

# ARTICLE 1 - **General**

## 1.1 Authority.

The La Plata Archuleta Water District (the District) is a governmental subdivision of the State of Colorado and a corporate body with the powers of a quasi-municipal corporation. These powers are specifically granted for carrying out the objectives and purposes of the District as provided by Article 32 of the Colorado Revised Statutes. The District was formed for the purpose of planning, operating, and maintaining a finished water system.

## 1.2 Purpose.

The purpose of this consolidated body of rules and regulations is to ensure an orderly and uniform administration of water operations in the La Plata Archuleta Water District service area.

## 1.3 Policy.

The Board of Directors of the District declares the rules and regulations set forth will serve a public use and are necessary to promote the health, safety, prosperity, security, and general welfare of the inhabitants of the District. All customers of the District are bound by these Rules and Regulations, as a matter of contract for which there is good and valuable consideration.

## 1.4 Scope.

These Rules and Regulations shall be effective for the District after Board of Directors approval, are the comprehensive regulations which govern the operations and functions of the District, and supersede all prior rules and regulations of the District.

## 1.5 Intent of Rules and Regulations.

The Rules and Regulations shall be liberally construed to affect the general purpose set forth herein, and each and every part is separate and distinct from all other parts. No omission or additional material set forth in the Rules and Regulations shall be construed as an alteration, waiver or deviation from any grant of power, duty or responsibility imposed or conferred upon the Board of Directors by virtue of statutes now existing. Nothing contained herein shall be construed to prejudice or affect the right of the District to secure the full benefit and protection of any law which has been enacted or may subsequently be enacted by the Colorado General Assembly pertaining to the governmental or proprietary affairs of the District.

#### 1.6 Amendment.

The Board of Directors of the District shall retain the power to amend these Rules and Regulations to reflect those changes determined to be necessary. Whether contained in this document or not, amendments approved in the minutes of the meetings of the Board of Directors or any agreement entered into by the Board shall be in full force and effect from the date of the such approval or agreement. Prior notice of these amendments shall not be required to be provided by the District exercising its amendment powers pursuant to this Section.

#### 1.7 Waiver, Suspension or Modification of Rules.

The Board of Directors or the General Manager, acting on instruction of the Board, shall have the sole authority to waive, suspend or modify these Rules and Regulations. Any such waiver, suspension, or modification must be in writing authorizing the specific action. Such waiver, suspension, or modification is an exception to the Rules and Regulations for the specific instance and shall not be construed as continuing for future instances. Waivers, suspensions, or modifications are not deemed an amendment of the Rules and Regulations.