

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2013-13

No. 177

AN ORDINANCE IN AMENDMENT OF CHAPTER 14, "LICENSES," ARTICLE IV, "COMMERCIAL PARKING LOTS"

EFFECTIVE ~~XXXXXX~~ April 15, 2013

Be it ordained by the City of Providence:

SECTION 1. The Code of Ordinances of the City of Providence, Chapter 14, "Licenses," Article IV, "Commercial Parking Lots," is hereby amended as follows:

Sec. 14-64. - License required.

No person shall maintain or operate a commercial parking garage or parking lot within the limits of the city unless such person shall be duly licensed by the board of licenses. A separate commercial parking license is required for each parking garage or parking lot. The said license shall be issued after due application, as described in this article, and payment of the prescribed fee. The license shall be renewed annually.

Sec. 14-65 – License application.

A person submitting a commercial parking license application to maintain or operate a commercial parking garage or parking lot shall provide the following information:

- (1) The applicant's business name and address, and the address of the parking garage or parking lot for which the applicant seeks a license;
- (2) The name, residence address, and business contact information of an individual the applicant has authorized to serve as the point of contact for the license;
- (3) The names and residence addresses of every officer and partner of the applicant and every person with 10 percent or larger ownership interest in the applicant;
- (4) The name and residence address of the individual whom the applicant has authorized to manage, direct, or control the operations of the parking garage or parking lot for which the applicant seeks a commercial parking license;
- (5) For all individuals listed in subsections (2) through (4), a list of each conviction of or plea of guilty or no contest to a crime in the five (5) years preceding the application, including the nature of the offense and the place and date of the conviction or plea. The department of police may register an objection to the application with the board of licenses where such information gives rise to a public safety concern;
- (6) If the applicant does not own the building, structure or space where the parking garage or parking lot for which the applicant seeks a commercial parking permit operates or will operate, the name, business address and contact information of the owner, and documentation demonstrating the nature of the applicant's interest in the building, structure or space;

(7) A list of employees or other individuals currently working or proposed for work at the parking garage or parking lot, and a declaration as to whether or not any employee has, in the preceding five (5) years, been convicted or pled guilty or no contest to a crime. The department of police may register an objection to the application with the board of licenses where an employee has been convicted, or pled guilty or no contest to a crime that gives rise to a public safety concern.

(8) A copy of any appropriate filings with the Rhode Island Secretary of State;

(9) A copy of plans for the parking garage or parking lot for which the applicant seeks a license. The plans must include the name and business address of the applicant; the address of the parking garage or parking lot; the name and business address of the owner of the building, structure or space where the garage or lot is located, if the applicant is not the owner; all pedestrian and vehicular entrances and exits to the garage or lot; the dimensions and types of construction of all structures, fences or other improvements; and any features that may affect street traffic;

(10) The total motor vehicle capacity of the parking garage or parking lot for which the applicant seeks a license, including the number of designated spaces and the motor vehicle capacity of all undesignated areas the applicant could use for overflow parking;

(11) Certificates of insurance and endorsements evidencing insurance including the amounts and coverages, including theft and damage coverage, as specified under Rhode Island General Law § 31-35-1;

(12) A security plan for the parking garage or parking lot. The security plan must specify the hours of operation for the parking garage or parking lot and meet the requirements set in Section 14-66. The security plan shall include a certification from the applicant that the applicant shall operate the parking garage or parking lot in compliance with the security plan;

(13) The name and address of the person authorized to accept service of process for the applicant; and

(14) Any other information that the board of licenses finds reasonably necessary.

Sec. 14-66 – Security Plan Review.

A security plan shall be included with the application for a commercial parking license.

(1) The chief of police, or his or her designee, shall review the applicant's security plan to ensure that it meets the minimum requirements set forth in this section, and is reasonably calculated to protect individuals and vehicles in the parking garage or parking lot and within 25 feet of any pedestrian or vehicular entrance or exit to the parking garage or parking lot. The evaluation of the security plan for the parking lot or parking garage shall consider all relevant factors including, but not limited to:

(a) The location, size, hours of operation;

(b) The proximity to a Class N establishment; and

(c) The history of incidents resulting in Police Department response in the two (2) years before the date of the application.

(2) The chief of police, or his or her designee, may approve a security plan, or may specify alternate or additional security measures required for approval of the security plan. The chief, or his or her designee, shall disapprove any security plan that he or she determines does not adequately address the safety of individuals and vehicles in the parking garage or parking lot and within 25 feet of any pedestrian or vehicular entrance or exit to the parking garage or parking lot, notwithstanding the compliance of the proposed security plan with the minimum requirements of section 14-67.

(3) The board of licenses shall not issue a commercial parking license for any parking garage or parking lot unless the chief of police, or his or her designee, approves the security plan for that parking garage or parking lot.

Sec. 14-67 –Security Plan Requirements

(1) The security plan shall:

(a) Identify the number, type, and location of all light sources located on the premises including lighting located within pedestrian stairwells and entrances and provide for appropriate lighting as specified in the zoning code; and

(b) Provide for roving security guards for self-service parking garages with multiple levels, as required under section 14-75.

(2) If any pedestrian or vehicular entrance or exit to the parking garage or parking lot is within 1,000 feet of any entrance or exit to a licensed Class N establishment, the police chief, or his or her designee, may require the security plan to provide for an attendant, security guard or other individual retained by the licensee to remain on site until one hour after such licensed Class N establishments close. An attendant, security guard or other individual would not be required on site if all vehicular entrances and exits to the parking garage or parking lot are closed and secured so that vehicles may not enter or exit the garage or lot. An attendant, security guard or other individual is not required on site. The phrase "1,000 feet" in this section shall mean 1,000 feet in all directions, including across a street, from any pedestrian or vehicular entrance or exit to the parking garage or parking lot;

(3) The security plan may include additional measures to protect the safety of individuals and vehicles in the parking garage or parking lot and within 25 feet of any pedestrian or vehicular entrance or exit to the parking garage or parking lot, including, but not limited to, additional personnel, additional lighting, security cameras, emergency call boxes or phones, mirrors, barriers, and other physical improvements, or plans to close and secure one or more pedestrian or vehicular entrances or exits to the parking garage or parking lot for certain hours of operation.

(4) The authority of the chief of police, or his or her designee, to review and approve security plans for parking garages and parking lots shall not restrict in any way the authority of the board of licenses to place security requirements on any licensee.

(5) The licensed commercial parking garage or parking lot shall adhere to the security plan approved by the chief of the police, or his or her designee, as a condition of the license. Failure to comply with said security plan shall be punishable by a suspension or revocation of its license or by a fine or other penalty as determined by the board of licenses.

Sec. 14-68 - Signs required.

Commercial parking lots and parking garages shall have a permanently affixed sign suitable to apprise persons using such parking lots and parking garages with the following information:

(1) The name of the owner, the hours of the day or night during which such lot or garage is open for storing motor vehicles, the rates charged for parking and the closing hour of such place must be shown.

(2) Where more than one rate is charged for parking in a parking lot or garage regulated herein, the figures for each rate shall be of the same size and dimensions, and such figures shall measure not less than six inches in height, and the letters and figures indicating the closing hours shall be not less than six inches in height.

(3) Where separate rates or charges are made by parking places regulated herein for day parking and night parking, notice thereof shall be posted on the signs described in this article.

Sec. 14-69. - Protection barriers to be erected on lots adjacent to dangerous conditions.

Any person operating an automobile parking place as defined in section 2 of Chapter 834 of the 1940 Public Laws of the state, which abuts upon or is adjacent to a body of water such as a waterway, harbor, river, lake, pond or the like, or to an embankment wherein the grade changes so abruptly as to cause a dangerous condition to exist, shall erect and maintain barriers of such type and construction as shall be determined by the inspector of buildings to protect the users of such lot.

Sec. 14-70. - Plans for protection barriers to be approved by inspector of buildings; permit to be issued.

Before protection barriers, as provided in section 14-69, shall be erected, plans detailing the type and manner of construction of said barriers shall be filed with the inspector of buildings who shall issue a permit if the plans are approved by him.

Sec. 14-71. - Inspection, alterations and repairs of protection barriers.

It shall be the duty of the inspector of buildings or his duly authorized assistants to inspect all protection barriers required herein at least once annually. The inspector of buildings shall order such repairs, alterations and/or replacements as may be deemed necessary to accomplish the purpose of sections 14-69 to 14-73 of this article.

Sec. 14-72. - Date of completion of protection barriers.

All barriers required under the terms of sections 14-69 to 14-73 of this chapter shall be erected and completed not later than thirty (30) days after commencement of operations for which such barriers are required.

Sec. 14-73. - Suspension and revocation of license.

Failure to comply with sections 14-64 to 14-67 shall be punishable by a suspension or revocation of the commercial parking lot license, or fine or other penalty, as determined by the board of licenses. Upon receiving notice, in writing, from the inspector of buildings to the effect that any licensee of an "automobile parking place" has failed to comply with the provisions of sections 14-69 to 14-73 of this article, the commissioner of public safety may suspend or revoke the license issued to such licensee.

Sec. 14-74. - Report of vehicle left on premises more than twenty-four hours.

Every person engaged in the business of parking motor vehicles on any lot within the city shall report to the commissioner of public safety of the city any motor vehicle left on the premises for more than twenty-four (24) hours continuously, within six (6) hours of the expiration of said twenty-four (24) hour period, giving the registration number of said motor vehicle and any other information which said department may require.

Sec. 14-75. - Security guards required for multi-decked parking garage; violation.

(a) All operators of self-service multi-decked parking garages in the City of Providence shall provide roving security guards during such periods when the said garages are operational.

(b) Violation of this section will cause immediate suspension of license by the license board until a hearing can be given by same and a ruling be handed down.

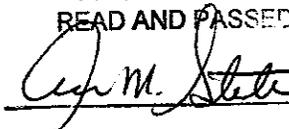
Sec. 14-76. - Tax exemption for certain structures.

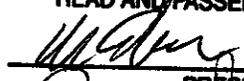
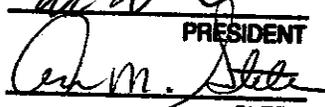
Any structure hereinafter constructed within the City of Providence, whether such structure be located above or under or upon the ground and used by the public for the parking of motor vehicles off the street or highway, shall be exempt from taxation provided:

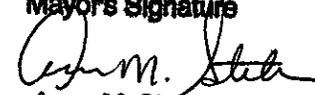
(1) That such structure increase by no less than two hundred (200) per cent the parking capacity of the premises as they existed prior to such construction.

- (2) The owner(s) and/or operator(s) make(s) proper application for such exemption with the assessor of taxes upon a form and in a manner prescribed by him.
- (3) That such application is approved by virtue of a resolution enacted by the city council and approved by the mayor.
- (4) That any exemption from taxes shall be limited to that portion of the structure exclusively used for or devoted to the off-street parking of motor vehicles owned by the public.
- (5) Should the structure cease to be used as parking facilities as described herein, within the period of said exemption, the owner and/or operator shall pay to the collector of taxes of the City of Providence any taxes together with any interest thereon at the regular rate and in the manner provided by law.
- (6) No exemption shall extend beyond December 31, 1993.
- (7) Any exemption shall become effective on the thirty-first day of December of the year in which said resolution is properly enacted; however, in no event shall any exemption be granted unless application for the same is made prior to May 18, 1985.

SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
MAR 21 2013
FIRST READING
READ AND PASSED
 CLERK

IN CITY
COUNCIL
APR 04 2013
FINAL READING
READ AND PASSED

PRESIDENT

CLERK

Effective without the
Mayor's Signature

Anna M. Stetson
City Clerk

An Ordinance in Amendment Of Chapter 14 of The Code of Ordinances of the City of Providence Entitled "Licenses" Approved July 6, 2009, As Amended, to Modify Article I.

This ordinance amends Section 14-14, "Floor Hosts." The proposed changes would place new guidelines and requirements on **floor host** (aka, bouncer) licenses.

An Ordinance in Amendment of Chapter 14, "Licenses," of The Code of Ordinances of the City of Providence, Article X, "Shows and Amusements," Division 4, "Commercial Establishments Where Alcoholic Beverages Are Offered for Sale."

This ordinance adds Section 14-233, "Event Promoter Licensing." The ordinance proposes to create an **event promoter license** and establishes the process and rules for those who promote events at establishments that serve alcohol.

An Ordinance in Amendment of Chapter 14, "Licenses," Article IV, "Commercial Parking Lots."

The ordinance amends the existing article in the Code of Ordinances regarding **commercial parking** lots. The proposed changes would add new requirements to the license application, including submitting a security plan for the commercial parking garage or lot.