

AN ACT TO INCORPORATE THE QUONOCOHTAUG CENTRAL BEACH FIRE DISTRICT

It is enacted by the General Assembly as follows:

SECTION 1. All that part of the town of Charlestown beginning, beginning at a point on the shore of the Atlantic Ocean in said town of Charlestown, County of Washington and State of Rhode Island where the land of Howard E. Thorp and Nelson H. Thorp and land of Donald J. Bunce meet; thence running northerly, westerly and northerly, bounded easterly by said Bunce land to West Garden Pond, so called; thence running northerly across West Garden Pond to the northeasterly corner of land of H. E. Thorp, formerly of the heirs of Aaron Lucas; thence continuing northerly along the boundary line of land formerly of Susan T. Kenyon to the northeasterly corner of said Kenyon land, bounded easterly by land formerly of John W. Buddington; thence running northeasterly and northerly along land of the heirs of Mary E. Briggs to the highway commonly known as West Beach Road; thence running southerly along said West Beach Road to the southwesterly corner of lot #1 all as shown on plat of Quonocontaugh Highlands at Quonocontaugh Beach, R.I. property of S.H. Davis, Leon L. Holland, C.E., 100 feet to the inch, February, 1926; said plat being duly recorded in the land evidence records of said town of Charlestown; said point also being on the northerly boundary line of land of said H.E. Thorp, formerly of Aaron Lucas; thence running westerly along the northerly boundary line of said H.E. Thorp land, formerly of Flora L. Gardiner, being bounded northerly by the Old West Beach road; thence running southerly to the Atlantic Ocean, bounded westerly by land of E.R. Dowd and land of Lila C. Soule; thence running easterly along the shore of the Atlantic Ocean to the point and place of beginning, bounded southerly by mean high water mark of said Atlantic Ocean, is hereby incorporated into a district to be called the Quonocontaugh Central Beach fire district. Said district may have a common seal, sue and be sued, and enjoy all the other powers generally incident to corporations.

SEC. 2. Every citizen of the United States, irrespective of sex, of the age of 21 years who is possessed in his or her own right of 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 any meeting of the district his or her taxes shall have been in arrears for 2 years prior to such meeting."

SEC. 3. The annual meeting of said Quonocontaugh central beach fire district shall be holden at some convenient place within the district or without the district, providing said meeting place shall be within five miles of said district. The annual meeting of said corporation for the election of officers and the transaction of any other business shall be holden on the second Saturday after Labor Day in each year at 10:00 o'clock A.M. daylight savings time, at some convenient place within the district, and may be called by any one or more of the persons qualified to vote therein by Section 2 of this act. A vote by ballot shall be taken at said meeting upon the proposition: "Shall be Quonocontaugh Central Beach fire district be established according to the act of incorporation passed by the General Assembly of the state?" If a majority of the persons voting shall vote "Yes," then said Quonocontaugh Central Beach fire district shall

be established according to the provisions of this act. If a majority of the persons so voting shall vote "No," then this act shall become null and void.

SEC. 4. Said qualified voters, at each annual meeting and at any other meeting, when vacancies occur, may elect officers to serve for one year or until the next annual meeting and until others be chosen in their stead; which officers shall consist of a moderator, clerk, treasurer, two assessors of taxes, 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. They may also elect fire wards, engineers, assistant engineers, and such other officers and committees, and with such power as they may designate.

SEC. 5. Special meetings may be holden, which, as well as the annual meetings, shall be notified in such manner as said corporation shall by by-laws prescribe, and it shall be the duty of its clerk to call a special meeting upon written application signed by twenty percent of such taxpayers as are entitled to vote; but no vote, excepting upon the question of adjournment, shall be taken at any special meeting unless at least a third of the persons entitled to vote shall be present and voting, nor at any special meeting upon any matter unless mention be made, and notice thereof given in the warrant issued for the calling of such meeting.

SEC. 6. Said corporation may raise money by tax on the real, tangible personal and intangible personal property within said district:

For the purchasing and procuring of implements and apparatus for the extinguishment of fire;

For the purpose of introducing and supplying the inhabitants of said district with water for fire, domestic, and manufacturing purposes;

For the payment of such police force as it may deem necessary for the protection of the property of the inhabitants of said district from fire and for the preservation of the public space;

For the purchase of land and the erection of buildings for the use of said district;

For the building and maintaining of sidewalks in said district;

For the collection and disposal of garbage within said district;

For the maintenance and improvements of roads and public walks within said district;

For the procuring of safety devises for the bathing beach of said district;

For the general improvement, up-building and beautifying of any property owned by the district within said district.

The treasurer of Quonochontaug Central Beach Fire District is hereby authorized to borrow, upon approval of the moderator and the public works committee, a sum not to exceed

two hundred thousand dollars (\$200,000.00) and to issue a note and/or serial notes not to exceed to sum of two hundred thousand dollars (\$200,000.00) in the aggregate for the purposes of rehabilitating and replacing the domestic water system in the district. The principal thereof and interest thereon shall be payable in any form of currency of the United States of America, which, at the time of payment, is legal tender for public and private debts, and the debts secured by said note and/or notes shall be obligatory on said district in the same manner and to the same extent as other debts lawfully contracted by said district. The said note and/or serial notes of each issue shall mature in equal or diminishing annual installments of principal at the option of the treasurer and finance committee of the district, the first installment to be due not later than one (1) year and the last installment not later than twenty (20) years after the date of the said note and/or serial notes. The said note and/or serial notes shall be signed by the district treasurer and countersigned by the clerk of the Quonochontaug Central Beach Fire District. The manner of sale, denominations, maturities, interest rates, and other terms, conditions, and details of the note and/or serial notes shall be fixed by the treasurer and the finance committee of said district.

Said corporation may also borrow money from time to time for the foregoing purposes and issue its notes or bonds therefore which shall be binding upon said corporation in the same manner as city or town notes or bonds are binding upon the city or town issuing them, but said corporation shall not have outstanding at any one time notes or bonds of a face value or more than 1 ½ percent (1 ½ %) of the total assessed value of this taxable property within said district.

Notwithstanding any other provision of this section, said corporation may borrow a sum not to exceed one hundred thousand (\$100,000) dollars for the purpose of purchasing real estate.

SEC. 7. Taxes shall be assessed by the assessors of taxes of said district on the taxable inhabitants and property therein, according to the last valuation made by the assessors of the town next previous to the assessment, adding, however, any taxable property which may have been acquired; and in all cases where the town assessors have included property within the district and property without the district in one valuation, the assessors of the district shall make an equitable valuation of that portion of the same lying within the district, and 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 towns in assessing and collecting town taxes. *Provided, however,* that the tax assessed and payable in any one year under the provisions of this act shall not exceed ten mills on each dollar of said valuation.

SEC. 8. Said corporation at any legal meeting shall have power to make by-laws prescribing the duties of firewards, and the other officers, and the inhabitants of said district, in times of conflagration, and for the purpose of enforcing obedience to the commands of the firewards for suppressing disorder and tumult, guarding and removing property, or rendering other service in the time of fire; and also for the protection of the water pipes, hydrants, safety valves, water-gates, hose, electric light wires, poles, or other apparatus or property of the district, and also such other rules and regulations as it may prescribe for the use of its drains and sewers by any person; and also sanitary rules, regulations, and ordinances for the protection of the lives and health of its inhabitants; and for the breach of any by-law, rules, regulations or ordinances, may provide a penalty not exceeding a fine of twenty dollars, to be recovered for the use of such

district, or imprisonment for term not exceeding thirty days, which penalty may be enforced by prosecution on complaint of any officer before the district court of the third judicial district.

SEC. 9. Said fire district is hereby authorized to receive water from the town of Westerly upon such terms as may be agreed upon between them, or to construct and maintain its own water works, mains, and other necessary apparatus for supplying water within its limits for fire, domestic and manufacturing purposes.

SEC. 10. If any person shall maliciously destroy or injure any drain pipe, aqueduct, conduit, machinery, wires, poles, lights, or other property belonging to said district and used for any of the purposes provided for in this act, such person or persons shall each forfeit to said district twice the amount of damages which shall appear to have been sustained thereby; to be recovered in an action of trespass or trespass on the case, and shall also be liable to indictment therefor, and upon conviction shall be fined not exceeding one thousand dollars, or be imprisoned not exceeding one year, or both.

SEC. 11. This act shall take effect from and after its acceptance by vote as aforesaid.