

CHAPTER 2024-17

No. 220 **AN ORDINANCE AMENDING CHAPTER 5 "BUILDINGS AND STRUCTURAL APPURTENANCES", ARTICLE 1, "IN GENERAL" SECTION 5-8 "NOTICE OF DEMOLITION PERMIT ISSUANCE" OF THE CODE OF ORDINANCES OF THE CITY OF PROVIDENCE**

Approved May 24, 2024

Be it ordained by the City of Providence:

SECTION 1. Article 1. Chapter 5 "BUILDINGS AND STRUCTURAL APPURTENANCES" is hereby amended as follows:

Sec. 5-8. - Notice of application for a demolition permit.

- (a) Upon the application of a permit to the Department of Inspection and Standards for the complete removal of an existing structure, the applicant shall provide the City Clerk with a notice of application. For the purpose of this section, a "structure" shall not include accessory structures as defined in the Zoning Ordinance. Said notice shall include:
 - i. A copy of the application submitted to the Department of Inspection and Standards, which application shall include a site plan with location of fencing, debris staging, dumpster locations, and a separate dust/lead/asbestos mitigation plan;
 - ii. A list identifying all parcels and owners within two hundred (200) feet of the lot where the removal is to occur, whether within the city or within an adjacent city or town ("the abutters").
- (b) Notice of an application for the complete removal of an existing structure of a parcel shall also be distributed as provided for in this section:
 - i. Upon receipt of an application, the building official shall provide written notice to the city council representative of the ward in which the property is located, which notice shall be delivered either by the city sergeant and through electronic communication.
 - ii. Written notice shall be sent at least fourteen (14) days prior to the demolition containing the date, time, and place of the demolition, the nature and purpose of the demolition, and a map showing the existing boundaries and adjacent streets and roads of the property that is the subject of removal, as well as city or town boundaries where appropriate, to:
 - A. the last known address of the abutters, as shown on the current real estate tax assessment records of the city or town in which the property is located; and
 - B. any individual or entity holding a recorded conservation or preservation restriction on the property that is the subject of removal as well as to the owner, occupant, lessee, mortgagee, and any other person with an interest in the property, as indicated by the recorder of deeds.
 - iii. The written notice required in this section shall be sent by registered, certified, or first-class mail; provided, for any notice sent by first-class mail, the sender of the notice shall utilize and obtain a United States Postal Service certificate of mailing, PS form 3817, or any applicable version thereof, to demonstrate proof of mailing. However, if any such person cannot be identified or located, service may be achieved through publication in a newspaper circulating in the city.

- (c) Any applicant who applies for a permit for the complete removal of an existing structure, shall post at the property a notice alerting the public of the pending demolition for fourteen (14) days prior to the commencement of said demolition. The site posting at the property shall comply with the following:
- i. The site posting shall include:
 - A. a description of the proposed project action;
 - B. a list of project permits issued;
 - C. the name, address, and telephone number of the applicant or agent;
 - D. the date the notice is posted; and
 - E. the estimated start date of demolition.
 - ii. The site posting shall be on an all-weather material of not less than 3'x4' located adjacent to the property line, along the front/sidewalk/address side of the structure. Such material will be provided to the applicant upon payment of related fees.
 - iii. The applicant shall submit an affidavit, signed under the pains and penalties of perjury, reflecting the form of the site posting to the Department of Inspection and Standards no more than three working days after posting.
 - iv. Any applicant found to be in violation of this section shall be subject to a penalty of fifty dollars (\$50) for each day that the required site posting was lacking and may result in the voiding of the applicant's permit to demolish the structure at the discretion of the Department of Inspections and Standards.
- (d) No permit shall be issued for the complete removal of an existing structure unless the owner of the site provides an invoice for rat abatement by a licensed pest control company no more than 30 days prior to the commencement of said demolition.
- (e) The building official shall have the authority to exempt an applicant from the notice and rat abatement requirements of this section upon a finding that the existing structure poses a threat to the public health and safety and must be removed immediately.
- (f) In addition to the procedures contained in this section, the Department of Inspection and Standards may develop general procedures for notification, including but not limited to the format of the notice, the size and configuration of any signage, and an affidavit of posting or mailing.
- (g) Any applicant found to be in violation of subsection (a) or (b) shall be subject to a penalty not to exceed five hundred dollars (\$500.00) and shall void the applicant's permit to demolish the property.

Section 2. This ordinance shall be effective upon passage.

IN CITY COUNCIL
MAY 02 2024
FIRST READING
READ AND PASSED
Jana L. Mastromanni
CLERK

IN CITY
COUNCIL
MAY 16 2024
FINAL READING
READ AND PASSED
Rachel E. Miller
RACHEL E. MILLER, PRESIDENT
Jana L. Mastromanni
CLERK

I HEREBY APPROVE.

Butt P. S.

Mayor

Date: *5/24/24*