

Chapter 637 of the Public Laws of 1910 entitled "An Act to Incorporate the Harrisville Fire District" as amended is hereby further amended to read as follows:

SECTION 1. All that part of the Town of Burrillville starting at a southerly point of the Burrillville and Gloucester town line on Route 102, northwest to the intersection of Lapham Farm Road and Steere Farm Road; northeast from said point to the northwest corner of the Sadowski house on Central Street, then northerly to a point 180 feet west of the intersection of Whipple Avenue and East Avenue; commencing north approximately 835 feet then turning in an east/southeasterly direction to the intersection of Spring Lake Road, Joslin Road and Branch River; following the Branch River in a northeasterly direction to the Nasonville Fire District line; then turning in a northwesterly direction along the Nasonville Fire District line to the southeast corner of Lot 1, Map 8; turn westerly 263.48 feet along the southern boundary of Lot 1, Map 8; then northerly 332.62 feet; then westerly 1,119.17 feet along said lot; then north 83.80 feet to the Massachusetts state line. This point being the northwest corner of the Nasonville Fire District boundary. Follow said line due west to a point 300 feet beyond Round Top Road; due southeast to the corner of Hill Road and Centennial Street; bordering the Pascoag Fire District line, southerly through the intersection of Union Avenue and Oak Street to a point 923 feet west of Memorial Bridge on Main Street, Pascoag; due southeast from this point to the intersection of Mowry Street and Lapham Farm Road, continue southeast along the Pascoag Fire District line to the Gloucester town line; due east on said line to the point of beginning, as recorded at the Harrisville Fire District office, is hereby incorporated into a district to be called the Harrisville Fire District. Said district may have a common seal, sue and be sued, and enjoy the other powers generally incident to corporations.

SECTION 2. The taxable inhabitants of said District are qualified to vote on propositions to impose a tax or for the expenditure of money and shall be eligible to vote and act in all annual and/or special meetings of the District.

SECTION 3. The annual meeting of said District shall be holden on the second Monday of June in each year.

In the event that any person shall desire to present any motion or resolution at an annual meeting of the Harrisville Fire District that would require the appropriation of money, said person shall and must first present said motion or resolution to the operating committee at the advertised public meeting of the operating committee which is called before the date of the annual meeting of the Harrisville Fire District. In the event that said motion or resolution is rejected by the operating committee, the person may then present the same motion or resolution at the annual meeting under new business providing said person files in writing a copy of said motion or resolution with the

secretary of the operating committee at least ninety-six (96) hours prior to the annual meeting.

In the event any resolution or motion is offered at any annual meeting without complying with the aforesaid requisites, said motion or resolution shall be ruled out of order.

The District, when authorized by any District meeting, shall have power to borrow such sums of money as such meeting shall deem necessary to carry out any of the corporate purposes of the District.

SECTION 4. The qualified voters of the District, at each annual meeting and at any other meeting when vacancies occur, may elect officers to serve one year, or until the next annual meeting, except as otherwise specified, and until others may be chosen in their stead; which officers shall consist of a moderator, clerk, and three assessors, whose duties and powers within said District shall be such as like officers of Towns in this State have in their respective Towns.

The voters shall also elect an operating committee consisting of seven members who shall be chosen as follows: at the first annual meeting after the passage of this act, there shall be elected two members for one year, two members for two years, and three members for three years and thereafter as the terms of the members shall expire, there shall be elected two or three members as the case may be.

The operating committee shall act as board of canvassers. The voting list to be used at any meeting of the District, annual or special, shall be canvassed by said operating committee not more than forty-five and not less than five days before the date of such meeting.

The operating committee shall be vested with all the powers and authority conferred upon them by the charter, and laws of the State, and shall perform all the duties pertaining to said office. They shall have control of all fire apparatus belonging to the District except when under control of the Chief as hereinafter provided in section six.

The operating committee shall have charge and control of all property of the District, and shall have full authority to exercise all the powers and functions necessary in the full management of the electric light and water systems; they shall have power to enter into any contracts or agreements with other parties for the purpose of supplying water and lights; provided however, that no contract or agreement shall be entered into for any new development or extension of the electric light system or the water system, whereby the cost involved in such development or extension shall exceed Five Thousand Dollars without first obtaining authority from the District; and provided, further, that nothing herein contained shall limit the expenditure by the operating committee of any part of the receipts from

the bond issue for the purchase, extension and improvement of said water system heretofore authorized by the District.

The operating committee shall appoint for a term of three years the Fire Chief and the Superintendent of the water system and they shall fix their salaries, and all such officers as shall be necessary to conduct the business of the District and they shall be under the direction and control of said operating committee. They shall employ a certified public accountant to annually audit all the accounts of the District.

The operating committee shall be the board of abatement with power to abate any District taxes according to law, upon recommendation of the board of tax assessors.

The operating committee shall make a full and complete report at each annual meeting of the operations of the light and water systems and such other transactions and events of the year as they may deem necessary.

SECTION 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 the taxable inhabitants and property in said District, as they shall deem necessary for purchasing and procuring real estate, buildings, implements and apparatus and a supply of water for the extinguishing of fire; for the purpose of furnishing and distributing water, light, and power throughout the District and beyond the same in the Town of Burrillville, and for operating and maintaining any works established for the purposes aforesaid; for the payment of the current expenses of the District; the payment of such police force as they may deem necessary for the protection of the property of the inhabitants of the District from fires and preservation of the public peace, and for the payment of any indebtedness that has been or may be incurred by the District.

The board of assessors shall annually levy and assess a tax at such a rate that it will provide revenue sufficient to pay expenses for the current year, on all property within the limits of said District, or belonging to the residents thereof, which is liable to taxation under its charter, said levy and assessment to be made by the assessors on or before August 15th in each year and the tax so assessed to be due and payable on or before September 1st in each year and all taxes remaining unpaid at September 30th in each year shall thereafter bear interest at a rate established by the operating committee. The assessor of taxes upon completing the assessment for the year shall date and sign the same. The tax rate shall be based on the assessment of real and personal property of the taxable inhabitants of the Harrisville Fire District as compiled and completed by the Town of Burrillville as described on the Tax Rolls.

Exemptions as described in the Burrillville Tax Rolls will be honored but the amount in each category is to be determined by the Operating Committee.

The collector of taxes before entering upon his/her duties shall give his/her bond with corporate surety satisfactory to the operating committee in such form as shall be determined by the District, the premiums upon which shall be paid out of the District treasury. Upon the commitment to him/her of the assessment he/she shall collect all taxes, levied and assessed, said taxes to be payable on or before such time as the District may determine. The tax collector shall proceed in behalf of said District to collect by law all taxes remaining unpaid on September 1, in each year.

The collector of taxes shall close his/her books on the last day of August in each year and make, at the annual meeting or at special meetings when called upon to do so by a vote of the District, an annual report issued by a CPA firm, of the condition of the District treasury and the receipts and expenditures for the year preceding the annual meeting, or such of the year as shall have preceded a special meeting.

And provided further, however, that said taxable inhabitants at any legal meeting shall have the power or order a minimum tax of not less than Five Dollars (\$5.00).

At any meeting of the District, the qualified voters of the District shall have power to order such taxes and provide for assessing and collecting the same on the ratable real estate and tangible personal property of the District, as it shall deem necessary to carry out the purposes of the District as provided herein. Such taxes so ordered shall be assessed by assessors of the District on the taxable inhabitants and the property therein according to the last valuation made by the assessors of the town, adding however any tax from property which may have been omitted by said town assessors or afterwards acquired, and in all cases where the town assessors have included property within and without the District in one valuation, the assessors of the District shall make an equitable valuation of that portion of said property lying within the District. In assessing and collecting said taxes, the officers of the District shall conduct such proceedings and follow such procedures as the law requires be followed by the corresponding officers of town in assessing and collecting town taxes, to the extent practicable. In addition, the collector of taxes for the District shall have the same powers and authority as are now by law conferred on collectors of taxes for towns in this state. The District may provide for such deduction from any tax assessed if paid by an appointed time, or for such penalty by way of percentage on the tax if not paid at the appointed time, not exceeding eighteen percent (18%) per annum as it shall deem necessary to insure punctual payment.

SECTION 6. Said District at any legal meeting shall have the power to enact by-laws prescribing the duties of the inhabitants of said District in time of conflagration and for the purpose of enforcing the commands of the fire department officers and to appoint officers for suppressing disorder and tumult, guarding or removing property or rendering other services in time of fire, and also for the protection of water pipes, hydrants, safety valves, water gates or other apparatus or property of or in said District, and for any breach of such by-law may provide a penalty not exceeding a fine of One Thousand Dollars (\$1,000.00) to be recovered for the use of said District, or imprisonment for a term not exceeding thirty (30) days, which penalty may be enforced by prosecution, on complaint of any member of said fire department officers before any court of competent jurisdiction.

Said District at any legal meeting shall have the power to appoint as many men as they may think needful to be formed into a hose company or companies and also hook and ladder company, rescue/emergency medical services, and to make all such laws and regulations for organizing and establishing the same as they shall see fit.

The fire department officers appointed by said District may order, in time of fire, any such actions as they shall judge necessary and appropriate to stop the progress of the fire.

The Chief of the fire department shall be in supreme command of the men and apparatus from the time the apparatus leaves the fire station and until its return, and orders shall be given only by him to the officers and men of the fire companies.

The Chief shall appoint all officers of the fire department and remove them if he deems necessary. The Chief shall be consulted in the purchase of fire apparatus or equipment. The Chief shall levy such charges as he deems necessary when apparatus leaves the Fire District.

The Superintendent of the water system shall notify the Chief of any disability that would imperil the property within the District in case of fire or other emergency.

If, in case of illness, absence or for any other cause, the Chief is unable to act, the senior officer shall assume all the duties of the Chief.

At any fire or emergency, the Chief or in his absence the senior officer, shall have the power to suppress all tumult or disturbances; to order any or all persons to leave the vicinity of any fire and to command from the inhabitants of the District all needful assistance in suppressing fire and preserving and protecting exposed property, and any person violating his order shall be fined not exceeding One Thousand Dollars (\$1,000.00) or be imprisoned for a term not exceeding thirty (30) days.

SECTION 7. All meetings whether annual or special shall be held at some suitable place within the limits of the District. All such meetings shall be notified by posting notices thereof in at least five (5) public places in said District, not less than five (5) days previous to the date for which such meeting is called; and it shall be the duty of the clerk or the moderator to call a special meeting on written application signed by twelve (12) taxable inhabitants of the District or on the order of the operating committee; 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. Ten (10) qualified voters shall be deemed to constitute a quorum for any meeting.

In giving notice of annual and special meetings the clerk shall give notice of the time and place of holding a meeting for the purpose of canvassing and correcting the voting list to be used at such annual or special meeting.

Upon the demand, of at least one-fifth of the qualified voters of said District present for a ballot upon any question pending at any annual or special meeting, the same shall be allowed and all votes except on motion to adjourn, or an amendment to some proposition pending shall be required by the moderator to be so taken, that the votes affirmative and negative may be by him counted and the results entered on the minutes by the clerk.

SECTION 8. 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 there-by than is prescribed in the sixth section hereof; and provided, further, the same be not in violation of or repugnant to the laws of this State.

SECTION 9. Said District is hereby authorized, in such manner as may seem necessary and proper, to contract for and procure light and water for the purpose specified in this act.

SECTION 10.

a) Notwithstanding sections 2, 3, 4 and 5 of chapter 236 of the public laws of 1985, the operating committee shall have the power to determine, by resolution, an amount of taxes or fees to be paid each year on account of the real or personal property used in connection with any facility for the generation of electricity located in the district, notwithstanding the valuation of such property or the rate of tax. Such determination shall be for a period not to exceed twenty-five (25) years. Any fees payable hereunder shall constitute liens on the property and shall bear interest and be otherwise collectible as may be provided in any contract or agreement.

b) The operating committee shall be vested with the power and authority to enter into any contract or agreement regarding the amount of taxes or fees. Such contract or agreement may contain such terms

and conditions as the operating committee, in its sole discretion, shall deem necessary and appropriate, including, but not limited to, a provision indemnifying the owner or lessors of such real or personal property used in connection with any facility for the generation of electricity from third parties claiming payments for any reason, including the provision of fire protection, rescue services or such other services as the district may supply.

c) All prior agreements between the district and the owners or users of such real or personal property used in connection with any facility for the generation of electricity or actions taken in connection therewith are hereby ratified in all respects.

SECTION 11. This act shall take effect upon passage.