

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 312

Approved May 19, 1986

WHEREAS, House Bill 86-H 8535 relates to the
Authority of the Providence Water Supply Board, and

WHEREAS, This Act would enable the Providence Water
Supply Board to extend its service to the towns of North Providence
and Burrillville;

NOW, THEREFORE, BE IT RESOLVED, that the members
of the Providence City Council hereby endorse House Bill 86-H 8535,
presently pending before the House Committee on Corporations.

IN CITY COUNCIL

MAY 15 1986

READ AND PASSED

Walter W. Ender PRES.

Bozeman CLERK

APPROVED

MAY 19 1986

John L. Foy

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 1986

A N A C T

IN AMENDMENT OF THE AUTHORITY
OF THE PROVIDENCE WATER SUPPLY BOARD

Introduced By: Cardente and Remington

Date Introduced: March 7, 1986

Referred To: Corporations

It is enacted by the General Assembly as follows:

1 Section 1. Sec. 18 of chapter 1278 of the public laws,
2 1915, entitled "An act to furnish the city of Providence with
3 a supply of pure water", as amended, is hereby further amended
4 to read as follows:

5 "Sec. 18. Said town of Scituate, the city of Cranston
6 and each water and fire district therein now or hereafter in-
7 corporated, and each other town, city or water or fire district
8 now or hereafter incorporated having any of its territory in-
9 cluded in the drainage district of said north branch of said
10 Pawtuxet river, or of the drainage district of said Pawtuxet
11 river below the junction of the north and south branches of
12 said river, the entire towns of North Providence, Smithfield,
13 Johnston, the Bristol County Water Company or the Bristol County
14 Water Authority serving the town of Bristol, Barrington and
15 Warren, the city of East Providence, the town of Lincoln and the

1 town of Burrillville and each water or fire district therein
2 now or hereafter incorporated, even though its territory or
3 territories are not included in either of said drainage dis-
4 tricts shall have the right to take and receive water from
5 said storage reservoir or reservoirs for use for domestic,
6 fire and other ordinary municipal water supply purposes in the
7 town of Scituate or the city of Cranston, or such water or
8 fire district therein, or in any part or parts of such terri-
9 tory or territories of such other town, city or water or fire
10 district as are included in either of said drainage districts,
11 or in the town of North Providence, Smithfield, Johnston,
12 Bristol, Barrington and Warren, (the latter three towns being
13 served be either the Bristol County Water Company or the
14 Bristol County Water Authority), the city of East Providence,
15 the town of Lincoln, and the town of Burrillville or such
16 water or fire districts therein, even though such territory
17 or territories are not included in said drainage districts.
18 The city of Warwick or any water or fire district therein
19 shall have the further right to take and receive water as
20 aforesaid for use as aforesaid in any part of its territory
21 excepting that area of said city which lies south of Greenwich
22 Bay and is separated from said city by territory of the town
23 of East Greenwich, which area is known as Potowomut.

24 It is provided, however, that as to the entire town
25 of Smithfield and such parts of the town of North Providence,
26 Johnston and the cities of Warwick and East Providence, and
27 the town of Burrillville and such water or fire districts
28 therein as were not entitled to water under chapter 1278 of
29 the public laws of 1915 as originally enacted, the city of
30 Providence, acting by and through the water supply board of
31 the city of Providence or such other officer or officers as

1 may for the time being shall have charge of the water works,
2 shall have the right to determine whether it shall sell water
3 directly to prospective water users or consumers at retail
4 or to the city or town or water or fire district therein at
5 wholesale rates. Proper connections with said water supply
6 source or sources, including the installation of proper
7 meters or other devices for ascertaining the quantity of
8 water so received, shall be made at such suitable location
9 or locations as shall be determined and approved by the water
10 supply board of the city of Providence or such other officer
11 or officers as may for the time being shall have charge of
12 the water works, and at the expense of the town, city, dis-
13 trict, water company or water users desiring to receive
14 such water, and subject to such reasonable rules and regula-
15 tions as from time to time may be made by the water supply
16 board of said city of Providence or its duly authorized officer
17 or officers as may for the time being shall have charge of
18 the water works.. Such town, city or water or fire district,
19 water company or water users or consumers shall have the right
20 to take such water as aforesaid to any extent each month not
21 exceeding an average per day of one hundred fifty gallons per
22 capita of the number of inhabitants of such parts of its
23 territory or territories as are served from such water supply
24 source or sources, as such number of inhabitants was shown
25 by the last preceding census of the United States or of the
26 State of Rhode Island, unless and to the extent and for the
27 time only that said officer or officers of said city of
28 Providence shall consent to the taking by such town, city,
29 or water or fire district, water company or water users of a
30 greater quantity of such water. Whenever any such town, city,
31 water company or water or fire district receives water whole-

1 sale, such town, city, water company, or water or fire dis-
2 trict shall pay to said city of Providence such fair whole-
3 sale rates or charges for the quantity of water taken by it
4 as aforesaid, and at such times, and the rates fixed to con-
5 tinue during such periods, as may be mutually agreed upon, or
6 in default of agreement as shall be determined by the Rhode
7 Island Public Utilities Commission in accordance with the
8 provisions of §§ 39-3-10 and 39-3-11 of the general laws.
9 And it is provided, further, that in case the city of Provi-
10 dence as hereinbefore provided elects to sell water directly
11 to water users or consumers, the water supply board of the
12 city of Providence or such other officer or officers as may
13 for the time being shall have the charge of the water works,
14 shall have the right to determine the rate at which said water
15 shall be sold subject to approval of the Rhode Island Public
16 Utilities Commission. Said city of Providence may furnish
17 water from such water supply source or sources to any water
18 company incorporated by the general assembly and whose rules,
19 regulations and rates are subject to the approval of the ad-
20 ministrator of public utilities of the state for the use as
21 aforesaid in either of said drainage districts or in the
22 town of North Providence, Johnston, Smithfield, Bristol,
23 Barrington, Warren, the city of East Providence, the town
24 of Lincoln and the town of Burrillville or in any part of
25 the territory that is supplied by such water company.

26 The city of Providence shall not be required to
27 serve structures in any city or town at elevations higher
28 than the head characteristics of the present Neutaconkanut
29 pumping station. The city of East Providence will be supplied
30 from the 66" steel aqueduct near Budlong Road in the city
31 of Cranston which is known as the low service section of the

1 system.

2 The town of Lincoln will be supplied from portions
3 of the Providence water system at the southern boundary of
4 said town of Lincoln.

5 The town of Lincoln shall have the right to lay
6 water pipes and appurtenances and maintain same in city
7 streets of the town of North Providence and also under,
8 across or over state property and state highways wherever
9 the same may be necessary to convey said water to the town
10 of Lincoln water system.

11 The Bristol County Water Company or the Bristol
12 County Water Authority will be supplied from the aqueduct
13 at (a) either of the following locations: Wilbur Avenue in
14 the vicinity of Natick Avenue in the city of Cranston, or
15 Budlong Road in the vicinity of Woodridge School in the city
16 of Cranston, or (b) such other location as shall be agreed
17 upon between the water supply board of the City of Providence
18 or such other officer or officers as for the time being have
19 charge of the water works of either of such entities, and
20 shall have the right to lay water pipes and maintain the same
21 in city streets of the cities of Providence, Cranston and
22 Warwick and also under, across or over state property and
23 state highways wherever the same may be necessary to convey
24 said water to a point where the pipe enters the Providence
25 River. Whenever it may be necessary to cross or parallel on
26 state land or any state highway, the plans for such use of
27 state land shall be first approved by the director of public
28 works and upon such terms and conditions as shall be deter-
29 mined by the director. Whenever it may be necessary to use
30 other state property, the plans for such use shall be first
31 approved by the state properties committee upon such terms

1 and conditions as shall be determined by said properties
2 committee.

3 The town of Burrillville shall be supplied from a
4 point of connection mutually agreed by the town of Burrillville
5 and the Providence Water Supply Board and shall have the
6 right to lay water pipes and maintain the same in streets
7 of the towns of North Providence, Smithfield, North Smith-
8 field and Glocester and also under, across or over state
9 property and state highways whenever the same may be necessary
10 to convey said water to the town of Burrillville water system.

11 The city of Providence shall not be obligated to
12 pay for repairs to highways or roads occasioned by it in the
13 laying or repairing of water pipes or water mains in state,
14 city or town highways or roads located outside the city of
15 Providence but the cost thereof shall be borne by the city
16 or town wherein said highways or roads are located and re-
17 ceiving its water supply from the city of Providence; and the
18 city of Providence shall not be liable in damages for in-
19 juries or damages occasioned by the laying or repairing of
20 water pipes or water mains in the aforesaid highways or road,
21 nor shall it be liable for the failure or neglect of any
22 such town or city to repair or maintain said highways or
23 roads after the completion of any such work by the city of
24 Providence but said city of Providence shall give written
25 notice to the director of public works, or other person
26 occupying a similar position in the state, city or town
27 having jurisdiction over the highway or road wherein said
28 work was performed, not more than sixty (60) hours after com-
29 pletion of its work in said highway, setting forth the name
30 of the highway and the location therein where an opening
31 had been made and work performed. Neither the city of Provi-

1 dence, the city of Cranston nor the city of Warwick shall be
2 liable for injuries or damages occasioned by the laying of
3 water pipes or water mains in the highways of the city of
4 Providence, the city of Cranston or the city of Warwick by
5 the city of East Providence and the Bristol County Water Com-
6 pany and the Bristol County Water Authority. The town of
7 North Providence shall not be liable for injuries or damages
8 occasioned by the laying of water pipes and water mains in
9 the highways of North Providence by the town of Lincoln.
10 Neither the towns of North Providence, Smithfield, North
11 Smithfield or Glocester shall be liable for injuries or
12 damages occasioned by the laying of water pipes in the high-
13 ways of North Providence, Smithfield, North Smithfield or
14 Glocester by the town of Burrillville.

15 The city of Providence shall be exempt from local
16 taxes on all pipe lines and other water appurtenances installed,
17 located or laid for the purpose of serving areas not served
18 with water by said city of Providence prior to April 27, 1931.
19 The city of East Providence and the Bristol County Water Com-
20 pany and the Bristol County Water Authority shall also be exempt
21 from local taxes on all pipe lines and other water works appur-
22 tenances hereinafter located or installed in the cities of
23 Cranston, Warwick and Providence for the purposes of providing
24 water supply lines to either the East Providence water supply
25 system or the Bristol County Water Company or the Bristol
26 County Water Authority serving the towns of Bristol, Barring-
27 ton, and Warren.

28 The town of Lincoln shall also be exempt from local
29 taxes on all pipe lines and other water works appurtenances
30 hereinafter located or installed for the purposes of pro-
31 viding water supply lines to said town of Lincoln water

1 supply system.

2 The town of Burrillville shall also be exempt from
3 local taxes on all pipe lines and other water works appur-
4 tenances hereinafter located or installed for the purposes
5 of providing water supply lines to said town of Burrillville
6 water system.

7 The city of Providence, acting by and through its
8 water supply board, in the event of drought or any other
9 contingency which may obligate the city to protect or con-
10 serve its water supply, may regulate the amount and use of
11 water to be served to any and all persons, corporations,
12 towns, water companies, water districts or fire districts."

13 Section 2. This act shall take effect upon passage.

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EXPLANATION

OF

AN ACT

IN AMENDMENT OF THE AUTHORITY
OF THE PROVIDENCE WATER SUPPLY BOARD

1 This act would permit the Providence Water Supply
2 Board to lay pipe from the reservoir in North Providence to
3 the Town of Burrillville.

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Rose M. Mendonca

City Clerk

Clerk of Council

Clerk of Committees



DEPARTMENT OF CITY CLERK
CITY HALL

Michael R. Clement

First Deputy

Grace Nobrega

Second Deputy

May 20, 1986

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—, Rhode Island _

Dear _:

Enclosed is a certified copy of Resolution Number 312, the same being passed by the City Council on May 15, 1986 and approved by His Honor the Mayor on May 19, 1986 for your review.

Very truly yours,

Rose M. Mendonca,
City Clerk

RMM:lc

Enclosure

cc: Governor
 Lt. Governor
 House of Representatives



State of Rhode Island and Providence Plantations

Office of the Lieutenant Governor

Providence

02903

RICHARD A. LIGHT

LIEUTENANT GOVERNOR

TELEPHONE

(401) 277-2371

May 22, 1986

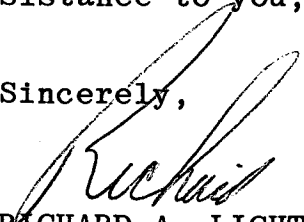
Rose M. Mendonca
City Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Dear Rose:

I am writing to advise you that I have received your Resolution No. 312. A copy of this resolution will be placed on each Senator's desk.

If I can be of further assistance to you, please let me know.

Sincerely,


RICHARD A. LIGHT
Lieutenant Governor

RAL/rs/caf



State of Rhode Island and Providence Plantations

EXECUTIVE CHAMBER, PROVIDENCE

Edward D. DiPrete

Governor

June 3, 1986

Rose M. Mendonca
City Clerk
City Hall
Providence, RI 02903

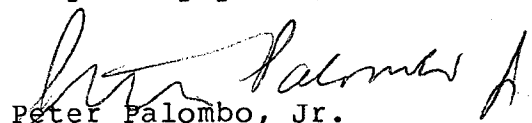
Dear Rose:

The Governor is in receipt of your recent letter dated May 20, 1986, wherein your City Council requests his consideration for a Resolution passed by it supporting H 8535.

You may rest assured that this Resolution will be given full consideration when we review this legislation.

On the Governor's behalf I would like to thank you for your interest in this matter and welcome your City Council's comments on any issue that concerns state government.

Very truly yours,



Peter Palombo, Jr.
Executive Counsel to the Governor