

Ascutney Fire District No. 2

Bylaws

[Adopted May 3, 2010 & last amended May 4, 2015]

Article I: Purpose

The Ascutney Fire District No. 2 is incorporated with limited liability in accordance with Title 20, Chapter 171, of the Vermont Statutes Annotated, to design, construct, upgrade, operate, and maintain a water supply and distribution system and a wastewater collection and disposal system; and to maintain any appropriate apparatus in furtherance of this purpose and as a natural incident to the construction, installation, maintenance, and repair of the water system and a wastewater collection and disposal system as a whole.

Article II: Powers

The Fire District is empowered to construct, install, maintain, and repair all facilities and equipment necessary for the provision of water service and wastewater collection and disposal; to bill all the users of these services for their pro-rata share of the expense of the services; to take by eminent domain, receive, purchase, own, grant, convey, and sell real property, easements on real property, and personal property in the name of the Fire District and as a municipal entity; and to perform those functions and have those powers enumerated in Title 20, sections 2601 through 2608, inclusive, of the Vermont Statutes Annotated, and any amendments thereto.

Article III: Office

The office and all records of the Fire District shall be maintained at the Weathersfield Town Offices. The Fire District may alter its designated office and may also maintain offices at such other places within the Fire District as the Prudential Committee may, from time to time, determine.

Article IV: Meetings of the Fire District

A. Voters

Persons residing within the Fire District who are registered voters in the Town of Weathersfield shall be entitled to one (1) vote on each matter submitted to a vote at a meeting of the Fire District.

B. Annual Meetings

- (1) The Annual Meeting of the Fire District shall be held on first Tuesday in May, starting at 7:00 P.M..
- (2) All Annual Meetings and Special Meetings shall be warned by the Clerk, or in his/her absence or neglect, by a member of the Prudential Committee.

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(c) One term of three (3) years. Subsequent terms shall be three (3) years.

(3) Prudential Committee members shall be elected at the Annual Meeting, and terms shall expire at the Annual Meeting.

B. Duties and Powers

The Prudential Committee shall be the administrative body of the Fire District, and shall be responsible for the control and management of the affairs, property and interests of the Fire District, and may exercise all powers of the Fire District, including the execution of contracts, except as are expressly conferred upon or reserved to the members of the Fire District by State law or by these Bylaws. In addition, the Prudential Committee may commence and prosecute actions in the name of the Fire District, defend and adjust actions commenced against the Fire District, and settle claims in favor of and against the Fire District.

C. Regular Meetings

(1) Regular meetings shall be warned in accordance with State law.

(2) At its organizational meeting forthwith following the Fire District's Annual Meeting, the Prudential Committee shall elect to have their monthly meetings at a certain time and place. This shall be posted at the Weathersfield Town Clerk's Office, but need not be reported each month in the newspaper.

(3) Meetings of the Prudential Committee shall be warned by an agenda, which shall state the time and the place of the holding of the meeting, and the business to be transacted. The agenda shall be posted in three (3) or more public places in the District at least twenty-four (24) hours prior to the meeting.

D. Officers

(1) At the organizational meeting of the Prudential Committee forthwith following the Annual Meeting of the Fire District, the members of the Prudential Committee shall elect from their membership a Chairperson and Board Clerk.

(2) At all meetings of the Prudential Committee and of the Fire District, the Chairperson of the Prudential Committee shall preside. In the absence of the Chairperson, the members present shall designate a Chairperson *pro tem*.

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- (3) The Prudential Committee shall have the authority to appoint an Assistant Clerk and an Assistant Treasurer as they may deem necessary.

B. Duties

- (1) The Clerk shall keep a record of the meetings, votes and proceedings of the Fire District for the inspection of the members.
- (2) The Treasurer shall accept payment of all accounts on behalf of the Fire District, keep accurate records of all payments, alert the Prudential Committee of any past-due accounts, write and sign all checks of the Fire District and keep accurate records of the financial status of the Fire District.
- (3) The Collector of Taxes shall collect all past-due accounts together with interest and penalties and costs. The Collector of Taxes may take any and all legal action necessary in the execution of the duties of the office.

C. Resignation

Any officer may resign at any time by giving written notice of such resignation to the Prudential Committee. Unless otherwise specified in such written notice, such resignation shall take effect upon receipt thereof. The acceptance of such resignation shall not be necessary to make it effective.

D. Vacancy

A vacancy occurring in any District office, other than the Prudential Committee members, caused by death, resignation, removal from the Fire District or incapacity of an officer to carry out his duties, shall be temporarily filled by the Prudential Committee within thirty (30) days after the vacancy occurs and until the date when the newly elected officers take office. The vacancy shall then be filled at the next Annual Meeting.

E. Removal

Any officer may be removed with, or without, cause at any time by the affirmative vote of a majority of the members of the Fire District at a special meeting of the Fire District called for that purpose.

Article VII: Revenues

The Prudential Committee shall establish rates for services provided by the Fire District, and all charges for said services shall be paid to the District Treasurer. All rates shall be established as to provide revenue for the following purposes:

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History of Amendments

Amendment #1: May 5, 2014

Under Article 8 of the May 5, 2014 Annual Meeting, voters approved amending Article IV, Section B, Subsection 5 of the Fire District Bylaws from:

“Persons residing within the Fire District who are registered voters in the Town of Weathersfield shall be notified by U.S. Mail no less than ten (10) days prior to the meeting.”

to:

“Owners of properties who own any property connected to the Fire District’s water system shall be notified by U.S. Mail no less than ten (10) days prior to the meeting. Notification shall also be mailed to any property owner, voter, or resident of the Fire District who requests to be notified.”

Amendment #2: May 4, 2015

Under Article 8 of the May 4, 2015 Annual Meeting, voters approved amending Article IV, Section B, Subsection 1 of the Fire District Bylaws from:

“The Annual Meeting of the Fire District shall be held on the first Monday in May, starting at 7:00 PM.”

to:

“The Annual Meeting of the Fire District shall be held on the first Tuesday in May, starting at 7:00 PM.”