

**HOPKINS HILL
FIRE DISTRICT**

**1 Bestwick Trail
Coventry, R.I. 02816**

CHARTER

Legislative Status Report**Back**

Condition: {Session Year: 2015} {Bills: 37}

Senate Bill No. 37

Act 60

BY Raptakis, Kettle, Morgan**ENTITLED**, AN ACT IN AMENDMENT OF AN ACT TO INCORPORATE THE HOPKINS HILL ROAD FIRE DISTRICT

{LC331/1}

01/13/2015 Introduced, referred to Senate Housing and Municipal Government
02/09/2015 Scheduled for hearing and/or consideration (02/11/2015)
02/11/2015 Committee recommends passage
02/12/2015 Placed on Senate Calendar (02/25/2015)
02/25/2015 Senate read and passed
02/26/2015 Referred to House Municipal Government
03/24/2015 Scheduled for hearing and/or consideration (03/26/2015)
03/26/2015 Committee recommended measure be held for further study
04/03/2015 Scheduled for consideration (04/09/2015)
04/09/2015 Committee recommends passage in concurrence
04/27/2015 Placed on House Calendar (04/29/2015)
04/29/2015 House passed in concurrence
04/29/2015 Transmitted to Governor
05/07/2015 Effective without Governor's signature

Total Bills: 1

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LC000331

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

AN ACT

IN AMENDMENT OF AN ACT TO INCORPORATE THE HOPKINS HILL ROAD FIRE DISTRICT

Introduced By: Senators Raptakis, Kettle, and Morgan

Date Introduced: January 13, 2015

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 3 of an act passed at the January session, 1955, of the General
2 Assembly entitled "An Act To Incorporate The Hopkins Hill Road Fire District," as amended, is
3 hereby further amended to read as follows:
4 Section 3. Annual meetings of the corporation shall be held on the ~~first Saturday of May~~
5 second Monday of September at 7:00 p.m. at the fire station on Bestwick Trail off of Hopkins
6 Hill Road or at such other place as the Executive Committee may designate. Upon written
7 application to the clerk by twenty (20) or more qualified and registered voters of the district, or by
8 order of the Executive Committee, said clerk shall call a special meeting giving such notice as
9 provided in the by-laws and the General Laws of Rhode Island. Any application signed by the
10 twenty or more qualified and registered voters, must set forth and define with specificity the
11 precise business which is to be discussed at said meeting and no other business can be addressed
12 other than that which appears in the petition and has otherwise, been placed upon the agenda. No
13 Special Meeting shall be called without the consent of the Executive Committee if the subject or
14 any of the subjects proposed to be considered at such special meeting shall have been acted upon
15 by a district meeting, either annual or special, within six (6) months previous to the time of such
16 proposed call. No Special Meeting shall be called without the consent of the Executive
17 Committee if the purpose is to amend or modify the annual budget approved at the most recent
18 annual meeting. All meetings will have a seven (7) day notice of said meeting, stating the time,

1 place, and purpose thereof, and signed by five (5) or more qualified voters of said district, shall be
2 given by posting the same in three (3) or more public places in the district, at least one week
3 before said meeting, and by publishing the same one week prior to said meeting in some
4 newspaper published in the County of Kent. Twenty (20) qualified electors of said district shall
5 constitute a quorum for the transaction of business at any meeting of the corporation, legally
6 called.

7 SECTION 2. This act shall take effect upon passage.

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ACT TO AMEND THE HOPKINS HILL FIRE DISTRICT

SECTION 1.

All that part of the town of Coventry lying and being within the following lines and bounds:

Beginning at a point which point is located 100 feet east of the northeast corner of land now or formerly of Douglas Jackson; thence turning and running in a southerly direction in a direct line to the northwest corner of Tiogue twin lakes no. 2 plat; thence running to the northeast corner of Lake George plat; thence following along the eastern boundaries of properties now or formerly of Jerry Johnson, et ux, Linwood lace works and William J. Beattie; thence in a direct line to a stone bound in the boundary line between the Towns of Coventry and West Greenwich, this being the northwest corner of the Town of East Greenwich; thence turning and running westerly on said Coventry and West Greenwich town line until it comes to a point in the middle of Spring Lake Stream (also known as Mishnock River); thence turning and running in a northerly direction along the center line of said Spring Lake Stream, so-called, until it comes to a point five hundred (500) feet south of Nooseneck Hill Road, route 3, which point constitutes the southwesterly corner of the Washington Lighting District; thence easterly parallel with, and five hundred (500) feet south of said Nooseneck Hill Road, route 3, along the southerly line of the Washington Lighting District; thence northerly along the present line of the Washington Lighting District until it comes to the center line of said Nooseneck Hill Road, route 3; thence turning and running in an easterly direction along the center line of said Nooseneck Hill Road, route 3, until it comes to the point or place of beginning; (it being intended that said area aforedescribed be bounded northerly by the Washington Lighting District, easterly by the Tiogue Fire District, southerly by the Coventry-West Greenwich town line and westerly by the westerly half of Spring Lake Stream, so called); is hereby incorporated into a district to be called the Hopkins Hill 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 qualified to vote in town affairs on propositions to impose a tax or for the expenditure of money shall be eligible to vote and act in all meetings of the corporation.

SECTION 3.

Annual meetings of the corporation shall be held on the first Saturday of May at 7:00 p.m. at the fire station on Bestwick Trail off of Hopkins Hill Road or at such other place as the Executive Committee may designate. Upon written application to the clerk by twenty (20) or more qualified and registered voters of the district, or by order of the Executive Committee, said clerk shall call a special meeting giving such notice as provided in the by-laws and the General Laws of Rhode Island.

Any application signed by the twenty or more qualified and registered voters, must set forth and define with specificity the precise business which is to be discussed at said meeting and no other business can be addressed other than that which appears in the petition and has otherwise, been placed upon the agenda.

No Special Meeting shall be called without the consent of the Executive Committee if the subject or any of the subjects proposed to be considered at such special meeting shall have been acted upon by a district meeting, either annual or special, within six (6) months previous to the time of such proposed call.

No Special Meeting shall be called without the consent of the Executive Committee if the purpose is to amend or modify the annual budget approved at the most recent annual meeting.

All meetings will have a seven (7) day notice of said meeting, stating the time, place, and purpose thereof, and signed by five (5) or more qualified voters of said district, shall be given by posting the same in three (3) or more public places in the district, at least one week before said meeting, and by publishing the same one week prior to said meeting in some newspaper published in the County of Kent.

Twenty (20) qualified electors of said district shall constitute a quorum for the transaction of business at any meeting of the corporation, legally called.

SECTION 4.

Said taxable inhabitants at each annual meeting and at any other meetings when vacancies occur may elect officers to serve for one year. Said officers must be qualified electors of the district as outlined in Section 2 of this Act. The officers shall consist of a Moderator, Vice Moderator, Clerk, Treasurer, Tax Assessor, Tax Collector, and Member at Large. Duties and Powers within

said district shall be such as outlined in the District By-Laws. In the case of resignation or vacancy of a committee member, the Executive Committee shall be authorized to appoint an interim member until the next annual meeting, if the period of appointment is less than six months. If the period is greater than six months a special meeting will be called to fill the vacancy by election.

SECTION 5.

Said taxable inhabitants at any of their legal meetings shall have power to order such taxes and provide for the assessing and collecting of the same on the taxable inhabitants and property in said district. Such taxes, so ordered, shall be assessed by the assessor of said district on the taxable inhabitants and property therein according to the last valuation made by the assessors of the Town of Coventry next previous to said assessment, adding, however, any taxable property which may have been omitted by said town assessors or afterwards acquired; and in assessing and collecting said 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 towns in assessing and collecting town taxes.

SECTION 6.

The corporation shall provide and maintain suitable fire fighting equipment and station. Said equipment and station shall be maintained in a fashion consistent with industry standards.

SECTION 7.

The taxable inhabitants of the Hopkins Hill Fire District may enact By-Laws prescribing the duties of the inhabitants of said district in time of conflagration, and to enforce obedience to the commands of the Chief or other person in charge from the said Hopkins Hill Fire District, if an agreement as aforementioned be reached for suppressing disorder and tumult, guarding and removing property, and rendering other service in time of fire; and for breach of and such By-Laws may provide a penalty not exceeding a fine of one hundred (\$100.00) dollars, to be recovered for the use of said district, or imprisonment for a term not exceeding ten (10) days, which penalty may be enforced by prosecution on complaint and warrant before the district court of the fourth judicial district.

SECTION 8.

The Chief or other person in charge from the Hopkins Hill Fire District, if an agreement as aforementioned be reached, may order, in time of fire, such buildings to be pulled down or blown up, as he shall judge necessary to stop the progress of the fire; and if it shall happen that the pulling down or blowing up of any such buildings, by direction as aforesaid, shall be the occasion of stopping the progress of such fire. or if the fire stop before it come to the same, the owners shall be reasonably paid therefor, by a tax on said district, the amount of which tax shall be adjudged by the superior court for the County of Kent, which court is authorized upon application to it made on behalf of such owners to adjudge the amount necessary, cause same to be certified to the district, and such tax shall be assessed and collected as are other taxes in said district. But no building in which any fire shall first break out or begin shall be paid for hereunder.

SECTION 9.

The taxable inhabitants of said district may enact all By-Laws by them adjudged necessary and expedient for carrying the provisions of this act into effect, provided the same be not in violation of or repugnant to the laws of the State of Rhode Island.

SECTION 10.

The corporation shall not incur indebtedness, funded or otherwise, in excess of one million dollars (1,000,000).

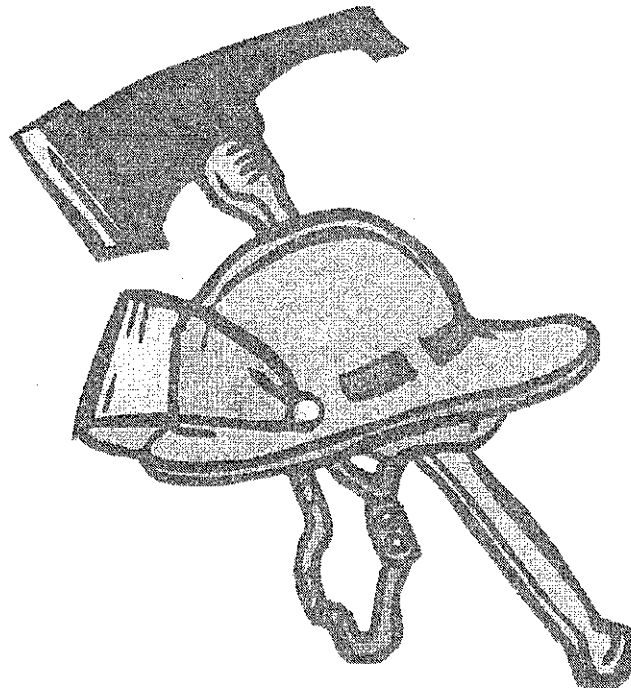
SECTION 11.

Any section of this Act which is in conflict with the Rhode Island General Laws shall be void, state law will be in full force. All other sections of this amendment will remain in full force.

SECTION 12.

This act shall take effect upon its passage by the Rhode Island General Assembly.

Hopkins Hill Fire District



BY-LAWS
May 6, 2006

HOPKINS HILL FIRE DISTRICT BY-LAWS

ARTICLE I: CALL AND CONDUCT OF MEETINGS.

Section 1.

This corporation shall be legally called and known by the name of HOPKINS HILL FIRE DISTRICT, and all meetings of the corporation shall be held consistent with these By-Laws and the "Act To Amend The Hopkins Hill Fire District".

Section 2.

Due notice of each and every meeting of the corporation shall be given by the clerk of the corporation by at least 3 separate insertions of public advertisement in a newspapers of substantial circulation in the district, seven (7) days previous to the date of such meeting and by such other means as may be deemed advisable. Such notice shall specify the date, time, and place of the meeting and the principle items of business to be considered.

Section 3.

The agenda for all regular and annual meetings of the corporation shall be determined by the Executive Committee and/or its Chairperson.

Section 4.

All questions of procedure in the conduct of meetings shall be settled by the Chairperson by reference to "Robert's Rules Of Order."

Section 5.

Four qualified electors of said District shall constitute a quorum for the transaction of business at any regular meeting or meeting of the Executive Committee of the corporation, legally called. However, for the annual meeting or for any specially called meeting, ten (10) qualified electors of said District shall constitute a quorum for the transaction of business at any such meeting.

ARTICLE II: OFFICERS OF THE DISTRICT.

Section 1.

CHAIRPERSON: The Chairperson (the Chairperson may also be referred to as the "Chairman" or "Chairwoman" and is formerly known as the "Moderator" and may also be referred to as the "Moderator") shall preside at all meetings of the corporation and shall strictly observe and enforce all provisions of the legislative charter and by-laws. The Chairperson shall enforce, order decorum in all deliberations and shall allow full and fair discussion on all questions.

Section 2.

VICE CHAIRPERSON: Will act as Chairperson in the absence of the Chairperson. The Vice Chairperson will Chair the Personnel Committee.

Section 3.

CLERK: The Clerk shall keep full and accurate records of the proceedings at all meetings of the corporation and shall be responsible for the safekeeping of such records. The Clerk shall keep a certified copy of the act of incorporation and a copy of the by-laws and all amendments. The Clerk shall give notice of all meetings of the corporation as herein after provided. The Clerk shall observe all duties imposed upon the Clerk by the charter.

Section 4.

TREASURER: The Treasurer shall receive all moneys collected by and for the corporation and shall deposit same in the general and/or special funds as directed by the corporation. The Treasurer shall make disbursements only upon order of the corporation and by approval of the Executive Committee. The Treasurer shall submit a full and accurate report to the corporation at the annual meeting, and shall advise the Executive Committee quarterly of the status of the budget.

Section 5.

TAX ASSESSOR: The Tax Assessor shall levy and assess, at such rate as the district shall vote, on all taxable real and personal property in the district and shall prepare and deposit the tax list with the Tax Collector; said assessor shall assess property on the basis of the next previous Town of Coventry assessment.

Section 6.

TAX COLLECTOR: The Tax Collector shall collect and pay the district Treasurer all taxes levied and assessed and interest collected thereon; said Tax Collector shall give bond for faithful performance in a sum fixed by the Executive Committee.

Section 7.

MEMBER AT LARGE: Shall perform duties as defined by the Executive Committee.

Section 8.

EXECUTIVE COMMITTEE: The Executive Committee shall consist of the Chairperson, Vice Chairperson, Clerk, Treasurer, Tax Assessor, Tax Collector, and Member At Large. It shall order payment of district bills deemed proper by such committee; it shall have charge and supervision of the property and affairs of the district and shall cause same to be kept in good repair; it shall cause the property owned, leased, or rented by the district to be insured; it may enter into contracts for hydrant rentals; it shall make purchases of property as directed by the district; it may cause the

records of any officer to be audited. Said committee will hold a minimum of four (4) quarterly meetings, to conduct the affairs of the corporation as outlined in the Constitution and By-Laws. Members of the Executive Committee shall receive stipends or payments as shall be presented and approved by the budget process.

Section 9.

At least sixty (60) days prior to each annual meeting, the Chairperson of the District shall appoint a nominating committee of three members, not more than two of whom shall be members of the Executive Committee. It shall be the duty of the Nominating Committee to nominate one (1) member of the corporation for each officer position.

At least thirty (30) days prior to each annual meeting, the Nominating Committee shall hold a meeting to which the membership of the corporation shall be invited to attend for the purposes of considering the report and recommendations of the Nominating Committee for each officer position and the acceptance of any other nominations from members of the corporation for any officer position. Any such nominations shall be made in writing, together with the written consent of the nominee.

In the event that two or more individuals are nominated for an officer position, then an election shall be held at the annual meeting (or a special meeting in the event of a vacancy prior to the completion of an officer's term) and shall be determined by a plurality vote. Nominations shall not be made from the floor unless no one is nominated for a certain officer position at the time of the annual meeting. In this event, only those positions without a nominee shall be subject to nominations from the floor. When only one member is nominated for each officer position to be filled, then the Chairperson may take a voice vote or declare each nominee to be elected by general consent at the annual meeting.

In the event that there is a vacancy for an officer's position prior to the expiration of their annual term, then the Executive Committee shall fill that position so long as the vacancy occurs less than six (6) calendar months prior to the annual meeting. In the event the vacancy occurs more than six (6) months prior to the annual meeting, then a special election/meeting shall be held within sixty (60) days after such vacancy has occurred and nominations for the vacant position shall be made from the floor and voted upon at such special meeting.

Section 10.

A vacancy shall exist for an officer of the corporation if an officer dies, resigns, ceases to meet the qualifications of membership of the corporation, is convicted of a felony or a crime of moral turpitude and has exhausted all appeals from said conviction, or is absent from four (4) consecutive regular and/or special meetings of the Executive Committee, unless such absence is excused by a majority vote of the Executive Committee (excluding the vote of the officer whose position is in dispute), with reasons stated at said voting meeting. Furthermore, a special meeting may be called by any member of the Executive Committee to vote or otherwise confirm that a vacancy exists for an officer's position with the corporation.

Article III: FINANCIAL CONTROL.

Section 1.

Inspection of the routine monthly bills or invoices which correspond to previously obtained quotations by one or more Executive Committee member and/or the Chief shall be considered sufficient authorization for the Treasurer to make disbursements for the payment of same under Article II, Section 4 of these By-Laws.

Section 2.

The Executive Committee will review the budget at each regular meeting.

Section 3.

The Executive Committee shall provide for an annual audit of all financial records of the district.

Section 4.

The corporation may set up one or more capital funds to purchase new or replacement equipment by a majority vote at any annual or special meeting, when the proposal for such action is contained in the call of the meeting.

Those moneys which are maintained in those capital funds may be spent by the Executive Committee only after receiving prior expressed approval by a majority of citizens in attendance at any annual or special meeting called by the Executive Committee for the purposes of requesting authorization to make these expenditures.

Section 5.

The Executive Committee shall assist in preparing and reviewing the annual district budget, which is to be presented at and voted upon at the Annual Meeting of the corporation. Furthermore, the Executive Committee will submit a line item budget to be presented at the Annual Meeting to be voted upon by the qualified electors present.

Article IV: PERSONNEL.

Section 1.

The Executive Committee shall appoint the Fire Chief.

The Executive Committee shall also, upon recommendation of the Chief, appoint as many officers as they deem necessary for the efficient protection of the district. The Executive Committee may revoke any such appointment for conduct prejudicial to the interest of the corporation after a hearing and due consideration of the case.

Section 2.

Any person eighteen (18) years of age or over may be regularly employed by the fire department. Those fifteen (15) to seventeen (17) years of age may be employed with approval of the Chief and Executive Committee with written consent of parents or guardian. Those employees under the age of twenty-one (21) shall not operate any of the moving vehicles excepting in an emergency and so ordered to do so by a superior.

Section 3.

The corporation shall be bound to insure its' active fire fighters against injury while responding to an alarm or attending a fire or otherwise, performing and discharging , their lawful duties.

Section 4.

The Executive Committee shall be responsible for establishing and implementing a set of personnel policies.

Article V: COMMITTEES

Section 1.

Personnel Committee: The Personnel Committee shall consist of the Vice Chairperson, Member at Large and a third qualified elector of the district to be appointed by the Executive Committee.

Duties of the Personnel Committee shall include, but not be limited to, the recommendation of policies, guidelines, rules, regulations and the appointment of all fire department personnel. The Personnel Committee will have the / authority to enter into labor negotiations. All actions of the Personnel Committee are subject to approval of the Executive Committee.

Section 2.

The Executive Committee shall appoint any other committee it deems necessary for the smooth and timely operation of the district. The Executive Committee shall not appoint a committee which has similar duties to or is already specified in this Article.

Article VI: AMENDMENTS.

Section 1.

The By-Laws may be amended by submitting the proposed amendments, through a by-law committee, in writing to the Executive Committee not less than thirty (30) days prior to the Annual or Special Meeting.

Section 2.

Any amendments to the by-laws of the corporation shall take effect upon passage by the affirmative vote of three quarters (3/4) of the authorized number of members of the corporation present and voting at any duly held meeting seeking to amend these by-laws.

Section 3.

The by-laws of the corporation have last been amended this 6th day of May, 2006.