

From RI Acts & Resolves Jan. '63

770

JANUARY SESSION, 1963.

H 1386
Approved
April 5, 1963.

AN ACT to Incorporate Shady Harbor Fire District.

It is enacted by the General Assembly as follows:

Section 1. All that part of the town of Charlestown located on the southerly side of Post road, so-called, beginning at a granite bound set in the southerly line of Post road opposite the intersection of Ross Hill road, so-called, and Post road; thence southerly eighteen hundred thirty-five (1835) feet, more or less, to the northerly shore line of Quonocontaug pond, so-called, bounded easterly by land now or formerly of Frances King Currie, land now or formerly of Martha H. Crandall, and land now or formerly of Frances K. Currie; thence southwesterly, westerly, northerly, northeasterly and westerly following the northerly shore line of Quonocontaug pond to a stone wall at land now or formerly of Joseph W. Bennett; thence northerly sixteen hundred fifty (1650) feet, more or less, along said stone wall to the southerly line of Post road, bounded westerly by land now or formerly of said Joseph W. Bennett; thence easterly following the southerly line of said Post road to said granite bound, is hereby incorporated into a district to be called "Shady Harbor Fire District."

Sec. 2. Every citizen of the United States of the age of twenty-one years who owns real estate located in said district which is of the value of at least \$134.00 over and above all encumbrances, shall have the right to vote at any annual or special meeting of said district, or at any adjournment thereof; provided, however, that the right to vote shall not be exercised by any person otherwise qualified to vote if when a vote is taken at

Fire District.

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any meeting of the district his or her taxes shall have been in arrears for two years prior to such meetings.

Sec. 3. No less than 10 voters shall constitute a quorum for the transaction of business at any annual district meeting, and no less than 20 voters shall constitute a quorum for the transaction of business at any special district meeting. If at any annual or special meeting less than a quorum shall be present, a majority of the voters present at the meeting or any adjournment thereof may vote to adjourn the meeting, but may take no other action.

Sec. 4. The moderator shall preside at all meetings of the district. He shall have the same authority at all meetings as moderators at town meetings.

Sec. 5. Whenever at any district meeting action shall have been taken authorizing the expenditure of money, the incurring of any liability, or the disposition of property, not less than one-fourth of the voters present may by their affirmative votes require consideration of the question at an adjourned meeting of which special notice shall be given to all the voters of the district ten days in advance of the meeting, stating the hour and place thereof and the action which is to be reconsidered.

Sec. 6. Except as otherwise provided herein, all questions relating to district affairs shall be decided by a majority of the voters present at a duly called meeting of the district and entitled to vote on the question.

Sec. 7. The voters in the district shall at the annual meeting, or at any other meeting when vacancies occur,

may elect officers to serve for one year, or until the next annual meeting except as hereinafter provided for assessors of taxes, and until others be chosen in the place and stead of such elected officers. Said officers so elected shall consist of a moderator, clerk, treasurer, one assessor of taxes and a collector of taxes, whose duties and powers in said district shall be such as like officers of towns in this state have in their respective towns. At the first election of officers there shall be elected three assessors of taxes, one for a three year term, one for a two year term, and one for a one year term, thereafter at each annual meeting one assessor shall be elected for a three year term. Said voters may also elect fire wardens, engineers, assistant engineers and other officers and committees, and with such powers, as such voters may designate.

Sec. 8. A district meeting shall be held annually on the fourth Saturday in July in each year at 7:00 o'clock P.M., for the election of district officers and the transaction of all other business that may legally come before said meeting.

Sec. 9. The district clerk shall give notice of every annual or special meeting by mailing notices thereof to all persons named in the list of voters. Said notice shall be given by mailing a written or printed notice of the time when and place where the meeting is to be held not less than seven (7) and not more than ten (10) days prior to the day appointed for such meeting.

Sec. 10. Whenever one-fourth of the qualified voters or the moderator shall make a request in writing for the calling of a special district meeting to transact any

business relating to said district, the district clerk shall cause the voters to be duly notified of the time when and the place where the meeting is to be held and of the business to be transacted at said meeting.

Sec. 11. All real property in the district shall be taxed to the owners thereof whether individuals, co-partnerships or corporations, according to the last valuation made by the assessors of taxes of the town of Charlestown, next previous to the assessment, adding, however, any taxable real property which may have been omitted by said assessors of taxes of the town of Charlestown or afterwards acquired, and in all cases where the town assessors may have included property within the district and property without the district in one valuation, the tax assessors of the district shall make an equitable valuation of that portion of the same lying within the district.

Sec. 12. In assessing and collecting such taxes, such proceedings shall be had by the officers of said district, as near as may be, as are required to be had by the corresponding officers of the town of Charlestown, Rhode Island in assessing and collecting town taxes.

Sec. 13. The district may have a common seal, in its corporate name, may sue and be sued, prosecute and defend, in any court and elsewhere, and enjoy all the other powers generally incident to corporations.

Sec. 14. The district may take, purchase and hold real estate and personal estate and alienate and convey the same, and subject to limitations herein contained may borrow money and incur indebtedness. All real

and personal estate held by the district and not used for commercial purposes shall be exempt from all taxation.

Sec. 15. The district may raise by a tax on real estate such sums of money as shall be necessary to pay district debtors or to defray the charges and expenses of the district hereinafter set forth and pay the same out of the treasury; provided, the same be voted at a legal meeting of the voters of the district.

Sec. 16. The district may at any legal meeting grant and vote such sums of money as it shall judge necessary;

a. For the renewal, replacement, purchasing and procuring of implements and apparatus for the extinguishment of fire.

b. For the purpose of supplying the inhabitants of said district with water for fire, district purposes, and domestic use.

c. For the purpose of providing for the collection and disposal of garbage.

d. For the purpose of improving the property of said district and purchasing additional property.

e. For the purchase of sites for and for the erection and repair of district structures.

f. For the making and repairing of sidewalks, docks, public beach and streets.

g. For the improvement in any manner it may deem fit of any property belonging to the district.

h. For the purpose of creating a reserve fund for the extinguishment of debts or for the future replacement of property.

i. For all necessary charges and expenses whatsoever arising within the district, incidental or not to the above.

j. For fire protection to be furnished by other fire districts.

Sec. 17. No person may commence an action against the district or any of the officers thereof for damage suffered to person or property by reason of defect, want of repair of any of the district's property or by reason of injury suffered to person or property by reason of the lack of care and diligence on the part of the district, its officers or servants, in the performance of any of the acts authorized in this charter.

Sec. 18. The district shall not, without special statutory authority therefor, incur any debt in excess of 3 per centum of the assessed value of the taxable property within the district, but the giving of a new note or bond for a pre-existing debt or for money borrowed and applied to the payment of such pre-existing debt is excepted from the provisions of this section, and the amount of any sinking fund shall be deducted in computing such indebtedness.

Sec. 19. The district may enter into agreements with other fire districts from time to time to provide fire protection for the district.

Sec. 20. The district may from time to time make and ordain all ordinances, by-laws and regulations for

the district not repugnant to law which it may deem necessary for the safety of its inhabitants from fire; fireworks; for the preservation of the health of its inhabitants; prevention and abatement of nuisances; for the promotion of cleanliness; to prevent the indecent exposure of anyone bathing in any of the waters within the district; for the care, management of parks and grounds belonging to the district; for the control and regulation of parking of motor vehicles on property belonging to the district and in other places within the district in cooperation with the authorities of the town of Charlestown; and generally, all other ordinances, regulations and by-laws for the well-governing, managing and directing of the affairs of the district not repugnant to the laws of the state, and to the ordinances of the town of Charlestown.

Sec. 21. This act shall take effect upon its passage.

S 464A
Approved
April 24, 1963.

**AN ACT Exempting Anthony Athletic Association
From All Taxation in the Town of Coventry.**

It is enacted by the General Assembly as follows:

Section 1. The real and personal property of Anthony Athletic Association, a non-profit organization with wide service to the youth of the town of Coventry, may be exempted from all taxation in the said town of Coventry so long as said real and personal property shall be used for the purposes for which it is organized.

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