

2018 -- H 7281

LC003814

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO THE RICHMOND-CAROLINA FIRE DISTRICT

Introduced By: Representatives Price, and Kennedy

Date Introduced: January 25, 2018

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 1 and the appendix of Chapter 28 of the 1986 Public Laws entitled
2 "An Act Creating the Richmond-Carolina Fire District" as amended by Chapter 438 of the 2000
3 Public Laws entitled "An Act Relating to the Richmond-Carolina Fire District" is hereby further
4 amended to read as follows:

5 SECTION 1. The Richmond-Carolina Fire District is hereby incorporated in the manner
6 and form as follows:

7 ~~I. TITLE AND OBJECT~~

8 ~~A. Title and Boundaries. That portion of the town of Richmond, Rhode Island, shown in~~
9 ~~Appendix A which is herein incorporated into a fire district known as the Richmond Carolina~~
10 ~~Fire District (hereinafter referred to as "District").~~

11 ~~B. Object. Its object shall be the prevention and/or extinguishment of fires, the protection~~
12 ~~and preservation of life and/or property endangered by fire and/or any related emergencies that~~
13 ~~may occur within the boundaries of the district.~~

14 ~~H. ELIGIBLE VOTERS~~

15 ~~A. Every person having reached the age of eighteen (18) years who resides in said district~~
16 ~~and is an eligible voter in the town of Richmond or is a taxpayer to the district shall have the right~~
17 ~~to vote at any meeting of the district or any adjournment thereof, provided that no such person~~
18 ~~shall be eligible to vote whose district taxes are in arrears one (1) week before any meeting. A list~~
19 ~~of eligible voters shall be prepared by the district clerk who shall certify the most updated roll of~~

1 ~~registered voters and taxpayers available from town officials prior to the annual meeting.~~

2 ~~B. Any person who is granted an exemption, the amount of which exceeds the total~~
3 ~~assessment of said person's property within the district, shall be considered an eligible voter.~~

4 ~~C. No corporation or stockholder or officer thereof, not any executor, administrator or~~
5 ~~trustee, nor any other person acting in a fiduciary capacity shall be eligible to vote.~~

6 ~~III. MEETINGS~~

7 ~~A. The annual meeting shall be held on the first Monday of June each year at 8:00 p.m.,~~
8 ~~at a location to be specified in the call of the meeting. The board of directors shall determine the~~
9 ~~location of the meeting. All meetings of the district shall at all times be held within the boundaries~~
10 ~~of the district. Following adoption of this charter, the first annual meeting of the board of~~
11 ~~directors shall be held at the Richmond elementary school.~~

12 ~~B. Special meetings of the district may be called upon written request, signed by at least~~
13 ~~twenty (20) eligible voters, setting forth the purpose of said call of the meeting, delivered to the~~
14 ~~clerk, or in the absence thereof, any duly elected officer of the district. Said special meeting shall~~
15 ~~be called within fourteen (14) days from the date of delivery of said request to the clerk.~~

16 ~~C. Adjourned Meeting. Any business conducted or transacted at any annual or special~~
17 ~~meeting may be referred to an adjourned meeting, upon request of fifteen (15) eligible voters~~
18 ~~present at any such meeting, for the purpose of voting on such matters. Said adjourned meeting is~~
19 ~~to take place on the second Wednesday following the meeting at which the adjourned meeting is~~
20 ~~requested. Voting hours shall be from 7:00 a.m. to 9:00 p.m., at a location within the boundaries~~
21 ~~of the district, to be decided by the board of directors.~~

22 ~~IV. QUORUM~~

23 ~~A. A quorum at any meeting of the district shall be twenty (20) eligible voters. In the~~
24 ~~event, that for any reason, a quorum is not present at the time a meeting is scheduled to open, the~~
25 ~~board of directors is herewith authorized to delay the meeting for such a period of time, as in the~~
26 ~~discretion of the board of directors shall best serve the interests of the district.~~

27 ~~V. POWERS OF THE DISTRICT VOTERS~~

28 ~~A. At any annual meeting or special meeting of the district, or any adjournment thereof,~~
29 ~~the eligible voters shall have the following powers:~~

30 ~~1. They shall fill the vacancies on expired or unexpired terms of duly elected officers,~~
31 ~~who shall consist of a chief, first deputy chief, second deputy chief, two (2) members of the board~~
32 ~~of directors, treasurer, clerk. All candidates for elected office must submit their names and the~~
33 ~~particular office which they are seeking, in writing, to the clerk by 4:30 p.m., thirty (30) days~~
34 ~~prior to the annual meeting. Nominations from the floor at the annual meeting shall be prohibited.~~

1 ~~All candidates for elected office must meet the qualifications set forth in this act.~~

2 ~~2. They shall order such taxes and provide for the assessment and collection of same, on~~
3 ~~all real and such personal property within the boundaries of the district as they shall deem~~
4 ~~necessary for the:~~

5 ~~(a) Proper creation, maintenance and support of a fire department in said district,~~
6 ~~including the purchasing or leasing of real estate to house all necessary equipment and~~
7 ~~firefighting, rescue and/or emergency medical services apparatus.~~

8 ~~(b) Purchase or lease of all necessary fire apparatus; firefighting equipment; emergency~~
9 ~~medical equipment and generally all things necessary for proper operation, maintenance and~~
10 ~~service to the taxpayers of the district in order to carry into effect and attain the objectives of~~
11 ~~which this act is declaratory.~~

12 ~~(c) Improvement in any manner they may deem necessary of any property belonging to~~
13 ~~the district.~~

14 ~~(d) Creation of a reserve fund for the future maintenance and replacement of property and~~
15 ~~apparatus.~~

16 ~~(e) Payment of any charges and expenses arising within the district, incidental or not to~~
17 ~~the above.~~

18 ~~(f) Provide for salaries and employee benefits to those persons presently or previously~~
19 ~~employed by the district.~~

20 ~~3. They shall exempt from taxation such property within the boundaries of the district as~~
21 ~~shall be approved by a vote of seventy five percent (75%) of the eligible voters present at any~~
22 ~~meeting of the district. Providing, however, that no exemption shall be granted unless the request~~
23 ~~for exemption shall specifically be set forth in the call of the meeting at which it is to be~~
24 ~~considered. Such exemption, when granted, shall continue indefinitely, unless a specific term~~
25 ~~shall be specified.~~

26 ~~4. They shall provide for the auditing of the financial records of the district.~~

27 ~~**VI. PROPERTY EXEMPT FROM TAXATION**~~

28 ~~A. No property shall be exempt from taxation unless said exemption shall be approved in~~
29 ~~the manner stated in section 1, subsection V A 3, except that property which is exempt by state or~~
30 ~~federal statute.~~

31 ~~**VII. OATH OF OFFICE**~~

32 ~~A. Upon election or appointment of any officer of the district, the person elected or~~
33 ~~appointed shall take the following oath of office, to be administered by the clerk:~~

34 ~~I, , having been duly elected/appointed to the office of the Richmond Carolina Fire~~

1 ~~District, do hereby swear that I will carry out all obligations and responsibilities of said office in~~
2 ~~accordance with the charter of the Richmond Carolina Fire District and all rules and regulations~~
3 ~~therein, to the best of my ability.~~

4 ~~VIII. OFFICERS OF RICHMOND CAROLINA FIRE DISTRICT~~

5 ~~A. Board of Directors. The chief, first deputy chief, second deputy chief, the two (2)~~
6 ~~elected additional members of the board of directors, and the treasurer, who shall be a nonvoting~~
7 ~~member of the board of directors, shall constitute the board of directors, whose duties collectively~~
8 ~~shall be as follows:~~

9 ~~1. To determine the number of companies within the district and the geographical~~
10 ~~location of each company.~~

11 ~~2. To meet on a regular basis to consider all expenses and claims filed within the district,~~
12 ~~and such expenses and claims that are approved shall bear the signature of the board auditor and~~
13 ~~be presented to the treasurer for payment.~~

14 ~~Each statement of claim shall first be approved by a majority of the board of directors~~
15 ~~before being presented to the treasurer for payment by the board auditor.~~

16 ~~3. The board of directors shall elect one of its members as a board auditor, who shall sign~~
17 ~~all expenses and claims that are approved by the board of directors and present said expenses and~~
18 ~~claims to the treasurer for payments.~~

19 ~~4. Whenever a member of the board of directors, in the discharge of their duty, issues an~~
20 ~~order to any member of the district, Carolina volunteer fire association, or any other company in~~
21 ~~the district, the order shall be faithfully carried out. In the case of disobedience or neglect, said~~
22 ~~person shall be subject to review by the board of directors, who may, if they deem necessary,~~
23 ~~refer the matter to the district discipline committee for its action thereon.~~

24 ~~5. The board of directors prior to each annual meeting shall make known to the district~~
25 ~~clerk the following:~~

26 ~~a) Sixty (60) days prior to the annual meeting all vacancies of the board of directors and~~
27 ~~district officers due to resignation or term expiration should be posted.~~

28 ~~b) They shall thirty (30) days prior to annual meeting present the clerk with a written~~
29 ~~report and proposed budget of expenditures for the coming year.~~

30 ~~6. The board of directors may from time to time prescribe such departmental rules,~~
31 ~~orders and regulations concerning personnel, health, safety, cleanliness, maintenance, training~~
32 ~~and the protection of district property as they deem appropriate. Any member of the district~~
33 ~~personnel or the Carolina volunteer fire association not adhering to the same shall be reported to~~
34 ~~the board of directors for review, who may, if they so deem, refer the matter to the district~~

1 ~~discipline committee for its action thereon.~~

2 ~~7. (a) Any member of the district personnel or the Carolina Volunteer Fire Association~~
3 ~~who is aggrieved by any decision of the district discipline committee may appeal to the board of~~
4 ~~directors by filing a written notice of appeal with the clerk within ten (10) days after the decision~~
5 ~~of the district discipline committee.~~

6 ~~(b) The board of directors, within ten (10) days after receipt by the clerk of a written~~
7 ~~notice of appeal, shall fix the time and place for convening a hearing.~~

8 ~~(c) The hearing before the board of directors shall be conducted in an informal manner,~~
9 ~~and the action taken by the board of directors shall be final.~~

10 ~~8. The board of directors shall elect one of its members chairman and one of its members~~
11 ~~vice chairman. The chairman, and in his absence, the vice chairman, shall preside at all meetings~~
12 ~~of the district and shall conduct all meetings in accordance with Roberts rules of order (latest~~
13 ~~revision).~~

14 ~~9. The board of directors shall appoint all committees and members thereto.~~

15 ~~10. The chairman of the board of directors shall administer the oath to the clerk.~~

16 ~~11. The board of directors shall be responsible for establishing all procedures at~~
17 ~~adjourned meetings.~~

18 ~~12. The board of directors, at each annual meeting, shall make a written report to the~~
19 ~~eligible voters of the state of the affairs of the district.~~

20 ~~13. Whenever a vacancy shall occur in the board of directors, the clerk, the treasurer, or~~
21 ~~the tax collector, either through death, resignation or disability or for removal for cause, the board~~
22 ~~of directors shall appoint a replacement to serve in such capacity until the next annual or special~~
23 ~~meeting.~~

24 ~~14. The board of directors shall appoint or designate a resident and eligible voter as~~
25 ~~acting treasurer, who, in the absence or disability of the treasurer, shall have the authority to sign~~
26 ~~checks and assume other duties of the treasurer. Said person shall provide bond in an amount to~~
27 ~~be determined by the board of directors.~~

28 ~~15. The board of directors shall have the authority to retain legal counsel, accountants,~~
29 ~~consultants or any other professional services deemed by the board of directors to be in the best~~
30 ~~interests of the district. The said legal counsel shall be available in an advisory capacity for all~~
31 ~~committees of the district and shall render legal opinions, whenever requested to so, on any~~
32 ~~questions or inconsistencies pertaining to the charter.~~

33 ~~16. The board of directors, acting on behalf of the district, shall have the right to sue and~~
34 ~~be sued in the courts of this state having jurisdiction to hear, try or determine such causes. The~~

1 ~~district shall indemnify any elected officer for damages, judgment, settlements, costs and~~
2 ~~expenses incurred in connection with any action, suit or appeal therefrom, arising out of an~~
3 ~~alleged or actual breach of duty, neglect, error, misstatement, or omission, or any other matter~~
4 ~~claimed against said person solely by reason of their being an officer of the district.~~

5 ~~17. The board of directors shall appoint a three (3) member discipline committee for the~~
6 ~~district, which committee's duties are described in section X below.~~

7 ~~18. The board of directors shall be authorized to enter into contracts and leases for the~~
8 ~~purchase and sale of equipment and services, to purchase and sell real estate; to construct~~
9 ~~facilities and to perform any other duties and enter into any contract which may be required to~~
10 ~~fulfill the object as stated in section 1, subsection I B.~~

11 ~~19. The board of directors shall be authorized to enter into any mutual aid contract for~~
12 ~~fire protection and/or emergency medical services with any fire company, fire district, emergency~~
13 ~~medical services company and/or association.~~

14 ~~20. The board of directors shall engage in tax reviews as described in subparagraph D, 1~~
15 ~~of this section.~~

16 ~~B. Clerk. The clerk, also elected in a manner provided for in section 1, subsection IX, of~~
17 ~~this charter, shall give notice of every annual meeting, special meeting or adjourned meeting of~~
18 ~~the district by placing a notice of the call of any such meeting in five (5) public places, at least~~
19 ~~seven (7) days prior to such meeting. Further the clerk shall advertise the call of such meeting~~
20 ~~once in a local newspaper, at least seven (7) days prior to such meeting. The clerk shall take the~~
21 ~~minutes of all meetings and shall be held responsible for maintenance of same. The clerk shall~~
22 ~~administer the oath of office to all duly elected or appointed officers of the district, except the~~
23 ~~office of clerk as hereinbefore provided.~~

24 ~~C. Treasurer. The treasurer, also elected in a manner provided in section 1, subsection IX,~~
25 ~~of this charter, before proceeding to discharge these duties, shall give bond to the district in such~~
26 ~~sum and with surety as the eligible voters may determine, which will provide for the faithful~~
27 ~~discharge of the duties of the office. Said bond shall be deposited with the clerk. The cost of said~~
28 ~~bond shall be paid for by the district.~~

29 ~~The treasurer shall pay out and expend only those funds that are authorized to be~~
30 ~~expended by vote of the eligible voters of the district at any annual meeting, special meeting or~~
31 ~~adjourned meeting. The treasurer shall have the authority to borrow such sums, subject to the~~
32 ~~limitations as hereinafter set forth and with the approval of the board of directors, to carry on the~~
33 ~~affairs of the district and shall also have the authority to invest any surplus funds, subject to the~~
34 ~~advice and consent of the board of directors, in any interest bearing accounts as provided by law.~~

1 ~~The treasurer shall also be a nonvoting member of the board of directors.~~

2 ~~D. Tax collector. The tax collector, before proceeding to discharge these duties, shall give~~
3 ~~bond in such sum and with surety as the eligible voters of the district shall determine, which will~~
4 ~~provide for the faithful discharge of the duties of the office. The cost of said bond shall be paid~~
5 ~~for by the district. Said bond is to be deposited with the clerk.~~

6 ~~The tax collector shall pay over to the treasurer on the first business day of each month~~
7 ~~the total taxes collected for the previous month, or at more frequent intervals, at the option of the~~
8 ~~tax collector.~~

9 ~~The tax collector shall determine and assess all real and personal property, located within~~
10 ~~the boundaries of the district, on December 31 of each year, at its full and fair cash value, or at a~~
11 ~~uniform percentage thereof, to be determined by the board of directors. The first taxable year for~~
12 ~~which the district shall collect taxes is the fiscal year beginning July 1, 1987, with assessments~~
13 ~~made as of December 31, 1986. The tax collector shall have the power to assess any property~~
14 ~~exempted or omitted by the town of Richmond.~~

15 ~~The date of the collection and all payments due shall be made on or before September 30~~
16 ~~following said assessment. Provided, however, in the event the tax roll of the town of Richmond~~
17 ~~is not certified by June 15 of any year, the tax collector, on approval of the board of directors~~
18 ~~shall have the authority to change the date to a date not more than one hundred fifty (150) days~~
19 ~~from the date of said certification of the tax roll by the town of Richmond. Interest at the rate per~~
20 ~~annum, fixed for nonpayment of town taxes shall be charged and collected upon all overdue~~
21 ~~charges and assessments from the date they become payable until paid.~~

22 ~~The tax collector shall, after receipt of the list of assessments of the town of Richmond~~
23 ~~and assessing any additional property omitted or exempted from the town's list of assessments,~~
24 ~~produce a tax bill based on the tax rate and budget approved by the eligible voters of the district~~
25 ~~and further shall maintain records of all tax collections and delinquent charges and provide annual~~
26 ~~written reports thereof.~~

27 ~~The tax collector shall send out tax bills the first business day in August of each year,~~
28 ~~provided, however, that the tax collector, on approval of the board of directors, shall have the~~
29 ~~authority to send out the tax bills up to forty five (45) days subsequent to said first business day~~
30 ~~in August in which case the payment due date may, on approval of the board of directors, be~~
31 ~~extended by a similar number of days. Furthermore, all prior actions of the tax collector are~~
32 ~~hereby affirmed and ratified.~~

33 ~~The tax collector shall be empowered, subject to the approval by a majority of the board~~
34 ~~of directors to appoint an agent or agents for the collection of taxes. Said agent or agents at the~~

1 ~~time of appointment, shall give bond to the district in such sum and with surety as the board of~~
2 ~~directors shall determine, which will provide for the faithful performance of the duties of said~~
3 ~~agent or agents.~~

4 ~~(a) Powers and duties as to appeals. The board of directors shall hear and consider~~
5 ~~appeals from property owners regarding the amount of property assessment as determined by the~~
6 ~~tax collector, provided, however, such appeals are filed within thirty (30) days of the last date~~
7 ~~appointed for payment without penalty of such tax, and provided further, that in case such~~
8 ~~property owner has not filed an account of all the ratable personal estate owned or possessed by~~
9 ~~the same, within the time prescribed by law, the taxpayer shall not have the benefit of any appeal~~
10 ~~regarding the assessment on the taxpayer's ratable personal estate unless the tax assessed on said~~
11 ~~personal estate is illegal in whole or in part; and said appeal shall be limited to a review of the~~
12 ~~assessment on real estate to relief with respect to such illegal tax, as the case may be. Said board~~
13 ~~shall have authority to administer oaths and receive testimony and exhibits. It shall have the~~
14 ~~power to change any assessment so appealed and reviewed, but only after the tax collector has~~
15 ~~been given an opportunity to appear before the board or otherwise present the tax collector's case;~~
16 ~~provided, however, that this provision shall in no way alter legal requirements existing on the~~
17 ~~effective date of this article relative to review of abatements. Hearings of the board of directors~~
18 ~~shall be open to the public. Nothing herein contained shall be construed in any way to limit or~~
19 ~~extend the right of a taxpayer to apply to a court of competent jurisdiction for relief from any~~
20 ~~assessed valuation or tax originally determined by the tax collector or subsequently by the board~~
21 ~~of directors in accordance with the general laws of Rhode Island, as amended, or any other law~~
22 ~~thereto appertaining and all amendments and additions to any such laws for relief from~~
23 ~~assessments as originally made by the tax collector.~~

24 ~~(b) Procedure as to appeals. The procedure to be followed in the filing of appeals by~~
25 ~~property owners from assessments as determined by the tax collector is as follows:~~

26 ~~(1) All appeals to the board of directors shall be on petitions provided by such board.~~

27 ~~(2) All questions on said petitions must be answered fully.~~

28 ~~(3) A separate petition shall be filed by an owner or owners for each parcel of property~~
29 ~~for which a review is requested or an appeal taken as provided herein.~~

30 ~~(4) The landowners of record must file all petitions or if this is not possible, the mark of~~
31 ~~the signature of the landowner's legal representative must appear.~~

32 ~~(5) Petitioners will be notified of the date, time, and place of the hearing.~~

33 ~~(6) The landowner of record, or the landowner's representative, must appear at said~~
34 ~~hearing. If persons other than the owner of record are to appear, then a written authorization filed~~

1 ~~by the landowner of record must be presented and recorded with said board.~~

2 ~~(7) Failure on the part of any petitioner or petitioner's legal representative to appear at the~~
3 ~~time and place designated by said board for a petition to be heard, without prior notification being~~
4 ~~given to the board, will be recorded as a default by nonappearance. Any petition for which a~~
5 ~~default is so recorded will not be reheard for a period of one (1) fiscal year. No petition may be~~
6 ~~resubmitted for any year for which a prior petition was recorded as a default due to~~
7 ~~nonappearance of the petitioner or the petitioner's legal representative.~~

8 ~~(8) At any and all hearings, the petitioner may be represented by his or her attorney and~~
9 ~~any said petitioner may present expert witnesses or any other witnesses who may testify at the~~
10 ~~hearing before said board.~~

11 ~~(9) All testimony given before said board shall be under oath.~~

12 ~~(10) The proceedings of the board of directors shall be recorded and kept in a minute~~
13 ~~book provided by said board.~~

14 ~~(11) All decisions of the board of directors shall be made in writing. Notice shall be given~~
15 ~~in writing to the owner, tax collector and treasurer.~~

16 ~~(12) All petitioners shall be notified in writing of the decision of said board and the~~
17 ~~amount of assessment of their property by said board.~~

18 ~~(13) All petitions will be acknowledged by the board of directors by mail.~~

19 ~~c. Chief. The chief shall have command of the fire department. He shall decide all~~
20 ~~disputes and questions arising out of matters connected with the Carolina Volunteer Fire~~
21 ~~Association among the officers and fire personnel. He shall be responsible for the property of the~~
22 ~~district and shall enforce the rules and regulations of the district. The chief shall have the powers~~
23 ~~and duties delegated by the state of Rhode Island to the principal officers of fire departments~~
24 ~~located within the state of Rhode Island.~~

25 ~~d. First Deputy Chief. The first deputy chief shall assist the chief. In the event of the~~
26 ~~absence or disability of the chief, for any reason, the powers and duties of the chief shall devolve~~
27 ~~upon the first deputy chief.~~

28 ~~e. Second Deputy Chief. The second deputy chief shall assist the chief. In the event of the~~
29 ~~absence or disability of the chief and first deputy chief, for any reason, the powers and duties of~~
30 ~~the chief shall devolve upon the first deputy chief.~~

31 ~~IX. TERMS OF OFFICE~~

32 ~~A. The clerk, tax collector and treasurer shall be elected at the annual meeting by the~~
33 ~~eligible voters to serve for a term of one (1) year. Two members of the board of directors, chief,~~
34 ~~first deputy chief and second deputy chief, duly elected by the eligible voters, shall hold office for~~

1 ~~three (3) years with good behavior, and subject to removal as hereinafter provided.~~

2 ~~B. At the first annual meeting after the adoption of this charter, the chief shall be elected~~
3 ~~to a three (3) year term; the first deputy chief shall be elected to a two (2) year term; and the~~
4 ~~second deputy chief shall be elected to a one (1) year term. Thereafter, all elections for chief, first~~
5 ~~deputy chief and second deputy chief will be three (3) year terms. The two (2) additional~~
6 ~~members of the board of directors shall be elected at the first annual meeting of the district as~~
7 ~~follows: One (1) member shall be elected to a three (3) year term; and one (1) member shall be~~
8 ~~elected to a two (2) year term. Thereafter, all elections to the board of directors shall be for three~~
9 ~~(3) year terms.~~

10 ~~C. All candidates for elected office must submit their names and particular office which~~
11 ~~they are seeking, in writing, to said district clerk seven (7) days prior to the annual meeting. Once~~
12 ~~the officers are elected, they shall serve in their respective office and commence their duties until~~
13 ~~the next annual meeting or until their successor is appointed as provided above, except for the~~
14 ~~treasurer and tax collector whose terms will coincide with the district's fiscal year.~~

15 ~~X. PROCEDURE TO REMOVE DISTRICT OFFICERS~~

16 ~~A. In the event that charges are brought against any district officer by complaint filed~~
17 ~~with the board of directors alleging conduct inconsistent with the objectives of this act, the board~~
18 ~~of directors shall appoint a committee which will consist of three (3) members, none of whom~~
19 ~~shall be active firepersons within the district. Said committee will hear the charges or reasons~~
20 ~~proposed for the removal of said officer(s). Any person(s) so charged shall be afforded the~~
21 ~~opportunity to present testimony and witnesses in their behalf and to be represented by legal~~
22 ~~counsel. Within fourteen (14) days following said hearing, the committee will make public its~~
23 ~~report of findings and recommendations and within fourteen (14) days thereafter a special~~
24 ~~meeting shall be called, as hereinbefore provided, for the consideration of removal of such~~
25 ~~officer(s). At said special meeting, the eligible voters may by majority vote accept or reject the~~
26 ~~recommendations of the committee and shall be final and binding with no right of further appeal.~~

27 ~~XI. QUALIFICATIONS OF DISTRICT OFFICERS~~

28 ~~A. In order to be eligible for the position of chief, a person must (a) be a resident of the~~
29 ~~district; (b) have held the office of lieutenant or above in an organized fire department in the state~~
30 ~~of Rhode Island for not less than three (3) years; and (c) be an active member of the Carolina~~
31 ~~Volunteer Fire Association for at least one (1) year.~~

32 ~~B. In order to be eligible for the position of deputy chief, a person must (a) be a resident~~
33 ~~of the district; (b) have held the office of lieutenant or above in an organized fire department in~~
34 ~~the state of Rhode Island for not less than three (3) years; and (c) be an active member of the~~

1 ~~Carolina Volunteer Fire Association for at least one (1) year.~~

2 ~~C. In the event that a vacancy exists on the board of directors and no said person who~~
3 ~~meets the above qualifications is seeking the position, then the board of directors shall appoint a~~
4 ~~special committee, approved by the eligible voters, to determine which qualifications shall be~~
5 ~~modified. Said committee shall consist of the remaining members of the board of directors, the~~
6 ~~treasurer, and two eligible voters who are neither officers of the district nor members of the~~
7 ~~Carolina Volunteer Fire Association.~~

8 ~~D. In order to be elected to and retain the position of member of the board of directors,~~
9 ~~clerk, or treasurer, a person must be a resident of the district.~~

10 ~~E. Any person choosing to run for district elective office shall not be required to resign~~
11 ~~from any district office held within the district at that time, until said person be duly elected and~~
12 ~~qualified to the new office.~~

13 ~~XII. CHARTER REVISION~~

14 ~~In the event that fifteen (15) eligible voters at any duly called meeting of the district shall~~
15 ~~deem that this charter should be revised or amended, then and in that event, the board of directors~~
16 ~~shall appoint a committee, approved by the majority of the eligible voters present, to study such~~
17 ~~proposed amendments or revisions. Said committee shall report its findings at the next annual~~
18 ~~meeting or at a special meeting called for such purpose. Any amendment or revision to this~~
19 ~~charter must be present in the notice of such meeting at which it is to be voted upon. Upon~~
20 ~~approval of any amendment or revision by the eligible voters of the district, the same shall be~~
21 ~~referred to the Rhode Island general assembly during the current session, or if not in session at the~~
22 ~~time, the next session, by the clerk, for enactment.~~

23 ~~XIII. TAXABLE PROPERTY~~

24 ~~The term taxable property of the district shall mean and intend to include all real and~~
25 ~~personal property located within the boundaries of the district.~~

26 ~~XIV. DEBT, BONDS, DEBENTURES AND REPAYMENT~~

27 ~~The district is hereby authorized to incur a debt not to exceed three percent (3%) of the~~
28 ~~total assessed valuation of all taxable property within the boundaries of the district as of the last~~
29 ~~assessment made.~~

30 ~~The district is hereby authorized to issue serial bonds or debentures, under its corporate~~
31 ~~seal and name. Said bonds or debentures shall be in denominations and shall bear interest and be~~
32 ~~upon such terms and conditions and shall be issued and sold by the district in such a manner and~~
33 ~~at such times as the eligible voters of the district, by majority vote of those present and voting,~~
34 ~~may decide at any annual meeting, special meeting or adjourned meeting or in lieu thereof, the~~

1 eligible voters, by majority of those present and voting, may authorize the board of directors and
2 treasurer to supervise the issuance of said bonds or debentures.

3 The chairman of the board of directors and treasurer will sign all bonds and debentures
4 on behalf of the district.

5 The eligible voters at each annual meeting shall appropriate sufficient funds to meet the
6 obligations of principal and interest incurred by the issuance of any such bonds or debentures.

7 ~~XV. EXEMPTION FROM TOWN TAX~~

8 A. All property within the boundaries of the Richmond Carolina Fire District shall be
9 exempt from payment of that portion of the tax assessed by the town of Richmond which is
10 allocated for fire protection.

11 ~~XVI. TRANSFER OF PROPERTY~~

12 A. All property now owned by the Carolina Volunteer Fire Association shall become
13 property of the district.

14 ~~XVII. FISCAL YEAR~~

15 A. The fiscal year of the district shall be from July 1 through June 30.

16 ~~SECTION 2. The question of approval of this act shall be submitted to the electors within~~
17 ~~the boundaries described in Section 1, Subsection I A, at a special local election to be held on~~
18 ~~July 1, 1986, from 7:00 a.m. to 9:00 p.m. by voting machine. The question shall be submitted in~~
19 ~~substantially the following form: Shall an Act passed at the 1986 session of the general assembly~~
20 ~~entitled "An Act Creating The Richmond Carolina Fire District" be approved? The warning for~~
21 ~~the election shall contain the question to be submitted. From until the time the election is warned~~
22 ~~and the time it is held, it shall be the duty of the town clerk to keep a copy of the act available at~~
23 ~~her office for public inspection, but the validity of the election shall not be affected by this~~
24 ~~requirement or by the requirements of sections 17-5-5 and 17-5-6 of the general laws of Rhode~~
25 ~~Island.~~

26 ~~SECTION 3. This section and the foregoing section shall take effect upon the passage of~~
27 ~~this act. The remainder of this act shall take effect upon the approval of this act by a majority of~~
28 ~~those voting on the question at the election prescribed in the foregoing section.~~

29 ~~APPENDIX A~~

30 ~~Beginning at R.I. Route 91, at the Charlestown Richmond line;~~

31 ~~Thence running in a generally northerly direction to R.I. state boundary marker #36;~~

32 ~~Thence turning and running N 74 15 W a distance of 1820 feet more or less, to R.I. state~~
33 ~~boundary marker #37* located in Meadow Brook;~~

34 ~~Thence turning and running northerly along the center of Meadow Brook to a point where~~

1 ~~it intersects the center of Pine Hill Road;~~

2 ~~Thence turning and running westerly along the centerline of Pine Hill Road to a point~~
3 ~~where it intersects the center of Meadowbrook Trail;~~

4 ~~Thence turning and running northerly along the center of Meadowbrook Trail to a point~~
5 ~~where it intersects Jerue Trail;~~

6 ~~Thence running along the centerline of Jerue Trail to a point where it intersects Haberek~~
7 ~~Trail;~~

8 ~~Thence running northeasterly along the centerline of Haberek Trail to a point where it~~
9 ~~intersects Kenyon Hill Trail;~~

10 ~~Thence easterly along the centerline of said Kenyon Hill Trail a distance of 1700 feet,~~
11 ~~more or less, to a point opposite the southwest corner of the Foster Woods Subdivision, said~~
12 ~~Subdivision plat is recorded in the Richmond Land Evidence Records;~~

13 ~~Thence northerly along the easterly boundary of Lot 20 on Assessor's Plat 6B a distance~~
14 ~~of 535 feet, more or less, to the northeast corner of said Lot 20;~~

15 ~~Thence westerly along the northerly boundary of said Lot 20 a distance of 219.44 feet, to~~
16 ~~the northwest corner of said lot;~~

17 ~~Thence northerly along the easterly boundary of Lot 8 on Assessor's Plat 6B a distance of~~
18 ~~1380.01 feet, more or less, to the northeast corner of said Lot 8.~~

19 ~~Thence northeasterly along the southeasterly boundary of Lots 1 and 2 on Assessor's Plat~~
20 ~~6B a distance of 953.29 feet, more or less, to the northeast corner of the Foster Woods~~
21 ~~Subdivision;~~

22 ~~Thence following the common boundary between the Foster Woods subdivision Open~~
23 ~~Space and the Boulder Hills country club, (said country club plat is recorded in the Richmond~~
24 ~~Land Evidence Records), along the following ten courses:~~

25 ~~southeasterly 645.00 feet~~

26 ~~southeasterly 499.40 feet~~

27 ~~southeasterly 446.94 feet~~

28 ~~southeasterly 279.16 feet~~

29 ~~southwesterly 175.00 feet~~

30 ~~westerly 680.00 feet~~

31 ~~northwesterly 130.00 feet~~

32 ~~southwesterly 240.00 feet~~

33 ~~southwesterly 175.24 feet~~

34 ~~southwesterly 100.00 feet~~

1 ~~Thence continuing southwesterly 30.00 feet to the northerly boundary of Lot 16 on~~
2 ~~Assessor's Plat 6B;~~

3 ~~Thence easterly along the northerly boundary of Lots 16, 15 and 14 on Assessor's Plat 6B~~
4 ~~and Lot 13-1 on Assessor's Plat 7B a distance of 693 feet, more or less, to the northeast corner of~~
5 ~~said lot 13-1;~~

6 ~~Thence easterly along the northerly boundary of Lots 13 and 12 on Assessor's Plat 7B a~~
7 ~~distance of 376.84 feet to the northeast corner of said Lot 12;~~

8 ~~Thence turning and running northerly, parallel to and 300.00 feet distant from said~~
9 ~~Meadowbrook Trail to a point at the eastern end of Wildwood Court;~~

10 ~~Thence continuing northerly, a distance of 185.22 feet, to a point;~~

11 ~~Thence turning and running northwesterly, parallel to and 165.00 feet distant from~~
12 ~~Wildwood Court and Meadowbrook Road, respectively, to the southerly line of Rhode Island~~
13 ~~State Route No. 138;~~

14 ~~Thence running northerly across said Rhode Island State Route No. 138 to a point on the~~
15 ~~northerly side of state highway;~~

16 ~~Thence turning and running northeasterly, a distance of 2,500.00 feet, more or less, to a~~
17 ~~point;~~

18 ~~Thence turning an interior angle of 163°00'00" and running northeasterly, a distance of~~
19 ~~1,400.00 feet, more or less to a point;~~

20 ~~Thence turning and running easterly, a distance of 875.00 feet, more or less, to a point;~~

21 ~~Thence turning and running northwesterly, a distance of 1,050.00 feet, more or less, to a~~
22 ~~point;~~

23 ~~Thence turning and running in a northerly direction, a distance of 750.00 feet, more or~~
24 ~~less, to a point;~~

25 ~~Thence turning and running easterly, a distance of 700.00 feet, more or less, to a point;~~

26 ~~Thence turning and running northerly, a distance of 275.00 feet, more or less, to a point;~~

27 ~~Thence turning and running easterly, a distance of 200.00 feet, more or less, to a point;~~

28 ~~Thence turning and running northerly, a distance of 375.00 feet, more or less, to a point;~~

29 ~~Thence turning and running northeasterly, a distance of 200.00 feet, more or less, to a~~
30 ~~point;~~

31 ~~Thence turning and running northwesterly, a distance of 200.00 feet, more or less, to a~~
32 ~~point;~~

33 ~~Thence turning and running southwesterly, a distance of 50.00 feet, more or less, to a~~
34 ~~point;~~

1 ~~Thence, turning and running northwesterly, a distance of 400.00 feet, more or less, to the~~
2 ~~southwesterly line of the Carolina Nooseneck Road;~~

3 ~~Thence running northwesterly to the centerline of said Carolina Nooseneck Road;~~

4 ~~Thence running northerly along the centerline of said Carolina Nooseneck Road to a~~
5 ~~point where said Carolina Nooseneck Road intersects the New London Turnpike;~~

6 ~~Thence running northeasterly along the centerline of said New London Turnpike to a~~
7 ~~point where said Turnpike intersects the Richmond Exeter town line;~~

8 ~~Thence proceeding generally easterly and southerly along the Richmond Exeter town~~
9 ~~line, bounded on the north and east by the town of Exeter, to the Richmond South Kingstown~~
10 ~~town line;~~

11 ~~Thence proceeding along the Richmond South Kingstown Line, bounded on the east by~~
12 ~~the town of South Kingstown, to the Richmond Charlestown town line;~~

13 ~~Thence proceeding along the Richmond Charlestown town line to the point and place of~~
14 ~~beginning.~~

15 ~~*Reference: Carolina Management Area Survey Project Lu RI 38-1 Site 4 by U.S.D.A.~~
16 ~~Soil Conservation Service 10-12-40 on file at Arcadia Hdqtrs.~~

17 A. Establishment and Purpose.

18 1. The portion of the Town of Richmond, Rhode Island shown in Appendix A of this Act
19 is hereby incorporated as the Richmond-Carolina Fire District. The District shall have all the
20 powers that are or may be granted to quasi-municipal corporations under the laws of the State of
21 Rhode Island, including the power to acquire property by purchase, gift, devise, and lease; the
22 power to sell, lease, mortgage, hold, manage, and control property; the power to sue and be sued;
23 and the power to act jointly or in cooperation, by contract or otherwise, with any other fire district
24 or fire company, with the Town of Richmond, with any division or agency of the State of Rhode
25 Island, and with any department or agency of the United States.

26 2. The purpose of the District is to protect the health, safety and welfare of residents of
27 the District by preventing fires, extinguishing fires, and preserving life and property endangered
28 by fires and other emergencies.

29 3. The fiscal year of the District shall begin on July 1 and shall end on June 30.

30 B. Board of Directors.

31 1. The administrative functions of the District shall be directed by a Board of Directors
32 consisting of a Chief, a First Deputy Chief, a Second Deputy Chief, and two (2) public members,
33 each of whom shall be a resident of the District and a voter in the District.

34 2. A First Deputy Chief and a public member shall be elected to three (3)-year terms in

1 2019, a Chief shall be elected to a three (3)-year term in 2020, and a Second Deputy Chief and a
2 public member shall be elected to three (3)-year terms in 2021. Thereafter, each member of the
3 Board of Directors shall be elected to a three (3)-year term. The members of the Board of
4 Directors serving on the date this Charter takes effect shall serve the remainder of their terms,
5 except that public member elected in June of 2017 shall remain in that office until June 2021.

6 3. The Chief shall have held the rank of captain or above in a fire department or company
7 in Rhode Island for at least five (5) years and shall have been a District firefighter for at least one
8 year. The First Deputy Chief and the Second Deputy Chief shall have held the rank of lieutenant
9 or above in a fire department or company in Rhode Island for at least three (3) years and shall
10 have been a District firefighter for at least one year. If no person who meets these qualifications is
11 available to serve in the position, the Board of Directors shall have the authority to modify the
12 qualifications. Such a modification shall apply only to a single three (3)-year term.

13 4. The Board of Directors shall elect one public member as Chair and one public member
14 as Vice Chair at the first Board of Directors meeting after the Annual Meeting. The Chair shall
15 preside at all District meetings and all meetings of the Board of Directors and shall prepare a
16 written report on the activities of the District for distribution at the annual District meeting. The
17 Vice Chair shall assume the Chair's duties in their absence.

18 5. The Chief shall have command of the fire department, shall enforce the rules and
19 regulations of the department and the orders of the Board of Directors, shall resolve all disputes
20 concerning department business among members of the fire department, and shall have all the
21 powers delegated by the State of Rhode Island to the principal officers of fire departments. The
22 First Deputy Chief shall assume the authority and the duties of the Chief when the Chief is absent
23 or unable to perform their duties, and the Second Deputy Chief shall assume the authority and the
24 duties of the First Deputy Chief when the First Deputy Chief is absent or unable to perform their
25 duties.

26 6. The Chief, the First Deputy Chief, and the Second Deputy Chief shall have the same
27 authority as the Richmond Building Official under Sec. 109.1 of the Rhode Island Property
28 Maintenance Code to declare a structure damaged by fire to be unfit for human habitation and to
29 order the occupants to vacate the structure; provided, however, that such a declaration shall
30 remain in effect only until it is superseded by an order of the Richmond Building Official, but in
31 no case for longer than seven (7) business days.

32 7. The Board of Directors shall meet at least once a month at a regular day and time
33 determined by the Board. Special meetings may be called by the Chair or at the request of two (2)
34 other Board members.

- 1 8. The Board of Directors shall have the following authority and responsibilities:
- 2 a) To adopt bylaws governing the administration of District business.
- 3 b) To determine the number of fire companies in the District and the geographical
4 location of each company.
- 5 c) To adopt rules and regulations for operation of the fire department and to issue orders
6 concerning safety, training, and maintenance of District property.
- 7 d) To enter into mutual aid agreements for fire protection and other emergency services.
- 8 e) To hire, discipline and terminate District employees and determine their compensation.
- 9 f) To appoint, discipline and terminate District firefighters.
- 10 g) To approve payment of invoices and claims.
- 11 h) To establish committees and appoint their members.
- 12 i) To retain professionals, including lawyers, accountants, and consultants, and determine
13 their compensation.
- 14 j) To enter into any contract necessary to effectuate the purposes for which the District
15 was established.
- 16 k) To lease and purchase equipment and services, to purchase and sell real property, and
17 to construct and maintain facilities.
- 18 l) To order an independent audit of each annual financial statement of the District.
- 19 m) To borrow money or issue bonds or notes, provided that any borrowing that would
20 increase the District's aggregate outstanding principal indebtedness to three percent (3%) of the
21 full assessed value of the taxable property in the District, not including borrowing in anticipation
22 of the receipt of taxes, shall first be approved by a majority of the District voters at an annual or
23 special District meeting.
- 24 9. The Board of Directors shall recommend an annual budget for adoption by the voters
25 at the annual District meeting. The budget may provide for:
- 26 a) Maintenance and support of the fire department, including purchase or lease of real
27 property.
- 28 b) Purchase or lease of fire apparatus, firefighting equipment, emergency medical
29 equipment, and any other necessary equipment or furnishings.
- 30 c) Construction or maintenance of structures on real property owned or leased by the
31 District.
- 32 d) Establishment of a capital improvement fund for repair or replacement of property or
33 equipment.
- 34 e) Compensation for persons employed or retained by the District.

1 f) Payment of principal and interest incurred by the issuance of bonds or notes.

2 g) Any other expenditure necessary to effectuate the purposes for which the District was
3 established.

4 C. Clerk.

5 1. The Board of Directors shall appoint a qualified person as Clerk. The Clerk shall be a
6 resident of the District and a voter in the District, and shall serve at the pleasure of the Board of
7 Directors.

8 2. The Clerk shall give public notice of every regular and special District meeting, and
9 shall take and maintain minutes of every such meeting, in the manner required by this Charter and
10 the District bylaws.

11 3. The Clerk shall give public notice of every regular and special meeting of the Board of
12 Directors and every meeting of every committee and subcommittee, and shall take, post, and
13 maintain minutes of every such meeting in the manner required by Chapter 46 of Title 42, of the
14 General Laws and the District bylaws.

15 4. The Clerk shall carry out any other duties assigned by the Board of Directors.

16 D. Treasurer.

17 1. The Board of Directors shall appoint a qualified person as Treasurer. The Treasurer
18 need not be a resident of the District or a voter in the District. The Treasurer shall serve at the
19 pleasure of the Board of Directors.

20 2. The Treasurer shall carry out the financial monitoring and reporting duties required by
21 Chapter 12 of Title 45, of the General Laws, including day-to-day supervision of District
22 finances, prepare the quarterly reports required by law, and prepare any other financial report
23 required by law or requested by the Board of Directors.

24 3. The Treasurer shall issue bonds or notes authorized by the Board of Directors or the
25 District voters. Bonds, notes, and other instruments issued on behalf of the District shall be
26 cosigned by the Treasurer and the Chair.

27 4. The Treasurer shall receive, record, and deposit all funds received, including tax
28 revenue, and shall invest surplus cash in an interest-bearing account with the approval of the
29 Board of Directors.

30 5. The Treasurer shall prepare a monthly written income and expenditure report to the
31 Board of Directors, and an annual report on the finances of the District for the annual District
32 meeting.

33 6. The Treasurer shall pay invoices and other financial obligations of the District in
34 accordance with the procedure in the District bylaws.

1 7. The Treasurer shall be bonded by a surety bond in an amount determined by the Board
2 of Directors. In no case shall the amount of the bond be less than One Hundred Thousand Dollars
3 (\$100,000). The District shall pay the cost of the bond.

4 E. Assessment and Collection of Taxes.

5 1. Taxable real and personal property within the District shall be assessed at a value
6 identical to the value determined by the Richmond Tax Assessor for the same property as of
7 December 31 of the previous year. Property exempted from taxation by the Town of Richmond
8 and property exempt from taxation by state or federal law shall be exempted from taxation by the
9 District. Property within the District owned by the Town of Richmond shall be exempt from
10 taxation by the District.

11 2. The Board of Directors shall appoint a qualified person as Tax Collector. The Tax
12 Collector need not be a resident of the District or a voter in the District. The Tax Collector shall
13 serve at the pleasure of the Board of Directors. The Tax Collector shall have all the powers and
14 duties conferred on municipal tax collectors by law. The Tax Collector shall maintain a complete
15 record of all taxes assessed, all taxes paid, and all overdue accounts, and shall prepare a monthly
16 written report to the Board of Directors.

17 3. The Board of Directors may appoint a qualified person as Deputy Tax Collector to
18 assist the Tax Collector. The Deputy Tax Collector need not be a resident of the District or a
19 voter in the District. The Deputy Tax Collector shall serve at the pleasure of the Board of
20 Directors and shall work under the direction of the Tax Collector. The Deputy Tax Collector shall
21 have all the powers of the Tax Collector.

22 4. Annually, after receipt of the Richmond Tax Assessor's certified tax roll, the Tax
23 Collector shall prepare and mail tax bills based on the certified tax roll and the tax resolution
24 approved by voters at the annual District meeting. Tax reductions or abatements granted by the
25 Town of Richmond pursuant to ordinance or statute, including agreements for payments in lieu of
26 taxes, shall not apply to taxes assessed by the District unless otherwise specifically provided by
27 law.

28 5. Taxes shall be due in full on September 30. Interest at the rate of twelve percent (12%)
29 per annum shall be assessed on all overdue accounts from the date the taxes are due to the date
30 the taxes are paid. All taxes assessed on real or personal property in the District shall constitute a
31 lien on the taxpayer's real property located in the District for a period of three (3) years after the
32 date of assessment or, if the real property is not sold or conveyed, until the taxes are collected.

33 6. The Tax Collector and the Deputy Tax Collector, if one is appointed, shall be bonded
34 by a surety bond in an amount determined by the Board of Directors. In no case shall the amount

1 of the bond be less than Fifty Thousand Dollars (\$50,000). The District shall pay the cost of the
2 bond.

3 F. District Meetings.

4 1. Every qualified voter in the Town of Richmond who resides in the District, and every
5 natural person who pays property taxes to the District, whether or not that person resides in the
6 District, shall have the right to vote at District meetings. Before each District meeting, the Clerk
7 shall obtain from the Richmond Canvassing Authority a list of qualified Richmond voters, and
8 shall obtain from the Tax Collector a list of District taxpayers. Those lists shall be used to verify
9 that persons voting at the meeting are qualified to vote.

10 2. The Clerk shall give notice of District meetings at least ten (10) days before the date of
11 the meeting by posting the agenda, with the date, time, and location of the meeting, at the H. L.
12 Arnold Public Safety Complex, at the Richmond Town Hall, at three (3) other public places in the
13 District, and on the District website.

14 3. The Annual Meeting of the District shall take place no later than June 15 on a day and
15 time and at a location determined by the Board of Directors.

16 4. Special District meetings may be called by a majority vote of the Board of Directors,
17 or by a petition of District voters. The petition shall be signed by no fewer than fifty (50) District
18 voters and shall state the specific purpose of the meeting. The petition shall be delivered to the
19 Clerk. After verifying that the persons who signed the petition are qualified voters in the District,
20 the Clerk shall deliver the petition to the Board of Directors, who shall set a date, time, and
21 location for the special meeting. The special meeting shall take place within thirty (30) days of
22 the day the Clerk receives the petition. Notice of a special meeting shall be given in the same
23 manner as notice of the Annual Meeting.

24 5. Twenty (20) District voters shall constitute a quorum. If a quorum is not present when
25 the meeting is scheduled to begin, the Chair may delay the start of the meeting until a quorum is
26 present. All questions shall be decided by a majority vote of the District voters present and
27 voting.

28 6. Upon the affirmative vote of twenty percent (20%) of the District voters present and
29 voting, any question involving the expenditure of money or the incurring of debt shall be taken by
30 ballot.

31 7. Procedural issues at any District meeting shall be resolved by referring to the most
32 recent edition of Robert's Rules of Order, Newly Revised, published by the Robert's Rules
33 Association.

34 8. The voters at the Annual Meeting shall adopt a budget for the next fiscal year, shall fill

1 any expiring or vacant elective position, shall order the assessment and collection of taxes, and
2 shall dispose of any other lawful business listed on the meeting agenda.

3 G. Elections.

4 1. At each Annual Meeting, voters shall elect persons who are District residents and
5 qualified voters to fill any vacant seat on the Board of Directors.

6 2. A person who wishes to be considered for an elective position shall submit their name,
7 address, and the office they seek to the Board of Directors in writing at least thirty (30) days
8 before the Annual Meeting. The Board of Directors shall verify that each person is qualified to
9 serve in the position they seek.

10 3. At the Annual Meeting, the Board of Directors shall present the names of the qualified
11 candidates to the voters. Nominations from the floor shall not be accepted. If there are two (2) or
12 more candidates for a seat, the election shall be by ballot. The Board of Directors shall cause the
13 ballots to be printed in advance. The names of the candidates for each seat shall be listed in
14 alphabetical order. The Chair shall choose two (2) or more persons to examine the ballots cast
15 and compile the vote totals.

16 4. Immediately after the election, the Clerk shall administer the oath of office to each
17 newly-elected member of the Board of Directors. The oath shall be as follows: I, [name], having
18 been duly elected to office by the voters of the Richmond-Carolina Fire District, do hereby swear
19 that I will carry out all of the obligations and responsibilities of my office in accordance with the
20 Charter and the bylaws of the Richmond-Carolina Fire District to the best of my ability.

21 5. Members of the Board of Directors shall serve until their successors are elected or
22 appointed. If a member becomes unable or ineligible to serve, the Board of Directors shall
23 appoint a qualified person to fill the vacant seat. If such an appointment takes place during the
24 first or second year of a three (3)-year term, the voters at the next annual District meeting shall
25 elect a qualified person to serve the remainder of the term.

26 H. Indemnification.

27 All elected and appointed officials, employees, and firefighters of the District shall be
28 indemnified from all loss, cost, expense, and damage, including legal fees and court costs, arising
29 out of any claim, action, compromise, settlement, or judgment by reason of any alleged
30 intentional tort or act, error, misstatement, action or omission, or neglect or violation of the rights
31 of any person under any federal or state law, including misfeasance, malfeasance, or nonfeasance,
32 or any act, omission, or neglect contrary to any federal or state law that imposes personal liability
33 on any elected or appointed official, any employee, or any firefighter of the District, if they were
34 acting within the scope of their official duties or employment at the time of the intentional tort or

1 act, omission or neglect; provided, however, that no indemnification shall be available to an
2 elected or appointed official, employee, and firefighter if the misstatement, error, act, omission,
3 or neglect resulted from willful, wanton, or malicious conduct.

4 I. Charter amendments.

5 1. The Board of Directors shall have the authority to initiate amendment or revision of the
6 District's legislative Charter by preparing and recommending amendments or by appointing a
7 committee of District voters to prepare and recommend amendments.

8 2. Proposed amendments to the Charter shall be submitted to members of the Rhode
9 Island Senate and House of Representatives who represent the District for introduction and
10 enactment. Enactment shall be subject to approval by a majority of the voters present and voting
11 at an annual or special District meeting. The meeting notice shall state that a vote on approval of
12 amendments to the Charter will take place, and shall state where and when any interested person
13 may examine or obtain a complete copy of the amendments. The entire Charter, as amended by
14 the General Assembly, shall be posted on the District website at least ten (10) days before the
15 date of the meeting.

16 3. If a majority of the voters present and voting at a District meeting approve the Charter
17 amendments, the amendments shall take effect.

18 APPENDIX A.

19 Beginning at R.I. Route 91, at the Charlestown-Richmond line;

20 Thence running in a generally northerly direction to R.I. state boundary marker #36;

21 Thence turning and running N 74 15 W a distance of 1820 feet more or less, to R.I. state
22 boundary marker #37* located in Meadow Brook;

23 Thence turning and running northerly along the center of Meadow Brook to a point where
24 it intersects the center of Pine Hill Road;

25 Thence turning and running westerly along the centerline of Pine Hill Road to a point
26 where it intersects the center of Meadowbrook Trail;

27 Thence turning and running northerly along the center of Meadowbrook Trail to a point
28 where it intersects Jerue Trail;

29 Thence running along the centerline of Jerue Trail to a point where it intersects Haberek
30 Trail;

31 Thence running northeasterly along the centerline of Haberek Trail to a point where it
32 intersects Kenyon Hill Trail;

33 Thence easterly along the centerline of said Kenyon Hill Trail a distance of 1700 feet,
34 more or less, to a point opposite the southwest corner of the Foster Woods Subdivision, said

1 Subdivision plat is recorded in the Richmond Land Evidence Records;

2 Thence northerly along the easterly boundary of Lot 20 on Assessor's Plat 6B a distance
3 of 535 feet, more or less, to the northeast comer of said Lot 20;

4 Thence westerly along the northerly boundary of said Lot 20 a distance of 219.44 feet, to
5 the northwest comer of said lot;

6 Thence northerly along the easterly boundary of Lot 8 on Assessor's Plat 6B a distance of
7 1380.01 feet, more or less, to the northeast comer of said Lot 8.

8 Thence northeasterly along the southeasterly boundary of Lots 1 and 2 on Assessor's Plat
9 6B a distance of 953.29 feet, more or less, to the northeast comer of the Foster Woods

10 Subdivision;

11 Thence following the common boundary between the Foster Woods subdivision Open
12 Space and the Boulder Hills country club, (said country club plat is recorded in the Richmond
13 Land Evidence Records), along the following ten courses:

14 southeasterly 645.00 feet

15 southeasterly 499.40 feet

16 southeasterly 446.94 feet

17 southeasterly 279.16 feet

18 southwesterly 175.00 feet

19 westerly 680.00 feet

20 northwesterly 130.00 feet

21 southwesterly 240.00 feet

22 southwesterly 175.24 feet

23 southwesterly 100.00 feet

24 Thence continuing southwesterly 30.00 feet to the northerly boundary of Lot 16 on

25 Assessor's Plat 6B;

26 Thence easterly along the northerly boundary of Lots 16, 15 and 14 on Assessor's Plat 6B
27 and Lot 13-1 on Assessor's Plat 7B a distance of 693 feet, more or less, to the northeast comer of

28 said lot 13-1;

29 Thence easterly along the northerly boundary of Lots 13 and 12 on Assessor's Plat 7B a
30 distance of 376.84 feet to the northeast comer of said Lot 12;

31 Thence turning a running northerly, parallel to and 300.00 feet distant from said
32 Meadowbrook Trail to a point at the eastern end of Wildwood Court;

33 Thence continuing northerly, a distance of 185.22 feet, to a point;

34 Thence turning and running northwesterly, parallel to and 165.00 feet distant from

1 Wildwood Court and Meadowbrook Road, respectively, to the southerly line of Rhode Island
2 State Route No. 138;
3 Thence running northerly across said Rhode Island State Route No. 138 to a point on the
4 northerly side of state highway;
5 Thence turning and running northeasterly, a distance of 2,500.00 feet, more or less, to a
6 point;
7 Thence turning an interior angle of 163 00'00" and running northeasterly, a distance of
8 1,400.00 feet, more or less to a point;
9 Thence turning and running easterly, a distance of 875.00 feet, more or less, to a point;
10 Thence turning and running northwesterly, a distance of 1,050.00 feet, more or less, to a
11 point;
12 Thence turning and running in a northerly direction, a distance of 750.00 feet, more or
13 less, to a point;
14 Thence turning and running easterly, a distance of 700.00 feet, more or less, to a point;
15 Thence turning and running northerly, a distance of 275.00 feet, more or less, to a point;
16 Thence turning and running easterly, a distance of 200.00 feet, more or less, to a point;
17 Thence turning and running northerly, a distance of 375.00 feet, more or less, to a point;
18 Thence turning and running northeasterly, a distance of 200.00 feet, more or less, to a
19 point;
20 Thence turning and running northwesterly, a distance of 200.00 feet, more or less, to a
21 point;
22 Thence turning and running southwesterly, a distance of 50.00 feet, more or less, to a
23 point;
24 Thence, turning and running northwesterly, a distance of 400.00 feet, more or less, to the
25 southwesterly line of the Carolina Nooseneck Road;
26 Thence running northwesterly to the centerline of said Carolina Nooseneck Road;
27 Thence running northerly along the centerline of said Carolina Nooseneck Road to a
28 point where said Carolina Nooseneck Road intersects the New London Turnpike;
29 Thence running northeasterly along the centerline of said New London Turnpike to a
30 point where said Turnpike intersects the Richmond-Exeter town line;
31 Thence proceeding generally easterly and southerly along the Richmond-Exeter town
32 line, bounded on the north and east by the town of Exeter, to the Richmond-South Kingstown
33 town line;
34 Thence proceeding along the Richmond-South Kingstown Line, bounded on the east by

1 [the town of South Kingstown, to the Richmond-Charlestown town line;](#)

2 [Thence proceeding along the Richmond-Charlestown town line to the point and place of](#)
3 [beginning.](#)

4 [*Reference: Carolina Management Area Survey-Project Lu-RI-38-1 Site 4 by U.S.D.A.](#)
5 [Soil Conservation Service-10-12-40 on file at Arcadia Hdqtrts.](#)

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

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LC003814
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO THE RICHMOND-CAROLINA FIRE DISTRICT

1 This act would repeal the current chapter for the Richmond-Carolina fire district and
2 would replace it with a charter supported by the town council of the town of Richmond and
3 approved by fire district voters at a special district meeting held on November 9, 2017.

4 This act would take effect upon passage.

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LC003814
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