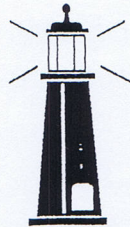


Bonnet Shores Fire District
130 Bonnet Shores Road
Narragansett, Rhode Island 02882
Est. 1932

ORDINANCES



June, 2015

1. ORDINANCE RELATING TO THE INSTALLATION, EXCAVATION, OR FOR ANY CONSTRUCTION UPON ANY ROAD OR WAY OF THE BONNET SHORES FIRE DISTRICT, TOWN OF NARRAGANSETT, (Repeal of Ord. 4/4/71 and 5/7/72)

Be it enacted this 7th day of August, 1979, by authority of the Bonnet Shores Fire District Council acting within the scope of its powers as enumerated by the Act of Incorporation of said District 1932, that any person, partnership, corporation, or unincorporated association hereinafter referred to as an applicant, desiring to make excavation, construction or install any road within the Bonnet Shores Fire District shall comply with the following regulations.

1. Applicant shall first make application to the Bonnet Shores Fire District Council in such form and manner as shall be prescribed by the District Council, stating the nature, location, abutting landowners of the proposed excavation, installation or construction. The District may require applicant to furnish a plan or sketch drawn to scale showing the particular location of the proposed excavation, installation or construction. Such application and plan shall be filed not less than 40 days, nor more than 60 days, before the planned excavation, installation or construction. Upon application for installation of a road or major construction, such plan shall be prepared and endorsed by a licensed engineer.

2. When required by the District Council, applicant for any excavation, installation or construction shall provide the Bonnet Shores Fire District, 20 days before commencement of work, with suitable indemnity and insurance protecting said District against all claims of any nature whatsoever.

3. Upon installation of a road or major construction, applicant shall furnish the District Council with a Performance and Payment Bond with corporate surety acceptable to the Bonnet Shores Fire District Council. The Bond shall be furnished not less than 20 days before commencement of work. Corporate surety bond or cash deposit shall be not less than 50% of the estimated cost of installation, excavation or construction. The Fire District Council may in its discretion require special conditions and bond limits in excess of said 50% of the cost, and Bond may be waived by the District Council where utility companies undertake work in cases of emergency, or minor construction, where estimated costs thereof are less than \$300.00.

4. Road work shall be filled to grade within 10 days from the date of beginning of the excavation, installation or construction. In usual circumstances, the Fire District Council, or its duly authorized agent for such purposes, may vary the time when applicant shall be required to fill said road.

5. Applicant shall pay the cost of any road installation, improvement or construction, roads shall be installed to the nearest maintained road of the District and road construction specifications shall be as follows:

5.1. Excavate and remove existing surface and unsuitable material to a depth of 14 1/4 inches below finished grade, if necessary, and to a width of 20 feet.

5.2. Install necessary drainage.

5.3. Furnish, place and compact a 12 inch gravel base course.

5.4. Pave the road with 2 1/2 inches of bituminous concrete in 2 courses, a 1 1/2 inch binder course and a 1 inch wearing surface.

5.5. Grade shoulders.

All work shall be supervised by such person authorized by the Bonnet Shores Fire District Council and where excavation is done, the road shall be replaced as required by this section and brought to the level of the surrounding road surface. The aforesaid requirements and specifications may be varied from time to time by the District Council.

6. Should the ordinances, laws, rules and regulations of the Town of Narragansett apply to any excavation, installation or construction of a road within the Bonnet Shores Fire District, then such applicant shall comply with the ordinances and requirements of the Town of Narragansett. The provisions of this ordinance and other ordinances of the Fire District not inconsistent or superseded by the ordinances and applicable regulations of the Town of Narragansett, shall apply and remain in force and effect.

7. Upon the passage of this ordinance those certain ordinances of the Bonnet Shores Fire District relating to the excavation of any road adopted April 4, 1971 and an ordinance relating to the cost of installation or unimproved road adopted May 7, 1972 be and are hereby repealed.

8. This ordinance shall take effect upon its passage.

Adopted August 7, 1979

s/ Thomas L. Marcaccio, Jr., Clerk

Ordinance II: Parking

II. AN ORDINANCE IN REGARD TO PARKING RESTRICTIONS ON THE STREETS AND ROADS OF THE BONNET SHORES FIRE DISTRICT

It is hereby ordained by the Council of the Bonnet Shores Fire District, in the Town of Narragansett, Rhode Island, as follows:

SECTION 1. Parking of vehicles of any type is prohibited within the Bonnet Shores Fire District on either side of all streets or roads, whether paved, paved in part, or unpaved, except as set forth in Section 2. Legal parking is defined as having all wheels off the street or road. The District Manager may grant special temporary parking permits to contractors or others demonstrating special needs.

SECTION 2. Parking shall be permitted on the easterly side of Colonel John Gardner Road not in excess of thirty (30) minutes between Bonnet Shores Road and King Philip Road.

SECTION 3. Parking of vehicles of any type is prohibited upon the roads and ways and open lands of the Bonnet Shores Fire District unless otherwise permitted, and violators of this regulation shall be subject to a fine of fifty dollars (\$50.00) for each violation. Vehicles parked in violation of this ordinance shall be subject to removal by the Fire District, which is hereby authorized to have said vehicles towed at owner's expense, and, such owners shall be liable for payment of reasonable towing and storage charges due the Fire District or the towing company removing such vehicles.

SECTION 4. If any provision of this ordinance shall be held invalid or unconstitutional, the invalidity of such section shall not affect the validity or constitutionality of any other section or provision of this ordinance.

SECTION 5. This ordinance shall take effect upon its passage and all prior ordinances inconsistent herewith are hereby repealed.

Adopted June 3, 1977

Revised September 1, 1984

Further Revised and Approved, 6-0, April 27, 2011

Ordinance III: Speeding

III. AN ORDINANCE REGARDING THE SPEED OF VEHICLES ON THE STREETS AND ROADS IN THE BONNET SHORES FIRE DISTRICT

It is ordained by the Council of the Bonnet Shores Fire District, in the Town of Narragansett, Rhode Island, as follows:

SECTION 1. No motor vehicle of any type shall be operated at a speed in excess of twenty-five (25) miles per hour on the streets or roads in the Bonnet Shores Fire District.

SECTION 2. Notice of the speed limit shall be posted on the main roads of the district. Violators of this regulation shall be subject to such fine as set by the Town of Narragansett, and enforced by the Narragansett Police Department, or the Rhode Island State Police.

SECTION 3. This ordinance shall take effect upon passage and all prior ordinances inconsistent herewith are hereby repealed.

*Original Ordinance Adopted June 3, 1977
Revised September 1, 1984*

Ordinance IV: Miscellaneous

- IV. AN ORDINANCE PROHIBITING LOITERING, USE OF ALCOHOLIC BEVERAGES, BOAT LAUNCHING, BALL PLAYING AND GAMES, AND SLEEPING ON BEACHES, IN PICNIC AREAS OR RECREATIONAL AREAS, OR IN ANY MOTOR VEHICLE, CAMPER TENT OF ANY TYPE, ON THE STREETS, ROADS, OR RECREATIONAL AREAS, OR DISTRICT PROPERTY WITHIN THE BONNET SHORES FIRE DISTRICT

It is ordained by the Council of the Bonnet Shores Fire District, in the Town of Narragansett, Rhode Island, as follows:

SECTION 1. It shall be unlawful for any person to sleep between the hours of sunset and sunrise on any beach, picnic area, recreational area, or in any vehicle or any type parked on any street or road or other open land area within the Bonnet Shores Fire District.

SECTION 2. It shall be unlawful to loiter, create disturbance, consume alcoholic beverages, engage in athletic activities, including games and ball playing, upon the beaches, roads, recreational areas and open areas of the Bonnet Shores Fire District without first obtaining permission from such person duly authorized by the District Council to grant a permit for such activity. The launching and operation of boats and watercraft and the use of floatation devices, surf mats, surf boards, snorkel and face masks, and scuba diving gear, upon the bathing beaches, waterways and ocean accesses of the Bonnet Shores Fire District are prohibited, unless permission for such use is first obtained from the Bonnet Shores Harbormaster. No fire shall be allowed upon any beach, recreation or open area of the Fire District unless a permit be first obtained from the Fire District Council and the Town of Narragansett, where required.

SECTION 3. It shall be unlawful to reside in, maintain living quarters, or use for overnight sleeping or guest quarters, any camper, motor home, tent, movable or temporary structure, upon any beach, road, recreation area, open area or private way or private lands within the Bonnet Shores Fire District.

SECTION 4. Whoever violates the provisions of this ordinance shall be subject to a fine in an amount not exceeding thirty-five dollars (\$35.00) for each offense. Each day that such violation takes place shall be deemed an offense.

SECTION 5. This ordinance shall take effect upon its passage.

*Adopted June 3, 1977
Revised September 1, 1984*

Ordinance V: Litter

V. AN ORDINANCE RELATING TO LITTERING ON BONNET SHORES LAND TRUST AND/OR BONNET SHORES FIRE DISTRICT PROPERTY

It is ordained by the Council of the Bonnet Shores Fire District, in the Town of Narragansett, Rhode Island, as follows:

SECTION 1. It shall be unlawful for any person to dispose of or discard any items on any road, beach or open land area within the Bonnet Shores Fire District, under the ownership of either the Bonnet Shores Land Trust or the Bonnet Shore Fire District.

SECTION 2. Whoever violates the provisions of this ordinance shall be subject to a fine not exceeding fifty dollars (\$50.00) for each offense.

*Original Ordinance Adopted June 3, 1977
Revised September 1, 1984
Further Revised and Approved, 6-0, May 20, 2015*

Ordinance VI: Trash

VI. AN ORDINANCE RELATING TO THE REMOVAL OF TRASH AND GARBAGE FROM THE PROPERTY WITHIN THE DISTRICT

It is ordained by the Council of the Bonnet Shores Fire District, in the Town of Narragansett, Rhode Island, as follows:

SECTION 1. All trash and recyclables must be removed from the District on a regular and prompt basis for the protection of the health of all of the residents of the District, such removal to be done by the property owner directly or by an authorized public or private organization engaged in trash and recyclables removal.

SECTION 2. Disposal of any trash or recyclables into Narragansett Bay, either of the salt ponds or on any land within the District's boundaries, including the streets and roads, is strictly prohibited.

SECTION 3. When trash and recyclables removal is not provided by the District at the taxpayers' expense, each individual property owner must arrange for such removal at his own expense whether he is in residence or whether his property is occupied by other persons on a rental or non-rental basis. When trash and recyclables removal is provided by the District at taxpayers' expense, the District may or may not include the Bonnet Shores Beach Club Condominium Association, Inc. as part of that arrangement.

SECTION 4. Removal of trash and recyclables shall be performed at least one time per week.

SECTION 5. Trash and recycling bins shall not be overloaded. Individual property owners who consistently overload trash and recycling bins shall be required to purchase an additional bin or bins.

SECTION 6. Empty trash and recyclables bins shall be removed from the edge of the street by the owner of the bins within twenty-four (24) hours of the time that the trash and recyclables have been picked up.

SECTION 7. Any property owner who is in violation of any provision of this ordinance shall be subject to a fine imposed by the District Council in an amount not to exceed fifty (\$50.00) dollars for each offense, and said property owner may be subject to additional action by officials of the Town of Narragansett and/or the State of Rhode Island for creating a health hazard within the District.

*Original Ordinance Adopted June 3, 1977
Revised September 1, 1984
Further Revised and Approved, 6-0, May 20, 2015*

Ordinance VII: Dogs

VII. AN ORDINANCE REQUIRING DOGS TO BE KEPT ON LEASH WHEN OUTSIDE ENCLOSURE OF OWNER OR KEEPER AND PROHIBITING DOGS FROM THE BEACHES WITHIN THE DISTRICT

It is ordained by the Council of the Bonnet Shores Fire District in the Town of Narragansett, as follows:

SECTION 1. Every owner or keeper of a dog of any age whatsoever within the Bonnet Shores Fire District shall not allow said dog to be at large outside the enclosure of such owner or keeper, but shall cause said dog when outside the enclosure of said owner or keeper to be kept on leash.

SECTION 2. The owner or keeper of any dog found wandering at large on any street or road within the Bonnet Shores Fire District, outside the enclosure of its owner or keeper, shall be subject to a fine of fifty dollars (\$50.00) for each offense.

SECTION 3. Dogs and other domesticated animals are prohibited from the beaches within the Bonnet Shores Fire District from May 15 to September 15 of each year, twenty-four hours a day. The owner or keeper of a dog or other animal who brings his or her dog onto any beach within the Bonnet Shores Fire District shall be subject to a fine of fifty dollars (\$50.00) for each offense.

SECTION 4. This ordinance shall take effect upon passage.

*Original Ordinance Adopted June 3, 1977
Revised and Approved, 6-1, January 18, 2012*

Ordinance VIII: Rentals

VIII. AN ORDINANCE RELATING TO THE RENTAL OF RESIDENCES WITHIN
THE BONNET SHORES FIRE DISTRICT

In the interest of preserving the fine residential character of the Bonnet Shores Fire District in the Town of Narragansett, and for the better year round security against damage to property, and for the suppression of nuisances, it is ordained by the Council of the Bonnet Shores Fire District as follows:

SECTION 1. As of October 1, 2011, property owners renting or leasing their residences in the Bonnet Shores Fire District, whether seasonal or year round, shall notify the District Manager, or such other official as shall be designated by the Council, of such action, and shall also furnish such official with the name or names of all persons who will occupy the residence, and shall also provide such other additional information as the said Council may request to carry out the objectives of this ordinance. A registration fee of five dollars (\$5.00) shall be paid annually to the Fire District for each rental property and shall be payable by October 1 of each year. The Bonnet Shores Fire District may request a copy of any property owner's lease agreement and the identities of tenants renting any property in the Fire District.

SECTION 2. Each property owner shall be provided with ordinances regarding parking, trash and animals (Ordinances II, VI and VII) and such property owners who rent their property shall post said ordinances within their property and shall be responsible, together with tenants for compliance therewith and subject to the provisions of Section 3.

SECTION 3. Property owners who fail to comply with sections 1 and 2 of this ordinance shall be subject to a fine by the District in an amount not to exceed fifty dollars (\$50.00) for each violation. Continued failure to comply with sections 1 and 2 of this ordinance shall result in an additional fine of fifty dollars (\$50.00) for every thirty (30) days of non-compliance. Such fine shall be assessed on the first day of each month.

SECTION 4. Any ordinances of the Town of Narragansett regarding rentals shall be incorporated into the Bonnet Shores Fire District ordinances as amended from time to time. Fines for each infraction shall be fifty dollars (\$50.00).

SECTION 5. This ordinance shall take effect upon passage.

Adopted June 3, 1977

Revised August 24, 2011

Further Revised & Approved, 6-0, March 21, 2012

Ordinance IX: Abandoned Vehicles & Property

IX. AN ORDINANCE FOR THE IMPOUNDING, REMOVAL AND DISPOSAL OF ABANDONED VEHICLES AND PERSONAL OR OTHER PROPERTY WITHIN THE BONNET SHORES FIRE DISTRICT

SECTION 1. It shall be unlawful for any person, firm, or corporation or owner or custodian to abandon or leave boats, watercraft, unattended vehicles, personal or other property and objects upon any street, way or road or upon any land owned by the Bonnet Shores Land Trust or Bonnet Shores Fire District, including, but not limited to, Little Beach, Kelly Beach, the Bonnet Battery and Haughey Field.

SECTION 2. The duly authorized agents and/or employees of the Bonnet Shores Fire District may take any abandoned property, as defined in Section 1 of this Ordinance, into its possession and hold it in protective custody for twenty-one (21) days, during which time the Bonnet Shores Fire District shall notify the Narragansett Police Department of the taking of such property and during which time the Bonnet Shores Fire District shall attempt to identify the owner(s) of such property. After holding such property in protective custody for twenty-one (21) days, the Bonnet Shores Fire District shall, within twenty-one (21) additional days, post a notice in either THE NARRAGANSETT TIMES, THE SOUTH COUNTY INDEPENDENT, or similar newspaper, of its intention upon a specified date to sell at public sale, dispose, retain for its own use, donate, destroy or otherwise dispose of such property.

SECTION 3. The owner in title to such abandoned property shall be required to submit proof of ownership to reclaim such property prior to disposal by the Bonnet Shores Fire District as aforesaid. Such owner shall be subject to a fine of fifty dollars (\$50.00). Such owner shall also be subject to a five-dollar (\$5.00) daily fine for storage, as well as be responsible for the notification costs described in Section 2 of this Ordinance, during the period the Bonnet Shores Fire District retained custody of such property.

SECTION 4. This ordinance shall take effect upon passage.

Adopted August 2, 1984

Ordinance X: Harbor and Harbor Master

It is hereby ordained as follows:

SECTION 1. APPOINTMENT OF THE HARBOR MASTER. The Bonnet Shores Fire District (BSFD) Council shall appoint a Harbor Master to serve at the pleasure of the Bonnet Shores Fire District Council, as authorized by the General Assembly of the State of Rhode Island May 8, 1974.

SECTION 2. COMPENSATION. The salary of the Harbor Master shall be an amount set by the Fire District Council.

SECTION 3. AUTHORITY. The Harbor Master shall have full power and authority within the jurisdiction fixed by law to enforce regulations and give directions regarding anchorage, management and control of all vessels within the waters of the Bonnet Shores Fire District.

SECTION 4. REMOVAL OF A VESSEL. The Harbor Master may remove for cause from time to time from any public wharf within the waters of the Fire District, any vessel not engaged in receiving or discharging cargo, or any vessel not anchored or moored in accordance with his directions in the waters under his jurisdiction.

SECTION 5. DESIGNATION OF MOORING AREAS. The Harbor Master shall, having due regard to the draft of each vessel and facility of navigation, designate upon a map of the waters subject to his jurisdiction the places where adequate permanent or temporary moorings or anchorage may be maintained.

SECTION 6. DESIGNATION OF MOORINGS. The Harbor Master shall assign all future moorings within the Bonnet Shores Fire District in accordance with the requirements of the boats; that is the length, draft and facility of navigation. Any increase in boat length from the boat length designated on each mooring owner's 2010 application requires approval of the Harbor Master.

- A. Any mooring now in position in the waters of the Fire District may be ordered moved by the Harbor Master, if, in his judgment, such removal be necessary.
- B. The Harbor Master shall designate upon a map of the Boat Cove the locus of each mooring and to said map shall affix or append a list or key designating the name and address of the owner or agent of the owner of each vessel and the size and type thereof. The Harbor Master shall file said map with the Fire District Council and thereafter shall maintain it currently accurate. He shall also maintain two (2) currently correct copies thereof, one for himself and one in a place reasonably accessible to mariners for their convenience in consulting same during hours when the Harbor Master would not normally be available. He shall, on or before July 1 of each year, make a complete and accurate revision of both his Master Map and its copies.

- C. The Harbor Master shall keep a detailed description of each mooring including its date of installation and subsequent inspections, its locus keyed to the map, the owner or agent's name, telephone number, home and business address, and the name, length and rig of the vessel.
- D. The Harbor Master will, at his discretion, assign moorings to residents and/or taxpayers of the district who have heretofore maintained moorings in the Boat Cove insofar as this can be documented. Subsequent assignments will be at the discretion of the Harbor Master; due regard shall be given to mooring needs of the residents within the Bonnet Shores Fire District.
- E. A mooring is transferable only to an immediate family member of the mooring owner.

SECTION 7. MOORING SPECIFICATIONS. Mooring specifications shall be determined by the Harbor Master and posted annually.

SECTION 8. APPEAL. Anyone aggrieved by the action of the Harbor Master in assigning mooring locations or in specifying the nature of the mooring may appeal the Harbor Master's decision to the Fire District Council, but not before fully informing the Council of the grievance in writing to the Clerk of the Fire District. If the Harbor Master denies a mooring and the applicant can show just cause, he may receive a hearing from the Fire District Council on his rights to have a mooring in the waters of the Fire District.

SECTION 9. OPERATION. No person shall operate any motorboat or any vessel in a reckless or negligent manner so as to endanger the life, safety and property of any person.

- A. No vessel shall be operated in excess of 5 MPH within the Boat Cove.
- B. The Harbor Master shall cause a sign stating the above restrictions to be so placed that it is clearly visible to those operating vessels within the waters wherein the above speed restrictions apply. Such signs will be maintained in place from June 1 to October 1 of each year.

SECTION 10. WATER SKIING. No water skiing will be allowed in the Boat Cove or bathing areas. No water skier or his boat shall approach any stationary or moving object closer than one hundred (100) feet, except as may be incidental to starting or finishing a run.

SECTION 11. POSTING REGULATIONS. The Harbor Master will post and maintain on, or adjacent to, the ramp gate and jetty an adequate digest of those portions of this ordinance relating to the operation of vessels upon the waters under jurisdiction of said Harbor Master.

SECTION 12. NOISE. No operator or owner shall cause or allow excessive noise in the operation of a vessel or watercraft, nor shall said owner or operator allow excessive noise aboard

such vessel or watercraft when anchored or moored. Unmuffled sound from engines, outboards or other machinery is not permitted except by permission of the Harbor Master.

SECTION 13. DERELICTS. No derelict boats, motors, piers, wharves or docks shall be allowed in or upon the Fire District's shores.

SECTION 14. OBSTRUCTING PASSAGE. No object other than boats and approved moorings shall be used within the mooring areas which will interfere with the movement of the boats.

A. Mushroom anchors shall not be left with stems standing vertical.

B. Floating-type moorings shall not be used for mooring lines.

SECTION 15. PENALTIES. Every owner, master, agent or person in charge of any vessel or watercraft, surfboard, or water skier who shall neglect or refuse to obey the directions of the Harbor Master, or any other enforcement agent of a local jurisdiction, in matters within their authority to direct, and every person who shall resist or oppose such Harbor Master or other authority in the execution of his duties, or shall violate any of the provisions of this ordinance or regulations pursuant thereto shall, upon conviction thereof, be fined not exceeding \$50.00 each offense and each day that such neglect or refusal to obey shall continue after notice thereof given by the Harbor Master or other authority.

A. Any person who shall remove from a location assigned by the Harbor Master any mooring belonging to another without authority from, or under the direction of the Harbor Master shall, upon conviction thereof, be fined as stated above.

B. Any individual violating any provision of this ordinance may be cause for the Harbor Master's refusal to allow said individual with his vessel or other watercraft in the waters under the jurisdiction of said Harbor Master for such period of time as may be determined by the Harbor Master of the Fire District Council together with any necessary court action in cases of violation of state or federal law.

C. If any boat owner, his agent or any other person shall place a mooring or maintain an anchorage or leave his vessel docked at a public wharf elsewhere than designated, said Harbor Master may remove or cause to be removed the mooring or vessel, or both, at his discretion and may charge the expense thereof to the person so doing.

SECTION 16. COMPLAINTS. All complaints for violation of this ordinance shall be made to the Harbor Master in writing.

SECTION 17. SECTIONS SEVERABLE. The provisions of this ordinance shall be severable and, if any of the provisions shall be held invalid, the decision of the court respecting