

2017 -- S 0708

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LC002373
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

IN AMENDMENT TO AN ACT ENTITLED "AN ACT TO INCORPORATE THE WEST
GLOCESTER FIRE DISTRICT"

Introduced By: Senator P Fogarty

Date Introduced: April 04, 2017

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 4, 5, 7 and 8 of an act entitled "An Act to Incorporate the West
2 Gloucester Fire District", passed at the January Session, A.D., 1959, as amended, are hereby
3 amended to read as follows:

4 Section 4. Those persons of the district qualified to vote under section 2 of this charter at
5 each annual meeting, and at any other meeting when vacancies occur, may elect officers to serve
6 one year, or until the next annual meeting and until others may be chosen in their stead; which
7 offices shall consist of a moderator, clerk, ~~treasurer,~~ 3 assessors ~~and a collector of taxes, and three~~
8 (3) members of an executive board whose duties and powers within said district shall be such as
9 like officers of town in this state have in their respective towns. They may also elect fire wardens
10 and any other needed officers.

11 Section 5. Those persons of the district qualified to vote under section 2 of this charter, at
12 any of their legal meetings, shall have power to order such taxes and provide for assessing and
13 collecting the same, on any or all, as they shall determine, of the following classes if taxable
14 property in said district: (1) land, (2) buildings and improvements, and (3) tangible personal
15 property, as they shall deem necessary for purchasing and procuring real estate, buildings,
16 implements and apparatus, and a supply of water for the extinguishment of fire; for the payment
17 of the current expenses of the district; also for the payment of any indebtedness that has been or
18 may be incurred by the district; and such taxes so ordered shall be assessed by the assessors of

1 said district according to the last valuation made by the assessors of the town next previous to
2 said assessment, adding, however, any taxable property which may have been omitted by said
3 town assessors or after acquired; and in all cases where the town assessors have included property
4 within the district and property without the district in one valuation, the assessors of the district
5 shall make an equitable valuation of that portion of the same lying within the district; and in the
6 assessing and collecting of said taxes such proceedings shall be had by the officers of the said
7 district, as near as may be, as are required to be had by the corresponding officers of towns in
8 assessing and collecting town taxes; and the collector of taxes or other employee hired or
9 appointed by the executive board of ~~for the~~ said district shall, for the purposes of collecting taxes
10 assessed by said district, have the same powers and authority as are now or may hereafter be by
11 law conferred on collectors of taxes for towns in this state. Said district may provide for such
12 deduction from the tax assessed against this state. Said district may provide for such deduction
13 from the tax assessed against any person if paid by an appointed time, or for such penalty by way
14 of percentage on the tax if not paid by an appointed time, or for such penalty by way of
15 percentage on the tax if not paid at the appointed time, not exceeding twelve percent (12%) per
16 annum, as they shall deem necessary to insure punctual payment.

17 Notwithstanding any provisions to the contrary, the West Gloucester fire district shall have
18 the power to adopt and implement a system of property tax classification in accordance with
19 section 44-5-11.8 of the general laws.

20 Section 7. Said district at any legal meeting shall have the power to enact by-laws
21 prescribing the duties of elected officers of the district, fire wardens, and of the inhabitants of said
22 district in time of conflagration and for the purpose of enforcing the commands of the fire
23 wardens, or the executive board, for suppressing disorder and tumult, guarding or removing
24 property or rendering other service in time of fire, and for breach of any such by-laws may
25 provide a penalty not exceeding a fine of \$20.00, to be recovered for the use of said district, or
26 imprisonment for a term not exceeding 30 days, which penalty may be enforced by prosecution
27 on complaint of any member of said board of fire wardens or the executive board before any
28 court of competent jurisdiction.

29 Section 8. The fire wardens appointed by said district or the executive board may order in
30 time of fire such buildings to be pulled down or blown up as they may judge necessary to stop the
31 progress of the fire; and if it shall happen that the pulling down or blowing up of any such
32 buildings, by direction aforesaid, shall be the cause of stopping the progress of such fire, or if the
33 fire stop before it comes to the same, the owners shall be reasonably paid therefor by a tax on said
34 district, the amount of which tax will be adjudged by the superior court for counties of

1 Providence and Bristol, which court is hereby authorized and empowered, on application to them
2 made by the owners of property so destroyed, to adjudge as to the amount necessary and cause
3 the same to be certified to the district, and such tax shall be assessed and collected in said district,
4 but no building in which any fire shall break out or begin shall be paid for under this provision.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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IN AMENDMENT TO AN ACT ENTITLED "AN ACT TO INCORPORATE THE WEST
GLOCESTER FIRE DISTRICT"

- 1 This act would amend the charter of the West Gloucester Fire District.
- 2 This act would take effect upon passage.

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