

NORTH TIVERTON FIRE DISTRICT

BY-LAWS

Adopted February 15, 1927

ARTICLE I

MODERATOR

Section 1. The Moderator shall preside at all meetings of the District and shall strictly enforce and observe the provisions of the Charter and By-Laws. **He The Moderator** shall enforce order and decorum and from ~~his~~ decisions as presiding officer an appeal may be taken to those present and entitled to vote, a majority of whom shall be sufficient to sustain such appeal and overrule ~~his~~ **the** decision, but the appeal shall be simply and correctly stated and shall not be debatable. *(Recommended for amendment 2018).*

Section 2. The Moderator shall preside at all meetings but in his/**her** absence a temporary Moderator may be elected by a majority of the qualified voters present and voting. *(Recommended for amendment 2018).*

ARTICLE II

CLERK

Section 1. The Clerk shall keep full, fair and accurate minutes of the District at all meetings, recording in full all resolutions and votes therein. He/**she** shall carefully keep and preserve all records entrusted to his/**her** care, and shall faithfully perform all the duties pertaining to **his** **the** office as are required by Charter and these By-Laws. *(Recommended for amendment 2018).*

ARTICLE III

TAX ASSESSORS

Section 1. The Tax Assessors shall levy and assess, at such rate as the District shall determine by vote, on all real estate within the District and the personal property belonging to the residents thereof, and the tangible personal property within the limits of said District belonging to non-residents thereof, and shall prepare and deposit with the Tax Collector and the District Clerk certified copies of the Tax list at or before the time prescribed by the District. Said Taxes shall be made payable at such time and in such manner as the District shall determine, and provisions may be made for deduction for prompt payment of Taxes or for penalty to be inflicted if payment be not made when due.

Section 2. The Assessors shall elect a chairman and a clerk from within their Board and the Assessors shall be a Board of relief for the correction of errors in assessment.

ARTICLE IV

COLLECTOR OF TAXES

Section 1. The Collector of Taxes shall collect and pay to the District Treasurer, in accordance with the vote of the District, all Taxes levied and assessed and the interest collected on same, and shall report to the Annual Meeting the amounts collected and uncollected and unpaid interest together with the names of all persons against whom or against whose property a Tax has been levied and remains unpaid.

Section 2. The Collector shall give Bond in the sum of **no less than Ten Five** Thousand Dollars for the faithful performance of his duties, said Bond to be approved by the Administrative Board and the premium thereon paid by the District. Provided however, that during the first year Bond may be for such amount as may be determined by the Administrative Board. *(Amended 6/6/17).*

ARTICLE V

TREASURER

Section 1. The Treasurer shall receive all moneys from the Collector of Taxes, the sale of Bonds and other sources of revenue, and shall promptly deposit said moneys ~~in the Fall River National Bank, Fall River, Massachusetts,~~ in the name and in the credit of the "North Tiverton Fire District"; provided that whenever there is a surplus of District funds not needed for the payment of the District expenses during the current year, the Treasurer with the consent and approval of the Administrative Board, attested by the Chairman and Clerk of said Board, may invest the said surplus funds in some safe and productive securities and where the said funds shall be available for use whenever called for by a vote of the District. *(Amended 6/6/17).*

Section 2. The Treasurer shall sign all Notes and register all Bonds issued by the District on the authority thereof and shall cause the seal of the District to be affixed thereto. ~~He shall close his Books on the fifteenth day of May in each year and~~ **The fiscal year shall end on April 30.** **The Treasurer shall** make at the Annual Meeting, or at special meetings when called upon to do so by a vote of the District, a written report of the condition of the District Treasury and the receipts and expenditures for the year preceding the Annual Meeting, or such part of the year as shall have preceded a special meeting. *(Amended 6/7/16).*

Section 3. The Treasurer shall pay no money on account of the District except on authority of the Administrative Board attested by its Clerk. He shall perform all other duties pertaining to ~~his~~ **the** office, and shall give Bond in the sum of **no less than Ten Five** Thousand Dollars, said Bond to be approved by the Administrative Board, and the Bond premium shall be paid by the District. Provided, however, that during the first year Bond may be for such amount as may be

determined by the Administrative Board. *(Amended 6/6/17). (Recommended for amendment 2018).*

ARTICLE VI

VOTING LIST

Section 1. At all meetings of the District the Clerk shall have present a list of all the members qualified to vote. Said list to have been examined and approved by the Board of Assessors of the District and certified by the Chairman and Clerk of said Board, which shall provide said list together with a duplicate to be deposited with the Clerk of the District.

ARTICLE VII

WHEN BALLOT MAY BE DEMANDED

Section 1. Upon demand of one-third of the qualified voters present and voting for a Ballot upon any question pending at any meeting of the District a Ballot shall be ordered by the Moderator.

ARTICLE VIII

VOTES TO BE COUNTED

Section 1. 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 the Moderator, and the result entered upon the minutes by the Clerk.

Section 2. When any vote is passed, a vote to reconsider may be taken at the same meeting or any adjournment thereof, provided two-thirds of the qualified voters present vote to reconsider.

ARTICLE IX

REMUNERATION

Section 1. Officers of the District shall receive such compensation as shall be voted by the District at any regular or special meeting.

ARTICLE X

AMENDMENTS

Section 1. Alterations or amendments to these By-Laws may be made at any Annual or special meeting of the District by a two-thirds vote of the qualified voters present and voting,

provided, that at a special meeting notice of amendment to the By-Laws shall have been given in the call as one of the objects of said special meeting.

Section 2. These By-Laws shall take effect upon their adoption.

ARTICLE XI

DEBT CEILING

(Adopted 6/7/2016)

Section 1. The annual long-term debt payments of the District for principle and interest shall not exceed twenty percent (20%) of budgeted expenditures less annual long-term debt payments and budgeted capital expenditures.

Section 2. Long-term debt payments shall include principle plus interest for any bonds, notes, or other long-term debt considered as such by the American Institute of Certified Public Accountants and generally accepted accounting principles and shall include the short-term portion of any long-term debt.

Section 3. Budgeted capital expenditures shall include any new or replaced pipe, pump stations, and other equipment considered as such with depreciation to be calculated in accordance with the American Institute of Certified Public Accountants and generally accepted accounting principles.

Section 4. Adoption of, and any changes to this Article shall require a two-thirds vote of the Administrative Board to place such on the agenda of any annual or special meeting of the District and passage shall require a two-thirds vote of the qualified voters present and voting at an annual or special meeting, in accordance with Article X of these By-Laws.

ARTICLE XII

MINIMUM CASH RESERVE

(Adopted 6/7/2016)

Section 1. The minimum cash reserve shall be no less than the sum of all annual payments for long-term debt as defined in Article XI plus ten percent (10%) of all other budgeted expenditures excluding capital expenditures as defined in Article XI.

Section 2. Adoption of, and any changes to this Article shall require a two-thirds vote of the Administrative Board to place such on the agenda of any annual or special meeting of the District and passage shall require a two-thirds vote of the qualified voters present and voting at an annual or special meeting, in accordance with Article X of these By-Laws.

ARTICLE XIII

OFFICER NOMINATIONS

(Adopted 4/23/1946)

Section 1. Nominations for the offices of Moderator, Treasurer, Clerk, Tax Collector and ~~three~~ five Assessors of the North Tiverton Fire District, shall be made at a meeting held for that purpose, which meeting shall be called at least thirty days prior to the Annual meeting of the Corporation, said nominations shall be made from the floor and the Clerk shall prepare an official ballot for use in said election, which ballot shall be the only ballot that may be used therein.