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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

CREATING THE HOPE VALLEY AND WYOMING FIRE DISTRICT

Introduced By: Representatives Kennedy, Price, and Azzinaro

Date Introduced: February 26, 2020

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. The Hope Valley/Wyoming Fire District is hereby incorporated, restated
2 and amended in the manner and form as follows and its provisions are restating any and all of the
3 provisions of chapter 171 of the 1982 Public Laws entitled "An Act Creating the Hope
4 Valley/Wyoming Fire District":

5 I TITLE AND OBJECT

6 A. Title. All that part of the Towns of Hopkinton and Richmond, Rhode Island, described
7 in Appendix A, Amendment A-1, Amendment A-2 and as hereafter amended, is herein
8 incorporated into a fire district known as the Hope Valley/Wyoming Fire District.

9 B. Object. Its object shall be the prevention and extinguishment of fires, the protection
10 and preservation of life and property endangered by fire or any related emergencies that may
11 occur within the boundaries of the Hope Valley/ Wyoming Fire District.

12 II ELIGIBLE VOTERS

13 A. Every person, having reached the age of eighteen (18) years who resides in said Hope
14 Valley/ Wyoming Fire District and is an eligible voter in the towns of Hopkinton or Richmond or
15 is a taxpayer to the Hope Valley/Wyoming Fire District, shall have the right to vote at any
16 meeting of the Hope Valley/Wyoming Fire District or any adjournment thereof.

17 B. Any person who is granted an exemption, the amount of which exceeds the total
18 assessment of said person's property, within Hope Valley/Wyoming Fire District, shall be
19 considered an eligible voter.

1 C. No corporation or stockholder or officer thereof, nor any executor, administrator or
2 trustee, nor any other person acting in a fiduciary capacity shall be eligible to vote.

3 III MEETINGS

4 A. The annual meeting of the Hope Valley/Wyoming Fire District shall be held on the
5 third Wednesday in July of each year at 7:00 p.m. at a location to be specified in the call of the
6 meeting. The Board of Directors shall determine the location of said meeting. All meetings of the
7 Hope Valley/Wyoming Fire District shall at all times be held within the boundaries of the Hope
8 Valley/Wyoming Fire District.

9 B. Special meetings of the Hope Valley/ Wyoming Fire District may be called by the
10 Board of Directors or upon written request, signed by at least twenty (20) eligible voters, setting
11 forth the purpose of said call, delivered to the clerk. Said meeting shall be called within fourteen
12 (14) days from the date of delivery of said request to the clerk.

13 C. Adjourned meeting. Any business conducted or transacted at any annual or special
14 meeting may be referred to an adjourned meeting, upon request of the majority of eligible voters
15 present at any such meeting, for the purpose of voting on such matters, either by paper ballot or
16 machine. Voting hours and date shall be determined by the Board of Directors at a location within
17 the boundaries of the Hope Valley/Wyoming Fire District that is easily accessible and convenient
18 to the eligible voters of the Hope Valley/ Wyoming Fire District.

19 D. A public hearing shall be held on the last Thursday in June of each year for the
20 purpose of presenting the proposed annual budget for the forthcoming year at a location and time
21 determined by the Board of Directors. The public hearing shall at all times be held within the
22 boundaries of the Hope Valley/Wyoming Fire District at a location that is easily accessible and
23 convenient to the eligible voters of the Hope Valley/Wyoming Fire District. The clerk shall give
24 notice of the public hearing in the manner provided for in Article VIII, Section B of this charter.

25 IV Quorum

26 A. A quorum at any meeting of the Hope Valley/ Wyoming Fire District shall be twenty
27 (20) eligible voters except at the monthly Board of Directors meeting where the quorum shall be
28 three (3) Board members. In the event, that for any reason, a quorum is not present at the time a
29 meeting is scheduled to open, the Board of Directors is herewith authorized to delay the opening
30 time of said meeting for such period of time, as in the discretion of the Board of Directors, shall
31 best serve the interests of the Hope Valley/Wyoming Fire District.

32 V POWER OF THE ELIGIBLE VOTERS

33 (A)(1) All candidates for elected office must submit their name and the particular office,
34 which they are seeking in writing, to the clerk by 4:30 p.m. thirty (30) days prior to the annual

1 meeting. Nominations from the floor at the annual meeting shall be prohibited. All candidates for
2 elected office must meet the qualifications set forth in this chapter.

3 (2) They shall order such taxes and provide for the assessment and collection of same, on
4 all real and such personal property within the boundaries of the Hope Valley/Wyoming Fire
5 District as they deem necessary for the:

6 (a) Proper creation, maintenance and support of the fire department in said Hope
7 Valley/Wyoming Fire District, including, but not limited to, the purchasing of real estate to house
8 all necessary equipment and firefighting apparatus or for the betterment of the District.

9 (b) Purchase of all necessary fire apparatus and firefighting equipment and generally for
10 all things necessary and proper for maintenance, with the Hope Valley/Wyoming Fire District, of
11 a suitable and proper fire department and supplying it with proper equipment to carry into effect
12 and attain the objectives of which this act is declaratory.

13 (c) Improvement in any manner they may deem necessary of the property belonging to
14 the Hope Valley/Wyoming Fire District.

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

17 (e) Payment of any charges and expenses arising within the Hope Valley/Wyoming Fire
18 District, incidental or not to the above.

19 (f) Provision of salaries and employee's benefits to those persons presently or previously
20 employed by the Hope Valley/Wyoming Fire District.

21 (3) They shall establish such penalties as they deem necessary on all taxes not paid, as
22 provided in the assessment aforesaid.

23 (4) They shall exempt from taxation such property within the boundaries of the Hope
24 Valley/Wyoming Fire District as shall be approved by the vote of seventy-five (75%) percent of
25 the eligible voters present at any meeting of the Hope Valley/Wyoming Fire District. Provided,
26 however, that no exemption shall be granted unless the request for said exemption shall be
27 specifically set forth in the call of the meeting at which it is to be considered. Such exemption,
28 when granted, shall continue indefinitely, unless a specific term shall be specified,

29 VI PROPERTY EXEMPT FROM TAXATION

30 A. No property shall be exempt from taxation unless said exemption shall be approved in
31 the manner aforesaid, Section V.A.4., except that property which is exempt by state or federal
32 statute.

33 VII OATH OF OFFICE

34 A. Upon election or appointment of any officer of the Hope Valley/Wyoming Fire

1 District, the person elected or appointed, shall take the following oath of office, to be
2 administered by the clerk. "I, _____, having been duly elected/appointed to the office
3 of _____ of the Hope Valley/ Wyoming Fire District, do hereby swear that I will carry
4 out all obligations and responsibilities of said office in accordance with the charter of the Hope
5 Valley/Wyoming Fire District and all rules and regulations therein, to the best of my ability. "

6 VIII OFFICERS OF THE HOPE VALLEY/WYOMING FIRE DISTRICT

7 A. Board of Directors. The Board of Directors shall consist of five (5) members elected
8 in the manner provided in Section IX A. of this charter.

9 (A)(1) The Board of Directors shall elect one of its members as chairperson and one of its
10 members as vice chairperson. The chairperson, and in the absence of the chairperson, the vice
11 chairperson, shall preside at all meetings of the Hope Valley/Wyoming Fire District and shall
12 conduct all meetings in accordance with "Roberts Rules of Order" (latest revision).

13 (2) The Board of Directors shall appoint all committees.

14 (3) The chairperson of the Board of Directors shall administer the oath of office to the
15 clerk.

16 (4) Whenever any vacancy shall occur either through death, resignation, disability, or
17 removal for cause, the Board of Directors shall appoint a replacement to serve in such capacity
18 until the next annual or special meeting, subject to the qualification of the district officers
19 enumerated in subsection XI of this charter.

20 (5) The Board of Directors shall appoint a replacement as acting treasurer, who in the
21 absence or disability of the treasurer shall have the authority to sign checks and assume other
22 duties of the treasurer. Said person shall provide bond in the amount to be determined by the
23 Board of Directors.

24 (6) The Board of Directors, acting on behalf of the Hope Valley/Wyoming Fire District,
25 shall have the right to sue and be sued in the courts of this state having jurisdiction to hear, try or
26 determine such causes. The Hope Valley/Wyoming Fire District shall indemnify any Board
27 member, officer, or member for damages, judgment, settlements, costs and expenses incurred in
28 connection with any action, suit or appeal therefrom, arising out of an alleged or actual breach of
29 duty, neglect, error, misstatement, or omission, or any other matter claimed against said person
30 solely by reason of their being an officer of the Hope Valley/ Wyoming Fire District.

31 (7) The Board of Directors may exempt from taxation such property within the
32 boundaries of the Hope Valley/Wyoming Fire District. The Board of Directors may reduce or
33 exempt taxes based upon hardship on a case-by-case basis. The Board of Directors based upon
34 evidence/testimony of the requester shall determine hardship cases.

1 (8) The Board of Directors shall provide for the auditing of the financial record of the
2 Hope Valley/ Wyoming Fire District.

3 (9) The Board of Directors shall approve all mutual aid contracts with other fire districts
4 or fire departments.

5 (10) The Board of Directors shall approve all bills and prepare an annual budget for
6 presentation to the voters at the annual meeting.

7 (11) The Board of Directors shall have the authority to retain legal counsel at an annual
8 cost to be determined by the eligible voters of the Hope Valley/Wyoming Fire District. Said legal
9 counsel shall be available in an advisory capacity for all committees of the Hope
10 Valley/Wyoming ng Fire District and shall render legal opinions, whenever requested to do so, on
11 any questions or inconsistencies pertaining to the charter.

12 B. Clerk. The appointed clerk shall give notice of every annual meeting, special meeting
13 or adjourned meeting of the Hope Valley/Wyoming Fire District by placing a printed notice of
14 the call of any such meeting in five (5) public places, at least seven (7) days prior to such
15 meeting. Further, the clerk, shall advertise the call of such meeting, once in a local newspaper,
16 within seven (7) days of such meeting. The clerk shall take the minutes of all meetings and shall
17 be held responsible for the maintenance of same. The clerk shall administer the oath of office to
18 all duly elected or appointed officers of the Hope Valley/Wyoming Fire District, except the office
19 of clerk as hereinbefore provided.

20 C. Treasurer. The treasurer, appointed in a manner provided in section IX of this charter,
21 before proceeding to discharge these duties, shall give bond to the Hope Valley/Wyoming Fire
22 District in such sum and with such surety as the eligible voters may determine, which will
23 provide for the faithful discharge of the duties of the office. Said bond shall be deposited with the
24 clerk.

25 The treasurer shall pay out and expend only those funds that are authorized to be
26 expended by vote of the eligible voters of the Hope Valley/Wyoming Fire District at any annual
27 meeting, special meeting or adjourned meeting. The Treasurer shall have the authority to hire
28 such sums, subject to the limitations as hereinafter set forth, to carry on the affairs of the Hope
29 Valley/Wyoming Fire District and shall have the authority to invest any surplus funds, subject to
30 the advice and consent of the Board of Directors, in any interest bearing accounts bylaw.

31 D. Tax Collector. The tax collector, appointed in a manner provided in section IX of this
32 charter, before proceeding to discharge these duties, shall give bond to the Hope Valley/
33 Wyoming Fire District in such sum and with surety as the eligible voters of the Hope Valley/
34 Wyoming Fire District shall determine, which will provide for the faithful performance of the

1 duties of the office. Said bond is to be deposited with the clerk.

2 The tax collector shall pay over to the treasurer on the first business day of each month
3 the total taxes collected during the previous month, or at frequent intervals, at the option of the
4 tax collector.

5 The tax collector may determine and assess all real and tangible property, other than
6 motor vehicles, located within the boundaries of the Hope Valley/Wyoming Fire District, on
7 December 31st of each year in the same amount assessed by the towns of Richmond and
8 Hopkinton. The tax collector shall have the power to assess any property exempt, omitted,
9 understated or overstated by the towns of Hopkinton and Richmond. The date of collection shall
10 be the September 30th following said assessment. Provided, however, in the event of the grand
11 list of the towns of Hopkinton and Richmond is not certified by June 15th of any year, the tax
12 collector, on approval of the Board of Directors shall have the authority to change the date of said
13 collection not more than thirty (30) days from the date of said certification of the grand list by the
14 towns of Hopkinton and Richmond.

15 The tax collector shall, after receipt of the list of assessment from the towns of Hopkinton
16 and Richmond and assessing any property omitted, exempted, understated or overstated, produce
17 a tax bill based on the tax rate approved by the eligible voters of the Hope Valley/Wyoming Fire
18 District and further shall maintain records on all tax collections and delinquent charges and
19 provide annual written reports thereof.

20 The tax collector shall be empowered, subject to approval by a majority of the Board of
21 Directors, to appoint an agent for collection of taxes. Said agent at the time of appointment shall
22 give bond to the Hope Valley/Wyoming Fire District in such sum and with surety as the eligible
23 voters of the Hope Valley/Wyoming Fire District shall determine, which will provide for the
24 faithful performance of the duties of said agent.

25 E. Board of Assessment Review

26 (a) Membership; appointment; term; filling of vacancies. There shall be a board of
27 assessment review consisting of three (3) members appointed by the Board of Directors for a term
28 of three (3) years. The members first appointed shall serve for a term of one, two (2) and three (3)
29 years respectively. Each appointed member shall hold office on said board until a successor is
30 appointed and qualified. Vacancies on said board which may occur in the appointed membership
31 of said board, for any reason whatsoever, shall be filled by the Board of Directors for the
32 unexpired term.

33 (b) Powers and duties as to appeals. The board of assessment review shall hear and
34 consider appeals from property owners regarding the amount of property assessment as

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

21 (c) Procedures as to appeals. The procedure to be followed is the filing of appeals by the
22 property owners from assessments as determined by the tax collector is as follows:

23 (1) All appeals to the board of assessment review shall be on petitions provided by such
24 board

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

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

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

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

31 (6) The landowner of record, or the landowner's representative, must appear at said
32 hearing. If persons other than the owner of record are to appear, then a written authorization filed
33 by the landowner of record must be presented and recorded with said board.

34 (7) Failure on the part of any petitioner or petitioner's legal representative to appear at the

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

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

9 (9) All testimony given before said board shall be under oath and shall be tape recorded.

10 (10) The proceedings of the board of assessment review shall be recorded and kept in a
11 minutes book provided by said board.

12 (11) All decisions of the board of assessment review shall be made in writing. Notice
13 shall be given in writing to the owner, tax collector and treasurer.

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

16 (13) All petitions will be acknowledged by the board of assessment review by mail.

17 (d) Qualifications and organization of board. The members of the board of assessment
18 review shall be selected upon the basis of their knowledge of the subject of property taxation and
19 real estate values and shall at the time of their appointment have been residents of the Hope
20 Valley/Wyoming Fire District and shall continue during their terms of office. If a member of said
21 board shall cease to be a resident, said office shall be deemed vacant. The members of said board
22 shall constitute a quorum. The members of said board at their first meeting shall elect one of their
23 members as chairman and thereafter shall elect a chairman upon the appointment of any new
24 member for a full term or whenever the office may become vacant.

25 F. District Chief. The district chief shall have full command of the fire district other than
26 in areas so designated within this act. He or she shall decide disputes and questions arising out of
27 matters connected with the fire district among the officers and personnel. He or she shall be
28 responsible for property of the Hope Valley/Wyoming Fire District and shall enforce the rules
29 and regulations of the Hope Valley/Wyoming Fire District. The district chief shall report monthly
30 to the Board of Directors and shall have the powers and duties delegated by the state of Rhode
31 Island to the principal officer of the fire departments located within the state of Rhode Island.

32 G. If the chief should become incapacitated such that he or she cannot perform the duties
33 of chief for an extended period of time, the Board of Directors may appoint an acting chief to
34 serve until the chief is able to again carry out his or her responsibilities. If the position of chief

1 should become vacant, the Board of Directors shall appoint an acting chief to serve until a new
2 chief is appointed.

3 H. First district deputy chief. The first district deputy chief shall assist the district chief.
4 In the event of the absence or disability of the district chief, for any reason, the powers and duties
5 of the district chief shall devolve upon the first district deputy chief.

6 I. Second District deputy chief. There shall be a second district deputy chief. The second
7 district deputy chief shall assist the district chief. In the event of the absence or disability of the
8 district chief and the first district chief, for any reason, the powers and duties of the district chief
9 shall devolve upon the second district deputy chief.

10 (1) The remaining number of district deputy chiefs is to be determined by the Board of
11 Directors to the needs of said fire district, but shall not be allowed to exceed five (5) district
12 deputy chiefs in total. The additional district deputy chiefs shall follow the same chain of
13 command as the first district deputy chief and second district deputy chief by their assigned
14 position by the Board of Directors.

15 IX TERMS OF OFFICE

16 (A) The district clerk shall be appointed by the Board of Directors. Said district clerk
17 need not be a resident of said fire district and/or a taxpayer of said fire district. Qualifications for
18 said position shall be the responsibility of the Board of Directors. The district clerk shall serve at
19 the pleasure of the Board of Directors. All elections for members of the Board of Directors will
20 be to three (3) year terms.

21 (B) The district chief shall be appointed by the Board of Directors, and shall serve at the
22 pleasure of the Board of Directors.

23 (C) The district deputy chiefs shall be appointed by the Board of Directors, and shall
24 serve at the pleasure of the Board of Directors.

25 (D) The Board of Directors shall have a written policy as to the procedures for
26 appointing the district chief and district deputy chiefs and shall post same when a vacancy should
27 occur. The Board of Directors shall also post all qualifications for the position of chief and/or
28 district deputy chiefs when a vacancy should occur.

29 (E) The tax collector shall be appointed by the Board of Directors. Said tax collector need
30 not be a resident of said fire district and/or a taxpayer of said fire district. Qualifications for said
31 position shall be the responsibility of the Board of Directors. The tax collector shall serve at the
32 pleasure of the Board of Directors.

33 (F) The treasurer shall be appointed by the Board of Directors. Said treasurer need not be
34 a resident of said fire district and/or a taxpayer of said fire district. Qualifications for said position

1 shall be the responsibility of the Board of Directors. The treasurer shall serve at the pleasure of
2 the Board of Directors.

3 X PROCEDURE TO REMOVE DISTRICT OFFICERS

4 (A) In the event that charges are brought against any officer of the Hope
5 Valley/Wyoming Fire District by complaint filed with the Board of Directors alleging conduct
6 inconsistent with objectives of this charter, the Board of Directors shall have a special meeting
7 and there shall be a committee appointed by the Board of Directors which will consist of three (3)
8 members. The committee shall be filled according to the following order, exempting any of the
9 following who may be subject to any charges, Board of Directors, district chief, all district deputy
10 chiefs, and any consultants if needed.

11 Said committee will hear the charges. Any person(s) so charged shall be afforded the
12 opportunity to present testimony and witnesses in their defense, and to be represented by legal
13 counsel, or by any other representative. Within fourteen (14) days following said hearing the
14 committee shall call a special meeting to present a report of said charges. The results will then be
15 given to said officer(s). All matters concerning this will remain private unless released by the
16 officer(s) who was charged.

17 XI QUALIFICATIONS OF DISTRICT OFFICERS

18 (A) District fire chief. In order to be eligible for district chief, a person must: (a) Have
19 seven (7) years progressively responsible firefighting experience; two (2) years of which must
20 have been in a supervisory capacity; (b) Required knowledge, skills and abilities, thorough
21 knowledge of principals of supervision and management practices and procedures; considerable
22 knowledge of laws, ordinances, codes, and regulations effecting goals, objectives, and department
23 operation; a working knowledge of interpersonal communication skills; working knowledge of
24 modern practices related to personnel management and motivation; a working knowledge of
25 firefighting techniques and equipment; a working knowledge of the recruitment and retention of
26 volunteers; a working knowledge of working with and directing a combination department; and a
27 working knowledge of fire/arson investigation procedures.

28 Ability to plan, organize, and direct the implementation of overall fire department
29 programs and objectives; ability to direct and supervise various levels of volunteer and paid
30 firefighters; ability to evaluate performance without partiality; ability to communicate effectively,
31 verbally and in writing; ability to make quick and accurate decisions in emergency situations; and
32 ability to develop an effective working relationship with the Board of Directors, local elected
33 officials, area industries, area businesses, and the general public.

34 Must have the ability to prepare and implement mutual aid contracts and agreements;

1 must be willing to take an active part in national, regional, state, and local fire related
2 organizations in the best interest of the fire district.

3 Must have the ability to prepare and administer the fire district's annual budget in
4 conjunction with the Board of Directors.

5 Must be a member of the Hope Valley/Wyoming Fire District and been an active member
6 of an active fire department within said fire district for seven (7) years.

7 The District Chief may serve to the age sixty-five (65) years old or until the retirement
8 age stipulated by social security for his/her age group whichever comes first. The Chief of the
9 District may also request a waiver from the Board of Directors to extend their eligibility on a
10 yearly basis.

11 (B) District Deputy Chiefs. In order to be eligible for the position of district deputy chief
12 a person must: (a) Have five (5) years progressively responsible firefighting experience; two (2)
13 years of which must have been a supervisory capacity of a lieutenant or above; (b) Required
14 knowledge, skills and abilities; basic knowledge of principals of supervision and management
15 practices and procedures; basic knowledge of laws, ordinances, codes, and regulations effecting
16 goals, objectives, and department operation; a working knowledge of interpersonal
17 communication skills; working knowledge of modern practices related to personnel management
18 and motivation; a working knowledge of firefighting techniques and equipment; a working
19 knowledge of working with and directing a combination department; an ability to take orders and
20 give orders; a willingness to participate in continuing education programs when available; should
21 have the ability to develop effective working relationships with senior officers, firefighters, Board
22 of Directors, local elected officials, area industries, area businesses and the general public, should
23 have the ability to perform and implement mutual aid agreements; (c) Must be a resident of the
24 Hope Valley/Wyoming Fire District and have been an active member of an active fire department
25 within said fire district for five (5) years. An exception to the residency requirement is addressed
26 in article XI, section (C).

27 (C) In the event that a vacancy exists in the district fire chief's position and/or a district
28 deputy chief's position and the Board of Directors deems that no person meets the qualifications
29 and/or no one is seeking said position, the Board of Directors may appoint a special committee to
30 determine which qualifications may be modified in order to fill said vacancy.

31 The committee shall consist of the Board of Directors and four (4) officers, of the rank of
32 captain or above, none of which can be seeking the vacated position.

33 A two thirds (2/3) majority vote shall be required of said committee to modify said
34 qualifications.

1 Qualifications for residency within said fire district, if so modified, will have a
2 requirement that the appointed non-resident relocate to said fire district within six (6) months.

3 Any modifications so approved by said committee shall only be in force for the one
4 appointment in question.

5 (D) In order to be elected to and retain the position of member of the Board of Directors,
6 the person must be a resident and eligible voter of the Hope Valley/Wyoming Fire District, and
7 shall not be an active fireperson within said district.

8 (E) Any person choosing to run for elective office within the Hope Valley/Wyoming Fire
9 District shall not be required to resign from any office held within the Hope Valley/Wyoming
10 Fire District at that time, until said person be duly elected to the new office.

11 XII BOARD OF ENGINEERS

12 The Board of Engineers shall consist of the district chief, who shall serve as its
13 chairperson, the district deputy chiefs, and the captains whose duties collectively shall be as
14 follows:

15 (1) Shall meet on a regular basis as directed by the district chief;

16 (2) In the absence of the district chief, the next officer in the district's chain of command
17 shall assume said position;

18 (3) Shall elect one of its members as a recording secretary whose responsibility shall be
19 to record and file the minutes of all regular and special meetings of the Board of Engineers.

20 (4) Whenever a member of the Board of Engineers in the discharge of their duty, issues
21 an order to any officer or firefighters of the Hope Valley/Wyoming Fire District, the order shall
22 be faithfully carried out. In the case of disobedience or neglect, said person shall be subject to
23 review by the Board of Engineers who may make recommendations to the district chief for
24 disciplinary action(s).

25 (a) Any fireperson of the Hope Valley/Wyoming Fire District who is aggrieved by any
26 decision of the district chief or Board of Engineers, may make appeal to the Board of Directors.

27 (b) The Board of Directors, within ten (10) days after the receipt by the clerk of a written
28 notice of appeal, shall fix a time and place for convening a meeting.

29 (c) The hearing before the Board of Directors shall be conducted in an informal manner,
30 and the action taken by the Board of Directors shall be final.

31 (d) All policies and procedures not related to fire ground operations must be first
32 approved by the Board of Directors prior to being implemented.

33 (5)(a) The district chief at each annual meeting shall make a written report to the
34 taxpayers as to the state of affairs of said fire district. Said report shall be presented to the Board

1 of Directors thirty (30) days prior to the annual meeting for their review.

2 (b) The district chief shall present to the Board of Directors and their appointed budget
3 committee an anticipated budget expenditures report for the coming fiscal year at least ninety (90)
4 days prior to the annual meeting.

5 (6)(a) The District Chief shall prescribe, implement, and enforce all fire district
6 operational policies and procedures as required by federal and state laws, and those that are
7 recommended under NFPA Standards for health and safety of the district officers and firefighters.

8 (7) A majority of the members of the Board of Engineers, present at a fire, or in the event
9 that there is only one member of the Board of Engineers present, may order such buildings to be
10 pulled down or blown up, as they shall judge necessary to stop the progress of a fire.

11 XIII CHARTER REVISIONS

12 In the event that fifteen (15) eligible voter at any duly called meeting of the Hope Valley/
13 Wyoming Fire District shall deem that this charter should be amended or revised, then and in that
14 event, the Board of Directors shall appoint a committee, approved by the majority of the eligible
15 voters present, to study such proposed amendment or revision. Said committee shall report its
16 findings at the next annual meeting or at a special meeting called for such purpose. Any
17 amendment or revision to this charter must be present in the notice of such meeting at which it is
18 to be voted upon. Upon approval of any amendment or revision by the eligible voters of the
19 district, the same shall be referred to the Rhode Island State Legislature during the current
20 session, or if not in session at the time, the next session, by the clerk, for enactment.

21 XIV TAXABLE PROPERTY

22 The term taxable property of the Hope Valley/Wyoming Fire District shall mean and
23 intend to include all real and tangible property, other than motor vehicles, located within the
24 boundaries of the Hope Valley/Wyoming Fire District.

25 XV DEBT, BONDS, DEBENTURES AND REPAYMENT

26 The Hope Valley/Wyoming Fire District is hereby authorized to incur a debt not to
27 exceed three percent (3%) of the total assessed valuation of all taxable property within the
28 boundaries of the Hope Valley/Wyoming Fire District as of the assessment last made.

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

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

3 The chairman of the Board of Directors and treasurer will sign all bonds or debentures on
4 behalf of the Hope Valley/Wyoming Fire 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 and debentures.

7 **XVI EXEMPTION FROM TOWN TAX**

8 All property within the boundaries of the Hope Valley/Wyoming Fire District shall be
9 exempt from payment of that portion of the tax assessed by the towns of Hopkinton and
10 Richmond which is allocated to fire protection.

11 **XVII TRANSFER OF PROPERTY**

12 All property now owned by the Hope Valley Volunteer Fire Association, Inc. shall
13 become the property of the district.

14 SECTION 2. The question of the approval of this act has been submitted to the eligible
15 voters who are qualified to vote as hereinbefore provided at a special meeting that was held on
16 October 30, 2019 at 6:00 p.m. at the Hope Valley-Wyoming Fire District - Station 2 at 350
17 Church Street, Wood River Junction, RI. The question was submitted in substantially the
18 following form: "Was an act submitted to the 2020 session of the general assembly, entitled 'An
19 act creating the Hope Valley/Wyoming Fire District', restated and amended?" and the warning for
20 the special meeting contained the question to be submitted. From until the time the election was
21 warned and until it was held, was the duty of the district clerk to keep a copy of the act available
22 at the Hope Valley Fire Station at 996 Main Street, Hope Valley for inspection, but the validity of
23 the election shall not be affected by the requirement or by the requirements of §§ 17-5-5 or 17-5-
24 6.

25 SECTION 3. Sections 2 and 3 of this act shall take effect upon the passage of this act.

26 SECTION 4. Any provision of the former act creating the 1982 Hope Valley/Wyoming
27 Fire District in chapter 171 of the 1982 Public Laws, as amended, which are inconsistent with this
28 act are disregarded.

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