

Bonnet Shores Fire District CHARTER
and Related Legislation

(Amendments Included As of 2012)

State of Rhode Island and Providence Plantations

January Session, A.D. 1932

**AN ACT TO INCORPORATE THE
BONNET SHORES FIRE DISTRICT**

It is enacted by the General Assembly as follows:

SECTION 1. All that part of the town of Narragansett, county of Washington, in the State of Rhode Island, lying between the easterly line of Boston Neck Road and Narragansett Bay, comprising approximately 400 acres in area and being more particularly described as follows:

- (1) That land described in that warranty deed from Howard Johnson, et al., to Bonnet Shores, Inc., dated April 27, 1928, and recorded in book 9, pages 352 and 353 in the records of land evidence of said town of Narragansett.
- (2) That land described in that warranty deed from Robert L. Walker to Bonnet Shores, Inc., dated April 28, 1928 and recorded in book 9, pages 354, 355 and 356 in the records of land evidence of said town of Narragansett.

- (3) That land described in the warranty deed from Henry C. Weeks to Bonnet Shores, Inc., dated September 29, 1928, and recorded in book 9, pages 508, 509, 510 and 511 of the records of land evidence of said town of Narragansett.
- (4) Lots numbered 9, 10, 11, 20, 21, 22, 23, 24, 25 and 36 together with the southerly twenty-five feet of lot 19 on that plot entitled "Bonnet Point Land Co. lots at Bonnet point in the town of Narragansett, RI Scale 1 in. -100 ft. October 22, 1914, T. G. Hazard Jr., surveyor" and recorded in the records of land evidence in said town of Narragansett in book 6 between pages 314 and 315, is hereby incorporated into a district to be known as "Bonnet Shores Fire District." Said district may have and enjoy all rights and powers generally had and enjoyed by business corporations and fire districts in the state, including (but without limiting the generalities of the foregoing) the right to acquire, hold and dispose of real and personal property necessary for its corporate purposes; the right to have and use a common seal; the right to sue or be sued; and the right to borrow money from time to time and to issue its notes, bonds or other evidences of indebtedness theretofore. Provided, however, that the debts of said district shall at no time exceed in the aggregate per centum of the valuation of the real estate within said district as hereinafter defined.

SECTION 2. Every firm, corporation, unincorporated association and¹ every person, irrespective of sex, of the age of eighteen² years,³ who is possessed in his or her own right of real estate in said district of the value of one Four Hundred (\$400) Dollars⁴ 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. Any such firm, corporation or unincorporated association having title to real estate as aforesaid, shall be entitled to cast one (1) vote through its duly authorized representative for such purposes. The duly authorized representative shall present to the Clerk before casting its vote and obtaining a ballot, an authorization by the firm, corporation or unincorporated association, which authorization shall be notarized and clearly identify the person authorized to vote on behalf of said firm, corporation or unincorporated association holding title to real estate.⁵

¹ The R.I. General Assembly expanded the pool of qualified voters of the Fire District to include firms, corporations and unincorporated associations when it amended the BSFD Charter in 1985.

² The R.I. General Assembly lowered the minimum voting age for qualified voters of the Fire District from twenty-one (21) to eighteen (18) when it amended the BSFD Charter in 1985.

³ The R.I. General Assembly removed the requirement that a qualified voter be "a citizen of Rhode Island" when it amended the BSFD Charter in 1982.

⁴ The R.I. General Assembly increased the minimum property value a property owner must own in the Fire District to qualify as a voter at Fire District meetings from \$134.00 to \$400.00 when it amended the BSFD Charter in 1982.

⁵ The R.I. General Assembly added this language governing the voting rights of firms, corporations and unincorporated associations when it amended the BSFD Charter in 1985.

Every person or firm qualified to vote as aforesaid shall vote in person, except that a person in common ownership to real estate may vote as the proxy of the other person who has been verified as being in common ownership in said real estate, provided that such proxy shall be in writing and filed with the Clerk at the meeting at which such proxy shall be used.⁶ The proxy shall be in a form to be furnished by the Clerk or otherwise approved by the Clerk.⁷ 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.⁸

SECTION 3. The first meeting of the district shall be held at some convenient place within the district on the second Wednesday in May, 1932, at 7 o'clock P.M., eastern standard time (or 8 o'clock P.M. daylight saving time). The annual meeting of the district (if established) to be held in 1933 shall be held on the second Wednesday in May in that year, and thereafter the annual and special meetings of the district shall be held in said Town of Narragansett at such time as shall be specified in the by-laws of the district. Notice of the first meeting shall be given by two or more of the persons qualified to vote within the district and said notice shall state the time and place of meeting and shall be published in some newspaper

⁶ The R.I. General Assembly changed the pool of eligible proxy voters at Fire District meetings from spouses (husbands or wives) to owners of common property when it amended the BSFD Charter in 1985.

⁷ The R.I. General Assembly added the requirement that the BSFD Clerk must approve all proxy votes when it amended the BSFD Charter in 1985.

⁸ The R.I. General Assembly added the requirements that voting at Fire District meetings be conducted by secret ballot and that action taken by a majority of voters at a Fire District meeting shall bind the Fire District when it amended the BSFD Charter in 1985.

published in the city of Providence, once a week for two successive weeks, the last publication to be at least five days next before the date of said first meeting. Notice of subsequent annual meetings of the district shall be given in a manner as prescribed in the by-laws of the district. A quorum at the first meeting of the district and at any subsequent meeting, whether annual or special, shall consist of at least fifty⁹ voters qualified as aforesaid, present in person, or by proxy (as to those cases where voting by proxy is permitted in accordance with the provisions of Sec. 2 hereof). 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.

This act shall take effect upon its passage and all acts or parts of acts inconsistent herewith are hereby repealed.

SECTION 4. At the first meeting of the district the following proposition shall be submitted: "Shall Bonnet Shores Fire District be established according to the act of incorporation passed by the general assembly of the state?" If, (a quorum being present), the majority of ballots cast be in the affirmative said district shall be established according to the provisions of this act, otherwise this act shall become null and void.

SECTION 5. The district may adopt such rules, regulations, ordinances and by-laws as may be reasonably necessary to enable it to fulfill its corporate purposes and may provide a penalty for the breach of such rules, regulations, ordinances or

⁹ The R.I. General Assembly increased the quorum requirement for Annual and Special Meetings from twenty-five (25) qualified voters to fifty (50) qualified voters when it amended the BSFD Charter in 1982.

by-laws which for each offence shall be a fine not exceeding fifty¹⁰ dollars, one-half of the fine imposed to be for the use of the district, or imprisonment for a term of not exceeding thirty days, which penalties may be imposed, upon complaint of the district or any of its officers, by the Fourth Division District Court at Washington County.¹¹ Rules, regulations, ordinances or by-laws may also prescribe the powers and duties of officers and committees of the district; the conduct and control of the district inhabitants and the guarding, destruction¹² or removal of property in times of conflagration or other casualty; the regulation, protection or maintenance of water pipes, hydrants, safety valves, electric wires, poles and similar apparatus and equipment, and the maintenance or use of drains or sewers; the suppression of nuisances; and the protection of life and property.

SECTION 6. The district may elect a clerk, three assessors of taxes, a collector of taxes, a district council or not less than three and no more than seven qualified voters, one or more fire wardens, one or more police officers and such other officers and committees as said district may require for its corporate purposes. Such officers and committees may be elected at the first meeting of the district to hold office until the first annual meeting thereafter; and at such annual meeting and at each subsequent annual meeting of the district officers and

¹⁰ The R.I. General Assembly increased the maximum fine the Fire District could impose on violators from twenty dollars (\$20.00) to fifty dollars (\$50.00) when it amended the BSFD Charter in 1982.

¹¹ The R.I. General Assembly changed the court specified in Section 5 from the "district court of the second judicial district" to the "Fourth Division District Court at Washington County" when it amended the BSFD Charter in 1982.

¹² The R.I. General Assembly added the language "of the district inhabitants and the guarding, destruction" when it amended the BSFD Charter in 1982.

committees may be elected in such manner and for such terms of office as may be prescribed in the by-laws. If the by-laws shall so provide, the members of the district council may be divided into groups, one group to be elected annually to hold office for not more than three years. Vacancies in any office may be filled at any annual meeting of the district, or at any special meeting called for that purpose. The district council shall have general supervision and management of the business and affairs of the district and, together with other officers and committees, shall have such further powers and duties as may be created or imposed in the by-laws of the district. The fire wardens shall have such powers and duties as are generally exercised in fire districts within the state, with such additional powers and duties as may be created or imposed in the by-laws of the district.

SECTION 7. The district may raise money by taxation of real estate, and buildings or improvements upon leased real estate within the district, provided, that the tax assessed and payable in any one (1)¹³ year under the provisions of this act shall not exceed seven (7)¹⁴ mills on each dollar of valuation as hereinafter defined. Taxation may be for any or all of the following purposes:

The maintenance, upkeep and improvement of existing private streets, walks and ways; the establishment and maintenance of additional private streets, walks and ways; the regulation and policing of the same in such manner as to assure

¹³ The R.I. General Assembly added the parenthetical "(1)" when it amended the BSFD Charter in 1982.

¹⁴ The R.I. General Assembly added the parenthetical "(7)" when it amended the BSFD Charter in 1982.

the lawful use thereof and to maintain order and preserve peace within the district;

The establishment and/or maintenance, within the district, of a water supply system for domestic use and fire prevention; a fire, police or life saving department; a lighting system; a garbage removal system, or any similar system deemed necessary for the protection of lives and property within the district or for the general improvement; upbuilding and beautifying of district property;

The purchase and/or lease of land for the establishment and maintenance within said district of a private beach and/or bathing facilities;¹⁵

The purchase and/or construction or erection of any building for recreational purposes for the fire district; and for recreational programs and activities for the benefit of the taxpayers of the Bonnet Shores Fire District;¹⁶

The purchase and/or lease of land, waters and water rights, buildings and building materials, implements, equipment, apparatus and property of any other kind deemed necessary or desirable for corporate purposes.

SECTION 8. The valuation of taxable property within the district for debt limit purposes and for purposes of district assessment and taxation, shall be that made by the assessors of

¹⁵ The R.I. General Assembly deleted a period (".") and replaced it with a semicolon (";") when it amended the BSFD Charter in 1982.

¹⁶ The R.I. General Assembly added this subsection, which specifically empowers the Fire District to construct buildings for the recreational benefit of its taxpayers, when it amended the BSFD Charter in 1982.

the town of Narragansett as of December 31st¹⁷ in each year. The district assessors shall assess taxes on all taxable inhabitants and taxable property within the district as of December 31st¹⁸ in each year and the same shall be payable on the first business day of the succeeding October 15th¹⁹ in each year. District taxes shall constitute a lien upon the property assessed and if not paid when due shall carry an interest penalty at the rate imposed from time to time by the town of Narragansett. The owner of assessable land, where on a lessee shall have erected a movable building or improvement shall be liable for the district tax assessed against such building or improvement. If any person against whom a district tax has been assessed shall establish, in manner as provided by law, that the valuation placed upon his assessable property within the district by the town tax assessors is excessive and that in consequence the town must refund or rebate a portion of its tax thereon, such person shall be entitled to receive and shall receive from the district a refund or rebate of his district tax in like proportion. In the assessment and collection of district taxes its officers shall follow generally the practice and procedure adopted by corresponding officers in the town of Narragansett. Provided, however, that the district may adopt such reasonable by-laws with respect to the assessment, collection and payment of taxes as it deems proper.

SECTION 9. This act shall take effect from and after its acceptance by ballot as aforesaid and when there shall have

¹⁷ The R.I. General Assembly changed the tax assessment date from June 15th to December 31st when it amended the BSFD Charter in 1982.

¹⁸ The R.I. General Assembly changed the tax assessment date from June 15th to December 31st when it amended the BSFD Charter in 1982.

¹⁹ The R.I. General Assembly changed the due date for BSFD taxes from August 1st to October 15th when it amended the BSFD Charter in 1982.

been filed with the secretary of state a certificate of the clerk of the district which shall disclose such acceptance.

In the event that said district shall be established as provided in section 4 hereof, no amendment of this act shall be effective as to said district unless and until the same shall be accepted by the affirmative vote of a majority of the voters of said district present (or represented by proxy as provided in section 2 hereof) at a special or annual meeting of said district duly held within two years after the passage of such amendment, at which meeting a quorum shall be present, and in the notice of which meeting there shall be contained the statement that the acceptance or rejection of such amendment is to be voted upon, and until there shall have been filed with the secretary of state a certificate of the clerk of the district that such amendment has been accepted as aforesaid.

SECTION 10. The Bonnet Shores Fire District Council is hereby authorized and empowered to appoint a harbormaster and to ordain and establish such by-laws, rules, regulations, fees and compensation as such council may deem necessary and expedient for carrying out the provisions hereof. The jurisdiction, powers and duties of such harbormaster shall include but not be limited to the regulations of speed, management, and control of all vessels and the size, type, location and use of all anchorages and moorings within the waters immediately adjacent and contiguous to the Bonnet Shores Fire District including, without limiting the generality of the foregoing, the authority and power to regulate and control water skiing in such confines. Such harbormaster shall have such other and additional powers and jurisdiction as may be granted from time to time by the town of Narragansett. The jurisdiction boundaries of the harbormaster's authority shall be

from the most easterly point of land of the Bonnet Shores Fire District, a boundary line shall be drawn northerly and southerly, taking the northern most point of said District, taking a line due easterly from that point and further taking a point from the furthest southern extension of the said district drawing a line due easterly and due westerly where said lines shall intersect all areas bounded therein.²⁰

Other Legislation Affecting the Bonnet Shores Fire District

State of Rhode Island

In General Assembly

January Session, A.D. 1982

AN ACT

IN AMENDMENT OF CHAPTER 68 OF
THE PUBLIC LAWS OF 1964

It is enacted by the General Assembly as follows:

SECTION 1 and 2 of chapter 68 of the public laws of 1964, entitled "An act authorizing the town of Narragansett to appropriate money for the use and benefit of the Bonnet Shores Fire District" as amended by chapter 1908 of the public laws of 1947 is hereby amended to read as follows:

²⁰ The R.I. General Assembly added Section 10 to the BSFD Charter in 1974.

SECTION 1. The town of Narragansett is hereby authorized and empowered to appropriate commencing in the year 1981 and annually thereafter a grant as it shall deem necessary to be expended for the use and benefit of the Bonnet Shores Fire District.

SECTION 2. The grant appropriated under the foregoing provisions shall be expended in said fire district for public purposes, such as water, lighting, fire protection, road maintenance, and police as the district council of said fire district shall order, provided, however, that all said expenditures as ordered by said district council shall be actually made by and under the direction of such person or persons who shall be approved by the town council.

SECTION 3. This act shall take effect upon passage.

State of Rhode Island

In General Assembly

January Session, A.D. 1982

AN ACT

TO EMPOWER THE TOWN COUNCIL OF
NARRAGANSETT TO EXEMPT FROM ASSESSMENT
AND TAXATION SEWER INSTALLATIONS IN AND TO
AND ADJACENT TO REAL PROPERTY OF THE BONNET
SHORES FIRE DISTRICT WITHIN THE TOWN OF
NARRAGANSETT

It is enacted by the General Assembly as follows:

SECTION 1. The town council of the town of Narragansett shall exempt the Bonnet Shores Fire District from payment of sewer assessment taxes on real property owned by it within the town of Narragansett; provided, however, that such sewer assessments shall constitute a lien on such property, which lien shall become due and payable in the event of the conveyance of the property of the Bonnet Shores Fire District.

SECTION 2. This act shall take effect upon passage.

Bonnet Shores LAND TRUST Charter

State of Rhode Island

In General Assembly

January Session, A.D. 1991²¹

It is enacted by the General Assembly as follows:

SECTION 1. The Bonnet Shores Fire District Council is hereby authorized to establish the Bonnet Shores Land Trust (hereinafter called the trust), a body politic and corporate and a public instrumentality. The trust shall have the authority to

²¹ As required by the Fire District Charter, this legislation creating the Bonnet Shores Land Trust was approved, 47-4, by Bonnet Shores Fire District voters at a Special Meeting of the Fire District held on November 21, 1991.

acquire, hold, and manage real property and interests therein including development rights situated within the Bonnet Shores Fire District consisting of open, agricultural, recreational, historical or littoral property, including existing and future wellfields and aquifer recharge areas, fresh water marshes and adjoining uplands, wildlife, habitats, land or buildings providing access to or views of water bodies, or for bicycling and hiking paths, or for future public recreational use, and land for agricultural use, or air space thereof. With the exception of property acquired for public historical preservation or recreational purposes, the trust shall hold all property or development rights solely as open space for agricultural uses or for water purposes or for public access or to prevent the accelerated residential or commercial development thereof, as the trustees may determine.

SECTION 2. The trust shall be administered by five (5) trustees to be elected at the Annual Meeting of the Bonnet Shores Fire District.²² The trustees who are first appointed shall be designated to serve for terms of one (1) for one (1) year, two (2) for two (2) years and two (2) for three years²³ respectively. Thereafter, trustees shall be elected²⁴ as aforesaid for a term of office of three (3)²⁵ years, and at the expiration of

²² The phrase, "appointed by the Bonnet Shores Fire District Council" was replaced with "elected at the Annual Meeting of the Bonnet Shores Fire District" via legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722).

²³ The initial terms for trustees were changed via legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722).

²⁴ Legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722) changed the requirement that trustees be "appointed" to require that trustees be "elected."

²⁵ Legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722) changed trustees' terms from five to three years.

such term they shall be ineligible for re-election within one (1) year, except that all vacancies occurring during a term shall be filled by a person appointed by the Bonnet Shores Fire District Council. The appointed trustee shall serve until the following annual meeting at which time a trustee will be elected to serve the remainder of the unexpired term.²⁶

SECTION 3. The trustees shall annually elect a chairman, vice-chairman from their members and shall appoint a secretary who may either be a member or a non-member. The trustees shall not be paid for their services.²⁷ Copies of all meeting minutes shall be submitted to the Fire District Council secretary.²⁸

SECTION 4. The trustees shall adopt reasonable rules and regulations governing the conduct of trust affairs, including the acquisition and management of its holdings, not inconsistent with the provisions of this act. All rules and regulations of the trust are subject to the approval of the Bonnet Shores Fire District Council.²⁹ Decisions of the trustees shall be by majority of those present and voting, excepting in decisions of the acquisition of land, easements, rights of way and other uses referred to in section one of this

²⁶ Legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722) imposed these term limits on trustees.

²⁷ This ban on compensation for trustees was added via legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722).

²⁸ The Fire District does not have a secretary; it is assumed that this reference refers to the Fire District Clerk.

²⁹ Legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722) changed the oversight of the trust's rules and regulations from the Narragansett Town Council to the Bonnet Shores Fire District Council.

trust, which must be by majority vote of all trustees. The trustees shall prepare an operating budget that must be sent to the Fire District Council for review and approval and then be presented to the annual meeting of the Bonnet Shores Fire District for final approval.

The funds authorized in this budget will be paid by the Fire District treasurer in accordance with the accepted accounting procedures that are in place for the Fire District at that time.

All funds that are released for land acquisition or other purposes referred to in section one of this trust can only be released after approval by a majority of the trustees and by a majority vote of the Bonnet Shores Fire District Council.³⁰

SECTION 5. The trust shall have the power to:

- (a) [P]urchase, receive by gift, or otherwise acquire fee simple or lesser interests in real property, including development rights as defined in section 42-82-2 of the general laws, or any interest in real property consistent with purposes of this act, including other development rights of any kind whatsoever, but only with the prior approval of the Bonnet Shores Fire District Council.³¹

³⁰ Legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722) added this requirement for dual approval for the release of funds by both the Land Trust *and* the Fire District Council.

³¹ Legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722) added this requirement for dual approval for the acquisition of property by both the Land Trust *and* the Fire District Council.

- (b) Accept gifts, grants or loans of funds or resources or services from any source, public or private, and comply, subject to the provisions of this act, with any terms and conditions thereof;
- (c) Accept from state and/or federal agencies,³² grants or resources for use in carrying out the trust's purposes and enter into agreements with such agencies respecting any such loans or grants;³³
- (d) Administer and manage land and interests in land held by it in a manner which allows public use and enjoyment consistent with the natural and scenic resources thereof, including conveyance of any such land or interests in land to, and contracts with, nonprofit organizations, provided such land shall continue to be used in a manner consistent with the purpose of this act and with the terms of any grant or devise by which such land was acquired by the trust;
- (e) Incur debt, only after authorization in each instance by vote of the Bonnet Shores Fire District Council and a vote at the annual or special meeting of the Bonnet Shores Fire

³² Legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722) removed the reference to federal "loans" in this subsection.

³³ The 1991 legislation included a section (former section d) that empowered the Land Trust to "[e]mploy counsel, auditors, engineers, private consultants, advisors, secretaries or other personnel needed to perform its duties." This section was removed via legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722). This change also led to a re-lettering of the subsections of Section 5 from 5e-5h to 5d-5g.

- District³⁴ in accordance with section six of this act. The trust shall be obligated to pay debt service on all such debt to the extent funds are available and to reimburse the Fire District for any funds the Fire District expended to pay such debt service. Whenever the Fire District shall have been required to pay over any sums of money to the trust, the trust shall be precluded from acquiring any additional property until the trust shall have repaid the Fire District in full and for all sums paid to the trust hereunder and to reimburse the Fire District for any Fire District funds expended to pay such debt service;
- (f) Dispose of all and any portion of its real property or interests therein held by it, whenever in the opinion of the trustees said lands or properties have become unsuitable or have ceased to be used for the purpose set forth in this act. Such disposition shall be made only by a vote of the trustees in which at least four (4) members vote in favor of such disposition as well as five (5) members of the Bonnet Shores Fire District Council vote in favor of such disposition³⁵ and further only after having been approved by a two-thirds (2/3) vote at the annual meeting of the Bonnet Shores Fire District. Nothing in this

³⁴ Legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722) added the requirement that the Land Trust needed the approval of Fire District voters at an annual/special meeting before incurring debt.

³⁵ Legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722) added the requirement that a supermajority of council members, as well as supermajorities of land trustees and Fire District voters, approve the disposition of property held by the Land Trust.

subsection shall be construed to authorize the sale, lease or conveyance of lands or improvements held by the trust as part of a charitable trust or acquired by gift or devise for the public use, whether or not such gift or devise is subject to a condition subsequent or reverter;

- (g) Otherwise do all things necessary for the performance of its duties, the fulfillment of its obligation and the conduct of its business.

SECTION 6. All funds collected for the purpose of financing the activities of the trust under this act, subsections (b) and (c) of Section 5³⁶, shall be deposited in a fund to be set up as a revolving or sinking account by the treasurer of the Bonnet Shores Fire District. Additional moneys or other liquid assets received as voluntary contributions, grants or funds³⁷ appropriated to the trust by vote of the annual or special meeting of the Fire District,³⁸ or proceeds from disposal of real property or interests shall be deposited in³⁹ said account. All operating expenses lawfully incurred by the trust in carrying out the provisions of this act shall be evidenced by proper vouchers and shall be paid by the treasurer of the Fire District

³⁶ Legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722) clarified that subsections (b) and (c) were from Section 5.

³⁷ Legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722) changed the phrase, "grants or loans funds," to "grants or funds."

³⁸ Legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722) changed the phrase, "annual municipal or special appropriation process used by the town," to "annual or special meeting of the Fire District."

³⁹ Legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722) changed the word, "into," to "in."

with approval of the Bonnet Shores Fire District Council⁴⁰ only upon submission of warrants duly approved by the trust of the Fire District Council. The treasurer of the Fire District shall prudently invest available assets of the funds, and all income thereon shall accrue to the fund.

Upon termination or dissolution of the trust, the title of all funds and other properties owned by the trust which remain after payment or making provision for payment of all bonds, notes and other obligations of the trust shall rest in the Bonnet Shores Fire District.

SECTION 7. The trust and all its revenues, income, and real and personal property used by the trust for furtherance of its public purposes, shall be exempt from taxation and from betterment and special assessments, and the trust shall not be required to pay any tax, excise or assessment to the state or any of its political subdivisions.

SECTION 8. Severability. – The provisions of this act and any ordinance thereunder are severable, and if any provision hereof shall be held invalid in any circumstances such invalidity shall not affect any other provisions or circumstances. This act and any ordinance thereunder shall be construed in all respects so as to meet all constitutional requirements. In carrying out the purposes and provisions of this act and any ordinance thereunder, all steps shall be taken which are necessary to meet constitutional requirements whether or not such steps are required by statute.

SECTION 9. This act shall take effect upon passage.

⁴⁰ Legislation approved by the R.I. General Assembly on July 21, 1992 (Chapter 491, 92-H 9722) added the requirement that the Fire District Council approve the Land Trust's activities described in this section.