

# RESOLUTION OF THE CITY COUNCIL

No. 646

*Approved* November 22, 1996

WHEREAS, Petitioner Joshua Miller on behalf of Trinity Beerworks, Inc. located at 186 Fountain Street, Providence, Rhode Island seeks to undertake the construction of a seasonal structure for sidewalk seating adjacent to the aforementioned premises; and

WHEREAS, the Petitioner has secured the appropriate licenses/permits from the Department of Public Works; and

WHEREAS, the sidewalk cafe permit which petitioner possesses relates to temporary seating expansion only,

NOW, THEREFORE, BE IT RESOLVED That Trinity Beerworks, Inc., the Petitioner, is granted permission to extend seating into the public way adjacent to both the Aborn and Fountain Streets sides of its location in accordance with the schematic attached as hereto at Exhibit "A." Said grant is expressly conditioned upon the following and petitioner assents to the conditions by undertaking any act to effect any permission granted hereunder: (1) The petitioner shall undertake all construction in accordance with the plans provided to the Department of Inspection and Standards, the Department of Public Works and to the City Council Committee on Public Works as those plans may have been amended by said departments or Council Committee, (2) Said structure shall be erected not earlier than 15 April in each year nor dismantled not later than 15 November in each year, (3) Petitioner shall construct and maintain said structure in accordance with all rules and regulations applicable to sidewalk cafes promulgated by the Department of Public Works except for those which relate to the temporary nature of the seating; (4) Petitioner shall maintain the surrounding area in a clean and presentable manner, (5) The Petitioner shall in no way impede or hinder pedestrian and vehicular traffic other than to the extent of any encroachment permitted herein, (6) The Petitioner shall supply an insurance policy in an amount of not less than One Hundred Thousand Dollars (\$100,000.00) with the City of Providence, its agents, officers, servants and employees as additional named insured. Said policy shall be issued by a company licensed to do business in the State of Rhode Island, (7) Said permission granted herein shall extend for fifteen

THE COMMITTEE ON  
*Public Works*  
Recommends *Colonies*  
*Jim M. Anglin*  
Clerk  
8/8/95

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution  
*Barbara A. Carver*  
Clerk  
10/16/96

(15) years from the date of passage of this Resolution and shall not run with the land, (8) The Petitioner acknowledges any representation made by him before any department or council committee is incorporated by reference herein, (9) The Petitioner shall execute in a form acceptable to the City Solicitor a hold-harmless and indemnification agreement saving the City from liability from the erection, dismantling, maintenance or existence of said seasonal seating structure.

IN CITY COUNCIL  
NOV 21 1996  
READ AND PASSED  
*Evelyn V. Fargnoli*  
PRES.  
*Michael R. Clement*  
CLERK

APPROVED  
NOV 22 1996  
*Vincent A. Cianci*  
MAYOR

ITY BREWHOUSE OUTSIDE  
ATING

ABORN ST.

REAR  
DOOR

SIDEWALK  
10'6"

6'3"W

25'L

15  
SEATS

6'3"W

22'4"L

SEATS 15

FRONT  
DOOR

6'

48"

firebox

FOUNTAIN ST.

Trinity Beerworks, Inc.  
186 Fountain Street  
Providence, Rhode Island 02903

August 10, 1996

Mr. Michael Clement  
City Clerk  
City Hall  
Providence, Rhode Island 02903

Dear Mr. Clement:

On the recommendation of Public Works Director James Suzman, Please include us on the agenda of the next meeting of the Public Works Subcommittee. We have built a seasonal structure for sidewalk seating under Public Works Permit #9-a. It meets all Public Works and Building and Inspection standards. Thank you for your co-operation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua Miller", with a stylized flourish at the end.

Joshua Miller  
President  
Trinity Beerworks, Inc.

cc:

John D'Amico, City Solicitor  
John Lombardi, City Council

THE COMMITTEE ON  
*Public Works*  
Recommends *Continued*  
*Jean M. Anglin*  
8/8/95 Clerk

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution  
*Barbara A. Davis*  
10/16/99 Clerk

Sept. 24, 1996

Trinity Brewhouse  
186 Fountain st.  
Providence, R.I. 02903

Councilman John Lombardi Esq.  
City Hall  
Providence, R.I. 02903

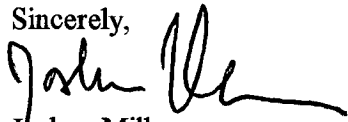
Dear Councilman Lombardi,

On our behalf, would the City Council please take under consideration the closure of Aborn Street, between Washington and Fountain Streets, on Saturday, October 5, from 9:00 am until Midnight. We have seasonal expansion of premises and have applied for entertainment and use of Public Park permits (The Mews).

I have already discussed Street closure with Irene Testa at Dept. of Traffic Engineers. Park, Street and part of sidewalk would be used for an "Oktoberfest" in cooperation with WBRU to benefit AS220, from 4:00pm until 10:00pm.

If you need any further information, please contact Joshua Miller at Trinity Brewhouse, Phone 453-2337.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua Miller", with a stylized flourish at the end.

Joshua Miller  
President, Trinity Beerworks, Inc.

FILED

SEP 25 1 00 PM '96

DEPT. OF JUSTICE  
PROVIDENCE, R.I.



Trinity Beerworks, Inc.  
186 Fountain Street  
Providence, Rhode Island 02903

August 10, 1996

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Joshua Miller  
President  
Trinity Beerworks, Inc.

cc:

John D'Amico, City Solicitor  
John Lombardi, City Council

DEPARTMENT OF PUBLIC WORKS

NO. 9-A

LICENSE

THIS IS TO CERTIFY, THAT \*\*\* TRINITY BREWHOUSE

is hereby licensed by the Director of Public Works of the City of Providence to occupy not more than 1380 square feet of (sidewalk/roadway) in front of NO. 186 FOUNTAIN STREET for the placement of a sidewalk cafe, during business hours, with a seating capacity of not more than 40.

The conditions of this license are, that the said licensee shall, at all times and in all respects, carefully and truly observe the laws and ordinances relating thereto, and the rules and regulations and conditions which have been, or may hereafter be established by the Director of Public Works. This License shall not be transferred and must be displayed at all times.

\*\*\*\* This License shall expire on the 31st day of December 19 96.

\$100.00 Fee

Providence, RI

3-14 19 96

Serald Morio

Director of Public Works

CITY OF PROVIDENCE



LICENSE NO. 23

EXPANSION OF PREMISES

GRANTED TO:

TRINITY BEERWORKS, INC.

LOCATION:

186 FOUNTAIN STREET

SEASONAL:

MAY 1st, 19

96

TO:

OCTOBER 31st, 19

96

FEE: \$100.00

SEVEN DAYS OR LESS:

FEE: \$25.00

DATES

This license is granted subject to all the laws of the State of Rhode Island and all ordinances, rules and regulations of the City of Providence and may be suspended at any time for cause, or revoked after hearing by the Board of Licenses.

DATE ISSUED:

6/14/96

PER ORDER OF THE BOARD, Raymond Dettore, Jr.,

ISSUING CLERK:

Chairman & Secretary

*[Signature]*

*[Signature]*

Ramzi

Flaris -  
Shenach

*Lombardi, by Request*

Trinity Beerworks, Inc.  
186 Fountain Street  
Providence, Rhode Island 02903

August 10, 1996

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City Hall  
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Sincerely,



Joshua Miller  
President  
Trinity Beerworks, Inc.

cc:

John D'Amico, City Solicitor  
John Lombardi, City Council

~~Stevens~~ ~~St~~ Lombardi  
Brew Paterson  
Juntani, to

Place table and  
Chair  
Loverack



Stevens

Ferdinand C. Ihenacho, P.E.

Director



VINCENT A. CIANCI, JR.

Mayor

## Department of Public Works

September 5, 1996

*"Building Pride In Providence"*

Mr. Josh Miller, President/Owner  
Trinity Brewhouse  
186 Fountain Street  
Providence, RI 02903

RE: **Sidewalk Cafe**  
**(Unapproved Semi-permanent/Permanent Structure)**

Dear Mr. Miller:

It has come to my attention that a semi-permanent structure has been constructed within the public right-of-way on the sidewalk, on Fountain Street adjacent to the Trinity Brewhouse.

Be advised that the Sidewalk Cafe License granted to you by this Department, is for tables and chairs that are to be removed and stored at the end of each business day. Subsequently, the semi-permanent structure is in violation of the license.

I understand that your facility engaged in a similar practice in 1995 and I assume that you are fully aware of the program regulations and Chapter 23, Section 24, (23.24), Article I of the Code of Ordinances of the City of Providence. In the interest of public safety and in accordance with said rules, regulations and ordinance, you are hereby being notified to remove the semi-permanent structure on Fountain Street and to cure the non-compliance within forty-eight (48) hours from the date of receipt of this notice. Failure to comply with this directive will result in other punitive actions in accordance with the City of Providence Code of Ordinances.

Very truly yours,

A handwritten signature in black ink, appearing to read "F. Ihenacho".

Ferdinand C. Ihenacho, P.E.  
Director

FCI:cs

cc: Gerald Florio  
John D'Amico, Law Dept.  
Richard Atichson, Board of License  
Ramzi Loqa, Dept. of Inspection & Standards  
Councilman Robert M. Clarkin

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

700 Allens Avenue ● Providence, Rhode Island 02905

(401) 467-7950 (Voice) ● 751-0203 (TDD) ● 941-2567 (Facsimile)

COMMUNICATION FROM JOSHUA MILLER, TRINITY  
BEERWORKS, INC., 186 FOUNTAIN STREET, PROVIDENCE, R.I.  
02903, REQUESTING TO BUILD A SEASONAL STRUCTURE FOR  
SIDEWALK SEATING UNDER PUBLIC WORKS PERMIT #95-03.

- 11 -

August 8, 1995

JOHN D'AMICO: What about an installation date are you going to keep it up or take it down.

JOSHUA MILLER: Take it down and store it.

JOHN D'AMICO: I would anticipate that you will be putting it up next spring.

JOSHUA MILLER: I would say no latter than April 1 and I think that is early.

JAMES SUZMAN: What about April 15 because of daylight savings.

JOHN D'AMICO: So it is April 15 to November 15.

COUNCILWOMAN WILLIAMS: So we are approving this that from here on in we are giving you permission to do that? How much of the sidewalk can people walk on?

JOSHUA MILLER: There is seven feet of sidewalk but there are three obstructions one is a box for the fire alarm a fire hydrant and a tree and they all have plenty of room except where the tree is.

CHAIRMAN CLARKIN: Maybe you might be asked to take the tree down and put one almost of the same size in a different spot.

JOHN D'AMICO: Do you have a set of plans for this?

JOSHUA MILLER: I can get you a set.

CHAIRMAN CLARKIN: We will not act on this until we get the plans.

On motion of Councilwoman Williams, seconded by Councilman Allen, it is voted to continue the foregoing matter.

CHAIRMAN CLARKIN: All those in favor.

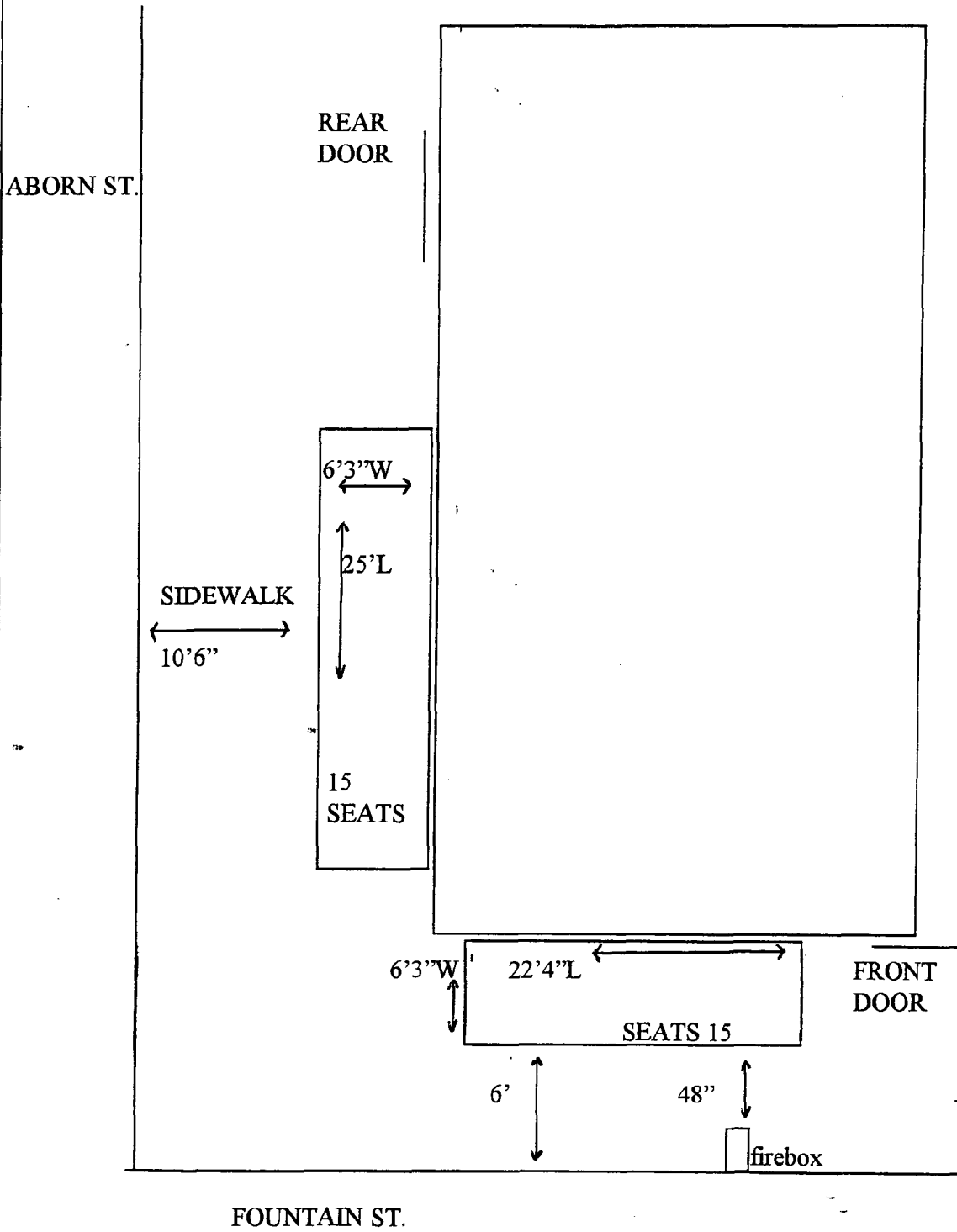
COMMITTEE: Aye.

CHAIRMAN CLARKIN: All those opposed.

APPLICATION FROM GARY R. JEROME, MERIT OIL OF R.I.,



TRINITY BREWHOUSE OUTSIDE  
SEATING



Ferdinand C. Ihenacho, P.E.

Director



VINCENT A. CIANCI, JR.

Mayor

*Bob Clarke*

Department of Public Works

September 5, 1996

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TRINITY BREWHOUSE OUTSIDE  
SEATING

