

Innovative Uses of Bylaws for Public Water Organizations

By Laura Schroeder, Jakob Wiley, & Lindsay Thane

Bylaws governing the board or council overseeing a water organization are an important part of the day-to-day management of water purveyors in Oregon. Bylaws facilitate how Oregon laws are actually implemented in the governance of a water organization. Boards can adopt bylaws to govern a wide variety of activities, providing a great opportunity to show the organization is cutting-edge and can improve customer service. The following suggestions can transform bylaws from dry rules into tools to improve a water utility's public image!

Expenditure Guidance

Bylaws may be used to create a selection procedure for purchasing goods and services for a water organization. Public bodies have considerable control over purchases that cost \$10,000 or less. ORS 279B.065. Boards may adopt rules for purchasing that are "practical or convenient" for the organization, as determined by the board. For example, a point or ranking system could be adopted to consider the source of materials, sustainability, and lifecycle, in addition to expense, to help guide the board's decision making. Bylaws can be a path for showing the public your water organization is committed to being environmentally friendly or efficient!

Public Meeting Rules

Public water organizations may use bylaws to regulate public meetings. While there are many requirements for public meeting rules described in ORS 192.610 through 192.695, the Oregon Attorney General permits public agencies to adopt reasonable rules of conduct to ensure that meetings

are civil and efficient. Bylaws can be structured to ensure attendees have the opportunity to provide public feedback, establish a constant structure for meetings, and create a positive environment for decision-making.

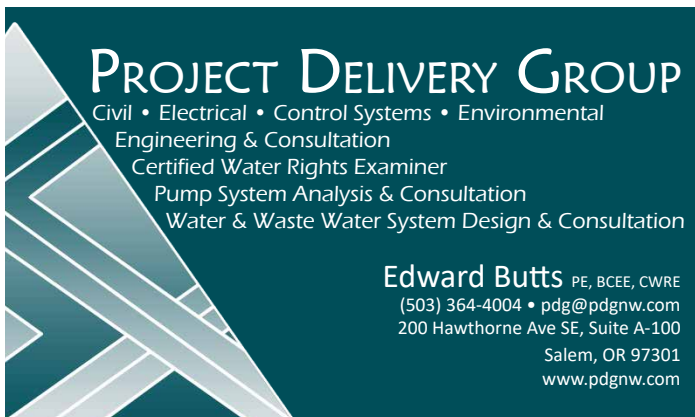
Complaint Guidance or Procedures

Bylaws may outline public complaint procedures. For example, bylaws may define a complaint form (possibly adopted by separate resolution), select an employee or officer to review complaints, and recommend certain complaints to the board for discussion. Complaint procedures allow the public to address their concerns in a structured manner to provide a forum for concerns and prevent disturbances during public meetings. Complaint procedures could also facilitate resolution of the complaint outside the forum of a public meeting.

Bylaws are often regarded as dry sets of rules, but can be a great opportunity to innovate and engage with your service community. While statutes are the primary authority for many requirements for water organizations, bylaws can also be a new method of engaging with the public. Bylaws can be a source of innovation for your water organization! ♦

About the authors

Schroeder Law Offices, P.C., was founded by Laura Schroeder and represents water-rights clients in six western states and consults internationally. Lindsay Thane is an associate attorney with Schroeder Law Offices and is licensed to practice in Oregon, Montana, and Washington. Jakob Wiley is an associate attorney with Schroeder Law Offices and is licensed to practice in Oregon. You can read more about this topic and other water rights issues at Schroeder Law Offices' Water Law Blog, <http://water-law.com/home/blog/>.



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