

Amended and updated thru and including the 1975 & 1978 Annual Meetings, Special Meetings of 1/22/1980, 12/13/1980, 12/4/1984, 6/24/1986, 12/10/1987, Annual Meetings 10/18/1999 & 10/18/2004; Meeting 8/19/2010; Meeting 1/16/2014; Meeting 3/20/2014; Meeting 5/15/2014; Meeting 5/18/2017

Harmony Fire District By-Laws

Article I – Authorization & Purpose

Section 1. Authorization

The Harmony Fire District (“District”), a district duly organized and incorporated pursuant to a Charter granted by the General Assembly of the State of Rhode Island (“Charter”), hereby promulgates the within By-Laws pursuant to the power granted in said Charter.

Section 2. Purpose

These By-Laws are enacted to facilitate the management and regulation of the affairs of the District and permit it to carry out the purposes of the District as set forth in the Charter and comply with obligations otherwise imposed by applicable law.

Article II – Meetings & Elections

Section 1. Regular Meetings

1. The Executive Committee shall comply with the State of Rhode Island Open Meeting Law, R.I.G.L. §42-46-1, et seq., or as the same may be amended from time to time.
2. The Executive Committee shall prepare a written notice of its regularly scheduled meetings at the beginning of each calendar year. This notice shall include the dates, times and places of the meetings and shall be provided to members of the public upon request. Said notice shall be filed with the R.I. Secretary of State in accordance with rules and regulations which shall be promulgated by the R.I. Secretary of State.

3. Regular meetings of the Harmony Fire District shall be held once a month. Except in emergencies, supplemental notice of any meeting shall be provided within a minimum of forty-eight (48) hours before the meeting by posting written public notices thereof in the District office and at least two (2) other public places within the District and filing the supplemental notice with the RI Secretary of State. Said notice shall include the date the notice was posted, the date, time and place of the meeting, and a statement describing the nature of the business to be discussed. Copies of all such notices shall be maintained by the Operating Committee for a minimum of one (1) year. The Executive Committee may add additional items to its meeting agenda by a majority vote of its members, provided that such additional items shall be for informational purposes only and may not be voted upon except when necessary to address an unanticipated occurrence that requires immediate action or to refer the matter to the appropriate committee or to another party of official. The Clerk/Secretary shall not be required to serve notice on the members of the Executive Committee of any regular meeting.
4. Nothing contained herein shall prevent the Executive Committee from holding an emergency meeting, by the consent of a majority of its members in the manner provided for Special Meetings, when deemed necessary to address an unanticipated occurrence that requires immediate action. If an emergency meeting is called, as soon as practicable a meeting notice and agenda shall be posted publically, as well as filed electronically with the RI Secretary of State. At the commencement of the meeting, the Executive Committee shall state for the record and minutes why the matter had to be addressed on less than forty-eight (48) hours notice and only discuss the issue or issues which created the need for an emergency meeting.
5. The Executive Committee may hold a meeting closed to the public (“Executive Session”) upon a majority vote of said committee. An Executive Session closed to the public shall be limited to matters permitted to be exempted from discussion at open meetings by R.I.G.L. §42-46-5, et seq. or as the same may be amended from time to time. The vote of each member on the question of holding an Executive Session closed to the public and the reason for holding a closed meeting, by a citation to a subdivision of R.I.G.L. §42-46-5(a), or as the same may be amended from time to time, and a statement specifying the nature of the business to be discussed, shall be recorded and entered into the minutes of the meeting. All votes taken in Executive Session shall be disclosed once the meeting is reopened; provided however, a vote taken in a closed session need not be disclosed for the period of time during which its disclosure would jeopardize any action or activity undertaken pursuant to R.I.G.L. §42-46-5(a), or as the same may be amended from time to time.
6. At all Regular Meetings a minimum of two (2) members of the Executive Committee and the Moderator must be present to constitute a quorum for the transaction of business. Each member of the Executive Committee present shall be entitled to vote at any meeting of the Committee. However, the Moderator or any person acting in his/her absence shall only vote in the event of a tie.
7. The regular meetings of the Executive Committee shall follow the following agenda format unless amended or modified generally or for a particular meeting by a majority vote of the Executive Committee:

- I. Call to Order
- II. Vote on Minutes
- III. Review of Bills
- IV. Treasurer's Report
- V. Tax Collector's Report
- VI. Chief's Report
- VII. Association Report
- VIII. Committee Report(s)
- IX. Old Business
- X. New Business
- XI. Public Input
- XII. Executive Session – if needed
- XIII. Adjournment

8. Minutes of meetings shall include, but are not limited to, the following:
 - a. The date, time and place of the meeting.
 - b. The members recorded as either present, absent or excused absence;
 - c. A record by individual members of any vote taken;
 - d. Any other information relevant to the business of the Executive Committee that any member requests be included or reflected in the minutes.
9. Nothing herein shall be construed to prohibit communications of the Executive Committee for the purpose of scheduling meetings or to prohibit the removal of any person who disrupts a meeting.

Section 2. Special Meetings

1. Special Meetings shall be called upon a written request signed by at least twelve (12) qualified voters, or upon the written request of the Executive Committee, presented to the Clerk who shall call a Special Meeting to be held within thirty (30) days after receipt of such request. Such written request shall contain a statement as to the purpose of such meeting and the notice of such Special Meeting. The attendance of seven (7) qualified voters shall constitute a quorum for the transaction of business.
2. Special Meetings shall be called by the Clerk and held in the order of the receipt by him/her of requests for the calling of the same, or simultaneously, if possible, within the above limitation in the event that more than one request is received by the clerk.
3. Notice of the Special Meeting shall be given by the Clerk by:
 - a. the written call of the meeting being posted in not less than three (3) public places in the District, at least fifteen (15) days prior to the meeting.
 - b. by advertising at least once, not less than seven (7) days prior to the meeting, the call of the meeting in a newspaper published in the County of Providence and having general circulation within the District.

Section 3. Annual Meeting

1. The Annual Meeting of the Harmony Fire District shall be held on the First Saturday in June of each year for the election of officers, imposition of taxes, and the conducting of any and all other business which may lawfully come before such meeting. The attendance of seven (7) qualified voters shall constitute a quorum for the transaction of business.
2. Notice of the Annual Meeting shall be given by the District Clerk/Secretary by causing the written call of the meeting to be posted in not less than three (3) public places in said District, at least thirty (30) days prior to the Annual Meeting, and by advertising at least once not less than seven (7) days prior to said meeting, the call of said meeting in a newspaper published in the County of Providence and having general circulation within said District. On the day of the annual election, signing shall be placed in a conspicuous area in full view of Route 44, stating that elections are being held and this is the voting facility.

Section 4. Polls

1. At the Annual Meeting the polls will be open for the election of officers from 5:00 – 8:00 o'clock P.M. on the Friday preceding the Annual Meeting, and from 8:00 – 9:45 o'clock A.M. on the date of the Annual Meeting.
2. For the opening of the polls and during the time that the polls are open, two citizens of Harmony, to be appointed by the board at their May meeting, will oversee the entire election, count the ballots, confirm the validity of same, and present the results to the District Moderator. One police officer shall be present from 9:30 A.M. until the conclusion of the annual meeting. The attorney for the Harmony Fire District shall be present from 9:30 A.M. on the day of the elections, to oversee the counting of the ballots and to verify the same, and will remain until the conclusion of the Annual Meeting.
3. No person overseeing the election, as described in Article I - Section 4 – Line 2, shall be related by blood, or marriage to any person seeking any office of the Harmony Fire District. These persons may not be members of, or related to members of the District Board, the Harmony Fire Department emergency crew, or Harmony Fire Department and Improvement Association (“Association”). These persons must be registered voters of the Harmony Fire District.
4. In case that opposition slates are submitted, taxpayers submitting such slates shall be allowed to have two (2) observers at the polls. These observers shall not be related by blood, or marriage to the opposing candidates, the District Board, the Harmony Fire Department emergency crew, or the Association. No candidate, or any relative of same shall be allowed to idle around the voting room, building, or parking lot between 5:00 – 8:00 o'clock P.M. on the Friday preceding the Annual Meeting, and from 8:00 – 9:45 o'clock A.M. on the date of the Annual Meeting. These specified times constitute the District Election as defined by Rhode Island State Election Laws. Nothing here would prohibit members of the crew, staff, or department personnel from carrying out their normal fire department activities.

5. The business meeting shall be called to order at 10:00 o'clock A.M. The results of the election will be announced and the newly elected officials and board members will be seated.

Section 5. Voting

1. Upon the demand of at least seven (7) qualified voters present at any Annual or Special Meeting who desire a ballot upon any question that is pending, the same shall be allowed. All votes, except a motion to adjourn, or on amendments to some proposition pending, shall be ordered by the Moderator to be so taken that the votes affirmative or negative may be by him/her counted, and the results entered on the records by the Clerk.

Article III – Officers

Section 1. Enumeration, Terms and Qualifications

1. The officers of the District shall be elected by ballot at the Annual Meeting for one year terms, except as otherwise provided by these By-Laws, and shall consist of a Moderator and Treasurer. The Executive Committee shall consist of four (4) elected members and two (2) advisors, who shall be the Chief and a representative of the Association. Officers and Executive Committee members shall take office immediately subsequent to the announcement of their election at the Annual Meeting for their respective ensuing terms. All Officers and Executive Committee members shall be qualified voters of the district and cannot be active members of the Harmony Fire Department emergency crew.

Section 2. Moderator

1. The Moderator shall be elected at the Annual Meeting each year, for a term of one (1) year.
2. The Moderator shall preside at all meetings of the District, but if he/she shall be absent, a temporary moderator, will be appointed by the Executive Committee. The presiding officer shall strictly observe and maintain the provision of the Charter and the By-Laws. At such meetings he/she shall enforce order and decorum and from his/her decisions any appeal may be taken by those present and qualified to vote, a majority of whom shall be sufficient to sustain the appeal or overrule his/her decisions, but such appeal shall be simply stated by the appellant and shall not be debatable.
3. He/she shall also serve as chairperson of the Executive Committee and shall co-sign all checks and other instruments as are required to be signed.

Section 3. Clerk/Secretary

1. The Clerk/Secretary, whom is appointed by the Executive Committee, shall keep full, fair, and accurate minutes of the proceedings of the District at all its meetings. The Moderator, when so requested by the Clerk/Secretary, shall require motions and resolutions to be reduced to writing by members offering the same. Said documents shall

be kept in a book and format as specified by the Executive Committee. The Clerk/Secretary shall give due notice of all meetings of the District, as herein before required, and shall otherwise discharge all the duties appertaining to his/her office under the Charter and By-Laws of this District, and /or applicable law. The Clerk/Secretary shall also have present at all meetings of the District, a list of all members qualified to vote, duly canvassed and corrected by the Executive Committee as herein required. If the Clerk/Secretary is absent at any meeting of the District, a temporary Clerk/Secretary, if not appointed by the Executive Committee, may be elected by a majority of the members present and voting. In addition to the Treasurer, the Clerk/Secretary shall also be considered a custodian of the records and seal of the District. The Clerk/Secretary shall not be an official member of said Committee.

Section 4. Treasurer

1. The Treasurer shall be elected at the Annual Meeting each year, for a term of one (1) year.
2. The Treasurer shall, subject to such regulations as the Executive Committee may from time to time prescribe, have the care and custody of all of the funds and securities of the District, and shall be responsible for the deposit all such funds to the credit of the District in such depositories as the Executive Committee may designate. The Treasurer shall pay out and dispose of such funds and securities under the direction of the Executive Committee and he/she shall render a statement of his/her cash account to the Executive Committee at each regular meeting of the Committee. He/She shall possess ledgers for the purpose of maintaining a full and accurate account of all monies received and paid by him/her on behalf of the District. Said ledgers shall be kept of a style and format as specified by the Executive Committee. He/She shall, subject to the control of the Executive Committee, perform all duties incidental to the position of Treasurer and such other duties as may be assigned to him/her from time to time by the Executive Committee. The Treasurer, as principal custodian, shall ensure that all accounting and financial records of the Executive Committee are properly kept and maintained. He/She shall give such bond for the faithful performance of his/her duties as the Executive Committee may require, the premiums upon which are to be paid out of the District treasury. The Treasurer shall not be an official member of the Executive Committee.
3. All checks and drafts on the bank accounts of the District, all bills of exchange and promissory notes of the District, and all other instruments for the payment of money, and all acceptances and other obligations for, by, or on behalf of, the District, all deeds, contracts, and other obligations of the District, all transfers and assignments of registered bonds, shares of stock, or other securities standing in the name of the District, and all proxies and powers of attorney shall be signed by the Treasurer. The Moderator shall be co-signer on all instruments signed by the Treasurer.
4. Credit cards to be used for official district business will be issued at the discretion of the Executive Committee.

Section 5. Collector of Taxes

1. The Collector of Taxes, who is appointed by the Executive Committee, before entering upon his/her duties, shall give a bond of a surety company satisfactory to the Executive Committee in such a sum as shall be determined by the Executive Committee, the premiums upon which are to be paid out of the District treasury. The required bond shall be given within sixty (60) days after the Collector of Taxes appointment, or upon failure to do so, the Executive Committee may, in its discretion, declare the office of Collector of Taxes vacant. In a case of such determination by said Committee, the Committee shall proceed to fill the office of the Collector of Taxes. The Collector of Taxes shall not be an official member of the Executive Committee.
2. After Fire District tax bills have been prepared, a copy of the official Tax Levy will be supplied to the Treasurer and the amount shall be announced at the next regular meeting of the Executive Committee.
3. The Collector of Taxes is duly authorized, at his/her discretion, to utilize, such other or additional procedures as provided under these By-Laws and/or applicable law to collect any and all delinquent taxes owed to the District.
4. It is the policy of the District to utilize the tax sale procedure established by R.I.G.L. §44-9-1, et seq., and §39-5-12, or as the same may be amended from time to time, for the purpose of collecting unpaid taxes, and that the District Collector of Taxes is duly authorized and instructed to utilize said procedure.

Section 6. Assessors of Taxes

1. The authority to appoint or hire one (1) or more Assessors of Taxes, as may be deemed necessary, is reserved by the Executive Committee of said District.
2. Assessments for all Harmony Fire District tax bills will be obtained directly from the Town of Glocester Tax Assessors Tax Roll for the calendar year immediately preceding the tax bill date; ie. a fire district tax bill prepared in 2010 would be based on the assessment amount listed in the Tax Roll dated December 31, 2009. However, the District retains the right to adjust any amounts as may be deemed necessary.
3. Tax Exemption policy:
 - a. Taxpayers need to apply for exemptions at the Glocester Tax Assessor's office.
 - b. All record keeping and updating will be done at the Glocester Tax Assessor's office.
 - c. The Harmony Fire District will only apply tax exemptions to taxpayer accounts that have been assessed by the Glocester Tax Assessor's office.
 - d. Tax exemptions will be calculated at the Harmony Fire District's current rate at the time of billing.

Section 7. Executive Committee

1. The Executive Committee shall consist of the following: four (4) elected members and two (2) advisors, who shall be the Chief and a Representative of the Association. As noted in Article II – Section I – Line 1 of these By-Laws, Executive Committee members must be qualified voters of the Harmony Fire District and cannot be active members of the Harmony Fire Department emergency crew. Executive Committee members shall be elected to terms of four (4) years each.
2. Provided, however, that at the first election subsequent to the adoption of these By-Laws, two (2) members shall be elected: one to serve three (3) years and one to serve for four (4) years and at each subsequent election, one (1) person shall be elected to serve four (4) years until all members are on four (4) year cycles.
3. The Executive Committee shall approve the fidelity bonds of the Treasurer and Tax Collector and shall examine and audit all accounts, claims, and demands made and presented by any creditor of the District, and the Treasurer shall pay no claims, accounts, or demands unless the same be approved by said Committee. It shall be the Committee's duty to see that the accounts of the Treasurer and of the Collector of Taxes are duly audited in such manner as they may see fit.
4. The Executive Committee shall also act as a Board of Canvassers and the voting lists to be used at any meeting of the District shall be canvassed by the Executive Committee, at a minimum, before the Annual Meeting each year. Said canvassed voting list shall be present at all meetings.
5. The Executive Committee shall fill for the remainder of the fiscal year all vacancies occurring in any office of the District, subject to the provisions of this section pertaining to the requirements of holding office on the Executive Committee. However, at the next succeeding Annual Meeting there shall be an election held to fill the unexpired term of any position filled by the Executive Committee.
6. Any Executive Committee member who has three (3) unexcused absences from meetings within any twelve month period may have his/her position declared vacant and filled according to these By-Laws. Said declaration shall be transmitted by way of certified mail or hand delivery. This transmission shall inquire as to whether the member intends and/or is otherwise able to carry out his/her responsibilities as a member of the Executive Committee. If no response is received or the response is deemed unsatisfactory by the Executive Committee, the Executive Committee shall recommend at a special meeting of the District that the member be removed and a vacancy be declared. Said recommendation shall be in the form of a motion, which shall be subject to approval by a majority of electors present and voting at any duly convened special meeting of the District. However, at the next succeeding Annual Meeting there shall be an election held to fill the unexpired term of any position filled by the Executive Committee.
7. The Executive Committee may also, from time to time, delegate such duties and responsibilities to the Fire Chief and to such other officers elected or appointed as it shall deem fit.
8. The Executive Committee shall have the authority to appoint a Fire Chief and a Deputy Chief. The Executive Committee shall appoint other officers of the emergency crew

upon recommendation of the Chief. The Executive Committee shall have the authority to set the compensation for the Fire Chief and such other members of the Department as shall be authorized by District Meetings. The Executive Committee shall offer contracts to personnel not to exceed three (3) years in duration. Such personnel shall receive renewal and/or non-renewal notice twelve (12) months prior to the termination of such contracts. Such notice not forthcoming, said contract shall extend for one (1) year beyond the termination date. Personnel may be dismissed by the Executive Committee for cause. Such cause (dismissal) shall be given by the Executive Committee in writing and such personnel shall be afforded a hearing on these charges.

9. The Executive Committee shall have the care, custody and control of all of the property, real and personal, belonging to the Fire District.
10. The Fire Chief shall have the care, custody and control of all of the equipment of the District that has a primary emergency function as delegated by the Executive Committee.
11. At least thirty (30) days before the Annual Meeting, the Executive Committee shall file with the Clerk/Secretary, a list of candidates for the several offices of the District to be voted on at the Annual Meeting. Nothing herein contained shall prevent five, or more qualified electors from submitting a like list of candidates for the several offices of the District, provided however, that said list shall be filed in like manner as required of the Executive Committee, not less than fifteen (15) days prior to the Annual Meeting.
12. The Executive Committee shall prepare and present at the Annual Meeting a budget setting forth the appropriations necessary for the operation of the Fire District for the ensuing year and shall also submit to the electors a tax rate sufficient to cover said appropriations for the ensuing fiscal year.
13. For any malicious or wanton destruction or injury of any of the property of said District, the Committee, or any member thereof, by them delegated, shall prosecute the offender, either criminally or in civil action as the nature of the circumstances may require.
14. At all meetings of the Executive Committee, a majority of said Committee shall constitute a quorum for the transaction of business. Should a tied vote occur amongst Executive Committee members, the Moderator has the authority to cast a deciding vote.

Article IV – Emergency Crew

Section 1. Membership

1. The Chief shall prepare and maintain standards for membership; i.e., recruitment, training, and other procedures, as the Executive Committee shall direct. Such standards for membership shall be approved by the Executive Committee and reviewed annually (January).
2. The Chief shall present to the Executive Committee his/her recommendations annually (September) for emergency crew members. The Executive Committee shall appoint from that list the membership of the emergency crew.

3. The Chief shall have the duty to present other candidates for membership on the emergency crew to the Executive Committee at any time he has qualified candidates.

Section 2. Organization

1. The Harmony Fire Department emergency crew may have purpose to organize for activities. For such organization, the Harmony Fire Department and Improvement Association was formed. Said Association shall be governed by its own By-Laws, provided such By-Laws are not contrary to the best interest of the District or the District By-Laws. The By-Laws of such organization and any changes thereto shall be kept on file with the Clerk/Secretary of the District Executive Committee.

Article V – Fiscal Year

Section 1. Term

1. The fiscal year of the District shall commence on July first of each year and expire on June thirtieth next ensuing.

Article VI – District Seal

Section 1. Form

1. The District shall have a seal, circular in form, with the words “Harmony Fire District, Incorporated 1945 Rhode Island” thereon. The seal shall be kept in the safe at said District.

Article VII – Access to Public Records

Section 1. Compliance with Applicable Law

The District shall comply with the state Access to Public Records Act, R.I.G.L. §38-2-1, et seq., or as the same may be amended from time to time.

Article VIII – Amendments

Section 1. Method

1. The By-Laws may be amended at any regular meeting of the District by a two-thirds vote of the persons present and voting; provided, however, that notice of an intention to amend and wording of the proposed amendment have been given at a previous meeting of the district.