

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1986-28

No. 318 **AN ORDINANCE** AN ORDINANCE AUTHORIZING THE PROVIDENCE REDEVELOPMENT AGENCY TO CREATE A SPECIAL PROJECT AREA FOR THE PURPOSE OF ACQUIRING AND DISPOSING OF VACANT LAND WITHIN THE CITY AND PROVIDING FOR THE SYSTEMATIC FORECLOSURE OF CITY LIENS ON VACANT LAND, AS AMENDED.

Approved June 12, 1986

Be it ordained by the City of Providence:

WHEREAS, Vacant and unused lots have become more and more numerous in the City of Providence, and

WHEREAS, These lots often become littered with debris and filled with abandoned vehicles, providing harborages for rats and other vermin, causing a danger to the public health, and

WHEREAS, Title to these properties is often clouded by various liens, and

WHEREAS, These liens make it nearly impossible to transfer these properties, leaving the City of Providence "landlord by default" shouldering all the burdens of ownership while enjoying none of its benefits, and

WHEREAS, The City of Providence expends considerable resources in the cleaning, and maintenance of these properties while receiving no taxes in return, and

WHEREAS, The auctioning of these properties under provisions of the Rhode Island General Laws, while providing some revenue to the City, does not insure the highest and best use of the properties, and gives no consideration to the Comprehensive Plan or plans and projects in various sections of the City, and

WHEREAS, These lots are therefore, found to be a blighting influence as defined in the legislation creating the Providence Redevelopment Agency.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PROVIDENCE:

SECTION 1. Upon passage of this Ordinance, the Department of Planning and Development (Department) shall cause a master list of all the vacant land on which the City of Providence has liens for taxes, demolition, boarding or cleaning to be assembled and maintained. The list shall also be depicted on an Assessor's Plat Book which shall be on file at the Department's Office.

No.

CHAPTER

AN ORDINANCE

The Department shall note the nature and amount of any liens on the properties on the master list. The list shall then be distributed to the following:

- a. The City Solicitor, who shall determine the most expedient and inexpensive legal method to quiet title to each property.
- b. The Providence Redevelopment Agency, which shall evaluate lots which fall under existing plans and projects.
- c. The City Plan Commission, which shall evaluate the potential use of lots in accordance with the Comprehensive Plan.
- d. The City Council, to inform its Members of the existence and location of lots within their respective wards, and to solicit their opinion as to the most beneficial disposition of those lots.

Based on the information provided from the sources mentioned above the Department shall refer each lot on the list either to the City Solicitor, who shall institute or cause to be instituted, legal action necessary to secure clear title for the City, or to the Providence Redevelopment Agency for inclusion in the Special Vacant Lot Project.

SECTION 2. The Providence Redevelopment Agency is hereby authorized and directed to take any action within its existing powers to acquire and/or condemn all properties referred to it under Section 1. These actions may include the expansion of existing redevelopment areas for such acquisition and create new project areas in accordance with its own governing statutes, ordinances and regulations for the purpose of implementing this Ordinance. The City Council hereby authorizes the City Treasurer and/or the City Collector to transfer by deed all tax reverted vacant land in their possession to the Providence Redevelopment Agency for disposition by them as set forth in this Ordinance. All taxes assessed as of December 31, 1985 and prior thereto shall not be chargable to or constitute a lien against the Providence Redevelopment Agency and subsequent owners of the property.

SECTION 3. Disposition of Property.

Lots located within the boundaries of existing Redevelopment Plans shall be disposed of in accordance with the objectives of each plan. Parcels sold for side yards shall not be referred to the project area committees.

Lots not located in an approved project area shall be disposed of under the following criteria:

1. Recognizing that considerable density exists in all neighborhoods of the City, first priority for lots under 7,500 sq. ft. shall be given to owner/occupant of adjacent property for expansion of their yard and/or parking facilities. Second priority shall be given to the residing within the area. These owners will be required to bring their own property to minimum standards.
2. Wherever possible lots shall be assembled and marketed as a single development parcel. Not for profit housing development cooperation, may be given preference in selection and in disposition prices.
3. Wherever lots cannot be disposed of in accordance with the first two priorities, they shall be placed in a Land Bank. Interim uses may be permissible for Land Bank properties with the consent of the Redevelopment Agency and such uses may include community gardens, recreation areas and for use by community organizations.
4. Disposition of all parcels shall be in conformance with the Comprehensive Plan.

Disposition by the Committee on City Property.

The Committee on City Property shall dispose of property acquired hereunder according to the same criteria used by the Providence Redevelopment Agency, insofar as this is possible, without violating the provisions of the Providence Home Rule Charter of 1980.

SECTION 4. Subsequent Action.

Subsequent to the passage of this Ordinance, it shall be the policy of the City of Providence to systematically foreclose its liens on properties.

The Tax Collector, when contracting for title searches for the Collector's Sale, shall ensure that the contract for title search services includes the periodic updating of the title search until the City disposes of the properties.

Prior to the Collector's Sale, the list of properties to be auctioned shall be referred to the City Plan Commission, the Providence Redevelopment Agency, and the City Council. Where the City's planning goals are served, by the acquisition of a property on that list, the Collector shall reject all bids and purchase the property for the City.

The City Treasurer and the City Solicitor shall provide for the systematic foreclosure of the previous owner's rights of redemption as provided by State Law. Where title to the property is clouded by liens from other creditors, the property shall be included in an amendment to the Special Redevelopment Plan.

The Director of Inspection and Standards shall insure that liens are recorded for boarding and demolition. These liens shall be foreclosed at the earliest possible date.

The Director of Public Works shall cause liens for cleaning of vacant lots to be recorded.

The Department shall be responsible for the maintenance of a list of all vacant land within the City, as well as the amount and nature of any liens thereon. The City Collector, City Treasurer, Director of Inspection and Standards, the Director of Public Works, shall inform the Department whenever there is a lien attached to a property as a result of the actions of their department.

The Providence Redevelopment Agency shall inform the City Solicitor of the lots it has condemned so that, the Law Department may recover any amounts due the City from the amounts deposited with the Superior Court at the time of condemnation.

SECTION 5. This Ordinance shall take effect upon its passage.

IN CITY COUNCIL

MAY 15 1986

First Reading Read and Passed, as amended
Referred to Committee on
URBAN REDEVELOPMENT
RENEWAL & PLANNING

Rose M. Mendonca **CLERK**

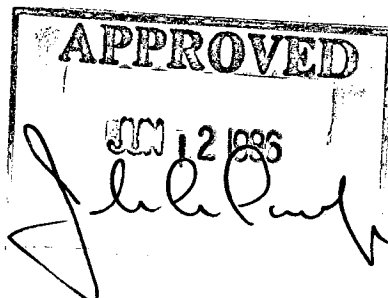
IN CITY COUNCIL

JUN 5 1986

FINAL READING
READ AND PASSED, as amended

Michael W. Egan
PRESIDENT

Rose M. Mendonca
CLERK



THE COMMITTEE ON
URBAN REDEVELOPMENT
RENEWAL & PLANNING

Approves Passage of
The Within Ordinance, as amended

Rose M. Mandover
Clerk Chairman
May 6, 1986

THE COMMITTEE ON
URBAN REDEVELOPMENT
RENEWAL & PLANNING

Approves Passage of
The Within Ordinance, the Second Line
as amended

Rose M. Mandover
Clerk Chairman
May 27, 1986

IN CITY COUNCIL

Reported to Committee on
Urban Redevelopment and Planning

1986

COMMITTEE
IN CITY

Reported to Committee on
Urban Redevelopment and Planning

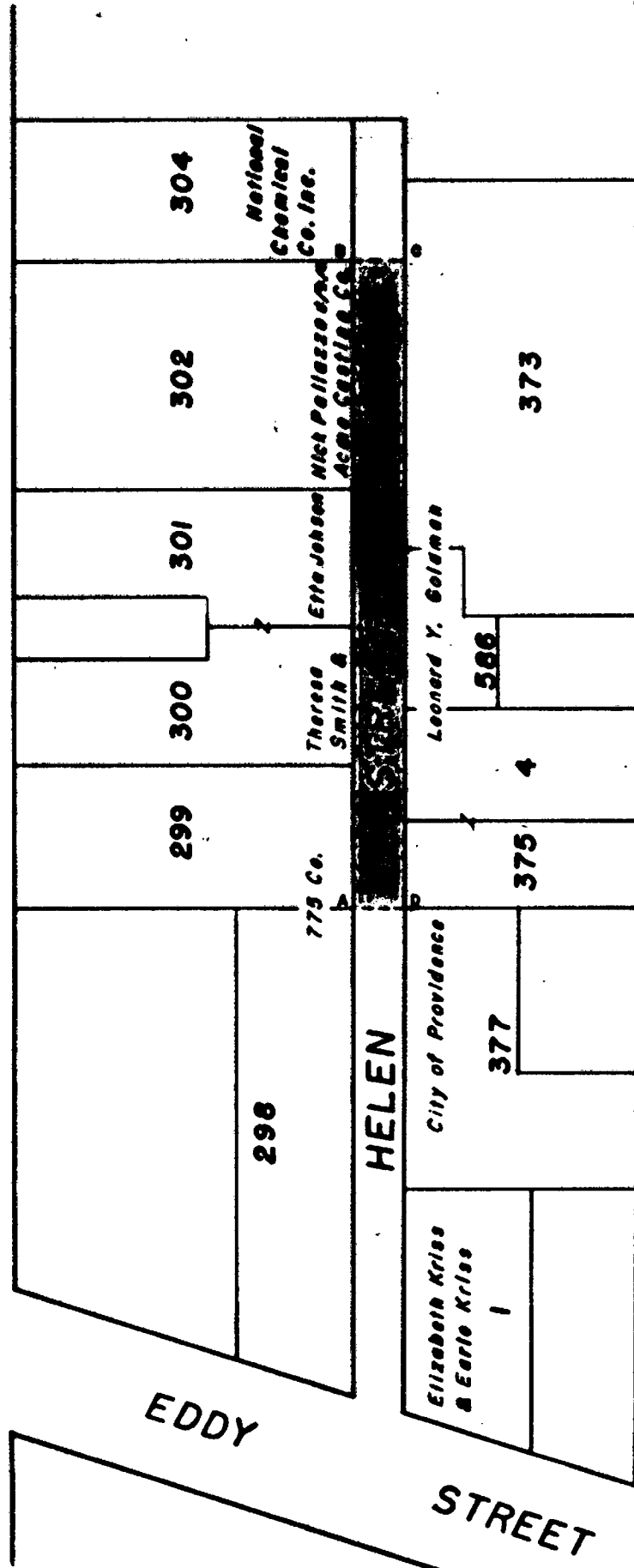
1986

1986

PROVIDENCE R. I.
 P. W. DEPT. - ENGINEERING OFFICE
STREET LINE SECTION
 Plan No. 064285
 Date JANUARY 6, 1984

PUBLIC STREET

O'CONNELL STREET



Note:
 Revised 3-14-84

Notes:
 Shaded Area A-B-C-D-A
 Indicates Proposed Abandonment

LOT NUMBERS FROM ASSESSOR'S PLAT 46

CITY OF PROVIDENCE, R. I.
 Public Works Dept. Engineering Office
 Showing Proposed Abandonment of
 PORTION OF HELEN ST.
 Drawn by L.O.A. Checked by R.J.D.
 Scale 1"=60' Date 1-6-84
 Corrected by R. J. [Signature] Associate Eng.
 Approved by [Signature] CHIEF ENGINEER



Department of Planning and Development

"Building Pride In Providence"

January 27, 1986

Mrs. Rose M. Mendonca
City Clerk
City Clerk's Office
City Hall
Providence, Rhode Island 02903

Dear Rose:

Per Councilman David Dillon's request, please find attached revisions to the proposed Ordinance for vacant land currently pending before the Sub-Committee on Urban Renewal

In addition, for your convenience, I am also attaching a copy of what the revised Ordinance would look like if all the amendments are accepted.

Please do not hesitate to call should you have any questions concerning this matter.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Kathleen D. Field".

Kathleen D. Field
Associate Director of Planning

KDF/jp

Attachments

cc: Councilman Dillon
Merrick A. Cook, Jr.

REVISIONS OF PROPOSED ORDINANCE FOR VACANT LAND
(Pending Before the Council Committee)

- Line 18: Delete the word "given"
- Line 25: Delete the words "Director of Development", and substitute with the words "Department of Planning and Development (Department)" in place thereof.
- Line 27: Change the comma at the end of this line to a period.
- Lines 28 to 32: Delete the entire lines 28 to 32, and substitute by the following sentence:
- "The list shall also be depicted on an Assessor's Plat Book which shall be on file at the Department's Office."
- Line 33: Delete the words "Director of Development" and substitute with the word "Department".
- " " Delete the word "then".
- Line 39: Delete the word "who" and substitute with the word "which".
- Line 42: Delete the word "who" and substitute with the word "which"
- Line 51: Delete the words "Director of Development" and substitute with the word "Department".
- Line 52: Change the word "fo" to "to".
- Line 56: Delete the words "Providence Redevelopment Agency to prepare".
- Line 57: Delete the entire line.
- Line 59: Delete the words "prepare and adopt a Special Redevelopment Plan for" and substitute with the following sentence in place thereof.
- "take any action within its existing powers to acquire and/or condemn all properties referred to it under Section 1. These actions may include the expansion of existing redevelopment areas for such acquisition and create new project areas in accordance with its own governing statutes, ordinances and regulations for the purpose of implementing this Ordinance."
- Lines 60 to 72: Delete the entire lines 60 to 72.
- Lines 85 to 88: Delete the entire lines 85 to 88.
- Line 89: Change the number "3" to "2".

Between
Lines 90
& 91:

Add the following paragraph between Lines 90 and 91:

"3. Wherever lots cannot be disposed of in accordance with the first two priorities, they shall be placed in a Land Bank. Interim uses may be permissible for Land Bank properties with the consent of the Redevelopment Agency and such uses may include community gardens, recreation areas and for use by community organizations."

Lines 99
to 104:

Delete the entire lines 99 to 104.

Line 138:

Delete the words "Director of Development" and substitute with the word "Department".

Line 142:

Delete the words "Director of Development" and substitute with the word "Department".

3/27/86

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WHEREAS, The auctioning of these properties under provisions of the Rhode Island General Laws, while providing some revenue to the City, does not insure the highest and best use of the properties, and gives no consideration to the Comprehensive Plan or plans and projects in various sections of the City, and

WHEREAS, These lots are therefore, found to be a blighting influence as defined in the legislation creating the Providence Redevelopment Agency.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PROVIDENCE:

SECTION 1. Not less than thirty days after the passage of this Ordinance, the Department of Planning and Development (Department) shall cause a master list of all the vacant land on which the City of Providence has liens for taxes, demolition, boarding or cleaning to be assembled. The list shall also be depicted on an Assessor's Plat Book which shall be on file at the Department's Office.

The Department shall note the nature and amount of any liens on the properties on the master list. The list shall then be distributed to the following:

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- d. The City Council, to inform its Members of the existence and location of lots within their respective wards, and to solicit their opinion as to the most beneficial disposition of those lots.

Based on the information provided from the sources mentioned above the Department shall refer each lot on the list either to the City Solicitor, who shall institute or cause to be instituted, legal action necessary to secure clear title for the City, or to the Providence Redevelopment Agency for inclusion in the Special Vacant Lot Project.

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Disposition by the Committee on City Property.

The Committee on City Property shall dispose of property acquired hereunder according to the same criteria used by the Providence Redevelopment Agency, insofar as this is possible, without violating the provisions of the Providence Home Rule Charter of 1980.

SECTION 4. Funding.

Under the terms of an audit conducted by the federal government. The City of Providence is required to appropriate funds to the Mayor's Office of Community Development. The amount of \$250,000 is appropriated for the purpose of funding the Special Redevelopment Plan and to defray the cost of foreclosing liens on the properties. The proceeds of the sale of lots under this Ordinance, as well as any amounts deposited with the Superior Court in condemnation proceedings, shall be returned to the City.

SECTION 5. Subsequent Action.

Subsequent to the passage of this Ordinance, it shall be the policy of the City of Providence to systematically foreclose its liens on properties.

The Tax Collector, when contracting for title searches for the Collector's Sale, shall ensure that the contract for title search services includes the periodic updating of the title search until the City disposes of the properties.

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The Providence Redevelopment Agency shall inform the City Solicitor of the lots it has condemned so that, the Law Department may recover any amounts due the City from the amounts deposited with the Superior Court at the time of condemnation.

SECTION 6. This Ordinance shall take effect upon its passage.

MEMORANDUM

Date : May 6, 1986
To : FILE
From : William G. Floriani, Assistant Director
Re : VACANT LOT PROGRAM

After some review and considering the limited budget available to this project, equity of redemption is a time consuming and costly method of gaining clear title to the properties. The normal PRA project approach is also costly and, in my opinion, would not make a sufficient impact on the program unless it can be accomplished in the following manner.

The City Council authorizes the treasurer and collector to deed over all the tax reverted vacant land to the PRA and;

- 1) Waive all taxes owed on the property and any future taxes while in PRA ownership.
- 2) PRA would then create a city-wide redevelopment project to include all the above properties.
- 3) The PRA then could condemn all the properties in its ownership and ask the Superior Court to waive depositing any monies with the court, thus giving the PRA clear title by condemnation.

By this method the PRA would initially save depositing any money in court, the cost of appraising the property and having a title search completed until someone challenges in court his right to just compensation which is highly unlikely due to length of time the properties have remained in tax reverted status.

If the above can be accomplished, the PRA could then dispose of the properties as outlined in the Vacant Lot Program.