

**CITY OF PROVIDENCE
RHODE ISLAND**

IN CITY COUNCIL

JAN 2 - 1973



APPROVED:

Vincent Vespica
CLERK

CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 44 City Council Regular Meeting, Thursday, December 21, 1972, 8:00 P.M. (EST)

PRESIDING

COUNCIL PRESIDENT

ROBERT J. HAXTON

ROLL CALL

Present: Council President Haxton and Councilmen Addison, Ahern, Beatini, Bradshaw, Brown, Cola, Darigan, DeVito, Goldin, Johnson, Kelly, Lorenzo, Lynch, Mascia, J. Murphy, Payne, Pearlman, Pisaturo, Prete, Sciarretta and Xavier—22.

Absent: Councilmen Crowley, McKiernan, Moran and W. Murphy—4.

INVOCATION

The Invocation is given by COUNCILMAN
WILLIAM G. BRADSHAW.

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

COUNCILMAN THOMAS L. PAYNE 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. 43 of the Regular Meeting of the City Council held December 7, 1972, and Posted December 15, 1972, on that Bulletin Board located on the ground floor of the City Hall, is approved as printed, on motion of COUNCILMAN SCIARRETTA, seconded by COUNCILMAN LYNCH.

SCHEDULE OF BILLS

FROM ACTING PUBLIC SERVICE ENGINEER

Street Lighting Bill for the Month of November, 1972, in the Amount of \$77,262.25.

Approved, on motion of COUNCILMAN SCIALARRETTA, seconded by COUNCILMAN LYNCH, by the following Roll Call vote:

Ayes: Council President Haxton and Councilmen Addison, Ahern, Beatini, Bradshaw, Brown, Cola, Darigan, DeVito, Goldin, Johnson, Kelly, Lorenzo, Lynch, J. Murphy, Payne, Pearlman, Pisaturo, Prete, Sciarretta and Xavier—21.

Noes: None.

Absent: Councilmen Crowley, Mascia, McKiernan, Moran and W. Murphy—5.

ORDINANCES SECOND READING

The following Ordinances were in City Council December 7, 1972, Read and Passed the First Time and are Returned for Passage the Second Time:

An Ordinance in Amendment of the Code of Ordinances of the City of Providence, Rhode Island, Approved October 21, 1968, as Amended by Chapter 68-41, Approved June 10, 1968, Regulating the Control of Dogs and Other Animals.

Be it ordained by the City of Providence:

Section 1. Section 4-33 "Restraint of Dogs Required." The owner shall keep his dog under restraint at all times and shall not permit such dog to be at large, off the premises or property of the owner, unless under the control of a competent person *by means of voice command or leash or similar restraint.*

Sec. 2. Section 4-34 "Impoundment of Dogs and Other Animals." Any dog, or dogs, found running at large shall be taken up by the Dog Officer or any Police Officer and impounded in the shelter designated as the City Dog Pound, and there confined in a humane manner for a period of not less than *ten (10) days* unless first claimed by the owner thereof in accordance with Section 5, and may thereafter be disposed

of in a humane manner if not claimed by their owners.

Sec. 3. Section 4-35 "Redemption of Impounded Dogs or Other Animals." Any dog or other animal impounded under the provisions of this Ordinance and not reclaimed by its owner within *ten (10) days*, may be humanely destroyed by the dog officer, have its possession transferred to the Society for the Prevention of Cruelty to Animals as provided for in Sec. 4 (b), or placed in the custody of some person deemed to be a responsible person who will agree to comply with the provisions of this Ordinance and such other regulations as shall be fixed by the Dog Officer.

Sec. 4. Section 4-36 "Impoundment Fees." Any animal impounded hereunder may be reclaimed as herein provided upon payment by the owner to the dog officer of \$5.00 Dollars and the additional sum of \$2.00 Dollars a day for each day such dog is retained. Such fees shall be collected by the Dog Officer and turned over to the City Collector, every month along with a monthly report concerning the number of dogs retained, an accounting of the fees col-

lected and a copy of the paid receipt given to each owner upon redemption of an animal.

Sec. 5. Section 4-52 "Penalty for Violation of Article:" Except as otherwise provided herein, any person convicted of violating any provision of this Ordinance may be punished by the payment of a fine not exceeding \$10.00 Dollars to be recovered for the use of the City and if such violation be continued, each days violation shall constitute a separate offense.

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

An Ordinance in Amendment of Chapter 1210 of the City Ordinances of 1958, Entitled: "An Ordinance Providing for Payment of Annuities to Widows of Policemen or Firemen," Approved August 8, 1958.

Be it ordained by the City of Providence:

Section 1. Each unmarried widow of a policeman or fireman who was a member of the Police or Fire Department of the City of Providence prior to October 1, 1923, and whose death occurred, or hereafter may occur while in service, or after retirement on pension, shall receive from the City upon Application duly made, an amount which, when added to all net income received by such unmarried widow from any source whatsoever, including any retirement payments or social security allowance, shall assure to such unmarried widow a sum not to exceed ONE HUNDRED TWENTY DOLLARS (\$120.00) per month and not to exceed a total of FOURTEEN HUNDRED FORTY DOLLARS (\$1,440.00) per year; but the annuities provided hereunder shall be considered as grants for additional support, and shall not be considered as vested rights in any annuitant.

Sec. 2. The Finance Committee of the City Council shall from time to time determine the amount of each such annuity, and the City Controller, under the advice and direction of the Finance Committee, shall administer the payment of such annuities through the City Treas-

urer. The Finance Committee shall establish such rules and regulations as it deems necessary and advisable for the guidance of the City Controller with respect to such annuities.

Sec. 3. Amounts payable under the terms and provisions of this Ordinance shall accrue and be payable only to an unmarried widow during her lifetime; shall not survive her death; shall not be assignable, transferable, or subject to attachment, nor shall such payments be retroactive for more than one month, and payments may be terminated at any time by vote of the Finance Committee after hearing for cause.

Sec. 4. Each person eligible for payments under the terms of this Ordinance shall file monthly with the City Controller on or before such date as designated by him an information return in such form and detail as he may require. No monthly benefits shall be paid until receipt of such return.

Sec. 5. Any misstatement in the information return may render the person filing the same ineligible for benefits for such period as the City Controller, in his discretion, may determine.

Sec. 6. The City Council shall by ordinance appropriate annually a sum sufficient to pay all annuities provided for under the provisions of this Ordinance.

Sec. 7. This Ordinance shall take effect upon passage, and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

An Ordinance in Amendment of Chapter 778 of the City Ordinances of 1953, and Chapter 1860 of 1967, Entitled: "An Ordinance Providing Additional Payments to Retired Employees of the City of Providence," Approved September 18, 1953 and Amendment Approved July 13, 1967.

Be it ordained by the City of Providence:

Section 1. Every retired employee of the City of Providence who served the City for at least twenty-five (25) years, or is now or hereafter

receiving a retirement allowance from a City retirement system after at least twenty-five (25) years membership in such system prior to retirement or who was retired by a City retirement system because of a disability incurred as the result of an accident while in the performance of duty, shall receive from the City an additional sum of money which, when added to all personal service income received by such retired employee from any source whatsoever, and to any retirement pension or social security allowance, shall assure to such employee, the sum of Two Hundred Forty Dollars (\$240) per month. In the determination of the years of membership in a retirement system required by this section full credit shall accrue for any service prior to January 1, 1925, provided, however, the employee joined the City retirement system prior to January 5, 1926. Any employee, regardless of service, who was paid as of the date of retirement, a lump sum settlement in lieu of a retirement allowance, shall not be eligible for this grant.

Sec. 2. Amounts payable under the terms and provisions of this Ordinance shall be payable only to a retired employee during his lifetime, shall not survive the death of such employee and shall not be assignable, attachable, or transferable.

Sec. 3. For the purposes of this Ordinance the retirement allowance paid to such employee under any pension plan of the City shall be deemed the maximum service retirement allowance to which such employee would have been entitled and not any elected optional retirement allowance.

Sec. 4. Each retired employee eligible for payments under the terms of this Ordinance shall file monthly with the City Controller on or before a designated date, an information return in such form and detail as the Controller may require. No monthly benefits shall be paid until receipt of such return.

Sec. 5. Any wilful or material misstatement in the information return may render the person filing the same permanently or temporarily ineligible for benefits as the City Controller in his discretion may determine.

Sec. 6. The payments herein provided are purely voluntary and may be reduced or terminated at any time as to any or all persons receiving the same.

Sec. 7. Chapter 1860 of the City Ordinances of 1967 is hereby repealed.

Sec. 8. This Ordinance shall take effect upon its passage.

An Ordinance Amending the Appropriation Ordinance Chapter 1972-32 Approved June 23, 1972, by Transferring Certain Sums of Money Within the School Department.

Be it ordained by the City of Providence:

Section 1. Chapter 1972-32 of the Ordinances of the City of Providence, as approved June 23, 1972 and entitled: "An Ordinance Making Appropriation of \$76,070,746.51 for the Support of the City Government for the Fiscal Year Ending June 30, 1973," is hereby further amended by transferring certain sums of money within the School Department line items as follows:

1. Decrease Item 0 —
Personal Services \$66,883.00
2. Increase Item 1 —
Services Other than Personal \$66,883.00

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

An Ordinance Approving and Adopting the Official Redevelopment Plan for the Federal Hill East NDP Urban Renewal Area.

Be it ordained by the City of Providence:

Whereas, The Providence Redevelopment Agency (hereinafter sometimes called "Local Public

Agency") pursuant to the provisions of Title 45, Chapters 31-33 (inclusive) of the General Laws of Rhode Island, 1956, as amended, entitled "Redevelopment Act of 1956," has formulated and submitted to the City Council on

for its consideration, an Urban Renewal Plan approved by the Local Public Agency, for an Urban Renewal Area, which said Urban Renewal Plan is entitled, "Federal Hill East, Redevelopment Plan, 1972-1973, N.D.P. Urban Renewal Area" and comprises a report consisting of 50 pages of text 4 exhibits and 6 maps; and

Whereas, A general plan has been prepared by the City Plan Commission and is recognized and used as a guide for the general development of the City of Providence as a whole; and

Whereas, The said Urban Renewal Plan concerns itself with areas which have been designated Redevelopment Areas by the City Council of the City of Providence by Chapter 103 of the Ordinances of the City of Providence, approved July 6, 1948, as amended by Chapter 69-44 of the Ordinances of the City of Providence, approved November 28, 1969, in conformity with the provisions of Section 22 of Chapter 1802 of the Public Laws of Rhode Island, 1946, as amended, and Title 45, Chapter 32, Section 4 of the General Laws of Rhode Island, 1956, as amended.

Whereas, A copy of said Urban Renewal Plan was transmitted to the City Plan Commission on ; and

Whereas, The City Plan Commission, which is the duly designated and acting official planning body for the City, has submitted to the City Council its report and recommendations respecting the Urban Renewal Plan for The Federal Hill East Renewal Area and has certified that said Urban Renewal Plan conforms to the said general plan for the City as a whole, and the City Council has duly considered said report, recommendation and certification of the planning body; and

Whereas, The plan indicates that an inspection of the dwelling units in the Area by trained

housing inspectors, using the "Appraisal Method for Measuring the Quality of Housing" developed by the American Public Health Service and supplemented by the Providence Building Code for all residential buildings, and an evaluation of non-residential structures performed by the inspectors of the Providence Building Inspection Department indicate that the Area is a deteriorated blighted area under the provisions of Title 45, Chapter 31, Section 8 (4).

Whereas, The plan indicated that a survey, based upon a detailed inspection of 122 of the 122 structures (a 100% sample) within the said Federal Hill East Renewal Area was made.

(1) Of the 105 residential structures within the area, 105 or 100% were inspected. These inspections revealed the following basic deficiencies: 54.7% of the total number of the dwelling units inspected were found to have at least one basic deficiency in essential dwelling facilities. Basic deficiencies include serious deterioration, serious overcrowding, lack of dual egress, lack of sanitary facilities and serious inadequacies in lighting and ventilation. A basic deficiency indicates a serious violation of minimum standards for continued dwelling occupancy and building safety which ordinarily would justify removing occupants from the dwelling until the violation was corrected.

(2) Surveying the non-residential structures were investigators who were either inspectors of the Providence Department of Building Inspection and/or professional architects or engineers. In both instances, the same method of evaluation was employed.

Of the total number of 105 residential structures in The Federal Hill East Urban Renewal Area, 46 or (43.8%) were found to be substandard, seriously deficient or unsafe.

Whereas, The plan as submitted contains a finding that the area included in the proposed Urban Renewal Plan qualified as a deteriorated area under the provisions of Title I of the United States Housing Act of 1949, as amended, (hereinafter sometimes called "Housing Act") and as

deteriorated blighted area within the meaning of the "Redevelopment Act of 1956" as amended to date, because there exists in the area buildings or improvements, used or intended to be used for living, commercial, industrial or other purposes, which by reason of (1) dilapidation, deterioration, age or obsolescence, (2) inadequate provision for ventilation, light, sanitation, open spaces and recreation facilities, (3) defective design or unsanitary or unsafe character or condition or physical construction, (4) defective or inadequate street and lot layout, (5) mixed character, deterioration or shifting of uses to which they are put, or any combination of such factors and characteristics are conducive to the further deterioration and decline of the area and injuriously affect the entire area. The Federal Hill East N.D.P. Urban Renewal Area is not restricted to, nor does it consist entirely of, lands, buildings, or improvements which of themselves are detrimental, but is an area in which such conditions exist, and injuriously affect the entire area.

Whereas, The Providence Redevelopment Agency has prepared a plan for the relocation of families that may be displaced as a result of carrying out the Project in accordance with said Urban Renewal Plan and has submitted to the City Council a Relocation Plan for the Project, identified as "Federal Hill East NDP Urban Renewal Area;" and

Whereas, There have also been presented to the City Council information and data respecting the Relocation Plan which have been prepared by the Providence Redevelopment Agency as a result of studies, surveys and inspections in the Federal Hill East NDP Urban Renewal Area and the assembling and analysis of the data and information obtained from such studies, surveys, and inspections; and

Whereas, The members of this Body have general knowledge of the conditions prevailing in the Federal Hill East NDP Urban Renewal Area and of the availability of proper housing in the locality for the relocation of families that may be displaced from the Federal Hill East NDP Urban Renewal Area and, in the light of such know-

ledge of local housing conditions, have carefully considered and reviewed such Relocation Plan; and

Whereas, Under the Provisions of Title I of the Housing Act of 1949, as amended, the United States Department of Housing and Urban Development is authorized to provide financial assistance to local public agencies for undertaking and carrying out of urban renewal projects; and

Whereas, The Providence Redevelopment Agency has applied for financial assistance under said Housing Act and has entered into a planning contract for financial assistance under said Act with the United States of America, acting by and through the Secretary of the Department of Housing and Urban Development, pursuant to which Act Federal funds have been provided for the project; and

Whereas, The Providence Redevelopment Agency has applied for additional financial assistance under the Housing Act and proposed to enter into an additional contract or contracts with the Department of Housing and Urban Development for the undertaking of, and for making available additional financial assistance for the Federal Hill East NDP Urban Renewal Area; and

Whereas, It is provided in said Act that contracts for financial aid under the Housing Act shall require that the Urban Renewal Plan for the Federal Hill East Renewal Area be approved by the Governing Body of the locality in which the Project is situated and that such approval include findings by the Governing Body that (1) the financial aid to be provided in the contract is necessary to enable the land within the Federal Hill East NDP Urban Renewal Area to be redeveloped in accordance with the Urban Renewal Plan; (2) the Urban Renewal Plans for the Urban Renewal Areas in the locality as a whole, for the redevelopment of such areas by private enterprises; and (3) the Urban Renewal Plan conforms to a general plan for the development of the locality as a whole; and

Whereas, There has also been presented to the City Council information and data respecting

Urban Renewal Plans for the Urban Renewal Areas in the City of Providence including the following: Capital Improvement Programs for 1950-1956, 1951-1957, 1952-1958, 1953-1959, 1954-1960, 1955-1961, 1956-1962, 1957-1963, 1958-1964, 1959-1965, 1960-1966, and 1961-1967, 1962-1968, 1963-1969, 1964-1970, 1965-1971, 1966-1972, 1967-1973, 1968-1974, and the Annual Reports of the Providence Redevelopment Agency for 1948 through 1967 (inclusive); and

Whereas, At a public hearing held on _____, following notice of the date, time, place and purpose of such hearing, the City Council Committee on Urban Redevelopment, Renewal and Planning duly considered the Urban Renewal Plan, and all evidence and testimony for and against the adoption of such Plan, in accordance with the provisions of the "Redevelopment Act of 1956;" and

Whereas, Said Urban Renewal Plan for the Project Area prescribes certain land uses for the Federal Hill East NDP Urban Renewal Area, and will require, among other things, but not by way of limitation, the widening, vacation and removal of streets, the construction and installation of streets, curbs and sidewalks, grading and other public facilities and other public actions; and

Whereas, It is necessary that the City Council take appropriate official action respecting the Relocation Plan and said Urban Renewal Plan for the Federal Hill East NDP Urban Renewal Area, in conformity with the requirements of the "Redevelopment Act of 1956" and the contract or contracts for financial assistance between the Providence Redevelopment Agency and the United States of America acting by and through the Secretary of Housing and Urban Development;

Now, Therefore, Be It Ordained by the City of Providence:

1. The Project is hereby designated as "Federal Hill East NDP Urban Renewal Area."

2. It is hereby found and determined that for the purposes of the Urban Renewal Plan the Fed-

eral Hill East NDP Urban Renewal Area comprises that certain tract of land situated in the City of Providence and State of Rhode Island, which is bounded as described in Exhibit A, which is attached hereto and made a part hereof as if more fully set forth herein.

3. It be and hereby is found and determined in relation to the Federal Hill East NDP Urban Renewal Area on the basis of the facts set forth in the reports and documents mentioned in the Preamble of this Ordinance and upon the basis of evidence and testimony presented at the public hearing on said Plan:

(a) That within the Federal Hill East NDP Urban Renewal Area:

(1) 45.9% of the total structures are substandard or seriously deficient or unsafe in that these structures contain serious deterioration, lack of dual egress, lack of sanitary facilities, serious inadequacies in lighting and ventilation, serious overcrowding.

(b) That within the Federal Hill East NDP Urban Renewal Area:

(2) There exists the following environmental deficiencies:

- a. Defective or Inadequate Street and/or Lot Layout.
- b. Incompatible or Shifting Uses.
- c. Obsolete or Aged Buildings, Not Suitable for Improvement or Conversion.
- d. Inadequate Provision for Ventilation, Light, Sanitation, Open Space and Recreation Facilities.
- e. Defective Design or Unsanitary or Unsafe Character or Condition of Physical Construction.

4. It be and hereby is found and determined that because of a predominance of conditions of dilapidation, deterioration, obsolescence, inade-

quate provision for light and sanitation, unsanitary and unsafe character and condition of physical construction, mixed character of uses which injuriously affect the entire Area and constitute a menace to the public health, safety and welfare of the inhabitants of the Area and of the community generally, said Urban Renewal Area is a deteriorated and blighted area within the meaning of Sections 2-8 inclusive of Chapter 31 of the "Redevelopment Act of 1956," as amended, and that said Federal Hill East NDP Urban Renewal Area is hereby determined to be a deteriorated blighted area.

5. It be and hereby is found that the Federal Hill East NDP Urban Renewal Area requires clearance, replanning, redevelopment and improvement and rehabilitation under the provisions of the "Redevelopment Act of 1956."

6. It be and hereby is declared to be the purpose and intent of this Body to eliminate the deteriorated and substandard conditions existing in the Federal Hill East NDP Urban Renewal Area and the replacement of such conditions by a well-planned area in accordance with and by means provided in the "Redevelopment Act of 1956."

7. It is hereby found, declared and determined that:

(a) The Urban Renewal Plan for Federal Hill East NDP Urban Renewal Area will redevelop said Urban Renewal Area in conformity with the provisions of the "Redevelopment Act of 1956;" will effectuate the purposes and policy of said Act; and will promote the public health, safety, morals and welfare of the City of Providence.

(b) The Urban Renewal Plan for said Urban Renewal Area conforms to the general or master plan for the City of Providence as a whole.

(c) The Urban Renewal Plan for said Urban Renewal Area is feasible and financial aid provided pursuant to the contract or contracts for financial assistance pertaining to the Federal Hill East Area between the Providence Rede-

velopment Agency and the Secretary of the Department of Housing and Urban Development under provisions of Title I of the United States Housing Act of 1949, as amended, is necessary to enable the land in the Urban Renewal Area to be redeveloped in accordance with the Urban Renewal Plan for the Urban Renewal Area.

(d) The acquisition of the real property in accordance with the said Plan for the Federal Hill East NDP Urban Renewal Area is in the public interest.

(e) Adequate provision for payment for property which may be acquired by the exercise of eminent domain has been made in the Urban Renewal Plan.

(f) The Urban Renewal Plan contains adequate safeguards to assure the carrying out of the work of redevelopment in accordance with the Urban Renewal Plan.

(g) The Urban Renewal Plan provides for the retention of controls and the establishment of restrictions and covenants which may run with the land.

(h) The Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of other areas of the City by private enterprise.

8. The Providence Redevelopment Agency shall sell, lease or dispose of land in the Project Area only in accordance with the terms of the Redevelopment Plan and subject to the restrictions, covenants and conditions set forth therein and which are hereby found and declared to be necessary to effectuate the purposes of the "Redevelopment Act of 1956."

9. In enacting this Ordinance, the City Council intends to comply with the provisions of the "Redevelopment Act of 1956" which relate to adoption of an Urban Renewal Plan for an approved Urban Renewal Area so that the blighted and substandard conditions in this Urban Renewal Area can be eliminated and the Urban

Renewal area can be redeveloped in accordance with the Urban Renewal Plan to attain the public purposes and policy of the "Redevelopment Act of 1956" and thereby to protect and promote and be in the interest of the public health, safety, morals and general welfare of the people in the State as a whole and particularly the people of this City.

10. The Urban Renewal Plan for the Federal Hill East NDP Urban Renewal Area consisting of a booklet containing a table of contents, 50 pages of text, 4 exhibits and 6 maps is hereby approved, adopted and designated as the Official Urban Renewal Plan for the Federal Hill East NDP Urban Renewal Area and is herein incorporated by reference, made a part hereof and designated as "Exhibit B."

11. The Providence Redevelopment Agency is hereby fully authorized to carry out this Official Urban Renewal Plan. Provided, however, that the Agency shall not enter into any contracts for disposition of property in the Urban Renewal Area until at least ten days after the City Council of the City of Providence has received at a regular or special meeting a report from the Providence Redevelopment Agency concerning the proposed sale or lease.

12. In order to implement and facilitate the effectuation of the Urban Renewal Plan hereby approved, it is found and determined that certain official action must be taken by this Body with reference to, among others, the vacation and removal of streets, the relocation of sewer and water mains and other public facilities and, accordingly, this Body hereby:

(a) Pledges its cooperation in helping to carry out said Official Urban Renewal Plan;

(b) Requests the various officials, departments, boards and agencies of the City of Providence having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with said Urban Renewal Plan;

(c) Declares that it will institute proceedings for the opening, closing, widening or changing the grade of streets and other modifications of the street layout as set forth in the Official Urban Renewal Plan;

(d) Declares that it will provide the City's share of the Net Project Cost of the redevelopment of the Urban Renewal Area, and hereby allocates a cash contribution of \$842,019 representing the estimated amount of its share of Net Project Cost;

(e) Authorizes the Mayor, upon the execution of a Loan and Grant contract between the Providence Redevelopment Agency and the Department of Housing and Urban Development to convey to the Agency all of its rights, title and interest in the parcels of land or any building or structure thereon described below and shall receive credit on its obligations hereunder for the full and fair market value thereof as approved by the Government.

(f) Declares that in addition it will furnish \$16,059, which sum represents real estate taxes on unimproved land.

(g) Declares that after completion of all street construction, and facilities, water lines, storm and sanitary sewer construction as indicated in the Urban Renewal Plan, all ways within the Urban Renewal Area scheduled to become public ways and all the aforementioned facilities and utilities shall be dedicated by the Agency to the public and the City shall accept such dedication.

(h) Stands ready to consider and take appropriate action upon any other proposals and measures designed to effectuate said Urban Renewal Plan.

13. It is further found and determined that the method and means set forth in the Urban Renewal Plan for relocating families who are to be displaced by the Urban Renewal Plan is feasible; and that the proposals set forth in the Relocation Plan for the proper relocation of the families

displaced in carrying out the Urban Renewal Plan in decent, safe, and sanitary dwellings in conformity with acceptable standards are feasible and can be reasonably and timely affected to permit the proper prosecution and completion of the Urban Renewal Plan; and that such dwelling units available or to be made available to such displaced families are at least equal in number to the number of displaced families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced families in the Urban Renewal Area, are available at rents or prices within the financial means of the displaced families and are reasonably accessible to their place of employment.

14. It is hereby found and determined that the Official Redevelopment Plan gives due consideration to the provision of adequate park and recreational areas and facilities as may be desirable for neighborhood improvement with special consideration for health, safety and the welfare of children residing in the general vicinity of the site covered by the said Plan.

15. It is hereby found and determined that there are educational institutions and a hospital located in or near the area covered by the Plan, and it is further found and determined that in addition to the elimination of slums and blight from such area, the undertaking of the Redevelopment Plan in such area will further promote the public welfare and the proper development of the community (1) by making land in such area available for disposition, for uses in accordance with the Official Redevelopment Plan, to such educational institutions or hospital for redevelopment in accordance with the use or uses specified in the Official Redevelopment Plan, (2) by providing, through the redevelopment of the Area in accordance with the Official Redevelopment Plan, a cohesive neighborhood environment compatible with the functions and needs of such educational institutions or hospital, or (3) by any combination of the foregoing.

16. It is hereby further found and determined that consideration has been given in the Official Redevelopment Plan for the Project Area

to the development of a sewer system to serve the Project Area which will, to the maximum extent feasible, provide for effective control of storm and sanitary wastes.

17. To obtain the additional financial assistance under the provision of Title I of the "Housing Act of 1949," as amended, necessary to carry out the Official Redevelopment Plan for said Urban Renewal Area, the filing by the Providence Redevelopment Agency of any application or applications for such additional financial assistance under Title I of the "Housing Act of 1949," as amended, is hereby approved.

18. This Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy of this Ordinance to the Providence Redevelopment Agency. (For Related Proposed Redevelopment Plan, 1972-1973, and Relocation Plan for Federal Hill East 1972-1973, See Files of City Council.)

Legal Description of City Owned Donations

PARCEL A

That certain tract of land situated in the City of Providence, State of Rhode Island, bounded and described as follows:

Beginning, At a point, said point being the northwesterly corner of assessor's Lot 352, assessor's Plat 26, dated December 31, 1968;

Thence, running southerly a distance of one hundred fifty-seven and thirty-six one hundredths (157.36) feet, more or less, to a point;

Thence, turning and running easterly a distance of eighty-eight and fifty-six one hundredths (88.56) feet, more or less, to a point;

Thence, turning and running northerly a distance of eighty-eight and fifty-six one hundredths (88.56) feet, more or less, to a point;

Thence, turning and running westerly a dis-

tance of ninety and forty one hundreds (90.40) feet, to the point of *Beginning*.

Said tract herein described contains fifteen thousand five hundred thirty-five (15,535) square feet of land, more or less.

PARCEL B

That certain tract of land situated in the City of Providence, State of Rhode Island, bounded and described as follows:

Beginning, at a point, said point being the northwesterly corner of assessor's Lot 151, in assessor's Plat 26, dated December 31, 1968;

Thence, running southerly for a distance of thirty and eighty-three one hundreds (30.83) feet, more or less, to a point;

Thence, turning and running easterly for a distance of sixty and four one hundreds (60.04) feet, more or less, to a point;

Thence, turning and running northerly for a distance of thirty and eighty-three one hundreds (30.83) feet, more or less, to a point;

Thence, turning and running westerly for a distance of sixty and four one hundreds (60.04) feet, more or less, to the point of *beginning*.

Said tract of land herein described contains two thousand two hundred twenty-one (2,221) square feet of land, more or less.

PARCEL C

Beginning, at a point, said point being the northwesterly corner of assessor's Lot 126, in assessor's Plat 26, dated December 31, 1968.

Thence, running southerly for a distance of seventy one (71.00) feet, more or less, to a point;

Thence, turning and running easterly for a distance of sixty and four one hundreds (60.04) feet, more or less, to a point;

Thence, turning and running northerly for a distance of seventy-one (71) feet, more or less, to a point;

Thence, turning and running westerly for a distance of sixty and four one hundreds (60.04) feet, more or less, to the point of *Beginning*.

Said tract of land herein described contains four thousand two hundred sixty three (4,263) square feet of land, more or less.

EXHIBIT A

Legal Description of the Boundaries of the Federal Hill East N.D.P. Urban Renewal Area

Beginning, at the intersection of the southerly right-of-way line of Kenyon Street and the westerly right-of-way line of DePasquale Avenue;

Thence, easterly and northerly along the southerly right-of-way line of Kenyon Street to the easterly right-of-way line of Dean Street;

Thence, northerly and westerly along the easterly right-of-way line of Dean Street to its point of intersection with the southerly right-of-way line of Atwells Avenue;

Thence, easterly along the southerly right-of-way line of Atwells Avenue to the easterly right-of-way line of Bond Street;

Thence, northerly, along the easterly right-of-way line of Bond Street to the northerly right-of-way line of Spruce Street;

Thence, westerly along the northerly right-of-way line of Spruce Street to the westerly right-of-way line of Dean Street;

Thence, southerly, easterly and southerly along the westerly right-of-way line of Dean Street to the point of intersection with the northerly right-of-way line of Atwells Avenue;

Thence, westerly along the northerly right-of-way line of Atwells Avenue to the westerly right-of-way line of DePasquale Avenue;

Thence, southerly and easterly along the westerly right-of-way line of DePasquale Avenue to the southerly right-of-way line of Kenyon Street, which forms the point of *Beginning*.

An Ordinance Approving the Urban Renewal Plan and the Feasibility of Relocation for the Federal Hill East Renewal Area.

Be it ordained by the City of Providence:

Whereas, Under the provisions of Title 1 of the Housing Act of 1949, as amended, the Secretary of Housing and Urban Development is authorized to provide financial assistance to Local Public Agencies for undertaking and carrying out Neighborhood Development Programs; and

Whereas, It is provided in such Act that contracts for financial aid thereunder shall require that the Urban Renewal Plan for respective urban renewal area comprising the Neighborhood Development Program be approved by the governing body of the locality in which the area is situated and that such approval include findings by the governing body that: (1) the financial aid to be provided in the contract is necessary to enable the Program to be undertaken in accordance with the Urban Renewal Plan; (2) the Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise; (3) the Urban Renewal Plan conforms to a general plan for the development of the locality as a whole; and (4) the Urban Renewal Plan gives due consideration to the provisions of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the sites covered by the Plan; and

Whereas, It is desirable and in the public interest that the Providence Redevelopment Agency

(hereinafter called the "Local Public Agency") undertake and carry out the Neighborhood Development Program (herein called the "Program") identified as the Neighborhood Development Program and encompassing the area bounded by DePasquale Avenue on the west, Kenyon Street on the south, Dean Street and Bond Street on the east and Spruce Street and Atwells Avenue on the north; in the City of Providence, State of Rhode Island, (hereinafter called the "Locality"); and

Whereas, The Local Public Agency has applied for financial assistance under such Act and proposed to enter into a contract or contracts with the Department of Housing and Urban Development for the undertaking of, and for making available financial assistance for, the Program; and

Whereas, The Local Public Agency has made studies of the location, physical condition of structures, land use, environmental influences, and social, cultural and economic conditions of the urban renewal area or areas comprising the Program and has determined that the areas are deteriorated, blighted areas and that they are detrimental and a menace to the safety, health, and welfare of the inhabitants and users thereof and of the locality at large, because of buildings or improvements, either used or intended to be used for living, commercial, industrial or other purposes, or any combination of such uses, which by reason of (1) dilapidation, deterioration, age or obsolescence, (2) inadequate provision for ventilation, light, sanitation, open spaces and recreation facilities, (3) high density of population and overcrowding, (4) defective design or unsanitary or unsafe character or conditions of physical construction, (5) defective or inadequate street and lot layout, (6) mixed character, shifting or deterioration of uses to which they are put, or any combination of such factors and characteristics are conducive to the further deterioration and decline of the area and injuriously effect the entire area. The members of this Governing Body have been fully apprised by the Local Public Agency and are aware of these facts and conditions; and

Whereas, There has been prepared and referred to the City Council of the Locality (herein called the "Governing Body") for review and approval, an Urban Renewal Plan for the Federal Hill East Urban Renewal Area, dated , 1972-1973, and consisting of pages, exhibits, and maps; supported by the following supplementary material data, and recommendations not a part of the Urban Renewal Plan: Relocation Activity Report, consisting of pages and exhibits, and a General Relocation Plan consisting of pages; and

Whereas, The Urban Renewal Plan has been approved by the Governing Body of the Local Public Agency, as evidenced by the copy of said Body's duly certified resolution approving the Urban Renewal Plan which is attached thereto; and

Whereas, A general plan has been prepared and is recognized and used as a guide for the general development of the locality as a whole; and

Whereas, The City Plan Commission, which is the duly designated and acting official planning body for the Locality, has submitted to the Governing Body its report and recommendations respecting the Urban Renewal Plan for the urban renewal area comprising the Program and has certified that the Urban Renewal Plan conforms to the general plan for the locality as a whole, and the Governing Body has duly considered the report, recommendations, and certification of the planning body; and

Whereas, The Local Public Agency has prepared and submitted a program for the relocation of individuals and families that may be displaced as a result of carrying out the Program in accordance with the Urban Renewal Plan; and

Whereas, There have also been presented to the Governing Body information and data respecting the relocation program which has been prepared by the Local Public Agency as a result of studies, surveys and inspections in the area comprising the Program and the assembling and

analysis of the data and information obtained from such studies, surveys and inspections; and

Whereas, The members of the Governing Body have general knowledge of the conditions prevailing in the urban renewal area and of the availability of proper housing in the locality for the relocation of individuals and families that may be displaced by the Program and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation; and

Whereas, It is necessary that the Governing Body take appropriate official action respecting the relocation program and the Urban Renewal Plan for the Program, in conformity with the contracts for financial assistance between the Local Public Agency and the United States of America, acting by and through the Secretary of Housing and Urban Development; and

Whereas, The Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal activities and undertaking with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, or national origin.

Now, Therefore, Be It Resolved by the City Council of the City of Providence:

1. That it is hereby found and determined that the urban renewal area comprising the Program is a deteriorated, blighted area and qualifies as an eligible area under Title 45, Chapters 31-33 of the General Laws of Rhode Island, 1956, as amended.

2. That the Urban Renewal Plan for the Program, having been duly reviewed and considered, are hereby approved, and the City Clerk be and is hereby directed to file said copy of the Urban Renewal Plan with the minutes of this meeting.

3. That it is hereby found and determined that where clearance is proposed that the objectives of the Urban Renewal Plan cannot be achieved through more extensive rehabilitation

of portions of the urban renewal area comprising the Program.

4. That it is hereby found and determined that the Urban Renewal Plan for the Program conforms to the general plan of the Locality.

5. That it is hereby found and determined that the financial aid to be provided pursuant to the contracts for Federal financial assistance pertaining to the Program is necessary to enable the Program to be undertaken in accordance with the Urban Renewal Plan for the area comprising the Program.

6. That it is hereby found and determined that the Urban Renewal Plan for the urban renewal area comprising the Program will afford maximum opportunity, consistent with the sound needs of the Locality as a whole, for the renewal of the area by private enterprise.

7. That it is hereby found and determined that the Urban Renewal Plan for the urban renewal area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the sites covered by the Plan.

8. That it is hereby found and determined that the Program for the proper relocation of individuals and families displaced in carrying out the Urban Renewal Plan in decent, safe, and sanitary dwellings in conformity with acceptable standards is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the Plan; and that such dwellings or dwelling units available or to be made available to such displaced individuals and families, are at least equal in number to the number of displaced individuals and families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced individuals and families in the area comprising the Program, are available at rents or prices within the finan-

cial means of the displaced individuals and families, and are reasonable accessible to their places of employment.

9. That, in order to implement and facilitate the effectuation of the Urban Renewal Plan hereby approved, it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action, and, accordingly, this Body hereby (a) pledges its cooperation in helping to carry out the Urban Renewal Plan, (b) requests the various officials, departments, boards, and agencies of the Locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Urban Renewal Plan, and (c) stands ready to consider to take appropriate action upon proposals and measures designed to effectuate the Urban Renewal Plan.

10. That financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, is necessary to enable the land in the area comprising the Program to be renewed in accordance with the Urban Renewal Plan for the Program, and accordingly, the proposed Program and the annual increment are approved and the Local Public Agency is authorized to file an application for financial assistance under Title I.

11. That this resolution shall take effect immediately.

An Ordinance Granting the Consent of the City of Providence to the Acquisition of Its Interest in Certain Lands in the Federal Hill East NDP Urban Renewal Area by the Providence Redevelopment Agency.

Be it ordained by the City of Providence:

Section 1. Pursuant to the provisions of Title 45, Chapter 32, Section 25 of the General Laws of Rhode Island, 1956, the City of Providence hereby consents to the acquisition by the Providence Redevelopment Agency by eminent domain proceedings in connection with the Federal Hill East NDP Urban Renewal Area of the fee to and/or all of the estate or interest of the City of Providence in the following described lots or parcels of land with all buildings or improvements thereon:

| Assessor's Plat | Lot |
|-----------------|-----|
| 26 | 126 |
| 26 | 151 |
| 26 | 322 |

Sec. 2. This Ordinance shall take effect on its passage.

An Ordinance in Amendment of and in Addition to Chapter 1972-47 of the Ordinances of the City of Providence, Entitled: "An Ordinance Approving and Adopting the Official Redevelopment Plan for West Broadway NDP Urban Renewal Area (1)."

Be it ordained by the City of Providence:

1. That Chapter 1972-47 of the Ordinances of the City of Providence, entitled "An Ordinance Approving and Adopting the Official Redevelopment Plan for West Broadway NDP Urban Renewal Area (1)" be and is hereby amended as follows:

(a) Delete Exhibit A, entitled "Legal Description of the Boundary of NDP Urban Renewal Area (1)" of the Official Redevelopment Plan and substitute the following in place thereof:

Exhibit A, entitled "Legal Description of the Boundary of NDP Urban Renewal Area (1)" Dated September 1972, consisting of text

and two (2) maps, indicating the project boundary and the West Broadway Project Area, and entitled "Revised Project Boundary." Dated September 1972.

2. That said Chapter 1972-47 of the Ordinance of the City of Providence as adopted and as hereby amended, be and the same is hereby ratified and affirmed in all other respects.

3. That the Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

EXHIBIT A

Legal Description of the Boundary of NDP Urban Renewal Area (1)

Beginning at the most westerly corner of the area herein described as the intersection of the southerly line of Wood Street and the westerly line of Service Road No. 6;

Thence, running generally northerly along said westerly line of Service Road No. 6 to its intersection with the easterly taking line of the Dennis J. Roberts Expressway;

Thence, running generally northerly along said easterly taking line of the Dennis J. Roberts Expressway to its intersection with the easterly taking line of the Proposed Route 6 Connector;

Thence, running generally northerly along said easterly taking line of the Proposed Route 6 Connector to its intersection with the westerly line of Ridge Street;

Thence, turning and running northeasterly along said westerly line of Ridge Street to its intersection with the northerly line of Swiss Street;

Thence, turning and running easterly along said northerly line of Swiss Street to its intersection with the westerly line of Tiber Street;

Thence, turning and running northerly along said westerly line of Tiber Street to its intersection with the easterly taking line of the Proposed Route 6 Connector;

Thence, turning and continuing northerly along said easterly taking line of the Proposed Route 6 Connector to its intersection with the centerline of Atwells Avenue;

Thence, turning and running easterly along said centerline of Atwells Avenue to its intersection with the easterly line of Knight Street;

Thence, turning and running southeasterly along said easterly line of Knight Street to its intersection with the southerly line of Westminster Street;

Thence, turning and running westerly along said southerly line of Westminster Street to its intersection with the easterly line of Bridgham Street;

Thence, turning and running southerly along said easterly line of Bridgham Street to its intersection with the southerly line of Cranston Street;

Thence, turning and running southwesterly along said southerly line of Cranston Street to its intersection with the southerly line of Messer Street;

Thence, turning and running northwesterly and northerly along said southerly line of Messer Street to its intersection with the southerly line of Wood Street;

Thence, turning and running westerly along said southerly line of Wood Street to the point and place of beginning.

An Ordinance in Amendment of and in Addition to Chapter 1575 of the Ordinances of the City of Providence Entitled: "An Ordinance

Approving and Adopting the Official Redevelopment Plan for the Weybosset Hill Project No. R. I. R-7."

Be it ordained by the City of Providence:

1. That Chapter 1575 of the Ordinance of the City of Providence, entitled "An Ordinance approving and adopting the Official Redevelopment Plan for the Weybosset Hill Project No. R. I. R-7" as heretofore amended, be and is hereby further amended as follows:

A. Delete *Building Controls* for Parcel No. 11 in Section C.a.b.(2) of the Official Redevelopment Plan and insert the following instead:

Building Controls

- (a) Floor Area Ratio: Maximum—1.5
- (b) Building Coverage: Maximum—55%
- (c) Density: Maximum—35 D.U./acre
- (d) Height: Maximum 35 feet
- (e) Setback: No setback permitted on the Jackson Street public walkway
- (f) Building Envelope: No additional requirements
- (g) On-Site Parking: On off-street parking space for each dwelling unit shall be provided.
- (h) Vehicle Access: No access for parking or loading shall be permitted from the Jackson Street public walkway.

B. Delete requirements for Parcel No. 13 in Section C.a.b.(2) of the Official Redevelopment Plan and insert the following instead:

Parcel No. 13A

Permitted Uses

R-5 Downtown Apartment Dwelling uses of Zoning Ordinance shall be permitted.

Building Controls

- (a) Floor Area Ratio: Maximum 2
- (b) Building Coverage: Maximum 80%
- (c) Height: 35 ft. above Green Street (Approximate elevation: 33')
- (d) Vehicle Access: Access for parking or loading shall be permitted only from Greene Street.

*Parcel No. 13B**Permitted Uses*

- (a) Principal Use: Neighborhood retail on ground floor only with residential above. The following uses only are permitted:

*Food Stores**Baked Goods*

(No baking on premises)

*Confectionary**Dairy Products**Delicatessen**Fruits & Vegetables**Groceries & Meats***Super Market**Dry Goods and Variety Stores**Package Store**Card Shop**Camera Store**Book and Stationary**Tobacco Shop**Drug Store**Hardware Store**Barber Shop**Beauty Shop**Laundry & Dry Cleaning Agency*

(No pressing or cleaning on premises)

*Art Shop**Notions Store**Gift Shop**Florist**Jewelry Store**Newspaper Sales**Film Exchange**Photographer**Religious Articles**Men's & Women's Apparel**Haberdashery**Shoe Store**Wearing Apparel Store**Custom Dress Making**Other**Business, Professional and**Institutional Offices**Branch Banks***Restaurant**Household**Interior Decorators**Paint & Walpaper*

Other retail uses as approved by the Agency and permitted by the Zoning Ordinances, will be permitted. Above uses are permitted provided that there is no manufacturing, processing of materials in connection with the uses.

*Provided that any structure housing the use is sufficiently sound insulated to confine all noise to the area occupied by such use.

*(b) Accessory Uses, including:**((1)) Parking, surface or structure**((2)) Landscaped open areas**((3)) Arcaded pedestrian ways*

((4)) Accessory uses customarily incidental to the principal use, provided such uses do not include the open-air storage of refuse, materials, equipment or merchandise and storage and display of materials.

*((5)) Access roads**Building Controls**(a) Floor Area Ratio: Maximum 2**(b) Building Coverage: Maximum 80%*

- (c) Density: Maximum 40 D.U./acre
- (d) Height: 30 ft. above the Jackson Street Public Walkway elevation. (Approximate elevation: 40')
- (e) Setback: No setback permitted along the full frontage of the Jackson and Westminster Street Public Walkways.
- (f) Building Envelope: Ground floor along entire frontage on Jackson and Westminster Street Public Walkways must be uniformly arcaded for pedestrian traffic.
- (g) On-Site Parking: One off-street parking space for each dwelling unit shall be provided in addition to one (1) off-street parking space for every five hundred (500) square feet of retail store space.
- (h) Off-Street Loading: Required as set forth in Section C2b (1) (k)
- (i) Vehicle Access: Access for parking or loading shall be permitted only from Greene Street.
- (j) Planning and Design Objectives: Firstly, the creation of an enclosed pedestrian and urban civic space — Cathedral Square — and the channeling of that space down the Jackson Street and Westminster Street Public Walkways. Secondly, the provision of convenient and protected retail shopping facilities which will bring activity to Cathedral Square without being inharmonious with the dignity and composure of the Square. To achieve these objectives, pedestrian arcades must be provided. These arcades as well as the building facades fronting on Cathedral Square, Westminster and Jackson Street Public Walkways of this Parcel as well as Parcel No. 16 should be uniformly designed and built.

C. Delete Map No. 2 Proposed Land Use and Zoning, Page 45 dated 4/13/72. Insert

map No. 2 Proposed Land Use and Zoning, Page 45, revised 7/14/72.

D. Delete Map No. 4 Right-of-Way Adjustments, Page 47, dated 12/4/70. Insert Map No. 4 Right-of-Way Adjustments, Page 47 revised 7/14/72.

2. That said Chapter 1575 of the Ordinance of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other respects.

3. That the Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

An Ordinance in Amendment of and in Addition to Chapter 1797 of the Ordinances of the City of Providence, Approved November 7, 1966, and Entitled: "An Ordinance Approving and Adopting the Official Redevelopment Plan for the East Side Project No. R. I. R-4."

Be it ordained by the City of Providence:

1. That Chapter 1797 of the Ordinances of the City of Providence, approved November 7, 1966, and entitled "An Ordinance Approving and Adopting the Official Redevelopment Plan for the East Side Project No. R. I. R-4" as heretofore amended, be and is hereby further amended as follows:

A. Delete sub-paragraph (c) of Section III B.1.a.(1) Permitted Uses at Page 8 of the redevelopment plan and substitute the following:

Section III B.1.a.(1)(c) Any residential use permitted by the Agency shall be subject to the same limitations and controls as specifically set forth in the Zoning Ordinance of the City of Providence for the zone applicable to said use. For Group Housing, regulations and controls shall be

governed by applicable provisions of the Zoning Ordinance and a lot area per family shall be no more than 20% less than so required by the R-4 Zone of the Ordinance. However, if the lot area per family requirement is in violation, the Agency may, if it deems it advisable, waive this restriction and an application for exception or variation may be granted by the Zoning Board of Review.

B. Delete Section III B.2.(b) on Page 10 and insert the following instead.

(b) Building Controls

1. Set Back

No building shall be closer than twenty (20) feet to any public right-of-way; in that area north of Pettis Street (exclusive of the frontage of North Main Street and Branch Avenue) the Agency may, if it deems it advisable, waive this restriction to that set forth in the Zoning Ordinance.

2. Side Yard

The minimum building set back from interior lot lines shall be twenty (20) feet except where the building abuts, or shares a common wall, except for that area north of Pettis Street where the Agency may, if it deems it advisable, waive this restriction to that set forth in the Zoning Ordinance.

3. Front Yard

Front Yards shall be provided measuring at least twenty (20) feet in depth extending across the full width of the lot, and shall apply to any yard abutting a public right-of-way, except for that area north of Pettis Street where the Agency may, if it deems it advisable, waive this restriction to that set forth in the Zoning Ordinance.

C. Delete Section III B. (3) (b) Building Set-back on Page 11 and insert the following instead:

(b) Building Controls

1. Set Back

No building shall be closer than twenty (20)

feet to any public right-of-way; in that area north of Pettis Street (exclusive of the frontage of North Main Street and Branch Avenue) the Agency may, if it deems it advisable, waive this restriction to that set forth in the Zoning Ordinance.

2. Side Yard

The minimum building set back from interior lot lines shall be twenty (20) feet except where the building abuts, or shares a common wall, except for that area north of Pettis Street where the Agency may, if it deems it advisable, waive this restriction to that set forth in the Zoning Ordinance.

3. Front Yard

Front Yards shall be provided measuring at least twenty (20) feet in depth extending across the full width of the lot, and shall apply to any yard abutting a public right-of-way, except for that area north of Pettis Street where the Agency may, if it deems it advisable, waive this restriction to that set forth in the Zoning Ordinance.

D. Delete Map No. 2, Sheet 1 of 2, "Proposed Land Use and Zoning" dated June, 1971.

Insert Map No. 2, Sheet 1 of 2, "Proposed Land Use and Zoning" dated September 14, 1972.

E. Delete Map No. 2, Sheet 2 of 2, "Proposed Land Use and Zoning" dated June, 1971.

Insert Map No. 2, Sheet 2 of 2, "Proposed Land Use and Zoning" dated September 14, 1972.

F. Delete Map No. 5, Sheet 1 of 2, "Right-of-Way Adjustments" dated February 9, 1970.

Insert Map No. 5, Sheet 1 of 2, "Right-of-Way Adjustments" dated September 14, 1972.

G. Delete Map No. 5, Sheet 2 of 2, "Right-of-Way Adjustments" dated October 1, 1970.

Insert Map No. 5, Sheet 2 of 2, "Right-of-Way Adjustments" dated September 14, 1972.

2. That said Chapter 1797 of the Ordinance of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other respects.

3. That this Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

Severally Read and Collectively Passed the Second Time, on motion of COUNCILMAN SCI-

ARRETTA, seconded by COUNCILMAN LYNCH, by the following Roll Call vote:

Ayes: Council President Haxton and Councilmen Addison, Ahern, Beatini, Bradshaw, Brown, Cola, Darigan, DeVito, Goldin, Johnson, Kelly, Lorenzo, Lynch, J. Murphy, Payne, Pearlman, Pisaturo, Prete, Sciarretta and Xavier—21.

Noes: None.

Absent: Councilmen Crowley, Mascia, McKiernan, Moran and W. Murphy—5.

PRESENTATION OF ORDINANCES

COUNCILMAN DARIGAN:

An Ordinance Authorizing the Board of Park Commissioners to Cause All City Owned Parks, as it May Deem Necessary, to be Closed to the Public from 9:00 O'Clock P.M. to 7:00 O'Clock A.M.

Referred to the Committee on Ordinances, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMAN LYNCH.

COUNCILMAN SCJARRETTA and COUNCILMAN LYNCH (By Request):

An Ordinance Amending the Appropriation Ordinance Chapter 1972-32, Approved June 23, 1972, by Appropriating the Sum of Fifty Thousand Dollars (\$50,000) to Law Department, Item 3, Payments of Claims and Damages.

Referred to the Committee on Finance, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMAN LYNCH.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT HAXTON and COUNCILMAN PAYNE:

Resolution Requesting the Traffic Engineer to Undertake a Survey in the Immediate Vicin-

ities of Gilbert Stuart Junior High School, Vineyard Street Elementary School, Althea Street Elementary School and the Assumption School for the Purpose of Traffic Control.

COUNCIL PRESIDENT PRO TEMPORE BEATINI:

Resolution Requesting the Director of Public Works to Cause a Structural Inspection to be Undertaken of those Penn-Central Railroad Bridges Over and Across Its Tracks along Branch Avenue and along Smithfield Avenue.

Severally Referred to the Committee on Public Works, on motion of **COUNCILMAN SCIARRETTA**, seconded by **COUNCILMAN LYNCH**.

COUNCILMAN GOLDIN:

Resolution Requesting the City Solicitor to Apply to the General Assembly and Urge Passage of an Act Repealing all Laws Concerning Sales on Sundays and Holidays.

Referred to the Committee on Ordinances, on motion of **COUNCILMAN GOLDIN**, seconded by **COUNCILMEN LYNCH** and **SCIARRETTA**.

COUNCILMAN LYNCH:

Resolution Requesting the Providence School Department to Cause the Faulty and Unsafe Roof over the Gymnasium Portion of the Robert F. Kennedy Elementary School to be Repaired Immediately.

Whereas, The roof over the gymnasium portion of the Robert F. Kennedy Elementary School is faulty and apparently unsafe and has caused much concern for the faculty, students, and visitors in this comparatively new portion,

Now, Therefore, Be It Resolved, That the Providence School Department is requested to cause that unsafe condition to be repaired immediately so that the intended use of the gymnasium por-

tion of the Robert F. Kennedy Elementary School will be utilized without any cause for anxiety.

Read and Passed, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMEN MASCIA** and **SCIARRETTA**.

COUNCILMAN LYNCH for Himself and COUNCILMAN CROWLEY In Absentia:

Resolution Congratulating Colonel Walter A. McQueeney, Chief of the Providence Police Department, Upon Being Elected as President of the Rhode Island Police Chiefs' Association.

Resolved, That congratulations are hereby conveyed to Colonel Walter A. McQueeney, distinguished Chief of the Providence Police Department, whose top-level administration of that department is universally acknowledged; particularly by his associates in law enforcement, to the end that he was elected as President of the Rhode Island Police Chiefs' Association, being further evidence of the esteem in which he is regarded.

Read and Passed, on motion of **COUNCILMAN SCIARRETTA**, seconded by **COUNCILMAN LYNCH**.

COUNCILMAN SCIARRETTA and COUNCILMAN LYNCH (By Request):

Resolution Refunding to Certain Taxpayers Sums of Monies Representing Overpayment of Taxes for the Years 1966, 1967, 1968, 1969, 1970, 1971 and 1972 to the City Collector.

Referred to the Committee on Finance, on motion of **COUNCILMAN SCIARRETTA**, seconded by **COUNCILMAN LYNCH**.

Resolution Authorizing the City Treasurer to Arrange for the Redemption or Sale of Lot 617 on Plat 48 Located at 374 Prairie Avenue.

COUNCILMAN XAVIER and COUNCILMAN J. MURPHY:

Resolution Requesting the Providence Civic Center Authority to Cause a List of All the Names and Addresses of its Employees to be Furnished to the City Council.

Resolved, That the Providence Civic Center Authority is requested to cause a list of all the names and addresses of its employees to be furnished to the City Council, within three days of receipt of this Resolution.

Resolution Authorizing the City Treasurer to Arrange for the Redemption or Sale of Lot 42 on Plat 79 Located at 45 Hazael Street.

Severally Referred to the Committee on City Property, on motion of **COUNCILMAN SCIARRETTA**, seconded by **COUNCILMAN LYNCH**.

Read and Passed, on motion of **COUNCILMAN SCIARRETTA**, seconded by **COUNCILMEN LORENZO, LYNCH, J. MURPHY and XAVIER**.

REPORTS FROM COMMITTEES

COUNCILMAN EDWARD S. GOLDIN, Chairman

COMMITTEE ON ORDINANCES

Transmits the following with Recommendation
the Same be Severally Adopted:

An Ordinance amending Chapter 544 of 1951 by changing from a C-2 General Commercial Zone to a C-4 Heavy Commercial Zone, Lot 131, as set out and delineated on City Assessor's Plat 70; said Lot being situated at 571 Douglas Avenue.

as set out and delineated on City Assessor's Plat 70; said Lot being situated at 366-378 Admiral Street.

An Ordinance amending Chapter 544 of 1951 by changing from a C-2 General Commercial Zone to a C-4 Heavy Commercial Zone, Lot 130,

An Ordinance amending Chapter 544 of 1951 by changing from a C-2 General Commercial Zone to a C-4 Heavy Commercial Zone, Lots 132 and 133, as set out and delineated on City Assessor's Plat 70; said Lots being situated at 364 Admiral Street.

An Ordinance amending Chapter 544 of 1951 by changing from a C-2 General Commercial Zone to a C-4 Heavy Commercial Zone, that portion of Lot 188, not presently Zoned C-4, as set out and delineated on City Assessor's Plat 70; subject portion being situated at 561-567 Douglas Aveune.

by changing from an R-3 General Residence Zone to a C-2 General Commercial Zone, Lots 134, 156 and 456, as set out and delineated on City Assessor's Plat 99; said Lots being situated along Douglas Avenue, between Sherwood Street and Lancashire Street.

Severally Read and Collectively Passed the First Time, on motion of COUNCILMAN SCIARRETTA, seconded by COUNCILMAN LYNCH.

An Ordinance amending Chapter 544 of 1951

COUNCILMAN JOSEPH F. PRETE, Chairman
COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING

Transmits the following with Recommendation
the Same be Adopted:

An Ordinance in Amendment of and in Addition to Chapter 1575 of the Ordinance of the City of Providence, Entitled "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Weybosset Hill Project No. R. I. R-7."

Read and Passed the First Time, on motion of COUNCILMAN SCIARRETTA, seconded by COUNCILMAN LYNCH, by the following Roll Call vote:

Ayes: Council President Haxton and Councilmen Addison, Ahern, Beatini, Bradshaw, Brown, Cola, Darigan, DeVito, Goldin, Johnson, Kelly, Lorenzo, Lynch, Mascia, Pearlman, Pisaturo, Prete, Sciarretta and Xavier—20.

Noes: None.

Absent: Councilmen Crowley, McKiernan, Moran, J. Murphy, W. Murphy and Payne—6.

The following is Returned with Recommendation the Same be Received:

Report from the Providence Redevelopment Agency Informing the City Council of Its Proposed Sale of Real Property within the East Side Renewal Project, Weybosset Hill Project and West Broadway NDP Project, as follows:

EAST SIDE RENEWAL PROJECT

a) Parcel 27 to the American Mathematical Society, consisting of approximately 201,078 square feet, for a purchase price of \$80,431.20, and

b) Parcel 98 to Providence Boys Clubs, consisting of approximately 50,064 square feet, for a purchase price of \$27,500.00;

WEST BROADWAY NDP PROJECT

a) Parcel 8a to Armando E., Victor A., Joseph D., Anthony C., Dorothy A., Frank L. Andre-

ozzi and Evelyn R. Previte and Anna D. DiPaolo, consisting of 1,100 square feet, for a purchase price of \$165.00,

b) Parcel 8b to Anthony J. and Roberta L. Pagliaro, consisting of 900 square feet, for a purchase price of \$135.00,

c) Parcel 8c to Mrs. Mafalda Spirito, consisting of 2,000 square feet, for a purchase price of \$300.00, and

d) Parcel 15A to Angelo and Kathleen Grande, consisting of 2,000 square feet, for a purchase price of \$300.00;

WEYBOSSET HILL PROJECT

a) Parcel 26 to the Providence Journal Company, consisting of approximately 6,144 square feet, for a purchase price of \$88,260.00;

all in accordance with the provisions of Paragraph 10 of Chapter 1797 of the Ordinances of the City of Providence, approved November 7, 1966, Paragraph 10 of Chapter 71-24 of the Ordinances of the City of Providence, approved May 10, 1971, Paragraph 10 of Chapter 1575 of the Ordinances of the City of Providence approved October 18, 1956 and Title 45, Chapters 31-33 (inclusive) of the General Laws of Rhode Island, 1956.

Received.

COMMUNICATION AND REPORT

FROM DEPARTMENT OF NATURAL RESOURCES

Communication Informing the City Council that It has Under Consideration the Application of Lehigh Portland Cement Company for the State's Assent to Construct and Maintain a Solids Trap for Wash Water and Discharge Effluent into the Providence River at the Municipal Wharf.

Referred to the Committee on Public Works, on motion of COUNCILMAN SCIARRETTA, seconded by COUNCILMAN LYNCH.

FROM CITY ASSESSOR

Certificate (38-H) Recommending the Same be 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.

Referred to the Committee on Claims and Pending Suits, on motion of COUNCILMAN SCIARRETTA, seconded by COUNCILMAN LYNCH.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Gertrude Bump

Mrs. Peter P. Calderone

Myrtle A. Day

Raymond DuFault

A. Watt & Son, Inc.

Severally Referred to the Committee on Claims and Pending Suits, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMAN LYNCH.

PRESENTATION OF RESOLUTION

In Memoriam

COUNCILMAN ADDISON, COUNCILMAN AHERN and COUNCILMAN KELLY:

Resolution of Sympathy Upon the Passing of John D. Kilmartin, Sr., Late Vice-Chairman of the Housing Authority of the City of Providence, Rhode Island.

Whereas, John D. Kilmartin, Sr., Late Vice-President of the Housing Authority of the City of Providence, Rhode Island, has passed onto his Eternal Reward, and

Whereas, Commissioner Kilmartin, a most respected businessman and civic minded citizen, a native and lifelong resident of the City of Provi-

dence, gave much of his adult life to the affairs of his church, veterans organizations, and social and athletic affiliations.

Now, Therefore, Be It Resolved, That to his bereaved wife Abbey and his daughter, sons, and family, His Honor, Mayor Joseph A. Doorley, Jr., joins with the City Council in silent prayer for his Eternal Repose and further express to his bereaved family their sincere regrets in his passing.

Read and Passed on a Unanimous Rising Vote, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMEN ADDISON, AHERN, KELLY and LYNCH.

COUNCIL PRESIDENT HAXTON recognizes COUNCILMAN GOLDIN who offers a Prayer of Peace and the Termination of Hostilities Throughout the Civilized World and for a Prosperous and Healthy New Year for 1973.

ADJOURNMENT

On motion of COUNCILMAN SCIARRETTA, seconded by COUNCILMAN LYNCH, it is voted to suspend Rule 2 of the Rules of the City Council incorporated in Resolution of the City Council No. 1. effective January 4, 1971, in order to allow the City Council to meet on a day certain other than the date provided in said Rule 2.

There being no further business, on motion of COUNCILMAN SCIARRETTA, seconded by COUNCILMAN LYNCH, the City Council adjourns at 9:00 o'clock P.M. (EST) to meet again on TUESDAY, JANUARY 2, 1973, at 8:00 o'clock P.M. (EST).

Vincent Vecchia

City Clerk