

B Y - L A W S

of the

BONNET SHORES FIRE DISTRICT

Narragansett, Rhode Island

- As Amended to September 1, 1984 -

BY-LAWS

(As Amended to August 12, 1977)

ARTICLE I

Meetings

Section 1. Annual Meeting. The annual meeting of the district shall be held on the last Thursday of June in each year at such hour and place within the town of Narragansett as shall be decided by the district council. In the event of the failure to hold said meeting at any time or for any cause any and all business which might have been transacted at such meeting may be transacted at the next succeeding meeting, whether special or annual.

Sec. 2. Special Meetings. Special meetings of the district may be held at any time and at any place within the town of Narragansett whenever and wherever called by the chairman or any three members of the district council, and shall be called by the chairman whenever requested in writing by fifty (50) qualified voters of the district. The general nature of the business to be transacted at any special meeting shall be stated in the notice for such meeting.

Sec. 3. Notice of Meetings. Notice of all meetings of the district shall be given by the clerk of the district or in case of his absence, inability or failure to act, by the chairman of the district council. Notice of any meeting shall state the time and place of the meeting and shall be published in all the editions of either the Providence Journal or the Evening Bulletin, published in the City of Providence, Rhode Island, and in the Narragansett Times, published in Wakefield, Rhode Island, once a week for two successive weeks, "the last publication to be at least five (5) days next preceding the date of such meeting; and, in addition, notice shall be posted for five days next preceding the date of such meeting in some conspicuous place within the district."

Sec. 4. Quorum. At all meetings of the district a quorum shall consist of at least fifty (50) voters, qualified as hereinafter provided, present in person, or by proxy (as to those cases where voting by proxy is permitted as hereinafter provided).

Sec. 5. Voting at Meetings. Every person irrespective of sex, of the age of eighteen (18) years, who is possessed in his or her own right of real estate in said district of the value

of one hundred thirty-four dollars (\$134.) over and above all encumbrances, being an estate in fee simple, fee tail, for the life of any person, or an estate in reversion or remainder, the conveyance of which estate shall, if by deed, have been recorded at least ninety (90) days, shall thereafter have a right to vote at all meetings of the corporation. Every person qualified to vote as aforesaid shall vote in person, except that a husband or a wife may vote as the proxy of the other spouse, provided such proxy shall be in writing and filed with the clerk at the meeting at which such proxy shall be used. All voting shall be by ballot unless waived by unanimous consent of those present at the meeting and qualified to vote and the action of a majority at any meeting at which a quorum is present shall bind the district.

Sec. 6. Voting List. The Tax Collector of the district shall prepare or cause to be prepared for the annual meeting and have present at said meeting and at all subsequent meetings until the next annual meeting and open throughout said meetings to the inspection of all persons present thereat a list of all qualified voters examined, approved and certified by a majority of the assessors of taxes of the district.

## ARTICLE II

### District Council

Section 1. Number and Qualification. The business and affairs of the district shall be managed by a district council of seven (7) qualified voters.

Sec. 2. Election and Term of Office. A Nominating committee consisting of five (5) qualified voters of the district, and two (2) members of the Council to be named by the Council, shall be elected at each annual meeting to present at the next subsequent annual meeting a slate of officers. The members of the district council shall be elected at the annual meetings. Successors to the members of the council whose term shall expire in the year fixed for the annual meeting shall be elected to hold office for a term of three (3) years.

Sec. 3. Powers. In addition to the powers and authorities by these by-laws expressly conferred upon them, the district council shall have general supervision and management of the business and affairs of the district and may exercise all such powers of the district and do all such lawful acts and things as are not by law, by the charter or by these by-laws directed or required to be exercised or done by the qualified voters of said district. Without prejudice to the general powers conferred by

the last preceding clause and the other powers conferred by law, by the charter and by these by-laws, it is hereby expressly declared that the district council shall have the following powers, that is to say:

(a) from time to time to adopt such rules, regulations and ordinances to enable it to fulfill its corporate purposes as are permitted by its charter and to provide such penalties for the breach of said rules, regulations and ordinances as are fixed by said charter;

(b) from time to time to provide such penalties as are fixed by the charter for the breach of any provision of these by-laws;

(c) to employ, appoint and remove with or without cause all employees and agents of the district, and except as herein provided, to fix their compensation; to make and execute or authorize to be made and executed all ordinary contracts, purchases and sales for the account of the district; provided, however, that the total expenditure to be made under this provision shall not exceed in any one fiscal year the amount of money available or to be available from taxes for said year; to authorize and supervise the expenditure and investment of all its funds; and to authorize the execution and delivery on its behalf of all contracts, deeds, mortgages, leases, transfers, conveyances and other corporate instruments, whether of a like or different nature;

(d) to determine from time to time the rate at which taxes shall be assessed by the assessors of taxes of said district, provided, however, that the tax assessed and payable in any one year shall not exceed seven (7) mills on each dollar of valuation of property in the district as defined in the charter.

Sec. 4. Meetings and Notice Thereof. A meeting of the district council shall be held as soon as convenient after each annual meeting of the district or if such annual meeting be for any cause omitted, then after any special meeting held in lieu of such omitted annual meeting. At said meeting said council shall organize and elect a chairman and a vice chairman from its membership. Regular meetings of the district council may be held at such place either within or without the district and at such time as the district council may by vote from time to time

determine. Special meetings of the district council may be held at any time and at any place within or without the district, whenever and wherever called by the council, the Chairman, or any three (3) members of the council requesting such a meeting in writing to the clerk. In the absence of the clerk, or his inability or failure to act, notice of such meetings shall be given by the chairman. Notice of all meetings of the district council shall be given to each member in person, or by mail, telephone, or telegram, addressed to his or her place of residence or business, as listed with the clerk, at least two (2) days prior to the date of such meeting.

Sec. 5. Quorum. A majority of the whole number of the members of the district council holding office for the time being shall constitute a quorum for the transaction of all business but less than a quorum may adjourn a meeting from time to time.

Sec. 6. Action Without Formal Notice. Any vote, resolution or other form of action which shall be in writing and signed by all of the members of the district council, and filed with the clerk, shall constitute action of the district council without any meeting of the district council.

Sec. 7. Compensation. Members of the district council shall serve without compensation.

### ARTICLE III

#### Officers and Committees

Section 1. Enumeration of. In addition to the members of the district council, the officers of the district shall be a moderator, clerk, treasurer, three assessors of taxes, collector of taxes and one or more fire wardens, which officers shall be elected annually. All officers shall be qualified voters of the district.

Sec. 2. Election and Term of Office. At the annual meeting and at each subsequent annual meeting of the district, officers to be elected shall be elected by a majority vote of the qualified voters of the district present at such meeting. Each officer shall be elected to serve until his successor is elected and shall qualify. Committees, the respective chairman of which shall be members of the district council, may be appointed by the district council from time to time.

Sec. 3. Moderator. It shall be the duty of the moderator to preside at all meetings of the district. He shall also perform such other duties as may from time to time be assigned to him by the district council. In the event of his absence, inability or failure to serve, the council shall appoint a moderator for that meeting.

Sec. 4. Clerk. It shall be the duty of the clerk to attend all meetings of the district and of the district council and to keep the records of all meetings of the district and the district council; to give or cause to be given notice of all meetings of the district and the district council of which notice is required. He shall also perform such other duties as may from time to time be assigned to him by the district council. In the absence of the clerk at any meeting of the district or the district council, the records of the proceedings shall be kept and authenticated by such other person as may be appointed for that purpose at the meeting.

Sec. 5. Treasurer. It shall be the duty of the treasurer to receive and account for all moneys arising from the collection of taxes, sale of bonds and otherwise, and to deposit or invest the same in accordance with the direction of the district council. He shall have custody of the corporate seal and books of account of the district. He shall keep or cause to be kept accurate books of account and shall present at each annual meeting of the district a statement showing the financial condition of the district and shall upon request produce from time to time to the district council a full account and such books of account and other papers and documents in his possession as they may from time to time require. He shall give a bond for the faithful performance of his duties in such amount and with such surety or sureties as may be approved by the district council. The premium for said bond shall be paid by the district. He shall also perform such other duties as may from time to time be assigned to him by the district council.

Sec. 6. Assessors of Taxes. The assessors of taxes shall assess taxes on all taxable inhabitants and taxable property within the district as of December 31 in each year at such rate as may from time to time be determined by the district council and such assessment shall be committed by them to the collector of taxes of said district. In the assessment of taxes the assessors of taxes shall follow generally the practice and procedure adopted by the corresponding officers of the town of Narragansett, Rhode Island. The assessors of taxes shall prior to each annual meeting of the district examine, approve and certify the list provided for in Sec. 6 of article I hereof. They shall also perform such other duties as may from time to time be assigned to them by the district council.

Sec. 7. Collector of Taxes. The collector of taxes shall collect and pay over to the treasurer of the district all taxes. In the collection of taxes he shall follow generally the practice and procedure adopted by the corresponding officer in said town of Narragansett. He shall give a bond for the faithful performance of his duties in such amount and with such surety or sureties as may be approved by the district council. The premium for said bond shall be paid by the district. He shall receive such compensation as shall be voted at the meeting of the district at which he is elected and before entering upon his duties he shall file with the clerk a written acceptance of the compensation fixed by the terms of said vote. He shall endeavor to keep a current mailing list of all taxpayers. He shall also perform such other duties as may from time to time be assigned to him by the district council.

Sec. 8. Fire Wardens. The fire wardens shall have such powers and duties as are generally exercised in fire districts within the state of Rhode Island, and shall also have such other powers and shall perform such other duties as shall from time to time be delegated or assigned to them by the district council.

Sec. 9. Compensation. Except as herein otherwise provided, and except as from time to time otherwise provided by vote of the qualified voters of the district, no officer or member of any committee of the district shall receive any compensation for his services in such capacity.

#### ARTICLE IV

##### Vacancies

Section 1. Filling of. Any vacancy in any office of the district due to death, resignation, or inability to serve due to illness or other cause, may be filled by the Council at any regular meeting of the council. Said appointee shall serve until the next subsequent annual meeting of the district, or until a special meeting of the district called to fill the vacancy.

#### ARTICLE V

##### Signing of Corporate Instruments

Section 1. Signing of Checks, etc. All checks, drafts, orders and obligations of the district for the payment of money, notes, deeds, contracts, mortgages, leases, bonds and other corporate instruments may be signed and delivered by such officer

or officers, or other person and/or persons as the district council may from time to time designate.

ARTICLE VI

Fiscal Year

Section 1. End of. The fiscal year of the district shall end on the thirtieth day of June in each year.

ARTICLE VII

Roads

Section 1. Miscellaneous. By vote of the district council moneys of the district may be expended for the purpose of repairing and maintaining roads within the district, all of the roads within said district being private roads, but the district shall not be liable to any person or persons whatsoever, whether or not residents of the district, for any damages resulting from or caused by the condition of any of said roads or any defect therein or any other cause whatsoever.

ARTICLE VIII

Seal

The seal of the district shall be in the form of a circle and shall bear the full name of the district and the words "Rhode Island 1932".

ARTICLE IX

Amendment of By-Laws

Section 1. Method of Amendment. The by-laws may be altered, amended or repealed at any annual or special meeting of the district by the affirmative vote of two-thirds (2/3) of the qualified voters of the district present at such meeting; provided that notice of said meeting shall state the substance of the proposed amendment; and provided further that no amendment shall be made which shall conflict with the charter except upon the previous amendment of the charter in that respect according to law.

I hereby certify that the foregoing are the by-laws of the Bonnet Shores Fire District now in force.

Thomas L. Marcaccio, Jr., Clerk 1978

Mary Frances McGinn, Clerk 1984  
Revisions