

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 137

Approved April 6, 1990

Whereas Representative Jeremiah P. Murphy and others have introduced legislation entitled "An Act Relating to Businesses and Professions -- Motor Vehicle Repair Shops", and

Whereas, this Act would allow the City Council of the City of Providence to provide by ordinance for the issuing and revocation in its discretion of licenses to all establishments doing repairs or repair work to any type of motor vehicle, and

Whereas, the Act would further provide for a public hearing, with notice given to owners of property within 200 feet, prior to the issuance of any car-repair license, and

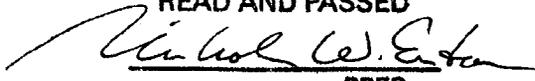
Whereas, the number of businesses involved in vehicle repair has increased dramatically in the city,

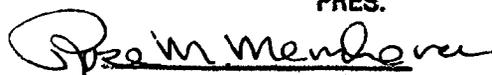
Whereas, with the advent of the "self-serve" gas station, many smaller gas stations have abandoned their gas pumps and expanded their repair activities, and many new vehicle-repair businesses have been established in this community, and

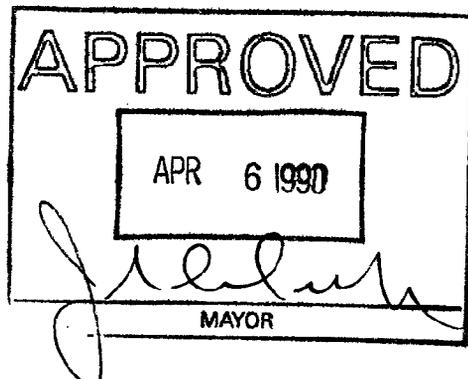
Whereas the city has traditionally regulated and licensed gas stations and the state has regulated auto body repair shops, but those businesses which do not sell gasoline or do body work have not been regulated by either the state or the city,

Now therefore be it Resolved that the City Council of the City of Providence urges the General Assembly to enact that legislation entitled "An Act Relating to Businesses and Professions -- Motor Vehicle Repair Shops"

IN CITY COUNCIL  
APR 5 1990  
READ AND PASSED

  
PRES.

  
CLERK



Councilman Dillon, Council President Easton, Councilmen Clarkin,  
Glavin, Councilwoman Fargoli, Councilmen Lombardi, Petrosinelli,  
Rollins, Councilwoman Young, Councilman Iglizzi,  
Councilwoman Di Ruzzo, Councilmen Arnoldo + Lopez

*Stallan*

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DS014  
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S T A T E   O F   R H O D E   I S L A N D

I N G E N E R A L   A S S E M B L Y

J A N U A R Y   S E S S I O N ,   A . D .   1 9 9 0

*98 Waiver copy*

A N   A C T

R E L A T I N G   T O   B U S I N E S S E S   A N D   P R O F E S S I O N S  
-- M O T O R   V E H I C L E   R E P A I R   S H O P S

Introduced By:

Date Introduced:

Referred To:

It is enacted by the General Assembly as follows:

1            SECTION 1. TITLE 5 OF THE GENERAL LAWS ENTITLED "BUSINESSES AND  
2            PROFESSIONS" IS HEREBY AMENDED BY ADDING THERETO THE FOLLOWING CHAP-  
3            TER:

CHAPTER 38.2

MOTOR VEHICLE REPAIR BUSINESSES

IN THE CITY OF PROVIDENCE

7            5-38.2-1. Local licensing -- Fees -- Penalties. -- The council  
8 of the city of Providence is hereby authorized to provide by ordinance  
9 for the issuing and revocation in its discretion of licenses to all  
10 persons, partnerships, corporations, or establishments doing any  
11 repairs or repair work to any type of motor vehicle or motor vehicle  
12 parts, including auto body repairs, within said city of Providence,  
13 subject to the below listed conditions and restrictions and for term  
14 not exceeding one (1) year as may be the like manner prescribed, and  
15 also for charging and collecting fees for those licenses, provided  
16 that the fees so in the like manner prescribed shall not exceed the  
17 sum of one hundred dollars (\$100.00) for any qualified licensee; and

1 also to fix a penalty for doing motor vehicle repairs without a li-  
2 cense or in violation of any ordinance or regulation made as herein  
3 authorized, not exceeding for any one (1) offense a fine of five hun-  
4 dred dollars (\$500.00) or imprisonment not exceeding six (6) months.

5 5-38.2-2. Hearings and objections by neighboring landowners. --

6 (a) The city council of the city of Providence before granting a li-  
7 cense under this chapter to operate a motor vehicle repair business,  
8 hereinafter defined, in any location not lawfully occupied for such  
9 purpose at the time of the application for such license, shall hold a  
10 public hearing, notice of which shall be given by advertisement pub-  
11 lished once a week for at least two (2) weeks prior to the hearing in  
12 the manner provided by law. Said advertisement shall be published in a  
13 newspaper of general circulation in the city of Providence, provided,  
14 however, that before the local licensing authority shall publish  
15 notice of a hearing it shall collect from the applicant for said li-  
16 cense a fee of ten dollars (\$10.00), plus the cost of posting and pub-  
17 lishing said notice. Said notice shall state that remonstrants are  
18 entitled to be heard and shall name the date, time and place of the  
19 hearing.

20 (b) The local licensing authority, before granting a license  
21 under this ordinance shall have caused notice of said application to  
22 be given, by mail, to all owners of property whose property in whole  
23 or in part shall fall within two hundred (200) feet of the property  
24 line of the place of business seeking said application. The manner  
25 and method of notification of property owners shall be done in accor-  
26 dance with rules and regulations adopted by the local licensing  
27 authority.

28 5-38.2-3. "Motor vehicle repair business" defined. -- As used in  
29 this chapter, "motor vehicle repair business" means any place, estab-  
30 lishment, garage, outdoor work area or work area enclosed within a  
31 building where repairs are made or caused to be made to motor vehi-  
32 cles, including engines, carburetors, brakes, transmissions, muffler  
33 systems, electrical systems and general running gear of motor vehicles

1 including autobody repairs; and including any used automobile dealer-  
2 ship, but excluding any new automobile dealership.

3 5-38.2-4. Conditions to licensing of motor vehicle repair busi-  
4 ness. -- No license shall be granted for a motor vehicle repair busi-  
5 ness license under section 5-38.2-1 unless:

6 (a) It is located within a lawfully authorized zoning district  
7 within the city of Providence; and

8 (b) It is to be operated and maintained entirely within a build-  
9 ing; and

10 (c) The applicants and principals of applicant corporations have  
11 no prior criminal record; and

12 (d) The licensed business is being operated, or will operate in  
13 a lawful manner, and in conformity with all applicable federal, state,  
14 and municipal laws, statutes, ordinances and regulations.

15 5-38.2-5. Enforcement of section 5-38.2-4. -- Notwithstanding  
16 any other provision of this chapter, the penalties provided for in  
17 section 5-38.2-1 of this chapter shall be imposed whenever anyone is  
18 found to be in violation of section 5-38.2-4 of this chapter.

19 It shall be the duty of the state police and the police of the  
20 city of Providence to enforce this section.

21 SECTION 2. This act shall take effect upon passage.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

AN ACT

RELATING TO BUSINESSES AND PROFESSIONS  
-- MOTOR VEHICLE REPAIR SHOPS

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- 1 This act provides for licenses of motor vehicle repair shops
- 2 in Providence.
- 3 This act would take effect upon passage.

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