

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 26 City Council Regular Meeting, Thursday, January 21, 1988, 7:30 P.M. (E.S.T.)

IN CITY COUNCIL

ER 4 1988

APPROVED:

PRESIDING

Rose M. Marchese CLERK

COUNCIL PRESIDENT

NICHOLAS W. EASTON

ROLL CALL

Present: Council President Easton, Councilwoman Brassil, Councilman Dillon, Councilwoman Fagnoli, Councilmen Farmer, Glavin, Lombardi, Lopes, O'Connor and Rollins—10.

Absent: Councilmen Annaldo, Cola, Councilwoman DiRuzzo, Councilmen Petrosinelli and Stravato—5.

INVOCATION

The Invocation is given by COUNCILMAN DAVID G. DILLON.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

COUNCILMAN DONALD J. LOPES leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF RECORD

The Journal of Proceedings No. 25 of the Regular Meeting of the City Council held January 7, 1988 and Posted January 12, 1988 on that Bulletin Board located on the Ground Floor Level of City Hall, is Approved as Printed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication, dated January 15, 1988, Informing the Honorable City Council that Pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, He is Appointing the Honorable Matthew J. Smith of 86 Pontiac Avenue, Providence, RI, as a Member of the Board of Park Commissioners, for a Term Expiring in January of 1991.

January 15, 1988

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, Rhode Island 02903

Dear Honorable Members:

Pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, I am this day appointing the Honorable Matthew J. Smith of 86 Pontiac Avenue, Providence, Rhode Island, as a member of the Board of Park Commissioners for a term expiring in January of 1991, replacing John A. Daluz, Jr., who has resigned.

Respectfully submitted,

JOSEPH R. PAOLINO, JR.
Mayor of Providence

Received.

Communication, dated January 14, 1988, Informing the Honorable City Council that Pursuant to Sections 302(b) and 1005 of the Providence Home Rule Charter of 1980, He is Appointing Mr. Alfred Passarelli of 91 Ridge Street, Providence, RI, as a Member of the Recreational Advisory Board, for a Term Expiring in January of 1990.

January 14, 1988

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, Rhode Island 02903

Dear Honorable Members:

Pursuant to Sections 302(b) and 1005 of the Providence Home Rule Charter of 1980, I am this day appointing Mr. Alfred Passarelli of 91 Ridge Street, Providence, Rhode Island, as a member of the Recreational Advisory Board, for a term expiring in January of 1990, replacing Pamela Gilbert, whose term has expired.

Respectfully submitted,

JOSEPH R. PAOLINO, JR.
Mayor of Providence

Received.

SCHEDULE OF BILLS

FROM CITY CONTROLLER:

Street Lighting Bill from Narragansett Electric Company for December, 1987, in the Amount of One Hundred Twenty Thousand, Nine Hundred Thirty Dollars and Eight Cents (\$120,930.08).

Approved, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Council-

woman Brassil, Councilman Dillon, Councilwoman Fagnoli, Councilmen Farmer, Glavin, Lopes, O'Connor and Rollins—9.

Noes: None.

Absent: Councilmen Annaldo, Cola, Councilwoman DiRuzzo, Councilmen Lombardi, Petrosinelli and Stravato—6.

The motion for Approval, is Sustained.

ORDINANCES SECOND READING

The following Ordinances were in City Council January 7, 1988, Read and Passed the First Time, and are Returned for Passage the Second Time:

An Ordinance making an Appropriation of Fourteen Million, Six Hundred Twenty-Six Thousand, Nine Hundred Ninety-Seven Dollars (\$14,626,997.00) for the Support of the Providence Water Supply Board for the Fiscal Year Ending June 30, 1988.

Be it ordained by the City of Providence:

Section 1. Chapter 1986-33, as approved June 26, 1986, is hereby repealed.

WATER SUPPLY BOARD
EXPENDITURE BUDGET 1988

<i>Administration</i>		
01-000	Salaries	\$ 279,767.00
100	Services	240,400.00
200	Materials	33,000.00
300	Special Items	1,406,331.00
500	Capital and Major Maintenance	<u>460,000.00</u>
	Total	\$ 2,419,498.00

<i>Commercial</i>		
02-000	Salaries	\$ 794,600.00
100	Services	1,348,100.00
200	Materials	<u>27,500.00</u>
	Total	\$ 2,170,200.00

Operations

03-000 Salaries	\$ 3,330,546.00
100 Services	1,027,100.00
200 Materials	1,295,500.00
700 Main Extensions	—0—
Total	\$ 5,653,146.00

Planning and Engineering

04-000 Salaries	\$ 304,073.00
100 Services	15,600.00
200 Materials	10,500.00
Total	\$ 330,173.00

05-342 Taxes	\$ 2,290,100.00
06-431 Contrib. to Retirement	459,332.00
07-398 Federal Old Age	345,169.00
08-311 Interest on Bonds	464,461.00
09-802 Retirement of Bonds	490,000.00
10-391 Unemployment	—0—
Water Department Total	\$14,622,079.00

REVENUES 1988

Sales of Water	\$14,226,997.00
Miscellaneous	400,000.00
	\$14,626,997.00
Surplus	\$ 4,918.00

Section 2. This Ordinance shall take effect July 1, 1987.

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the Water Supply Board and Repealing Ordinance Chapter 1986-34, Approved June 26, 1986, as Amended.

Be it ordained by the City of Providence:

Section 1. The number of Employees in the Water Supply Board Administration shall not exceed thirteen (13). There shall be no more than:

- 1 Chief Engineer Clerical
- 1 Administrative Assistant — WSB
- 1 Attorney — Water
- 1 Chairman — Water Supply Board
- 1 Chief Engineer/General Manager
- 1 Environmental Assistant — Water
- 3 Member — Water Supply Board
- 1 Principal Engineer — Systems — WSB
- 1 Secretary to Chief Engineer
- 1 Technical Advisor — Water
- 1 Water Quality Supervisor — Water

Section 2. The number of Employees in the Water Supply Board Commercial shall not exceed thirty-six (36). There shall be no more than:

- 2 Account Collector
- 1 Assistant Manager Income/Water
- 1 Billing/Collection Assistant
- 1 Chief Meter Reader — Water
- 1 Claims Assistant — Water
- 2 Clerk III
- 4 Clerk IV
- 1 Controller — WSB
- 1 Director of Administration — Water
- 1 Manager Accounting, WSB
- 1 Manager, Income — Water
- 1 Manager, Information Systems — WSB
- 9 Meter Reader I
- 1 Meter Reader II
- 2 Payroll/Personnel Assistant
- 1 Purchasing Clerk — WSB
- 6 Water Supply Board Clerk

Section 3. The number of Employees in the Water Supply Board Operations shall not exceed one hundred forty-six (146). There shall be no more than:

- 1 Associate Engineer III
- 1 Assistant Director of Operations — Distribution
- 1 Assistant Director of Operations — Supply
- 1 Charwoman
- 1 Claims Assistant — Water
- 1 Clerk IV
- 1 Director of Operations/Assistant General Manager

1 Distribution Clerical Assistant — Water
 1 Electrician — Water
 2 Engineering Aide III
 1 Environmental Assistant — Water
 1 Equipment Mechanic — WSB
 11 Equipment Operator
 1 Facility Security — Water
 1 Forest Supervisor
 1 Forest Technician — Water
 4 Heavy Equipment Operator
 1 Junior Chemist I
 1 Junior Chemist II — WSB
 2 Laboratory Technician II
 24 Laborers
 1 Land Management Specialist
 6 Meter Mechanic
 1 Operation Inspector I — Water
 1 Operation Inspector II — Water
 1 Operations Clerk — WSB
 1 Principal Bacteriologist
 1 Principal Chemist — Water
 7 Rainguage Keeper
 1 Schedule/Dispatcher
 2 Senior Equipment Mechanic
 6 Stationary Equipment Operator
 4 Stationary Equipment Operator I
 1 Superintendent, Distribution System
 1 Superintendent, Quality Control
 1 Superintendent, Water Construction
 1 Superintendent, Water Plant Operations
 1 Superintendent, Water Resources
 8 Supervisor, Water Maintenance Crew
 1 Supervisor, Safety and Training
 2 Supervisor, Water Plant Operations
 1 Supervisor, Watershed Maintenance
 3 Switchboard Operator I
 1 Water Laboratory Supervisor
 1 Water Plant Electronic Repairman I
 1 Water Plant Electronic Repairman II
 4 Water Plant Mechanic I
 3 Water Plant Mechanic II
 9 Water System Mechanic
 4 Watershed Inspector
 6 Watershed Mechanic I

3 Watershed Mechanic II
 3 Water Supply Board Clerk

Section 4. The number of Employees in the Water Supply Board Planning and Engineering shall not exceed thirteen (13). There shall be no more than:

1 Associate Engineer II
 1 Director of Planning and Engineering
 2 Draftsman — WSB
 2 Engineering Project Coordinator
 3 Engineering Aide III
 2 Principal Engineer — WSB
 1 Senior Principal Engineer
 1 Water Supply Board Clerk

Section 5. This Ordinance shall take effect July 1, 1987.

Severally Read and Collectively Passed, the Second Time, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilwoman Brassil, Councilman Dillon, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Lopes, O'Connor and Rollins—9.

Noes: None.

Absent: Councilmen Annaldo, Cola, Councilwoman DiRuzzo, Councilmen Lombardi, Petrosinelli and Stravato—6.

The motion for Passage the Second Time, is Sustained.

The following Ordinance was in City Council January 7, 1988, Read and Passed the First Time, as Amended, and is Returned for Passage the Second Time, as Amended:

An Ordinance Establishing a Compensation Plan for the Water Supply Board and Repealing Chapter 1986-35, Approved June 26, 1986, as Amended.

Be it ordained by the City of Providence:

Section 1. The following Compensation Plan is hereby adopted as the Official Compensation Plan for the Water Supply Board:

Position	Pay Grade or Rate	Postition	Pay Grade or Rate	
		Director of Administration (Water Supply)	46,000.00	yr.
		Director of Operations/ Assistant General Manager, Water	49,500.00	yr.
		Director of Planning and Engineering, Water	39,800.00	yr.
		Distribution Clerical Assistant, Water	14	
		Draftsman, Water Supply Board	12	
Account Collector	11	Electrician (Water Supply)	20,857.00	yr.
Administrative Asssitant (Water Supply)	\$32,000.00 yr.	Engineering Aide III	15	
Assistant Director of Operations (Water Distribtution)	39,800.00 yr.	Engineering Project Coordinator	28,900.00	yr.
Assistant Director of Operations (Water Supply)	39,800.00 yr.	Environmental Assistant (Water Supply)	26,500.00	yr.
Assistant Manager Income/ Water	30,000.00 yr.	Equipment Mechanic, Water	10.01	hr.
Associate Engineer II	24	Equipment Operator	9.48	hr.
Associate Engineer III	28	Facility Security (Water Supply)	20,202.00	yr.
Attorney, Water	27,534.00 yr.	Forest Supervisor, Water	34,000.00	yr.
Billing/Collection Assistant, Water	14	Forest Technician (Water Supply)	25,000.00	yr.
Chairman, Water Supply Board	3,000.00 yr.	Heavy Equipment Operator	9.70	hr.
Charwoman	270.12 wk.			
Claims Assistant, Water	23,000.00 yr.	Junior Chemist I, Water	14	
Clerk III	5	Junior Chemist II, Water	16	
Clerk IV	9			
Controller, Water	39,800.00 yr.	Laborer	9.37	hr.
Chief Engineer Clerical (Water Supply)	15	Laboratory Technician II	12	
Chief Engineer/General Manager	57,000.00 yr.	Land Management Specialist, Water	33,000.00	yr.
Chief Meter Reader, Water	10.37 hr.			

Position	Pay Grade or Rate		Position	Pay Grade or Rate	
Manager, Accounting, Water	35,600.00	yr.	Stationary Equipment Operator I	9.50	hr.
Manager, Information Systems, Water	35,600.00	yr.	Superintendent, Water Construction	35,600.00	yr.
Manager, Income — Water Supply Board	35,600.00	yr.	Superintendent, Distribution System, Water	35,600.00	yr.
Member, Water Supply Board	2,400.00	yr.	Superintendent, Quality Control	35,600.00	yr.
Meter Mechanic	10.03	hr.	Superintendent, Water Plant Operations	35,600.00	yr.
Meter Reader I	9.70	hr.	Superintendent, Water Resources	35,600.00	yr.
Meter Reader II	10.03	hr.	Supervisor, Water Maintenance Crew	33,000.00	yr.
Operations Clerk, Water Supply Board	13		Supervisor, Safety and Training	30,000.00	yr.
Operations Inspector I, Water	11		Supervisor, Water Plant Supervisor, Watershed Maintenance	33,000.00	yr.
Operations Inspector II, Water	13		Switchboard Operator I	4	
Payroll/Personnel Assistant, Water	14		Technical Advisor (Water Supply)	27,534.00	yr.
Principal Engineer, Water	36,300.00	yr.	Water Laboratory Supervisor	34,000.00	yr.
Principal Engineer System, Water	39,800.00	yr.	Water Plant Mechanic I	9.49	hr.
Principal Bacteriologist, Water	33,000.00	yr.	Water Plant Mechanic II	10.26	hr.
Principal Chemist (Water Supply)	33,000.00	yr.	Water Supply Board Clerk	11	
Purchasing Clerk, Water Supply Board	13		Water System Mechanic	10.26	hr.
Rainuage Keeper	20.00	wk.	Watershed Inspector	9.68	hr.
Scheduler/Dispatcher	10.53	hr.	Watershed Mechanic I	9.49	hr.
Secretary to Chief Engineer, Water	15		Watershed Mechanic II	10.26	hr.
Senior Equipment Mechanic, Water	10.37	hr.	Water Plant Electronic Repairman I	9.66	hr.
Senior Principal Engineer, Water	39,800.00	yr.	Water Plant Electronic Repairman II	10.00	hr.
Stationary Equipment Operator	9.52	hr.	Water Quality Supervisor	39,800.00	yr.

Section 2. This Ordinance shall take effect
July 1, 1987.

Be it Ordained by the City of Providence:

<i>GRADE STEP</i>	<i>WEEKLY</i>	<i>ANNUAL</i>	<i>GRADE STEP</i>	<i>WEEKLY</i>	<i>ANNUAL</i>
			9.3	\$346.79	\$18,032.94
			9.4	\$351.79	\$18,293.18
			9.5	\$358.04	\$18,618.21
1.1	\$281.77	\$14,651.97	10.1	\$344.30	\$17,903.36
1.2	\$284.27	\$14,782.09	10.2	\$348.04	\$18,098.27
1.3	\$286.77	\$14,912.21	10.3	\$353.05	\$18,358.52
1.4	\$291.77	\$15,171.91	10.4	\$359.30	\$18,683.55
1.5	\$295.53	\$15,367.36	10.5	\$365.55	\$19,008.58
2.1	\$288.02	\$14,977.00	11.1	\$350.55	\$18,228.40
2.2	\$291.77	\$15,171.91	11.2	\$355.60	\$18,491.36
2.3	\$294.27	\$15,302.03	11.3	\$360.54	\$18,748.34
2.4	\$299.27	\$15,562.27	11.4	\$366.80	\$19,073.37
2.5	\$303.02	\$15,757.18	11.5	\$373.05	\$19,398.40
3.1	\$295.53	\$15,367.36	12.1	\$358.04	\$18,618.21
3.2	\$298.03	\$15,497.48	12.2	\$363.05	\$18,878.46
3.3	\$300.52	\$15,627.06	12.3	\$368.05	\$19,138.70
3.4	\$305.53	\$15,887.30	12.4	\$373.05	\$19,398.40
3.5	\$309.27	\$16,082.21	12.5	\$379.41	\$19,729.42
4.1	\$303.02	\$15,757.18	13.1	\$365.55	\$19,008.58
4.2	\$305.53	\$15,887.30	13.2	\$369.30	\$19,203.49
4.3	\$308.03	\$16,017.42	13.3	\$374.30	\$19,463.73
4.4	\$311.78	\$16,212.33	13.4	\$379.41	\$19,729.42
4.5	\$316.78	\$16,472.58	13.5	\$387.44	\$20,147.00
5.1	\$309.27	\$16,082.21	14.1	\$373.05	\$19,398.40
5.2	\$311.78	\$16,212.33	14.2	\$379.41	\$19,729.42
5.3	\$315.18	\$16,389.28	14.3	\$387.44	\$20,147.00
5.4	\$319.28	\$16,602.70	14.4	\$394.65	\$20,521.58
5.5	\$323.03	\$16,797.61	14.5	\$402.15	\$20,911.94
6.1	\$316.78	\$16,472.58	15.1	\$379.41	\$19,729.42
6.2	\$319.28	\$16,602.70	15.2	\$387.44	\$20,147.00
6.3	\$321.78	\$16,732.82	15.3	\$393.49	\$20,461.69
6.4	\$326.79	\$16,993.06	15.4	\$402.15	\$20,911.94
6.5	\$330.54	\$17,187.97	15.5	\$408.91	\$21,263.10
7.1	\$323.03	\$16,797.61	16.1	\$387.44	\$20,147.00
7.2	\$326.79	\$16,993.06	16.2	\$394.12	\$20,494.35
7.3	\$329.28	\$17,122.64	16.3	\$402.15	\$20,911.94
7.4	\$333.04	\$17,318.09	16.4	\$408.91	\$21,263.10
7.5	\$336.79	\$17,513.00	16.5	\$417.47	\$21,708.46
8.1	\$330.54	\$17,187.97	17.1	\$394.65	\$20,521.58
8.2	\$333.04	\$17,318.09	17.2	\$402.15	\$20,911.94
8.3	\$335.54	\$17,448.21	17.3	\$408.91	\$21,263.10
8.4	\$340.54	\$17,707.91	17.4	\$417.47	\$21,708.46
8.5	\$344.30	\$17,903.36	17.5	\$424.63	\$22,080.85
9.1	\$336.79	\$17,513.00	18.1	\$402.15	\$20,911.94
9.2	\$341.79	\$17,773.24	18.2	\$408.91	\$21,263.10

<i>GRADE STEP</i>	<i>WEEKLY</i>	<i>ANNUAL</i>	<i>GRADE STEP</i>	<i>WEEKLY</i>	<i>ANNUAL</i>
18.3	\$417.47	\$21,708.46	27.3	\$509.67	\$26,502.79
18.4	\$424.63	\$22,080.85	27.4	\$521.99	\$27,143.60
18.5	\$433.19	\$22,525.66	27.5	\$536.02	\$27,873.15
19.1	\$408.91	\$21,263.10	28.1	\$486.93	\$25,320.27
19.2	\$417.47	\$21,708.46	28.2	\$504.46	\$26,231.66
19.3	\$424.63	\$22,080.85	28.3	\$514.95	\$26,777.19
19.4	\$433.19	\$22,525.66	28.4	\$527.21	\$27,414.73
19.5	\$441.82	\$22,974.82	28.5	\$546.50	\$28,418.13
20.1	\$417.47	\$21,708.46	29.1	\$495.64	\$25,773.25
20.2	\$424.63	\$22,080.85	29.2	\$516.64	\$26,865.39
20.3	\$433.19	\$22,525.66	29.3	\$536.02	\$27,873.15
20.4	\$441.82	\$22,974.82	29.4	\$555.25	\$28,872.74
20.5	\$449.32	\$23,364.64	29.5	\$574.60	\$29,879.41
21.1	\$424.63	\$22,080.85	30.1	\$516.64	\$26,865.39
21.2	\$434.66	\$22,602.43	30.2	\$537.70	\$27,960.26
21.3	\$444.70	\$23,124.54	30.3	\$555.25	\$28,872.74
21.4	\$453.87	\$23,601.47	30.4	\$574.60	\$29,879.41
21.5	\$467.55	\$24,312.51	30.5	\$593.85	\$30,880.09
22.1	\$433.19	\$22,525.66	31.1	\$525.45	\$27,323.27
22.2	\$443.23	\$23,047.78	31.2	\$546.50	\$28,418.13
22.3	\$452.39	\$23,524.16	31.3	\$564.05	\$29,330.62
22.4	\$464.02	\$24,129.04	31.4	\$583.35	\$30,334.02
22.5	\$478.11	\$24,861.85	31.5	\$606.17	\$31,520.90
23.1	\$441.82	\$22,974.82	32.1	\$546.50	\$28,418.13
23.2	\$450.78	\$23,440.32	32.2	\$564.05	\$29,330.62
23.3	\$462.33	\$24,041.38	32.3	\$583.35	\$30,334.02
23.4	\$471.72	\$24,529.20	32.4	\$602.65	\$31,337.97
23.5	\$486.93	\$25,320.27	32.5	\$623.72	\$32,433.38
24.1	\$449.97	\$23,398.40	33.1	\$564.05	\$29,330.62
24.2	\$458.83	\$23,858.99	33.2	\$583.34	\$30,333.47
24.3	\$474.59	\$24,678.92	33.3	\$604.96	\$31,457.74
24.4	\$483.37	\$25,135.16	33.4	\$623.72	\$32,433.38
24.5	\$495.64	\$25,773.25	33.5	\$642.94	\$33,432.97
25.1	\$456.17	\$23,720.71	34.1	\$583.35	\$30,334.02
25.2	\$472.85	\$24,588.00	34.2	\$606.17	\$31,520.90
25.3	\$492.19	\$25,594.12	34.3	\$623.72	\$32,433.38
25.4	\$502.61	\$26,135.84	34.4	\$642.94	\$33,432.97
25.5	\$516.64	\$26,865.39	34.5	\$662.31	\$34,440.19
26.1	\$470.61	\$24,471.49	35.1	\$602.35	\$31,322.18
26.2	\$481.56	\$25,040.97	35.2	\$623.72	\$32,433.38
26.3	\$493.90	\$25,682.87	35.3	\$642.94	\$33,432.97
26.4	\$513.20	\$26,686.27	35.4	\$662.31	\$34,440.19
26.5	\$525.45	\$27,323.27	35.5	\$681.53	\$35,439.78
27.1	\$478.11	\$24,861.85			
27.2	\$490.37	\$25,499.39			

Read and Passed, the Second Time, as Amended, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilwoman Brassil, Councilman Dillon, Councilwoman Fagnoli, Councilmen Farmer, Glavin, Lopes, O'Connor and Rollins—9.

Noes: None.

Absent: Councilmen Annaldo, Cola, Councilwoman DiRuzzo, Councilmen Lombardi, Petrosinelli and Stravato—6.

The motion for Passage the Second Time, as Amended, is Sustained.

PRESENTATION OF ORDINANCE

COUNCILWOMAN BRASSIL (By Request):

An Ordinance in Amendment of and in Addition to Chapter 21, of the Code of Ordinances of the City of Providence Granting Department Heads the Authority to Compromise certain Municipal Claims.

Referred to the Committee on Ordinances, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer, is Sustained.

REPORTS FROM COMMITTEES

COUNCILMAN ANDREW J. ANNALDO, Chairman
COMMITTEE ON CITY PROPERTY

Transmits the following with Recommendation the Same be Adopted:

Resolution Authorizing His Honor the Mayor to Execute a Lease with Providence Marine Realty, Inc., for a Certain Tract of Land, Containing Approximately 24,656 Square Feet, More or Less.

Resolved, That His Honor the Mayor be and he is hereby authorized to execute a lease with Providence Marine Realty, Inc., for a certain tract of land located in the City of Providence, County of Providence, State of Rhode Island, which is

described in Exhibit I, attached hereto, and all easements, rights, privileges and appurtenances relating thereto, said parcel containing approximately 24,656 feet; for a term of five (5) years, with an option to renew for an additional five (5) year term, beginning on the first day of the month after Providence Marine Realty, Inc., is in receipt of all the necessary permits to begin construction, at an annual rental of Twenty-Seven Thousand One Hundred Sixteen and 38/100 Dollars (\$27,116.38) for the first five (5) year period, with the second five (5) year period stipulated rental being increased by the rise, if any, in the Consumer Price Index; provided, that the Planning Department of the City of Providence approves the plans and specifications of all structures to be erected by Providence Marine Realty, Inc.; that in the interim before the commencement of the lease Providence Marine Realty, Inc., pays to the City of Providence a storage fee for the keeping of certain barges on said parcel a sum of One Thousand Dollars (\$1,000.00) commencing on February 1, 1988 and continuing on the first day of each succeeding month until the lease commences and provides a certificate of insurance evidencing general per person and \$3,000,000.00 per occurrence for

per person and \$3,000,000. per occurrence for injury to persons, including death resulting therefrom, during such interim period, holding the city harmless from any and all liability associated with the storage of said barges, the Mayor is authorized to execute any agreement which embodies the intent of these provisions.

Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilwoman Brassil, Councilman Dillon, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Lopes, O'Connor and Rollins—9.

Noes: None.

Absent: Councilmen Annaldo, Cola, Councilwoman DiRuzzo, Councilmen Lombardi, Petrosinelli and Stravato—6.

The motion for Passage, is Sustained.

COUNCILWOMAN CAROLYN F. BRASSIL, Chairwoman COMMITTEE ON FINANCE

Transmits the following with Recommendation the Same be Severally Approved:

Communication, dated December 21, 1987, Informing the Honorable City Council that Pursuant to Sections 302(b) and 901 of the Providence Home Rule Charter of 1980, He is Appointing Mr. Richard N. Ziff of 10 Slocum Street, Providence, RI, as Director of Personnel and Respectfully Submits Same for Approval.

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, Rhode Island 02903

Dear Honorable Members:

December 21, 1987

Pursuant to Sections 302(b) and 901 of the

Providence Home Rule Charter of 1980, I am this day appointing Mr. Richard N. Ziff of 10 Slocum Street, Providence, Rhode Island, as Director of Personnel and I respectfully submit same for your approval.

Respectfully submitted,

JOSEPH R. PAOLINO, JR.
Mayor of Providence

Communication, dated December 30, 1987, Informing the Honorable City Council that Pursuant to Sections 302(b) and 1002 of the Providence Home Rule Charter of 1980, He is Appointing Mr. B. James Suzman of 60 Grosvenor Avenue, Providence, RI, as Director of Department of Public Works and Respectfully Submits Same for Approval.

December 30, 1987

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, Rhode Island 02903

Dear Honorable Members:

Pursuant to Sections 302(b) and 1002 of the Providence Home Rule Charter of 1980, I am this day appointing Mr. B. James Suzman of 60 Grosvenor Avenue, Providence, Rhode Island, as Director of Department of Public Works and I respectfully submit same for your approval.

Respectfully submitted,

JOSEPH R. PAOLINO, JR.
Mayor of Providence

Communication, dated December 29, 1987, Informing the Honorable City Council that Pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, and Chapter 306 of the 1985 Public Laws, He is Appointing Linda Cerce of 143 Meeting Street, Providence, RI, as a Member of the Providence Off-Street Public Parking Corporation for a Term Expiring in August of 1989, and Respectfully Submits the Same for Approval.

December 29, 1987

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, Rhode Island 02903

Dear Honorable Members:

Pursuant to Sections 302(b) of the Providence Home Rule Charter of 1980, and Chapter 306 of the 1985 Public Laws, I am this day appointing Linda Cerce of 143 Meeting Street, Providence, Rhode Island, as a member of the Providence Off-Street Public Parking Corporation for a term expiring in August of 1989, replacing Rita O'Brien who has resigned, and I respectfully submit same for your approval.

Respectfully submitted,

JOSEPH R. PAOLINO, JR.
Mayor of Providence

Communication, dated December 30, 1987, Informing the Honorable City Council that Pursuant to Sections 302(b) and 1011 of the Providence Home Rule Charter of 1980, He is Appointing Mr. Frank Scotti of 55 Williams Street, Providence, RI, as a Member of the Building Board of Review for a Term Expiring in January of 1990, and Respectfully Submits Same for Approval.

December 30, 1987

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, Rhode Island 02903

Dear Honorable Members:

Pursuant to Sections 302(b) and 1011 of the Providence Home Rule Charter of 1980, I am this day appointing Mr. Frank Scotti of 55 Williams Street, Providence, Rhode Island, as a member of the Building Board of Review for a term expiring in January of 1990, replacing Domenic Mainelli, who has resigned, and I respectfully submit same for your approval.

Respectfully submitted,

JOSEPH R. PAOLINO, JR.
Mayor of Providence

Communication, dated December 29, 1987, Informing the Honorable City Council that Pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, and 1987 Public Law, Chapter 45-50, Sections 1-31, He is Appointing Mr. George Hoey of 170 Academy Avenue, Providence, RI, as a Member of the Providence Public Building Authority for a Term Expiring in January of 1992, and Respectfully Submits Same for Approval.

December 29, 1987

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, Rhode Island 02903

Dear Honorable Members:

Pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, and 1987 Public Law, Chapter 45-50, Sections 1-31, I am this day appointing George Hoey of 170 Academy Avenue, Providence, Rhode Island, as a member of the Providence Public Building Authority for a term expiring in January of 1992, replacing Philip McGee, whose term has expired, and I respectfully submit same for your approval.

Respectfully submitted,

JOSEPH R. PAOLINO, JR.
Mayor of Providence

Communication, dated December 29, 1987, Informing the Honorable City Council that Pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, He is Appointing Louisa Napolitano of 383 Woodward Road, Providence, RI, as a Member of the Providence Human Relations Commission for a Term Expiring in January of 1990, and Respectfully Submits Same for Approval.

December 29, 1987

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, Rhode Island 02903

Dear Honorable Members:

Pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, I am this day appointing Louisa Napolitano of 383 Woodward Road, Providence, Rhode Island, as a member of the Providence Human Relations Commission for a term expiring in January of 1990, replacing Rev. Anderson Clary, whose term has expired, and I respectfully submit same for your approval.

Respectfully submitted,

JOSEPH R. PAOLINO, JR.
Mayor of Providence

Communication, dated December 29, 1987, Informing the Honorable City Council that Pursuant to Sections 302(b) and 1010 of the Providence Home Rule Charter of 1980, He is Appointing Goldie Haroian of 45 Oldham Street, Providence, RI, as a Member of the Housing Board of Review for a Term Expiring in January of 1993, and Respectfully Submits Same for Approval.

December 29, 1987

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, Rhode Island 02903

Dear Honorable Members:

Pursuant to Sections 302(b) and 1010 of the Providence Home Rule Charter of 1980, I am this day appointing Goldie Haroian of 45 Oldham Street, Providence, Rhode Island, as a member of the Housing Board of Review for a term expiring in January of 1993, replacing Frank Faubert, whose term has expired, and I respectfully submit same for your approval.

Respectfully submitted,

JOSEPH R. PAOLINO, JR.
Mayor of Providence

Severally Received and Collectively Approved, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Approval, is Sustained.

The following Ordinance is Transmitted with Recommendation of Adoption, as Amended:

An Ordinance in Amendment of Chapter 1987-31, Approved October 20, 1987, Entitled, "An Ordinance in Amendment of Chapter 1987-20, Approved June 25, 1987, Entitled: 'An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Chapter 1986-32, Approved June 26, 1986,' as Amended," Relative to the Department of Inspection and Standards.

Read and Passed, the First Time, as Amended, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilwoman Brassil, Councilman Dillon, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Lopes, O'Connor and Rollins--9.

Noes: None.

Absent: Councilmen Annaldo, Cola, Councilwoman DiRuzzo, Councilmen Lombardi, Petrosinelli and Stravato--6.

The motion for Passage the First Time, as Amended, is Sustained.

**The following are Transmitted with
Recommendation the Same be Severally
Adopted:**

An Ordinance in Amendment of Sections 22, 23, and 31 of Chapter 1987-30 as Approved October 20, 1987, Entitled: "An Ordinance in Amendment of Chapter 1987-19, Approved June 25, 1987, Entitled, "An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments, and Repealing Ordinance Chapter 1986-31, Approved June 26, 1986,' as Amended," Relative to the Department of Inspection and Standards.

Read and Passed the First Time, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilwoman Brassil, Councilman Dillon, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Lopes, O'Connor and Rollins—9.

Noes: None.

Absent: Councilmen Annaldo, Cola, Councilwoman DiRuzzo, Councilmen Lombardi, Petrosinelli and Stravato—6.

The motion for Passage the First Time, is Sustained.

An Ordinance in Amendment of and in Addition to Section 17-59 (c) of the Code of Ordinances of the City of Providence, Entitled: "Overtime Pay."

Read and Passed, the First Time, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Councilwoman Brassil, Councilman Dillon, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Lombardi, Lopes, O'Connor and Rollins—9.

Noes: Council President Easton—1.

Absent: Councilmen Annaldo, Cola, Councilwoman DiRuzzo, Councilmen Petrosinelli and Stravato—5.

The motion for Passage the First Time, is Sustained.

Resolutions Reporting Receipts of Certain Gifts of Money by the Board of Park Commissioners for the Preservation and Care of Specified Burial Lots in North Burial Ground.

Resolved, That the sums of money to the Board of Park Commissioners, in trust, the income thereof to be applied, under the provisions of Chapter 367 of the Public Laws, January Session, 1861, to the preservation and care of Specified Burial Lots in said ground be and the same are hereby respectively accepted.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilwoman Brassil, Councilman Dillon, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Lombardi, Lopes, O'Connor and Rollins—10.

Noes: None.

Absent: Councilmen Annaldo, Cola,

Councilwoman DiRuzzo, Councilmen Petrosinelli and Stravato—5.

The motion for Passage, is Sustained.

Resolution Authorizing the Director of the Department of Inspection and Standards to cause the Demolition Lien on that Property located at 67-69 Comstock Street, in the Amount of \$1,550.00 to be Waived, as Requested by SWAP.

Resolved, That the Director of the Department of Inspection and Standards is authorized to cause the Demolition Lien on that Property located at 67-69 Comstock Street, situated on Lot 539, as set out and delineated on City Assessor's Plat 45, in the Amount of One Thousand Five Hundred Fifty Dollars (\$1,550.00), to be Waived, in accordance with the request of S.W.A.P.

Resolution Authorizing the Director of the Department of Inspection and Standards to cause the Board-Up Liens on that Property located at 432-434 Prairie Avenue, in the

Amount of \$485.78 to be Waived, as Requested by SWAP.

Resolved, That the Director of the Department of Inspection and Standards is hereby authorized to cause the Board-Up Liens on that Property situated on Lot 632, as set out and delineated on City Assessor's Plat 48, located along 432-434 Prairie Avenue, in the Amount of Four Hundred Eighty-Five Dollars and Seventy-Eight Cents (\$485.78), to be Waived, as requested by S.W.A.P.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilwoman Brassil, Councilman Dillon, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Lombardi, Lopes, O'Connor and Rollins—10.

Noes: None.

Absent: Councilmen Annaldo, Cola, Councilwoman DiRuzzo, Councilmen Petrosinelli and Stravato—5.

The motion for Passage, is Sustained.

COUNCILMAN THOMAS M. GLAVIN, Chairman
COMMITTEE ON ORDINANCES

The following Ordinances were in City Council August 6, 1987, Read and Passed the First Time, as Amended, Referred Back to the Committee on Ordinances, and Are Transmitted with Recommendation of Adoption the Second Time, as Amended:

An Ordinance in Amendment of the Zoning Ordinance Regulating Parking and Paved Areas for Dwellings, as Amended.

Be it ordained by the City of Providence:

Section 1. Chapter 544 of the Ordinances of the City of Providence, entitled "An Ordinance Zoning the City of Providence and Establishing Use, Height and Area Regulations" approved September 21, 1951, as Amended, is hereby further Amended as follows:

Section 24C1 shall be deleted and replaced with the following:

24C1. There shall be permanently maintained at least one parking space on the same lot with the main building or the enlargement of a main building, accessory to each dwelling unit in the case of a new building or to each dwelling unit added to an existing building, or in lieu thereof such parking space may be provided in a building. Lots used for residential purposes shall also be subject to the following restrictions:

(a) Parking spaces shall have a capacity not to exceed one more than the number of families housed on the lot or one vehicle for each 2,500 square feet of lot area, whichever is greater.

(b) Driveways and parking areas shall be paved with bituminous materials, concrete, brick, stone or equivalent surfacing, and shall be subject to regulations of the Department of Public Works.

(c) Paving on residential lots shall be limited to the following:

1. The front yard may only be used for a driveway to access a garage or parking area located in the side or rear yard. A driveway used to access a single car garage, side yard parking area, or rear yard parking area, may be no more than 15' wide. A driveway used to access a two-car garage or larger located in a side yard may be no more than 25' wide. Nothing herein shall prohibit a circular driveway or parking area in the front yard provided there is no other driveway located in the front yard and the paved area occupies no more than 33% of the area of the front yard. Driveway curb cuts shall be subject to the regulations of the Department of Public Works and the Traffic Engineer and must be approved by the Traffic Engineer and Director of Public Works.

2. Only one side yard shall be permitted to be paved for parking.

3. Parking shall be permitted in only 50% of the rear yard area.

Section 2. This Ordinance shall take effect upon its passage.

An Ordinance of the City of Providence Relating to Noise Regulations, as Amended.

Be it ordained by the City of Providence:

Section 1. Declaration of Policy. It is hereby declared to be the policy of the city to prohibit unnecessary, excessive, and annoying noise from all sources subject to its police power. At certain levels, noises are detrimental to the health and the welfare of the citizenry; therefore, in the public interest, such noises shall be systematically proscribed.

Section 2. Definitions. Unless the context clearly indicates otherwise, the words and phrases used in this chapter shall have the following meanings:

(a) Sound Level (Noise Level) in decibels is the level measured on the A-weighted scale as defined in the American National Standard S-1.4-1071.

(b) Ambient Noise is the all-encompassing noise associated with a given environment, being a composite of sounds from many sources, near and far. For the purpose of this code, ambient noise level is the average over 15 minutes excluding random or intermittent noises and the alleged offensive noise at the location and time of day at which a comparison with an alleged offensive noise is to be made.

Averaging may be done by instrumental analysis in accordance with American National Standard S.13-1971, or may be done manually as follows:

(1) Observe a sound level meter for five seconds and record the best estimate of central tendency of the indicator needle, and the highest and lowest indications.

(2) Repeat the observations as many times as necessary to provide that observations be made at the beginning and at the end of the 15 minute averaging period and that there shall be at least as many additional observations as there are decibels between the lowest low indication and the highest high indication.

(3) Calculate the arithmetical average of the observed central tendency indications.

(c) Decibel (dBA). The decibel is a unit of measure of sound (noise) level relative to a standard reference sound on a logarithmic scale. The decibel level of a given sound is determined as 20 times the logarithm to the base 10 of the ratio of the pressure in micronewtons per square meter of the sound being measured to the standard reference sound pressure of 20 micronewtons per square meter (0.0002 microbar).

(d) Non-stationary Sources. A machine or device capable of being moved from place to place for occasional or temporary use at a given location including, but not limited to, power lawn mowers, chain saws, bulldozers and pile drivers.

(e) Fixed Source. A machine or device capable of creating a noise level at the property upon which it is regularly located, including but not limited to: industrial and commercial machinery and equipment, pumps, fans, air conditioning apparatus or refrigeration machines.

(f) Emergency Work. 'Emergency Work' shall mean work necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger or work by private or public utilities when restoring utility service.

(g) Person. 'Person' shall mean a person, firm, association, co-partnership, joint venture, corporation, or any entity, public or private in nature.

(h) Motor Vehicles. 'Motor Vehicles' shall include, but not be limited to automobiles, trucks, buses, motorcycles, mini-bikes and go-carts.

(i) Sound Amplifying Equipment. 'Sound Amplifying Equipment' shall mean any machine or device for the amplification of the human voice, music, or any other sound. 'Sound

amplifying equipment' shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed. 'Sound amplifying equipment' shall not include warning devices on any vehicle used only for traffic safety purposes.

(j) **Sound Truck.** 'Sound Truck' shall mean any motor vehicle or any other vehicle regardless of motive power, whether in motion or stationary, having mounted thereon or attached thereto any sound amplifying equipment.

(k) **Commercial Purposes.** 'Commercial Purposes' shall mean and include the use, operation, or maintenance of any sound amplifying equipment for the purpose of advertising any business or any goods, or any services, or for the purpose of attracting the attention of the public to, or advertising for, or soliciting patronage or customers to or for any performance, show, entertainment, exhibition, or event, or for the purpose of demonstrating such sound equipment.

(l) **Noncommercial Purpose.** 'Noncommercial Purpose' shall mean the use, operation, or maintenance of any sound equipment for other than a 'commercial purpose.' 'Noncommercial purpose' shall mean and include, but shall not be limited to, philanthropic, political, patriotic, and charitable purposes.

(m) **Unnecessary, Excessive, or Offensive Noise** shall mean any sound or noise conflicting with the criteria, standards, or levels set forth in this Ordinance for permissible noises. In the absence of specific maximum noise levels, a noise level which exceeds the ambient noise level by 5 dBA or more, when measured at the nearest property line or, in the case of multiple-family residential buildings, when measured anywhere in one dwelling unit with respect to a noise emanating from another dwelling unit or from common space in the same building, shall be deemed a prima facie violation of this Ordinance.

Section 3. Radios, Television Sets, and

Similar Devices. It shall be unlawful for any person within any residential zone of the city to use or operate any radio receiving set, musical instrument, phonograph, television set, or other machine device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of neighborhood residents or of any reasonable person or normal sensitivity residing in the area. The operation of any such set, instrument, phonograph, machine or device so as to exceed 50 dBA between the hours of eight (8) o'clock P.M. and seven (7) o'clock A.M. or so as to exceed 55 dBA between the hours of seven (7) o'clock A.M. and eight (8) o'clock P.M. measured at the property line of the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

Section 4. Hawkers and Peddlers. It shall be unlawful for any person within the city to sell anything by outcry within any area of the city zoned for residential uses. The provisions of this section shall not be construed to prohibit the selling by outcry of merchandise, food, and beverages at licensed sporting events, parades, fairs, circuses, or other similar licensed public entertainment events.

Section 5. Drums. It shall be unlawful for any person to use any drum or other instrument or device of any kind for the purpose of attracting attention by the creation of noise within the city. This section shall not apply to any person who is a participant in a school band or duly licensed to parade or who has been otherwise duly authorized to engage in such conduct.

Section 6. Schools, Hospitals and Churches. It shall be unlawful for any person to create any unnecessary, excessive or offensive noise, as defined in section (2m) above on any street, sidewalk, or public place adjacent to any school, institution of learning, hospital or church while the same is in use, provided conspicuous signs are displayed in such street, sidewalk, or public places indicating the presence of a school, hospital or church.

Section 7. Machinery, Equipment, Fans, and Air Conditioning. It shall be unlawful for any person to operate any machinery, equipment, pump, fan and air conditioning apparatus, or similar mechanical device in any residential neighborhood so as to exceed 50 dBA between the hours of 8:00 P.M. and 7:00 A.M. or so as to exceed 55 dBA between the hours of 7:00 A.M. and 8:00 P.M.

Section 8. Construction of Buildings and Projects. It shall be unlawful for any person to operate equipment or perform any outside construction or repair work on buildings, structures, or projects or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction type device between the hours of 8:00 P.M. and 7:00 A.M. so as to create that unnecessary, excessive or offensive noise as defined in Section (2m) above, unless beforehand a special permit therefor has been duly obtained from the Director of Public Works. No special permit shall be required to perform emergency work as defined in Section (2f) of this Chapter.

Section 9. Vehicle Repairs. It shall be unlawful for any person within any residential area of the city to repair, rebuild, or test any motor vehicle between the hours of 8:00 P.M. and 7:00 A.M. or at any time of the day on a Sunday or legal holiday so as to create unnecessary, excessive or offensive noise as defined in Section (2m) above.

Section 10. Amplified Sound: Purpose of Legislation. The City Council enacts this legislation for the sole purpose of securing and promoting the public health, comfort, safety, and welfare of its citizenry. While recognizing that the use of sound amplifying equipment is protected by the constitutional rights of freedom of speech and assembly, the City Council nevertheless feels obligated to reasonably regulate the use of sound amplifying equipment in order to protect the correlative constitutional rights of the citizens of this community to privacy and freedom from public nuisance of loud and unnecessary noise.

Section 11. Amplified Sound: Registration Required. It shall be unlawful for any person, other than personnel of law enforcement or governmental agencies, to install, use, or operate within the city a loud speaker or sound amplifying equipment in a fixed or movable position or mounted upon any sound truck for the purpose of giving instructions, directions, talks, addresses, lectures, or transmitting music to any persons or assemblages of persons in or upon any street, alley, sidewalk, park, place, or public property without first filing a registration statement and obtaining approval therefor as set forth in Section 12.

Section 12. Amplified Sound: Registration: Requirements and Duties:

(a) *Registration Statements; Filing:* Every user of sound amplifying equipment for commercial purposes shall file a registration statement with the Police Department not less than five (5) days prior to the date on which the sound amplifying equipment is intended to be used. Every user of sound amplifying equipment for noncommercial purposes shall file a registration statement with the Police Department not less than twenty-four (24) hours prior to the time when the sound amplifying equipment is intended to be used. Each registration statement shall contain the following information:

- (1) The name, address and telephone number of both the owner and the user of the sound amplifying equipment;
- (2) The date, time and place of the intended use of the equipment;
- (3) The maximum sound producing power of the sound amplifying equipment, including the wattage to be used, the volume in decibels of sound which will be produced, and the approximate distance for which sound will be audible from the sound amplifying equipment;
- (4) The license and motor number if a sound truck is to be used;

(5) A general description of the sound amplifying equipment which is to be used; and

(6) Whether the sound amplifying equipment will be used for commercial purposes.

(b) *Registration Statements; Approval:* With respect to completed application for noncommercial purposes, the Police Department shall, forthwith, return to the applicant an approved certified copy of the registration statement. With respect to commercial purposes, the Police Department shall, within 48 hours of the filing of the application, return it to the applicant an approved certified copy of the registration statement unless it finds that:

(1) The condition of the motor vehicle movement are such that, in the opinion of the Chief of Police, the use of the equipment would constitute a detriment to traffic safety; or

(2) The conditions of the pedestrian movement are such that, in the opinion of the Chief of Police, the use of the equipment would constitute a detriment to traffic safety.

Disapproval: In the event a registration statement for a commercial purpose is disapproved, the Chief of Police shall endorse upon the statement his specific reasons for disapproval and return it to the applicant, within 48 hours of the filing of the application.

Section 13. Amplified Sound: Appeals. Any person aggrieved by disapproval of a registration statement may appeal within ten (10) days to the Commissioner of Public Safety, City of Providence.

Section 14. Amplified Sound: Fees. Prior to the issuance of the registration statement, a fee in the amount of \$10.00 per day, or any portion thereof, shall be paid to the City, if the loudspeaker or sound amplifying equipment is to be used for commercial purposes. No fee shall be required for the operation of loudspeaker or sound amplifying equipment for noncommercial

purposes for which a business license has been issued.

Section 15. Amplified Sound: Regulations. The commercial and noncommercial use of sound amplifying equipment shall be subject to the following regulations:

(1) The only sounds permitted shall be either music or human speech, or both.

(2) The operation of sound amplifying equipment shall only occur between the hours of 10:00 A.M. and 8:00 P.M. each day except on Sundays and legal holidays. No operation of sound amplifying equipment for commercial purposes shall be permitted on Sundays or legal holidays. The operation of sound amplifying equipment for noncommercial purposes on Sundays and legal holidays shall only occur between the hours of 10:00 A.M. and 7:00 P.M.

(3) The volume of sound shall be controlled so that it will not be audible for a distance in excess of one hundred (100) feet from the sound truck.

(4) No sound amplifying equipment shall be operated with an excess of 15 watts of power in the last stage of amplification.

(5) Sound amplifying equipment shall not be operated within two hundred (200) feet of any churches, hospitals or schools while the same is in use provided that conspicuous signs are posted adjacent to such institution indicating the presence of a church, hospital or school.

Section 16. Violations: Penalty. Any person found guilty of violating, disobeying, neglecting, or refusing to comply with the provisions of this Ordinance, shall upon conviction be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00), or by imprisonment for a period not exceeding ten (10) days, or both, for any one offense, pursuant to Section 1-10 of the Code of Ordinances of the City of Providence.

Section 17. Violations: Public Nuisance;

Injunctions. The operation or maintenance of any device, instrument, vehicle, or machinery in violation of any provision of this Ordinance, which operation or maintenance causes discomfort or annoyance to reasonable persons of normal sensitivity or endangers the comfort, repose, health, or peace of residents in the area, shall be deemed, and is declared to be, a public nuisance and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.

Section 18. Severability. If any provision of this Chapter, or the application thereof to any person or circumstances, is held unconstitutional or otherwise held invalid by a court of competent jurisdiction, the remainder of this Chapter, and the application of such provision to other persons or circumstances, shall not be affected thereby. The invalidity of any section or sections or part of any section or sections of this Chapter shall not affect the validity of the remainder of this Chapter.

Section 19. This Ordinance shall take effect upon its passage.

Severally Read and Collectively Passed, the Second Time, as Amended, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilwoman Brassil, Councilman Dillon, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Lombardi, Lopes, O'Connor and Rollins—10.

Noes: None.

Absent: Councilmen Annaldo, Cola, Councilwoman DiRuzzo, Councilmen Petrosinelli and Stravato—5.

The motion for Passage the Second Time, as Amended, is Sustained.

COMMUNICATIONS AND REPORTS

Certificates from the City Assessor (8-R, 13-R through 17-R, Inclusive) Recommending the Same be Severally Cancelled, Pursuant to the Provisions of Sections 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island 1956, as Amended.

Severally Referred to the Committee on Claims and Pending Suits, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer, is Sustained.

FROM THE PROVIDENCE MUNICIPAL COURT:

Annual Report from the First Day of January A.D. 1987 to the First Day of January A.D., 1988.

Received.

FROM THE BOARD OF LICENSES:

Report for the Fourth Quarter Ended December 31, 1987.

Received.

FROM THE CLERK'S DESK

Petition of the Providence Public Library requesting Permission to Erect a Ramp along the Empire Street Entrance of the Building which will Extend 4'-0" into the Public Right-of-Way and would allow for an 8'-3" Clear Passage between the Ramp and the Empire Street Curb Line.

Referred to the Committee on Public Works, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer, is Sustained.

Petitions for Compensation for Injuries and Damages, viz:

Shirley Asan

Marvin Azar

Edwin M. Bellany, III

Rose Marie Beloney

Suzanne DiSanto

Fireman's Fund Insurance Company as subrogee of Ronald Bernier

Kevin Hodgkins

Liudvikas Jagminas

Valerie Januskiewicz

Joseph Kashouh

Michael Kashouh

Bess B. Levin

Maryland Casualty Co. as subrogee of Robert Terino and Associates

Joseph Nobile

Nicholas Podier

Frank Shepisi

Richard Sahagian

Susan Lynne Smith

Kathleen Souza

Christopher Washington

Severally Referred to the Committee on Claims and Pending Suits, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer, is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

COUNCIL PRESIDENT EASTON and the MEMBERS of the CITY COUNCIL:

Resolutions Extending Sympathy.

Resolved, That the Sympathy of the Members of the City Council is hereby expressed to the families of the following:

James R. Applegate

Lorenzo R. Croce, Sr.

Patrick J. Maddress

John Alves

Anne M. Feeley

John M. Dempsey

Alice F. Sherry

Jennie Barra

Edith DeFelice

William A. Toohar

Jennie LaMarra

Esterina I. Sabatini

Paul F. Cabral

Salvatore Pezzullo

Joseph C. Mello

Marie Corsini

James E. Kelley

Mary C. DelBuono

Italia V. Luongo

Giovanni Pietrantonio

Henry X. Sousa

Charles A. Pugliese

Margaret C. Shields

Daniel Mari

S. Frank Barone

Margaret A. Fleming

Roberta J. Cronan

Charles A. Muscatelli

Severally Read and Collectively Passed, by a Unanimous Rising Vote, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage, is Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, the City Council Adjourns at 8:55 o'clock P.M. (E.S.T.) to meet again on THURSDAY, FEBRUARY 4, 1988 at 7:30 o'clock P.M. (E.S.T.).

Rose M. Mandonea

City Clerk





