

# City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

## CHAPTER 1985-80

No. 525 **AN ORDINANCE** PROPOSING AN AMENDMENT TO  
THE PROVIDENCE HOME RULE CHARTER OF 1980 (DEPARTMENT OF PARKS AND  
RECREATION.), AS AMENDED.

*Approved* September 19, 1985

### *Be it ordained by the City of Providence:*

That the following amendment to the Providence Home Rule Charter of 1980 be submitted to the voters of Providence for their approval, pursuant to the 28th Amendment to the Constitution of Rhode Island, and Section 1301 of the Charter:

**SECTION 1.** Sections 1003, 1004, and 1005 are hereby deleted in their entirety and the following Section 1003 entitled Department of Parks and Recreation is hereby substituted in their place:

#### **1003. Department of Parks and Recreation.**

There shall be a Department of Parks and Recreation, the head of which shall be a Superintendent of Parks and Recreation, who shall be a person holding at least a bachelor's degree from an accredited college or university, with a minimum of five (5) years' experience in fields related to parks administration or the equivalent in training or experience. The Department of Parks and Recreation shall include a division of parks, a division of recreation, and a division of cultural affairs. The

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Superintendent of Parks and Recreation shall be appointed by the Mayor, with the approval of the Board of Park Commissioners, and shall serve at the pleasure of the Mayor.

(a) The Superintendent of Parks and Recreation shall have the status of a department head, and, subject to the direction, ~~supervision, and approval~~ of the Board of RM Park Commissioners, shall have powers and duties including, but not limited to, the following:

- (1) Acquisition, planning, development, and maintenance of the areas and facilities under the charge of the department, including all green spaces of the City, all parks, including Roger Williams Park Zoo and Roger Williams Park Museum, the North Burial Ground and all other City-owned or controlled cemeteries, public recreation areas of all types, including those on or adjacent to school property, and all forestry functions, including the setting out, care, and removal of trees, shrubs, and other plants on the streets of the City, as well as on the properties for which the department is responsible.
- (2) Establishment of policies, rules, and regulations governing access to, and use of, the areas and facilities under the jurisdiction of the department.
- (3) Planning and administration of recreation programs in the City for all age groups.

(b) The Superintendent shall appoint a director of parks, a director of recreation, and a director of

cultural affairs, each of whom shall be the head of their respective divisions and shall serve at the pleasure of the superintendent.

(c) Board of Park Commissioners.

There shall be a Board of Park Commissioners, consisting of seven (7) members; four (4) appointed by the Mayor, two (2) elected by the City Council, and the Mayor ex-officio. Of the four (4) members first appointed by the Mayor, one shall serve a term of one (1) year, one shall serve a term of two (2) years, one shall serve a term of three (3) years, and one shall serve a term of four (4) years. The members elected by the City Council shall serve a term of four (4) years concurrent with the term of the City Council. All subsequent appointments by the Mayor and elections by the City Council shall be for a term of four (4) years.

The powers and duties of the Board of Park Commissioners shall include, without limitation, the powers set forth above and the following:

- (1) To advise the Superintendent of Parks and Recreation, the Mayor, and the City Council on matters relating to the use of the areas and facilities under the charge of the department.
- (2) To hold public hearings on its own initiative on any matter relative to program and policy decisions within the department, and shall be required to hold such hearings not less than ten (10) days, nor more than twenty (20) days, following receipt of a petition signed by at least fifty (50) registered voters of the City.

- (3) To invest the assets of the Charles H. Smith bequest in conformity with the terms of the last will and testament of Charles H. Smith.

(d) Recreational Advisory Board.

There shall be a Recreational Advisory Board, consisting of five (5) members, three (3) appointed by the Mayor and two (2) elected by the City Council. Of the three (3) members first appointed by the Mayor, one shall serve a term of one (1) year, one shall serve a term of two (2) years, and one shall serve a term of three (3) years. All subsequent appointments by the Mayor shall be for a term of three (3) years. The members elected by the City Council shall serve a term of four (4) years, concurrent with the term of the City Council.

The powers and duties of the Recreational Advisory Board shall include, without limitation, the following:

- (1) To advise the Superintendent of Parks and Recreation, the Mayor, and the City Council on all matters relating to the recreational activities and facilities that fall under the jurisdiction of the Department of Parks and Recreation.
- (2) To hold public hearings on its own initiative on any matter relating to program and policy decisions regarding recreational activities or facilities, and shall be required to hold such hearings not less than ten (10) days, nor more than twenty (20) days, following receipt of a petition signed by at least fifty (50) registered voters of the City.

(e) Use of Bequests and Income from Sale of Surplus Property Limited.

No funds bequeathed to the City, or income from trusts donated to the City, for facilities or programs of the Department of Public Parks and Recreation may be transferred to or used to pay the bills of any other City department, board, or agency. All income derived from the sale of surplus property under the jurisdiction of the department shall be applied to the capital improvement budget of the department and shall not be used for any purpose other than capital improvements of facilities under the jurisdiction of the department.

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

IN CITY COUNCIL  
SEP 12 1985  
FIRST READING  
READ AND PASSED

, as amended

Rose M. Mendonca CLERK

IN CITY  
COUNCIL

SEP 19 1985

FINAL READING  
READ AND PASSED

, as amended

Richard W. Eaton  
PRESIDENT

Rose M. Mendonca  
CLERK

26:58:00

READ AND PASSED  
FIRST READING  
IN CITY COUNCIL

CL

APPROVED  
SEP 1 9 1985  
*[Signature]*  
MAYOR

DEFERRED

READ AND PASSED  
FIRST READING  
IN CITY COUNCIL

THE COMMITTEE ON  
ORDINANCES  
Recommends

*Rose M. Membrano*  
Sept. 9, 1985  
Clerk

THE COMMITTEE ON  
ORDINANCES  
Recommends

*Be Continued*  
*Michael R. Clement*  
Aug. 19, 1985  
Aug. 22, 1985  
Clerk

IN CITY COUNCIL  
AUG 1 1985  
FIRST READING  
REFERRED TO COMMITTEE ON ORDINANCES

*Rose M. Membrano*  
Clerk

*Councilman Glavin, Councilman Dillon, Councilwoman Lucignoli (By Request)*