



CITY OF PROVIDENCE
Juan M. Pichardo, Chairman

February 25, 2016

Dear Mayor and City Council,

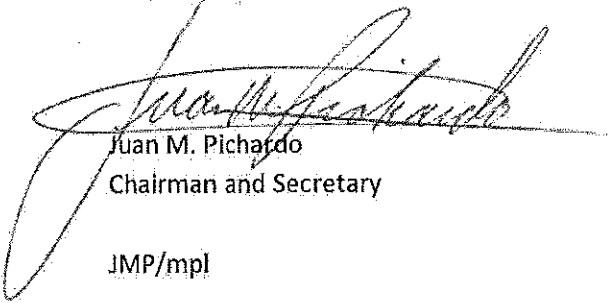
It is a pleasure and an honor to serve as chairman of the Providence Board of Licenses.

As Chair, and in accordance with the providence City Charter, please accept this report since officially elected.

The staff and Board processes and facilitates over 8,000 business licenses in the city. This is an important key resource for economic development.


It is our priority to ensure the safety of the public and assist businesses to succeed while adhering to city ordinances and state laws.

Respectfully


Juan M. Pichardo
Chairman and Secretary

JMP/mpi

IN CITY COUNCIL
MAR 17 2016

READ
WHEREBY ORDERED THAT
THE ENCL. BE RECEIVED.
 CLERK

BOARD OF LICENSES

Providence City Hall | 25 Dorrance Street, Room 104, Providence, Rhode Island 02903
401 421 7740 ph | 401 272 2430 fax
www.providenceri.com



CITY OF PROVIDENCE
Juan M. Pichardo, Chairman
Providence Board of Licenses

REPORT TO MAYOR AND CITY COUNCIL 2016

INTRODUCTION:

In accordance with Article XI, Section 1102(b)(4) of the Providence City Charter which provides for an annual report for the Providence Board of Licenses, I am providing this document in my capacity as chairman in order to provide information and a discussion of the direction and operation of the Board of Licenses. I assumed leadership of the Board of Licenses on May 26, 2015 as acting chair and became chairman on August 15, 2015. As such, I have officially held the office of chairman for approximately six (6) months. During this period, the Board of Licenses has continued to discharge its duties pursuant to the Providence City Charter. Specifically, Article XI, Section 1102 has established a specific licensing authority within the city and created a "board of licenses which shall have and exercise such power and duties relating to licenses as may be prescribed by law or ordinance."

In accordance with the delegation of authority from the Providence City Charter, the Board handles a wide range of licensing issues for the city in the areas of retail, mechanical, entertainment, victual and alcoholic beverage sales. Matters may range from simple one (1) day licenses for entertainment for events held at the Dunkin Donuts Center and educational institutions to show cause violations for liquor establishments as a result of incidents of violence. Additionally, the Board holds hearings for liquor, retail and food service establishments involving the issuance of new licenses, transfers and renewals.

TRANSPARENCY / ACCESS

From the outset of my term, both myself and the members of the board have strived to foster an open and transparent atmosphere at both the meetings and within the licensing office itself. In this regard, all meetings are recorded with a digital audio recording system. As of the present date, the audio of each meeting of the board is available on the City of Providence website by the close of business each day.

In the upcoming months, it is our intention to increase public awareness and involvement in the ongoing aspects of licensing within the city. Consequently, the board will be reviewing and considering a procedure for public commentary at its meetings. In some cases this process presents a challenge since the board often sits in a quasi-judicial capacity for hearings. As such, public comment must be limited and may be restricted in order to allow for fair proceedings to the licensees and prosecutorial functions and discretion for the office of the city solicitor. While the solicitor's office is responsible for prosecuting cases before the board, the board is solely vested with the authority to impose penalties against the licensee. Therefore, even in matters where the licensee and prosecution agree on the factual basis for the show cause petition and the violations, no sanction is authorized until the matter is presented to the board and a deliberation is held by the board in open session to determine the appropriate penalty to the licensee. A similar process is employed in almost all adversarial proceedings in the judicial system.

Further, to allow the community greater access to meetings of the board, we will be reviewing the efficacy of holding evening meetings on at least a monthly basis. This type of scheduling should ease the burden placed on residents to attend meetings and voice their concerns on certain applications and board business in general. This type of meeting may be especially helpful during the renewal process. Given the prima facie standard for renewal, it may be advisable for evening meetings in order for the interested community members to provide any testimony or evidence regarding impact on quality of life issues. Along the lines of transparency and access to all information before the

board, all show-cause petitions are available to the public online as well as the agenda, agenda packets and licensee histories.

EDUCATION

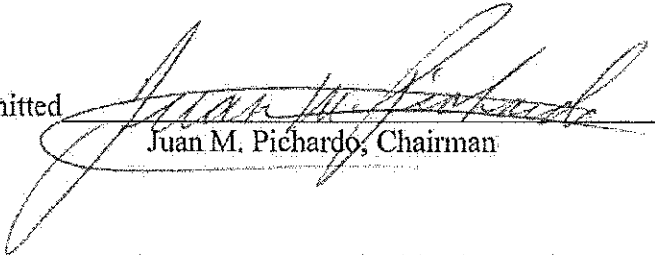
As chairman, I am committed to furthering the education and experience of the Board of Licenses as a whole. In 2015, the Board held its first retreat for members which provided for a discussion of practices and presentation by municipal and state administrative offices including commentary from the director of the Department of Business Regulations. Members were able to discuss general licensing issues and policies imposed by the City Council and the Administration.

During the current calendar year, members are being provided with a review of pertinent issues regarding licenses through counsel to familiarize members with the requirements of each license. The individual licenses are being presented in an informational format to allow members to discuss any questions or concerns and understand the particular nuances for each license issued.

POLICIES AND DIRECTION

The policies and procedures of the Board have been modified and will be offered for discussion and adoption at a forthcoming meeting. Additionally, the Board will be required to conduct public hearings regarding the so-called soft closing (3 am closing) for the City of Providence. At these hearings, the Board will be requesting comments and encourage discussion from the Mayor, City Council, Providence Police and the Commissioner of Public Safety. The public hearings are required by state law and will provide the public an opportunity to provide input on the potential changes and impact to the city this extension of operating hours may have.

Respectfully submitted



Juan M. Pichardo, Chairman

Providence Board of Licenses

February 25, 2016

Juan M. Pichardo
Chair & Secretary

Louis DiSimone
Attorney to the Board

Charles Newton
Vice Chair

Delia Rodriguez-Masjoan
Commissioner

Johanna Harris
Commissioner

Luis Peralta
Commissioner

Serena Conley
License Administrator

Patricia Zompa
Chief Clerk

Maria Lomax
Clerk

Anna Disano
Clerk

William Vigeant
Investigator

Steven Gianinni
Investigator