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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2009

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A N A C T

RELATING TO IN AMENDMENT OF AND IN ADDITION TO THE ACT, PASSED AT THE
JANUARY SESSION, A.D. 1883, ENTITLED "AN ACT TO INCORPORATE THE UNION
FIRE DISTRICT OF SOUTH KINGSTOWN", AS AMENDED

Introduced By: Senator V. Susan Sosnowski

Date Introduced: February 26, 2009

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. An act passed at the January Session, A.D. 1883, entitled "An Act to
2 Incorporate the Union Fire District of South Kingstown", as amended by chapter 1417 of the
3 Public Laws of 1906, by chapter 650 of the Public Laws of the August Session 1910, by other
4 acts passed at the January Session 1938, the January Session 1944, the January Session 1946, the
5 January Session 1948, the January Session 1950, the January Session 1954, the January Session
6 1958, the January Session 1964, the January Session 1974, the January Session 1976, the January
7 Session 1977, the January Session 1980, the January Session 1982, ~~and~~ the January Session 1994,
8 [and the January Session 1997](#) is hereby further amended to read as follows:

9 Sec. 1. Jurisdiction. Commencing at the southeasterly corner of said district at the point
10 of intersection of the South Kingstown-Narragansett town line with the mean high water line of
11 the Atlantic Ocean; thence running in a general westerly direction, following the mean high water
12 line of the Atlantic Ocean until it intersects the South Kingstown-Charlestown town line; thence
13 running in a general northerly direction, following said South Kingstown-Charlestown town line
14 to the center of the Pawcatuck or Charles River; thence running in a general northwesterly
15 direction, following the South Kingstown-Charlestown town line along the center of said
16 Pawcatuck or Charles River to its confluence with the Queen's River; thence running in a general
17 northeasterly and northerly direction following the South Kingstown-Richmond town line along
18 the center of said Queen's River to the village of Usquepaug; thence continuing in a general

1 northerly direction, following the South Kingstown-Richmond town line until it intersects the
2 South Kingstown-Exeter town line; thence running in a general easterly direction, following said
3 South Kingstown-Exeter town line to the intersection of Old North Road and Wolf Rocks Road;
4 thence running in a general southwesterly direction to a point on the center line of Plains Road
5 five hundred(500) feet northeasterly from the intersection of the center line of Plains Road with
6 the center line of Kingstown Road; thence running in a general southwesterly direction, following
7 the centerline of Plains Road, to the center line of Kingstown Road; thence running in a general
8 southerly direction, following the centerline of Ministerial Road, a distance of two thousand
9 (2,000) feet; thence running due east (true) three thousand (3,000) feet, more or less, to a point on
10 the existing Kingston Fire District boundary, said point being two thousand two hundred (2,200)
11 feet, more or less, south of the center line of Kingstown Road; thence running due south (true) to
12 a point five hundred (500) feet south of a southerly boundary of a Narragansett Electric Company
13 power line easement; thence running in a general direction, parallel to and five hundred (500) feet
14 southerly from the southerly boundary of said power line easement, to a point one thousand
15 (1,000) feet southwesterly from the center line of Kingstown Road; thence running due north
16 (true) five hundred (500) feet to the southerly boundary of said power line easement; thence
17 running in a general easterly direction along the southerly boundary of said power line easement
18 approximately eight hundred (800) feet to the center line of Kingstown Road; thence running in a
19 general northwesterly direction along the center line of said Kingstown Road approximately
20 seven hundred (700) feet to a point on the westerly extension of the southerly boundary of the
21 University of Rhode Island "East Farm"; thence running in a general easterly direction along the
22 southerly boundary of said "East Farm" to a point one thousand(1,000) feet northeasterly from
23 Kingstown Road; thence running in a general northeasterly direction to the intersection of
24 Mitchell's Brook with the center line of Mooresfield Road; thence running in a general
25 northwesterly direction to the intersection of North Road and Wolf Rocks Road at the South
26 Kingstown-Exeter town line; thence running in a general easterly direction, following the South
27 Kingstown-North Kingstown town line to its intersection with the South Kingstown-Narragansett
28 town line in the center of the Pettaquamscutt River; thence running in a general southerly,
29 southwesterly and southerly direction, following the South Kingstown-Narragansett town line to
30 the first mentioned point or place of beginning.

31 Excepting herefrom that area known as the Indian Lake Fire District, bounded and
32 described as follows:

33 Commencing at a point in the westerly line of Tower Hill Road at the southeasterly
34 corner of "Section No. 2 Indian Lake Shores"; thence running in a general westerly direction to

1 the easterly line of land formerly of Elisha R.P. Chappell at the southwesterly corner of "Section
2 No. 1 Indian Lake Shores"; thence running in a general northerly direction, bounded westerly by
3 land formerly of Elisha R.P. Chappell, to the shore line of Indian Lake; thence running in a
4 general northeasterly and northerly direction, following the shore line of Indian Lake, to the
5 northwesterly corner of "Section No. 4 Indian Lake Shores"; thence running in a general easterly
6 direction, following the northerly line of "Section No. 4 Indian Lake Shores"; to the westerly line
7 of Tower Hill Road; thence running in a general southerly direction, following the westerly line
8 of Tower Hill Road to the point of beginning.

9 Sec. 2. Rights and Qualifications for Voters. Every citizen of the United States of the age
10 of eighteen (18) years who resides in the district and is eligible to vote in a general or special
11 election in the town of South Kingstown shall have the right to vote at any annual or special
12 meeting of said district, or any adjournment thereof.

13 Sec. 3. Canvassing Voters and Preparation of Voters' List. There shall be a board of
14 canvassers consisting of the ~~three (3)~~ tax assessors and the collector of taxes said district.

15 Sec. 4. Board of Canvassers -- Meeting. The tax assessors shall also serve in the capacity
16 as the board of canvassers. The board of canvassers shall meet and canvass the voting list of said
17 district on the first Monday in April of each year and shall make out a correct alphabetic list of
18 the qualified voters of the district, indicating those, if any, who are disqualified, and shall certify
19 the correctness thereof and file it with the district clerk.

20 Sec. 5. Government and Conduct of District Meetings. No less than twenty-five (25)
21 qualified voters shall constitute a quorum for the transaction of business at any annual or special
22 meeting of the district. If at any annual or special meeting less than a quorum shall be present, a
23 majority of the voters present at the meeting or any adjournment thereof may vote to adjourn the
24 meeting, but may take no other action.

25 Sec. 6. Moderator. The voters in the district at each annual meeting shall choose and elect
26 a moderator to serve for one year. The moderator shall preside at all meetings of the district at
27 which he shall be present and in case of his absence the clerk shall preside or in the absence of the
28 clerk ,a moderator and clerk pro tempore shall be chosen. In the absence of both, the moderator
29 and the clerk, the treasurer shall preside until such moderator and clerk pro tempore be chosen.
30 Every moderator shall have power to manage and regulate the business of each meeting
31 conforming to law and to preserve peace and good order therein; and shall upon motion, made
32 and seconded, relative to any business regularly before such meeting, after hearing all voters
33 entitled to vote thereon who desire to be heard, cause the vote of the voters present entitled to
34 vote to be taken by acclamation, by hand ballot, by rising, by division, or by written ballot and

1 shall announce the result; provided, however, that whenever at any district meeting action shall
2 have been taken authorizing the expenditure of money, the incurring of any liability, or the
3 disposition of property, not less than one-fifth (1/5) of the voters present may ~~be~~ by their
4 affirmative votes require reconsideration of the question at an adjourned meeting of which special
5 notice has been given by posting printed notices in seven (7) or more conspicuous public places
6 therein, for five (5) calendar days in advance of the meeting and when time shall permit by
7 publishing such notice in some newspaper distributed in said district, stating the hour and place
8 thereof and the action taken which is to be considered.

9 Sec. 7. Evidence. A stenographic copy of the record of the proceedings of any district
10 meeting, duly certified by the clerk, shall be evidence of any act or vote of the district in district
11 meeting assembled recited in such copy, and the certification of the district clerk that no district
12 meeting has been held to consider any subject in such certification mentioned, or that no vote of
13 the district has been taken on such subject, shall be evidence of the fact therein stated.

14 Sec. 8. Election of district ~~officers~~ wardens. ~~The voters in the district at each annual~~
15 ~~meeting choose and elect a moderator to serve for one (1) year.~~ (a) There shall be five (5) district
16 wardens and they shall be elected by the voters in the district. Current district wardens shall
17 continue until their terms expire and there after wardens shall be elected to serve for three (3)
18 year terms. Three (3) wardens shall constitute a quorum for conducting any district business. ~~The~~
19 ~~voters in the district shall also elect three (3) tax assessors. Current tax assessors shall continue~~
20 ~~until their terms expire, and the voters shall elect annually thereafter one (1) assessor of taxes for~~
21 ~~three (3) years. A district clerk and a district treasurer shall be appointed by the wardens and shall~~
22 ~~serve for one (1) year terms. The wardens in their discretion may combine the duties of the~~
23 ~~district clerk and treasurer and appoint one (1) person to serve in both capacities.~~ All of the
24 foregoing officers shall be qualified voters living within the district. ~~No district warden shall be~~
25 ~~an active member of any district fire company; provided, however, that any person having~~
26 ~~attained a designation of life member or honorary member of a district fire company shall not be~~
27 ~~precluded from holding the office of warden. All of the foregoing officers shall hold their offices~~
28 ~~until the expiration of their terms, and until their successors have been elected and/or appointed~~
29 ~~and qualified, subject to the provisions of sections 10, 17 and 23.~~

30 (b) Commencing in 2010, any qualified voter may be a candidate for the position of
31 warden, provided such candidate submits nomination papers to the district clerk which have been
32 signed by twenty-five (25) other qualified voters at least sixty (60) days prior to the date of the
33 annual meeting. This list of signatures is to be certified by the board of canvassers no later than
34 thirty (30) days prior to the district's annual meeting.

1 (c) The board of canvassers shall provide the clerk of the district with a list of qualified
2 nominees. The clerk of the district shall then post a list of all qualified nominees in at least nine
3 (9) public places within the district, including all actively used district stations and the
4 administration building, at least twenty (20) days prior to the annual meeting or any other special
5 meeting called for the election of officers.

6 (d) Voters at the meeting shall be provided a paper ballot with the names of all qualified
7 nominees listed by last name in alphabetical order. The candidates receiving the highest number
8 of votes shall be elected. In the event of a tie vote, the moderator shall call for additional paper
9 ballots until the tie vote is broken.

10 (e) The board of wardens shall have the discretionary power to declare a position of
11 warden vacant if the person filing that position fails to attend six (6) consecutive meetings of the
12 board.

13 (f) In the event that a vacancy on the board of wardens occurs, the district clerk shall call
14 a meeting of the board of wardens within ten (10) business days after such vacancy occurs. The
15 board of wardens shall select a qualified elector of the district to fill the vacancy until the district's
16 next annual meeting.

17 (g) No district warden shall be an active member of any district fire company; provided,
18 however, that any person having attained a designation of life member or honorary member of a
19 district fire company shall not be precluded from holding the office of warden. All of the
20 foregoing officers shall hold their offices until the expiration of their terms, and until their
21 successors have been elected and/or appointed and qualified.

22 ~~Sec. 9. Appointment of tax collector The board of wardens shall appoint a collector of~~
23 ~~taxes and said appointment shall be made within forty five (45) days after the annual meeting.~~
24 ~~The appointment shall be made for a period of three (3) years. In case of death, resignation or~~
25 ~~removal of any collector of taxes, the person appointed to fill the unexpired term shall have the~~
26 ~~same powers as the original appointee.~~

27 Sec 9. Duties of district warden. (a) The wardens elected by said district shall have
28 complete and exclusive control of the expenditures of all moneys appropriated by the district, the
29 acquisition and disposal of district property, all within the limits. The wardens shall purchase all
30 supplies and repairs for the maintenance of the apparatus, buildings, and all property of said
31 district, and shall investigate all bills and claims presented to them against the district and if
32 found correct, approve them to the treasurer for payment. The wardens shall have the care
33 management and control of all property and equipment owned by the district and shall make rules
34 and regulations governing the use of same. It shall be the duty of the wardens to: (1) Supervise

1 and coordinate the activities of all the officers, commissions and committees of the district; (2) To
2 prepare, or have prepared, ordinances relative to the district and its activities, and present same to
3 either the annual or special meeting of the district for action thereon; (3) To develop for, and
4 present to, the annual or special meeting, plans for the development and improvement of the
5 district; (4) To prepare a budget for the consideration and approval of the voters at each annual
6 district meeting; and (5) To abate such taxes as may be recommended therefor by the board of
7 assessors. The wardens shall prepare contracts or agreements with a water company for the rental
8 or use of fire hydrants in the district, the same to be included in the annual budget that is
9 presented to the voters for approval at the annual district meeting each year.

10 Sec. 10. Vacancies. Whenever a vacancy shall occur in any office by death, removal out
11 of the district, resignation, or by neglect or refusal to qualify, or for any other cause, the board of
12 wardens shall appoint a qualified voter living within the district to fill the vacancy until the next
13 annual meeting. The appointee shall exercise all the powers of the office until the next annual
14 meeting.

15 ~~Sec. 11. Call and warning of district meetings. The annual meeting of said fire district~~
16 ~~shall be held on the first Monday of May in each year at 7:00 p.m. daylight savings time, for the~~
17 ~~election of district officers and the transaction of all other business that may legally come before~~
18 ~~said meeting, and special meetings shall be called by the clerk upon request of the wardens of the~~
19 ~~written request of at least twenty five (25) of the legally qualified voters of the district. The clerk~~
20 ~~shall notify the qualified voters of the district, of the time and place of holding all meetings~~
21 ~~thereof, by posting printed notices in seven (7) or more conspicuous public places therein, for~~
22 ~~seven (7) days in advance of the meeting, and when the time shall permit by publishing such~~
23 ~~notices in some newspaper distributed in said district. The notice for all meetings shall state the~~
24 ~~purpose for which the same are to be held, and at special meetings no other business shall be~~
25 ~~transacted, than is set forth in the request for and notice calling the same, unless approved by~~
26 ~~unanimous vote. No tax shall be ordered at any meeting, nor any agreement or contract involving~~
27 ~~the expenditure of money entered into unless mention thereof be made in the notice thereof.~~

28 Sec. 11. Appointment and duties of tax assessor. Current tax assessors shall continue until
29 their terms expire. Board of wardens shall thereafter employ one assessor of taxes who shall serve
30 at the pleasure of the board of wardens. The board may also employ one or more deputy tax
31 assessors from time to time, who shall serve at the pleasure of the board of wardens. The tax
32 assessor shall prepare and certify the tax roll each year.

33 The clerk shall keep full, fair and accurate records and minutes of the district's meetings
34 and shall make said minute available to members of the public, in accordance with the Rhode

1 Island Public Records Act, Chapter 2 of Title 38 of the Rhode Island general laws. The clerk shall
2 be responsible to give notice of district meetings as set forth under the provisions of this charter
3 and pursuant to the Rhode Island Open Meetings Laws, Chapter 46 of title 42 of the Rhode Island
4 general laws. The clerk shall maintain a current copy of the district charter. The clerk shall
5 perform other duties as assigned by the board of wardens. ~~Sec. 11A. Fiscal year. The fiscal year~~
6 ~~for said district shall be for the period of July 1st to June 30th.~~

7 ~~Sec. 12. The district treasurer. The district treasurer, before the shall proceed to discharge~~
8 ~~the duties of his office, shall give bond to the district in such sum and with such surety as the~~
9 ~~wardens may determine, conditioned for the faithful discharge of the duties of said office. Said~~
10 ~~bond shall be deposited with the district clerk. The treasurer shall pay out no moneys other than~~
11 ~~those moneys authorized to be expended by vote of the district. The treasurer shall, at the annual~~
12 ~~meeting, make a report containing a balance sheet showing the financial standing of the district at~~
13 ~~the close of the fiscal year. The district treasurer shall retain all his vouchers or receipts for the~~
14 ~~payments charged in his accounts, to be kept on file for a minimum period of ten (10) years with~~
15 ~~the other papers of his office.~~

16 Sec. 12 Appointment and duties of district clerk. The board of wardens shall annually
17 appoint a qualified voter to serve as district clerk for a one-year term. In the event of a death,
18 resignation or vacancy in the office of district clerk for any reason, the board of wardens shall
19 appoint a new district clerk for the remainder of the clerk's unexpired term. At the pleasure of the
20 board of wardens, the district clerk may also be employed by the district as district administrator
21 or in any other position. The clerk of the district shall act as the clerk of the wardens.

22 The clerk shall keep full, fair and accurate records and minutes of the district's meetings
23 and shall make said minutes available to members of the public, in accordance with the Rhode
24 Island Public Records Act, Chapter 2 of Title 38 of the Rhode Island general laws. The clerk shall
25 be responsible to give notice of district meetings as set forth under the provisions of this charter
26 and pursuant to the Rhode Island Open Meetings Laws, Chapter 46 of Title 42 of the Rhode
27 Island general laws. The clerk shall maintain a current copy of the district charter. The clerk shall
28 perform other duties as assigned by the board of wardens.

29 ~~Sec. 13. Bond of tax collector and other duties. The collector of taxes, before he shall~~
30 ~~proceed to discharge the duties of his office, shall give bond to the district in such sum and with~~
31 ~~such surety as the wardens may determine, conditioned for the faithful discharge of his duties and~~
32 ~~shall deposit same with the district clerk. He shall also perform the duties of clerk for the board of~~
33 ~~tax assessors. The collector of taxes shall pay over and deliver to the district treasurer on the first~~
34 ~~day of each month the total taxes collected by him during the previous month, and at the end of~~

1 ~~each fiscal year and on the first day of February of each year deliver to the district treasurer a~~
2 ~~statement continuing the names of delinquent taxpayers and the amount of tax unpaid. All real~~
3 ~~estate and tangible personal property in the district shall be taxed to the owners thereof whether~~
4 ~~individuals, co-partnerships, or corporations, according to the last valuation made by the~~
5 ~~assessors of taxes of the town of South Kingstown, next previous to the assessment, adding~~
6 ~~however, any taxable real estate or tangible personal property which may have been omitted by~~
7 ~~said assessors of taxes of the town of South Kingstown or afterwards acquired; and in the~~
8 ~~assessing and collecting of said taxes such proceedings shall be had by the officers of the district~~
9 ~~as near as may be, as are required to be had by the corresponding officers of towns in assessing~~
10 ~~and collecting town taxes; and the collector of taxes for the said district shall for the purpose of~~
11 ~~collecting taxes assessed by said district, have the same powers and authority as are now by law~~
12 ~~conferred on collectors of taxes for towns in this state. Said district may provide a penalty by way~~
13 ~~of a percentage on the tax, consistent with the penalties assessed by the collector of taxes for the~~
14 ~~town of South Kingstown, if not paid at the appointed time. The district shall employ the same~~
15 ~~tax credits and exemptions as are employed by the assessor taxes for the town of South~~
16 ~~Kingstown.~~

17 Section 13. Appointment and duties of tax collector. (a) Appointment: The board of
18 wardens shall employ a collector of taxes who shall serve at the pleasure of the board of wardens.
19 The board of wardens may require the tax collector to give bond in an amount to be determined
20 by the board, the cost of said bond, if any, to be borne by the district. The positions of tax
21 assessor and tax collector may be filled by the same person. The collector of taxes, before he or
22 she shall proceed to discharge the duties of his or her office, shall give bond to the district in such
23 sum and with such surety as the wardens may determine, conditioned for the faithful discharge of
24 his or her duties, and shall deposit same with the district clerk.

25 (b) Duties. The collector of taxes shall pay over and deliver to the district treasurer on the
26 first day of each month the total taxes collected by him or her during the previous month and at
27 the end of each fiscal year and on the first day of February of each year deliver to the district
28 treasurer a statement continuing of taxes for the said district shall for the purpose of collecting
29 taxes assessed by said district shall, have the same powers and authority as are now by law
30 conferred on collectors of taxes for towns in this state. The tax collector shall also perform the
31 duties of clerk for the board of tax assessors. The tax collector shall perform other duties as
32 assigned by the board of wardens.

33 (c) Collection. All real estate and tangible personal property in the district shall be taxed
34 to the owners thereof whether individuals, co-partnerships, or corporations, according to the last

1 valuation made by the assessors of taxes of the town of South Kingstown, next previous to the
2 assessment, adding however, any taxable real estate or tangible personal property which may
3 have been omitted by said assessors of taxes of the town of South Kingstown or afterwards
4 acquired; and in the assessing and collecting of said taxes such proceedings shall be had by the
5 officers of the district as near as may be, as are required to be had by the corresponding officers
6 of towns in assessing and collecting town taxes, and the collector. The district shall employ the
7 same tax credits and exemptions as are employed by the assessor of taxes for the town of South
8 Kingstown the names of delinquent taxpayers and the amount of tax unpaid. The district may
9 provide a penalty by way of a percentage of the tax, consistent with the penalties assessed by the
10 collector of taxes for the town of South Kingstown, if not paid at the appointed time.

11 ~~Sec. 14. Audit. The accounts of the district treasurer and of the collector of taxes shall be~~
12 ~~audited each year prior to the annual meeting by an independent certified public accountant~~
13 ~~appointed by the wardens, and said auditor shall submit his report to the voters at the annual~~
14 ~~district meeting. Said report shall consist of an annual financial statement balance sheet and other~~
15 ~~such reports as deemed necessary by the wardens and/or the auditor to ensure the financial~~
16 ~~integrity of the district's finances.~~

17 Sec. 14. Appointment and duties of the district treasurer.

18 (a) Appointment. The board of wardens shall employ a district treasurer who shall serve
19 at the pleasure of the board of wardens.

20 (b) Qualification. The district treasurer shall give bond to the district in such sum and
21 with such surety as the wardens may determine conditioned for the faithful discharge of the duties
22 of said office. Said bond shall be deposited with the district clerk. The treasurer shall pay out no
23 moneys other than those moneys authorized to be expended by vote of the district through the
24 board of wardens or district administrator, pursuant to the district's purchasing policies.

25 (c) Duties. The treasurer shall, at the annual meeting, make a report containing a balance
26 sheet showing the financial standing of the district at the close of the fiscal year. The treasurer
27 shall assist the board of wardens in preparing an annual budget and shall pay all obligations of the
28 district in a timely manner. The treasurer shall perform other duties as assigned by the board of
29 wardens.

30 ~~Sec. 15. Wardens. The wardens elected by said district shall have complete and exclusive~~
31 ~~control of the expenditures of all moneys appropriated by the district, the acquisition and disposal~~
32 ~~of district property, all within the limits, however, of votes and resolutions of the voters present at~~
33 ~~district meetings. The wardens shall purchase all supplies and repairs for the maintenance of the~~
34 ~~apparatus, buildings, and all property of said district, and shall investigate all bills and claims~~

1 ~~presented to them against the district and if found correct, approve them to the treasurer for~~
2 ~~payment. The wardens shall have the care management and control of all property and equipment~~
3 ~~owned by the district and shall make rules and regulations governing the use of same. It shall be~~
4 ~~the duty of the wardens to (a) supervise and coordinate the activities of all the officers,~~
5 ~~commissions and committees of the district; (b) to prepare, or have prepared, ordinances relative~~
6 ~~to the district and its activities, and present same to either the annual or special meeting of the~~
7 ~~district for action thereon;(c) to develop for, and present to, the annual or special meeting, plans~~
8 ~~for the development and improvement of the district; (d)to prepare a budget for the consideration~~
9 ~~and approval of the voters at each annual district meeting; and (e) to abate such taxes as may be~~
10 ~~recommended therefor by the board of assessors. The wardens shall prepare contracts or~~
11 ~~agreements with a water company for the rental or use of fire hydrants in the district, the same to~~
12 ~~be included in the annual budget that is presented to the voters for approval at the annual district~~
13 ~~meeting each year.~~

14 Section 15. Call and warning of district meetings.

15 The annual meeting of said fire district shall be held on the first Monday of June in each
16 year, at 7:00 p.m. daylight savings time, for the election of moderator and district wardens and the
17 transaction of all other business that may legally come before said meeting. Special meetings
18 shall be called by the clerk, upon request of the wardens or by a petition signed by at least fifty
19 (50) of the legally qualified voters of the district. The signatures on the petitions shall be certified
20 by the board of canvassers within five (5) business days after filing said petition with the office of
21 the district clerk. After the board of canvassers has certified the signatures, the district clerk shall
22 notify the qualified voter of the district of the time and place of holding all meetings thereof, by
23 posting printed notices in nine (9) or more conspicuous public places therein, for seven (7) days
24 in advance of the meeting, and when the time shall permit, by publishing such notices in some
25 newspaper distributed in said district. The notice for all meetings shall state the purpose for which
26 the same are to be held, and at special meetings no other business shall be transacted, than is set
27 forth in the request for and notice calling the same, unless approved by unanimous vote. No tax
28 shall be ordered at any meeting, nor any agreement or contract involving the expenditure of
29 money entered into unless mention thereof be made in the notice thereof.

30 ~~Sec. 16. Demolition of buildings. The wardens may order in time of fire such buildings to~~
31 ~~be pulled down or demolished as they shall judge necessary to stop the progress of such fire; and~~
32 ~~if it shall happen that the pulling down or demolishing of any such building by directions,~~
33 ~~aforsaid, shall be the occasion of stopping the progress of such fire, or if the fire stops before it~~
34 ~~comes to the same, the owner shall be reasonably paid therefore by a tax upon said district, the~~

1 ~~amount of which payment shall be adjudged by the superior court for the county of Washington,~~
2 ~~which court is hereby authorized and empowered on application to it, made in behalf of such~~
3 ~~owners, with or without a jury trial, as such owner may request, to adjudge as to the amount~~
4 ~~necessary and cause the same to be certified to the district, and such tax shall be assessed and~~
5 ~~collected as other taxes are herein required to be assessed and collected in said district; provided,~~
6 ~~however, no building in which any fire shall first break out or begin, shall be paid for under this~~
7 ~~provision.~~

8 Sec. 16. Fiscal year. The fiscal year for said district shall be for the period of July 1st to
9 June 30th.

10 ~~Sec. 17. Appointments. The wardens shall appoint a fire chief and as many deputy chiefs~~
11 ~~or other officials as they shall deem appropriate for the operation of the district. All appointments~~
12 ~~shall serve at the pleasure of the board of wardens, and shall be made at the June meeting of the~~
13 ~~wardens, said terms to be effective July 1st and shall end no later than the following June 30th.~~
14 ~~The chief and deputy chiefs, under the supervision of the wardens, shall have command of and~~
15 ~~supervise the handling of all fire and rescue apparatus. The wardens may appoint all necessary~~
16 ~~officers for the execution of the ordinances, bylaws and regulations of the district and may define~~
17 ~~their duties and fix their compensation, and may relieve any such officers at pleasure. Whenever a~~
18 ~~vacancy shall occur in any appointment by death, removal out of the district, resignation, or by~~
19 ~~neglect or refusal to qualify, or for any other cause, the board of wardens shall appoint a qualified~~
20 ~~voter living within the district to fill the vacancy until the expiration of their current term. The~~
21 ~~wardens shall have the power to remove or suspend from office the fire chief or any or all deputy~~
22 ~~chiefs or any appointments for just cause, for any misuse of the property belonging to said district~~
23 ~~or conduct unbecoming an officer and the wardens shall forbid such person from using any~~
24 ~~property belonging to said district. The wardens shall also have the power to forbid for just cause,~~
25 ~~any member of any fire company or any citizen from using any property belonging to the district.~~
26 ~~For the purpose of disciplinary action hereinbefore described, a majority vote of the five (5)~~
27 ~~elected wardens shall be necessary for any disciplinary action to be taken. Any person aggrieved~~
28 ~~by a disciplinary action taken pursuant to this section may request a hearing before the full board~~
29 ~~of wardens wherein all five (5) members are present. Said hearing shall be conducted in executive~~
30 ~~session pursuant to RIGL section 46-6-5, except that the grievant may request that said hearing be~~
31 ~~conducted at a regularly scheduled meeting in open session.~~

32 Section 17. Audit. The accounts of the district treasurer and of the collector of taxes shall
33 be audited each year prior to the annual meeting by an independent certified public accountant
34 appointed by the wardens and said auditor shall submit his or her report to the voters at the

1 annual district meeting. Said report shall consist of an annual financial statement balance sheet
2 and other such reports as deemed necessary by the wardens and/or the auditor to ensure the
3 financial integrity of the district's finances.

4 Sec. 18. Wardens meetings. The wardens shall meet at least once a month in public
5 meeting at some predetermined place and time and shall keep an accurate record of all their
6 transactions and meetings. The clerk of the district shall act as the clerk of the wardens. All
7 meetings of the wardens shall conform to the requirements of the Rhode Island "Open Meetings"
8 act, RIGL section 42-46-1 et seq.

9 Sec. 19. Real and personal estate. The district may take, purchase and hold real estate and
10 personal estate and alienate and convey the same and subject to limitation herein contained may
11 borrow money and incur indebtedness. All real and personal estate held by the district and not
12 used for commercial purposes shall be exempt from all taxation.

13 Sec. 20. Taxes. Upon the acceptance of an annual budget, the wardens shall direct the
14 treasurer to prepare and introduce the necessary tax resolutions to be presented to the voters at the
15 annual meeting. As part of said tax resolutions the voters at each annual meeting, may set a
16 minimum tax on each property to be assessed.

17 Sec. 21. Appropriations. The district may at any legal meeting grant and vote such sums
18 of money as it shall judge necessary.

19 (A) for the renewal, replacement, purchasing and procuring of implements and apparatus
20 for the extinguishment of fire;

21 (B) for the purpose of supplying the inhabitants of said district with water for fire
22 purposes;

23 (C) for the purpose of improving the property of said district and purchasing additional
24 property;

25 (D) for the improvement in any manner it may deem fit of any property belonging to the
26 district;

27 (E) for the purpose of creating a reserve fund for the extinguishment of debts or for the
28 future replacement of apparatus and property;

29 (F) for the education and training of district personnel and for the maintenance and repair
30 of district apparatus, equipment and property; and

31 (G) for all necessary charges and expenses whatsoever arising within the district,
32 incidental or not to the above. District voters at any of their legal meetings may authorize and
33 empower the treasurer of said district to borrow money for the operation and transaction of
34 district business, to give the note or notes of said district for the money so borrowed, and to give

1 renewals thereof; provided, however, that at no time shall the note or notes and renewal of notes
2 outstanding in pursuance of such authority exceed in the aggregate sum of ten million dollars
3 (\$10,000,000).Once the voters have voted to place funds in the reserve for capital expenditures,
4 thereafter said funds shall not be removed for the purpose of reducing the amount to be raised by
5 taxes for any succeeding budget. Provided, however, that funding of the account entitled"
6 Reserve for Capital Expenditures" in any budget that is to be submitted for voter approval at an
7 annual or special meeting of said district shall not exceed two hundred fifty thousand dollars
8 (\$250,000) or twenty-five percent (25%) of the total budget of the district, whichever amount is
9 greater, in any one fiscal year. No bond or note shall be issued by the district in an amount
10 exceeding five hundred thousand dollars (\$500,000) unless the question of the approval of the
11 Act by the general assembly authorizing the issuance of said bonds or notes be submitted to the
12 voters of the district at an annual or special meeting of the district, at an all-day referendum to be
13 held at a date not later than seventy(70) days following the passage of any such act. The question
14 that is submitted shall include the amount of the bonds or notes to be issued and the purpose(s)
15 for which the bonds or notes are to be issued. The warning for said referendum shall contain the
16 question to be submitted and once warned, a copy of the act shall be made available for
17 inspection at the district offices by the clerk, however, the failure of the clerk to comply with this
18 provision shall not affect the validity of the outcome. Voting at any such special referendum shall
19 comply with the following provisions:

20 The question shall be warned a minimum of twenty-one (21) days prior to the date of the
21 referendum and shall be publicized by advertisement in a newspaper of general circulation that is
22 distributed within the district at least one (1) day per week for the three(3) consecutive weeks
23 prior to the referendum. In addition, the warning shall be publicly posted at the district offices,
24 the South Kingstown Town Hall, all district fire stations and at least three (3) other conspicuous
25 public locations.

26 Voting shall take place at the district offices and shall beheld on a weekday between the
27 hours of 8:00 a.m. and 8:00 p.m.

28 The only persons who will be eligible to vote at any special referendum are those
29 qualified voters of the town of South Kingstown who reside within the district, having been
30 qualified at least thirty (30) days prior to the date of the referendum. Any voter who has
31 registered to vote in the town of South Kingstown during the ninety (90) days prior to the date of
32 the referendum must obtain a certified letter from the South Kingstown Clerk's Office verifying
33 that ~~they are~~ he or she is a qualified voter and must present such letter at the referendum in order
34 to be eligible to vote.

1 Voters of the district, having been qualified by a district tax assessor, shall be provided a
2 ballot containing the question to be approved and a provision for indicating either "approve" or
3 "reject". Approve shall mean that the question passes and reject shall mean that the question fails.

4 The district tax assessors shall certify to the wardens the total number of voters
5 registering and receiving ballots, the number of ballots marked "approve", the number of ballots
6 marked "reject" and the number of ballots not marked or missing. In the event that the total
7 number of ballots collected exceeds the total number of voters registered, the referendum shall be
8 declared void and a second vote taken.

9 Sec. 22 Powers of and suits by and against said district. The district may have common
10 seal, in its corporate name, may sue and be sued, prosecuted and defend, in any court and
11 elsewhere, and enjoy all the other powers generally incident to corporations. Every suit whether
12 in law or in equity, brought by the district shall be brought in the name of the district unless
13 otherwise directed specially by law.

14 Sec. 23. Ordinances. The district may from time to time make and ordain ordinances,
15 bylaws and regulations for the district that shall not be in conflict with or in violation of other
16 provisions of this act and not repugnant to law.

17 Sec. 24. Penalties. The district may impose penalties for the violation of such ordinances,
18 bylaws, and regulations, not exceeding the amount of fifty dollars (\$50.00), or imprisonment not
19 exceeding ten (10) days in the adult correctional institution for any offense, unless other penalties
20 thereof, or penalties within other limits, are especially prescribed by the statutes of the state of
21 Rhode Island, to be prosecuted before the district court, of the fourth judicial district by some
22 officer appointed for that purpose, and such moneys to be received to the use of the district.

23 Sec. 25. Words importing the masculine gender shall include the feminine gender.

24 Sec. 26. Fire service appointments. The wardens shall appoint a fire chief and as many
25 deputy chiefs or other officials as they shall deem appropriate for the operation of the fire service.
26 All appointments shall serve at the pleasure of the board of wardens, and shall be made at the
27 June meeting of the wardens, said terms to be effective July 1st and shall end no later than the
28 following June 30th. The chief and deputy chiefs, under the supervision of the wardens, shall
29 have command of and supervise the handling of all fire and rescue apparatus. The wardens may
30 appoint all necessary fire service officers for the execution of the ordinances, bylaws and
31 regulations of the district and may define their duties and fix their compensation, and may relieve
32 any such officers at pleasure. The wardens shall have the power to remove or suspend from office
33 the fire chief or any or all deputy chiefs or any fire service appointments for just cause, for any
34 misuse of the property belonging to said district or conduct unbecoming an officer. The wardens

1 shall also have the power to forbid, any member of any fire company or any citizen from using
2 any property belonging to the district. For the purpose of disciplinary action of the fire chief or
3 any deputy chief, a majority vote of the five (5) elected wardens shall be necessary for any
4 disciplinary action. Any person aggrieved by a disciplinary action taken pursuant to this section
5 may request a hearing before the full board of wardens wherein all five (5) members are present.
6 Said hearing shall be conducted in executive session pursuant to RIGL section 46-6-5, except that
7 the grievant may request that said hearing be conducted at a regularly scheduled meeting in open
8 session.

9 Sec. 27. Publishing of proposed budget and modifications. The board of wardens shall, in
10 conjunction with its treasurer, prepare and file by May 1 with the district clerks' office by May 1st
11 of each year, a proposed budget for the upcoming fiscal year. Said budget shall be posted in nine
12 (9) or more conspicuous public places within the district, including all stations and the
13 administration building. The clerk shall also cause a copy of the budget to be advertised in a
14 newspaper of local circulation at least once on or before May 15th. Qualified voters may seek to
15 increase proposed line items in the budget only by filing a petition no later than May 20th, signed
16 by fifty (50) qualified voters. The board of canvassers shall certify the signatures on the petition
17 within three (3) business days of the filing. Once the board of canvassers has certified the petition
18 as containing sufficient certified signatures, it shall so notify the district clerk who will then post
19 the petition in nine (9) or more conspicuous public places within the district, including all stations
20 and the administration building.

21 The moderator shall determine whether any such petitions will be entertained first or
22 whether they will be considered when the affected line item of the budget is reached during the
23 annual meeting.

24 SECTION 2. This act shall take effect upon passage.

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LC00829/SUB A
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