

**CITY OF EAST PROVIDENCE**  
DOCKET—REGULAR COUNCIL MEETING  
TUESDAY, MAY 21, 2019  
CALL TO ORDER: 6:30 P.M.  
*Council May Call Executive Session in Room 101*  
OPEN SESSION: 7:00 P.M.  
145 TAUNTON AVENUE – CITY COUNCIL CHAMBERS  
EAST PROVIDENCE, RHODE ISLAND

City Council:  
Council President, Robert Britto – Ward 1  
Council Vice-President: Bob Rodericks – At Large  
Councilwoman Anna Sousa – Ward 2  
Councilman Nate Cahoon – Ward 3  
Councilman Ricardo Mourato – Ward 4

**I. CALL TO ORDER**

**II. INVOCATION OF EXECUTIVE SESSION – FOR VOTE**

The City Council of East Providence may meet in Executive Session pursuant to Rhode Island General Laws §42-46-5 (a) (2)

**A) New Claims – FOR VOTE**

NAME	AMOUNT	REASON
Jai Batra	\$141.30	Claim for property damage to vehicle sustained as a result of striking a pothole due to a failed City water utility trench.
Carolyn E. Oliver	\$701.80	Claim for property damage to vehicle sustained as a result of striking a pothole due to a failed City water utility trench.

**B) SEWER CHARGE ABATEMENTS – FOR VOTE**

NAME	AMOUNT	REASON
Christopher Beattie	\$69.81	Request for a sewer charge abatement for the property located at 210 Pleasant Street in accordance with City Ordinance.
Jean Gendron	\$218.34	Request for a sewer charge abatement for the property located at 69 Glenrose Drive in accordance with City Ordinance Sec. 17-183(g).
Natalie Houlihan	\$114.60	Request for a sewer charge abatement for the property located at 12 Little Street in accordance with City Ordinance Sec. 17-183 (g).
David Rivet	\$102.42	Request for a sewer charge abatement for the property located at 258 Woodward Avenue in accordance with City Ordinance 17-183(g).
Anad Thomas	\$292.13	Request for a sewer charge abatement for the property located at 179 Second Street in accordance with City Ordinance Sec. 17-183(g).

**III. OPEN SESSION**

**IV. PLEDGE OF ALLEGIANCE**

**V. APPROVAL OF CONSENT CALENDAR –FOR VOTE**

All items under, "Consent Calendar" are considered to be of a routine and noncontroversial nature by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council members so requests, in which event the item will be removed from said Consent Calendar and will be considered in its normal sequence in the docket.

**A. Council Journals – May 7, 2019.**

2017 Council Journals have been filed with the Secretary of State

*Councilman Cahoon made the motion to approve the consent calendar. Council Vice President Rodericks seconded the motion. Motion approved unanimously.*

**VI. LICENSES NOT REQUIRING PUBLIC HEARING – FOR VOTE**

**a) Application for Hawker License-90 Day**

**Keystone Novelties Dist, LLC**

**Location: 1235 Wampanoag Trail, 02915**

**(30x45 frame tent)**

**Michael Korsak**

*Melissa Korsak was present. Motion to approve made by Councilwoman Sousa. Councilman Mourato seconded the motion. Motion passes unanimously.*

**b) Application for Hawker License-90 Day**

**Keystone Novelties Dist, LLC**

**Location: 40 Highland Avenue, 02914**

**(30x45 frame tent)**

**Michael Korsak**

*Melissa Korsak was present. Motion to approve made by Councilwoman Sousa. Councilman Mourato seconded the motion. Motion passes unanimously.*

**VII. COMMUNICATIONS**

**a) Mayor Communications**

**Appointment of Deputy Chief**

*The Honorable Mayor Roberto DaSilva*

*Marc Furtado, Mayoral Aide, makes the announcement of Deputy Chief Christopher Francesconi.*

**PUBLIC COMMENT**

All persons wishing to make public comment shall sign a public comment sheet stating their name, address and the subject of their docket related item to speak on. This sheet shall be available on a desk at the entrance of the City Hall Chambers no later than forty five (45) minutes before the call to order of any regularly scheduled council meeting and shall be delivered by the City Clerk to the presiding officer no earlier than five (5) minutes before the call to order of the meeting. Each speaker will be limited to three (3) minutes. The order of the speakers will be on a first come, first serve basis and the maximum time for public comment shall be limited to thirty (30) minutes per meeting.

*Ken Goucher spoke regarding the food truck on Warren Avenue and the safety concerns he has with its placement.*

**VIII. COUNCIL MEMBER COMMUNICATIONS**

**a) City Council/Mayor Charter Provisions and Legal Interpretation**

(Councilman Cahoon)

*Councilman Cahoon stated that he no longer needed for discussion based on previous information received. Council President Britto did open this item up for discussion for the Council. No other discussion was had.*

**b) Department Heads Aid to Inquiry for Council Legislation (Charter Inquiry)**

(Councilman Mourato)

*Councilman Mourato stated that the department heads that were present was a great resource to have at these meetings. Councilman Mourato stated that he had a sewer abatement issue that would have been helpful to have a department head present in order to help answer questions, but there were not present tonight. Councilman Mourato and Council Vice President spoke of options regarding Charter changes. Solicitor Marcello did not have the Charter to reference at that moment. Councilman Mourato discussed the option of special election or wait until 2020 for the general election. Councilman Cahoon made mention of taking on strategic Charter amendments and referenced 2-9 of the Charter then reference 3.12, "Powers of the Mayor" and both points state something of two different bodies doing the same thing. Council President Britto inquired if the intent is to change all of the Charter, or just parts of it and if so, should the Charter Commission reconvene and if not, how do they proceed with this scenario. Solicitor Marcello did reference Section 13 of the Charter but stated he would need to look into it more. Councilman Mourato asked Solicitor Marcello to look into 13-16. Councilwoman Sousa mentioned that she is in favor of going back to find inconsistencies in the Charter, and asking the original members first before asking for others should they reconvene.*

**c) Constituent Concerns Regarding Public Traffic Safety, including sidewalk project and tree removals**

(Councilwoman Sousa)

*Councilwoman Sousa mentioned that she did have a meeting with the Mayor's Office regarding street safety, including Six Corners, the lack to sidewalks around John and Taunton Avenue. She mentioned that this area isn't lit well during the night. In 2017, she met with the City Manager and DOT regarding how to improve safety in this area. DOT was interested in possibly constructing a two way or a roundabout. She will continue to work with the Mayor and DOT. Councilman Mourato mentioned the faded stop signs could also be a public safety issue, especially at night.*

**d) Chapter 8, Article VI: Solicitors Questions regarding applicability and enforcement**

(Councilman Cahoon)

*Councilman Cahoon asked if there is data reported or maintained in the Clerk's office from the police department. City Clerk Burnett stated that she currently does not receive anything, but has spoken with Chief Nebus to incorporate a process moving forward. Councilman Mourato mentioned that in the municipality that he works offers a temporary permit to vendor's who are out of the area. They do a quick background check. Council President Britto shared that if people don't feel comfortable, the best thing to do is call the police.*

**e) Bradley Hospital/Hasbro Children Hospital Quilt**

(Council President Britto)

*Council President Britto shared that this quilt was done by children to help express themselves with the stigmas associated with mental health. Through pictures and words it helps voice the effect it has on them, their families and loved ones. The state and Representative Kazarian have been working with Council President Britto's sister, to recognize a Mental Health Awareness Month. The quilt will be on display in the Council Chambers for a limited time and invited the public to come and look at the messages listed.*

**f) The Greater Rumford Bake Off Update**

(Council President Britto)

Council President mentioned there were 47 contestants for adults and 13 contestants for children. Pictures will be on display at the next Council meeting. Also the opening of the Educational House occurred simultaneously at this event.

Winner was an Orange Creamsicle Cake for the adults and Magnificent Muffin for the children's category. Among some of the judges were Council President Britto and Mayor DaSilva.

## XI. ORDINANCES

### a) FINAL PASSAGE AND PUBLIC HEARING

**AN ORDINANCE IN AMENDMENT OF CHAPTER 19 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND 1998, AS AMENDED, ENTITLED "ZONING"**

#### FOR VOTE

SEE ATTACHED FOR FULL ORDINANCE

*This item was taken out of sequence by unanimous consent of the Council. (This was heard after Public Comment).*

*Acting Planning Director spoke on behalf of this ordinance. Ms. Feather stated all Planning Board information was held in April, in which they gave an advisory opinion to the Council to approve. Three weeks of advertising were made in The Post, with the most recent last Thursday. Pamela Sherrill from the Waterfront Commission that spoke in regards to the Waterfront questions.*

*Council Vice President Rodericks made the motion to approve, seconded by Councilman Mourato. Motion passes unanimously.*

### b) SECOND PASSAGE AND PUBLIC HEARING

**AN ORDINANCE IN AMENDMENT OF CHAPTER 13 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED "PUBLIC PLACES"**

#### FOR VOTE

(Sponsored by: Council President Britto)

SEE ATTACHED FOR FULL ORDINANCE

*Motion to approve the ordinance as amended made by Councilman Cahoon. Motion seconded by Council Vice President Rodericks. Motion passes unanimously.*

## XII. CONTINUED BUSINESS

### a) Sewer Abatement Ordinance and Rate Discussion

(Councilman Mourato)

*Councilman Mourato stated that before we have a sewer rate and abatement discussion he would like to know how much it would cost for the city to run its own water plant, Narragansett or Suez. Also, he wanted to know more answers regarding the Barrington financial obligation is accurate. Councilman Mourato addressed other municipalities' sewer abatement policies and should this be considered in re-evaluating the city's abatement process.*

## XIII. NEW BUSINESS

### a. REPORTS OF OTHER CITY OFFICIALS

#### 1. City Solicitor, Michael J. Marcello - Claims Committee Report

*New Claims and Sewer Charge Abatement Votes were disclosed from Executive Session.*

## XIV. RESOLUTIONS

### a. RESOLUTION REQUESTING THAT EQUITABLE STATE FINANCING BE PROCURED WITH FOR THE OPERATION OF THE EAST PROVIDENCE WATERFRONT COMMISSION.

(Sponsored by: Council Vice President Rodericks)

#### FOR VOTE

*Council Vice President Rodericks introduced the resolution regarding the Waterfront Commission.*

### b. RESOLUTION IN SUPPORT OF PROPOSED LEGISLATION ALLOWING THE HERITAGE HARBOR FOUNDATION PERMANENT EXEMPTION FROM TAXATION

(Sponsored by: Council President Britto)

#### FOR VOTE

*This resolution was deferred to the next meeting by Council President Britto.*

### c. RESOLUTION DECLARING MAY AS MENTAL HEALTH AWARENESS MONTH IN EAST PROVIDENCE

(Sponsored by: Council President Britto)

#### FOR VOTE

*Council President Britto introduced this resolution following the presentation of the quilt listed under Item VIII. (e)*

*Councilwoman Sousa thanked Council President Britto for sponsoring this resolution and made a motion to approve the resolution. Councilman Cahoon seconded the motion. Motion passes unanimously.*

### d. RESOLUTION IN SUPPORT OF LEGISLATION TO ESTABLISH AN OCEAN STATE CLIMATE ADAPTATION AND RESILIENCE FUND (OSCAR)

(Sponsored by: Councilman Cahoon)

#### FOR VOTE

*Councilman Cahoon introduces the resolution and spoke of the House and Senate bill relative to this resolution. Councilman shared facts of the sea level rising and other factors that affect climate change.*

*Councilman Cahoon made the motion to approve the resolution. Councilwoman Sousa seconded the motion. Motion passes unanimously.*

### e. RESOLUTION RATIFYING THE MEMORANDUM OF UNDERSTANDING DATED NOVEMBER 14, 2018 BETWEEN THE CITY AND THE INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS LOCAL 569

(Sponsored by: Council President Britto)

#### FOR VOTE

*This item was taken out of sequence by unanimous consent of the Council. This was heard after Item XI. (a)*

*Council President Britto introduced and invited Chief William Nebus to the podium to discuss*

*nature of this resolution. The Union and City are in agreement of this, but the finalization needs approval by the council for the ratification of the Memorandum of Understanding, effective immediately.*

*This resolution is in regards to having a 4<sup>th</sup> Captain to be in charge of the accreditation process.*

*Councilman Cahoon makes the motion to approve. Seconded by Councilman Mourato. Motion passes unanimously.*

**XV. Reconvene in Executive Session (if necessary) to Complete Items Under Section II, Executive Session**

*No action needed on this item.*

**XVI. ADJOURNMENT - FOR VOTE**

*Council President Rodericks made the motion to adjourn. Councilman Cahoon seconds the motion. Motion passes unanimously.*

***If communication assistance is needed or any other accommodations to ensure equal participation, please contact the City Clerk, Samantha Burnett at 401.435.7596.***

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

CHAPTER

AN ORDINANCE IN AMENDMENT OF CHAPTER 19 OF THE REVISED  
ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND 1998,  
AS AMENDED, ENTITLED “ZONING”

**SECTION I.** Section 19-470 entitled “Purpose” of Article IX entitled “Waterfront Special Development Districts” of Chapter 19 entitled “Zoning” is hereby amended to read as follows:

**Sec. 19-470. Purpose.**

The purpose of this article is to provide for appropriate mixed use development within the context of protecting the important scenic and recreational resources along the East Providence Waterfront. The properties along the Providence and Seekonk Rivers are viewed by the city to hold great potential to generate year-round activity with linkages to surrounding neighborhoods, downtown amenities, labor, regional access, and the recreational and scenic attributes of the waterfront location. The intent of the waterfront development district is to provide for a diverse mix of compatible land uses and densities that promote high quality development in a manner consistent with the intent of the 2003 East Providence Waterfront Special Development District Plan. The objective of the waterfront development district is to attract new businesses and jobs, create housing opportunities for a wide range of income levels, provide recreational, civic and cultural opportunities, and ensure protection of and public access to and along the valuable environmental resources found along the East Providence Waterfront.

The provisions of this article shall not preclude an applicant, developer, and/or property owner from the requirement to meet other provisions of chapter 19, zoning, and/or other city requirement and ordinances, as applicable.

All projects are required to conform to the policies, standards and regulations of the Rhode Island Coastal Resources Management Program-Council (“CRMC”), ~~as set forth in~~ **including but not limited to** the Coastal Resources Management Program (Red Book) and the **Metro Bay Region Special Area Management Plan**. ~~Providence Harbor Special Area Management Plan (Green Book).~~

**SECTION II.** Section 19-471 entitled “Definitions” of Article IX entitled “Waterfront Special Development Districts” of Chapter 19 entitled “Zoning” is hereby amended to read as follows:

**Sec. 19-471. Definitions.**

*Advanced manufacturing.* Use of innovative technologies to manufacture, fabricate, or produce existing products and the invention and design of new products. Advanced manufacturing can include the use of computer systems to plan, manage, and control the operations of a manufacturing plant through either direct or indirect computer interface with the plant's production resources.

*Coastal Resources Management Program (650-RICR-20-00-01)*, also known as the "Red Book". is A program administered by the Rhode Island Coastal Resources Management Council CRMC, and contains the policies and regulations for uses in tidal waters, shoreline features and contiguous areas. See also Metro Bay Region Special Area Management Plan.

*Massage therapy.* The practice of massage by a licensed massage therapist using a scientific system of activity to the muscular structure of the human body by means of stroking, kneading, tapping and vibrating with the hands or vibrators for the purpose of improving muscle tone and circulation.

*Massage therapy establishment.* An establishment approved and otherwise regulated by the licensing agency, which is the State of Rhode Island Department of Health, operating in conformance with all pertinent rules and regulations of the State of Rhode Island and all city ordinances and license requirements. Proof of a current license issued by the department of health shall be posted on the premises in a location visible to customers.

*Metro Bay Region Special Area Management Plan (650-RICR-20-00-5), as amended.* A planning and regulatory document administered by CRMC to guide and facilitate waterfront redevelopment with the Urban Coastal Greenways Policy for Providence Harbor and Seekonk River areas, and used in conjunction with the Coastal Resources Management Program, as amended.

*Sub-districts.* Areas within the East Providence Waterfront district that due to geographical or surrounding physical context have been identified as being better suited for particular land uses and densities.

*Waterfront development district.* An independent public instrumentality and body corporate and politic for the purposes set forth in this chapter with a separate legal existence from the city and from the state and the exercise by the district of the powers conferred by this chapter shall be deemed and held to be the performance of an essential public function. ~~the~~The boundaries of the district have been established by ordinance of the city council. The district shall oversee, plan, implement, and administer the development of areas within the district.

**SECTION III.** Section 19-473 entitled "Administration" of Article IX entitled "Waterfront Special Development Districts" of Chapter 19 entitled "Zoning" is hereby amended to read as follows:

**Sec. 19-473. Administration.**

The East Providence Waterfront special development district commission was created under Rhode Island Public Law 2003, Chapter 345. The commission consists of ~~19~~ 17 members: five members shall be appointed by the city council; five members shall be appointed by the governor with the advice and consent of the senate; the mayor and the governor shall jointly appoint a member who shall serve as the chairperson; and there shall be ~~eight-six~~ ex officio non-voting members, including the ~~city manager~~ mayor, the city planning director, the public works director, the executive director of the RI Economic Development Corporation, the director of the department of transportation, and the director of the department of environmental management or an associate director designated by the director, ~~a member of the senate appointed by the senate president, and a member of the house appointed by the speaker.~~

All development in the East Providence Waterfront special development district ~~will~~ shall be subject to review and approval by the East Providence Waterfront special development district commission. To assist in the design review of projects the East Providence Waterfront special development district commission has created two committees: the design review committee (DRC) and the hearing panel (HP). Members on the committees are appointed by the commission.

(1) *Reviewing body roles and responsibilities.*

- a. Administration for the East Providence Waterfront special development district commission ~~will~~ shall be coordinated by an executive director. Initial review of all projects shall be made by the executive director who shall also serve as the primary liaison between the development and each of the reviewing bodies. The primary role of the executive director ~~will~~ shall be to determine whether the application package is complete. The executive director may use technical support from the state and the city and depending upon need and budgetary constraints, the executive director may retain outside consultants with the approval of the commission. The resources available to the executive director may include expertise in architecture/urban design, real estate development, planning and law.
- b. The design review committee shall review all applications for the development of parcels in the waterfront district, including conformance with the city land development and subdivision review regulations, conformance with or proposed amendments to the performance standards and site development criteria, plans for public improvements, and requests for deviations or conditional use provisions. It shall evaluate each application presented by the executive director for conformance with the reviewing criteria set forth in section 19-477 483 herein and make recommendations to the hearing panel and the commission for their action as set forth in these procedures.

~~The design review committee shall distribute copies of complete pertinent portions of the application under the planning board's purview to the planning board development plan applications to the planning board for review for conformance with the purposes and intent of the city comprehensive plan. with land development and subdivision review regulations and plans for public improvements. The planning board shall serve as an additional reviewing agency, and shall advise the design review committee through comments for consideration in their approval. The planning board shall respond with comments on applications within 30 days from the date of receipt. The planning board shall review the application and make a written report on its findings and recommendations as to whether or not the request is consistent with the purposes and intent of the city comprehensive plan and the land development and subdivision regulations.~~

Any meetings or actions of the design review committee shall be conducted in accordance with section 19-477 of this article. The design review committee shall hold one public hearing on each application pursuant to and in accordance with the procedures set forth in section 19-477, including the procedures for public notice set forth in section 19-477479.

- c. The commission may designate a hearing panel to which the executive director may refer applications for deviations, or conditional use provisions. Such review by the hearing panel shall take place after the review and recommendation of the design

review committee. Standards for instances where deviations or conditional use provisions shall be reviewed by the hearing panel are set forth in section 19-477.

In the case of any application for a deviation or conditional use provision approval to the performance standards or the site development criteria referred to the hearing panel, the hearing panel shall hold a public hearing on each such application pursuant to and set forth in section 19-477, including the procedures for public notices set forth in section 19-477.

- d. The recommendations of the design review committee, the transcript of any public hearing(s), and, where reference to the hearing panel established pursuant to section 19-477 has been made, the finding of fact of the hearing panel shall be forwarded to the commission, the only body authorized to make a decision of the merits of the application.

Any meetings or actions of the East Providence Waterfront special development district commission shall be conducted in accordance with section 19-477. The commission shall review the record and hold a public hearing on each application, for which notice shall be given in accordance with the procedures set forth in section 19-477.

In each case where no reference to the hearing panel has been made, the commission shall receive such evidence as the parties may present on questions of fact and may approve, modify or reject the recommendations of the design review committee. Where reference to the hearing panel has been made, the commission shall not hear new evidence and shall not substitute its judgment for that of the hearing panel as to the weight of the evidence of questions of fact, but may approve, modify or reject the recommendations of the design review committee and the hearing panel. The commission may remand the matter to the design review committee, or, where an initial reference has been made to the hearing panel, to the hearing panel for further findings or other action.

If after a public hearing or at any step of the review process, the commission approves a project in a form materially different than the form in which the project was submitted to the public hearing, the commission shall determine whether a hearing on the project as approved is required. If so, a subsequent hearing shall be held in accordance with section 19-477.

A majority of the appointed voting commissioners shall constitute a quorum for the transaction of business at a meeting. The affirmative vote of a majority of the members of the commission at a meeting which a quorum is present shall be necessary to render a decision.

**SECTION IV.** Section 19-476 entitled “Procedure and applications” of Article IX entitled “Waterfront Special Development Districts” of Chapter 19 entitled “Zoning” is hereby amended to read as follows:



## Sec. 19-476. Procedure and applications.

- (a) Prior to the submission of a formal application for the development and design of a parcel or parcels, developers are encouraged to meet with the executive director on an informal basis to discuss the submittal requirements, performance standards for the waterfront district, the site development criteria and the commission's review process. Pre-application workshops are required, and shall include the review of the city zoning officer.
- (b) Process.
  - (1) Before any structure may be erected, constructed, altered, repaired or demolished within the waterfront district, and prior to submitting an application, the person proposing such construction or other alteration shall meet with **the executive director and city staff, including the planning director, DPW director, and fire chief for a pre-application meeting. This staff-level meeting shall be held prior to meeting with** the design review committee of the commission in a series of design workshops to review and revise the project for conformance to these regulations.
  - (2) Before any structure may be erected, constructed, altered, repaired or demolished within the waterfront district, and following the design workshops, the person proposing such construction or other alteration shall file with the commission such application for permission to erect, construct, alter, repair or demolish such structure, together with such plans and specifications as the commission may reasonably require as a result of the design review process.
  - (3) The application for a permit shall be submitted in a format required by the commission and containing such information, drawings, plans and specifications as specifically requested and any additional information that the commission may reasonably request. Each application shall specifically include a statement describing how the proposed site plan and building design meet the spirit and intent of these regulations and the East Providence Waterfront Special Development District Plan. All plans submitted as part of the application package shall be stamped by the appropriate licensed professional in accordance with state law.
  - (4) If the commission shall fail to act on an application, which is complete in form and substance, within 40 days from the date of filing, the application shall be deemed to constitute approval unless the commission and the applicant shall mutually agree upon an extension of time in which the commission may make its decision, or unless the commission shall make a finding of fact that circumstances require additional time for study, in either case up to a maximum of 90 days. Said mutual extension of time or said finding of fact shall be in writing and signed by a designated representative of the commission and by the party in interest. Such presumptive approval, should it occur, shall not, however, automatically also be deemed in conformance with applicable municipal, state and/or federal agency requirements, i.e., CRMC, ACO, etc. if in their respective jurisdiction(s). Additional approvals may be required from these agencies.
  - (5) The design review committee ~~will~~ **shall** to the extent practicable incorporate the findings, policies and regulations of the Coastal Resources Management Program in order to foster the best design and the smoothest decision-making process. Applicants ~~will~~ **shall** be advised of the likely need for a CRMC assent and strongly encouraged to address the respective requirements.

- (c) Submittal requirements. *No change proposed to end of this section.*

**SECTION V.** Section 19-477 entitled “Public hearings and notice requirements” of Article IX entitled “Waterfront Special Development Districts” of Chapter 19 entitled “Zoning” is hereby amended to read as follows:

**Sec. 19-477. Public hearings and notice requirements.**

- (a) **Public hearings.** Public hearings shall be held on the initial application and on requests for deviations and conditional use provisions. The commission shall also have the authority to call and conduct public hearings, in accordance with established procedures, on any matters which the commission determines would benefit from a public hearing.
- (1) **Design review committee.** The design review committee shall evaluate each application for conformance with the regulations and reviewing criteria and shall make recommendations to the hearing panel and/or the East Providence Waterfront Special Development District Commission for their action.
- (b) (2) **Hearing panel.** Public hearings before the hearing panel shall be set within a reasonable time not to exceed 30 days from the date of the design review committee public hearing. *It is the role of the hearing panel, if required, to summarize the facts brought out at the public hearings and submit its findings to the East Providence Waterfront Special Development District Commission.*
- (3) **East Providence Waterfront Special Development District Commission.** ~~Waterfront commission.~~ Public hearings before the commission shall be set within a reasonable time not to exceed 30 days from the date of the design review committee public hearing or not to exceed 30 days from the date of any required public hearing before the hearing panel. *At its public hearing, the commission will receive such evidence as the parties may present and may approve, modify or reject the recommendations of the design review committee and the hearing panel. Decisions of the commission shall be in writing and shall state the facts upon which the decision is based.*
- (b) **Public notice.** Public hearings shall be noticed in accordance with the Open Meetings Act (100-RICR-40-15-2).
- (1) Published at least 14 days prior to the date of such hearing in a newspaper of general circulation in the city.
- (2) Sent by first class mail to the applicant.
- (3) Sent registered or certified mail to all owners of real property whose property is located at or within a 200-foot radius of the perimeter of the subject property. The applicant shall submit to the commission two (2) lists of names and mailing addresses (including zip codes) of the property owners within the 200-foot radius at least 14 days prior to the public hearing. The list of property owners must be in accordance with the latest listing available in the office of the city tax assessor, and such names and address shall be listed by plat and lot numbers. At least two days prior to the hearing date, the applicant shall file with the commission a certification under oath that notice was mailed in accordance with this regulation. Within 30 days of mailing of notice, the applicant shall file with the commission all return receipts for the certified mailing notice. Any notices which were not deliverable for any reason shall also be filed with the commission by the applicant.

The costs associated with any notice and advertising required under this section shall be borne by the applicant.

- (4) Sent by first class mail to the city or town council, of any city or town that is located at or within 200 feet of the boundary of the subject area.
  - (5) Sent first class mail to the city or town of any city or town where there is a public or quasi-public water source or private water source that is used or is suitable for use as a public water source, at or within 2,000 feet of the subject property, regardless of the municipal boundaries.
  - (6) Sent to the governing body of any state or municipal water department or agency, special district, or private water company that has riparian rights to a surface water resource and/or surface watershed that is used or is suitable for use as a public water source and that is at or within 2,000 feet of the subject property, provided however, that the governing body of any state or municipal water department or agency, special water district or private water company has filed with the building inspector in the city with a map survey which shall be kept as a public record, showing areas of surface water resources and/or watersheds and parcels of land at or within 2,000 feet thereof.
- ~~(e)~~ (7) The newspaper notice shall use a type size at least as large as the normal type size used by the newspaper in its news articles, and shall specify the place of the hearing and the date and time of its commencement; indicate that an application for new development and/or for a deviation, conditional use provision is under consideration; contain a statement or summary describing the matter under consideration; advise those interested when a copy of the matter under consideration may be obtained or examined and copied; and, state that the proposals shown thereon may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the hearing.
- ~~(d)~~ (c) Any party may appear at the public hearing in person, or by agent or attorney. The hearing held by the commission is a public meeting and all decisions reached by the commission shall be made and voted upon at a public meeting. The commission shall hear all evidence on the request, and consider the written reports by commission staff or other relevant agencies when reaching a decision on the findings.
- ~~(e)~~ The design review committee shall evaluate each application for conformance with the regulations and reviewing criteria and make recommendations to the hearing panel and/or the East Providence Waterfront special development district commission for their action. It is the role of the hearing panel, if required, to summarize the facts brought out at the public hearings and submit its findings to the East Providence Waterfront special development district commission. At its public hearing, the commission will receive such evidence as the parties may present and may approve, modify or reject the recommendations of the design review committee and the hearing panel. Decisions of the commission shall be in writing and shall state the facts upon which the decision is based.

**SECTION VI.** Section 19-478 entitled “Issuance of permits” of Article IX entitled “Waterfront Special Development Districts” of Chapter 19 entitled “Zoning” is hereby amended to read as follows:

**Sec. 19-478. Issuance of permits.**

- (a) Upon making a decision, the commission shall file with the building inspector, or such other duly delegated authority, a certificate of approval or certificate of rejection of all plans submitted to it for review. No construction and/or demolition shall begin until a certificate of approval has been filed. In the event the commission issues a certificate of rejection, such certificate of rejection shall be binding upon the building inspector or other duly delegated authority, and no permit shall be issued in such case.
- (b) In the event that a certificate of approval is issued, the applicant must then file the certificate of approval with the building inspector when requesting a permit. The applicant shall make no changes to the plans after issuance of a certificate of approval without the written consent of the commission or a duly authorized commission official, in accordance with written procedures established by the commission and applicable in a uniform and non-discriminatory manner to all applicants who have received certificate of approval for plans.
- (c) No permit shall be granted by the city building inspector until the commission has acted thereon and is hereinafter provided, and no construction or alteration of a structure may be undertaken without such permit.
- (d) Follow-up review. At the completion of design development and at other times as the commission may deem appropriate, the developer shall submit additional design materials to the commission for the purpose of determining whether the developer is proceeding in accordance with the certificate of approval. The developer shall notify the commission of any design changes subsequent to the date of the certificate of approval on a follow-up review form provided by the commission.
- (e) Time limit on approval. The approval of a plan, or modification or amendment thereof, shall remain effective for a period of two years from the date of the recorded Notice of Decision. Vesting may be extended for a subsequent one-year period, for good cause shown, if requested in writing by the applicant prior to the expiration of the initial two-year period, and approved by the East Providence Waterfront Special Development District Commission. Vesting shall include all general and specific conditions as shown on the recorded Notice of Decision and/or plan. No more than three one-year extensions shall be considered. At the termination of the extension period, submission and approval of a new application shall be required. Requests for extension of time shall be made to the executive director and accompanied by a check payable to the East Providence Waterfront Commission in the amount of Five Hundred Dollars (\$500.00).

**SECTION VII.** Section 19-481 entitled “Schedule of use regulations” of Article IX entitled “Waterfront Special Development Districts” of Chapter 19 entitled “Zoning” is hereby amended to read as follows:

**Sec. 19-481. Schedule of use regulations.**

The following is a schedule of use regulations:

Y = Yes, permitted use

N = No, prohibited use

C = Conditional use

	Northern Waterfront Districts			Southern Waterfront Districts		
Use	Phillipsdale Subdistrict	Dexter Rd. and Pawtucket Ave. Subdistricts	Crook Pt. and Taunton Ave. Subdistricts	Bold Pt. Subdistrict	Veterans Subdistrict	Kettle Pt. Subdistrict
<b>RESIDENTIAL AND RELATED USES</b>						
One-family	C	N	N	N	C	C
Two-family	Y	N	N	N	Y	Y
Three-family	Y	N	C	N	Y	Y
Apartment/condominium	Y	C	Y	Y	Y	Y
Community residences	<del>Y</del>	N	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>
Artisan live/work	Y	Y	Y	Y	<del>N</del> Y	<del>N</del> Y
Continuing care	N	N	C	C	C	N
<b>RETAIL BUSINESS</b>						
Apparel and accessory stores	Y	Y	Y	Y	Y	C
Art galleries	Y	Y	Y	Y	Y	Y
Café	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>P</del> Y
Cigar Lounge	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>P</del> Y
Funeral home, mortuary	C	Y	C	C	N	N
Furniture, home furnishings and appliances	Y	Y	Y	Y	N	N
Gasoline dispensing facilities	C	C	N	C	N	N
General merchandise	Y	Y	Y	Y	N	C
Grocery stores	Y	Y	Y	Y	C	C

	Northern Waterfront Districts			Southern Waterfront Districts		
Use	Phillipsdale Subdistrict	Dexter Rd. and Pawtucket Ave. Subdistricts	Crook Pt. and Taunton Ave. Subdistricts	Bold Pt. Subdistrict	Veterans Subdistrict	Kettle Pt. Subdistrict
Microbrewery/distillery	Y	Y	Y	Y	Y	C
Office supplies and equipment	Y	Y	Y	Y	N	N
Printing or publishing	Y	Y	Y	Y	N	N
Package liquor stores	Y	Y	Y	Y	Y	Y
Specialty stores	Y	Y	Y	Y	Y	€Y
<b>EATING AND DRINKING ESTABLISHMENTS</b>						
Restaurants, coffee shops, delicatessens, and ice cream parlors, with indoor and/or outdoor seating	Y	Y	Y	Y	C	C
Fast food restaurants	N	C	C	C	N	N
Taverns, bars, lounges, pubs and similar establishments	Y	Y	Y	Y	C	C
Entertainment/clubs	Y	Y	Y	Y	C	C
<b>LODGING</b>						
Bed and breakfast	C	N	C	C	C	C
Conference center	C	N	Y	Y	<del>N</del> C	N
Hotel	C	N	C	C	C	N
Motel	N	N	C	C	N	N
<b>OFFICE USES</b>						
Banks	Y	Y	Y	Y	Y	Y

Use	Northern Waterfront Districts			Southern Waterfront Districts		
	Phillipsdale Subdistrict	Dexter Rd. and Pawtucket Ave. Subdistricts	Crook Pt. and Taunton Ave. Subdistricts	Bold Pt. Subdistrict	Veterans Subdistrict	Kettle Pt. Subdistrict
Business offices	Y	Y	Y	Y	C	C
Corporate headquarters	Y	Y	Y	Y	C	C
Call-in center	<del>Y</del>	Y	C	N	N	N
Government offices	<del>Y</del>	Y	C	Y	N	N
Post offices	Y	Y	Y	Y	C	C
HEALTH SERVICES						
Medical offices, <b>outpatient services</b>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>	<del>Y</del>
Medical research, engineering or testing laboratory	Y	Y	C	C	N	N
Nursing, congregate care, assisted living and convalescence homes	C	N	C	C	N	N
Veterinary offices/clinics	C	Y	C	C	N	N
PERSONAL SERVICES						
Child day care centers, nursery schools	Y	N	Y	Y	Y	Y
Dry cleaners	Y	Y	Y	Y	C	C
Family child care homes	Y	N	N	N	Y	Y
<del>Funeral parlors and mortuaries</del>	<del>C</del>	<del>N</del>	<del>C</del>	<del>C</del>	<del>N</del>	<del>N</del>
Hair salon/barber shop	Y	Y	Y	Y	Y	Y

Use	Northern Waterfront Districts			Southern Waterfront Districts		
	Phillipsdale Subdistrict	Dexter Rd. and Pawtucket Ave. Subdistricts	Crook Pt. and Taunton Ave. Subdistricts	Bold Pt. Subdistrict	Veterans Subdistrict	Kettle Pt. Subdistrict
Laundromats	Y	Y	Y	Y	C	C
Massage therapy* and/or massage therapy establishment*	C	C	C	C	C	C
Personal services	Y	Y	Y	Y	Y	Y
Pharmacies	C	N	C	C	C	C
<b>RECREATION AND CULTURE</b>						
Auditoriums and places of assembly	Y	C	Y	Y	€Y	C
Boat and yacht clubs	Y	C	Y	Y	Y	Y
Bowling alley	€Y	N	Y	Y	N	N
Business and trade schools	€Y	Y	Y	N	N	N
Dance studio, yoga, martial arts hall	€Y	<del>NY</del>	Y	Y	<del>NC</del>	<del>NC</del>
<del>Design Studio</del>						€
Farmers market	C	C	Y	C	N	N
Film Studio	Y	Y	Y	Y	C	C
Gallery, art	Y	Y	Y	Y	Y	Y
Health fitness centers and <del>dance studios</del>	€Y	<del>NY</del>	Y	Y	C	C
Libraries	Y	Y	Y	Y	Y	Y



Use	Northern Waterfront Districts			Southern Waterfront Districts		
	Phillipsdale Subdistrict	Dexter Rd. and Pawtucket Ave. Subdistricts	Crook Pt. and Taunton Ave. Subdistricts	Bold Pt. Subdistrict	Veterans Subdistrict	Kettle Pt. Subdistrict
Marinas/boat launching facilities	Y	Y	Y	Y	Y	Y
Municipal facility	Y	Y	Y	Y	Y	Y
Museums	Y	Y	Y	Y	C	C
Nonprofit clubs; civic, social or fraternal	€Y	N	Y	Y	C	C
Park, playground or playfield	Y	N	Y	Y	Y	Y
Photography Studio	Y	Y	Y	Y	Y	C
Places of worship	Y	C	C	C	C	N
Public or private elementary, junior high or high school	Y	N	Y	Y	Y	Y
Recreation, indoor	€Y	C	Y	Y	N	N
Recreation, outdoor	C	N	C	C	C	C
<del>Indoor</del> Theater, indoor	€Y	N	C	Y	N	N
Watershed protection or supply	Y	Y	Y	Y	Y	Y
<b>LIGHT INDUSTRIAL/FLEX TECH USES</b>						
Accessory retail industry	C	C	N	N	N	N
Agriculture and aquiculture, indoor (excluding plants with THC)	C	N	N	N	N	N
Artisan design and fabrication	Y	Y	Y	Y	C	C

Use	Northern Waterfront Districts			Southern Waterfront Districts		
	Phillipsdale Subdistrict	Dexter Rd. and Pawtucket Ave. Subdistricts	Crook Pt. and Taunton Ave. Subdistricts	Bold Pt. Subdistrict	Veterans Subdistrict	Kettle Pt. Subdistrict
Business accelerator, incubator	Y	Y	Y	Y	N	N
Distribution center or warehouse	<del>C</del> N	<del>C</del> Y	<del>N</del> C	N	N	N
<del>Distribution center or Warehouse</del>	C	Y	N	N	N	N
Flex tech, less than 20,000 sf	<del>C</del> Y	Y	C	N	N	N
Flex tech, 20,000 sf or greater	C	C	N	N	N	N
Industrial or manufacturing related office	<del>C</del> Y	Y	N	N	N	N
Light manufacturing	<del>C</del> Y	Y	N	N	N	N
Open storage	N	C	N	N	N	N
Printing and publishing, bulk	<del>C</del> Y	Y	C	C	N	N
Research and development	<del>C</del> Y	Y	Y	<del>C</del> Y	<del>N</del> Y	<del>N</del> Y
Sale of business and/or industrial equipment and supplies	<del>C</del> Y	Y	N	N	N	N
Software design and advanced manufacturing	Y	Y	Y	Y	C	N
Storage, interior only (excluding mini/self-storage units with separate exterior accesses)	Y	C	N	N	N	N
Wholesale showroom with storage and repair facilities	C	C	N	N	N	N

	Northern Waterfront Districts			Southern Waterfront Districts		
Use	Phillipsdale Subdistrict	Dexter Rd. and Pawtucket Ave. Subdistricts	Crook Pt. and Taunton Ave. Subdistricts	Bold Pt. Subdistrict	Veterans Subdistrict	Kettle Pt. Subdistrict
<b>OTHER USES</b>						
Parking structure	Y	Y	Y	Y	C	C
Marine transport	C	C	C	C	C	C
Transit shelters, <b>ferry/water taxi docks</b>	Y	Y	Y	Y	Y	Y
<b>UTILITIES</b>						
Communication services and broadcasting offices	C	C	N	N	N	N
Public utilities not otherwise mentioned	C	C	C	C	C	C
Radio, television or wireless telecommunication antennas	C	C	C	C	C	C
<b>ACCESSORY USES AND STRUCTURES</b>						
Bank ATM machines	Y	Y	Y	Y	Y	Y
Boat, kayak, canoe rental	C	C	C	C	C	C
Commercial satellite dishes	C	C	C	C	C	C
Construction trailer	C	C	C	C	C	C
Home occupation	C	N	C	C	C	C
Fences and walls	Y	Y	Y	Y	Y	Y
Indoor rack boat storage	<b>€Y</b>	C	C	C	C	C
Off-street parking areas	Y	Y	Y	Y	Y	Y

	Northern Waterfront Districts			Southern Waterfront Districts		
Use	Phillipsdale Subdistrict	Dexter Rd. and Pawtucket Ave. Subdistricts	Crook Pt. and Taunton Ave. Subdistricts	Bold Pt. Subdistrict	Veterans Subdistrict	Kettle Pt. Subdistrict
<b>PROHIBITED USES</b>						
The specific prohibited uses enumerated herein and in section 19-96 are in addition to any and all other uses which are prohibited in accordance with sections 19-4 and 19-98.						
Adult oriented businesses						
Automobile rental agencies						
Billboards						
Bulk storage of chemicals <b>as a principal use</b>						
Car wash						
Cemetery						
Drive-through facilities						
Dumps and sanitary fills						
Farming, <b>except for indoor agriculture and aquiculture</b>						
<b>Indoor agriculture with plants with THC (Tetrahydrocannabino)</b>						
Heavy industry						
Hospitals						
Junk and salvage yards						
Mini/self-storage <b>with separate exterior accesses</b>						
Mobile homes						
Motor vehicle sales						
Motor vehicle supply stores						

	Northern Waterfront Districts			Southern Waterfront Districts		
Use	Phillipsdale Subdistrict	Dexter Rd. and Pawtucket Ave. Subdistricts	Crook Pt. and Taunton Ave. Subdistricts	Bold Pt. Subdistrict	Veterans Subdistrict	Kettle Pt. Subdistrict
Motor vehicle repair						
Radio, television or wireless communication towers						

**SECTION VIII.** Section 19-482 entitled “Performance standards” of Article IX entitled “Waterfront Special Development Districts” of Chapter 19 entitled “Zoning” is hereby amended to read as follows:

**Sec. 19-482. Performance standards.**

Flexible and creative lot layout and site design is encouraged to promote a mix of residential, commercial, office and public uses in a vibrant pedestrian oriented environment. The following performance standards delineate provisions for site development for uses permitted in the various sub-districts in the waterfront district.

The intent of the performance standards is to control the location of buildings to define and contain the street space, and to concentrate and reinforce pedestrian activity. Buildings in the waterfront district should reinforce the characteristics consistent with urban waterfront areas, with "build to" lines maintained for most of their frontage at the edge of the public right-of-way.

(A) Land Use	(B) Land Allocation	(C) Lots and Buildings	(D) Streets and Ways	(E) Off-Street Parking
<i>No change proposed to 1. to 7.</i>				
8. Business uses includes land designated for office, medical offices, light industry, artisan, warehousing, instructional and other uses by conditional use provision approval.	1. Business use lots shall have a minimum of 100 feet of frontage.	1. There shall be no front yard setback requirement. 2. Building coverage shall not exceed 70 percent of the lot area. 3. Building height shall not	1. Business lots/tracts shall front on public streets/ways which have a minimum right-of-way of 50 feet, with two travel lanes, parallel parking on both sides, and six-foot sidewalks. 2. Street trees shall be planted-a	1. There shall be one parking space per 250 square feet for office and medical office uses. 2. There shall be one space per 500 square feet for all other uses <b>except uses identified in 7, below.</b> 3. Off street parking may be to the side or rear of the building. 85 percent of the parking

		exceed three stories.	maximum of 60 feet on both sides of streets. 3. Service alleys at the rear of commercial lots are encouraged.	must be provided on the site. 4. There shall be a limit of two parking bays on one side of a lot, or one bay or each side. 5. To the maximum extent practicable, general parking is not permitted in the front of a building lot. 6. Where a business use abuts a residential use parking must be screened. 7. For light industry, artisan, warehousing, 1 space per 500 sf or 0.5 spaces per employee on the largest shift if located within 1000 feet of a bus stop and 0.8 spaces per employee if located more than 1000 feet from a bus stop (with a minimum of two spaces per unit).
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**SECTION IX.** Section 19-483 entitled “Site development criteria” of Article IX entitled “Waterfront Special Development Districts” of Chapter 19 entitled “Zoning” is hereby amended to read as follows:

**Sec. 19-483. Site development criteria.**

*No changes proposed to (a) to (h)*

(i) Signage standards.

- (1) Signage and graphics within the waterfront district ~~will~~ **shall** introduce visitors and motorists to the area, direct them, and provide a means for orientation and wayfinding. Use of high quality graphics is essential to the overall visual experience. Informational and directional signs should serve as gateway elements and complement the landscape and architectural style of the overall development. Signs should be simple in form and color, and be clearly legible.

*No changes made to (2) to (11)*

- (12) **Temporary signs are permitted for a period not to exceed 12 months. Up to one temporary sign may be permitted off-premises with the written approval of the property owner. Temporary signs may not be placed within a public right of way. Signage shall meet the standards of Sec. 19-483 (i) (1)-(11). Banners or flags may be permitted for up to two**

months and must be replaced or removed when tattered, faded, or torn. All temporary signage or banners shall be removed at the end of the permitted period at the owner's expense. Application and fee for a temporary sign permit shall be made to the East Providence Waterfront Special Development District Commission.

**SECTION X.** Section 19-485 entitled "Affordable/inclusionary housing" of Article IX entitled "Waterfront Special Development Districts" of Chapter 19 entitled "Zoning" is hereby amended to read as follows:

**Sec. 19-485. Affordable/inclusionary housing.**

Developers of new market rate single-and/or multi-family housing developments within the waterfront district are required to provide affordable housing units for low- and moderate-income households in order to ensure safe, decent and affordable housing to families, elderly and people with special needs.

- (1) The provisions of this article shall apply to all new residential development or property conversions resulting in five or more parcels or new dwelling units intended and designed for permanent occupancy which receives subdivision, conditional use or design review committee approval after the effective date of this article.
- (2) In projects of five or more dwelling units, a ten percent minimum inclusionary requirement shall apply for low- to moderate-income households. If, in the applications of the requirements of this article, a decimal fraction unit requirement is obtained, an in-lieu fee shall be provided equal to the applicable decimal fraction cost of a full housing unit.
- (3) ~~Before issuance of any building permit, t~~The applicant may request that the commission allow the applicant to make a payment of an in-lieu fee for constructing affordable housing units **with submission of the complete application for project approval. The commission shall not consider any subsequent application for in-lieu funding.** The commission shall consider the following issues, among others, in making this determination: the reasons the applicant desires to pay the in-lieu fee; the types of housing proposed for the development; the difference in price between the affordable units and the market priced units; and the public benefit that would be obtained by not building the units on-site. The applicant shall pay for the number of affordable dwelling units, or partial units that subsection (2) above would otherwise require, according to the following fee schedule.
- (4) The commission shall promulgate rules and regulations regarding calculation of the housing in-lieu fee **in accordance with R.I.G.L. § 45-24-46.1**, said fee to be commensurate with the value that would have been provided through the actual construction of the affordable units. The housing in-lieu fee shall be reviewed by the commission every three years. The commission shall use money received under this subsection only for the construction and promotion of affordable housing.
  - a. Fifty percent of any fee required pursuant to this section shall be paid **p**rior to the issuance of a building permit for the project. The remaining 50 percent shall be paid in full before a certificate of occupancy is issued for any unit in the housing project.

- b. Any fee required by this section shall be secured by execution of an irrevocable letter of credit in favor of the commission or other security acceptable by the commission for the total amount of the obligation. The letter of credit or other acceptable security shall be delivered to the commission prior to the issuance of a building permit for the housing development. The letter of credit or other security shall be released and returned to the applicant immediately upon final payment of said fees paid to the East Providence Waterfront Commission Affordable Housing Fund.
- (5) Construction of inclusionary units shall be provided at the same time as other units within the development, with ten percent of the units in each phase of the residential development dedicated at the time building permits are issued, and identified as such on the site plan or development plan and final subdivision plat, as applicable. The completion of inclusionary units in a project shall be comparative to the completion of the market-rate units.
- (6) Inclusionary units must be distributed throughout the development.
- (7) The inclusionary units shall be substantially the same as the market rate units or buildings in exterior materials and finish. The developer may reduce either the size or provide less expensive interior amenities for the inclusionary units as long as there are not significant differences visible from the exterior of the units and the size, fixtures and design of the units are reasonably consistent with the market rate units in the project, provided all units conform to the requirements of local building codes in effect at the time.
- (8) Only qualified households shall be eligible to occupy or own and occupy the inclusionary units. Developers may utilize an entity such as a non-profit housing corporation or a public housing authority to obtain qualified applicants. Developers shall select only qualified households to occupy or own and occupy inclusionary units. Immediate relatives of developers, by virtue of their position or relationship, are ineligible to occupy inclusionary units.
- (9) The executive director shall promulgate rules and regulations governing the affordable housing programs, including the eligibility for purchasers and renters of affordable housing units. Those rules and regulations shall govern household size, household makeup, and household income, and shall be consistent with The U.S. Department of Housing and Urban Development's Program Income Eligibility Determination Guidelines. Sales prices for affordable units will shall be determined based on these same references. The income limits, sales prices, and rental rates will shall be determined based on these same references. The income limits, sales prices, and rental rates shall be updated annually as soon as HUD releases the median income updates and shall be made available to the public immediately thereafter by inclusion in the city's affordable housing program guidelines and information and through the city's CDBG office, planning and building inspection departments.
- (10) When inclusionary units are required, a deed restriction shall be recorded setting forth the applicable restrictions in this chapter. The minimum period of affordability for inclusionary units are as follows:
- a. Projects receiving public subsidies shall maintain affordability for a period of not less than 40 30 years or a different period when required by city or state law. A program to assure continued affordability for these units shall be administered by the commission or by a non-profit housing agency approved by the commission.



- b. Inclusionary units which are built without public subsidies shall be required to maintain affordability for a period of ~~30~~<sup>40</sup> years or for a different period when required by city or state law. A program to assure continued affordability for these units shall be administered by the commission or by a non-profit housing agency approved by the commission. The applicant shall enter into an agreement with the commission or its designee to provide monitoring and to assure the affordability of the inclusionary units for a period of not less than ~~40~~<sup>30</sup> years from the effective date of occupancy. The executive director shall be authorized to enter into such an agreement on behalf of the city. The approved agreement shall be recorded with the city clerk prior to the issuance of a building permit for the project.
  - 1. All buyers of "for sale" inclusionary units shall enter into a Resale Agreement with the commission or its designee prior to the close of escrow for such inclusionary unit (a standard form option agreement instrument shall be reviewed and approved by the commission). The resale agreement shall specify the required affordability term, shall provide for an option for the commission or its designee to designate an eligible purchaser and shall provide the commission or its designee with first right of refusal to purchase the units, and shall provide for a calculation of future equity assignment upon sale of the unit. Such agreement shall be recorded against each lot or unit.
  - 2. Conversion of an inclusionary rental unit to a "for sale" unit, if otherwise permitted, shall not void any provisions of applicable inclusionary housing agreements or requirements.

(11) Each owner of any rental inclusionary units shall submit an annual report to the commission by January 31 for the previous calendar year, identifying monthly rental rates, vacancy status of each inclusionary unit, income status for residents and any other related data deemed necessary by the commission while ensuring privacy for all residents. The deed restriction for ownership units shall require conformance reporting upon sale of ownership of inclusionary units.

**SECTION XI.** This ordinance shall take effect upon passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Adopted: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk of the City of East Providence, Rhode Island

Requested by: Waterfront District Commission

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

CHAPTER

AN ORDINANCE IN AMENDMENT OF CHAPTER 13 OF THE  
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,  
RHODE ISLAND, 1998, AS AMENDED, ENTITLED "PUBLIC PLACES"

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

**SECTION I.** Article IV entitled "Library" of Chapter 13 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled "Public Places" is amended by **deleting** therefrom Sec. 13-161 entitled "Library fees".

**Sec. 13-161. Library fees.**

The fees for overdue library material are hereby fixed as follows:

- (1) — Books (per day).....\$0.10
- (2) — Audio books (per day).....0.10
- (3) — CD's, videos, DVD's (per day).....2.00
- (4) — Museum passes (per day).....5.00
- (5) — Miscellaneous library fees:
  - a. — Printing from computers (per page)..... 0.15
  - b. — Library card replacement.....1.00
  - c. — Use of meeting room (plus custodial fee).....75.00

**SECTION II.** This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Given first passage and referred to at 7:00 PM for consideration of  
final passage; and adopted

Attest:

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City Clerk of the City of East Providence, Rhode Island

Introduced by: Council President Britto



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**RESOLUTION NO.**

**RESOLUTION REQUESTING THAT EQUITABLE STATE FINANCING  
BE PROCURED FOR THE OPERATION OF THE  
EAST PROVIDENCE WATERFRONT COMMISSION**

**WHEREAS**, the East Providence Waterfront Special Development District Commission (the Commission) was created by Rhode Island State Law Chapter 345 enacted on 7/17/2003. The Commission was created to oversee, plan, implement and administer the development of the areas within the District as outline in the Charter established by the State of Rhode Island and the City of East Providence. The Commission functions and conducts its business and activities in a manner consistent with plans approved for the District by the City and the Commission, and as appropriate or necessary, by Commerce RI.

The Commission has been charged with facilitating the transformation of the East Providence waterfront into a model of urban revitalization. Its work will help shape the East Providence waterfront for the next one hundred years.

The Rhode Island environmental waterfront improvements from these developments will improve current site conditions while protecting and enhancing the natural environment. Public waterfront development will provide the public with improved access to the coastline. Economic Development will stimulate both short and long term economic opportunities in East Providence and Rhode Island. The fiscal impact will have a positive impact on local and state government. Mixed-use waterfront development will, in the aggregate, provide a self-sustaining mix of commercial, residential, institutional, light industrial, civic and recreational uses. Quality waterfront development projects are of high quality in terms of purpose, planning, architecture and materials.

**WHEREAS**, the Commission is made up of nineteen members as follows: five members appointed by the City Council with a 4 year term; five members appointed by the Governor, one with an expertise in the following areas: architecture, planning, labor, finance, and commercial real estate for a 4 year term; the Mayor and Governor jointly appoint one member who acts as chairperson for a 4 year term; there are six ex officio, non-voting members as follows: the City Manager, the City Planning Director, the Publics Works Director, the Executive Director of the R.I. Economic Development Corporation, the Director of the Department of Transportation, the Director of the Department of Environmental Management or an associate director designated by the director.

**WHEREAS**, BAXTER DANSEREAU & ASSOCIATES, LLP Accounting, Consulting & Tax Services completed an independent audit of the governmental activities for each major fund of the Commission as of and for the year ended June 30, 2018; and

**WHEREAS**, in the opinion of BAXTER DANSEREAU & ASSOCIATES, LLP Accounting, Consulting & Tax Services, the financial statements referred to above present fairly in all material respects the respective financial position of the governmental activities and each major fund of the Commission as of June 30, 2018, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America; and

**WHEREAS**, as of June 30, 2018, the Commission independent audit reports while there are positive balances in all categories of Net Position for the governmental entity as a whole, operating expenses continue to exceed operating revenues; and

**WHEREAS**, the Commission receives no funding from the City of East Providence or State of Rhode Island; and

**WHEREAS**, the Commission has been highly successful in advancing economic growth within the City of East Providence and the State of Rhode Island with **some** examples listed below:

**Kettle Point**

University Orthopedics hosted a ribbon cutting ceremony on May 23, 2018 to celebrate the opening of its most recent location at 1 Kettle Point Ave. The 90,000 s/f medical offices and surgery center offers the latest in orthopedic treatments. East Providence is proud to add University Orthopedics to its portfolio of high-profile medical offices and to welcome over 100 jobs.

Long Rock Cove LLC is proceeding with construction of phased development of 62 condominium units, with 15 units occupied by the end of FY 18. Condos are 3-bedroom residences in duplex townhouses that average 2,100 square feet. Many have frontage on Long Rock Cove.

By the close of FY 18, AR Building Company began leasing the first of three apartment buildings. Apartments average 1,000 square feet. Phase I construction includes three four-story Class A apartment buildings totaling 135 units, a clubhouse, and car barns. Phase II construction is anticipated in 2019 to bring the total units to 228.

Public improvements completed in 2018 include access to the East Bay Bike Path, public open space and Squantum Woods, with direct access to the waterfront. The \$78 million project includes \$8.75 million in public improvements and marks the remediation and redevelopment of the former AMOCO-ARCO tank farm and fueling facility on the East Providence waterfront. Tax Increment Financing (TIF) was important to fund public infrastructure improvements.

**Chevron**

In FY 18, the Chevron Land & Development Co. proceeded with plans to re-envision the Southern Waterfront as a mixed use, arts and entertainment district that extends north to the South Quay, Bold Point Park and Tockwotton. Discussion began regarding

modification of the 2010 TIF to mimic the Kettle Point TIF terms. This will enhance development opportunities, enable construction of Waterfront Drive south from Bold Point Park, and assure public access to the waterfront.

### **Waterfront Productions/Live Nation**

RI Waterfront Events at Bold Point Park continued with year 2 of a 3-year City lease. Attendance tripled with 13 events scheduled. An average of 3,000 attended each event, a significant increase from the first year.

### **Baer Supply Company**

Located at 10 New Road in the Pawtucket Avenue Sub District is one of the nation's leading specialty wholesale distributors to the woodworking industry. Phase 1 of the project 90,000 square feet of warehouse space and 10,000 square feet of office space was completed in 2009. Phase II, a 50,000 square foot addition, was completed in early 2012.

The site is approximately seven acres, located adjacent to the former Fram building. The new 100,000 square foot building houses 90,000 square feet of warehouse and 10,000 square feet of office space with associated parking areas. The building is served by a new rail spur by Providence & Worcester Railroad. Baer Supply Company is one of the nation's leading specialty wholesale distributors to the woodworking industry. They offer an extensive inventory of decorative and functional hardware and fittings, tools, shop supplies, surfacing materials, and board and panel products.

Baer Supply, acquired by the Wurth Group of Germany in 1997, is a multi-national distributor of fasteners, fittings and a wide variety of industrial products and is the world's largest fastener distribution. They have over 300 member companies in 80 countries on five continents.

### **Sky Zone Indoor Trampoline Park**

Jump City Providence LLC is a 25,000 square foot indoor trampoline park located in an existing building at 70 Pawtucket Avenue. It features linked trampolines for open jumping, fitness classes, corporate events, team play, and birthday parties. Sky Zone has hired approximately forty-six full- and part-time employees, including four managers. The project received approval from the Waterfront Commission and opened in December 2012. Since opening, Sky Zone has donated hundreds of free passes to local youth and community groups and has spent tens of thousands of dollars on services provided by other East Providence businesses.

### **Eaton Corporation**

Eaton Corporation, a critical manufacturer of components used in the aerospace industry, is leasing approximately 145,000 square feet of the existing 340,000 square foot building at 10 New Road. Eaton employs over 200 people at its East Providence facility and expects to add an additional fifty new employees in the next 3-5 years. Eaton Corporation opened in the East Providence Waterfront District in May of 2013. In September 2013, Eaton "adopted" the new Oldham School in East Providence, providing volunteers and funding for on-going school projects. The East Providence Waterfront Development District Commission was

awarded \$5 million in funding from the US Department of Commerce Economic Development Administration for renovations to the building that houses Eaton. The funding was part of a pool of funding that Senators Reed and Whitehouse helped to create to assist Rhode Island businesses that were hurt by the floods that devastated Rhode Island in March of 2010.

### **Ross Commons**

The first of the City's waterfront projects to receive City and State permits, including approval from the Waterfront District Commission. The approximately \$6 million project was developed by the Peregrine Development Group and New England Construction entails the construction of 54 condominiums consisting of one- and two-bedrooms, as well as 4,000 square feet of office space on four acres at the northwest corner of Bourne and Roger Williams Avenues. Six of the condominium units are priced as "affordable," as required by the Waterfront Development District Plan. The project started construction in October of 2004; the majority of the units are now occupied.

### **Aspen Aerogels, Inc.**

A nanotechnology company headquartered outside Boston, selected a property in the Dexter Road portion of the Waterfront District as the site of its new manufacturing facility in the 2005. Aspen spent \$30 million to retrofit a 140,000 square foot formerly abandoned industrial plant to meet the needs of its commercial, military and aerospace customers. Aspen is a leading manufacturer of high performance insulating materials known as aerogels. Since 2005, the company has expanded numerous times, both on- and off-site.

Aspen is expanding with a \$30 million 3 project underway at its East Providence site. The new line is Aspen's first step in its long-term strategy to expand production capacity and will increase the facility's capacity by 25 percent to meet growing customer demand.

### **Squantum Woods**

Squantum Woods park recently underwent the construction of controls to improve the flow of storm water that currently runs through the park and causes flooding, scouring and erosion. Phase 1 of the project was completed in December of 2011. The park re-opened in 2013. The silt contained in the road runoff contributes to the growth of the invasive Phragmites plant; removing the silt will help keep the pond free of the plants. Phase 2 work included removing the Phragmites and dredging the pond and is being funded by the Village on the Waterfront project on the nearby Chevron property.

The project was funded by the US Environmental Protection Agency (EPA), through the efforts of Senator Jack Reed. It was a cooperative project between the EPA, the Waterfront District Commission, the East Providence Parks Department, the East Providence Department of Public Works, and Chevron Land & Development Corp.

### **Tockwotton on the Waterfront, Assisted Living and Nursing Center**

Tockwotton on the Waterfront is a 156-unit assisted living facility with the look and feel of a seaside resort adjacent to Bold Point Park in the southern portion of the Waterfront District. The \$52.2 million nursing and assisted living center replaces its existing 140-year old

building in the Fox Point neighborhood of Providence. The five-story structure has three components: an assisted living area, a separate component for residents with Alzheimer's or impaired memory problems, and a skilled nursing care unit. The Tockwotton Home is 138,000 square feet and employs 100 people on a budget of \$8 million. Construction was completed in January of 2013.

**WHEREAS**, it is re-iterated that the potential for waterfront development in East Providence is very beneficial to the Rhode Island economy in terms of employment opportunities and tax base growth.

**WHEREAS**, it is noted that the Commission does not receive any City or State funding for its operation. All monies are obtained through the acceptance of project fees and permits, etc. There have been no tax credits of any kind either requested or given to any developer since the inception of the Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of East Providence respectfully requests that the Rhode Island General Assembly, the Governor of Rhode Island and the Mayor of East Providence, or their authorized representatives, meet with the leadership of the Commission for the purpose of requesting appropriate State funding for the continued operation of the Commission.

**BE IT FURTHER RESOLVED** that the City Clerk send a copy of this Resolution to the Governor of the State of Rhode Island, the President of the Rhode Island Senate, the Speaker of the Rhode Island House of Representatives and the Senators and Representatives from the City of East Providence and the Mayor from the City of East Providence.

Adopted by the City Council:

Attest:

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City Clerk of East Providence, Rhode Island

Requested by: Councilman at Large Robert P. Rodericks



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**RESOLUTION NO.**

**RESOLUTION IN SUPPORT OF PROPOSED LEGISLATION  
ALLOWING THE HERITAGE HARBOR FOUNDATION  
PERMANENT EXEMPTION FROM TAXATION**

**WHEREAS**, the Heritage Harbor Foundation is acknowledged by the IRS as a 501(c)(3) public charitable organization; and

**WHEREAS**, the Heritage Harbor Foundation is acknowledged by the state as a Rhode Island non-profit corporation that uses its facility located at 1445 Wampanoag Trail, Condominium Unit 201 exclusively for educational purposes by awarding grants to other non-profits or funding projects for the study and public knowledge of Rhode Island history, heritage and culture; and

**WHEREAS**, the property to be exempt is specifically described within the City of East Providence on Map 811, Block 01, Parcel 013-201 (Condominium Unit 201) and said exemption shall only be applied to said unit; and

**WHEREAS**, the Heritage Harbor Foundation will be requesting that legislation be introduced in the Rhode Island General Assembly granting it permanent exemption from taxation.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of East Providence hereby supports the request of the Heritage Harbor Foundation for permanent exemption from taxation.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of East Providence hereby requests that the City Clerk send a copy of this Resolution to the Governor of the State of Rhode Island, the Lieutenant Governor of the State of Rhode Island, the President of the Rhode Island Senate, the Speaker of the Rhode Island House of Representatives, and the Senators and Representatives from the City of East Providence.

This resolution shall become effective upon its passage.

Adopted by the City Council: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk of East Providence, Rhode Island

Requested by: Council President Britto



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**RESOLUTION NO.**

**RESOLUTION DECLARING MAY AS MENTAL HEALTH  
AWARENESS MONTH IN EAST PROVIDENCE**

**WHEREAS**, Mental Health Awareness Month was started in the United States in 1949 by the Mental Health America organization; and

**WHEREAS**, all Americans experience times of difficulty and stress in their lives; and

**WHEREAS**, prevention is an effective way to reduce the burden of mental illnesses; and

**WHEREAS**, with early and effective treatment, those individuals with mental illnesses can recover and lead full, productive lives; and

**WHEREAS**, Mental Health Awareness Month strives to raise awareness and educate the public and to reduce the negative attitudes and misconceptions that surrounds mental illnesses; and

**WHEREAS**, each business, school, government agency, healthcare provider, organization, and citizen shares the burden of mental illnesses and has a responsibility to promote mental wellness and support prevention efforts.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of East Providence hereby authorizes the Mayor of the City of East Providence to proclaim May 2019 as:

**MENTAL HEALTH AWARENESS MONTH**

Adopted by the City Council: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk of East Providence, Rhode Island

Introduced by: Council President Robert Britto

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**RESOLUTION NO.**

**RESOLUTION IN SUPPORT OF LEGISLATION TO ESTABLISH AN  
OCEAN STATE CLIMATE ADAPTATION AND RESILIENCE FUND (OSCAR)**

**WHEREAS**, the impacts of climate change upon Rhode Island's built and natural environments are wide-ranging, discernible and documented, and in many cases growing in severity and include sea level rise, coastal erosion, storm surge and riverine flooding; and

**WHEREAS**, as of 2016, maximum sea level rise is projected by the National Oceanic and Atmospheric Administration (NOAA) to be approximately one foot (1') in 2035, two feet (2') in 2050 and up to nine feet (9') by 2100; and

**WHEREAS**, over the last century, both mean and extreme precipitation events have increased in Rhode Island and the largest number of extreme precipitation events (precipitation greater than 2 inches) have occurred in the most recent decade; and

**WHEREAS**, the production, transport and use of fossil fuels have significant impacts on the environment; and

**WHEREAS**, the use of fossil fuels releases carbon dioxide and methane, two greenhouse gases that trap the earth's heat within the atmosphere leading to climate change impacts; and

**WHEREAS**, climate change has and will continue to pose significant risks for state and municipal infrastructure and our environment, public health, welfare, and economic well-being; and

**WHEREAS**, restoring floodplains to increase flood storage capacity will reduce vulnerability of infrastructure to riverine flooding; and

**WHEREAS**, public access to the shoreline will be threatened by sea level rise and coastal erosion; and

**WHEREAS**, Rhode Island's low lying infrastructure is at risk and municipalities and the state, must begin to plan and implement projects that adapt infrastructure on public lands to the impacts of climate change, including flooding, erosion, sea level rise, and storm surge; and

**WHEREAS**, adaptation projects will reduce the vulnerability of low-lying infrastructure through measures that include removal, relocation, and redesign of infrastructure, replacing undersized culverts and regrading eroding banks, and

**WHEREAS**, reducing the vulnerability of our infrastructure is vital to the economic prosperity and quality of life of the citizens of the state.

**NOW, THEREFORE, BE IT RESOLVED** that the East Providence City Council supports passage of the House Bill 5628 and Senate Bill 412 entitled “An Act Relating to Waters and Navigation – the Climate Change Coastal Adaptation Trust Fund” by the Rhode Island General Assembly.

**BE IT FURTHER RESOLVED** that the City Clerk send a copy of this Resolution to the Governor of the State of Rhode Island, the Lieutenant Governor of the State of Rhode Island, the President of the Rhode Island Senate, the Speaker of the Rhode Island House of Representatives and the Senators and Representatives from the City of East Providence.

Adopted by the City Council: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk of East Providence, Rhode Island

Introduced by: Councilman Cahoon

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**CITY OF EAST PROVIDENCE**

**RESOLUTION NO.**

**RESOLUTION RATIFYING THE MEMORANDUM OF UNDERSTANDING  
DATED NOVEMBER 14, 2018 BETWEEN THE CITY AND THE  
INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS LOCAL 569**

**WHEREAS**, the prior administration negotiated a Memorandum of Understanding which allowed for the addition of one (1) Captain to the East Providence Police Department; and

**WHEREAS**, that agreement was signed by the City Manager and the President of the International Brotherhood of Police Officers Local 569 on or about November 14, 2018; and

**WHEREAS**, the Law Department has determined that the Memorandum of Understanding was never ratified by the City Council of the City of East Providence; and

**WHEREAS**, under Rhode Island law, City Council approval is necessary for any change or modification to a previously ratified collective bargaining agreement.

**NOW, THEREFORE, BE IT RESOLVED** in order to effectuate the intent of the parties to the Memorandum of Understanding, the City Council of the City of East Providence hereby accepts, ratifies, and approves of the attached Memorandum of Understanding effective immediately.

Adopted by the City Council: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk of East Providence, Rhode Island

Introduced by: Council President Robert Britto

## Memorandum of Understanding

### 3.02 STAFFING LEVELS – RANKING OFFICERS

The City will maintain in the Police Department a ranking officer complement consisting of:

- (A) Four (4) Captains
- (B) Nine (9) Lieutenants

A Lieutenant or Officer of higher rank shall be in command of the Police Station at all times. Nothing shall prevent the naming of an Acting Lieutenant in the case of a long term illness or disability. The appointment of an Acting Lieutenant may occur after thirty (30) days of absence, or as soon as it is known that the absence will last thirty (30) days or longer, for the duration of the incapacity.

One (1) Lieutenant will be assigned to the Office of Professional Standards. This selection will be made by the Chief of Police.

All Lieutenants not otherwise assigned will be assigned to the Patrol Division Platoon System.

- (C) Fourteen (14) Sergeants

One (1) Sergeant shall be assigned to the Traffic Unit. This selection shall be based on qualifications and initiative from the top three (3) senior Sergeants who apply for the position. At the discretion of the Chief of Police, the Traffic Unit Sergeant may be assigned to special duties or assigned to Patrol. This assignment shall not exceed ninety (90) days.

One (1) Sergeant will be assigned to the Office of Professional Standards. This selection will be made by the Chief of Police.

One (1) Sergeant will be assigned to the Bureau of Criminal Identification (BCI.) This selection will be based on qualifications and initiative from the top three (3) senior Sergeants who apply for the position.

All Sergeants not otherwise assigned will be assigned to the Patrol Division Platoon System.

- (D) Fifteen (15) Detectives

So long as the budgeted strength of the permanent sworn Police Officers is not less than ninety (90), then there shall be fifteen (15) Detectives.

Two (2) Detectives will be assigned to duty from 3:00 p.m. to 11:00 p.m. Selection to this shift will be based on seniority.

Two (2) Detectives will be assigned to the Juvenile Unit.

Three (3) Detectives will be assigned to the Bureau of Criminal Identification (BCI)

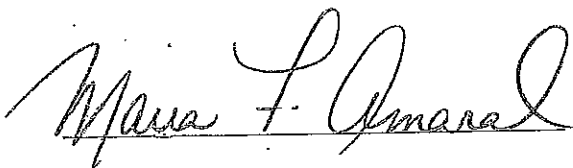
The City will not be required to fill vacancies in these units (Night Detective, Juvenile, & BCI) in the event of absence due to sickness, vacation, compensatory time, personal days, and injured on duty. When it is necessary for the Department to fill rank and acting capacities, it will be done so in order of rank in forty-five (45) day increments.



City Manager



Union President IBPO Local 569



Notary

**MARIA F. AMARAL**  
Notary Public, State of Rhode Island  
Commission Expires: 5/17/2021

Effective this 14 day of November 2018.