

2021 -- S 0390

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO THE OAKLAND - MAPLEVILLE NUMBER 4 FIRE DISTRICT

Introduced By: Senators de la Cruz, Morgan, and Paolino

Date Introduced: February 25, 2021

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 2, 3, 4, 5, 8, and 11 of an act entitled "An Act to Incorporate the
2 Oakland – Mapleville Number 4 Fire District" passed at the January session of the general assembly
3 A.D. 1934, as amended by P.L. 2009, Chapter 178, are hereby further amended to read as follows:

4 Sec. 2 The taxable inhabitants of said district qualified to vote in town of Burrillville affairs
5 on propositions to impose a tax or for the expenditure of money (hereafter called "Voters") shall
6 be eligible to vote and act at all meetings of the corporations.

7 Sec. 3 The annual meeting of said district shall be held on the ~~second~~ third Wednesday in
8 September in each year. The clerk of said District shall, at least seven (7) days before said meeting,
9 give notice of the same by posting conspicuously in public places within the limits of said District,
10 not less than three (3) written or printed notices setting forth the time and place of such meeting.
11 ~~The first meeting shall be held on the sixth (6th) Wednesday after the enactment of this act in the~~
12 ~~town of Burrillville within the limits of the fire district, and~~ A special meeting may be called by
13 twelve (12) or more of the voters of said district. Such call shall consist of posting in the same
14 manner and for the same time before such meetings as are the annual meetings. ~~at least five (5)~~
15 ~~public places within the said district of written or printed notices of such meeting setting forth the~~
16 ~~time and place within said district where such meeting will be held, and shall be given at lease~~
17 ~~seven (7) days before the time of such meeting. The notice shall also be published not less than one~~
18 ~~week before the meeting in a public newspaper published daily and which has a circulation within~~
19 ~~the town of Burrillville.~~ No vote except upon an adjournment or on the election of officers pro

1 tempore shall be taken at any meeting of the district unless at least twelve (12) voters are present
2 at such meeting. All persons possessing the qualifications set forth in section 2 of this act shall be
3 entitled to vote by ballot or otherwise as they determine, at said first meeting upon the proposition:
4 "Shall the Oakland-Mapleville Number 4 Fire District be established according to the act of
5 incorporation passed by the general assembly of the State of Rhode Island" if a majority of the
6 persons so qualified shall vote in the affirmative, said fire district shall be established according to
7 the provision of this act. If a majority of the persons so voting shall vote in the negative, then this
8 act shall become null and void.

9 Sec. 4. The voters of the district at each annual meeting, may elect officers to serve ~~one~~
10 ~~year~~ [staggered terms according to Article II, Section B of the Bylaws of the District](#), until the next
11 annual meeting and until others may be chosen in their stead; which officers shall consist of a
12 moderator, clerk, treasurer, three (3) assessors and a collector of taxes, whose duties and powers
13 within said district shall be such as like officers of town in this state have in their respective towns.
14 Such officers shall constitute the operating committee and any vacancy that may occur in any of
15 the aforementioned offices between annual meetings shall be filled by some person to be chosen by the
16 other members of the operating committee to hold office until the next annual meeting. The
17 moderator shall be the chief executive officer of the district and shall be the official spokesman for
18 the district. The moderator shall serve as an ex-officio member of all committees and
19 subcommittees of the operating committee but shall vote only when necessary to break a tie. The
20 operating committee shall have full power to manage the affairs and interests of the fire district.
21 The operating committee shall appoint three (3) fire commissioners. The terms of office of the fire
22 commissioner shall be for three (3) years. It shall be the duty of the board of fire commissioner to
23 elect a fire chief. The fire commissioners shall have responsibility for maintaining, repairing and
24 insuring all property, real and personal owned by the district.

25 The terms of office of the fire chief shall be for the period of one year. There shall be no
26 limitation on the number of terms a fire chief may serve. The fire chief shall have general
27 supervision and control of the fire companies and shall serve as liaison between the operating
28 committee and the fire companies.

29 The three (3) assessors shall elect one of their members chairman of the board of assessors.
30 Their appointment shall be made in such manner that one member of the board shall be appointed
31 each year. The chairman shall be the official spokesman for the assessors.

32 All officers, ~~fire warden~~, commissioners and the fire chief shall be residents and voters of
33 the district.

34 Sec. 5. The voters of the district at any of their legal meetings, shall have power to order

1 such taxes, and provide for assessing and collecting the same on the taxable inhabitants and
2 property in said district, as they shall deem necessary for purchasing, hiring and otherwise
3 procuring real estate, buildings, implements and apparatus and a supply of water for the
4 extinguishing of fires; ~~for the purpose of acquiring, furnishing and distributing water and electricity~~
5 ~~throughout the district and for operating and maintaining the same~~ purchasing, hiring and otherwise
6 procuring equipment for the providing of emergency medical services; for the payment of the
7 operating expenses of the district; for the preservation of the public peace; and for the payment of
8 any indebtedness incurred by the district; and such taxes so ordered shall be assessed by the
9 assessors of the said district on the taxable inhabitants and the property therein according to the last
10 valuation made by the assessors of the town next previous to said assessment, adding, however,
11 any taxable property which have been omitted by said town assessors or after acquired, and in all
12 cases where the town assessors have included property within the district and property without the
13 district in one valuation, the assessors of the district shall make an equitable valuation of the portion
14 of the same lying within the district; and in the assessing and collecting of said taxes such
15 proceeding shall be had by the officers of said district, as near as may be, as are required to be had
16 by the corresponding officers of towns in assessing and collection of taxes; and the collector of
17 taxes for the said district shall, for the purpose of collecting taxes assessed by said district, have the
18 same powers and authority as are now or may hereafter be by law conferred on collectors of taxes
19 for towns in this state. Said district may provide for such deductions from the tax assessed against
20 any person if paid by an appointed time or for such penalty by way of percentage on the tax if not
21 paid at the appointed time not to exceed eighteen percent (18%) per annum, as they shall deem
22 necessary to insure punctual payment. In addition to any other sums to which it may be entitled in
23 accordance with this charter and applicable laws, in any action or proceeding to collect taxes, the
24 district shall be entitled to collect the reasonable costs of collection including attorney fees.

25 The voters of said district at any of their legal meetings shall have power to order the sale
26 of real property and personal property owned by the district.

27 Sec. 8. The operating committee of said district at any legal meeting shall have the power
28 to appoint so many men/women as they think needful to be formed into a ~~hose company or hose~~
29 ~~companies, and also a ladder company, or ladder companies~~ fire company, and to make all such
30 laws and regulations for organizing, establishing and maintaining the same and the equipment
31 thereof as they shall see fit, and the members of such company shall be exempt from jury and militia
32 duty.

33 Sec. 11. Said district is hereby authorized, in such manner as may seem necessary and
34 proper, to contract for and procure electricity and water for the purpose specified in this act. All the

1 powers and privileges given to said district by this act shall only be exercised subject to an in
2 accordance with the existing franchise contract between the town of Burrillville and the Pascoag
3 ~~water Company~~ Utility District.

4 SECTION 2. This act shall take effect upon passage and all acts and parts of acts
5 inconsistent herewith are hereby repealed.

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