

2013 -- H 6028

=====
LC02405
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

—————
A N A C T

RELATING TO "AN ACT TO INCORPORATE THE QUONOCHONTAUG CENTRAL
BEACH FIRE DISTRICT"

Introduced By: Representative Donna M. Walsh

Date Introduced: April 24, 2013

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 2, 3, 4, 5, and 6 of the Act passed at the January Session, 1930,
2 entitled, "An Act To Incorporate The Quonochontaug Central Beach Fire District", as amended,
3 are hereby amended to read as follows:

4 ~~"Sec. 2. Every citizen of the united States, irrespective of sex, of the age of 21 years who~~
5 ~~is possessed in his or her own right of real estate "located in said district which is of the value of~~
6 ~~at least \$134.00 over and above all encumbrances, shall have the right to vote at any annual or~~
7 ~~special meeting of said district, or at any adjournment thereof; provided, however, that the right to~~
8 ~~vote shall not be exercised by any person otherwise qualified to vote if when a vote is taken at~~
9 ~~any meeting of the district his or her taxes shall have been in arrears for 2 years prior to a such~~
10 ~~meeting.~~

11 Sec. 2. At any annual or special meeting of the Quonochontaug Central Beach Fire
12 District, an eligible voter shall be: (a) A person of the age of majority according to the laws of the
13 state of Rhode Island, or one duly authorized representative of any lot which is not a person,
14 having (or representing owners who have assigned to such voter their voting interest in) an
15 undivided present interest in a lot, which, if by deed, has been recorded in the land evidence
16 records of the town of Charlestown, or if by will or laws of intestacy, the estate from which
17 derived shall have been finally admitted to probate by the probate court having jurisdiction
18 thereof, at least sixty (60) days prior to any meeting, or who can otherwise substantiate such

1 ownership by legal instrument duly recorded, or otherwise, to the satisfaction of the clerk of the
2 fire district, or other officer authorized by the fire district to do so.

3 (b) Any person not otherwise representing a lot, who is an elector of the town of
4 Charlestown and resides in the Quonochontaug Central Beach Fire District.

5 (c) As used in this act, "lot" means any lot identified by the town of Charlestown tax
6 assessor as lying within the Quonochontaug Central Beach Fire District, as said fire district is
7 described in section 1 of this act.

8 Sec. 3. The annual meeting of said ~~Quonochontaug central beach fire district~~
9 Quonochontaug Central Beach Fire District for the election of officers and the transaction of any
10 other business shall be holden at some convenient place within the district or without the district,
11 providing said meeting place shall be within ~~five~~ ten miles of said district on any Saturday
12 between June 1 and September 30 ~~The annual meeting of said corporation for the election of~~
13 ~~officers and the transaction of any other business shall be holden on the second Saturday after~~
14 ~~Labor Day~~ in each year at ~~7:00~~ 10:00 o'clock A.M. daylight savings time, s as determined by the
15 Board of Governors from time to time."

16 ~~A vote by ballot shall be taken at said meeting upon the proposition: "Shall the~~
17 ~~Quonochontaug Central Beach fire district be established according to the act of incorporation~~
18 ~~passed by the general assembly of the state?" If a majority of the persons voting shall vote "Yes,"~~
19 ~~then said Quonochontaug Central Beach fire district shall be established according to the~~
20 ~~provisions of this act. If a majority of the persons so voting shall vote "No," then this act shall~~
21 ~~become null and void.~~

22 Sec. 4. Said qualified voters, at each annual meeting and at any other meeting, when
23 vacancies occur, may elect the following officers: a moderator, seven members of a governing
24 body of the fire district known as the Board of Governors, a clerk and a treasurer, to serve for one
25 ~~year or until the next annual meeting and until others be chosen in their stead, which officers shall~~
26 ~~consist of a moderator,~~ whose duties and powers in said district shall be such as like officers of
27 towns in this state have in their respective towns. Except for the position of moderator, each
28 electd officer shall serve a one-year term or until the next annual meeting and until others be
29 chosen in their stead. The term of the moderator shall be for a single term of three (3) years and
30 until a successor be chosen in his or her stead. They may also elect fire wards, engineers, assistant
31 engineers, and such other officers and committees, and with such power as they may designate.

32 Sec. 5. Special meetings may be holden, which, as well, as the annual meetings, shall be
33 notified in such manner as said ~~corporation~~ fire district shall by by-laws prescribe, and it shall be
34 the duty of its clerk to call a special meeting upon the call of the Board of Governors or upon

1 written ~~application~~ petition signed by ~~twenty percent of such taxpayers as are entitled to vote~~
2 eligible voters representing at least thirty (30) lots; but no vote, excepting upon the question of
3 adjournment, shall be taken at any special meeting unless at least a third of the persons entitled to
4 vote shall be present and voting, nor at any special meeting upon any matter unless mention be
5 made, and notice thereof given in the warrant issued for the calling of such meeting.

6 Section 6. Said corporation may raise money by tax on the real, tangible personal, and
7 intangible personal property within said district:

8 (1) For the purchasing and procuring of implements and apparatus for the extinguishment
9 of fire;

10 (2) For the purpose of introducing and supplying the inhabitants of said district with
11 water for fire, domestic, and manufacturing purposes;

12 (3) For the payment of such police force as it may deem necessary for the protection of
13 the property of the inhabitants of said district from fire and for the preservation of the public
14 space;

15 (4) For the purchase of land and the erection of buildings for the use of said district;

16 (5) For the building and maintaining of sidewalks in said district;

17 (6) For the collection and disposal of garbage within said district;

18 (7) For the maintenance and improvements of roads and public walks within said district;

19 (8) For the procuring of safety devices for the bathing beach of said district; and

20 (9) For the general improvement, up-building, and beautifying of any property owned by
21 the district within said district.

22 The treasurer of Quonochontaug Central Beach Fire District is hereby authorized to
23 borrow, upon approval of the moderator and the public works committee, a sum not to exceed
24 two hundred thousand dollars (\$200,000) and to issue a note and/or serial notes not to exceed the
25 sum of two hundred thousand dollars (\$200,000) in the aggregate for the purposes of
26 rehabilitating and replacing the domestic water system in the district. The principal thereof and
27 interest thereon shall be payable in any form of currency of the United States of America, which,
28 at the time of payment, is legal tender for public and private debts, and the debts secured by said
29 note and/or notes shall be obligatory on said district in the same manner and to the same extent as
30 other debts lawfully contracted by said district. The said note and/or serial notes of each issue
31 shall mature in equal or diminishing annual installments of principal at the option of the treasurer
32 and finance committee of the district, the first installment to be due not later than one year and the
33 last installment not later than twenty (20) years after the date of the said note and/or serial notes.
34 The said note and/or serial notes shall be signed by the district treasurer and countersigned by the

1 clerk of the Quonochontaug Central Beach Fire District. The manner of sale, denominations,
2 maturities, interest rates, and other terms, conditions, and details of the note and/or serial notes
3 shall be fixed by the treasurer and the finance committee of said district.

4 Said corporation may also borrow money from time to time for the foregoing purposes
5 and issue its notes or bonds therefor which shall be binding upon said corporation in the same
6 manner as city or town notes or bonds are binding upon the city or town issuing them, but said
7 corporation shall not have outstanding at any one time notes or bonds of a face value or more than
8 one and one half percent (1½%) of the total assessed value of this taxable property within said
9 district.

10 Notwithstanding any other provision of this section, said corporation may borrow a sum
11 not to exceed one hundred thousand dollars (\$100,000) for the purpose of purchasing real estate.

12 The treasurer of Quonochontaug Central Beach Fire District is hereby authorized to
13 accept any and all donations, gifts, contributions, and grants of cash, securities, equipment,
14 supplies, merchandise, and services, conditional or otherwise, from any person, firm, association,
15 foundation, or corporation, and shall receive, utilize and dispose of the same pursuant to the
16 express terms or conditions stipulated by such donation, gift, contribution, or grant.

17 SECTION 2. This act shall take effect upon passage, and thereupon all other acts or parts
18 of acts inconsistent herewith shall stand repealed.

=====
LC02405
=====