

to make contracts for such water supply with any person or corporation having the right to furnish water within the limits of said association;

to construct, lay and maintain water mains, pipes, hydrants or reservoirs which are within the limits of said association;

to make use of any lands and of the ground or soil under any railroad, street or private way for the purposes of laying and maintaining such pipes and mains in such manner as to least damage the owner thereof and to least obstruct or impede travel thereon, causing all damage to be repaired and all damage sustained by any person or corporation by reason thereof or in consequence of the interruption of travel to be paid to such person or corporation;

to regulate the distribution and use of such water and to establish the prices to be paid therefore.

Nothing herein shall be construed to authorize the association to impair the sole exclusive right of the Shore and Lake Corporation or Avy B. Smith, their heirs, successors and assigns, to install and maintain water pipes in the streets and to operate a water system within the limits of said association.

Nothing in this section shall conflict with the right of the Town of East Haddam to own and operate a water department or fire protection system or the use of any land for hydrants, water mains, pipes, or any other thing necessary to operate water fire protection systems.

Section 10.

Budget and mil rate

The board of governors shall prepare and submit to said Association, at each annual meeting, a budget and recommend a tax, for the purpose of and based upon such budget, of not more than fifteen mils on the dollar on the total value of real estate within the limits of said association as shown by the last-completed grand list of the town of East Haddam, which budget and tax rate shall be posted on the signposts of said association not less than ten days before such annual meeting.

Said association shall have the power, at such annual meeting, to increase or decrease such budget and rate of taxation recommended by said board of governors, provided the rate of taxation shall not exceed fifteen mills.

The rate of taxation so recommended by said board of governors shall be final unless changed by the association at such annual meeting.

The taxation limit of fifteen mills set forth in this section shall be exclusive of any costs or expenses required to service any indebtedness incurred pursuant to Section 19 thereof.

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Appointment of tax collector

Said board shall appoint or employ a tax collector to collect such taxes, and warrants may be issued for the collection of money due on the rate bills, pursuant to the provisions of section 12-130 of the general statutes.

Section 11.

Notice of taxes

Taxes shall be noticed, levied and collected as provided by and in a manner consistent with chapter 105 of the general statutes of Connecticut, as amended from time to time.

Section 12.

Abatement of taxes

The board of governors shall have the power to abate any tax if any taxable property shall be destroyed by fire or the elements prior to the date when such tax shall become due.

Section 13.

Quorum

Forty members of said association shall constitute a quorum for the transaction of business.

Section 14 is repealed.

Section 15.

Permit to sell spirituous and intoxicating liquors

No permit to sell spirituous and intoxicating liquors within the limits of said association shall be granted without the approval of two-thirds of the total membership of said association voting at a regular or special meeting, duly warned.

Use of buildings or structures

No building or structure shall be used for any business or commercial purpose without the approval of two-thirds of the total membership of said association voting at a regular or special meeting duly warned.

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Section 16.

Right of appeal

Any person aggrieved by any order, regulation or act of said association, its officers or agents, shall have the right of appeal to the court of common pleas for Middlesex county, or to any judge thereof in vacation, by petition setting forth the reasons of appeal to which shall be annexed a citation to said association, which shall be served upon its president or secretary within five days after the issuance or refusal to issue any such order, regulation or act and shall be returnable to said court or judge within five days after the service of such petition.

Said court, or judge in vacation, shall review the facts and enter a decree thereon. Costs may be taxed as in civil actions. During the tendency of any such appeals, such orders, regulations or acts, or such refusals to grant same, shall remain in full force and effect until set aside or vacated by decree of said court or judge.

Section 17.

Conflict of by-laws, regulations, taxes

If any by-laws or regulations adopted by the Property Owners' Association of Lake Hayward shall conflict with any valid ordinance, now in force or later enacted, of the town of East Haddam, the ordinance of said town shall prevail provided, if the limits or standards set by an ordinance of the town of East Haddam are below the limits of standards of a by-law or regulation adopted by the Property Owner's Association of Lake Hayward, then the by-law or regulation of the Property Owners' Association of Lake Hayward shall prevail.

Any tax levied by said town of East Haddam on property within the limits of this association shall have priority over any lien for taxes levied on the same property by said association.

Section 18 is repealed.

Section 19.

Borrowing power

The Property Owners' Association of Lake Hayward shall have the power to incur indebtedness by issuing its bonds, notes or other obligations as provided by and in a manner consistent with Chapter 105 of the general statutes of Connecticut, as amended from time to time, subject to the provisions of this section.

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The issuance of bonds, notes or other obligations, other than obligations issued in anticipation of the receipt of tax collections, shall be authorized by resolution adopted by the board of governors and thereafter submitted to a referendum of the voters of the Property Owners' Association of Lake Hayward.

Any such resolution shall become effective only if two-thirds or more of the voters voting at the referendum vote to approve the resolution.

Notice of the referendum shall be given and the referendum conducted in accordance with the provisions of section 7-9b and section 7-9c of the general statutes of Connecticut, as amended from time to time, and of any other applicable sections of said general statutes.

The issuance of notes or other obligations in anticipation of the receipt of tax collections shall be authorized by resolution of the board of governors.

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