

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 158

Approved March 13, 1986

RESOLVED, That the Providence City Council
endorses passage, at the 1986 Session of the
General Assembly, of "An Act Relating to Tax
Exempted Property in the City of Providence."
(Draft of Act Appended)

IN CITY COUNCIL

MAR 6 1986

READ AND PASSED

Louis R. Stewart ACTING PRES.
William L. Brown CLERK

APPROVED
MAR 13 1986
John J....

S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION. A.D. 1986

A N A C T

RELATING TO TAX EXEMPTED PROPERTY

IN THE CITY OF PROVIDENCE

Introduced By:

Date Introduced

Referred To:

It is enacted by the General Assembly as follows:

SECTION 1. Services Charges -- Notwithstanding the provisions of section 44-3-3 of the General Laws, or of any other law or legislative charter, the City Council of the City of Providence, at its option, may impose a levy in the form of a service charge upon the owners of the following classes of real and personal property within the City of Providence:

- (i) the land, buildings and personal property used exclusively as a college or university or other institution of higher education as defined and as certified by the

commissioner of post-secondary education;

(ii) the land, buildings and personal property used exclusively as a non-profit hospital as licensed by the director of health or by the director of mental health, retardation and hospitals;

unless the State of Rhode Island reimburses the City for the amount of service charges imposed.

(b) Such service charge shall not exceed the levy that would have otherwise been imposed upon such property had that property been subject to taxation pursuant to title 44 of the General Laws.

(c) The city assessor shall calculate the service charge levy on said properties in the following manner

(i) As of June 30 of each year, the city assessor shall determine the amount of square footage of land owned by each entity subject to a service charge.

(ii) For each such tax exempt entity, the assessor will determine a percentum by the division of the amount of square footage of land owned by the otherwise tax exempted entity into the total amount of square footage of land in the City of Providence

(iii) The assessor shall then multiply that percentum times the total amount of monies expended by the City of Providence for fire protection, police protection and the maintenance of city roads.

(iv) That amount shall be charged to such entity as a service charge and recorded as such on the tax roll of the city.

(v) Such service charge shall be payable and subject to appeal as otherwise set forth in chapters 4, 5, 7 8, and 9 of title 44 of the General Laws as amended.

SECTION 2. Income Producing Properties --

Notwithstanding the provisions of section 44-3-3 of the General Laws or of any other law or legislative charter, the City Council of the City of Providence at its option may impose a levy and subject to ad valorem taxation, on real or personal property otherwise exempted pursuant to section 44-3-3 if such property is not utilized on a regular basis for non profit activities is income producing and its use is not directly related to and necessary for the purposes of the tax exemption provided by state law as determined by the tax assessor subject to an appeal by the owner of said property to the City Council of the City of Providence

SECTION 3 Tax Exempted Disclosures -- The owner of any property located in the City of Providence exempt pursuant to section 44-3-3 or pursuant to a special act or legislative charter shall file on or before March of each year with the tax assessor a disclosure statement indicating the location use the amount of square footage of land and building and the amount and sources of income generated by the property which is exempted Property exempted shall be certified by the tax assessor Any owner of tax exempted property in the City of

Providence failing to file such disclosure shall be subject to taxation as otherwise provided in chapters 4, 5, 7 and 9 of title 44 of the General Laws

SECTION 4. Public Utilities -- Notwithstanding any other law or legislative charter any public utility located in the City of Providence including the Narragansett Bay Water Quality Management District Commission and the Providence Water Supply Board, shall be subject to property taxation as otherwise provided in chapters 4, 5, 7 and 9 of title 44 of the General Laws

SECTION 5. Additions to tax exempted property -- Ownership of real property acquired after July 1, 1985, by entities subject to the benefits of the provisions of subsections 44-3-3 (1) (4), (8) (9) (10) (13) and (14) and/or special charters or acts in the City of Providence shall be subject to taxation as provided in chapter 4, 5, 7 and 9 of title 44 of the General Laws unless the council of the City of Providence either by ordinance exempts such additional property or imposes an annual service fee upon said property as provided in Section 1

SECTION 6. Leases of tax exempted property - Tax exempted real property leased or rented in the City of Providence shall be taxable to the persons or entities to whom such properties are leased or rented pursuant to the provisions of chapter 5 of title 44 unless said leased or rented property is subject to the payment of an annual service fee or has been exempted by an ordinance of the council of the city or town

SECTION 7. Transfers of tax exempted properties -- Any purchaser heir successor or assigns of any real property or

personal property otherwise previously exempt from property taxation shall be liable to property taxation pursuant to the provisions of chapter 5 of title 44 from the date of the conveyance to the purchaser to December 31 of that year on a pro rated basis on the basis of the value of said previously exempted property as of December 31 of the previous year Any new nontax-exempt owner of such previously exempted property may appeal such pro rata assessment and levy within thirty (30) days of receipt of a tax bill as otherwise provided in chapter 4 of title 44

SECTION 8 Repeal -- To the extent that any corporate charter of a college or hospital special act or other legislative act is inconsistent or in conflict with this act such portion of such charter or acts are hereby repealed

SECTION 9 This act shall take effect upon passage

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
AN ACT
RELATING TO TAX EXEMPTED PROPERTY
IN THE CITY OF PROVIDENCE

This act allows the City of Providence the option of imposing a service fee on otherwise tax exempted colleges and hospitals taxing income producing properties and freezing the growth of tax exempted properties