

2019 -- S 0450

LC001510

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

IN AMENDMENT TO THE CHARTER OF THE CENTRAL COVENTRY FIRE DISTRICT  
PURSUANT TO A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COVENTRY  
FIRE DISTRICT ON DECEMBER 27, 2018

Introduced By: Senators Raptakis, and Rogers

Date Introduced: February 27, 2019

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 AN ACT IN AMENDMENT TO THE CHARTER OF THE CENTRAL COVENTRY  
2 FIRE DISTRICT PURSUANT TO A RESOLUTION OF THE BOARD OF DIRECTORS OF  
3 THE COVENTRY FIRE DISTRICT ADOPTED ON DECEMBER 27, 2018.

4 SECTION 1. Sections 3 through 14 of Chapter 492 of the Public Laws of 2006, entitled  
5 "AN ACT IN AMENDMENT OF THE INCORPORATION OF THE CENTRAL COVENTRY  
6 FIRE DISTRICT IN FURTHERANCE OF THE "CONSOLIDATION PLAN" OF THE  
7 CENTRAL COVENTRY FIRE DISTRICT, THE WASHINGTON LIGHTING DISTRICT, THE  
8 HARRIS FIRE & LIGHTING DISTRICT AND THE TIOGUE FIRE DISTRICT, AS  
9 APPROVED BY THE QUALIFIED VOTERS OF SAID DISTRICTS, AT DULY CALLED  
10 MEETINGS HELD ON MARCH 28, 2006" are hereby amended to read as follows:

11 Sec. 3. ~~FIRST CONSOLIDATED DISTRICT MEETING AND ANNUAL MEETINGS~~  
12 ~~OF THE CONSOLIDATED FIRE DISTRICT~~ ANNUAL MEETINGS OF THE FIRE  
13 DISTRICT.

14 ~~(a) 2006 First consolidated meeting:~~

15 ~~Commencing in the year 2006, a special meeting of the consolidated district shall be held~~  
16 ~~within thirty (30) days of the amendment of this Charter by and among the Boards of Directors of~~  
17 ~~Central Coventry Fire District, the Washington Lighting District, the Harris Fire & Lighting~~  
18 ~~District and the Tiogue Fire District for the purposes of constituting the first Board of Directors of~~

1 ~~the consolidated district, in accordance with Section 5 herein and for adopting the initial by laws~~  
2 ~~for the Consolidated District.~~

3 ~~(b)~~(a) Annual Meetings & Quorum: Annual meetings of said fire ~~district~~ District for the  
4 election of officers and the transaction of any other business of the fire district shall be held.  
5 Twenty five (25) qualified voters shall constitute a quorum for the transaction of business at any  
6 meeting of the corporation. ~~Commencing in 2007 and continuing annually thereafter, the district~~  
7 The District shall hold an annual meeting in a public place on the ~~second~~ third Monday in  
8 September, at 7:00 P.M. at such place within the District as the Board shall determine, for the  
9 purposes of: (1) electing a Board of Directors; (2) authorizing the assessment of all the taxable  
10 personal and real property of the District; (3) authorizing the collection of taxes, as further set  
11 forth in Section 6 hereunder; (4) authorizing an annual budget to provide for the purchase and  
12 maintenance of equipment, apparatus, real and personal property, the payment of wages and  
13 salaries, and for such other expenditures deemed necessary by the qualified voters of the District;  
14 and (5) For such other lawful purposes deemed necessary and proper by either the Board of  
15 Directors or qualified voters of the district.

16 ~~(e)~~(b) Call of the Meeting:

17 The Clerk of the District shall give notice of the annual meetings by causing a copy  
18 thereof to be posted ~~at least twice in some newspaper in the Kent County Times, the Reminder, or~~  
19 ~~a similar newspaper of general circulation~~ distributed in Kent County, and posted in each fire  
20 station of the District ~~not less than sixty (60)~~ thirty (30) days prior to the meeting ~~date and~~  
21 ~~thereafter, at least seven (7) days prior to the meeting date.~~

22 The annual meeting and all other meetings of the District shall be held in a public place,  
23 which shall be accessible to the handicapped, pursuant to the requirements of the Rhode Island  
24 Constitution, Article 1 & 2 and applicable federal and state non-discrimination laws.

#### 25 Sec. 4. SPECIAL MEETINGS

26 (a) Special meetings of the fire District may be called upon written request of not less  
27 than ~~twenty five (25)~~ one hundred (100) qualified voters, or may be called by a majority vote of  
28 the board of Directors. Written application for a special meeting of the fire District as well as the  
29 notice thereof, shall mention the reason for such special meeting. Notice of the special meeting of  
30 the fire District shall be given in the same manner as the annual meeting not less than thirty (30)  
31 days prior to the date of the meeting and thereafter, at least seven (7) days prior to the date of the  
32 meeting. The purpose of the special meeting of the fire District shall be stated in the notice and  
33 call for meeting and no other business shall be transacted.

34 (b) ~~Any special meeting called for the purpose of filling a vacancy among district officers~~

1 ~~shall be advertised in the same manner as the annual meeting, as set forth in Section 3 (c) of this~~  
2 ~~Charter.~~ Nothing herein shall prohibit the Board of Directors from calling such special Board of  
3 Directors meetings, or Board work session or workshops as they may from time to time require,  
4 so long as said meetings comply with the Rhode Island Open Meetings Act, chapter 46 of title 42.

5 Sec. 5. DIRECTORS & OFFICERS OF THE CORPORATION –MODERATOR -  
6 QUALIFICATIONS

7 (a) The ~~consolidated district board~~ District Board shall be comprised of seven (7)  
8 Directors. ~~directors, none of whom shall be then serving as a Treasurer or Tax Collector of any~~  
9 ~~individual district, appointed by the respective Boards of each individual fire district and shall be~~  
10 ~~constituted as follows: Two (2) members shall be appointed by the Central Coventry Fire District;~~  
11 ~~Two (2) members shall be appointed by the Central Washington Fire District; One (1) member~~  
12 ~~shall be appointed by the Harris Fire District; One (1) member shall be appointed by the Tiogue~~  
13 ~~Fire District; the final member shall be appointed by the preceding six (6) members and may be~~  
14 ~~from any of the individual fire districts.~~ The ~~consolidated district~~ Board of Directors shall elect a  
15 President and Vice President, and all seven (7) Directors shall be qualified to serve in office until  
16 at least the next annual meeting. Board member shall serve three (3) year terms, staggered by the  
17 year in which they were elected. Therefore, Board members elected in 2018 would be up for  
18 reelection in 2021. ~~At the first meeting of the consolidated district, the Board shall determine by~~  
19 ~~some acceptable means, the order in which the members' seats shall come up for election.~~

20 ~~(b) Thereafter, three (3) Directors will be elected to a three (3) year term at the 2007~~  
21 ~~annual meeting and every third year thereafter. Two (2) directors shall be elected at the 2008~~  
22 ~~annual meeting and every third year thereafter. Two (2) Directors shall be elected at the 2009~~  
23 ~~annual meeting and every third year thereafter.~~

24 ~~(e)~~(b) Any inhabitant qualified to vote at any District meeting, may be a candidate for  
25 District office, provided, however, that no one who is employed by the District, as a firefighter, or  
26 employed by another fire District in the Town of Coventry, or employed by the Town of  
27 Coventry, or the State of Rhode Island, or is an immediate family member of a District employee  
28 shall be a candidate for District office. Such ~~such~~ candidate ~~submits~~ must submit to the District  
29 ~~clerk~~ Clerk the title of the elective office sought, together with a petition signed by twenty (20)  
30 inhabitants qualified to vote at any District meeting, at least sixty (60) days prior to the date of the  
31 meeting, This list of signatures is to be certified by the ~~clerk~~ District Clerk no later than thirty  
32 (30) days prior to an annual or special meeting of the fire District.

33 ~~(d)~~(c) The ~~clerk~~ Clerk of the District shall post in a conspicuous place a list of all persons  
34 certified to stand for election and the office to which each person seeks election in at least eight

1 (8) public places within the ~~district~~ District, including all actively used District stations, at least  
2 twenty (20) days prior to the annual meeting or any other special meeting called for the election  
3 of officers.

4 ~~(e)~~(d) The Board of Directors shall have the power to declare an office vacant if the  
5 person filling that office fails to attend three (3) consecutive monthly meetings of the Board  
6 without prior notification to the Board. The Board is authorized to excuse the absence of a  
7 Director from any meeting.

8 ~~(f) In the event that a vacancy in any elective office of the District occurs, the president or~~  
9 ~~clerk shall call a meeting of the Board of Directors of the district within ten (10) working days~~  
10 ~~after such vacancy occurs. The Board of Directors shall select a qualified elector of the District to~~  
11 ~~fill the vacancy for a period of up to sixty (60) days.~~

12 ~~(g) Upon the occurrence of any vacancy in any elective office of the District, the~~  
13 ~~president shall call a special meeting of the District for the purpose of electing a qualified elector~~  
14 ~~to fill the office vacated for the remainder of the original term of office. Said special meeting~~  
15 ~~shall be held within sixty five (65) days from the date such original vacancy occurs.~~

16 (e) If a vacancy shall occur on the Board, the President or Clerk shall call a meeting of  
17 the Board of Directors of the District within ten (10) working days after such vacancy shall occur.  
18 The remaining Board members shall appoint a replacement to fill the vacancy until the next  
19 regular election of officers, at which time the vacant position shall be filled through an election  
20 for the balance of the term.

21 Sec. 6. DUTIES OF THE BOARD OF DIRECTORS

22 (a) The Board of Directors shall hold monthly public meetings to conduct the business of  
23 the District. The Board of Directors shall be empowered and responsible to: (1) Fix the amount of  
24 the bond of the the Finance Director or Treasurer and the Tax Collector; (2) Order payment of the  
25 ~~district's~~ District's bills and indebtedness; (3) Be in charge of and supervise the care of the  
26 ~~district's~~ District's properties; (4) Cause ~~district~~ District property to be insured; (5) Purchase  
27 equipment, property and apparatus as required by the District's needs and budget; (6) Appoint ~~an~~  
28 ~~Administrative~~ a Fire Chief, Tax Collector and Treasurer and other employees. No less than one  
29 half (1/2) of the members of the Board of Directors shall constitute a quorum at any meeting of  
30 the Board.

31 (b) The foregoing list of duties shall not be deemed to be limiting and the ~~directors~~ Board  
32 of Directors shall have all necessary authority to operate and conduct the business of the District  
33 as necessary, all within the bounds of the laws of the State of Rhode Island. The Board of  
34 Directors shall have the power to appoint and/or employ a tax assessor, tax collector, treasurer,

1 clerk, and other committees and/or positions deemed necessary for the efficient operation of the  
2 District.

3 (c) The members of the Board of Directors and any official appointed by said Board of  
4 Directors shall be subject to the Rhode Island Code of Ethics in Government, Chapter 14 of Title  
5 36 of the Rhode Island General Laws.

6 (d) The ~~president~~ President of said District shall preside at all annual and special  
7 meetings as moderator; in his/her absence the ~~vice-president~~ Vice President shall serve as  
8 moderator; in the absence of both, a temporary moderator may be elected by a majority of voters  
9 present and voting.

10 (e) The administrative duties of these Directors shall be specified in the ~~by-laws~~ By-Laws  
11 of the ~~fire-district~~ District.

12 (f) Recall of Director(s).

13 Any Director, having been in office for at least six (6) months, may be removed from  
14 office by a recall petition prepared and approved by the voters of the District in the manner  
15 hereinafter provided.

16 Upon application by a registered voter of the District, the Clerk of the District shall issue  
17 recall petition blanks, which shall be dated, which shall demand the removal of the designated  
18 Director, which shall also state the cause upon which the removal is sought. The petition is to be  
19 filed with the Clerk of the District within thirty (30) days after issuance to be in order for the  
20 certification process.

21 The signatures to a recall petition need not all be appended to a single paper, but each  
22 signer shall add his or her signature as the same appears on the Board of Canvassers and  
23 Registration's records, and the signer's place of residence, giving the street name and number.  
24 One of the signers shall take an oath before an officer competent to administer oaths that the  
25 statement therein made is true, as the signer believes, and that each signature to the paper  
26 appended is the genuine signature of the person whose name it purports to be.

27 The recall petition shall be signed by at least twenty percent (20%) of the registered  
28 voters of the District for certification purposes. The petition is to be submitted by the Clerk of the  
29 District to the Coventry Board of Canvassers and Registration for certification forthwith. If the  
30 petition shall be found and certified by the Board of Canvassers and Registration to be sufficient,  
31 within ten (10) days said Board shall submit the same to the Board of Directors without delay; the  
32 Board of Directors shall order an election to be held on a Monday fixed by it no more than  
33 seventy-five (75) days after the date of the Board of Canvassers and Registration's certificate that  
34 a sufficient petition is filed. However, if the annual meeting is to occur within ninety (90) days

1 after the date of the certification, the Board of Directors shall postpone the holding of the recall  
2 election to the date of said annual meeting.

3 Sec. 7. TAXING AUTHORITY - TAX ASSESSOR

4 (a) Said qualified voters at any of their legal meetings shall have the power to order such  
5 taxes and provide for the assessing and collecting of the same on the taxable inhabitants and  
6 property in said ~~district~~ District as they shall deem necessary for purchasing fire engines, and all  
7 other implements and apparatus for the extinguishing of fire; for the purchase of land and  
8 buildings for keeping same; for the purchasing, installation, operation and maintenance of a  
9 suitable alarm system; for making cisterns and reservoirs; for paying the salaries of ~~district~~  
10 District officers and employees, as well as the members of the rescue unit known as Central  
11 Coventry Rescue. And such taxes, so ordered, shall be assessed by the assessors of said ~~district~~  
12 District on the taxable inhabitants and property therein according to the last valuation made by  
13 the assessors of the town of Coventry next previous to said assessment, adding, however, any  
14 taxable property which may have been omitted by said town assessors or afterwards acquired; and  
15 in assessing and collecting said taxes such proceedings shall be had by the officers of said ~~district~~  
16 District, as near as may be, as are required to be had by the corresponding officers of towns in  
17 assessing and collecting taxes.

18 (b) The qualified voters of the ~~Central Coventry Fire~~ District are also authorized to raise  
19 money through taxes to purchase the necessary vehicles and equipment to operate and maintain a  
20 rescue unit to be known as the Central Coventry Rescue.

21 (c) TAX ASSESSOR

22 There shall be at least one District Tax Assessor, ~~who may also serve as District Clerk,~~  
23 who shall be appointed or employed by the ~~District~~ Board of Directors. ~~The tax assessor shall~~  
24 ~~levy and assess taxes at such rate as the district shall vote, on all taxable real and personal~~  
25 ~~property in the district and shall prepare and deposit the tax list with the tax collector and~~  
26 ~~treasurer of the district; said board shall assess property on the basis of the last valuation made by~~  
27 ~~the assessors of the Town of Coventry next previous to said assessment.~~ The Assessor shall be  
28 responsible to certify the tax roll prior to the annual meeting and shall report the same to the  
29 Board of Directors.

30 Sec. 8. DISTRICT CLERK

31 There shall be a District Clerk who shall be appointed or employed by the District. The  
32 ~~clerk~~ Clerk shall keep full, fair and accurate records and minutes of the meetings of the Board of  
33 Directors and ~~district~~ District meetings and shall make said minutes available to members of the  
34 public, in accordance with the Rhode Island Public Records Act, Chapter 2 of Title 38 of the

1 Rhode Island General Laws. The Clerk shall be responsible to give notice of District meetings as  
2 set forth under the provisions of this Charter and pursuant to the Rhode Island Open Meetings  
3 Laws, Chapter 46 of Title 42 of the Rhode Island General Laws. The ~~clerk~~ Clerk shall maintain a  
4 current copy of the District Charter and ~~by-laws~~ By-Laws.

5 Sec. 9. ~~DISTRICT TREASURER There shall be a District Treasurer who shall be~~  
6 ~~appointed or employed by the District.~~ FINANCE DIRECTOR -- TREASURER

7 The Board of Directors shall be empowered to employ a Finance Director or Treasurer,  
8 as the same shall be referred to. The ~~Treasurer shall~~ position shall be responsible for management  
9 and administration of the District, except for fire department operations, which shall be the  
10 purview of a fire chief, and shall be responsible to and shall report to the Board of Directors  
11 monthly. This person shall have a degree in accounting or a Certified Public Accountant (“CPA”)  
12 designation as minimum criteria. The following shall also be included as the duties and  
13 responsibilities of this position, as may be modified from time to time by the Board of Directors:

14 The position shall account for ~~receive~~ all money paid to the District and ~~deposit~~ ensure  
15 that the same ~~is~~ is deposited into such federally insured bank or banking ~~system~~ institution as  
16 shall be designated by the Board of Directors to the credit of the District, provided that in the  
17 event of a surplus of funds, the Board of Directors may direct deposits to be made in a savings  
18 account in some federally insured banking institution. The ~~Treasurer~~ position shall sign all duly  
19 authorized ~~distinct~~ District notes and bonds and shall be bonded in an amount to be determined by  
20 the Board of Directors. The ~~Treasurer~~ position shall pay all District obligations by check, or by  
21 way of an automated clearing house (ACH), provided the same are within the spending authority  
22 established by the qualified electors at the annual meeting; otherwise, such expenditures shall be  
23 as approved by the Board of Directors. ~~The position shall and shall~~ close the books as of the last  
24 day of each fiscal year. The ~~Treasurer~~ position shall submit a report to the Board of Directors  
25 monthly. The ~~Treasurer~~ position shall at every annual meeting, fully report the condition of the  
26 treasury of the District, showing receipts and expenditures of the preceding year.

27 In addition to the foregoing, the position shall oversee all financial operations of the  
28 District and direct financial planning and structure, coordinate, analyze and report the financial  
29 performance to the Board; prepare short and long-term financial forecasts of financial  
30 performance for use with internal management and external parties; oversee audit functions;  
31 develop, implement and maintain accounting and administrative policies and procedures for  
32 financial accounting, employee relations and other District policies; coordinate all human  
33 resource activities including employee benefits, retirement, corporate insurance and related  
34 activities.

1           Sec. 10. TAX COLLECTOR

2           There shall be a District Tax Collector who shall be appointed or employed by the  
3 District. The ~~tax collector~~ Tax Collector shall collect and ~~pay to the District treasurer~~ cause to be  
4 deposited into a federally insured bank or banking institution as designated by the Board of  
5 Directors all taxes and interest collected by him/her as and when received and shall be bonded in  
6 a sum fixed by the Board of Directors; shall close his or her books as of the last day of each fiscal  
7 year and shall prepare and present a written report to the annual meeting; shall submit a written  
8 report to the ~~treasurer~~ Board of Directors monthly; shall consult an attorney approved by the  
9 Board when legal action is necessary for the collection of unpaid taxes, including being  
10 responsible for holding an annual tax sale on property to satisfy unpaid taxes owed to the District;  
11 and shall be responsible for the preparation of the tax roll.

12           Sec. 11. BY-LAWS

13           The qualified voters of said ~~district~~ District may enact all ~~by-laws~~ By-Laws by them  
14 adjudged necessary and expedient for carrying the provisions of this act into effect, provided the  
15 same be not in violation of or repugnant to the laws of this state.

16           The qualified voters may change any provision of the ~~by-laws~~ By-Laws at any annual or  
17 special meeting, provided the proposed change has been noticed in the call of the meeting.

18           Sec. 12. AUTHORIZATION TO BORROW FUNDS

19           The Central Coventry ~~fire-district~~ Fire District is hereby authorized and empowered to  
20 borrow ~~from time to time such sums of money as may be necessary, not however, to exceed the~~  
21 ~~sum of one half (1/2) of the annual operating budget, for the purpose of procuring real and~~  
22 ~~personal estate, the erection and maintenance of buildings, the procuring of fire and water~~  
23 ~~apparatus, for the payment of any legal indebtedness of said district, or for the purpose of~~  
24 ~~purchasing or procuring any other property, real or personal, that may be legally acquired and~~  
25 ~~held by said district~~ sums of money as may be necessary in anticipation of current taxes and  
26 revenues.

27           Sec. 13. The Central Coventry fire district is authorized to install lighting on the streets  
28 and highways of the district; provided, however, that any new installation of lighting shall be  
29 required to use Light-Emitting Diode ("LED") or other energy-reducing technology to lower the  
30 cost of said lighting.

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

=====  
LC001510  
=====



EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

IN AMENDMENT TO THE CHARTER OF THE CENTRAL COVENTRY FIRE DISTRICT  
PURSUANT TO A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COVENTRY  
FIRE DISTRICT ON DECEMBER 27, 2018

\*\*\*

- 1           This act would make various amendments pertaining to the duties and operations of the
- 2   Central Coventry Fire District.
- 3           This act would take effect upon passage.

=====  
LC001510  
=====