

**MANVILLE FIRE DISTRICT
BY-LAWS
EFFECTIVE JUNE 7, 2019**

ARTICLE I -- TITLE AND LOCATION

Section 1. Title

In accordance with House Bill No. 6034, entitled “An act relating to the Manville Fire District – Amendment of Corporate Charter (Repeals the existing provisions of the Corporate Charter and replaces them in their entirety.)” passed at the July session 2019, of the General Assembly, and approved by the Governor without signature July 11, 2019, the title of the corporation is:

MANVILLE FIRE DISTRICT

Section 2. Location

To Be Added.

ARTICLE II -- MEETINGS

Section 1. Annual Meeting

The annual meeting of the Manville Fire District shall be held on the second Tuesday of September at 7:00 p.m. of each and every year for the purpose of electing officers, ordering taxes and providing for assessing and collecting the same.

The Clerk of said District shall give notice of the time and place of the Annual Meeting by posting notices in accordance with Rhode Island Secretary of State Guidelines as follows: Posting in two (2) public places within the District and on the Rhode Island Secretary of States website within forty-eight (48) hours of the meeting. In addition to the Rhode Island Secretary of State Guidelines, notice of meeting will be published in one (1) local newspaper of general circulation within said District.

In the event of death or inability of Clerk, the Chairman or Moderator shall post said notices.

Section 2. Monthly Meetings

An annual calander of regularly scheduled meetings for the District will be posted by the Clerk on the Rhode Island Secretary of States website at the beginning of the fiscal year.

Section 3. Special Meetings

Special meetings of said corporation shall be held for purposes pertaining to the fire district, provided a written request be made to the Board of Fire Wardens Chairman and Clerk of the corporation by at

least two (2) Fire Wardens or by thirty (30) or more qualified voters of said fire district; setting forth specifically the whole purpose and agenda topics of the desired meeting. Business at such meetings shall be limited to the specific item(s) specified on the warrant/notice for said special meeting. The Clerk will post notice of Special Meeting in the same manner as described in Article II, Section 1 Annual Meeting.

Section 4. Voter Eligibility

The domiciled residents of said district registered to vote in the Town of Lincoln, shall be eligible to vote, hold office and act at all meetings of the district according to Rhode Island State Law.

Section 5. Ballot May Be Demanded

Ballot May Be Demanded, upon demand of a voter of said District for a ballot on any question pending at the Annual or Special Meetings of said District, a ballot shall be ordered by the Chairman or Moderator.

Section 6. Votes To Be Counted

All votes, except on motion to adjourn or on amendments to a proposition pending, shall be required to be so taken that the votes, affirmative and negative, may be counted by two (2) tellers and the Chairman or Moderator and the result entered upon the minutes by the Clerk.

Section 7. Presiding of Meetings – Moderator/Chairman of Board of Wardens

The Board of Fire Wardens Chairman shall preside over all meetings of the fire district including annual meeting and special meetings unless a Moderator is appointed by the affirmative vote of three (3) Fire Wardens; and at such meetings shall conduct the proceedings, decide all discussions according to law, and have command over all the records of the Clerk, of the Treasurer, and of the Tax Collector during such meetings. The rulings of the Board at said meetings shall be binding upon the Fire District. The annual meeting may be conducted a Moderator selected by the affirmative vote of three (3) Fire Wardens. All meetings of the fire district shall be conducted in accordance with Robert's "Rules of Order".

ARTICLE III – DISTRICT OFFICERS

Section 1. Fire Wardens

The Officer of the fire district shall consist of five (5) Fire Wardens. Said officers shall be elected by the qualified voters at the Annual Meeting of the Manville Fire District and shall remain in office until the expiration of their term. On the even numbered years, three (3) Fire Wardens shall be elected for two (2) year terms and on the odd numbered years two (2) Fire Wardens shall be elected to two (2) year terms. All uncontested nominees shall be elected to office by the casting of one vote ballot for each uncontested nominee by the Clerk of the District.

Any Officer who shall neglect his duty may be impeached by a two-thirds (2/3) vote of the voters of the district present at the meeting at which such vote is taken.

All vacancies for any Officer position may be filled at a special meeting of the district called for that purpose; provided, however, that any vacancy occurring within the two (2) months preceding the annual meeting shall be filled by the affirmative vote of three wardens for an interim term lasting until that annual meeting. All elected officers shall assume office on the first day of October of the same year.

ARTICLE IV -- Duties of Officers

Section 1. The Board of Fire Wardens

It shall see to it that the fire station and other property of the District are kept in good condition, properly repaired and insured. It shall have charge of all repairs, and purchases for the District.

In case of an emergency, but not otherwise, when it is necessary to renew equipment for the Fire Department, the Board may expend an additional amount not to exceed three thousand dollars (\$3,000) without the express vote of the District, but the aggregate of such expenditures without express vote of the District shall not exceed six thousand dollars (\$6,000) in any one year. All bills against the District shall be submitted to the Board of Fire Wardens for approval before being sent to the Treasurer for payment.

The salary of no Officer of the District may be increased or decreased by The Board of Fire Wardens.

On the first (1st) Sunday in October after the Annual District Meeting, the Board of Fire Wardens shall meet and elect a Chairman and Vice-Chairman who shall attest all acts of the Board of Fire Wardens or a majority of its members.

No members of the Board of Fire Wardens shall be qualified to be appointed as Tax Collector, Treasurer, Clerk, Fire Chief, nor Deputy Fire Chief.

The Board shall adopt rules for the government and guidance of the Fire Department in accordance with Rhode Island State Laws.

The Board shall see to it that the By-laws and Charter of the District are enforced and obeyed and that at all times the interests of the taxpayers are conserved to the best of its ability.

ARTICLE V – APPOINTED PERSONNEL

Section 1. Clerk

The Clerk for the District will be appointed by a majority vote of the Board of Fire Wardens. The Clerk will report directly to the Board of Fire Wardens. No members of the Board of Fire Wardens shall be qualified to serve as Clerk.

The Clerk shall give due notice of all meetings as stated in Article II, Section 1 through 6, and shall perform all duties directly pertaining to this office as required by the Charter and By-laws.

The Clerk shall keep full, fair, and accurate minutes of every meeting of said District, recording in full all motions and votes thereon. At the request of the Clerk, the Moderator shall require all motions to be written by the members offering the same.

The Clerk shall further, do all acts pertaining to his/her office.

All documents presented at every meeting will be maintained at the Fire District Office. Approved minutes shall be posted on the Rhode Island Secretary of States website per Rhode Island Secretary of States guidelines.

Section 2. Tax Collector

The Tax Collector for the District will be appointed by a majority vote of the Board of Fire Wardens. The Tax Collector will report directly to the Board of Fire Wardens. No members of the Board of Fire Wardens shall be qualified to serve as Tax Collector.

The Tax Collector in his/her capacity shall collect and deposit into accounts approved by a majority vote of the Board of Wardens.

The Tax Collector shall further, do all acts directly pertaining directly to his/her office.

The Tax Collector shall give bond for five hundred (\$500,000) for the performance of these duties; said bond to be approved by the Board of fire Wardens and the premium thereon paid by the Manville Fire District.

Section 3. Treasurer

The Treasurer for the District will be appointed by a majority vote of the Board of Fire Wardens. The Treasurer will report directly to the Board of Fire Wardens. No members of the Board of Fire Wardens shall be qualified to serve as Treasurer.

The Treasurer shall receive all monies from the Tax Collector, the sale of bonds and other sources and shall promptly deposit said monies in the bank or banks approved by the District in the name and to the credit of the Manville Fire District.

The Treasurer shall sign all notes and register the bonds, issued by the District or the authority thereof and shall cause the seal of the District to be affixed thereon.

The Treasurer shall reconcile all District bank accounts on a monthly basis and provide the reports at each monthly meeting showing status of accounts and district.

The Treasurer shall close the financial records on the last day of September in each and every year and make, at the Annual Meeting a written report of the conditions of the department and he shall enumerate the receipts and the expenditures for the year preceding the annual meeting.

The Treasurer shall further, do all acts directly pertaining directly to his/her office.

The Treasurer shall give bond for five hundred (\$500,000) for the faithful performance of these duties; said bond to be approved by the Board of Fire Wardens and the premium thereon paid by the District.

Section 4. Fire Chief

The Fire Chief shall be appointed by the Board of Fire Wardens. These appointments shall be made whenever a vacancy occurs. The Fire Chief shall serve under the direction of the Board of Fire Wardens. No members of the Board of Fire Wardens shall be qualified to serve as Fire Chief.

The Fire Chief shall have the general supervision and command of the Fire Department activities. He shall at all times see that the Fire Departments property, apparatus equipment, and the fire alarm system are kept in good order for instant use.

He shall see that his officers and all personnel perform their duties promptly and efficiently.

He shall respond promptly to every emergency within the district and all orders given by him to any officer or member of the Fire Department shall be promptly obeyed.

He may call upon any and all persons to assist in extinguishing fires.

He shall see that all the rules of the department are enforced and shall summarily decide all disputes or questions arising from matters connected with the department when the parties thereto are on duty at a fire and it shall be his duty to suppress or call on the police to suppress any tumult at a fire and to order the person or persons engaged in such tumult to leave the neighborhood.

He shall certify all bills against his department and make a written report of the work and condition of his department at the annual meeting of the district.

The Fire Chief and the Deputy Fire Chief shall be members, shall be members mee of the Board of Fire Wardens, with a voice at its meetings but shall not have voting power.

The Fire Chief shall make all appointments to the force of the Fire Department.

Section 5. Deputy Fire Chief

The Deputy Fire Chief shall be appointed by the Board of Fire Wardens. These appointments shall be made whenever a vacancy occurs. The Deputy Fire Chief shall serve under the direction of the Fire Chief. No members of the Board of Fire Wardens shall be qualified to serve as Deputy Fire Chief.

The Deputy Fire Chief shall aid and assist the Fire Chief in the discharge of his duties at all fire alarms and to any other duties that the Chief may require of him. He shall have full command of the Fire Department in the absence or disability of the Fire Chief, assume all his duties and be vested with his authority.