

2011 -- H 6111

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LC02569
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

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A N A C T

IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE HARMONY
FIRE DISTRICT" PASSED AT THE JANUARY SESSION OF THE GENERAL ASSEMBLY,
A.D. 1945, AS AMENDED

Introduced By: Representatives Keable, Winfield, and Chippendale

Date Introduced: May 04, 2011

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 2,3,4,5,6,7,8,9,10,12 and 14 of "An Act to Incorporate the
2 Harmony Fire District" passed at the January Session of the General Assembly, A.D. 1945, as
3 amended, is hereby amended to read as follows:

4 SECTION 2. The taxable inhabitants of said district, qualified to vote in town affairs on
5 propositions to impose taxes for the expenditure of money, shall be eligible to vote and act in all
6 meetings of the ~~corporation~~ district. At ~~all~~ annual and special meetings of the ~~corporation~~ district,
7 ~~seven~~ five qualified electors shall constitute a quorum.

8 SECTION 3. The annual meeting of said district shall be held on the ~~third Monday~~ first
9 Saturday in ~~October~~ June of each year. The first meeting of said district shall be held within sixty
10 (60) days after the passage of this act, in the town of Glocester, within the limits of the fire
11 district, and may be called by any one or more of the qualified voters of said district. All persons
12 possessing the qualifications set forth in section 2 of this act shall be entitled to vote at said
13 meeting, on the proposition "Shall the Harmony Fire District be established according to the act
14 of incorporation passed by the General Assembly of the State?" If a majority of the persons so
15 voting shall vote "No" then this act shall become null and void.

16 SECTION 4. The qualified voters of the district at each annual meeting, ~~and at any other~~
17 ~~meeting when vacancies occur,~~ may elect officers to serve one year, ~~or until the next annual~~
18 ~~meeting and until others may be chosen in their stead;~~ which officers shall consist of a moderator,

1 ~~clerk, and~~ treasurer; ~~and three (3) assessors~~, whose duties and powers within said district shall be
2 such as like officers of towns in this state have in their respective towns. ~~They may also elect fire~~
3 ~~wardens and any other needed officers~~. Commencing in the year 1987 or as soon as possible
4 thereafter as practicable, the executive committee of the district at any meeting, may appoint a
5 collector of taxes to take the place of the previously elected collector of taxes, ~~who shall serve~~
6 ~~two (2) years, or until the next annual meeting and until a person may be appointed by the~~
7 ~~executive committee in his stead~~ whose duties and powers within said district shall be such as like
8 officers of towns in this state have in their respective towns. Commencing in the year 2010 or as
9 soon as possible thereafter as practicable, the executive committee of the district, at any meeting,
10 may appoint a district clerk/secretary to take the place of the previously elected clerk, whose
11 duties and powers within said district shall be such as like officers of towns in this state have in
12 their respective towns.

13 SECTION 5. The qualified voters of the district, at any of their legal meetings, shall have
14 power to order such taxes and provide for assessing and collecting the same, on any or all, as they
15 shall determine, of the following classes of taxable property in said district; (1) land, (2) buildings
16 and improvements, ~~and~~ (3) tangible ~~personal~~ property, and (4) motor vehicles and trailers, in
17 accordance with R.I.G.L. section 44-34-1, et. seq. and as the same may be amended from time to
18 time, as they shall deem necessary for purchasing and procuring real estate, buildings,
19 implements and apparatus, and a supply of water for the extinguishment of fire; for the purpose of
20 furnishing and distributing water, ~~light~~, and electric power throughout the district and beyond in
21 the town of Glocester, and for operating and maintaining any works established for the purposes
22 aforesaid; for the payment of the current expenses of the district; ~~the payment of such police force~~
23 ~~as they may seem necessary for the protection of the property of the inhabitants of the district~~
24 ~~from fires and preservation of the public peace~~; also for the payment of any indebtedness that has
25 been or may be incurred by the district; and such taxes so ordered ~~shall be assessed by the~~
26 ~~assessors of said district~~ according to the last valuation made by assessors of the town of
27 Glocester next previous to said assessment, adding, however, any taxable property which may
28 have been omitted by said town assessors or after acquired, can be billed upon discovery; and in
29 all cases where the town assessors have included property within the district in one valuation, ~~the~~
30 ~~assessors of the district~~ They shall make an equitable valuation of that portion of the same lying
31 within the district; and in the assessing and collecting of said taxes such proceedings shall be had
32 by the officers of the said district, as near as may be, as are required to be had by the
33 corresponding officers of towns in assessing and collecting town taxes; and the collector of taxes
34 for said district shall, for the purpose of collecting taxes assessed by said district have the same

1 powers and authority as are now by law conferred on collectors of taxes for towns in this state.
2 Said district may impose a ~~provide for such deduction from the tax assessed against any person if~~
3 ~~paid by an appointed time, or for such~~ penalty by way of percentage on the tax if not paid at the
4 appointed time, not exceeding twenty percent per annum, as they shall deem necessary to insure
5 punctual payment; provided, however, that the tax assessed and payable in any one year under the
6 provisions of this section, shall ~~be unlimited on~~ not exceed the maximum allowed by law for each
7 dollar of said valuation. Said district may establish special funds in which tax revenues may be
8 set aside for future equipment purchases.

9 SECTION 6. Said fire districts may also borrow money from time to time for the purpose
10 herein specified and issue its notes or bonds therefor which shall be binding upon said district in
11 the same manner as town or city notes or bonds are binding upon the city or town issuing them,
12 but said district shall not have outstanding at any one time notes or bonds of a face value of more
13 than three percent of the total valuation of said fire district. R.I.G.L. section 45-12-2.

14 SECTION 7. Said district at any legal meeting shall have the power to enact by-laws
15 prescribing the duties of fire wardens, and of inhabitants of said district in time of ~~configuration~~
16 conflagration and for the purpose of enforcing the commands of the fire wardens, for suppressing
17 disorder and tumult, guarding or removing property or rendering other service in time of fire, and
18 also the protection of the water pipes, hydrants, safety valves, water gates, hose or other apparatus
19 or property of said district; and for breach of any such by-laws may provide a penalty not
20 exceeding a fine of ~~\$20.00~~ \$1,000 and/or cost of repair/replacement, to be recovered for the use
21 of said district, or imprisonment for a term not exceeding 30 days, which penalty may be enforced
22 by prosecution on complaint of ~~any member of said board of fire wardens~~ the executive
23 committee or a designee thereof before any court of competent jurisdiction.

24 ~~SECTION 8. The fire wardens appointed by said district may order in time of fire such~~
25 ~~buildings to be pulled down or blown up as they may judge necessary to stop the progress of the~~
26 ~~fire; and if it shall happen that the pulling down or blowing up of any such buildings, by direction~~
27 ~~aforesaid, shall be the cause of stopping the progress of such fire, or if the fire stop before it~~
28 ~~comes to the same, the owners shall be reasonably paid therefor by a tax on said district, the~~
29 ~~amount of which tax will be adjudged by the superior court for counties of Providence and~~
30 ~~Bristol, which court is hereby authorized and empowered, on application to them made by the~~
31 ~~owners of property so destroyed, to adjudge as to the amount necessary and cause the same to be~~
32 ~~certified to the district, and such tax shall be assessed and collected in said district, but no~~
33 ~~building in which any fire shall break out or begin shall be paid for under this provision.~~

34 SECTION 9. Said district at any legal meeting shall have the power to appoint ~~so many~~

1 ~~men~~ personnel as they may think needful to be formed into a an engine ~~hose~~ company or
2 companies, ~~and also hook and~~ a ladder company or companies, and a rescue and emergency
3 medical/ambulance service, and to make all such laws and regulations for organizing and
4 establishing the same as they shall deem necessary.

5 SECTION 10. Said district may hold special meetings, which, as well as the annual
6 meeting, shall be notified in such manner as the By-Laws shall prescribe; and it shall be the duty
7 of the clerk to call a special meeting on written application, signed by ~~twenty-five (25)~~ twelve
8 (12) or more taxpayers of the district or at the request of the Executive Committee as set forth in
9 the By-Laws; and whenever the subject of ordering a tax is to be acted on, the same shall be
10 mentioned in the notice, unless it be the annual meeting.

11 SECTION 12. Said district is hereby authorized, in such manner as may seem necessary
12 and proper, to contract for and procure ~~light~~ electric power and water for the purposes specified in
13 this act.

14 SECTION 14. This charter may be amended by a majority of electors present and voting
15 at any annual or special meeting of the district, provided notice thereof states that amendment to
16 the charter shall be considered at such meeting. An amendment to the charter shall be effective
17 only upon passage of an act by the general assembly amending the charter in conformity with
18 such prior vote of the district.

19 SECTION 15. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE HARMONY
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A.D. 1945, AS AMENDED

- 1 This act would make several technical changes to the Act to Incorporate the Harmony
- 2 Fire District.
- 3 This act would take effect upon passage.

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