

CHAPTER 137.

[3990]
S 283
Approved
May 7, 1957.

AN ACT AUTHORIZING THE TOWN OF SMITHFIELD AT ITS INITIAL EXPENSE TO CAUSE THE INSTALLATION OF WATER LINES BY THE CITY OF PROVIDENCE, THE EAST SMITHFIELD WATER DISTRICT AND BY THE GREENVILLE WATER DISTRICT AND TO IMPOSE AN ASSESSMENT FOR THE PURPOSE OF RECOUPING SUCH EXPENSE.

It is enacted by the General Assembly as follows:

Installation of
water lines
authorized.

SECTION 1. The town council of the town of Smithfield is hereby authorized from time to time on behalf of said town to apply for the installation by the city of Providence, the East Smithfield water district and the Greenville water district, of water lines in any of the public streets or highways of said town of Smithfield. The city of Providence, the East Smithfield water district and the Greenville water district are hereby authorized and directed to cause the installation of the water lines so applied for upon the same terms and conditions as to cost and performance as are accorded by the city of Providence, the East Smithfield water district and the Greenville water district to private citizens. Said town council of the town of Smithfield is hereby authorized and directed to make appropriation for and pay to the city of Providence, the East Smithfield water district and the Greenville water district the amount of the charges made by the city of Providence, the East Smithfield water district and the Greenville water district for such installations.

SEC. 2. Upon completion of the installation of water lines in any street or highway pursuant to application made under section 1 hereof, and upon payment to the city of Providence, the East Smithfield water district and the Greenville water district of their charges for such installation, said town council shall make an assessment upon all land abutting upon that portion of such street or highway in which water lines have been so installed, at a uniform rate for each front foot of such land upon such street or highway. Such rate shall be determined by dividing the charges so imposed by the city of Providence, the East Smithfield water district and the Greenville water district, plus charges incidental to the installation thereof, by the total number of front feet of such land upon such street or highway; *provided, however,* that in any case where by reason of the location of any such land between or at the intersection of two streets or otherwise, such land shall have been previously assessed under this section or public water lines installed independently of this chapter shall already be available to such land, such land shall not be

subject to assessment with respect to the second of such streets or highways and its front footage upon such second street or highway shall not be included in computing total front footage upon such second street or highway for purposes of determining the assessment rate; and, provided, further, that upon the petition of the owner of a lot of land of irregular shape or which by reason of location or otherwise is deemed to be inequally assessed said town council upon its own motion may adjust the assessment on any such lot; and, provided further, that said town of Smithfield, by vote of said town council, may itself assume and pay to said city of Providence, the East Smithfield water district and the Greenville water district on account of said charges an amount equal to the assessments which would be chargeable to land-owners were it not for the two preceding provisos hereof or which would be chargeable with respect to land owned by the state of Rhode Island.

Certification
of assessments.

Lien.

Said town council shall annually on or before the thirty-first day of March, certify to the tax collector of the town of Smithfield all assessments made by it since the date of the last previous such certification. Said assessments shall be a lien on the land on which they are made from the time said certificate is filed with said tax collector until such assessment is paid in full, and if not paid when due and payable shall be collected in the same manner that taxes assessed upon real estate are by law collected. Except as hereinafter provided, said assessments shall be due and payable on the first day of May next after the date of receipt by the tax collector of said certificate, and the tax collector shall without further warrant collect such assessments in the same manner as the regular town taxes are collected. Interest

at the rate per annum fixed for non-payment of the regular town taxes in the year such assessments become due and payable shall be charged and collected on all overdue assessments from the date they become due and payable until paid.

The owner of any land against which an assessment is made as herein provided shall have the option either of paying such assessment at the time it becomes due and payable as above provided, or of paying one-tenth of such assessment at said time and the balance in nine equal installments of equal amounts, each of which shall become due and payable on the first day of May of the year in which such installment becomes due and payable until such assessment is fully paid; *provided, however,* that upon application, the town council may authorize the payment of such assessments in 15 annual installments, payable one-fifteenth of such assessment at the time the assessment is due, and the balance in 14 equal installments, each of which shall become due and payable on the first day of May of the year in which such installment becomes due and payable until such assessment is fully paid.

Option to pay assessment in installments.

Any person who intends to avail himself of the option to pay his assessment in 10 annual installments, or with the approval of the town council, in 15 annual installments as aforesaid, shall notify said tax collector in writing of such intention on or before May first in the year such assessment is first due, and any person who so avails himself of such option may at any time thereafter, when any such installment becomes due and payable, pay the balance of such assessment then remaining unpaid.

Same notice.

Payment of
balance due
on default.

In case of default in the payment of the regular tax on the real estate which is the subject of such assessment, or of any installment of said assessment which become due and payable as aforesaid, the balance of assessment then remaining unpaid shall at once become due and payable.

Assessment
receipts to be
maintained in
separate fund.

SEC. 3. The receipts from the assessments provided for in section 2 of this act shall be kept in a separate fund and shall be used as directed by the town council of the town of Smithfield for the payment to the city of Providence, the East Smithfield water district and the Greenville water district of their charges for the installation of water lines as authorized by this act for the reimbursement of the treasury of said town of Smithfield for amounts paid to said city of Providence, the East Smithfield water district and the Greenville water district for such installation, or for the payment of the principal or interest of any bonds or notes issued to finance such installation of water lines. The foregoing provisions shall not be construed as a limitation upon the power and duty of said town council to appropriate and raise in the regular town tax such amount as may be necessary for the payment to the city of Providence, the East Smithfield water district and the Greenville water district of amounts due them and for the prompt payment of principal and interest maturing upon all outstanding bonds or notes issued to finance such installation of water lines.

Referendum.

SEC. 4. The question of the approval of this act shall be submitted to the electors of the town of Smithfield qualified to vote upon a proposition to impose a tax or for the expenditure of money at a special election.

be held on June 18, 1957. The question shall be submitted in the following form, "Shall an act passed at the January 1957 session of the general assembly, being S 283 as amended, entitled 'An act authorizing the town of Smithfield at its initial expense to cause the installation of water lines by the city of Providence, the East Smithfield water district and by the Greenville water district and to impose an assessment for the purpose of recouping such expense' be approved?". The local board, as defined in section 17-8-1 of the general laws, shall forthwith after said election notify the secretary of state of the result of the vote upon the question submitted. The polling place or places shall be designated by said local board, and the election shall be held in conformity with the election laws of the state, except that:

Election procedure.

(a) The requirement that the voting lists be posted at least twenty days before the election shall not be applicable;

(b) The requirement that said local board shall be in its office for the purpose of receiving registrations of voters between the sixty-third and sixtieth days preceding the election shall not be applicable.

SEC. 5. This section and section 4 of this act shall take effect upon the passage of this act; and the remainder of this act shall take effect upon the approval of this act by a majority of those voting at the election prescribed by section 4 hereof.

Act effective, when.