

SOUTH ALBURGH FIRE DISTRICT NO. 2

BYLAWS

Section 1: General Law; Application

- 1.1 The inhabitants of South Alburgh in the Town of Alburgh having been constituted the South Alburgh Fire District No. 2 (hereinafter referred to as the Fire District) by Order of the Selectmen of said Town dated June 8, 2004, do adopt these permanent By-Laws for their governance and administration.
- 1.2 The limits of the Fire District may be altered from time to time in the manner provided by law, subject to the requirement that any such alteration shall require the approval of the Selectboard of the Town of Alburgh.

Section 2: Annual and Special Meetings

- 2.1 The annual meeting of the Fire District shall be warned and held in accordance with statute.
- 2.2 Special meetings of the Fire District shall be called by the clerk or the Prudential Committee as provided by law.
- 2.3 Unless contrary provision is made by law, notice of annual and special Fire District meetings shall be given by recording the warning in the Town of Alburgh office and thereafter posting the same in at least two public places within the Fire District as well as notice to each member of the Prudential Committee for no more than 40 nor less than 30 days before the date of said meeting, as well as publishing the same in a newspaper of general circulation within the Town of Alburgh at least 10 days before the date of said meeting.

- 2.4 The warning for all annual and special Fire District meetings shall specify the time, date and place thereof, and shall identify by separate articles the matters of business to be considered and acted upon.
- 2.5 Roberts Rules of Order (current edition) shall control the conduct of all annual and special Fire District meetings and meetings of the Prudential Committee unless other provision is made by these By-Laws or general law.
- 2.6 Australian ballots shall be used only when required by law or in the event the Fire District shall vote to adopt such system of voting.
- 2.7 The current checklist of the Town of Alburgh shall be deemed conclusive as to voter eligibility within the Fire District.

Section 3: Officers and Advisory Committee

- 3.1 At each annual meeting, the Fire District shall elect from its inhabitants:
- (a) a Clerk
 - (b) a Treasurer
 - (c) a Collector of Taxes
 - (d) Three Prudential Committee Members as needed. Initially one member shall be elected for a term of one year, one member shall be elected for a term of two years and one member shall be elected for a term of three years.
- 3.2 Vacancies in any Fire District office shall be filled in the manner provided by law and serve for the remaining term of the vacancy.
- 3.3 An office shall be declared vacant in the event the incumbent therein shall remove himself or herself from the Fire District.
- 3.4 Annually, the Prudential Committee shall elect one of their members Chairman, and shall set the date and time of the Committee's regular meetings for the year next

ensuing. Special meetings of the Prudential Committee shall be called in the manner provided by law.

3.5 A majority of the Prudential Committee members present at a meeting thereof shall constitute a quorum for the transaction of business.

3.6 The act of a majority of a quorum of Prudential Committee members present at a meeting thereof shall be deemed the act of the Prudential Committee.

Section 4: Powers of the Fire District

4.1 The Fire District shall have the following powers;

- (a) It may vote a tax upon the taxable estate only for the acquisition, construction, operation and maintenance of water works, and equipment and real estate used in connection therewith including reservoirs, and for other lawful purposes.
- (b) The Prudential Committee and collector shall have the same power in assessing, levying and collecting the tax as town officers have in assessing and collecting town taxes.
- (c) The Prudential Committee shall set, revise and collect water rates and rents as provided by and for the uses permitted by law.
- (d) The Prudential Committee may expend such sums for acquiring, constructing, operating and maintaining the water works and all equipment and real estate used in connection therewith, including reservoirs.
- (e) The Prudential Committee may use and occupy such portions of the highways within the District as may be necessary for constructing and maintaining the water and wastewater works and water and wastewater mains.

Section 5: Finances

5.1 The fiscal year of the Fire District shall commence on the first day of July.

- 5.2 The budget of the Fire District consisting of anticipated revenues and expenditures, as well as any surplus or deficit from the previous fiscal year, shall be approved at the annual meeting thereof, or at a special Fire District meeting called and held for that purpose.
- 5.3 The grand list of the Town of Alburgh, as it pertains to the Fire District, shall serve as the grand list for the Fire District.
- 5.4 In the event a tax shall be levied for any purpose, at least thirty days notice of the due date thereof shall be given in writing to all persons affected thereby.
- 5.5 If any tax, assessment, rate, rent, charge or fee shall be delinquent following notice and demand for payment, interest, costs and penalty thereon shall accrue to the maximum extent permitted bylaw. Interest at the rate of one percent (1%) per month or fraction thereof for the first three (3) months and thereafter one and one-half percent (1-1/2%) per month or fraction thereof shall be charged from the due date of such tax, assessment, rate, rent, charge or fee, and may be collected in any manner allowed by law.
- 5.6 Special benefit assessments upon all property within the Fire District shall be approved and levied in the manner provided by law.
- 5.7 By separate ordinance the Prudential Committee shall establish rules and regulations relating to the operation of public water supply systems owned or operated by the Fire District including extensions thereof and connections thereto.
- 5.8 In using and occupying any lands and highways to construct, maintain or repair any water works or components thereof, the Fire District shall follow accepted engineering and construction practices.

Section 6: Bond

6.1 All officers of the Fire District shall be bonded for the proper performance of their duties.

Section 7: Audit

7.1 The Prudential Committee shall hire at least annually an independent public accountant to audit the books of the Fire District. The report of the accountant shall be available to the public at least three weeks prior to the annual meeting.

Section 8: Amendments

8.1 These By-Laws may be amended by majority vote of those present and voting at any annual or special Fire District meeting, provided that notice thereof containing the full text of such amendment be given in the manner established in 2.3.

I hereby certify that the foregoing is a true and complete set of the By-Laws of South Alburgh Fire District No. 2, duly adopted at a meeting thereof held on

August 11, 2004.


Clerk, South Alburgh Fire District No. 2

SOUTH ALBURG FIRE DISTRICT NO. 2


BYLAWS

Amendment 1

By a motion of the Prudential Committee on December 1, 2004, the Bylaws of the South Alburg Fire District No. 2 were amended as follows:

Section 2: Annual and Special Meetings

2.1 The annual meeting of the Fire District shall be warned and held on the second Monday of April.

ATTEST: 
DATE: 12/2/04

SOUTH ALBURG FIRE DISTRICT NO. 2

BYLAWS

Amendment 2

By a motion of the Prudential Committee on January 19, 2005, the Bylaws of the South Alburg Fire District No. 2 were amended as follows:

RESOLVED: The South Alburg Fire District No. 2 will, henceforth, be known as the South Alburgh Fire District No. 2.

ATTEST: *V. B. Kately*
DATE: 1/20/05

SOUTH ALBURG FIRE DISTRICT NO. 2

BYLAWS

Amendment 3

By a motion of the Prudential Committee on October 10, 2007, the Bylaws of the South Alburgh Fire District No. 2 were amended as follows:

Said Amendment replaces amendment 1 Dated 12/02/2004.

Section 2: Annual and Special Meetings

2.1 The annual meeting of the Fire District shall be warned and held on the second Monday of June.

ATTEST: _____

DATE: _____