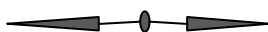


State of Rhode Island, & c.

IN GENERAL ASSEMBLY

70

JANUARY SESSION, A.D. 1945



AN ACT

TO INCORPORATE THE HARMONY FIRE DISTRICT.

It is enacted by the General Assembly as follows:

SECTION 1. All that part of the town of Glocester enclosed by a line beginning at the Angell Monument which marks the boundary line of the towns of Glocester, Scituate, Smithfield and Johnston; thence northerly by and with the said line between Smithfield and Glocester to the line between the towns of Glocester and Burrillville; thence westerly by and with the said line between the towns of Glocester and Burrillville to the intersection of the said town line and the Gazza Road; thence southerly to the boundary of the Chepachet Fire district at the intersection of the Putnam Pike and Chestnut Oak Road; thence southwesterly to the intersection of plots 114, 126 and 1, thence southerly to the centre line of the Snake Hill Road; thence turning westerly at a 90 degree angle following the center line of the Snake Hill Road to the juncture of plots 227 and 226 turning southerly following easterly line of plot 227 turning westerly following the southern boundary of 227 turning southerly to follow the westerly boundary of plot 226 to the westerly corner at the junctions of Lot 226 an Assessor's Plat 18 and Lot 209 on assessor's Plat 18, thence turning southerly running in a straight line to a point to the center line of the Tourtellot Hill Road at a point 200 feet northerly from the northerly side of the Sandy Brook Road; thence westerly turning an angle of 90 degrees with the center line of the Tourtellot Hill Road 200 feet to a corner; thence southerly parallel with and 200 feet westerly from the

center line of the Tourtellot Hill Road to the town line between the towns of Gloucester and Scituate; thence easterly by and with the town line between the towns of Gloucester and Scituate to the point of beginning, is hereby incorporated into a district to be called the "Harmony Fire District." Said district may have a common seal, sue and be sued, and enjoy the other powers generally incident to corporations.

SEC. 2. The taxable inhabitants of said district, qualified to vote in town affairs on propositions to impose taxes for the expenditure of money, shall be eligible to vote and act in all meetings of the district. At annual and special meetings of the district, five qualified electors shall constitute a quorum.

SEC. 3. The annual meeting of said district shall be held on the first Saturday in June of each year. The first meeting of said district shall be held within 60 days after the passage of this act, in the town of Gloucester, within the limits of the fire district, and may be called by any one or more of the qualified voters of said district. All persons possessing the qualifications set forth in section 2 of this act shall be entitled to vote at said meeting, on the proposition "Shall the Harmony Fire District be established according to the act of incorporation passed by the General Assembly of the State?" If a majority of the persons so voting shall vote "No" then this act shall become null and void.

SEC. 4. The qualified voters of the district at each annual meeting may elect officers to serve one year; which officers shall consist of a moderator and treasurer, whose duties and powers within said district shall be such as like officers of towns in this state have in their respective towns. Commencing in the year 1987 or as soon as possible thereafter as practicable, the executive committee of the district at any meeting, may appoint a collector of taxes to take the place of the previously elected collector of taxes, whose duties and powers within said district shall be such as like officers of towns in this state have in their respective towns. Commencing in the year 2010 or as soon as possible thereafter as practicable, the executive committee of the district at any meeting, may appoint a district clerk/secretary to take the

place of the previously elected clerk, whose duties and powers within said district shall be such as like officers of towns in this state have in their respective towns.

SEC. 5. The qualified voters of the district, at any of their legal meetings, shall have power to order such taxes and provide for assessing and collecting the same, on any or all, as they shall determine, of the following classes of taxable property in said district; (1) land, (2) buildings and improvements, (3) tangible property, and (4) motor vehicles and trailers, in accordance with R.I.G.L. §44-34-1, et. seq. and as the same may be amended from time to time, as they shall deem necessary for purchasing and procuring real estate, buildings, implements and apparatus, and a supply of water for the extinguishment of fire; for the purpose of furnishing and distributing water, and electric power throughout the district and beyond in the town of Glocester, and for operating and maintaining any works established for the purposes aforesaid; for the payment of the current expenses of the district; also for the payment of any indebtedness that has been or may be incurred by the district; and such taxes so ordered according to the last valuation made by the assessors of the town of Glocester next previous to said assessment, adding, however, any taxable property which may have been omitted by said town assessors or after acquired, can be billed upon discovery; and in all cases where the town assessors have included property within the district in one valuation. They shall make an equitable valuation of that portion of the same lying within the district; and in the assessing and collecting of said taxes such proceedings shall be had by the officers of the said district, as near as may be, as are required to be had by the corresponding officers of towns in assessing and collecting town taxes; and the collector of taxes for said district shall, for the purpose of collecting taxes assessed by said district have the same powers and authority as are now by law conferred on collectors of taxes for towns in this state. Said district may impose a penalty by way of percentage on the tax if not paid at the appointed time, not exceeding 20% per annum, as they shall deem necessary to insure punctual payment; provided,

however, that the tax assessed and payable in any one year under the provisions of this section, shall not exceed the maximum allowed by law for each dollar of said valuation. Said district may establish special funds in which tax revenues may be set aside for future equipment purchases.

SEC. 6. Said fire district may also borrow money from time to time for the purpose herein specified and issue its notes or bonds therefor which shall be binding upon said district in the same manner as town or city notes or bonds are binding upon the city or town issuing them, but said district shall not have outstanding at any one time notes or bonds of a face value of more than 3% of the total valuation of said fire district.

R.I.G.L. §45-12-2

SEC. 7. Said district at any legal meeting shall have the power to enact by-laws prescribing the duties of fire wardens, and of inhabitants of said district in time of conflagration and for the purpose of enforcing the commands of the fire wardens, for suppressing disorder and tumult, guarding or removing property or rendering other service in time of fire, and also the protection of the water pipes, hydrants, safety valves, water gates, hose or other apparatus or property of said district; and for breach of any such by-laws may provide a penalty not exceeding a fine of \$1,000 and/or cost of repair/replacement, to be recovered for the use of said district, or imprisonment for a term not exceeding 30 days, which penalty may be enforced by prosecution on complaint of the executive committee or a designee thereof before any court of competent jurisdiction.

SEC. 8. Said district at any legal meeting shall have the power to appoint personnel as they may think needful to be formed into an engine company or companies, a ladder company or companies, and a rescue and emergency medical/ambulance service, and to make all such laws and regulations for organizing and establishing the same as they shall deem necessary.

SEC. 9. Said district may hold special meetings, which, as well as the annual meeting, shall be notified in such manner as the By-Laws shall prescribe; and it shall be the duty of the clerk to

call a special meeting on written application, signed by twelve (12) or more taxpayers of the district or at the request of the Executive Committee as set forth in the By-Laws; and whenever the subject of ordering a tax is to be acted on, the same shall be mentioned in the notice, unless it be the annual meeting.

SEC. 10. Said district may enact all by-laws by it judged necessary and expedient for carrying the provisions of this act into effect; provided, that no greater penalty be inflicted thereby than is prescribed in the seventh section hereof; and provided, further, the same be not in violation of or repugnant to the laws of this state.

SEC. 11. Said district is hereby authorized, in such manner as may seem necessary and proper, to contract for and procure electric power and water for the purposes specified in this act.

SEC. 12. Section 3 of this act shall take effect upon its passage, and the remainder of the act shall take effect if and when the said district votes to accept this act as provided in section 3 and thereupon all acts and parts of acts inconsistent herewith shall stand repealed.

SEC. 13. This charter may be amended by a majority of electors present and voting at any annual or special meeting of the district, provided notice thereof states that amendment to the charter shall be considered at such meeting. An amendment to the charter shall be effective only upon passage of an act by the general assembly amending the charter in conformity with such prior vote of the district.