

The City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1971-15

No. 188 **AN ORDINANCE** AMENDING THE APPROPRIATION ORDINANCE, CHAPTER 70-26 BY APPROPRIATING THE SUM OF FOUR HUNDRED THOUSAND (\$400,000.00) DOLLARS TO GENERAL PUBLIC ASSISTANCE (51-83), ITEM 1.

Approved April 7, 1971

Be it ordained by the City of Providence:

SECTION 1. Chapter 70-26 of the Ordinances of the City of Providence, as approved June 23, 1970, and entitled: "An Ordinance Making Appropriation of \$67,836,687.18 for the Support of the City Government for the Fiscal Period Beginning July 1, 1970 and Ending June 30, 1971", as amended, is hereby further amended by appropriating the sum of Four Hundred Thousand (\$400,000.00) Dollars to General Public Assistance, Item 1.

SECTION 2. The estimated receipts from Grants-in-Aid (State of Rhode Island) are hereby increased by the sum of Four Hundred Thousand (\$400,000.00) Dollars.

SECTION 3. This Ordinance shall take effect upon its passage.

IN CITY COUNCIL
MAR 18 1971
First Reading Read and Passed
Referred to Committee on
FINANCE
Unimut Cooper
Clerk

APPROVED
APR 7 1971
Joseph A. Porly
MAYOR

IN CITY COUNCIL
APR 1 1971
FINAL READING
READ AND PASSED
Robert J. Eaton
PRESIDENT
Unimut Cooper
CLERK

No.

CHAPTER

AN ORDINANCE

FILED
MAR 11 11 08 AM '71
DEPT. OF CITY CLERK
PROVIDENCE, R. I.

THE COMMITTEE ON

Finance

Report of the
of the Finance

Unanimitously adopted
March 24, 1871 *Clark*

Councilman Scavette and
Councilman Lynch, by request

The City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1971-16

No. 189 **AN ORDINANCE** AMENDING THE APPROPRIATION ORDINANCE, CHAPTER 70-26, BY TRANSFERRING CERTAIN SUMS OF MONIES FROM GENERAL PUBLIC ASSISTANCE-ADMINISTRATION (51-81) ITEM 0 to GENERAL PUBLIC ASSISTANCE (51-83) ITEMS 1 and 3.

Approved April 7, 1971

Be it ordained by the City of Providence:

SECTION 1. Chapter 70-26 of the Ordinances of the City of Providence, as approved June 23, 1970, and entitled: "An Ordinance Making Appropriation of \$67,836,687.18 for the Support of the City Government for the Fiscal Period Beginning July 1, 1970 and Ending June 30, 1971", as amended, is hereby further amended by transferring the aggregate amount of Six Hundred Seventy Thousand (\$670,000.00) Dollars from General Public Assistance-Administration, Item 0 to the following:

1. General Public Assistance (51-83) ITEM 1 - \$130,000.00
2. General Public Assistance (51-83) ITEM 3 - \$540,000.00

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

IN CITY COUNCIL

MAR 18 1971

First Reading Read and Passed
Referred to Committee on

FINANCE

Vincent Crespi
Clerk

APPROVED

APR 7 1971

MAYOR

IN CITY
COUNCIL

APR 1 1971

FINAL READING
READ AND PASSED

PRESIDENT

CLERK

No.

CHAPTER
AN ORDINANCE

FILED
MAR 11 11 08 AM '71
DEPT. OF CITY CLERK
PROVIDENCE, R.I.

THE COMMITTEE ON

Finance
Approves Passage of
The Within Ordinance

Vasquez
March 24, 1971 *Clerk*

*Councilman Scianetta and
Councilman Lynch, by request*

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 190

Approved April 7, 1971

RESOLVED, that the City Solicitor be, and he is hereby authorized and directed to appear before the 1971 Session of the General Assembly and urge passage of an Act, substantially in accordance with the accompanying act which extends the jurisdiction of the Providence Municipal Court of the City of Providence in certain respects.

IN CITY COUNCIL

APR 1 1971
READ and PASSED
Robert E. Eaton
President
William A. Casper
Clerk

APPROVED
APR 7 1971
Joseph A. Dowley Jr.
MAYOR

IN CITY
COUNCIL

APR 1 1971

FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS.....

N. V.

CLERK

Comptroller Lorenzo

STATE OF RHODE ISLAND, A.C.

IN GENERAL ASSEMBLY

January Session, A.D. 19

57.

AN ACT

IN AMENDMENT OF CLAUSE 3, OF SECTION XII OF CHAPTER 593 OF THE PUBLIC LAWS, 1966, AS AMENDED AND CONTINUED, RELATING TO THE POLICE COURT OF THE CITY OF PROVIDENCE.

It is enacted by the General Assembly as follows:

SECTION 2. Clause 3 of Section XII of Chapter 593 of the Public Laws, passed at the January Session, A.D. 1966, entitled "An Act to Re-vise, Consolidate and Amend the Act Entitled 'An Act to Incorporate the City of Providence' and the Several Acts in Addition Thereto and in Amendment thereof", as amended by Chapter 1446 of the 1969 Public Laws, and as continued in force and effect by Section 134 of Chapter 832 of the Public Laws, 1960, known as the "Providence Charter Act of 1960", is hereby further amended to read as follows:

"Clause 3 (a). Said court shall have original jurisdiction of all offenses against the act entitled 'An Act to authorize the City of Providence to establish a House of Correction, and for other purposes', and all acts in amendment thereof, and of all offenses against the ordinances, by-laws, rules and regulations of the City of Providence and of its City Council, where the fine, penalty, pecuniary forfeiture, for- feiture of personal property, punishment or imprisonment for any one offense shall not exceed two hundred (\$200) dollars and all (a) months' imprisonment, or two hundred (\$200) dollars in value. Said court shall also have exclusive jurisdic- tion and cognisance of all offenses and misdemeanors done or committed within the City of Providence which involve a vio- lation of any statute, rule or regulation governing the use and operation of motor vehicles on the public highways punishable by a fine not exceeding \$500 or by imprisonment not exceeding one (1) year, except those offenses specifically excluded in clause 3 (b). The proceedings in all cases in said court, except as otherwise provided, shall be commenced by complaint and warrant; and all said fines, penalties, pecuniary forfeit- ures, forfeitures of personal property, punishments and im- prisonments may be prosecuted for, recovered, and imposed on complaint and warrant before said court, and on appeal therefrom before any proper court in any appellate proceedings."

"Clause 3 (b). Said court shall not have jurisdiction and cognizance of the following offenses:

- (1) Violations of the licensing or registration laws of the State of Rhode Island;
- (2) Violations of Chapters 9, 26 and 27 of Title 31 of the General Laws, Rhode Island, 1956.
- (3) Violations of Section 11-41-17 of the General Laws, Rhode Island, 1956.

SEC. 2. This Act shall take effect upon its passage.

Any act or acts inconsistent with the provisions of the second sentence of Clause 3 (a), as herein set forth, shall be deemed inapplicable to the City of Providence.

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 191

Approved April 7, 1971

RESOLVED, that the City Council does hereby endorse
House Act H-1380, being an Act providing for taxation of all
pleasurable watercraft.

IN CITY COUNCIL

APR 1 1971
READ and PASSED

Robert J. Gatten
.....
President
Christina C. Casper
.....
Clerk

APPROVED

APR 7 1971
Joseph A. Dorley
.....
MAYOR

IN CITY
COUNCIL

APR 1 1971

FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

CLERK

22

Councilman Lorenzo

H 1380

Introduced by—

Representatives Freda, Revens,
Rivet and Woodcock

Ordered Printed by—

House of Representatives

Referred to—

House Committee on Finance

Date Printed—

February 12, 1971

State of Rhode Island and Providence Plantations

JANUARY SESSION, A. D. 1971

**AN ACT Providing for the Taxation of All Pleasur-
able Water Craft.**

It is enacted by the General Assembly as follows:

Section 1. Section 44-3-1 and section 44-3-2, as amended, of the general laws in chapter 44-3, entitled, "Property subject to taxation," are hereby amended to read as follows:

"44-3-1. REAL AND PERSONAL PROPERTY SUBJECT TO TAXATION.—All real property in the state, and all personal property belonging to the inhabitants thereof, whether individuals, co-partnerships, or corporations, and all tangible personal property located in the state belonging to nonresidents, shall be liable to taxation unless otherwise specially provided: **provided, however, that pleasure watercraft as defined in section 44-30-2 shall be taxed only under the provisions of chapter 44-30 of the general**

laws, and shall not be included as personal property subject to taxation under this section.

"44-3-2. PERSONAL PROPERTY DEFINED. — Personal property, for the purposes of taxation, shall be deemed to include all goods, chattels, and effects, wherever they may be, all ships or vessels, at home or abroad, except pleasure watercraft as defined in section 44-30-2, and such as are exempt from taxation by the laws of the United States or of this state."

Sec. 2. Title 44 of the general laws, entitled, "Taxation," as amended, is hereby further amended by adding thereto the following chapter:

"CHAPTER 30

"Taxation of Boats

"44-30-1. IMPOSITION OF TAX.—There is hereby imposed upon all pleasure watercraft situated within the state of Rhode Island for the larger portion of the twelve (12) months ending with the date of assessment, which shall be the thirty-first (31st) day of December of each year, a tax of thirty-five dollars (\$35.00) for each one thousand dollars (\$1,000.00) of assessed valuation of said watercraft. Said tax shall be assessed to the owners of such pleasure watercraft.

"44-30-2. DEFINITIONS.—As used in this chapter, unless the context clearly requires a different meaning:

(a) "Pleasure watercraft" means every description of watercraft other than a seaplane on the water, used or capable of being used as a means of transportation on water, and used for other than commercial, rescue, emergency, scientific, educational or charitable purposes.

(b) "Within the state of Rhode Island" shall include any waters within the territorial limits of this state, and the marginal sea adjacent to this state and the high seas when navigated as a part of a journey or ride to or from the shore of this state.

(c) "Assessed valuation" means full and fair cash valuation.

"44-30-3. EXEMPTION FROM TAX.—

(a) The first two thousand dollars (\$2,000.00) of assessed valuation of each pleasure watercraft shall be exempt from taxation.

(b) The following property shall be exempt from taxation:

1. Watercraft belonging to the state or to the United States or any of their respective agencies or departments, and watercraft owned and operated by any municipality within the state of Rhode Island.

2. Watercraft used predominantly for commercial, rescue, emergency, scientific, educational or charitable purposes.

(c) Except as hereinabove provided, there shall be no other exception from the tax imposed by this chapter.

"44-30-4. DUTIES OF TAX ADMINISTRATOR.—

The state tax administrator shall be required to assess and collect the tax imposed by this chapter and for such purpose, he shall have the power to make such rules and regulations as he may deem necessary for the proper administration and enforcement of the provisions of this chapter.

"44-30-5. DISTRIBUTION OF TAX PROCEEDS TO CITIES AND TOWNS. — Within the month of July of each year the state tax administrator and/or the state controller shall determine the total amount of taxes received by the state under this chapter during the preceding calendar year, and after deducting therefrom all expenses incurred by the state in collecting the tax imposed by this chapter, the state controller shall pay fifty per cent (50%) of the remainder to the treasurers of the several cities and towns of the state in proportion to the assessed valuation of their respective total taxable properties as reported to the

tax administrator as of the 31st day of December in the preceding calendar year; and the state controller is hereby authorized and directed to draw his orders upon the general treasurer for the payment of such sums as the several cities and towns shall be entitled to hereunder.

"44-30-6. APPLICABILITY OF OTHER PROVISIONS.—The provisions of title 44 of the general laws so far as applicable and not inconsistent with this chapter shall apply to this chapter."

Sec. 3. This act shall take effect upon its passage.

H 1380

EXPLANATION

By the Legislative Council

This act imposes a statewide tax on pleasure watercraft situated in Rhode Island for the larger portion of the 12 months ending with the December 31st assessment date. The tax imposed shall be \$35.00 per \$1,000. of assessed valuation, with the first \$2,000. of assessed valuation being exempted from the tax. Also exempted from the tax are watercraft owned by the United States, state of Rhode Island or any municipality within Rhode Island, and watercraft used for commercial, rescue, emergency, scientific, educational or charitable purposes. The tax is assessed and collected by the state tax administrator who has authority to make such rules and regulations as he may deem necessary for the proper administration and enforcement of the act. Fifty percent (50%) of the tax proceeds shall be distributed to the cities and towns.

The act takes effect upon passage.

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 192

Approved April 7, 1971

RESOLVED, that the Knights of Columbus are hereby
congratulated for naming its Council Meeting Room in Our Lady
of Fatima Council in memory of John Fletcher.

IN CITY COUNCIL

APR 1 1971
READ and PASSED
Robert H. Ralston
President
Annunzio Vespa
Clerk

APPROVED
APR 7 1971
Joseph A. Dooley
MAYOR

Councilman J. Murphy and
Councilman Xavier

RESOLUTION OF THE CITY COUNCIL

No. 193

Approved April 7, 1971

RESOLVED, that the City Solicitor is hereby requested to urge passage before the General Assembly of an Act PROVIDING FOR REPAIRING THE EXISTING SEAWALL AT FIELDS POINT AND CONSTRUCTING AN EXTENSION THEREOF AND FOR CONSTRUCTING ADDITIONAL DOCKING AND SUPPORT FACILITIES BY THE CITY OF PROVIDENCE AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$6,500,000 BONDS THEREFOR, in accordance with a draft attached hereto.

IN CITY COUNCIL

APR 1, 1971
READ and PASSED
President
Clerk

APPROVED

APR 7 1971
Mayor

Councilmen: Alcanetta and
Councilman: Sykes, by request

RESOLUTION AUTHORIZING THE CITY SOLICITOR TO URGE PASSAGE BEFORE THE GENERAL ASSEMBLY OF AN ACT PROVIDING FOR REPAIRING THE EXISTING SEAWALL AT FIELDS POINT AND CONSTRUCTING AN EXTENSION THEREOF AND FOR CONSTRUCTING ADDITIONAL DOCKING AND SUPPORT FACILITIES BY THE CITY OF PROVIDENCE AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$6,500,000 BONDS THEREFOR.

FILED
MAR 29 1 34 PM '77
DEPT. OF CITY CLERK
PROVIDENCE, R.I.

State of Rhode Island, &c.

IN GENERAL ASSEMBLY

JANUARY SESSION, A. D. 1971

AN ACT

PROVIDING FOR REPAIRING THE EXISTING SEAWALL AT FIELDS
POINT AND CONSTRUCTING AN EXTENSION THEREOF AND FOR
CONSTRUCTING ADDITIONAL DOCKING AND SUPPORT FACILITIES
BY THE CITY OF PROVIDENCE AND AUTHORIZING THE FINANCING
THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$6,500,000
BONDS THEREFOR

It is enacted by the General Assembly as follows:

Section 1. The city of Providence is hereby authorized, in addition to authority previously granted, to issue bonds to an amount not exceeding \$6,500,000 from time to time under its corporate name and seal or a facsimile of such seal. The bonds of each issue shall mature in equal or diminishing annual installments of principal, the first installment to be not later than five years and the last installment not later than thirty years after the date of the bonds.

Section 2. The bonds shall be signed by the city treasurer and by the manual or facsimile signature of the mayor and shall be issued and sold at not less than par and accrued interest in such amounts as the city council may determine. The manner of sale, denominations, maturities, interest rates and other terms, conditions and details of any bonds or notes issued under this act may be fixed by the proceedings of the city council authorizing the issue or by separate resolution of the city council or, to the extent provisions for these matters are not so made, they may be fixed by the officers authorized to sign the bonds or notes. Interest coupons (if any) shall bear the facsimile signature of the city treasurer. The proceeds derived from the sale of the bonds shall be delivered to the city treasurer, and such proceeds exclusive of premiums and accrued interest shall be expended (a) for repairing the existing seawall at Fields Point and constructing an extension thereof and for constructing additional docking and support facilities, including transit sheds, railroad sidings, access roads, sanitary and storm sewers, and water pipes or (b) in payment of the principal of or interest on temporary notes issued under section three or (c) in repayment of advances under section four. No purchaser of any bonds or notes under this act shall be in any way responsible for the proper application of the proceeds derived from the sale thereof. The proceeds of bonds or notes issued under this act, any applicable federal or state assistance and the other moneys referred to in section

six shall be deemed appropriated for the purposes of this act without further action than that required by this act.

Section 3. The city council may by resolution pursuant to chapter 1017 of the public laws of 1902 authorize the issue from time to time of interest bearing or discounted notes in anticipation of the authorization or issue of bonds under section two, provided that the last proviso of section one of chapter 1017 of the public laws of 1902 shall not apply to notes being refunded by the issue of bonds. The city council may by resolution authorize the issue from time to time of interest bearing or discounted notes in anticipation of the receipt of federal or state aid for the purposes of this act. The amount of original notes issued in anticipation of federal or state aid may not exceed the amount of available federal or state aid as estimated by the city treasurer.

Section 4. Pending any authorization or issue of bonds hereunder or pending or in lieu of any authorization or issue of notes hereunder, the city treasurer, with the approval of the city council, may apply funds in the general treasury of the city to the purposes specified in section two, such advances to be repaid without interest from the proceeds of bonds or notes subsequently issued or from the proceeds of applicable federal or state assistance or from other available funds.

Section 5. Any proceeds of bonds or notes issued hereunder or of any applicable federal or state assistance, pending their expenditure, may be deposited or invested by the city treasurer in demand deposits, time deposits or savings deposits in banks which are members of the Federal Deposit Insurance Corporation or in obligations issued or guaranteed by the United States of America or by any agency or instrumentality thereof or as may be provided in any other applicable law of the State of Rhode Island.

Section 6. Any accrued interest received upon the sale of bonds or notes hereunder shall be applied to the payment of the first interest due thereon. Any premiums arising from the sale of bonds or notes hereunder, any net earnings or profits realized from the deposit or investment of funds hereunder and any balance of bond or note proceeds remaining after completion of the projects shall, in the discretion of the city treasurer, be applied to the cost of preparing, issuing and marketing bonds or notes hereunder to the extent not otherwise provided, to the payment of the cost of the projects or the cost of additional improvements coming within the description of the projects in section two, to the payment of the principal of or interest on bonds or notes issued hereunder

or to any one or more of the foregoing. The cost of preparing, issuing and marketing bonds or notes hereunder may also, in the discretion of the city treasurer, be met from bond or note proceeds exclusive of premium and accrued interest or from other moneys available therefor. In exercising any discretion under this section, the city treasurer shall be governed by any instructions adopted by resolution of the city council.

Section 7. All bonds and notes issued under this act and the debts evidenced hereby shall be obligatory on the city in the same manner and to the same extent as other debts lawfully contracted by it and shall be excepted from the operation of section 45-12-2 of the general laws. No such obligation shall at any time be included in the debt of the city for the purpose of ascertaining its borrowing capacity. The city shall annually appropriate a sum sufficient to pay the principal and interest coming due within the year on bonds and notes issued hereunder to the extent that moneys therefor are not otherwise provided. If such sum is not appropriated, it shall nevertheless be added to the annual tax levy. In order to provide such sum in each year and notwithstanding any provision of law to the contrary, all taxable property in the city shall be subject to ad valorem taxation by the city without limitation as to rate or amount.

Section 8. Any bonds or notes issued under the provisions of this act and coupons on any bonds, if properly executed by officers of the city in office on the date of execution, shall be valid and binding according to their terms notwithstanding that before the delivery thereof and payment therefor any or all of such officers shall for any reason have ceased to hold office.

Section 9. The city, acting by resolution of its city council, is authorized to apply for, contract for and expend any federal or state advances or other grants or assistance which may be available for the purposes of this act, and any such expenditures may be in addition to other moneys provided in this act. To the extent of any inconsistency between any law of this state and any applicable federal law or regulation, the latter shall prevail. Federal and state advances, with interest where applicable, whether contracted for prior to or after the effective date of this act, may be repaid as a cost of the projects under section two.

Section 10. In all matters related to the purposes of this act, including without limitation and where applicable, the condemnation of any land or

interest in land and the levy and collection of assessments or other charges on account of the projects, all steps shall be taken which are necessary to meet constitutional requirements whether or not such steps are required by statute. The validity of bonds and notes issued hereunder shall in no way depend upon the validity or occurrence of any action required by the preceding sentence or of any other action not specifically required herein for the issue of such bonds or notes.

Section 11. The question of the approval of this act shall be submitted to the electors of the city at a special local election to be held on a date, which may be but need not be on the same date as any other election, prior to the general state election on November 7, 1972 as shall be designated by resolution of the city council; but if a special local election is not so held, then at the general state election to be held on November 7, 1972. The question shall be submitted in substantially the following form: "Shall an act, passed at the 1971 session of the general assembly, entitled 'AN ACT PROVIDING FOR REPAIRING THE EXISTING SEAWALL AT FIELDS POINT AND CONSTRUCTING AN EXTENSION THEREOF AND FOR CONSTRUCTING ADDITIONAL DOCKING AND SUPPORT FACILITIES BY THE CITY OF PROVIDENCE AND AUTHORIZING THE FINANCING THEREOF, INCLUDING THE ISSUE OF NOT MORE THAN \$6,500,000 BONDS THEREFOR' be approved?" and the warning for the election shall contain the question to be submitted. From the time the election is warned and until it is held, it shall be the duty of the city clerk to keep a copy of the act available at his office for public inspection, but any failure of the clerk to perform this duty shall not affect the validity of the election. Sections 5(a) and 135 of chapter 832 of the public laws of 1940, as amended by chapter 1266 of the public laws of 1943 shall not apply to the election hereunder and the validity of the election shall not be affected by the provisions of Section 2-296 of the Code of Ordinances of the City of Providence. Chapter 3526 of the public laws of 1955 shall apply.

Section 12. This section and the foregoing section shall take effect upon the passage of this act. The remainder of this act shall take effect upon the approval of this act by a majority of those voting on the question at the election prescribed by the foregoing section.