

2021 -- S 1002

LC003095

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

CREATING THE HOPE VALLEY/WYOMING FIRE DISTRICT

Introduced By: Senator E Morgan

Date Introduced: June 30, 2021

Referred To: Placed on Senate Calendar

It is enacted by the General Assembly as follows:

1 SECTION 1. The Hope Valley/Wyoming Fire District is hereby incorporated, restated and
2 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, as amended, entitled "An Act Creating the Hope
4 Valley/Wyoming Fire District", provided, however, that the description of the district boundaries
5 contained in APPENDIX A of chapter 171 of the 1982 Public Laws, as amended, shall remain as
6 currently constituted and are not amended by this act:

7 I TITLE AND OBJECT

8 A. Title. All that part of the Towns of Hopkinton and Richmond, Rhode Island, described
9 in Appendix A of chapter 171 of the 1982 Public Laws, as amended, is herein incorporated into a
10 fire district known as the Hope Valley/Wyoming Fire District.

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

14 II ELIGIBLE VOTERS

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

19 B. Any person who is granted an exemption, the amount of which exceeds the total

1 assessment of said person's property, within Hope Valley/Wyoming Fire District, shall be
2 considered an eligible voter.

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

5 III MEETINGS

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

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

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

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

27 IV QUORUM

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

1 V POWER OF THE ELIGIBLE VOTERS

2 A. All candidates for elected office must submit their name and the office, which they are
3 seeking in writing, to the clerk by 4:30 p.m., thirty (30) days prior to the annual meeting.
4 Nominations from the floor at the annual meeting shall be prohibited. All candidates for elected
5 office must meet the qualifications set forth in this chapter.

6 B. They shall order such taxes and provide for the assessment and collection of same, on
7 all realand such personal property within the boundaries of the Hope Valley/Wyoming Fire District
8 as they deem necessary for the:

9 1. Proper creation, maintenance, and support of the fire department in said Hope
10 Valley/Wyoming Fire District, including, but not limited to, the purchasing of real estate to house
11 all necessary equipment and firefighting apparatus or for the betterment of the District.

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

16 3. Improvement in any manner they may deem necessary of the property belonging to the
17 Hope Valley/Wyoming Fire District.

18 4. Creation of a reserve fund for the future maintenance and replacement of property and
19 apparatus.

20 5. Payment of any charges and expenses arising within the Hope Valley/Wyoming Fire
21 District, incidental or not to the above.

22 6. Provision of salaries and employee's benefits to those persons presently or previously
23 employed by the Hope Valley/Wyoming Fire District.

24 7. Purchasing, taking, holding, and improving real estate and personal property, and for the
25 repayment of any debts incurred by such purchasing, taking, holding, of same.

26 C. They shall establish such penalties as they deem necessary on all taxes not paid, as
27 provided in the assessment aforesaid.

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

1 VI PROPERTY EXEMPT FROM TAXATION

2 A. No property shall be exempt from taxation unless said exemption shall be approved in
3 the manner, Section V. D., Section VIII.A.8.i., Section VIII.A.8.ii., except that property which is
4 exempt by state or federal statute.

5 VII OATH OF OFFICE

6 A. Upon election or appointment of any officer of the Hope Valley/Wyoming Fire District,
7 the person elected or appointed, shall take the following oath of office, to be administered by the
8 clerk. "I, _____, having been duly elected/appointed to the office of
9 _____ of the Hope Valley/Wyoming Fire District, do hereby swear that I will carry out
10 all obligations and responsibilities of said office in accordance with the charter of the Hope
11 Valley/Wyoming Fire District and all rules and regulations therein, to the best of my ability."

12 VIII OFFICERS OF THE HOPE VALLEY-WYOMING FIRE DISTRICT

13 A. Board of Directors.

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

16 2. The Board of Directors shall elect one of its members as chairperson and one of its
17 members as vice chairperson. The chairperson, and in the absence of the chairperson, the vice
18 chairperson, shall preside at all meetings of the Hope Valley/Wyoming Fire District and shall
19 conduct all meetings in accordance with "Roberts Rules of Order" (latest revision).

20 3. The Board of Directors shall appoint all committees.

21 4. The chairperson of the Board of Directors shall administer the oath of office to the clerk.

22 5. Whenever any vacancy shall occur on the Board of Directors either through death,
23 resignation, disability, or removal for cause, the Board of Directors shall appoint a replacement to
24 serve in such capacity until the next annual or special meeting, subject to the qualification of the
25 district officers enumerated in subsection XI of this charter.

26 6. The Board of Directors shall appoint a replacement as acting treasurer, who in the
27 absence or disability of the treasurer shall have the authority to sign checks and assume other duties
28 of the treasurer. Said person shall provide bond in the amount to be determined by the Board of
29 Directors.

30 7. The Board of Directors, acting on behalf of the Hope Valley/Wyoming Fire District,
31 shall have the right to sue and be sued in the courts of this state having jurisdiction to hear, try or
32 determine such causes. The Hope Valley/Wyoming Fire District shall indemnify any Board
33 member, officer, or member for damages, judgment, settlements, costs and expenses incurred in
34 connection with any action, suit or appeal therefrom, arising out of an alleged or actual breach of

1 duty, neglect, error, misstatement, or omission, or any other matter claimed against said person
2 solely by reason of their being an officer of the Hope Valley/Wyoming Fire District.

3 8. The Board of Directors may exempt from taxation such property within the boundaries
4 of the Hope Valley/Wyoming Fire District as follows:

5 i. The Board of Directors may reduce, or exempt taxes based upon hardship on a case-by-
6 case basis. The Board of Directors based upon evidence/testimony of the requester shall determine
7 hardship cases.

8 ii. The Board of Directors may reduce, or exempt fire taxes of the primary residence of
9 active volunteer firefighters of the fire district who reside within the district's boundaries.

10 9. The Board of Directors shall provide for the auditing of the financial record of the Hope
11 Valley/Wyoming Fire District.

12 10. The Board of Directors shall approve all mutual aid contracts with other fire districts
13 or fire departments.

14 11. The Board of Directors shall approve all bills and prepare an annual budget for
15 presentation to the voters at the annual meeting.

16 12. The Board of Directors shall have the authority to retain legal counsel at an annual cost
17 to be determined by the eligible voters of the Hope Valley/Wyoming Fire District. Said legal
18 counsel shall be available in an advisory capacity for all committees of the Hope Valley/Wyoming
19 Fire District and shall render legal opinions, whenever requested to do so, on any questions or
20 inconsistencies pertaining to the charter.

21 13. The Board of Directors shall be authorized to expend monies from the reserve and/or
22 capital accounts for emergency repairs, replacement of equipment, facilities and/or reduction of
23 taxes or debts.

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

32 C. Treasurer. The treasurer, appointed in a manner provided in section IX of this charter,
33 before proceeding to discharge these duties, shall give bond to the Hope Valley/Wyoming Fire
34 District in such sum and with such surety as the eligible voters may determine, which will provide

1 for the faithful discharge of the duties of the office. Said bond shall be deposited with the clerk.

2 1. The treasurer shall pay out and expend only those funds that are authorized to be
3 expended by vote of the eligible voters of the Hope Valley/Wyoming Fire District at any annual
4 meeting, special meeting, or adjourned meeting. The Treasurer shall have the authority to hire such
5 sums, subject to the limitations as hereinafter set forth, to carry on the affairs of the Hope
6 Valley/Wyoming Fire District and shall have the authority to invest any surplus funds, subject to
7 the advice and consent of the Board of Directors, in any interest-bearing accounts by law.

8 D. Tax Collector. The tax collector, appointed in a manner provided in section IX of this
9 chapter, before proceeding to discharge these duties, shall give bond to the Hope Valley/Wyoming
10 Fire District in such sum and with surety as the eligible voters of the Hope Valley/Wyoming Fire
11 District shall determine, which will provide for the faithful performance of the duties of the office.
12 Said bond is to be deposited with the clerk.

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

16 2. The tax collector may determine and assess all real and tangible property, other than
17 motor vehicles, located within the boundaries of the Hope Valley/Wyoming Fire District, on
18 December 31st of each year in the same amount assessed by the towns of Richmond and Hopkinton.
19 The tax collector shall have the power to assess any property exempt, omitted, understated, or
20 overstated by the towns of Hopkinton and Richmond. The date of collection shall be the September
21 30 following said assessment. Provided, however, in the event of the grand list of the towns of
22 Hopkinton and Richmond is not certified by June 15th of any year, the tax collector, on approval
23 of the Board of Directors shall have the authority to change the date of said collection not more
24 than thirty (30) days from the date of said certification of the grand list by the towns of Hopkinton
25 and Richmond.

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

31 4. The tax collector shall be empowered, subject to approval by a majority of the Board of
32 Directors, to appoint an agent for collection of taxes. Said agent at the time of appointment shall
33 give bond to the Hope Valley/Wyoming Fire District in such sum and with surety as the eligible
34 voters of the Hope Valley/Wyoming Fire District shall determine, which will provide for the

1 faithful performance of the duties of said agent.

2 E. Board of Assessment Review

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

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

31 3. Procedures as to appeals. The procedure to be followed is the filing of appeals by the
32 property owners from assessments as determined by the tax collector is as follows:

33 i. All appeals to the board of assessment review shall be on petitions provided by such
34 board.

- 1 ii. All questions on said petitions must be answered fully.
- 2 iii. A separate petition shall be filed by an owner or owners for each parcel of property for
3 which a review is requested or an appeal taken as provided herein.
- 4 iv. The landowners of record must file all petitions or if this is not possible, the mark of the
5 signature of the landowner's legal representative must appear.
- 6 v. Petitioners will be notified of the date, time, and place of the hearing.
- 7 vi. The landowner of record, or the landowner's representative, must appear at said hearing.
8 If persons other than the owner of record are to appear, then a written authorization filed by the
9 landowner of record must be presented and recorded with said board.
- 10 vii. Failure on the part of any petitioner or petitioner's legal representative to appear at the
11 time and place designated by said board for a petition to be heard, without prior notification being
12 given to the board, will be recorded as a default by nonappearance. Any petition for which a default
13 is so recorded will not be reheard for a period of one fiscal year. No petition may be resubmitted
14 for any year for which a prior petition was recorded as a default due to nonappearance of the
15 petitioner or petitioner's legal representative.
- 16 viii. At all hearings, the petitioner may be represented by his or her attorney and any
17 petitioner may present expert witnesses or any other witnesses who may testify at the hearing before
18 said board.
- 19 ix. All testimony given before said board shall be under oath and shall be tape recorded.
- 20 x. The proceedings of the board of assessment review shall be recorded and kept in a
21 minute's book provided by said board.
- 22 xi. All decisions of the board of assessment review shall be made in writing. Notice shall
23 be given in writing to the owner, tax collector and treasurer. All petitioners shall be notified in
24 writing of the decision of said board and the amount of assessment of their property by said board.
- 25 xii. All petitions will be acknowledged by the board of assessment review by mail.
- 26 4. Qualifications and organization of board. The members of the board of assessment
27 review shall be selected upon the basis of their knowledge of the subject of property taxation and
28 real estate values and shall at the time of their appointment have been residents of the Hope
29 Valley/Wyoming Fire District and shall continue during their terms of office. If a member of said
30 board shall cease to be a resident, said office shall be deemed vacant. The members of said board
31 shall constitute a quorum. The members of said board at their first meeting shall elect one of their
32 members as chairman and thereafter shall elect a chairman upon the appointment of any new
33 member for a full term or whenever the office may become vacant.
- 34 F. District Chief. The district chief shall have full command of the fire district other than

1 in areas so designated within this act. He or she shall decide disputes and questions arising out of
2 matters connected with the fire district among the officers and personnel. He or she shall be
3 responsible for property of the Hope Valley/Wyoming Fire District and shall enforce the rules and
4 regulations of the Hope Valley/Wyoming Fire District. The district chief shall report monthly to
5 the Board of Directors and shall have the powers and duties delegated by the State of Rhode Island
6 to the principal officer of the fire departments located within the State of Rhode Island.

7 G. If the chief should become incapacitated such that he or she cannot perform the duties
8 of chief for an extended period of time, the Board of Directors may appoint an acting chief to serve
9 until the chief is able to again carry out his or her responsibilities. If the position of chief should
10 become vacant, the Board of Directors shall appoint an acting chief to serve until a new chief is
11 appointed.

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

15 I. Second District deputy chief. There shall be a second district deputy chief. The second
16 district deputy chief shall assist the district chief. In the event of the absence or disability of the
17 district chief and the first district chief, for any reason, the powers and duties of the district chief
18 shall devolve upon the second district deputy chief.

19 J. The remaining number of district deputy chiefs is to be determined by the Board of
20 Directors to the needs of said fire district but shall not be allowed to exceed five (5) district deputy
21 chiefs in total. The additional district deputy chiefs shall follow the same chain of command as the
22 first district deputy chief and second district deputy chief by their assigned position by the Board
23 of Directors.

24 IX TERMS OF OFFICE

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

30 B. The district chief shall be appointed by the Board of Directors and shall serve at the
31 pleasure of the Board of Directors.

32 C. The district deputy chiefs shall be appointed by the Board of Directors and shall serve
33 at the pleasure of the Board of Directors. The district chief shall be consulted and provide
34 recommendations about appointments of district deputy chiefs.

1 D. The Board of Directors shall have a written policy as to the procedures for appointing
2 the district chief and district deputy chiefs and shall post same when a vacancy should occur. The
3 Board of Directors shall also post all qualifications for the position of chief and/or district deputy
4 chiefs when a vacancy should occur.

5 E. The tax collector shall be appointed by the Board of Directors. Said tax collector need
6 not be a resident of said fire district and/or a taxpayer of said fire district. Qualifications for said
7 position shall be the responsibility of the Board of Directors. The tax collector shall serve at the
8 pleasure of the Board of Directors.

9 F. The treasurer shall be appointed by the Board of Directors. Said treasurer need not be a
10 resident of said fire district and/or a taxpayer of said fire district. Qualifications for said position
11 shall be the responsibility of the Board of Directors. The treasurer shall serve at the pleasure of the
12 Board of Directors.

13 X PROCEDURE TO REMOVE DISTRICT OFFICERS

14 A. In the event that charges are brought against any officer of the Hope Valley/Wyoming
15 Fire District by complaint filed with the Board of Directors alleging conduct inconsistent with
16 objectives of this charter, the Board of Directors shall have a special meeting and there shall be a
17 committee appointed by the Board of Directors which will consist of three (3) members.

18 B. The committee shall be filled according to the following order, exempting any of the
19 following who may be subject to any charges, Board of Directors, district chief, all district deputy
20 chiefs, and any consultants if needed.

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

27 XI QUALIFICATIONS OF DISTRICT OFFICERS

28 A. District fire chief. In order to be eligible for district chief, a person must:

29 1. Have seven (7) years progressively responsible firefighting experience; two (2) years of
30 which must have been in a supervisory capacity

31 2. Required knowledge, skills and abilities, thorough knowledge of principals of
32 supervision and management practices and procedures; considerable knowledge of laws,
33 ordinances, codes, and regulations effecting goals, objectives, and department operation; a working
34 knowledge of interpersonal communication skills; working knowledge of modern practices related

1 to personnel management and motivation; a working knowledge of firefighting techniques and
2 equipment; a working knowledge of the recruitment and retention of volunteers; a working
3 knowledge of working with and directing a combination department; and a working knowledge of
4 fire/arson investigation procedures.

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

11 ii. Must have the ability to prepare and implement mutual aid contracts and agreements;
12 must be willing to take an active part in national, regional, state, and local fire related organizations
13 in the best interest of the fire district.

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

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

18 v. The district chief may serve to the age sixty-five (65) years old or until the retirement
19 age stipulated by social security for his/her age group whichever comes first. The district chief may
20 also request a waiver from the Board of Directors to extend his/her eligibility on a yearly basis.

21 vi. These qualifications are considered a minimum and the Board of Directors may add
22 requirements to effectively fill the position of district chief.

23 B. District deputy chiefs. In order to be eligible for the position of district deputy chief a
24 person must:

25 1. Have five (5) years progressively responsible firefighting experience; two (2) years of
26 which must have been a supervisory capacity of a lieutenant or above.

27 2. Required knowledge, skills and abilities; basic knowledge of principals of supervision
28 and management practices and procedures; basic knowledge of laws, ordinances, codes, and
29 regulations effecting goals, objectives, and department operation; a working knowledge of
30 interpersonal communication skills; working knowledge of modern practices related to personnel
31 management and motivation; a working knowledge of firefighting techniques and equipment; a
32 working knowledge of working with and directing a combination department; an ability to take
33 orders and give orders; a willingness to participate in continuing education programs when
34 available; should have the ability to develop effective working relationships with senior officers,

1 firefighters, Board of Directors, local elected officials, area industries, area businesses and the
2 general public, should have the ability to perform and implement mutual aid agreements; must be
3 a resident of the Hope Valley/Wyoming Fire District and have been an active member of an active
4 fire department within said fire district for five (5) years. An exception to the residency requirement
5 is addressed in article XI, C, 3.

6 3. These qualifications are considered a minimum and the Board of Directors may add
7 requirements to effectively fill the position of district deputy chief.

8 C. If a vacancy exists in the district fire chief's position and/or a district deputy chief's
9 position and the Board of Directors deems that no person meets the qualifications and/or no one is
10 seeking said position, the Board of Directors may appoint a special committee to determine which
11 qualifications may be modified in order to fill said vacancy.

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

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

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

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

20 D. To be elected to and retain the position of member of the Board of Directors, the person
21 must be a resident and eligible voter of the Hope Valley/Wyoming Fire District and shall not be an
22 active fireperson within said district.

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

26 XII BOARD OF ENGINEERS

27 A. The Board of Engineers shall consist of the district chief, who shall serve as its
28 chairperson, the district deputy chiefs, and the captains whose duties collectively shall be as
29 follows:

30 1. Shall meet on a regular basis as directed by the district chief.

31 2. In the absence of the district chief, the next officer in the district's chain of command
32 shall assume said position.

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

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

6 i. Any fireperson of the Hope Valley/Wyoming Fire District who is aggrieved by any
7 decision of the district chief or Board of Engineers, may make appeal to the Board of Directors.

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

10 iii. The hearing before the Board of Directors shall be conducted in an informal manner,
11 and the action taken by the Board of Directors shall be final.

12 5. All policies and procedures not related to fire ground operations must be first approved
13 by the Board of Directors prior to being implemented.

14 B. The district chief at each annual meeting shall make a written report to the taxpayers as
15 to the state of affairs of said fire district. Said report shall be presented to the Board of Directors
16 thirty (30) days prior to the annual meeting for their review.

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

20 D. The district chief shall prescribe, implement, and enforce all fire district operational
21 policies and procedures as required by federal and state laws, and those that are recommended
22 under NFPA Standards for health and safety of the district officers and firefighters.

23 E. A majority of the members of the Board of Engineers, present at a fire, or in the event
24 that there is only one member of the Board of Engineers present, may order such buildings to be
25 pulled down or blown up, as they shall judge necessary to stop the progress of a fire.

26 XIII CHARTER REVISIONS

27 A. In the event that fifteen (15) eligible voters at any duly called meeting of the Hope
28 Valley/Wyoming Fire District shall deem that this charter should be amended or revised, then and
29 in that event, the Board of Directors shall appoint a committee, approved by the majority of the
30 eligible voter's present, to study such proposed amendment or revision. Said committee shall report
31 its findings at the next annual meeting or at a special meeting called for such purpose. Any
32 amendment or revision to this charter must be present in the notice of such meeting at which it is
33 to be voted upon. Upon approval of any amendment or revision by the eligible voters of the district,
34 the same shall be referred to the Rhode Island general assembly during the current session, or if not

1 in session at the time, the next session, by the clerk, for enactment.

2 XIV TAXABLE PROPERTY

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

6 XV DEBT, BONDS, DEBENTURES AND REPAYMENT

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

10 B. The Hope Valley/Wyoming Fire District is hereby authorized to issue serial bonds or
11 debentures, under its corporate seal and name. Said bonds or debentures shall be in denominations
12 and shall bear interest and be upon such terms and conditions and shall be issued and sold by the
13 Hope Valley/Wyoming Fire District in such a manner and at such times as the eligible voters of the
14 Hope Valley/Wyoming Fire District, by majority vote of those present and voting, may decide at
15 any annual meeting, special meeting or adjourned meeting or in lieu thereof, the eligible voters, by
16 majority vote of those present and voting, may authorize the Board of Directors and treasurer to
17 supervise the issuance of said bonds or debentures.

18 C. The Hope Valley/Wyoming Fire District is hereby authorized to pledge, hypothecate,
19 mortgage, or otherwise encumber any real or personal property it deems necessary or desirable in
20 order to secure any loans made to it in connection with the operation of the Hope Valley/Wyoming
21 Fire District, subject to the limitations set forth in this section XV.

22 D. The chairman of the Board of Directors and the treasurer will sign all mortgages and
23 security instruments encumbering the District's real estate and all loan documents associated
24 therewith, and all bonds or debentures, on behalf of the Hope Valley/Wyoming Fire District.

25 E. The eligible voters at each annual meeting shall appropriate sufficient funds to meet the
26 obligations of principal and interest incurred in connection with all loans secured by the mortgaging
27 of any of the District's real estate and/or in connection with the issuance of any such bonds or
28 debentures.

29 XVI EXEMPTION FROM TOWN TAX

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

33 XVII TRANSFER OF PROPERTY

34 A. All property now owned by the Hope Valley Volunteer Fire Association, Inc. shall

1 become the property of the District.

2 SECTION 2. The question of the approval of this act has been submitted to the eligible
3 voters who are qualified to vote as hereinbefore provided at a special meeting that was held on
4 March 11, 2021 at 6:30 p.m. at the Hope Valley-Wyoming Fire District - Station 1 at 996 Main
5 Street, Hope Valley Rhode Island. The question was submitted in substantially the following form:
6 "Was an act submitted to the 2021 session of the general assembly, entitled 'An act creating the
7 Hope Valley/Wyoming Fire District,' restated, and amended?" and the warning for the special
8 meeting contained the question to be submitted. From until the time the election was warned and
9 until it was held, was the duty of the district clerk to keep a copy of the act available at the Hope
10 Valley Fire Station at 996 Main Street, Hope Valley for inspection, but the validity of the election
11 shall not be affected by the requirement or by the requirements of §§ 17-5-5 or 17-5-6 of the general
12 laws.

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

14 SECTION 4. Any provision of the former act creating the 1982 Hope Valley/Wyoming
15 Fire District, as amended, which are inconsistent with this act are disregarded, provided, however,
16 that the description of the district boundaries contained in APPENDIX A of chapter 171 of the 1982
17 Public Laws, as amended, shall remain as currently constituted and are not amended by this act.

=====
LC003095
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
CREATING THE HOPE VALLEY/WYOMING FIRE DISTRICT

- 1 This act would make various amendments pertaining to the charter of the Hope Valley and
- 2 Wyoming Fire District
- 3 This act would take effect upon passage.

=====
LC003095
=====