

2020 -- H 7160

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LC003204
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO THE OAKLAND - MAPLEVILLE NUMBER 4 FIRE DISTRICT

Introduced By: Representatives Place, and Newberry

Date Introduced: January 16, 2020

Referred To: House 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
3 assembly A.D. 1934, as amended by P.L. 2009, Chapter 178, are hereby further amended to read
4 as follows:

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

8 Sec. 3 The annual meeting of said district shall be held on the ~~second~~ third Wednesday in
9 September in each year. The clerk of said District shall, at least seven (7) days before said
10 meeting, give notice of the same by posting conspicuously in public places within the limits of
11 said District, not less than three (3) written or printed notices setting forth the time and place of
12 such meeting. ~~The first meeting shall be held on the sixth (6th) Wednesday after the enactment of~~
13 ~~this act in the town of Burrillville within the limits of the fire district, and~~ A special meeting may
14 be called by twelve (12) or more of the voters of said district. Such call shall consist of posting in
15 the same manner and for the same time before such meetings as are the annual meetings. ~~at least~~
16 ~~five (5) public places within the said district of written or printed notices of such meeting setting~~
17 ~~forth the time and place within said district where such meeting will be held, and shall be given at~~
18 ~~least seven (7) days before the time of such meeting. The notice shall also be published not less~~
19 ~~than one week before the meeting in a public newspaper published daily and which has a~~

1 ~~circulation within the town of Burrillville.~~ No vote except upon an adjournment or on the election
2 of officers pro tempore shall be taken at any meeting of the district unless at least twelve (12)
3 voters are present at such meeting. All persons possessing the qualifications set forth in section 2
4 of this act shall be entitled to vote by ballot or otherwise as they determine, at said first meeting
5 upon the proposition: "Shall the Oakland-Mapleville Number 4 Fire District be established
6 according to the act of incorporation passed by the general assembly of the State of Rhode Island"
7 if a majority of the persons so qualified shall vote in the affirmative, said fire district shall be
8 established according to the provision of this act. If a majority of the persons so voting shall vote
9 in the negative, then this act shall become null and void.

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

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

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

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

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

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

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

1 Sec. 11. Said district is hereby authorized, in such manner as may seem necessary and
2 proper, to contract for and procure electricity and water for the purpose specified in this act. All
3 the powers and privileges given to said district by this act shall only be exercised subject to an in
4 accordance with the existing franchise contract between the town of Burrillville and the Pascoag
5 ~~water Company~~ Utility District.

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

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