

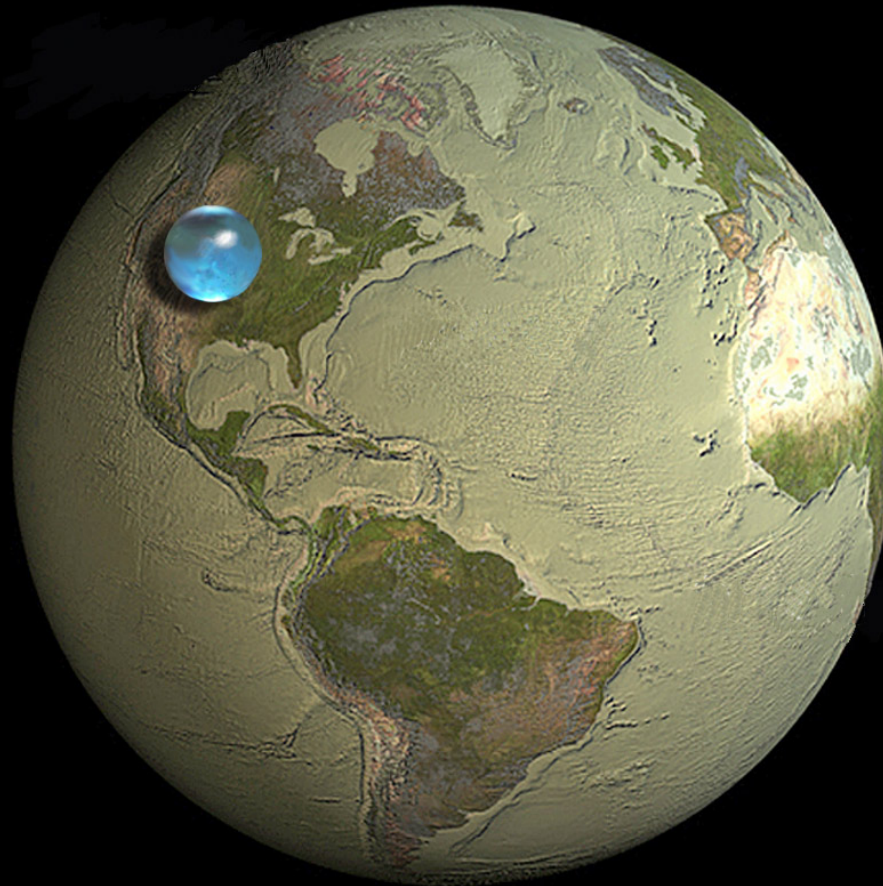
RURAL WATER ASSOCIATION OF UTAH
2013 ANNUAL CONFERENCE

ARTICLES, BYLAWS, AND POLICIES
OF PRIVATE NON-PROFIT COMPANIES

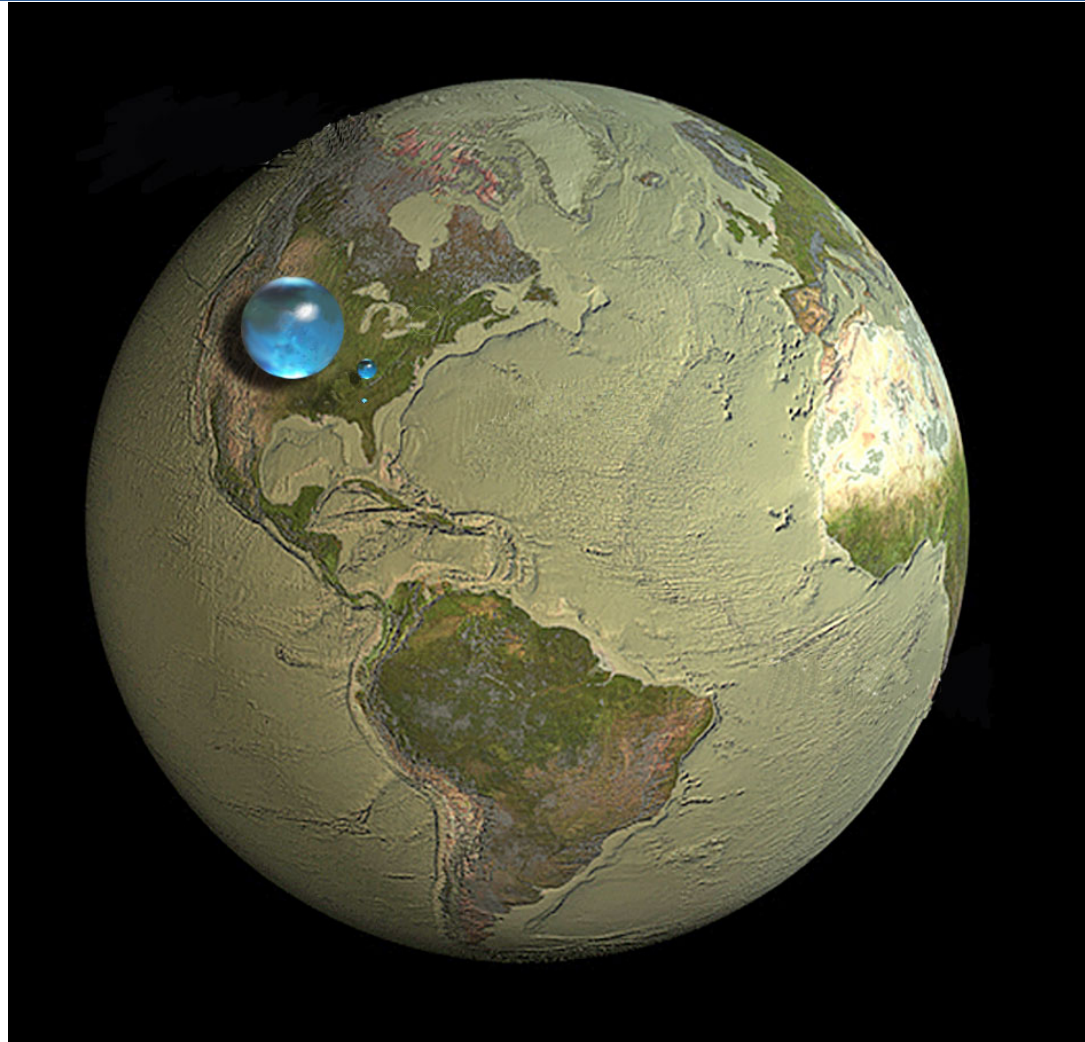
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Limited Water Supply



Limited Water Supply



Hierarchy of Authority

- Laws enacted by the Legislature ...
as interpreted and applied by the Courts
- Administrative rules enacted by Regulators
- Articles of Incorporation of the Company
- Bylaws of the Company
- Policies of the Company

Legislative Issues

- Who can file applications on your water company's water rights?
- Should there be a separate code written just for mutual water companies?
- Does 1 share = 1 vote or 1 member = 1 vote?
- How to acquire, record, and abandon easements?
- Should private water companies be subject to the Impact Fees Act?
- Should the sale of shares of stock be subject to the Impact Fees Act?



Articles of Incorporation

- Foundational Document of Water Company.
- Certain Statutory Requirements.
- Key Mission-Critical Provisions, if any.
- Do not contain operational details.
- High standard for any changes.



Bylaws

- Basic Framework for the Functioning and Operations of the Water Company.
- Can include provisions custom-tailored to your particular situation and goals.
- Generally proposed by the Board of Directors and ratified by the members.
- Can set various standards for changes based on the subject matter.

Policies

- Policies Implement the Requirements of the Articles and Bylaws.
- Often tailored to address various situations.
- Generally enacted by the Board of Directors, with notice to the members.



Examples

- Articles of Incorporation of Utah Mutual Water Company.
- Bylaws of Utah Water Company.
- Change Request Policy and Forms.



Questions

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