final approval and signoff from the District Manager must be obtained. Construction/Record Drawing plans shall include a signature block for District signoff on the Title page.
- L. A District furnished full-time “on-site” job inspector will be charged to the landowner. This may be waived by the District Manager.
- M. A \$2,500.00 penalty will be imposed for each incident of the tampering with or causing damage to Avondale Irrigation District lines.

ARTICLE 9

EASEMENTS AND RIGHT OF WAY

- A. The District has the right to construct, repair or replace any and all waterlines within District boundaries.
- B. No permanent structures, trees, shrubs, fences, etc. shall be within ten feet either side of water mainlines. If necessary to repair or replace lines, the structures, trees, shrubs, fences, etc. will be removed at the owner’s expense.

THESE BY-LAWS MAY BE ALTERED, AMENDED OR REPEALED AT ANY REGULAR MEETING OR SPECIAL MEETING