

**2016 -- H 8220 SUBSTITUTE A**

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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2016**

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A N A C T

TO INCORPORATE THE WESQUAGE COMMUNITY DISTRICT

Introduced By: Representatives McEntee, and Craven

Date Introduced: May 18, 2016

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1           SECTION 1. All that part of the Town of Narragansett, in the county of Washington and  
2 State of Rhode Island, comprising lots numbered 217, 218, 220, 221, 222, 223, 230, 232, 233,  
3 234, 235, 236, 237, 241, 242, 245, 246, 247, 249, 252, 253, 254, 256, 257, 259, 260, and 262, on  
4 assessor's plat N - H, is hereby incorporated into a district to be called Wesquage Community  
5 District. Said district may have a common seal, sue and be sued, and enjoy all the other powers  
6 generally incident to corporations.

7           SECTION 2. Owners of real property situated within said district and assessed upon a  
8 valuation of at least one thousand dollars (\$1000), and who are qualified to vote in the city or  
9 town of their residence shall also be eligible to vote and act, in person or by proxy, in all meetings  
10 of the corporation.

11           SECTION 3. There shall be an annual meeting of said corporation on the second Sunday  
12 in June of each and every year. The first meeting of said corporation shall be held on the first  
13 Sunday in the month following the enactment of this act in the town of Narragansett within the  
14 limits of the district and may be called by any one or more of the qualified voters of said district.  
15 A vote by ballot shall be taken at said meeting upon the proposition "Shall the Wesquage  
16 Community District be established according to the act of incorporation passed by the general  
17 assembly of the state?" If, at said first meeting, more than thirty-three and one-third percent (33  
18 1/3%) of the persons so voting shall vote in the negative, this act shall become null and void;  
19 otherwise, said the Wesquage Community District shall be established according to the

1 provisions of this act.

2 SECTION 4. The qualified electors of the district at each annual meeting and at any other  
3 meeting when vacancies occur, may elect officers to serve for one year or until the next annual  
4 meeting and until others be chosen in their stead; which officers shall consist of a moderator,  
5 clerk, treasurer, assessor, and a collector of taxes. Any one qualified elector may hold more than  
6 one of said offices. The duties and powers of said officers within said dates shall be such as like  
7 officers of towns of this state have in their respective towns. All meetings of said corporation  
8 shall be called by the clerk, or in the event of their death or inability, by the moderator setting  
9 forth the time and place at which such meeting is to be held. It shall not be necessary that the  
10 purpose of the meeting be specified in the notices posted to call said meeting.

11 SECTION 5. Special meetings of said corporation shall be held for purposes pertaining to  
12 the district, provided application in writing be made to the clerk of the corporation by six (6) or  
13 more qualified electors of said district, setting for specifically the whole purpose of the desired  
14 meeting. Notice of any special meeting of the district shall be given by the clerk, by mailing  
15 notice thereof to all qualified electors, not less than ten (10) nor more than twenty-one (21) days  
16 prior to the day appointed for such meeting, setting forth in such notice the time, place, and  
17 purpose for which the meeting is to be held.

18 SECTION 6. The qualified electors of the district, at any of their legal meetings, shall  
19 have the power to order such taxes, and provide for assessing and collecting the same, on the real  
20 property in said district, and on the owners of real property in said district, as they shall deem  
21 necessary for purchasing and procuring real estate, buildings, implements and apparatus, and a  
22 supply of water to be used for fire, domestic or other purposes within the limits of the district; for  
23 the payment of the current expenses of the district; for the payment for hire of such Narragansett  
24 police officers or constables and all private security officers as they may deem necessary for the  
25 protection of the property of the inhabitants of the district and for the preservation of the public  
26 peace; for the purchase and posting of such signs as they may deem necessary for the protection  
27 and preservation of property in said district; also for the payment of any indebtedness that has  
28 been or may be incurred by the district; also to pay for constructing, repairing, rebuilding and  
29 maintaining any streets or roads within said district that are not public highways of the town of  
30 Narragansett; to provide for the removal of swill and refuse; to provide a system of sewerage or  
31 drainage, gas, electric, cable, internet, and any other measures for the protection and benefit of the  
32 public health and welfare that may be deemed necessary by said district; and such taxes so  
33 ordered shall be assessed by the assessor of said district on the taxable inhabitants and on the  
34 nonresident owners of real property therein, according to the last valuation made by the assessors

1 of the town of Narragansett next previous to said assessment, adding, however, any taxable real  
2 property which may have been omitted by said town assessors or after acquired and in the  
3 assessing and collecting of said taxes such proceedings shall be had by the officers of said  
4 district, as near as may be, as are required to be had by the corresponding officers of towns in  
5 assessing and collecting town taxes. Said district may provide for a penalty by way of percentage  
6 on the tax if not paid at the appointed time, not exceeding twelve percent (12%) per annum, as  
7 shall be deemed necessary to ensure punctual payment; provided, however, the tax assessed and  
8 payable in any one year shall not exceed fifty cents (\$0.50) on each one hundred dollars (\$100) of  
9 said valuation.

10 SECTION 7. For the purpose of raising money to carry the provisions of this act into  
11 effect, said district may authorize and empower its treasurer to raise money upon its official note  
12 or notes in such a sum or sums as it may determine by vote at any regular or special meeting;  
13 provided, however, that said sum or sums shall not exceed in the aggregate the sum of two  
14 million dollars (\$2,000,000) in any one year, and shall not at any one time exceed, as an  
15 outstanding obligation, the sum of two million dollars (\$2,000,000).

16 SECTION 8. No person may commence an action against the district or any of the  
17 officers thereof for damage suffered to person or property by reason of defect, want of repair of  
18 any of the district's property or by reason of the lack of care and diligence on the part of the  
19 district, its officers or servants, in the performance of any of the acts authorized in this charter.

20 SECTION 9. The qualified electors of said district shall at any legal meeting have the  
21 power to enact by-laws consistent with this charter, prescribing the duties and powers of the  
22 officers of said district.

23 SECTION 10. This act shall take effect on August 31, 2016, and all acts and parts of acts  
24 inconsistent herewith are hereby repealed.

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